



COMMANDER'S REPORT DISCIPLINARY OR ADMINISTRATIVE ACTION

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

SUSPENSE DATE (If Applicable)

2004/01/27

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 391; Title 5 USC Section 2951, E.O. 9397 dated November 22, 1945; SSW.
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. THRU
JAG, 1AD
APO AE 09324

2. TO
323D CID
APO AE 09324

3. FROM
B Co 1/36th INF
APO AE 09324

4. USACRC CONTROL NUMBER 63502
0046-03-CID899-63500 SL

5. MP REPORT NUMBER

6. SUB-INSTALLATION IDENTIFIER

To be completed by the commander or supervisor of the subject identified below and in corresponding MP/CID report. Check all applicable blocks. Briefly explain circumstances not covered by blocks. For multiple offenses resulting in more than one type of action taken or action taken for offenses not listed in the report, explain in block 15, Remarks, which offenses apply to blocks checked and action taken for other offenses. Retain last copy and return all others to addressee indicated in "TO" block on completion of final action.

7. NAME OF SUBJECT (Last, First, MI) 67C-5, 66-5

8. GRADE SSG

9. SSN 67C-5, 66-5

10. DATE OF BIRTH (YYYYMMDD) 67C-5, 66-5

11a. OFFENSE(s)

11b. DATE OF OFFENSE(s)

Art 128 UCMJ: Aggravated Assault

2003/06/11

Art 122 UCMJ: Robbery

2003/06/11

Art 134 UCMJ: Unlawful Discharge of a Firearm
Art 92 UCMJ: Dereliction of Duty

2003/06/11

12. ACTION TAKEN

☐ a. * NONE ☐ (1) INSUFFICIENT EVIDENCE ☐ (2) OTHER (Explain in Remarks)

* Subject was advised that although no action was taken, the report would be retained in Army records and that requests for amendment, correction, or expungement may be submitted IAW AR 190-45 (MP Reports) or AR 195-2 (CID Reports).

☐ b. ADMINISTRATIVE

REFERRED TO (Check appropriate blocks)

DATE REFERRED (YYYYMMDD)

DATE RESPONDED (YYYYMMDD)

F = FAMILY ADVOCACY		
D = DRUG/ALCOHOL ABUSE		
S = SPECIAL REFERRAL		
E = EQUAL OPPORTUNITY		
L = LEGAL OFFICE		
M = MENTAL HEALTH		
R = RELIEF AGENCY		

☐ c. NONJUDICIAL (Article 15, UCMJ)

☐ COMPANY GRADE ☐ FIELD GRADE ☐ SUMMARIZED
☐ GCM AUTHORITY ☐ GENERAL OFFICER

☐ d. JUDICIAL (If subject was tried by court-martial attach a copy of the court-martial order giving findings and sentences.)

☒ SUMMARY COURT MARTIAL ☐ GENERAL COURT-MARTIAL
☐ SPECIAL COURT-MARTIAL ☐ CIVIL COURT

13. JUDICIAL FINDINGS

☒ GUILTY ☐ DISMISSED
☐ NOT GUILTY ☐ OTHER (For example, guilty of a lesser included offense. Explain in Remarks.)

14. RESULTANT SENTENCES, PUNISHMENTS, OR ADMINISTRATIVE ACTION

☒ a. REPRIMAND ☐ b. ADMONITION ☐ (1) ORAL ☐ (2) IN WRITING
☐ c. DETENTION ☐ d. FORFEITURE ☒ e. FINED \$ 2000.00 / 1 MONTHS
☐ f. REDUCED FROM _____ TO _____ ☐ g. EXTRA DUTY FOR _____ DAYS ☐ h. RESTRICTED FOR _____ DAYS
☐ i. CORRECTIONAL CUSTODY FOR _____ DAYS ☐ j. CONFINED _____ YEARS _____ MONTHS
☐ k. PUNITIVE DISCHARGE ADJUDGED TYPE _____
☐ l. ADMINISTRATIVE DISCHARGE _____ EFFECTIVE DATE _____
☐ m. OTHER (For example, suspension of driving privileges. Explain in Remarks.)

DA FORM 4833, DEC 1998

DA FORM 4833, JUN 80, IS OBSOLETE

0000001

67C-3, 66-3

67C-3, 66-3

16a. TYPED NAME AND GRADE OF COMMANDING OFFICER
CPT [redacted]

16b. SIGNATURE
[redacted] for CPT [redacted]

67C-3, 66-3 67C-1, 66-1

16c. DATE OF REPORT (YYYYMMDD)
2003/01/27

0000002

PRIVACY ACT STATEMENT

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

1. THRU
JAG, 1AD
APO AE 09324

2. TO
323D CID
APO AE 09324

3. FROM
B Co 1/36th INF
APO AE 09324

4. USACRC CONTROL NUMBER 63502
0046-03-CID899-63500 SC

5. MP REPORT NUMBER

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7. NAME OF SUBJECT (Last, First, MI) 67C-5, 66-5

8. GRADE
SGT

9. SSN 67C-5, 66-5

10. DATE OF BIRTH (YYYYMMDD)
1980/07/12

11a. OFFENSE(s)

11b. DATE OF OFFENSE(s)

Art 128 UCMJ: Aggravated Assault

2003/06/11

Art 122 UCMJ: Robbery

2003/06/11

Art 134 UCMJ: Unlawful Discharge of a Firearm
Art 92 UCMJ: Dereliction of Duty

2003/06/11

12. ACTION TAKEN

☐ a. * NONE ☐ (1) INSUFFICIENT EVIDENCE ☐ (2) OTHER (Explain in Remarks!)

* Subject was advised that although no action was taken, the report would be retained in Army records and that requests for amendment, correction, or expungement may be submitted IAW AR 190-45 (MP Reports) or AR 195-2 (CID Reports).

☐ b. ADMINISTRATIVE

REFERRED TO (Check appropriate blocks)

DATE REFERRED (YYYYMMDD)

DATE RESPONDED (YYYYMMDD)

<input type="checkbox"/> F = FAMILY ADVOCACY		
<input type="checkbox"/> D = DRUG/ALCOHOL ABUSE		
<input type="checkbox"/> S = SPECIAL REFERRAL		
<input type="checkbox"/> E = EQUAL OPPORTUNITY		
<input type="checkbox"/> L = LEGAL OFFICE		
<input type="checkbox"/> M = MENTAL HEALTH		
<input type="checkbox"/> R = RELIEF AGENCY		

☐ c. NONJUDICIAL (Article 15, UCMJ)

☐ COMPANY GRADE ☐ FIELD GRADE ☐ SUMMARIZED
☐ GCM AUTHORITY ☐ GENERAL OFFICER

☐ d. JUDICIAL (If subject was tried by court-martial attach a copy of the court-martial order giving findings and sentences.)

☒ SUMMARY COURT MARTIAL ☐ GENERAL COURT-MARTIAL
☐ SPECIAL COURT-MARTIAL ☐ CIVIL COURT

13. JUDICIAL FINDINGS

☐ GUILTY ☒ DISMISSED
☐ NOT GUILTY ☐ OTHER (For example, guilty of a lesser included offense. Explain in Remarks.)

14. RESULTANT SENTENCES, PUNISHMENTS, OR ADMINISTRATIVE ACTION

☐ a. REPRIMAND ☐ b. ADMONITION ☐ (1) ORAL ☐ (2) IN WRITING
☐ c. DETENTION ☐ d. FORFEITURE ☐ e. FINED \$ _____ MONTHS
☐ f. REDUCED FROM _____ TO _____ ☐ g. EXTRA DUTY FOR _____ DAYS ☐ h. RESTRICTED FOR _____ DAYS
☐ i. CORRECTIONAL CUSTODY FOR _____ DAYS ☐ j. CONFINED _____ YEARS _____ MONTHS
☐ k. PUNITIVE DISCHARGE ADJUDGED TYPE _____
☐ l. ADMINISTRATIVE DISCHARGE _____ EFFECTIVE DATE _____
☐ m. OTHER (For example, suspension of driving privileges. Explain in Remarks.)

DA FORM 4833, DEC 1998

DA FORM 4833, JUN 80 IS OBSOLETE

0000003

b7c-3, b6-3

16a. TYPED NAME AND GRADE OF COMMANDING OFFICER
CPT [REDACTED]

b7c-1, b6-1

16b. SIGNATURE
b7c-1, b6-1

b7c-3, b6-3

SA [REDACTED] for CPT [REDACTED]

16c. DATE OF REPORT (YYYYMMDD)

2003/01/27

0000004

2004/01/27

PRIVACY ACT STATEMENT

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

1. THRU JAG, 1AD APO AE 09324
2. TO 323D CID APO AE 09324
3. FROM B Co 1/36th INF APO AE 09324

4. USACRC CONTROL NUMBER 63502-0046-03-CID899-63500
5. MP REPORT NUMBER
6. SUB-INSTALLATION IDENTIFIER

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7. NAME OF SUBJECT (Last, First, MI) [REDACTED] 8. GRADE SGT 9. SSN [REDACTED] 10. DATE OF BIRTH (YYYYMMDD) [REDACTED]

11a. OFFENSE(s)

11b. DATE OF OFFENSE(s)

Art 128 UCMJ: Aggravated Assault

2003/06/11

Art 122 UCMJ: Robbery

2003/06/11

Art 134 UCMJ: Unlawful Discharge of a Firearm
Art 92 UCMJ: Dereliction of Duty

2003/06/11

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☐ b. ADMINISTRATIVE

REFERRED TO (Check appropriate blocks)

DATE REFERRED (YYYYMMDD)

DATE RESPONDED (YYYYMMDD)

<input type="checkbox"/> F = FAMILY ADVOCACY		
<input type="checkbox"/> D = DRUG/ALCOHOL ABUSE		
<input type="checkbox"/> S = SPECIAL REFERRAL		
<input type="checkbox"/> E = EQUAL OPPORTUNITY		
<input type="checkbox"/> L = LEGAL OFFICE		
<input type="checkbox"/> M = MENTAL HEALTH		
<input type="checkbox"/> R = RELIEF AGENCY		

☐ c. NONJUDICIAL (Article 15, UCMJ)

☐ COMPANY GRADE ☐ FIELD GRADE ☐ SUMMARIZED
☐ GCM AUTHORITY ☐ GENERAL OFFICER

☐ d. JUDICIAL (If subject was tried by court-martial attach a copy of the court-martial order giving findings and sentences.)

☒ SUMMARY COURT-MARTIAL ☐ GENERAL COURT-MARTIAL
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☐ NOT GUILTY ☐ OTHER (For example, guilty of a lesser included offense. Explain in Remarks.)

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☒ c. DETENTION ☐ d. FORFEITURE ☐ e. FINED \$ _____ MONTHS
☒ f. REDUCED FROM E-5 TO E-1 ☐ g. EXTRA DUTY FOR _____ DAYS ☐ h. RESTRICTED FOR _____ DAYS
☒ i. CORRECTIONAL CUSTODY FOR 60 DAYS ☐ j. CONFINED _____ YEARS _____ MONTHS
☐ k. PUNITIVE DISCHARGE ADJUDGED TYPE _____
☐ l. ADMINISTRATIVE DISCHARGE _____ EFFECTIVE DATE _____
☐ m. OTHER (For example, suspension of driving privileges. Explain in Remarks.)

DA FORM 4833, DEC 1998

DA FORM 4833, JUN 80, IS OBSOLETE

0000005

b7C-3, b6-3

b7c-1, b6-1

000000 b

COMMANDER'S REPORT DISCIPLINARY OR ADMINISTRATIVE ACTION

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

2004/01/27

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
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1. THRU JAG, 1AD APO AE 09324	2. TO 323D CID APO AE 09324	3. FROM B Co 1/36th INF APO AE 09324
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4. USACRC CONTROL NUMBER 0046-03-CID899-63502 5C	5. MP REPORT NUMBER	6. SUB INSTALLATION IDENTIFIER
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7. NAME OF SUBJECT (Last, First, MI) <i>b7c-5, b6-5</i>	8. GRADE PFC	9. SSN <i>b7c-5, b6-5</i>	10. DATE OF BIRTH (YYYYMMDD) <i>b7c-5, b6-5</i>
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11a. OFFENSE(s)	11b. DATE OF OFFENSE(s)
Art 128 UCMJ: Aggravated Assault	2003/06/11
Art 122 UCMJ: Robbery	2003/06/11
Art 134 UCMJ: Unlawful Discharge of a Firearm Art 92 UCMJ: Dereliction of Duty	2003/06/11

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☐ f. REDUCED FROM TO ☐ g. EXTRA DUTY FOR DAYS ☐ h. RESTRICTED FOR DAYS
☐ i. CORRECTIONAL CUSTODY FOR DAYS ☐ j. CONFINED YEARS MONTHS
☐ k. PUNITIVE DISCHARGE ADJUDGED TYPE:
☐ l. ADMINISTRATIVE DISCHARGE EFFECTIVE DATE
☐ m. OTHER (For example, suspension of driving privileges. Explain in Remarks.)

DA FORM 4833, DEC 1998

DA FORM 4833, JUN 80, IS OBSOLETE

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b7c-3, b6-3

b7c-3, b6-3

16a. TYPED NAME AND GRADE OF COMMANDING OFFICER
CPT [REDACTED]

16b. SIGNATURE

SA [REDACTED] for CPT [REDACTED]

16c. DATE OF REPORT (YYYYMMDD)

2003/01/27

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301, Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943, SSN;
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APO AE 09324

2. TO
323D CID
APO AE 09324

3. FROM
B Co 1/36th INF
APO AE 09324

4. USACRC CONTROL NUMBER 63502
0046-03-CID899-63500 56

5. MP REPORT NUMBER

6. SUB-INSTALLATION IDENTIFIER

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7. NAME OF SUBJECT (Last, First, MI) 67C-5, 66-5

8. GRADE
SPC

9. SSN 67C-5, 66-5

10. DATE OF BIRTH (YYYYMMDD) 67C-5, 66-5

11a. OFFENSE(s)

11b. DATE OF OFFENSE(s)

Art 128 UCMJ: Aggravated Assault

2003/06/11

Art 122 UCMJ: Robbery

2003/06/11

Art 134 UCMJ: Unlawful Discharge of a Firearm
Art 92 UCMJ: Dereliction of Duty

2003/06/11

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☐ b. ADMINISTRATIVE

REFERRED TO (Check appropriate blocks)

DATE REFERRED (YYYYMMDD)

DATE RESPONDED (YYYYMMDD)

F = FAMILY ADVOCACY		
D = DRUG/ALCOHOL ABUSE		
S = SPECIAL REFERRAL		
E = EQUAL OPPORTUNITY		
L = LEGAL OFFICE		
M = MENTAL HEALTH		
R = RELIEF AGENCY		

☐ c. NONJUDICIAL (Article 15, UCMJ)☐ COMPANY GRADE☐ FIELD GRADE☐ SUMMARIZED☐ GCM AUTHORITY☐ GENERAL OFFICER☐ d. JUDICIAL (If subject was tried by court martial attach a copy of the court-martial order giving findings and sentences.)☐ SUMMARY COURT MARTIAL☐ GENERAL COURT-MARTIAL☐ SPECIAL COURT-MARTIAL☐ CIVIL COURT

13. JUDICIAL FINDINGS

☐ GUILTY☐ DISMISSED☐ NOT GUILTY☐ OTHER (For example, guilty of a lesser included offense. Explain in Remarks.)

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☐ a. REPRIMAND ☐ b. ADMONITION ☐ (1) ORAL ☐ (2) IN WRITING☐ c. DETENTION ☐ d. FORFEITURE ☐ e. FINED \$ _____ / _____ MONTHS☐ f. REDUCED FROM _____ TO _____ ☐ g. EXTRA DUTY FOR _____ DAYS ☐ h. RESTRICTED FOR _____ DAYS☐ i. CORRECTIONAL CUSTODY FOR _____ DAYS ☐ j. CONFINED _____ YEARS _____ MONTHS☐ k. PUNITIVE DISCHARGE ADJUDGED TYPE _____☐ l. ADMINISTRATIVE DISCHARGE _____ EFFECTIVE DATE _____☐ m. OTHER (For example, suspension of driving privileges. Explain in Remarks.)

DA FORM 4833, DEC 1998

DA FORM 4833, JUN 80, IS OBSOLETE

000009

12a. CHAPTER 10 Discharge

67C-3, 66-3

67C-3, 66-3
16a. TYPED NAME AND GRADE OF COMMANDING OFFICER
CPT [REDACTED]

16b. SIGNATURE

SA [REDACTED] for CPT [REDACTED]

67C-1, 66-1
16c. DATE OF REPORT (YYYYMMDD)

2003/01/27

PAGE 2, DA FORM 4833, DEC 1998

0000 10



DEPARTMENT OF THE ARMY
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND
323D MILITARY POLICE DETACHMENT (CID)(DSE)
UNIT #92955
APO AE 09324-2955



AFRC-CMN-MPL-B (195)

2 October 2003

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL(C)/SUPPLEMENTAL - 0041-03-
CID899-63500-5C1D / 5C1J / 5N2D1 / 5R / 5Y2

63502

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 29 JUN 2003/0300Z - 29 JUN 2003/0400Z; BUILDING STRUCTURE KNOWN AS THE "BUS STOP", LOCATED AT GRID COORDINATE MB 42938 89726, BUSINESS DISTRICT, BAGHDAD, IRAQ

2. 11 JUN 2003/0001Z - 12 JUN 2003/2359Z; BUILDING STRUCTURE KNOWN AS THE "BUS STOP", LOCATED AT GRID COORDINATE MB 42938 89726, BUSINESS DISTRICT, BAGHDAD, IRAQ

3. 11 JUN 2003/0001Z - 29 JUN 2003/2359Z; VARIOUS LOCATIONS, BUSINESS DISTRICT, BAGHDAD, IRAQ

4. 29 JUN 2003/2250Z - 29 JUN 2003/2255Z; OUTSIDE THE BUILDING STRUCTURE KNOWN AS THE "BUS STOP", LOCATED AT GRID COORDINATE MB 42938 89726, BUSINESS DISTRICT, BAGHDAD, IRAQ

DATE/TIME REPORTED: 29 JUN 2003/1730Z

INVESTIGATED BY: SA [REDACTED]

SUBJECT: 1. [REDACTED], SSG; [REDACTED],
[REDACTED] M; BLACK; B COMPANY, 1/36TH INFANTRY REGIMENT, 1ST ARMORED DIVISION
(BAGHDAD, IRAQ), BAUMHOLDER, GERMANY; [DERELICTION OF DUTY]

2. [REDACTED], SGT; [REDACTED], [REDACTED],
[REDACTED] M; WHITE; B COMPANY, 1/36TH INFANTRY REGIMENT, 1ST ARMORED DIVISION
(BAGHDAD, IRAQ), BAUMHOLDER, GERMANY; [AGGRAVATED ASSAULT]

3. [REDACTED], SGT; [REDACTED], [REDACTED],
[REDACTED] M; BLACK; B COMPANY, 1/36TH INFANTRY REGIMENT, 1ST ARMORED DIVISION
(BAGHDAD, IRAQ), BAUMHOLDER, GERMANY; [AGGRAVATED ASSAULT]

FOR OFFICIAL USE ONLY

JUN 11

[UNLAWFUL DISCHARGE OF A FIREARM]

4. [REDACTED], PFC; [REDACTED] b7c-5, 66-5
[REDACTED] M; WHITE; B COMPANY, 1/36th INFANTRY REGIMENT, 1st ARMORED DIVISION
(BAGHDAD, IRAQ), BAUMHOLDER, GERMANY; [AGGRAVATED ASSAULT]
[ROBBERY]

5. [REDACTED]; SPC; [REDACTED] M; b7c-5, 66-5
WHITE; B COMPANY, 1/36th INFANTRY REGIMENT, 1st ARMORED DIVISION
(BAGHDAD, IRAQ), BAUMHOLDER, GERMANY; [AGGRAVATED ASSAULT]

VICTIM: 1. [REDACTED] b7c-4, 66-4
[REDACTED]
[REDACTED]

2. [ADD] UNKNOWN IRAQI CIVILIAN; M; [NFI] [AGGRAVATED ASSAULT]

3. [ADD] UNKNOWN IRAQI CIVILIAN; M; [NFI] [AGGRAVATED ASSAULT]

4. [ADD] UNKNOWN IRAQI CIVILIAN(S); M; [NFI] [ROBBERY]

5. [ADD] U.S. GOVERNMENT (B COMPANY, 1ST BRIGADE, 36TH
INFANTRY, 1ST ARMORED DIVISION, BAGHDAD, IRAQ), BAUMHOLDER, GERMANY
[DERELICTION OF DUTY]

INVESTIGATIVE SUMMARY:

"This is an Iraqi Freedom Investigation"

This Supplemental Final(C)/Supplemental Report was submitted to report additional victims, add the offenses of Robbery and Unlawful Discharge of a Firearm, and to clarify the reported incidents.

This investigation was initiated when the Staff Judge Advocate, 1st Armored Division, notified this office several soldiers were suspected to have abused captured Iraqi civilians.

The investigation established probable cause to believe SGT [REDACTED] b7c-5, 66-5
SGT [REDACTED] b7c-5, 66-5
PFC [REDACTED] b7c-5, 66-5, and SPC [REDACTED] committed the offense of aggravated assault around 11 Jun 03, when they severely assaulted several Iraqi detainees under their control, and while the detainee's heads were covered with sandbags, and their hands were restrained with flex-cuffs. All four soldiers were involved in another assault incident around 29 Jun 03 when they physically struck and abused three detained Iraqi civilians under their control, including Mr.

[REDACTED] b7c-4, 66-4

FOR OFFICIAL USE ONLY

The investigation established probable cause to believe PFC [REDACTED] committed the offense of Robbery when he stole an unknown amount of personal funds from numerous detained Iraqi civilians under his physical control. *b7c-5, b6-5*

The investigation established probable cause to believe SGT [REDACTED] unlawfully discharged his weapon on 29 Jun 03 at an Iraqi motorist, who was recently released from a traffic control point stop by SGT [REDACTED], striking the vehicle's rear windshield. *b7c-5, b6-5*

Further, the investigation established probable cause to believe SSG [REDACTED] committed the offense of dereliction of duty when he failed to stop his subordinates from abusing numerous detained Iraqi civilians being held by his unit, and condoning the assaults. *b7c-5, b6-5*

STATUTES:

Article 128, UCMJ: Aggravated Assault
 Article 122, UCMJ: Robbery
 Article 134, UCMJ: Unlawful Discharge of a Firearm
 Article 92, UCMJ: Dereliction of Duty

EXHIBITS/SUBSTANTIATION:

ATTACHED:

1. Agent's Investigative Report (AIR) of SA [REDACTED], 02 Oct 03, detailing his receipt of the initial complaint, coordination with the 15-6 Investigating Officer, interviews of witnesses and subjects, crime scene examination, and coordination with the Staff Judge Advocate and name checks. *b7c-1, b6-1*

2. Sworn statement of SGT [REDACTED], 30 Jun 03, detailing an incident where he picked up a injured prisoner from the control of B Company, 1/36th Infantry Regiment, 1st Armored Division. *b7c-4, b6-4*

3. Sworn statement of SSG [REDACTED], 29 Jun 03, detailing receiving three injured prisoners from the control of B Company, 1/36th Infantry Regiment, 1st Armored Division. *b7c-4, b6-4*

4. Sworn statement of SFC [REDACTED], 30 Jun 03, detailing his knowledge of unit personnel collecting a "Robin Hood Tax" from detained Iraqi civilians. *b7c-3, b6-3*

b7c-4, b6-4 5. Sworn statement of 1LT [REDACTED], 30 Jun 03, detailing being told by SSG [REDACTED] how B Companies imposed a Robin Hood Tax. *b7c-3, b6-3*

6. Sworn statement of Dr. (CPT) [REDACTED], 29 Jun 03, pertaining to his medical treatment of Mr. [REDACTED] and Mr. [REDACTED]. *b7c-3, b6-3*

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7. Chronological Records of Medical Care, pertaining to the treatment of Detainee

and Detainee

8. Sworn statement of SPC [REDACTED] 03 Jul 03, detailing his witness of numerous assaults by committed by PFC [REDACTED], SGT [REDACTED], and SGT [REDACTED], and other abuses committed by members of his platoon. *b7c-4, b6-4*

9. Sworn statement of CPT [REDACTED], 01 Jul 03, provided to CPT [REDACTED], detailing seeing an Iraqi civilian being beaten by unknown soldiers of B Company, 1/36 Infantry. *b7c-4, b6-4*

10. Sworn statement of CPT [REDACTED], 03 Jul 03, detailing seeing an Iraqi civilian being beaten by unknown soldiers of B Company, 1/36 Infantry. *b7c-4, b6-4*

11. Sworn statement of SSG [REDACTED], 30 Jun 03, provided to CPT [REDACTED], detailing witnessing unknown soldiers from B Company, 1/36 Infantry beat civilians. *b7c-4, b6-4*

12. Sworn statement of SSG [REDACTED], 08 Jul 03, detailing witnessing unknown soldiers from B Company, 1/36 Infantry beat civilians. *b7c-4, b6-4*

13. Sworn statement of SSG [REDACTED], 30 Jun 03, provided to CPT [REDACTED], detailing being told by SSG [REDACTED] that all detainees were beaten, and his witness of a beating. *b7c-4, b6-4*

14. Sworn statement of SSG [REDACTED], 8 Jul 03, further elaborating on his previous sworn statement. *b7c-4, b6-4*

15. Sworn statement of SPC [REDACTED], 08 Jul 03, regarding his knowledge of Iraqi civilian detainees being abused and beaten by members of A Company, 1/36th Infantry Regiment. *b7c-4, b6-4*

16. Sworn statement of SGT [REDACTED], 30 Jun 03, regarding his witness of SGT [REDACTED] and others beating and abusing Iraqi civilian detainees. *b7c-4, b6-4*

17. Sworn statement of SGT [REDACTED], 08 Jul 03, further elaborating his previous sworn statement. *b7c-4, b6-4*

18. Sworn statement of SPC [REDACTED], 30 Jun 03, regarding his knowledge of abuse and beatings of Iraqi civilian detainees by soldiers from B Company, 1/36th Infantry Regiment. *b7c-4, b6-4*

19. Sworn statement of SPC [REDACTED], 08 Jul 03, further elaborating on his previous sworn statement. *b7c-4, b6-4*

20. Sworn statement of SGT [REDACTED], 30 Jun 03, detailing observing SGT [REDACTED] repeatedly punch a detained Iraqi civilian without cause of justification. *b7c-4, b6-4*

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67C-4,66-4

21. Sworn statement of SGT [REDACTED], 08 Jul 03, further elaborating on his previous sworn statement.

67C-4,66-4

22. Sworn statement of SGT [REDACTED], 30 Jun 03, in which he reports observing SGT [REDACTED] beat an Iraqi civilian while some of his other squad members watched.

67C-5,66-5

23. Sworn statement of SGT [REDACTED], 08 Jul 03, detailing observing SGT [REDACTED] beat an Iraqi civilian some of his other squad members watched.

67C-5,66-5

24. Sworn statement of SGT [REDACTED], 30 Jun 03, detailing observing SGT [REDACTED] beat an Iraqi civilian while one or two members of his squad watched.

67C-4,66-4

25. Sworn statement of SGT [REDACTED], 08 Jul 03, further elaborating on his previous sworn statement.

26. Photographic Packet containing images (1-19) depicting the room where alleged abuses of Iraqi detainees took place.

67C-5,66-5

27. Rights waiver certificate and sworn statement of SSG [REDACTED], 14 Jul 03, in which he denied participating in or witnessing the beating of Iraqi civilians, but admitted to having sandbags on their heads.

67C-5,66-5

28. Rights waiver certificate and sworn statement of SPC [REDACTED], 14 Jul 03, in which he denied using anything other than reasonable force to detain Iraqi civilians.

29. Rights waiver certificate of PFC [REDACTED], 14 Jul 03.

67C-5,66-5

30. Rights waiver certificate of SGT [REDACTED], 14 Jul 03.

31. Waiver certificate and sworn statement of 1LT [REDACTED], 14 Jul 03, in which he denies witnessing any mistreatment of Iraqi civilians.

67C-5,66-5

32. Rights waiver certificate of SGT [REDACTED], 14 Jul 03.

67C-4,66-4

33. Rights waiver certificate and sworn statement of SSG [REDACTED], 14 Jul 03, in which he denied participating in or witnessing any abuses of Iraqi civilians.

67C-5,66-5

34. Sworn statement of SSG [REDACTED], 14 Jul 03, denying witnessing, participating, or having knowledge of the beating of Iraqi civilians.

67C-4,66-4

35. Rights waiver certificate and sworn statement of SPC [REDACTED], 31 Jul 03, in which he reports witnessing only seeing one Iraqi civilian struck at the bus stop, and that subject had tried to stab a US Soldier.

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36. Photographic Line-up packet, containing line-up montages titled A through F.
37. Rights wavier certificate and Sworn statement of SSG [REDACTED] 18 Aug 03, in which he denied witnessing any abuse of Iraqi civilians. *b7c-4, 66-4*
38. Rights wavier certificate of SSG [REDACTED] 18 Aug 03. *b7c-5, 66-5*
39. Compact disc containing original images of Exhibit 26 (USACRC copy only).

NOT ATTACHED:

None

The original of Exhibits 1 through 6, and 8 through 39, are forwarded with the USACRC copy of this report. The original of Exhibit 7 is retained in the files of the 501st Forward Support Battalion.

STATUS: This is a Final(C)/Supplemental Report. This investigation was terminated in accordance with CIDR 195-1, Paragraph 4-17a(4) in that the supported staff judge advocate is of the opinion that sufficient admissible evidence is available to prosecute the subject for the offenses, that additional investigation would produce only cumulative and unneeded evidence, and that the identification of additional subjects or offenses is unlikely. Leads remaining include attempts for further identify the Iraqi civilian victims. Charges have been preferred against SGT [REDACTED] and SSG [REDACTED] and they are awaiting trial by General Court's Martial. *b7c-5, 66-5* Commander's Report of Disciplinary Action Taken (DA Form 4833) is pending.

Report Prepared By:

[REDACTED]
b7c-1, 66-1, 62
Special Agent, [REDACTED]

Report Approved By:

[REDACTED]
b7c-1, 66-1
Special Agent in Charge

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SUBJ: CID REPORT OF INVESTIGATION: 0041-03-CID899-63500 - 5C1D / 5C1J / 5N2D1
/ 5R / 5Y2

DISTRIBUTION:

- 1 - Director, U.S. Army Crime Records Center (original), Fort Belvoir, VA 22060
- 1 - Thru: Commander, 1/36th Infantry Regiment, 1st AD, Baghdad, Iraq
To: Commander, B Company, 1/36th Infantry, 1st AD, Baghdad, Iraq
- 1 - Thru: Commander, Attn: Operations Officer, 10th Military Police Battalion (CID)(FWD),
APO AE 09336
To: Commander, Attn: Operations Officer, 3d Military Police Group (CID)(FWD), APO
AE 09336
- 1 - Staff Judge Advocate (Attn: LTC [REDACTED]), 1st AD, APO AE 09324 *b7c-3, 66-3*
- 1 - Provost Marshal's Office (Attn: LTC [REDACTED]), 1st AD, APO AE 09324 *b7c-3, 66-3*
- 1 - File

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AGENT'S INVESTIGATION REPORT

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DETAILS

BASIS FOR INVESTIGATION: About 1730z, 29 Jun 03, CPT [REDACTED], SJA, 1st Brigade, 1st Armored Division, notified this office that two Iraqi Civilian's were transported to the 501st, Forward Support Battalion, Baghdad, Iraq, for treatment of a broken collar bone and a facial fracture. The civilians were in the custody of B Company, 1/36 Infantry, 1st Armored Division, at the time their injuries were received. b7c-3, 66-3

About 0430z, 30 Jun 03, CPT [REDACTED], Investigating Officer (AR 15-6), B Company, 1st Brigade, 36th Infantry, 1st Armored Division, provided SA [REDACTED] a packet of statements and documents which were obtained by him during the course of his limited investigation. b7c-1, 66-1

About 0440z, 30 Jun 03, SA [REDACTED] reviewed the sworn statement (Ex 2) of SGT [REDACTED], 506th Forward Support Battalion, dated 30 Jun 03. The statement detailed SGT [REDACTED] description of an injured Iraqi detainee he received from the control of B Company, 1/36 Infantry, 1st Armored Division. According to SGT [REDACTED] the detainee (NFI) appeared to have been beaten and sustained apparent injuries to his face and shoulder. b7c-4, 66-4

About 0455z, 30 Jun 03, SA [REDACTED] reviewed the sworn statement (Ex 3) of SSG [REDACTED], 501st Forward Support Battalion, dated 29 Jun 03. In his statement, SSG [REDACTED] reported on 29 Jun 03, he received three detainees from B Company, 1/36 Infantry, that sustained injuries including a broken collar bone, fractured ribs, and a broken nose, respectively. b7c-4, 66-4

About 0520z, 30 Jun 03, SA [REDACTED] reviewed the sworn statement (Ex 4) of SFC [REDACTED], A Company, 1/36 Infantry, dated 30 Jun 03. In his statement, SFC [REDACTED] relates how SSG [REDACTED] told him that he gets money for his "Platoon Fund" by taking personal monies from detained Iraqi civilians. b7c-4, 66-4

Agent's Note: SSG [REDACTED] was subsequently identified as SSG [REDACTED] B Company, 1/36th Infantry, 1st Armored Division (Baghdad, Iraq), Baumholder, Germany. b7c-4, 66-4

About 0520z, 30 Jun 03, SA [REDACTED] reviewed the sworn statement (Ex 5) of 1LT [REDACTED], A Company, 1/36th Infantry, dated 30 Jun 03. In his statement, 1LT [REDACTED] detailed how SSG [REDACTED] told him that he authorized his platoon soldiers to unlawfully take money from Iraqi detainees in order to support their unit fund, referring to it as a "Robin Hood Tax". b7c-4, 66-4

About 0630z, 30 Jun 03, SA [REDACTED] conducted a telephonic interview of SFC [REDACTED] (NFI), 501st Forward Support Battalion, 1st Brigade, 1st Armored Division, who stated his unit was a holding facility for detainees who are subsequently transferred to Camp Cropper, Baghdad International Airport (BIAP). SFC [REDACTED] stated two Iraqi civilians were brought in as detainees from B Company, 1/36 Infantry Regiment, 1st Armored Division. Both detainees were received with significant injuries that required b7c-4, 66-4

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED] b7c-1, 66-1

ORGANIZATION

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SIGNATURE

DATE

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medical treatment. The detainees were treated by medical personnel of the 501st Forward Support Battalion and held overnight in the medical facility.

Agents Note: A subsequent review of the medical records supplied by CPT [REDACTED] revealed the names of those treated to be Mr. [REDACTED], detainee Capture Tag number [REDACTED] and Mr. [REDACTED], detainee Capture Tag number [REDACTED].

About 1000z, 30 Jun 03, SA [REDACTED] reviewed the sworn statement (Ex 6) Dr. (CPT) [REDACTED], C Company, 501st Forward Support Battalion, 1st Armored Division, dated 29 Jun 03. In his statement, Dr. [REDACTED] reported Mr. [REDACTED] suffered a partial collapsed lung, and his bowels were not working properly. Dr. [REDACTED] also reported that Mr. [REDACTED] sustained "significant trauma" to his right cheek area and a broken left clavicle (collar bone). Appended to Dr. [REDACTED] statement were the accompanying medical records (Ex 7) detailing his treatment of the injured detainees.

About 1204z, 03 Jul 03, SA [REDACTED] and SA [REDACTED] this office, interviewed SPC [REDACTED], A Company, 1/36th Infantry Regiment, 1st Armored Division, who provided a sworn statement (Ex 8) detailing his knowledge of wrongdoing within his unit. SPC [REDACTED] reported both 1LT [REDACTED] and SSG [REDACTED] issued a directive to his platoon that they "...will confiscate weapons and keep some as a back up plan in case we shoot an innocent civilian you won't go to jail". SPC [REDACTED] also reported witnessing first hand the physical abuse and beatings of detained Iraqi citizens by SGT [REDACTED], SSG [REDACTED], PFC [REDACTED], SPC [REDACTED], and SGT [REDACTED]. SPC [REDACTED] also detailed his knowledge of PFC [REDACTED] stealing money from Iraqi citizens. SGT [REDACTED] and SSG [REDACTED] had given PFC [REDACTED] a nickname of [REDACTED] and instructed platoon personnel to provide all money taken from detainees to PFC [REDACTED]. The stolen money was spent by PFC [REDACTED] and SGT [REDACTED] and used to purchase sodas, food, ice, beer, whiskey and gin for the platoon. This money was referred to as the "Robin Hood Tax". SPC [REDACTED] also detailed his knowledge of an incident where soldiers were helping to push a stalled vehicle in which SGT [REDACTED] fell down. SGT [REDACTED] then shot at the vehicle in retaliation for falling down, possibly wounding the occupant. SPC [REDACTED] also related SGT [REDACTED] and PFC [REDACTED] spit and urinated on detainees.

About 1200z, 3 Jul 03, SA [REDACTED] and SA [REDACTED] interviewed CPT [REDACTED] to clarify a sworn statement (Ex 9) he provided to CPT [REDACTED] on 30 JUN 03. CPT [REDACTED] provided an additional sworn statement (Ex 10) recapitulating his earlier statement, detailing his witnessing the beating of an Iraqi civilian by personnel in his unit. CPT [REDACTED] observed SGT [REDACTED], SPC [REDACTED], SSG [REDACTED], SGT [REDACTED], and PFC [REDACTED] present during the beating, but did not know who did the beating. These soldiers continued to beat the civilian even after he was zip tied. CPT [REDACTED] stated that he told them, "that's enough, he's detained," at which point the detainee was dragged off into a back room.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED]

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About 0810z, 05 Jul 03, SA [REDACTED] interviewed SFC [REDACTED], HHC, 115th Military Police Company, 800th Military Police Brigade, Camp Cropper, BIAP, Baghdad, Iraq, who is the personnel NCOIC. SFC [REDACTED] stated that all detainees in the Baghdad area come to Camp Cropper. SFC [REDACTED] had no record of Mr. [REDACTED] detainee Capture Tag number [REDACTED]. SFC [REDACTED] stated that person never came through Camp Cropper. Capture tag number [REDACTED] is assigned to Mr. [REDACTED]. SFC [REDACTED] explained that most Iraqis do not speak English and of those Iraqis who do speak English, few can read and write English. Interpreters who often use different spellings for the same name translate their names into English. In Iraq, the only true way to track any detainee is by the capture tag number. Around 01 Jul 03 the Iraq Theater has run out of capture tags and asked units to make up their own tag numbers. This has complicated the system with duplicate tag numbers. For example, several units used 07-03-01 as their first capture tag number. SFC [REDACTED] suspected this was to represent July 2003, number one.

About 0905z, 08 Jul 03, SA [REDACTED] interviewed SSG [REDACTED], A Company, 1/36th Infantry Regiment, 1st Armored Division, regarding his sworn statement that he provided to CPT [REDACTED] on 30 Jun 03 (Ex 11) in which he detailed his witnessing soldiers from B Company, 1/36 Infantry beating civilians, but not being able to recognize which soldiers they were. SSG [REDACTED] also related that SSG [REDACTED] was well aware of the beating of Iraqi civilian detainees. SSG [REDACTED] provided an additional sworn statement (Ex 12) summarizing his earlier recollection of events.

About 0920z, 08 Jul 03, SA [REDACTED] obtained a sworn statement from SSG [REDACTED], A Company, 1/36 Infantry Battalion, 1st Armored Division, expanding on the sworn statement he provided to CPT [REDACTED] on 30 Jun 03 (Ex 13). In his statement, SSG [REDACTED] detailed being told by SSG [REDACTED] that all detainees captured by 3rd Platoon of B Company were beaten up, and that if soldiers did not beat up civilian detainees they would just keep coming back to do more looting. SSG [REDACTED] also detailed seeing blood on the wall's of the detainee holding room. SSG [REDACTED] stated that he witnessed a beating but did not know the soldiers involved, but felt he could identify them in a future line up. SSG [REDACTED] provided an additional sworn statement (Ex 14) expounding on information provided in his earlier statement.

About 0924z, 08 Jul 03, SA [REDACTED], this office, interviewed SPC [REDACTED], A Company, 1/36th Infantry Regiment, 1st Armored Division, who provided a sworn statement (Ex 15) detailing his knowledge of observing seven soldiers from B Company, 1/36th Infantry Regiment, with three detainees. Two of these soldiers were holding one detainee on the ground while a third soldier "boot stomped" him in the gut, a second detainee was held against the wall by two soldiers while a third soldier was hitting him in the gut with a chunk of wood. Reportedly, a third detainee was being held against the wall by a seventh soldier. SPC [REDACTED] related he notified SSG [REDACTED] and SSG [REDACTED] who were told by SSG [REDACTED], "after you been at the hard site awhile you'll be doing it to. That's how B Company rolled and

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED]

ORGANIZATION

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just deal with it." SPC [REDACTED] did not know the names of the soldiers involved in the beatings. *b7c-4, b6-4*

About 1340z, 08 Jul 03, SA [REDACTED] interviewed SGT [REDACTED], A Company, 1/36th Infantry Regiment, 1st Armored Division, regarding his previous statement (Ex 16) provided to CPT [REDACTED] on 30 Jun 03. SGT [REDACTED] provided an additional sworn statement (Ex 17) detailing his knowledge of the beating of Iraqi civilians by members of B Company, 1/36th Infantry Regiment, 1st Armored Division. SGT [REDACTED] described three soldiers that he observed beating Iraqi civilians, stating he could identify one of the soldiers if seen again. SGT [REDACTED] reported that the civilians had their hands zip tied behind their backs at the time of the beating. *b7c-1, b6-1* *b7c-4, b6-4*

About 0947z, 08 Jul 03, SA [REDACTED] interviewed SPC [REDACTED], A Company, 1/36th Infantry Regiment, 1st Armored Division, regarding a sworn statement (Ex 18) he provided to CPT [REDACTED] 30 Jun 03. SPC [REDACTED] provided an additional sworn statement (Ex 19) reporting he observed five members of B Company, 1/36th Infantry Regiment abuse and beat three civilian Iraqi detainees. The soldiers from B Company were stomping detainees with their feet and slamming them into the walls. SPC [REDACTED] did not know the names of the soldiers involved but provided a physical description of the soldiers. *b7c-1, b6-1* *b7c-4, b6-4*

About 1226z, 08 Jul 03, SA [REDACTED] interviewed SGT [REDACTED], A Company, 1/36th Infantry Regiment, 1st Armored Division, regarding a sworn statement (Ex 20) he provided to CPT [REDACTED] on 30 Jun 0, which detailed his witness of SGT [REDACTED] repeatedly beating a civilian Iraqi detainee in the head. At the time of the abuse, the detainee was flex-cuffed and had a sandbag over his head. SGT [REDACTED] provided an additional sworn statement (Ex 21) further expanding on his previous statement. *b7c-1, b6-1* *b7c-4, b6-4*

About 1311z, 08 Jul 03, SA [REDACTED] interviewed SGT [REDACTED], A Company, 1/36th Infantry Regiment, 1st Armored Division, regarding a sworn statement (Ex 22) he provided to CPT [REDACTED] on 30 Jun 03, which detailed his witness of SGT [REDACTED] repeatedly hitting a detainee's head into a wall and then rapidly punching his body, while the detainee had his head covered with a sand bag, and his hands zip-tied. SGT [REDACTED] provided an additional sworn statement (Ex 23) further expanding on his previous statement. *b7c-1, b6-1* *b7c-4, b6-4*

About 1412z, 08 Jul 03, SA [REDACTED] interviewed SGT [REDACTED], A Company, 1/36th Infantry Regiment, 1st Armored Division, regarding a sworn statement his provided to CPT [REDACTED] on 30 Jun 03 (Ex 24) expanding on the sworn statement given to CPT [REDACTED] on 30 Jun 03, reporting he observed SGT [REDACTED] beat an Iraqi civilian, who had a sand bag on his head. SGT [REDACTED] also reported witnessing SGT [REDACTED] beat a civilian's head into a wall. SGT [REDACTED] provided an additional sworn statement (Ex 25) further elaborating on his previous statement. *b7c-1, b6-1* *b7c-4, b6-4*

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED] *b7c-1, b6-1* *b7c-4, b6-4*

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DETAILS

Crime Scene Examination. About 1510z, 08 Jul 03, SA [REDACTED] SA [REDACTED] and SA [REDACTED] conducted a crime scene examination of a room located in a building known as the "Bus Stop" located in the Business District of Baghdad, Iraq. The building was located at Grid Coordinate MB 42938 89726, Baghdad Iraq. b7c-1, b6-1

Characteristics of Scene: This was a commercial area with a very wide street. The street allows busses to pull off semi-perpendicular to the sidewalk. This allows a large number of busses to load and off load passengers, and for passengers to obtain a transfer to another bus all at the same time. This was how this area became know to US Troops as the bus stop. To the south side of this street are a number of multiple story buildings. These appeared to be apartment buildings. To the West was a Mosque that was surrounded by what appeared to be single-family homes, with an occasional business. The area known as the Bus Stop appeared to have housed a bank and several other small businesses. This was a multiple story building. This building had apartments on the upper floors and businesses on the lower floors. The occupants of this building were educators, professors, and other Iraqi professionals. The lower level at the east side housed an area known by U.S. soldiers as "the bank".

Condition of Scene: The bank did not currently have any active business with in it. The front doors were broken out. Inside the front doors was a long lobby type area that appeared to have allowed patrons to visit more than one business. Continuing on through the lobby to the rear of the bank was the area where US Troops housed detainees. This area had concertina wire stretched across its doorway to prevent entry. The room that detainees were housed in consisted of an L shape room. There were several columns in the room that support the roof/structure. In the southeast corner of the holding room, holes were observed in the walls. These holes were consistent with the general shape of a human, adult body. On the walls from approximately 5 feet to 2 one half feet SA [REDACTED] observed blood spatters. This spatter was coming from multiple areas and some of the blood appeared to be from blood that had already started to clot. The blood spatter appeared to consist of cast off and impact spatters. Agents observed an area that had handprints traced on the wall in pencil or pen. This area also had several dents in the plaster material. These dent were also consistent with a person's body having caused them. b7c-1, b6-1

Environmental Conditions: At the time of the crime scene examination, the outside temperature was approximately 115 degrees Fahrenheit, with the inside temperature approximately the same.

Factors Pertinent to Entry/Exit: The area outside the bank at the Bus Stop was protected with several rows of concertina wire. US Troops guarded the outside area around the building; a Bradley Fighting Vehicle was present at most times. Entrance to the building was easily gained through one of several broken out doors or windows. The doorway leading to the "bank", where detainees were kept was block by a row of concertina wire. A member of US forces guarded this area while detainees were present.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED] b7c-1, b6-1, b2

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SIGNATURE

[REDACTED SIGNATURE] b7c-1, b6-1

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Scene Documentation: SA [REDACTED] captured digital photographs of the scene utilizing a Nikon Coolpix 995 digital camera system. SA [REDACTED] subsequently prepared a photographic packet (Ex 26). A sketch of the scene was not conducted.

Search for Latent Impression: There was no search for latent impressions due to the transient nature of the scene.

Collection of Crime Scene Evidence: There was a small section of wall broken out and collected from this scene. This section contained the tracing of the hands and English writing.

Examination of Blood: About 20 Sep 03, SA [REDACTED] returned to the crime scene at which time phenolphthalein, a presumptive blood test, was conducted on a blood smear on the wall. This test was positive for the presence blood.

Agent's Note: Due to time constraints and the security threats at the crime scene, limited processing was conducted.

About 1540z, 08 Jul 03, SA [REDACTED] interviewed Mr. [REDACTED]. Mr. [REDACTED] was previously a professor at Baghdad University, but was currently working at the Iraqi Museum as an interpreter. Mr. [REDACTED] had also worked for U.S. forces (B Company, 1/36th Infantry Regiment) as an interpreter and had been present when some of the beatings of Iraqi citizen had taken place. Mr. [REDACTED] stated that some of the beating might have been justified. He stated that there were many bad people in "this area". Mr. [REDACTED] stated that he would testify if it became necessary. Mr. [REDACTED] seemed reluctant to say anything about this incident.

About 1130z, 10 Jul 03, SA [REDACTED] traveled to Abu Ghraih Prison and interviewed Mr. [REDACTED], who is a prisoner there. Mr. [REDACTED] stated that he was with a friend who was looting a building. He reported being arrested, although he had no knowledge of what his friend was doing at the time. Mr. [REDACTED] reported he was handcuffed and then beaten by U.S. Soldiers. Mr. [REDACTED] felt he may be able to identify the soldiers that beat him if seen again, and would testify against them. After being beaten he was given medical treatment and taken to "a place", then to prison. During the interview, Mr. [REDACTED] expressed difficulty breathing and complained of pain in his chest and his rib cage. He lifted his shirt and allowed SA [REDACTED] to inspect his chest. There were no injuries visible on Mr. [REDACTED] at the time.

Agents Note: Mr. [REDACTED] identification tag number is [REDACTED] which is the same tag number listed on [REDACTED]

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED]

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medical records of the 501st Forward Support Battalion. However, the name on tag number [REDACTED] at Camp Cropper is listed as Mr. [REDACTED]. Dr. (CPT) [REDACTED] reported treating [REDACTED]. Mr. [REDACTED] also reported a date of birth the same as listed on the 501st Forward Support Battalion medical history sheet. It is believed that Mr. [REDACTED] is the same person that was processed through the 501st Forward Support Battalion on 29 Jun 03. Mr. [REDACTED] was due to be released from prison on 13 Jul 03. The interview was facilitated through the use of U.S. interpreter, Mr. [REDACTED], assigned to the 12th Military Police Detachment (CID), BIAP.

About 0620z, 14 Jul 03, SA [REDACTED] advised SSG [REDACTED] B Company, 1/36th Infantry Regiment, 1st Armored Division, of his legal rights which he waived and provided a sworn statement (Ex 27) detailing his knowledge concerning allegations his squad abused detained Iraqi civilians. SSG [REDACTED] denied any knowledge of any Iraqi prisoner having been unjustifiably beaten by himself, or any U.S. soldiers in his presence.

At 0625Z, 14 Jul 03, SA [REDACTED], this office, advised SPC [REDACTED], B Company, 1/36th Infantry Regiment, 1st Armored Division, of his legal rights, which he waived and rendered a sworn statement (Ex 28) detailing his knowledge concerning this investigation. SPC [REDACTED] stated that he did not ever abuse an Iraqi detainee under his control, nor did he ever witness such events. SPC [REDACTED] did state that during the apprehension of the detainee who attempted to assault PVT [REDACTED], the Iraqi civilian received "a few punches and a few kicks", however the activity ceased once the detainee was in physical custody. SPC [REDACTED] concluded by stating that he did not patrol very often with his unit due to a lack of equipment and he was unaware of any other wrongdoings involving members of his unit.

About 0641Z, 14 Jul 2003, SA [REDACTED] advised PFC [REDACTED], B Company, 1/36 Infantry Regiment, 1st Armor Division, of his legal rights which he waived (Ex 29) and provided a verbal statement in which he denied any involvement in the assaults of Iraqi citizens, larceny of funds and property or any type of maltreatment of detainees. PFC [REDACTED] further denied knowledge of any other unit members being involved in illegal or improper behavior. PFC [REDACTED] refused to reduce his verbal statement to writing stating, "I don't want to go do the paperwork."

Agent's Note: It is the opinion of SA [REDACTED] that PFC [REDACTED] was being untruthful and deceptive when answering questions concerning this incident.

About 0641z, 14 Jul03, SA [REDACTED], this office, advised SGT [REDACTED], B Company, 1/36th Infantry Regiment, 1st Armor Division, of his legal rights which he waived (Ex 30) and provided a verbal statement. SGT [REDACTED] denied ever firing a weapon at any Iraqi vehicles; denied abusing or beating any prisoners; and denied beating any person with a sand bag over their head or while handcuffed. SGT [REDACTED] stated he only used the minimal force when detaining people and had briefed his

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA [REDACTED]		ORGANIZATION 323D MP DET (CID) (DSE), Unit 92955 APO AE-09324-2955	
SIGNATURE [REDACTED]		DATE 2 October 2003	EXHIBIT 1

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soldiers on using only minimal force when making apprehensions. SGT [REDACTED] also stated he had not witnessed any attack by anyone. SGT [REDACTED] refused to provide written statement and then stated he no longer wished to discuss this investigation further. b7C-5, 66-5

About 0727z, 14 Jul 2003, SA [REDACTED] advised 1LT [REDACTED] HHC, 1/36th Infantry Regiment, 1st Armored Division, of his legal rights which he waived and rendered a sworn statement (Ex 31) denying knowledge of any wrongdoings by his platoon. b7C-4, 66-4

About 0727Z, 14 Jul 03, SA [REDACTED] advised SGT [REDACTED], B Company, 1/36th Infantry Regiment, 1st Armored Division, of his legal rights which he initially waived (Ex 32) and began to discuss the incidents under investigation. However, he subsequently invoked his rights, requesting to speak with a lawyer. b7C-5, 66-5

About 0820z, 14 Jul 03, SA [REDACTED] advised SSG [REDACTED], B Company, 1/36th Infantry Regiment, 1st Armored Division, of his legal rights, which he waived and provided a sworn statement (Ex 33) detailing his knowledge concerning this investigation. SSG [REDACTED] denied any knowledge of wrongdoing concerning his unit. SSG [REDACTED] stated that he and SSG [REDACTED] had been asking each other just prior to the CID interview what CID could possibly be investigating concerning his unit. SSG [REDACTED] replied that he had no idea. SSG [REDACTED] verbally surmised that it could have to do with the alleged "beatings" conducted by B Company. SSG [REDACTED] asked SSG [REDACTED] what he was speaking about. SSG [REDACTED] proceeded to tell him of a day when he (SSG [REDACTED]) was getting out of the shower and overheard an unidentified soldier say, "That's fucked up". According to SSG [REDACTED], he inquired what the soldier was speaking about, to which the soldier replied, "Those guys are beating the detainees". Allegedly, SSG [REDACTED] went back to the detainees holding area, where he found members of B Company with the detainees, however, SSG [REDACTED] observed no beatings. b7C-5, 66-5

About 1035z, 14 Jul 03, SA [REDACTED] and SA [REDACTED] re-interviewed SSG [REDACTED], who provided a second sworn statement (Ex 34) who confirmed the information provided by SSG [REDACTED]. SSG [REDACTED] related that SSG [REDACTED] and PVT [REDACTED] were the soldiers who he overheard saying, "That's fucked up". SSG [REDACTED] further related that when he went back to check on the situation, just minutes after the alleged incident, he found the detainees in the company of SGT [REDACTED] and SPC [REDACTED]. SSG [REDACTED] allegedly said, "What the fucks going on here"..."I was told that you were beating prisoners". SGT [REDACTED] and SPC [REDACTED] replied together, "That's bullshit", and denied the allegation. One of the soldiers then replied, "That fat fuck" (referring to PVT [REDACTED]) SSG [REDACTED] allegedly told the two to knock it off if they were doing it, and allegedly checked the welfare of the detainees, by checking under their shirts for injury. SSG [REDACTED] stated that he did not locate any bruises, cuts, etc. SSG [REDACTED] stated that he confronted SSG [REDACTED] about the allegation and told him "that's how rumors get started". SSG [REDACTED] stated that he had a personal conflict with SSG [REDACTED] and thought that he had made the whole b7C-4, 66-4

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED] b7C-4, 66-4

ORGANIZATION

323D MP DET (CID) (DSE), Unit 92955
APO AE-09324-2955

SIGNATURE

[REDACTED]

DATE

2 October 2003

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story up. SSG [REDACTED] stated that he was confronted by his CPT [REDACTED] his company commander, the day they were relieved, who inquired, "What's this I hear about beating up detainees". SSG [REDACTED] related the above situation to CPT [REDACTED]. SSG [REDACTED] then stated, "I suppose you haven't heard that SSG [REDACTED] shaved an Iraqi's eyebrows and wrote on his forehead in ink "thief"? CPT [REDACTED] replied, "Pack your shit sergeant", thus terminating the conversation.

About 0400z, 31 Jul 03, SA [REDACTED] advised SPC [REDACTED], B Company, 1/36th Infantry Regiment, 1st Armor Division, of his legal rights, which he waived and rendered a sworn statement (Ex 35) denying witnessing any Iraqi citizens being abused or beaten by U.S. Forces. SPC [REDACTED] stated that he did observe one incident in which an Iraqi had a knife and was going to stab a PV2 (NFI). The citizen was struck several times to be subdued. After he was subdued he was not struck again.

About 1300z, 09 Aug 03, SA [REDACTED] composed a photographic line up. The line up consisted of six folders labeled A thru F, with each folder containing 6 subject photographs labeled 1 thru 6 (Ex 36). The six line-ups were composed as follows:

File A

Photograph 1: SPC [REDACTED] 1/4 ADA, 1AD
 Photograph 2: CPT [REDACTED], HHC 1/41 Signal, 1AD
 Photograph 3: PFC [REDACTED], HHC 1AD
 Photograph 4: SA [REDACTED], 323 CID
 Photograph 5: SPC [REDACTED], 501st MP CO
 Photograph 6: SPC [REDACTED] (Subject)

File B

Photograph 1: SFC [REDACTED], 59th MP CO, STB, 5th CORP
 Photograph 2: SGT [REDACTED], HHC, 1AD
 Photograph 3: PFC [REDACTED], A 3/58 ATS, 1AD
 Photograph 4: SGT [REDACTED], 323 CID
 Photograph 5: SSG [REDACTED] (Subject)
 Photograph 6: SPC [REDACTED], HHC 3rd BDE, 1AD.

File C

Photograph 1: SPC [REDACTED], 501st MP CO, 1AD
 Photograph 2: SFC [REDACTED], 501st MP CO, 1AD
 Photograph 3: SPC [REDACTED], 501st MP CO
 Photograph 4: PFC [REDACTED] (Subject)
 Photograph 5: SSG [REDACTED], HHC 1AD

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED]

ORGANIZATION

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Photograph 6: SPC [REDACTED] 1/4 ADA 67C-3, 66-2

File D

Photograph 1: SSG [REDACTED], 912th Postal, Attached 55 PSB, 1AD 67C-3, 66-3

Photograph 2: PFC [REDACTED], HHC, 1AD 67C-3, 66-3

Photograph 3: SGT [REDACTED] (Subject) 67C-5, 66-5

Photograph 4: SFC [REDACTED], 501st MP CO 67C-3, 66-3

Photograph 5: SPC [REDACTED], HHC, 1AD 67C-3, 66-3

Photograph 6: SGT [REDACTED], 501st MP CO. 67C-3, 66-3

File E

Photograph 1: SGT [REDACTED] 501st MP CO 67C-3, 66-3

Photograph 2: SGT [REDACTED] 501st MP CO 67C-3, 66-3

Photograph 3: SSG [REDACTED] (Subject) 67C-5, 66-5

Photograph 4: PV2 [REDACTED], HHC, 1AD 67C-3, 66-3

Photograph 5: SSG [REDACTED], Attached HHC, 1AD 67C-3, 66-3

Photograph 6: PFC [REDACTED], B Battery, 4/1 FA 67C-3, 66-3

File F

Photograph 1: SA [REDACTED], 323 CID 67C-1, 66-1

Photograph 2: SGT [REDACTED] (Subject) 67C-5, 66-5

Photograph 3: PFC [REDACTED], HHC 1AD 67C-3, 66-3

Photograph 4: SSG [REDACTED], G-3 Plans, 1AD 67C-3, 66-3

Photograph 5: CPT [REDACTED], 389th Engineer BN 1 AD 67C-3, 66-3

Photograph 6: SPC [REDACTED], 501st MP CO 67C-3, 66-3

About 0700z, 11 Aug 03, SA [REDACTED] 67C-1, 66-1 conducted a photo line up at A Company, 1/36th Infantry Regiment, 1st Armored Division, Baghdad, Iraq. The photo line-up was presented to soldiers who witnessed the alleged abuses of Iraqi detainees, and yielded the following results:

SGT [REDACTED] 67C-4, 66-4

- Identified SGT [REDACTED] 67C-5, 66-5 as being in the hallway while a beating was being conducted, but did not witness him participate in the beating.

SSG [REDACTED] 67C-5, 66-5

- Was unable to identify any participants in beatings but did identify both SSG [REDACTED] and SSG [REDACTED] as being in charge of the group who were conducting the beatings.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED] 67C-1, 66-1

ORGANIZATION

323D MP DET (CID) (DSE), Unit 92955

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SIGNATURE

[REDACTED SIGNATURE]

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SSG [REDACTED]

- Identified SGT [REDACTED] as present during the beating of Iraqi citizens, and he was the one who stated that "if you don't beat Iraqi citizens they will keep coming back".
- Identified SSG [REDACTED] as the person arguing with SPC [REDACTED] and SPC [REDACTED] about the beating that was witnessed by SPC [REDACTED] and SPC [REDACTED].
- Identified SGT [REDACTED] as the person who put on gloves in order to "go beat a detainee".

SPC [REDACTED]

- Identified SPC [REDACTED] as a soldier that beat Iraqi detainees.
- Identified SSG [REDACTED] of being in charge, but never witnessed him beat an Iraqi detainee.
- Identified PFC [REDACTED] as a soldier who beat Iraqi detainees.
- Identified SGT [REDACTED] as beating several Iraqi detainees, and the Iraqi citizen who attacked an American Guard with a knife.
- Identified SSG [REDACTED] as someone he only saw beat the citizen who had attacked an American guard with a knife.

SPC [REDACTED]

- Identified SGT [REDACTED] as letting his troops beat citizens.
- Identified SSG [REDACTED] as telling him that he let his guys beat citizens, as it was the only way the Iraqis learned not to loot.

SGT [REDACTED]

- Identified SGT [REDACTED] as being one he observed beating an Iraqi citizen.

SGT [REDACTED]

- Identified SGT [REDACTED] as the one he witnessed beating Iraqi civilians.

SGT [REDACTED]

- Identified SGT [REDACTED] as the one he witnessed beating Iraqi civilians, and SSG [REDACTED] as being in charge and present during the abuses.

Agents Note: The witnesses were gathered together in the Company's day room and called to a separate area outside the day room. Once the line up was viewed, the soldiers were dismissed from the area of the line up and day room and not allowed back into the area.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED]

ORGANIZATION

323D MP DET (CID) (DSE), Unit 92955
APO AE-09324-2955

SIGNATURE

[REDACTED]

DATE

2 October 2003

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About 0520z, 18 Aug 03, SA [REDACTED] advised SSG [REDACTED] of his legal rights, which he waived and rendered a sworn statement (Ex 37) in which he reported not being assigned to the bus stop during the time frame of the abuses. He had been re-assigned to the Central Bank, downtown. SSG [REDACTED] also denied ever participating in, or witnessing an assault on any Iraqi civilian.

About 0800z, 18 Aug 03, SA [REDACTED] advised SSG [REDACTED] of his legal rights, which he initially waived (Ex 38) and agreed to discuss the incidents under investigation, but subsequently invoked his rights.

About 0630z, 20 Aug 03, SA [REDACTED] contacted CPT [REDACTED] who opined to title SGT [REDACTED] for Dereliction of duty, SGT [REDACTED], SGT [REDACTED], PFC [REDACTED], SPC [REDACTED] with assault.

About 1100, 01 Oct 03, SA [REDACTED] coordinated with CPT [REDACTED] and discussed the facts developed during this investigation. CPT [REDACTED] opined there was probable cause to believe SGT [REDACTED], SGT [REDACTED], PFC [REDACTED], and SPC [REDACTED] committed the offense of Aggravated Assault when they physically beat and abused numerous Iraqi civilian detainees under their control. CPT [REDACTED] also advised there was probable cause to believe SGT [REDACTED] unlawfully discharged his firearm at a non-threatening Iraqi civilian; and probable cause to believe SSG [REDACTED] committed the offense of Dereliction of Duty when he condoned the assaults by his unit members and failed to take action to prevent the abuses. Further, there was probable cause to believe PFC [REDACTED] committed the offense of Larceny when he stole personal monies from Iraqi civilians he detained during the course of his duties.

About 01 Oct 03, SA [REDACTED] conducted a check with the U.S. Army Crime Records Center. The results of this check are not available.

///////////////////////////////// NOTHING FOLLOWS ///////////////////////////////////

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED]

ORGANIZATION

323D MP DET (CID) (DSE), Unit 92955
APO AE-09324-2955

SIGNATURE

DATE

2 October 2003

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Referred to:

U.S. CENTRAL COMMAND
7115 SOUTH BOUNDARY BLVD
ATTN: CCJ6-DM
MACDILL AIR FORCE BASE
FLORIDA 33621-5101

MS. JACQUELINE SCOTT
scottj@centcom.smil.mil
(813) 827-5341/2830

Page(s)

44-47

Referred to:

U.S. ARMY MEDICAL COMMAND
FREEDOM OF INFORMATION/
PRIVACY ACT OFFICE
ATTENTION: MCFP
2050 WORTH ROAD, SUITE 13
FORT SAM HOUSTON, TEXAS
78234-6013

MR. JOHN PETERSON
John.Peterson1@cen.amedd.army.mil
(210) 221-7826

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 391; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION Spartan Camp, Baghdad, Iraq	2. DATE (YYYYMMDD) 20030703	3. TIME 1804	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-4	
8. ORGANIZATION OR ADDRESS B Company, 136 Infantry, Baghdad, Iraq			

9. [REDACTED] 67C-4,66-4
 I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Let me start with an incident that occurred back in Germany to explain the nature of these people. During the April 2002 CMTC Rotation, we received a lot new privates prior to the field problem. One of these privates was Private [REDACTED]. [REDACTED] was what some people would call a NERD. He was a fat kid who tried to be funny but really wasn't good at it. Well he was assigned to the same squad as me, SGT [REDACTED] squad. We both had the same team leader, SPC [REDACTED]. SPC [REDACTED] had just become a team leader and was anxious to get his sergeant stripes. Well SSG [REDACTED] was the BC of B33 the track we rode on. He and SGT [REDACTED] were very good friends. They even lived together for a short period of time. SSG [REDACTED] what us soldiers call Old Army. The type of NCO that believes in laying his hands on soldiers in order to get them to straighten up. Well one day during the rotation, [REDACTED] said something with an attitude to SPC [REDACTED]. [REDACTED] smoked him as usual and went to SGT [REDACTED] to report this. Well somewhere in [REDACTED] their conversation the order to take [REDACTED] to "church" as SSG [REDACTED] liked to call it was given. So [REDACTED] came back to the area we were in and ordered [REDACTED] to follow him into the wood line. During this time I needed to go urinate. So I took my Bottle Buddy PVT [REDACTED] into the woodline with me and I saw PVT [REDACTED] in the front lean and rest position with SPC [REDACTED] talking to him. After I'd say 10 to 15 seconds I see SGT [REDACTED] the other team leader for my squad came up and both of them started beating his ass by throwing kicks and punches. After they felt they beat him good enough they walked away. I later went to the [REDACTED] to ask SPC [REDACTED] about something. While I was approaching the Bradley I heard SGT [REDACTED], SSG [REDACTED], SGT [REDACTED], SPC [REDACTED] talking about how they were going to tell our Platoon Sergeant that [REDACTED] attacked [REDACTED] and that was the story so stick to it. Later on, about 2 days, [REDACTED] heard he might be going to Mannheim to serve time for "hitting [REDACTED]". That night [REDACTED] decided to go AWOL in the field. Training came to a stop and he was found days later. When we returned to

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED] 67C-4,66-4	PAGE 1 OF 6 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED]"		
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.		

EXHIBIT 8

STATEMENT OF

TAKEN AT

1804

DATED

20030703

9. STATEMENT (Continued)

he wasn't the same person. He just didn't give a shit anymore. He was trying to do whatever it took to get kicked out of the Army. They drove him to that level of carelessness. Well months went by while every other day was pulling CQ at our Barracks until the day he left the Army with a Dishonorable discharge.

Now a year has passed and we are now deployed to Iraq. May 27 was our first day in country. This is when SSG [redacted] and LT [redacted] say that "we will 'What ever happens here we'll have your back' to the entire platoon and say that 'we will confiscate weapons and keep some of them as a back up plan in case we shoot an innocent civilian you won't go to jail' but he did say that if we did it on purpose he wasn't gonna cover our ass. He told us to act like soldiers but do what it takes to make it out alive. We arrived at the Bank in a few to start doing our mission which was to protect the Bank. LT [redacted] was in charge of the bank while the Platoon sergeant took his truck and one squad to the bus stop to that mission which was basically a show of force. At the bank everything was going as planned then they decided to change out the crews at the Busstop with the crew at the bank. So I drove my truck over there with my BC SSG [redacted] and SGT [redacted] my gunner. We were to replace the Platoon sergeant and his crew. So now SSG [redacted] is in charge of the bank site. The minute we arrived they already had a prisoner in the room next to the one where everyone was sleeping in. I saw flashlights and people in the room so I went into to see. There was a prisoner lying on the ground beaten pretty badly. SGT [redacted] was in the room already and started laughing saying "Now this place might not be so bad." SSG [redacted] left the next day due to a red cross message. That same day we brought our first prisoner in. Some of the guys began to paddle these prisoners and mentally abuse them. Mainly SGT [redacted]. To name others who hit prisoners would be SSG [redacted], PFC [redacted], SGT [redacted], and SGT [redacted]. All but SGT [redacted] escalated the beatings from spanking to punching and kicking. The days went by and the beatings became worse. Then Alpha company showed up to relieve us and Two NCO's witnessed the beatings. SSG [redacted] and SGT [redacted]. We then moved over to the museum where things became real out of hand. They began to beat up prisoners and steal money, then PFC [redacted] started picking up innocent people off the street and beating them for the fun of it. Well one night a priest was coming down the road and SGT [redacted].

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 6 PAGES

EXHIBIT

STATEMENT OF

TAKEN AT

1804

DATED

2003 07 03

b7C-4, b6-4

9 STATEMENT (Continued)

██████████ and PFC ██████████ began to approach him. SPC ██████████ and I where up inside the turret which was located at the entrance to the museum. 4GT. ██████████ ordered ██████████ to shine a flash light on the subject ██████████ and I noticed he was a priest by his white Berrie and he was carrying a Koran. They were just getting ready to attack him when ██████████ and I started screaming and yelling to leave him alone. So they did and then decided to let him go. The SGT ██████████ looked at me and said if I ever yelled at him again he would "beat my fucking ass". Then he ██████████ ordered me to step off the turret. I refused to because I knew him and ██████████ were going to fight me. I refused again and again. Then SGT ██████████ climbed up on the Bradley and took a swing at me. I tilted my head down and he ██████████ hit my Kevlar instead of my face. Then he called me a "fucking little Bitch" and said he had wanted to kick my ass for a while now. So ██████████ asks me if I'm okay. I told him I was pissed and he agreed the whole thing was bullshit. Half an hour later we stop a car in the road and the squad comes out and searches it. They release the guy but he couldn't get his car started so they begin to push start it. Well as they're pushing the car SGT ██████████ falls down. The car started and was driving away when SGT ██████████ told everyone to clear a path and shot a round through the back window. Also a few days prior SGT ██████████ was talking about how they should throw a prisoner over the bridge into the water while he is zip striped so we wouldn't have to post a guard on him all night.

Q: WHO WAS YOUR SQUAD LEADER?

A: AT FIRST IT WAS SSG ██████████ THEN SGT ██████████ AND OUR TEAM LEADER WAS PFC ██████████

Q: WHO IS LT ██████████? b7C-3, b6-3 b7C-4, b6-4

A: HE WAS OUR PLATOON LEADER.

Q: TO YOUR KNOWLEDGE DID ANY OF THE PRISONERS RESIST OR THREATEN ANY SOLDIERS IN YOUR PLATOON?

A: MAYBE ONE OR TWO OUT OF A HUNDRED OR SO.

Q: HOW MANY OF THE HUNDRED WERE ASSAULTED BY

INITIALS OF PERSON MAKING STATEMENT

b7C-4, b6-4

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EXHIBIT 8

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JAN 2003 07 03

67C-4,66-4

STATEMENT (Continued)

MEMBERS OF YOUR PLATOON, THIRD PLATOON?

A: ALL OF THEM.

Q: WHAT WAS THE MOST SERIOUS ASSAULT?

A: PROBABLY THE IRAQI WHO TRIED TO STAB PFC [REDACTED] 67C-5,66-5
THE IRAQI WAS TRYING TO SNEAK UP ON [REDACTED] 67C-5,66-5
WITH A KNIFE AND A PAIR OF BRASS KNUCKLES
PVT [REDACTED] POINTED A WEAPON AT HIM WHICH THE
IRAQI GRABBED. AT THAT TIME I STRUCK THE
IRAQI WITH MY RIFLE BUT IN THE FACE AND
WE PROCEEDED TO DISARM AND DETAIN HIM. I
COULD HAVE LEGALLY SHOT THE IRAQI BUT I
FELT I COULD CONTROL THE SITUATION WITH
MINIMUM FORCE. AFTER HE WAS DETAINED, SSG [REDACTED] 67C-5,66-5
[REDACTED] SGT [REDACTED] SGT [REDACTED] PFC [REDACTED]
ALL BEAT HIM AND THIS WAS WITNESSED BY
OPT. [REDACTED] AND SPC [REDACTED]. 67C-4,66-4

Q: SSG [REDACTED] AND SGT [REDACTED] WITNESSED SOLDIERS 67C-4,66-4
BEATING A PRISONER, DO YOU KNOW WHO THE SOLDIERS
WERE?

A: SGT [REDACTED] SGT [REDACTED] PFC [REDACTED] 67C-5,66-5

Q: HOW MANY TIMES DID YOU WITNESS OTHER SOLDIERS
STEALING MONEY AND PROPERTY?

A: THE ONLY ONE WHO STOLE WAS PFC [REDACTED] HE 67C-5,66-5
WAS ORDERED TO TRY SOMEONE I DON'T KNOW WHO
BUT SGT [REDACTED] AND SSG [REDACTED] GAVE HIM 67C-5,66-5
THE NAME "THE BANKER" HE WAS THE ONE WHO
WAS ALWAYS GIVEN THE MONEY. WE WERE TOLD
THAT IF WE PULLED OVER A CAR AFTER CURFEW
WE HAD TO CONFISCATE ALL OF THE MONEY
AND WE WOULD GIVE IT TO [REDACTED] 67C-5,66-4

Q: WHAT WAS THE MONEY USED FOR?

A: IT WAS A UNIT FUND AND WAS SPENT ON
SODA FOOD ICE AND BEER, WHISKEY, GIN.

Q: WHO SPENT THE MONEY?

A: PFC [REDACTED] AND SGT [REDACTED] 67C-5,66-5

INITIALS OF PERSON MAKING STATEMENT

[REDACTED] 67C-4,66-4

PAGE 4 6

51

EXHIBIT 6

STATEMENT OF

EN AT

1804

DATED

2003 07 03

B. STATEMENT (Continued)

Q: DESCRIBE THE PADDLE USED IN THE BEATINGS?

A: THEY HAD A NUMBER OF THEM BECAUSE THEY KEPT BREAKING THEM. THEY USED A SEAT TO A CHAIR, BOARDS, A MACHETTE WRAPPED IN CARDBOARD AND ELECTRICAL TAPE AND ALSO A SMALL CLUB ABOUT 2 1/2 FEET LONG.

Q: DO YOU KNOW WHERE ANY OF THESE ITEMS ARE.

A: ALPHA COMPANY PICKED THEM ALL UP BUT I THINK THERE ALL DESTROYED.

Q: WHO SAW SGT [REDACTED] SHOOT AT THE CAR? b7c-5,66-5

A: SPC [REDACTED], MYSELF, PFC [REDACTED], SGT [REDACTED] AND POSSIBLY [REDACTED] AND [REDACTED]. b7c-4,66-4 b7c-5,66-5

Q: DID YOU STRIKE ANY DETAINEES EXCEPT IN SELF DEFENSE.

A: NO. b7c-5,66-5

Q: HOW MANY SHOTS DID SGT [REDACTED] FIRE AT THE VEHICLE?

A: JUST ONE WHICH WENT THROUGH THE BACK WINDOW. THE MAN HIT THE BRAKE OPENED THE DOOR AND STARTED MOANING. EVERYONE TOLD HIM TO GO AND POINTED THEIR WEAPONS AT HIM SO THE IRAQI FLOORED HIS CAR AND HE VEERED OFF TO THE LEFT TOWARD THE HOSPITAL.

Q: DO YOU REMEMBER WHEN THIS HAPPENED?

A: ON SUNDAY, 29 JUN 03, ABOUT 2255.

Q: CAN YOU DESCRIBE THE MAN THAT WAS STOPPED?

A: VERY OLD, VERY COOPERATIVE. WHEN HE GOT OUT OF THE CAR HE SAID "AMERICA AMERICA".

THE OLD MAN TRIED TO KISS PFC [REDACTED] ON THE CHEEK AND [REDACTED] TOLD HIM "IF YOU TRY TO KISS ME AGAIN I WILL KICK YOUR ASS YOU FUCKING FAGOT. THE IRAQI SPOKE A LITTLE ENGLISH SO HE UNDERSTOOD." b7c-5,66-5 b7c-5,66-5

Q: WHAT TYPE OF CAR WAS HE DRIVING?

A: A BLUE VW PASSAT, 4 DOOR. 52

INITIALS OF PERSON MAKING STATEMENT

[REDACTED] b7c-4,66-4

PAGE

5

OF

6

PAGES

STATEMENT OF

TAKEN AT

1804 JK

DATED

2003 07 03

9. STATEMENT (Continued)

Q: DO YOU HAVE ANYTHING YOU WANT TO ADD TO THIS STATEMENT?

A: YES, PFC [REDACTED] URINATED ON TWO OF THE PRISONERS
b7c-5,66-5

HE WOULD ALSO SPIT ON THEM, SO WOULD SGT [REDACTED], b7c-5,66-5

Q: ANYTHING ELSE?

A: PFC [REDACTED] WAS WALKING BY MY COT EVERY 15 MINUTES TO SEE IF I WAS ASLEEP. I STAYED AWAKE ALL NIGHT BECAUSE I WAS AFRAID I WAS GOING TO GET BEAT.

Q: DO YOU WANT TO ADD ANYTHING ELSE?

A: NO.

/ / / / / END OF STATEMENT / / / / /

[REDACTED] b7c-4,66-4

b7c-4,66-4

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 6. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

X [REDACTED] b7c-4,66-4
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 3 day of July 2003 at SPARTAN CAMP BASHIED IRAQ
[REDACTED] b7c-4,66-4
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

SA [REDACTED] b7c-1,66-1
(Typed Name of Person Administering Oath)
ARTICLE 136 UCMJ
(Authority To Administer Oaths)

53

INITIALS OF PERSON MAKING STATEMENT

b7c-4

PAGE 6 OF 6 PAGES

EXHIBIT 8

Page(s)

54-56

Referred to:

U.S. CENTRAL COMMAND
7115 SOUTH BOUNDARY BLVD
ATTN: CCJ6-DM
MACDILL AIR FORCE BASE
FLORIDA 33621-5101

MS. JACQUELINE SCOTT
scottj@centcom.smil.mil
(813) 827-5341/2830

SWORN STATEMENT

For use of this form, see AR 190-45: The proponent agency of the Deputy Chief of Staff for Personnel.

LOCATION BN HQ	DATE 3 JUL 03	TIME 1900	FILE NUMBER
LAST NAME, FIRST NAME, MI [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS O-3/	
ORGANIZATION OR ADDRESS HHC, 1-36 IN, 151320, 1AD			

I, [REDACTED] want to make the following statement under oath:

In my opinion the events I described in my earlier statement, were unlawful. After the man had been detained, there was no need to further strike the man.

I specifically remember a weapon being pointed in the man's face by SFC [REDACTED]. I remember that the soldier's continued to hit the man, for no apparent reason.

Some of these soldiers were SGT [REDACTED] SGT [REDACTED] PVT [REDACTED] SSG [REDACTED] SFC [REDACTED]. These soldiers were in a group. I can not remember specific punches or kicks, merely the group

beating the man up. There may also have been others in the group that I just did not know.

Q. THIS ~~IS TO~~ STATEMENT IS TO HELP CLARIFY YOUR STATEMENT GIVEN TO CAPT [REDACTED] 31 JUL 03.

A. YES

Q IS THERE ANYTHING ELSE YOU WOULD LIKE TO ADD?

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
---------	---	-------------------

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

EXHIBIT 40

STATEMENT OF

TAKEN AT

SPARTAN BASE 3 JUL 03

DATED

9. STATEMENT (Continued)

A. NO

////////// END OF STATEMENT //////////

AFFIDAVIT

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

[REDACTED] b7c-3,66-3
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 3 day of JUL 2003 at SPARTAN BASE BAHADAD, IRAQ

[REDACTED] b7c-3,66-3
(Signature of Person Administering)

[REDACTED] b7c-3,66-3
(Typed Name of Person Administering Oath)

ARTICLE 136

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

EXHIBIT

Page(s)

59-61

Referred to:

U.S. CENTRAL COMMAND
7115 SOUTH BOUNDARY BLVD
ATTN: CCJ6-DM
MACDILL AIR FORCE BASE
FLORIDA 33621-5101

MS. JACQUELINE SCOTT
scottj@centcom.smil.mil
(813) 827-5341/2830

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION: BN, HQ 36th INF 67C-4, 66-4
 2. DATE (YYYYMMDD): 20030708
 3. TIME: 1305
 4. FILE NUMBER:
 5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED]
 6. SSN: [REDACTED]
 7. GRADE/STATUS: E-6/SSG
 8. ORGANIZATION OR ADDRESS: ACO 1/36th INF, 67C-4, 66-4
 9. [REDACTED]

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

Q: REGARD TO THE SWORN STATEMENT YOU PROVIDED TO CAPT [REDACTED] ON 30 JUN 2003 AT 2235, YOU HAVE HAD AN OPPORTUNITY TO REVIEW THAT STATEMENT, AT THIS TIME DO YOU HAVE ANY ADDITIONS OR DELETIONS YOU WOULD LIKE TO MAKE? 67C-3, 66-4
 A: THAT'S ABOUT IT IN A NUTSHELL.
 Q: WHO IS SSG [REDACTED] 67C-5, 66-5
 A: HE WAS THE NCOIC AT THE SITE WE TOOK OVER, HE WAS FROM B. COMPANY.
 Q: DESCRIBE THE LOCALS APPREHENDED? 67C-4, 66-4
 A: I DON'T REMEMBER.
 Q: DID SSG [REDACTED] ATTEMPT TO STOP THE BEATING OF THE DETAINEES? 67C-5, 66-5
 A: NO HE WASN'T THERE AT THAT POINT.
 Q: WHICH ONE OF YOUR SOLDIERS TOLD YOU YOU NEEDED TO GO INSIDE? 67C-3, 66-3
 A: SPC [REDACTED], I DON'T KNOW HIS FIRST NAME.
 Q: HOW BAD WERE THE DETAINEES INJURED?
 A: THEY DIDN'T LOOK THAT BAD.
 Q: DO YOU KNOW OF ANY OTHER BEATING?
 A: THAT'S THE ONLY ONE THAT I WITNESSED
 Q: DO YOU HAVE ANYTHING YOU WANT TO ADD TO THIS STATEMENT?
 A: NO.
 / / / / / END OF STATEMENT / / / / /

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF

TAKEN AT

DATED

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

62

STATEMENT OF

TAKEN AT

1305

DATED

2003 07 08

9. STATEMENT (Continued)

b7c-4, b6-4

b7c-4, b6-4

b7c-4, b6-4

NOT Used

b7c-4, b6-4

b7c-4, b6-4

AFFIDAVIT

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

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 8 day of July 2003 at BAHQ 36th INA

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA

(Typed Name of Person Administering Oath)

ARTICLE 136 UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

EXHIBIT 8 12

Page(s)

64-66

Referred to:

U.S. CENTRAL COMMAND
7115 SOUTH BOUNDARY BLVD
ATTN: CCJ6-DM
MACDILL AIR FORCE BASE
FLORIDA 33621-5101

MS. JACQUELINE SCOTT
scottj@centcom.smil.mil
(813) 827-5341/2830

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION: BN HEADQUARTERS, HHC, 1/36, BAGHDAD
 2. DATE (YYYYMMDD): 2003/07/08
 3. TIME: 0920 Z
 4. FILE NUMBER: 67C-4,66-4

5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED] 67C-4,66-4
 6. SSN: [REDACTED]
 7. GRADE/STATUS: SSG/E-6

8. ORGANIZATION OR ADDRESS: A Company, 1/36th Infantry, 1st Armored Division

9. [REDACTED] 67C-4,66-4, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

This statement is made in order to clarify my statement of 30 Jun 03 made to CPT [REDACTED] 67C-3,66-3
 Q. What was the first day you were on patrol at the bank and bus station?
 A. About the 11th of June.
 Q. Was that the first time you had met SSG [REDACTED] 67C-5,66-5
 A. Whendid you first met him?
 A. October of last year.
 Q. Would you describe him?
 A. Tempermental. He tries to fight people all the time. Hes like most infantry guys.
 Q. What about physically?
 A. 5'8 to 5'9, stocky build, not very big, black male.
 Q. What did he tell you about handling the people at the bus stop and bank?
 A. That if you didn't beat the crap out of them, they would just keep coming back. One of the Iraqis pulled a knife on one of his soldiers that was on guard duty. Basicly that the kids doing to looting are the ones that would hurt your soldiers.
 Q. Did you ever see him beating an Iraqi citizen?
 A. No. I never saw him beat anyone, just his soldiers. But, I guess allowing your soldiers to do it is just as bad as you doing it yourself.
 Q. Did you see his soldiers beat anyone?
 A. Like I told you as I walked in I saw the one PFC kneeling a looter in the ribs. He was a black soldier. I stopped it.
 Q. Can you further describe him? 67C-3,66-3
 A. Hes about 6'1, I think he is in SSG [REDACTED] squad now. He's medium complection, not a very big build, may be 180 pounds. No mustach or glasses.
 Q. Did SSG [REDACTED] now his soldiers were beating people? 67C-5,66-5
 A. To my knowledge, yes he did. He was talking about beating them, saying if you don't do this, they'll get back at you. He came across like he knew about it.
 Q. Did you ever see him witness a beating?
 A. I did not, no.
 Q. Do you know of anyone else in his Company or squad that beat civilians?
 A. Basicly the whole squad. Two soldiers were arguing back and forth about the Specialiest that was saying they were acting like a gang. That was SSG [REDACTED] and SSG [REDACTED] that were arguing with my two soldiers. My soldiers were saying this was bullshit, and the sergeanst were saying, well if you dont do this, they will get back at you. 67C-5,66-5
 Q. When you say that your two soldiers were saying that "this is bullshit" what are you talking about?
 A. I guess they witnessed a beating, they came in to get me to stop it. They told me that these guys are beating the detainees.
 Q. When you say these guys are beating the detainees, who is these guys?
 A. SSG [REDACTED] squad. 67C-5,66-5
 Q. Do you know any names of the squad members that were doing the beating?
 A. I know the faces. If I see them again I could ID them. There was blood all over the wall.
 Q. Could you pick them out of a photo line up?
 A. Yes.
 Q. Where is blood on the wall?
 A. Behind the bus station where they hold the detainees.
 Q. What time of day did this happen?
 A. Roughly, morning time. 10:00 or 1100. Somewhere iin there.
 Q. Do you know the name of an Iraqi citizen that was beat up?

10. EXHIBIT: [REDACTED] 11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED] 67C-4,66-4
 PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF

TAKEN AT DATED

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

EXHIBIT 19

STATEMENT OF

TAKEN AT

BN HQ, HHC

DATED

2003/07/08

9. STATEMENT (Continued)

A. No I do not.

Q. Could you identify them if you saw them again?

A. No. I've seen so many that I don't think I could.

Q. Did SSG [REDACTED] chain of command know about this.

A. I don't think so.

Q. Is there anything you would like to add to this statement?

A. No

////////////////////////////////////END OF STATEMENT////////////////////////////////////

AFFIDAVIT

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

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 8 day of JULY 2003 at BN Headquarters, HHC Baghdad, Iraq, Camp Spartan

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

Article 136, UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

EXHIBIT 14

SWORN STATEMENT

File Number :
 Location : Spartan Main
 Date : 08 July 03
 Time : 0924Z
 Statement of :
 Grade/Status : SPC/E-4
 SSN :
 Org/Address : A Co, 1/36 Infantry Battalion

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

At about the end of June, 2003, I was attached to B Co, 1/36 Infantry Battalion, we were going to go one of their hard sites. We were supposed to relieve them. B Co was supposed to work with us for one day. They were to show us what to do in that particular area. In the early afternoon, a B Co fireteam came back with three thieves. They were caught looting scrap metal out of a burned up building. They brought the looters to a back room that was used as a detaining area. After a while I went back to the room to see what was going on. I didn't know what they were doing back there. I had never caught thieves before and I wanted to see what was going on. They had the three thieves flexicuffed with their hands behind their back and two of the soldiers were holding one guy on the ground and the third soldier was boot stomping the thief in the chest area. Two more soldiers were holding a thief against the wall and a soldier was hitting the thief in the gut with a chunk of wood. The seventh soldier had the third detainee with his head against the wall. That is all I saw about the third thief. I was only in there for seconds. I just scanned the area and saw what was happening and ran and went and got SGT's and . They got up and went and stopped what was going on. Then I got into an argument with SGT who told me "that is how B Co rolled and to just deal with it. That is the only way these people are going to learn. SGT further told me, "after you have been at the hard site a while you'd be doing it too." I told SGT not only what he was doing was n-morally wrong, but it was against army values. SGT basically told me to shut up and mind my own business. I then stayed clear of SGT and B Co until we left the next morning. I think we were to go back to the site every third day or so. I think that was the only time I was there with B Co.

Q: SA

A: SPC

Q: Do you know the grid where the above described incident took place?

A: Negative, but I could take you to the place. There is a translator who lives at the hard site. He speaks very good English and he has witnessed several of the incidents concerning B Co.

Q: Did you only witness the one incident where soldiers from B Co 1/36 beat civilians?

A: Yes.

Q: Do you know the names of the soldiers who were involved in the incident you described?

EXHIBIT INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 3 PAGES

EXHIBIT

b7c-4, b6-4

b7c-4, b6-

STATEMENT OF: [REDACTED]; TAKEN AT: Spartan Main, Baghdad, Iraq; DATED: 08 July 8, 2003
CONTINUED:

b7c-4, b6-4

b7c-4, b6-5

A: SGT [REDACTED], but he was not an active participant, but he condoned the behavior. I don't know the names of the soldiers who were beating the civilians.

Q: About how old were the three thieves?

A: About 15-18 years old.

Q: Had you ever seen the thieves before?

A: Negative.

Q: Do you know the names of the thieves?

A: negative.

Q: Would you recognize the thieves if you saw them again?

A: I would recognize one of the thieves if I saw him again. The one I remember was the oldest looking one among them, what we do is have the detainees, or petty thieves, police call the area. I was watching the oldest looking thief while he conducted his police call. I would recognize him because he had teeth missing.

Q: Can you describe any injuries that the thieves received, if any?

A: The oldest looking thief, the one I was watching for police call, was favoring his abdomen area. He was the thief being beaten in the stomach with a club. When I frisked him, in the line of duty, he flinched away from me when I pat searched his abdomen area.

Q: Can you describe the club used against the oldest looking thief?

A: It looked just like a split piece of wood about two feet long and about an inch thick. It had the appearance of a split 2 x 4.

Q: Do you know where the piece of wood is now?

A: No.

Q: Did you witness any other objects being used against the thieves?

A: No.

Q: Do you know what the organization of the soldiers beating the thieves?

A: Yes, it was SGT [REDACTED] squad B Co, 1/36 Infantry Battalion. b7c-3, b6-5

Q: Who all witnessed the above described incident?

A: Possibly SSG [REDACTED] SSG [REDACTED] and SPC [REDACTED] and I am not sure if anyone else had seen the incident. b7c-4, b6-4

Q: Do you have anything else to add to this statement?

A: I know there is blood of the walls of the room used to beat the thieves. When we first got to the hard site B Co was very proud of the bloodstains on the walls. Some SPC showed me the blood stains.

Q: Do you have anything else to add to this statement?

A: No.///END OF STATEMENT/// b7c-4, b6-4

EXHIBIT _____ INITIALS OF PERSON MAKING STATEMENT [REDACTED] PAGE 2 OF 3 PAGES

70

EXHIBIT 15

b7c-4, b6-4

b7c-4, b6-4

STATEMENT OF: [REDACTED] TAKEN AT: Spartan Main, Baghdad, Iraq; DATED: 08 July 8, 2003
CONTINUED:

AFFIDAVIT

I, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED] b7c-4, b6-4
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oath, this July 8, 2003, at Spartan Main, Baghdad Iraq.

[REDACTED] b7c-1, b6-1
(Signature of Person Administering Oath)

[REDACTED] b7c-1, b6-1, b2
SPECIAL AGENT [REDACTED]
323RD MILITARY POLICE DETACHMENT (CID)
1401 WEST ARGYLE STREET
JACKSON, MICHIGAN 49202

(Typed Name of Person Administering Oath)

ARTICLE 136 (b) (4) UCMJ

(Authority to Administer Oath)

WITNESS:

EXHIBIT _____ INITIALS OF PERSON MAKING STATEMENT [REDACTED] b7c-4, b6-4 PAGE 3 OF 3 PAGES

EXHIBIT 15

Page(s)

72 - 74

Referred to:

U.S. CENTRAL COMMAND
7115 SOUTH BOUNDARY BLVD
ATTN: CCJ6-DM
MACDILL AIR FORCE BASE
FLORIDA 33621-5101

MS. JACQUELINE SCOTT
scottj@centcom.smi.mil
(813) 827-5341/2830

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION BN HQ, Camp Spartan, HHC, Baghdad, Iraq	2. DATE (YYYYMMDD) 2003/07/08	3. TIME 1340Z	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED] b7C-4,66-4	6. SSN [REDACTED]	7. GRADE/STATUS SGT/E-5	
8. ORGANIZATION OR ADDRESS A Company, 1/36 INF, 1st AD [REDACTED] b7C-4,66-4			

9. [REDACTED] b7C-4,66-4, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I wish to make the following statement to help clarify the statement given by me on 30 JUN 03, to CPT [REDACTED] b7C-3,66-3

Q. Have you had the opportunity to read the statemnet you gave to CPT [REDACTED] on 30 JUN 03? b7C-3,66-3

A. Roger.

Q. Are there any corretions you would like to make to that statement?

A. No.

Q. Was the 11th of Jun the first day that you worked at the bus stop and bank?

A. To the best of knowledge, yes. We have been trying to figuer that out, and that is the best day we can up with.

Q. Is that a new sector, or were you replacing someone who was already there?

A. We were replacing Bravo Company, 1/36 Inf.

Q. You said that you witnessed acts unbecoming soldiers, what were those acts?

A. I saw em, kicking em, punching em, hitting em with sticks.

Q. When you say you saw "em" hitting them, who is em?

A. I dfon't know there names, they were US Soldiers.

Q. Do you know what unit they belonged to?

A. Bravo Company, 1/36.

Q. How do you know that? b7C-5,66-5

A. I knew Sgt [REDACTED] and I knew SSG [REDACTED] there is also Cpl [REDACTED] there too, but I didn't see him partake in any of the beatings though.

Q. Those three soldiers were present when the beatings ocured?

A. SGT [REDACTED], SSG [REDACTED], and Cpl [REDACTED], were in the alley with me SSG [REDACTED], SSG [REDACTED], and PFC [REDACTED], they were out there talking while the beatings were taking place.

Q. So SSG [REDACTED], Cpl [REDACTED], and Sgt [REDACTED] were not present when the beatings ocured? b7C-5,66-5

A. They were not in the room but they were in alley way. The general area, maybe 25 feet away.

Q. You were with the three of them?

A. Roger, me Sgt [REDACTED], PFC [REDACTED] and SSG [REDACTED] b7C-3,67C-3

Q. Did you know the beating were ocuring?

A. I walked into the room and saw what they were doing. I went and got SSG [REDACTED] and SSG [REDACTED] to stop it.

Q. Do you know the soldiers that were doing the beating?

A. No, negative.

Q. Can you describe them?

A. One black male, kind of big build, and two white guys, that I cna't realy describe.

Q. Could you identify any of them again, if you saw them?

A. Black guy yeah. The others, negative.

Q. What were they doing?

A. The black guy would put the guy against the wall, and then like shadow box the guy. Hitting him in the ribs, hitting him in the back. Then the white guy got a second guy against the wall and then kick him either in the leg of the thigh region.. I forgot who did this part, but the same guy the black guy punched the other two guys would run from two and half to three feet away taking like a giant baseball stride and swing the stick which was an inch to an inch and one half thick and break it on the guys back.

Q. Did you see any other things? b7C-3,66-3

A. Thats it. About that time SSG [REDACTED] and SSG [REDACTED] came in and told them to stop. I don't know if its true but after we went on patrol these guys started beating them again.

Q. Who were these soldiers beating?

EXHIBIT 170

STATEMENT OF

TAKEN AT

Camp Spartan

DATED

8 July 03 JDE

9. STATEMENT (Continued)

A. They were beating detainee Iraqis.

Q. How old were these Iraqis?

A. I'd say teens, maybe 14 to 18 years old.

Q. Could you identify any of them again if you saw them?

A. No sir.

Q. Were these citizens a threat to the soldiers?

A. I think they were just thieves.

Q. Were they doing anything to hurt the soldiers?

A. Negative. Not that I recall. At one point in time after this was all done. PFC [REDACTED] was trying to tell SGT [REDACTED] that it wasn't right, and Sg [REDACTED] said that they were all bad. One of his soldiers got cut on the eye brow.

Q. Were the Iraq citizens just running around in this room?

A. The room is part of another room. There was wire across the doorway so they couldn't get out. They were also zip stripped behind their backs.

Q. Was there anything on their heads?

A. negative.

Q. Was there anything on their feet?

A. negative. Also I would say, in thinking back, I'm not sure that there hands were zip stripped. I recall seeing one those guys hands on the wall. We zip strip them when we arrest them, but I'm not sure they were tied up while being beaten.

Q. Is there anything else you would like to add to this statement?

A. Negative. thats it.

END OF STATEMENT

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2.

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

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 8 day of JULY, 2003

at CAMP SPARTAN BN HQ- 1/36

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY:

Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).

PRINCIPAL PURPOSE:

To provide commanders and law enforcement officials with means by which information may be accurately identified.

ROUTINE USES:

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

DISCLOSURE:

Disclosure of your social security number is voluntary.

1. LOCATION HQ BN 1/36 INF 67C-4166-4	2. DATE (MM/DD/YY) 2003 07 08	3. TIME 1347	4. FILE NUMBER 67C-4166-4
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]			7. GRADE/STATUS E-4 - SPC
8. ORGANIZATION OR ADDRESS A Co 1/36 INF 67C-4166-4			

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

We arrived at the Bank district to relieve B-company's Squad. Around 11pm I went on a 4 man patrol to detain looters. we detained 3 looters all together and placed them in a holding area back at the bank. About 10min. after we had returned SPC [REDACTED] came from the holding area stating that members from B-company's Squad were beating on the detainees, he informed SSG [REDACTED] and SSG [REDACTED]. I went into the holding area to investigate and there I witnessed 2 of the detainees, who were still in their black cobs, being beaten by 5 members of B-company's Squad. I saw them slam the det one of the detainees head into the wall, which created a hole in the wall. Then they picked him up and placed him in front of the wall while another soldier ran and jump kicked him in the chest. The other detainee was on the ground while he was getting beat

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

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

EXHIBIT 12 19

STATEMENT OF

TAKEN AT

HQ BN 1/36TH INF

DATED

2003 07 08

67C-4,66-4

1347

67C-4,66-4

67C-4,66-4

9. STATEMENT (Continued)

Stomped around the shoulder and back area. By this time SSG [redacted] entered the room and stomped them. [redacted] 67C-4,66-4 told SSG [redacted], who was the B company's Squad leader, and [redacted] 67C-5,06-5 his reaction was "That's how we roll here, if not, these guys will try you".

Q: WHO WERE THE FIVE MEMBERS OF B COMPANY SQUAD YOU WITNESSED BEARING THE THREE LOOTERS?

A: I DON'T KNOW THEIR NAMES?

Q: CAN YOU DESCRIBE THEM?

A: TWO OF THEM, ONE HAD BLOND HAIR, 5'9" - 5'10" BLUE EYES, BAD COMPLEXION, HE WAS A 'SPECIALIST'. THE OTHER GUY WAS A SPECIALIST 5'9", BROWN HAIR, MUSTACHE, GLASSES,

Q: WOULD YOU RECOGNIZE THEM IF YOU SAW THEM AGAIN.

A: YES, I WOULD.

Q: DID THE DETAINEES ENGAGE IN ANY AGGRESSIVE BEHAVIOR?

A: NOT AT ALL, THEY WERE REALLY COMPLIANT, NOT ONCE DID THEY RESIST.

Q: PLEASE DESCRIBE THE DETAINEES?

A: THEY WERE IRAQI NATIONALS 15 TO 18 YEARS OLD, NO MUSTACHES, ONE HAD 'WHAT APPEARED TO BE BAD ARTHRITIS IN HIS HANDS THEY WERE DEFORMED.

Q: DID ONLY ONE DETAINEE HAVE A WEAPON?

A: YES, A KNIFE.

Q: WERE THE OTHER DETAINEES ARMED IN ANY WAY?

A: NO.

Q: DID ANY OF THE DETAINEES APPEAR TO PHYSICALLY BE A THREAT?

A: NO, THEY WERE KIDS.

INITIALS OF PERSON MAKING STATEMENT

67C-4,66-4

PAGE 2 OF 3 PAGES

18

STATEMENT OF

TAKEN AT

1347

DATED

20030708

9. STATEMENT (Continued)

Q: DO YOU HAVE ANY FIRST HAND KNOWLEDGE OF ANY OTHER BEATINGS?

A: No.

Q: WHO ELSE WOULD YOU TALK TO IF YOU WERE CONDUCTING THIS INVESTIGATION?

A: ONE OF THE TRANSLATORS, AN IRAQI, WHO USED TO BE A TEACHER, HE LIVES AT THE BANAR BUILDING. I DON'T KNOW HIS NAME.

Q: DID SSG [REDACTED] ATTEMPT TO STOP THE BEATING YOU WITNESSED?

A: No, NOT AT ALL.

Q: DID IT APPEAR TO YOU THAT THE BEATING OF DETAINEES WAS STANDARD OPERATING PROCEDURE FOR SSG [REDACTED] SQUAD.

A: Yes.

Q: WHY?

A: THE WAY SSG [REDACTED] REACTED WHEN WE TOLD HIM ABOUT IT.

Q: DO YOU HAVE ANYTHING YOU WANT TO ADD TO THIS STATEMENT?

A: No, THAT'S IT

/ / / / / END OF STATEMENT / / / / /

67C-4,66-4

AFFIDAVIT

WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE

3.

I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE

BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to

administer oaths, this

at HQ BN

8

day of

July

03

at

1/36

ME

[REDACTED]
Signature of Person Making Statement

[REDACTED]
Signature of Person Administering Oath

SA [REDACTED]
Typed Name of Person Administering Oath

Article 136 UCMG

Authority To Administer Oaths

INITIALS OF PERSON MAKING STATEMENT

[REDACTED] 67C-4,66-4

PAGE 3 OF 3 PAGES

EXHIBIT 19

Page(s)

80-82

Referred to:

U.S. CENTRAL COMMAND
7115 SOUTH BOUNDARY BLVD
ATTN: CCJ6-DM
MACDILL AIR FORCE BASE
FLORIDA 33621-5101

MS. JACQUELINE SCOTT
scottj@centcom.smil.mil
(813) 827-5341/2830

SWORN STATEMENT

For use of this form, see AR 180-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

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

1. LOCATION HQ BN, 36 INF	2. DATE (YYYYMMDD) 20030708	3. TIME 1726	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS SGT/E-5	
8. ORGANIZATION OR ADDRESS [REDACTED] 67C-4,66-4 67C-4,66-4			

9. [REDACTED] 67C-4,66-4, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

That on or about 150000 10 30 03 I saw SGT [REDACTED] 67C-4,66-4 repeatedly punch a detainee in the head after the detainee was zip cuffed and had a sand bag over his head. He also choked the detainee and threw him on the floor and kicked him. The detainee was grieved for looking, as the detainees were being brought in I was standing in the room providing security. To my knowledge the detainee did not resist. When SGT [REDACTED] 67C-3,66-3 questioned SGT [REDACTED] 67C-5,66-5 about beating up the kid who was about 13 or 14 years old SGT [REDACTED] 67C-5,66-5 said "Scow them one person pulled a knife on me before, fuck them all!"

Q: WHO IS SGT [REDACTED] 67C-5,66-5?
A: AN E-5 IN BRAVO COMPANY WHO WORKS UNDER SSG [REDACTED] 67C-5,66-5
Q: DID YOU JUST SEE ONE DETAINEE ASSAULTED?
A: YES.
Q: WAS THE DETAINEE INJURED?

10. EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED] 67C-4,66-4	PAGE 1 OF 3 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"		
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.		

EXHIBIT 2B

STATEMENT OF

TAKEN AT

1726

DATED

2003 07 08

67C-4,66-4

67C-4,66-4

67C-4,66-4

9. STATEMENT (Continued)

A: HIS FACE WAS BRUISED.

Q: DESCRIBE THE DETAINEE?

A: AN IRAQI 13 OR 14 YEARS OLD, MEDIUM LENGTH HAIR. SMALL BUILD.

Q: WHO DETAINED THE DETAINEE?

A: BRAVO COMPANY. 67C-4,66-4

Q: HOW MANY HAD BEEN CAPTURED?

A: Three total.

Q: DID YOU SEE THE OTHERS BEING ABUSED?

A: No.

Q: DID ANY OF THE DETAINEE RESIST OR HAVE WEAPONS WHEN THEY WERE DETAINED?

A: Not that I saw.

Q: HAVE YOU WITNESSED ANY OTHER ASSAULTS AGAINST IRAQIS?

A: No.

Q: WHAT DID THE DETAINEE DO WHILE BEING STRUCK BY SGT [REDACTED] 67C-5,66-5

A: WHILE THE DETAINEE WAS STANDING SGT [REDACTED] WAS SMACKING HIM IN THE FACE WHILE THE DETAINEE HAD A SANDBAG OVER HIS HEAD. SGT [REDACTED] HAD ON GLOVES WHEN HE DID THIS. SGT [REDACTED] THEN CHOKED HIM AND THE DETAINEE FELL ON THE FLOOR. SGT [REDACTED] THEN KICKED HIM ONCE OR TWICE. 67C-5,66-5

Q: DID SGT [REDACTED] WEAR GLOVES THE WHOLE TIME?

A: NO, HE PUT THE GLOVES ON JUST BEFORE HE STARTED TO HIT THE DETAINEE.

Q: WHAT DID THE GLOVES LOOK LIKE?

A: GREY PALMS WITH GREEN BACKING. NO NAME MATERIAL LIKE THE PILOTS WEAR.

Q: HOW MUCH BIGGER IS SGT [REDACTED] THEN THE DETAINEE? 67C-5,66-5

A: HE WAS A FOOT AND A HALF TALLER THEN THE KID AND OUT WIEGHED HIM BY 40 POUNDS.

Q: DO YOU HAVE ANYTHING YOU WANT TO ADD TO THIS STATEMENT

A: No. /// END OF STATEMENT ///

INITIALS OF PERSON MAKING STATEMENT

67C-4,66-4

PAGE 2 OF 3 PAGES

EXHIBIT 33

STATEMENT OF

TAKEN AT

172C

DATED

2003 07 08

9. STATEMENT (Continued)

b7c-4, b6-4

b7c-4, b6-4

b7c-4, b6-4

NOT USED

b7c-4, b6-4

b7c-4, b6-4

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED]

b7c-4, b6-4

(Signature of Person Making Statement)

WITNESSES.

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 8 day of Jul.

03

at HQ. BN, 136 WAF

[REDACTED]

b7c-1, b6-1

(Signature of Person Administering Oath)

b7c-1, b6-1

Sgt

(Typed Name of Person Administering Oath)

Article 136 UCMJ

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

b7c-4, b6-4

PAGE 3 OF 3 PAGES

55

EXHIBIT 21

Page(s)

86-88

Referred to:

U.S. CENTRAL COMMAND
7115 SOUTH BOUNDARY BLVD
ATTN: CCJ6-DM
MACDILL AIR FORCE BASE
FLORIDA 33621-5101

MS. JACQUELINE SCOTT
scottj@centcom.smil.mil
(813) 827-5341/2830

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION HQ BN 1/36 INF 67C-4,66-4	2. DATE (YYYYMMDD) 20030708	3. TIME 1800	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-5 SGT	
8. ORGANIZATION OR ADDRESS A Co 1/36 INF 67C-4,66-4			

9. [REDACTED] 67C-4,66-4, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON THE 12TH OF JUNE 2003 MY SQUAD CONDUCTED A RIGHT SEAT RIDE WITH 3RD PLATOON B CO. 1-36 INF. WE WERE TO TAKE OVER THE GUARD OF A BANK. IN MID AFTERNOON 3 YOUTHS WERE DETAINED IN AN ABANDONED NEAR BY BUILDING BY THE B CO. SOLDIERS. THEY WERE THEN PLACED IN A HOLDING ROOM NEAR THE STRUCTURE BEING GUARDED. SNOBAGS WERE PLACED OVER THEIR HEADS. I HEARD SHOOTING AS I APPROACHED THIS ROOM. SO I WENT TO INVESTIGATE. I OBSERVED SGT. [REDACTED] 67C-4,66-4 OF B CO BEATING ONE OF 67C-5,66-5 THE DETAINEE'S. HE REPEATEDLY SLAMMED THIS KIDS HEAD INTO A WALL AND THEN RAPIDLY PUNCHED HIS BODY LIKE HE WAS A PUNCHING BAG. THERE WAS ONE OR TWO OF HIS SOLDIERS IN THE ROOM WITH HIM TRYING TO CONTROL THE DETAINEE'S. ONCE MY SQUAD GATHERED BY THE ENTRANCE OF THE ROOM THE BEATING STOPPED. THE BOY WAS LEFT CRYING.

Q: HOW MANY TIMES DID SGT [REDACTED] HIT THE DETAINEE? 67C-5,66-5
A: BETWEEN 10 AND 20, PUNCHING HIM WITH HIS FIST TO THE BODY AND SLAPPING HIM IN THE FACE.

Q: WHO WERE THE SOLDIERS WITH SGT [REDACTED]? 67C-5,66-5
A: A PFC AND A SFC BUT I DON'T KNOW THEIR NAMES.

Q: CAN YOU DESCRIBE EITHER ONE?
A: THE PFC WAS AFRICAN AMERICAN THE OTHER WAS WHITE.

Q: DID ANY OF THE DETAINEES RESIST OR ACT AGGRESSIVELY TOWARD SGT [REDACTED]? 67C-5,66-5
A: NOT THAT I WITNESSED, SGT [REDACTED] STATED THE DETAINEE HE WAS BEATING HAD RESISTED BEING ARRESTED.

Q: HOW BAD WAS THE DETAINEE INJURED?
A: HE WAS SWOLLEN UNDER HIS RIGHT EYE, HIS LIPS WERE CUT BUT I DID NO FURTHER EXAMINATION.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED] 67C-4,66-4	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED]"
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF

TAKEN AT

1811

DATED

2003 07 08

9. STATEMENT (Continued)

Q: WERE THE DETAINEES TREATED FOR INJURIES?

A: I DON'T KNOW I DIDN'T SEE INJURIES ON THE OTHERS.

Q: DO YOU HAVE ANYTHING YOU WANT TO ADD TO THE STATEMENT?

A: YES, WHEN WE SHOWED UP THAT MORNING, SGT [REDACTED] SHOWED US A BLOOD SPOT ON THE WALL AND BRAGGED ABOUT HIS WORK.

Q: WHAT DO YOU MEAN BY "HIS WORK"?

A: BEATING UP GUYS.

Q: ANYTHING ELSE?

A: NO THAT'S IT.

/// /// /// END OF STATEMENT /// ///

b7c-4, b6-4

AFFIDAVIT

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

[REDACTED]
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 8 day of Jul 03

at HQ BN 1/36 IAF

[REDACTED]
(Signature of Person Administering Oath)

SA [REDACTED]
(Typed Name of Person Administering Oath)

ARTICLE 136 UCMJ
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

EXHIBIT 23

Page(s)

91-93

Referred to:

U.S. CENTRAL COMMAND
7115 SOUTH BOUNDARY BLVD
ATTN: CCJ6-DM
MACDILL AIR FORCE BASE
FLORIDA 33621-5101

MS JACQUELINE SCOTT
scottj@centcom.smil.mil
(813) 827 5341/2830

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION Spartan Main, Baghdad, Iraq	2. DATE (YYYYMMDD) 48 July 03	3. TIME 14:12Z	4. FILE NUMBER 67C-4, 66-4
5. LAST NAME, FIRST NAME, MIDDLE NAME (N.N.N) 67C-4, 66-4	6. SSN [REDACTED]	7. GRADE/STATUS SGT/E-5	
8. ORGANIZATION OR ADDRESS ACO, 1/36 Infantry Battalion			
9. [REDACTED] 67C-4, 66-4			

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On June 12, 2003 our squad 1st squad Aco took over guard, for 2nd squad at the Bank in Bco company sector. We had arrived there about at 8:00am. When we got there it was Bco company 3rd platoon guys there and our 2nd squad from Aco company. We had got settled in the morning on what was going on in that area. Then about mid afternoon my squad leader SGT [REDACTED] 67C-4, 66-4 came and got me and the rest of my guys to go on a patrol to see about some car with guns and guys in it. The patrol turn out to going to catch some looters with 3rd platoon Bco guys. It was a building east of the bank, right beside it. I went up there with my guys on the second floor of the building, as I was going up 3rd platoon guys was coming down with about three looters. All the looters were about under the eye of twelve Bco guys then escorted the three looters back to the bank. They put sandbags on all the looters head. Then one SGT from Bco company started beating on one of looters, the kid look about twelve years old. He was crying, screaming, and in a lot of pain. SGT [REDACTED] 67C-3, 66-3 from Bco company gave the kid a black eye, and his teeth was bleeding. He was hitting the kid for no reason. Then SGT [REDACTED] 67C-4, 66-4 left the kid there with sandbag on his head after he beat him. Then I went back and there were the kid was at and took off sandbag off his head. I then called my SL SGT [REDACTED] 67C-4, 66-4 to look at the kid's head and face. Then my SL SGT [REDACTED] 67C-4, 66-4 informed our Plt Sgt SFC [REDACTED] 67C-3, 66-3

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED] 67C-4, 66-4	PAGE 1 OF 3 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED]"		
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.		

DA FORM 2823, DEC 1998

DA FORM 2823, JUL 72, IS OBSOLETE

34 VI.00

EXHIBIT 25

SA [REDACTED] 67C-4,66-4
SGT [REDACTED] 67C-4,66-4
What were the names of the soldiers in BCo 1/36 Inf BN who were involved with beating the looters?
SGT [REDACTED] 67C-5,66-5 and one other soldier but I don't know his name [REDACTED] 67C-4,66-4
Was SGT [REDACTED] wearing any gloves when he was beating the looters? 67C-5,66-5
Yes, he was wearing a pair of tan-colored gloves on, but I just got a glimmer at them. [REDACTED] 67C-4,66-4
Did any of the soldiers use any objects to beat the looters?
Yes, a fly swatter. He, SGT [REDACTED] had what appeared to be a 12 year old male by the scruff of the neck and was forcing him to read some rabic type script off the wall that translated roughly to "Fuck Americans". When the looter said "Fuck you" SGT [REDACTED] would slap the looter with an open palm. And the last time SGT [REDACTED] made the looter read the script, he hit the looter in the face with a fly swatter. SGT [REDACTED] referred to the fly swatter as his toy. [REDACTED] 67C-5,66-5
How were the members of BCo 1/36 Inf BN Dressed?
They were wearing T-shirts and PCU/BDU pants, even out in the sun outside the building to buy soda's. [REDACTED] 67C-4,66-4
Did you see any other forms of abuse?
The same 12-year-old looter had his head beaten against the wall by SGT [REDACTED] 67C-5,66-5. SGT [REDACTED] took the looter's head in both hands and beat it against the wall three times. [REDACTED] 67C-4,66-4
Did you hear anyone bragging about beating Iraqi Nationals?
S. SGT [REDACTED] 67C-5,66-5 in my presence, stated words to the effect of "There is the road on the wall where I beat up an Iraqi guy." It was the first thing - [REDACTED] 67C-5,66-5
What were the kids doing when they were apprehended?
[REDACTED] 67C-4,66-4
As far as I know, nothing. [REDACTED] 67C-4,66-4
Did SGT [REDACTED] 67C-5,66-5 have any reason to beat those people?
[REDACTED] 67C-4,66-4
Did the looters receive any medical treatment?
[REDACTED] 67C-4,66-4
Do you think of anything else to add to this statement?
[REDACTED] 67C-4,66-4
End of Statement [REDACTED] 67C-4,66-4

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 3 PAGES

EXHIBIT 25

STATEMENT OF

TAKEN AT

Spartan Main
Baghdad, Iraq

DATED

08 July 03

9. STATEMENT (Continued)

b7C-4, b6-4

not used

b7C-4, b6-4

b7C-4, b6-4

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED] b7C-4, b6-4
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 08 day of July, 2003 at Spartan Main, Baghdad, Iraq

[REDACTED] b7C-4, b6-4
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA [REDACTED] b7C-4, b6-4

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Article 136 (h)(4) 4CMT
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED] b7C-4, b6-4

PAGE 3 OF 3 PAGES

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EXHIBIT 25

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

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

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY:

Title 10, United States Code, Section 3012(g)

PRINCIPAL PURPOSE:

To provide commanders and law enforcement officials with means by which information may be accurately identified.

ROUTINE USES:

Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE:

Disclosure of your Social Security Number is voluntary.

1. LOCATION

Baghdad, Iraq

2. DATE

14 Jul 03

3. TIME

0620Z

4. FILE NUMBER

0046-03-CID899-63502

5. Name (Last First MI)

6. SSN

7. GRADE/STATUS

8. ORGANIZATION OR ADDRESS

B Company 1/36 Inf.

1st Armor Division

Baghdad, Iraq

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

SECTION A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command as a Special Agent and wanted to question me about the following offense(s) of which I am suspected/accused: Aggravated Assault, Maltreatment of a Prisoner, Robbery, Larceny, Conspiracy, Unauthorized Release of a Prisoner, Failure to Obey a General Order.

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

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

-or-

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

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

5. COMMENTS (Continue on reverse side)

SECTION B. Waiver

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

WITNESSES (if available)

1a. NAME (Type or Print)

b. ORGANIZATION OR ADDRESS AND PHONE

2a. NAME (Type or Print)

b. ORGANIZATION OR ADDRESS AND PHONE

3. SIGNATURE OF INTERVIEWEE

4. SIGNATURE OF INVESTIGATOR

5. TYPE NAME OF INVESTIGATOR

6. ORGANIZATION OF INVESTIGATOR

323rd MP Det

UNIT 92455, APO AE-09324-2955

SECTION C. Non-waiver

1. I do not want to give up my rights

☐ I want a lawyer

☐ I do not want to be questioned or say anything

2. SIGNATURE OF INTERVIEWEE

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

DA FORM 3881, NOV 89 (AUTOMATED)

EDITION OF NOV 84 IS OBSOLETE

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EXHIBIT 27

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION
CID OFFICE, BIAP, BAGHDAD, IRAQ
2. DATE (YYYYMMDD)
2003/07/14
3. TIME
0800Z
4. FILE NUMBER
67C-5,66-5
5. LAST NAME, FIRST NAME, MIDDLE NAME
[REDACTED] 67C-5,66-5
6. SSN
[REDACTED] 67C-5,66-5
7. GRADE/STATUS
SSG/E-6
8. ORGANIZATION OR ADDRESS
B Company, 1/36 INFANTRY, 1/1 ARMOR

9. [REDACTED] 67C-5,66-5, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Around the 3rd of June we took over the area know as the banking district from the 2nd ACR. We did a one week right seat ride with them. I went from the banking district to the bus stop. We were told that looters were brought in, made to clean up the area, detained with sand bags over their heads, and then turned loose. I never had any other directions as to what to do with looters. My Commander, CPT [REDACTED] came in the day we were leaving and saw three looters with sand bags over their heads and he became mad. He asked "what is this?" referring to the looters with the sand bags over their heads. CPT [REDACTED] asked me, "weren't you briefed that they aren't suppose to have sand bags over their heads?" and I told him, "no one told me shit." He said well you aren't suppose to have them on their heads. I said, OK, and went and took them off. This occurred on the same day I was moved to the museum. This occurred prior to the 23 of June. I never had any problems at bus stop and got along with everyone.

Q. Did you ever beat anyone at the bus stop?
A. No, we had to take a guy down by force. He was a guy who came up to [REDACTED] with knife. 67C-3,66-3
Q. What was the only person who had force used on them at the bus stop.
A. I never that sir.
Q. Did you ever see anyone beat at the bus stop?
A. No sir.
Q. Do you know how the blood got on the rear wall of the bus stop?
A. No sir I don't.
Q. Do you know how many prisoners were turned in from the bus stop while you were on duty there?
A. One to Iraqi Police. Then the one that tried to stab [REDACTED]. 67C-3,66-3
Q. Do you know any thing about a prisoner being treated at 501st prior to being accepted as a prisoner because he had been beaten?
A. No sir.
Q. Were you ever ordered to stop beating a prisoner?
A. No sir. As far as the 501st they come around and pick them up in a 5 ton. I know Sgt. [REDACTED] hit one with a mao light.
Q. Where is Sgt. [REDACTED] from? 67C-5,66-5
A. He is from our company. He is the one that picks up prisoners.
Q. Do you know if anyone in your company beat prisoners?
A. No sir.
Q. Were anything you would like to add to this statement?
A. Nothing I can think of right now sir.

10. NOTHING FOLLOWS

[REDACTED] 67C-5,66-5

11. INITIALS OF PERSON MAKING STATEMENT
[REDACTED]
PAGE 1 OF 2 PAGES

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

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

FORM 2823, DEC 1998 DA FORM 2823, JUL 72, IS OBSOLETE USAPA V1.00

EXHIBIT 27 38

STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED 14 JUL 03

9. STATEMENT (Continued)

NOT USED

b7c-5, b6-5

AFFIDAVIT

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

[REDACTED]
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14 day of JULY, 2003 at CLO OFFICE, FBIAP, BAGHDAD, IRAQ

[REDACTED]
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Article 136, UCMJ
(Authority to Administer Oaths)

IN PRESENCE OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 2 PAGES

EXHIBIT 216

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RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

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

DATA REQUIRED BY THE PRIVACY ACT

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

1. LOCATION Baghdad, Iraq	2. DATE 14 Jul 01	3. TIME CWB 0625Z	4. FILE NUMBER 0046-03-CID899-63502
5. Name (Last, First, Middle) [REDACTED]	8. ORGANIZATION OR ADDRESS B Company 1/36 Inf. 1st Armor Division Baghdad, Iraq		
6. SSN [REDACTED]	7. GRADE/STATUS E-4/RA		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

SECTION A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command as a Special Agent and I wanted to question me about the following offense(s) of which I am suspected: Aggravated Assault, Maltreatment of a Prisoner, Robbery, Larceny, Conspiracy, Unauthorized Release of a Prisoner, Failure to Obey a General Order.

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

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

-OR-

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

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

5. COMMENTS (Continue on reverse side)

Have you sought legal counsel in the past 30 days? NO 11/1 [REDACTED]

SECTION B. Waiver

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

WITNESSES (if available)		3. SIGNATURE OF INTERVIEWEE [REDACTED]
1a. NAME (Last, First, Middle) [REDACTED]		4. SIGNATURE OF INVESTIGATOR [REDACTED]
6. ORGANIZATION OR ADDRESS AND PHONE [REDACTED]		5. TYPE NAME OF INVESTIGATOR SA [REDACTED]
2a. NAME (Last, First, Middle) [REDACTED]		6. ORGANIZATION OF INVESTIGATOR 323rd MA Det (CID) 1401 W Arzelle St, Jackson, MS 39202
6. ORGANIZATION OR ADDRESS AND PHONE [REDACTED]		

SECTION C. Non-waiver

1. I do not want to give up my rights
☐ I want a lawyer
☐ I do not want to be questioned or say anything
2. SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED
 DA FORM 3881, NOV 89 (AUTOMATED) EDITION OF NOV 84 IS OBSOLETE

EXHIBIT 2B

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SWORN STATEMENT			
For use of this form, see AR 190-45: The proponent agency or the Deputy Chief of Staff for Personnel.			
LOCATION Baghdad, Iraq	DATE 14 JUL 03	TIME 0720	FILE NUMBER DD46-03-CID899-6302
LAST NAME, FIRST NAME, MI [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS E-4/RA	
ORGANIZATION OR ADDRESS B Co 1/36 th Inf Bn, 1 AD, Baghdad, Iraq			
<p>I, [REDACTED] want to make the following statement under oath:</p> <p>Around mid June during The afternoon hours I witnessed an Iraqi national try to assault PVT [REDACTED]. Within a few seconds The members of my squad apprehended The national. He was roughed up a bit during The apprehension, and from the area where The national was apprehended he was brought into a holding area and placed on the floor facing The wall with a sandbag on his head. The Iraqi Police didn't want him so we called up and higher told us to take him back The The Iraqi Police Station. The next morning members of my group took The national to the Police Station and they took him.</p> <p>I have no knowledge of taking of money or releasing of prisoners without authorization.</p> <p>Q: SA [REDACTED] A: SPC [REDACTED] Q: Were members of your Squad upset with the Iraqi after the attempted Assault on PVT [REDACTED] A: Yes. We were all upset about it. Q: How did the Iraqi attempt to Assault PVT [REDACTED] A: I saw him come up from behind. His hands were above his head. One hand had a knife the other had brass knuckles. Q: How many soldiers subdued The Iraqi? Who were they that you recall? A: Myself, Sgt [REDACTED], Sgt [REDACTED], and a couple others. I don't remember. Q: Was the Iraqi kicked, punched, or assaulted in any other way at that point? A: A couple punches, a couple kicks, that's about it. Q: Was the Iraqi injured in anyway at this time?</p>			
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED]		PAGE 1 OF 3 PAGES
<p>ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] DATED [REDACTED] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE OF ANOTHER COPY OF THIS FORM.</p>			

EXHIBIT 28

4. Not that I could tell. I saw no scratches or other marks. He was not complaining.

5. Didn't a soldier butt stroke the Iraqi? Tell me about that.

6. All the guys were at a fire tent getting food + water. I was standing a little ways away and could not tell for sure who butt stroked him. I was not [REDACTED]. Then everybody was on him. 67C-4,66-4

Do you feel the soldiers used excessive force during the apprehension? Were there feelings allowing themselves to get out of hand?

Negative. Normal situation he would have been shot.

Who led the Iraqi from the apprehension point to the bank and/or holding area?

Basically the whole group.

Did you assault the Iraqi outside the bank or holding area?

Negative. He was lying face down. I was kneeling on his back with a knee holding him down. 67C-3,66-3

Did CAPT [REDACTED] ever tell you, "That's enough" concerning the assault used during the apprehension or restraining of the Iraqi? 67C-5,66-5

No. He didn't say anything to me and I did not hear him say it anywhere else. 67C-5,66-5

Inside the building, did anyone strike, kick, or use any physical force restraining or gain revenge on the Iraqi?

None that I saw. I was only in the building for a couple minutes after he was brought inside. 67C-5,66-5

You stated that you have never known a prisoner to be released without the order of an officer or NCO?

No. We always call on the radio to get instructions.

You stated that you don't go out on patrol much with your squad?

Roger. I don't have SAPI Plates. It's SOP you have to have plates to go out.

You have no knowledge concerning the taking of money from Iraqi civilians?

I don't know anything about that.

Have you ever heard anyone bragging about beating up Iraqi civilians or taking from them?

No.

Do you have anything that you wish to add to this statement?

No. / End of Statement /

67C-5,66-5

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INITIALS OF PERSON MAKING STATEMENT [REDACTED] PAGE 2 OF 3 PAGES

EXHIBIT 28

DA FORM 2823 (AUTOMATED)
STATEMENT OF

TAKEN AT

DATED

CONTINUED:

*End of
Statement**not
used**67C-5,66-5**67C-5,66-5*

AFFIDAVIT

I, [REDACTED] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OR PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

Q [REDACTED] *67C-5,66-5*
(SIGNATURE OF PERSON MAKING STATEMENT)

WITNESSES:

SUBSCRIBED AND SWORN BEFORE ME, A PERSON BY LAW TO ADMINISTER OATHS, THIS 14 DAY OF Jul, 1963 AT Baghdad, Iraq

ORGANIZATION OR ADDRESS

[REDACTED] *67C-4,66-1*
(Signature of Person Administering Oath)

SA [REDACTED] *67C-4,66-1*
(Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Att 136(6/4) LCMJ
(Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

PAGES 3 OF 3 PAGES

DA FORM 2823 (AUTOMATED)

EXHIBIT

103

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RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

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

DATA REQUIRED BY THE PRIVACY ACT

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

1. LOCATION 2nd floor Conf Room, 1st Armor Baghdad, Iraq D. MAIN 67C-5,66-5	2. DATE 14 Jul 03	3. TIME 0641Z	4. FILE NUMBER 0046-03-CID899-63502
5. Name (Last, First MI) [REDACTED]	8. ORGANIZATION OR ADDRESS B Company 1/36 Inf. 1st Armor Division Baghdad, Iraq		
6. SSN [REDACTED]	7. STATUS E-3/PFC		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

SECTION A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command as a Special Agent and wanted to question me about the following offense(s) of which I am suspected/accused: Aggravated Assault, Maltreatment of a Prisoner, Robbery, Larceny, Conspiracy, Unauthorized Release of a Prisoner, Failure to Obey a General Order.

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

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

-or-

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

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

5. COMMENTS (Continue on reverse side)

SECTION B. Waiver

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

WITNESSES (if available)		3. SIGNATURE OF INTERVIEWER [REDACTED] 67C-5,66-5
1a. NAME (Type or Print)		4. SIGNATURE OF INVESTIGATOR [REDACTED] 67C-1,66-1
6. ORGANIZATION OR ADDRESS AND PHONE		5. TYPE NAME OF INVESTIGATOR SA [REDACTED] 67C-1,66-1
1a. NAME (Type or Print)		6. ORGANIZATION OF INVESTIGATOR 323 MP DET (CID) BIAP, IRAQ
6. ORGANIZATION OR ADDRESS AND PHONE		

SECTION C. Non-waiver

1. I do not want to give up my rights
☐ I want a lawyer ☐ I do not want to be questioned or say anything
2. SIGNATURE OF INTERVIEWEE
 [REDACTED] 104

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

DA FORM 3881, NOV 89 (AUTOMATED)

EDITION OF NOV 84 IS OBSOLETE

EXHIBIT 189

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

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

DATA REQUIRED BY THE PRIVACY ACT

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

1. LOCATION: Baghdad, Iraq
2. DATE: 14 Jul 03
3. TIME: 0641 Z
4. FILE NUMBER: 0046-03-CID899-63502
5. Name (Last First MI): [REDACTED]
6. SSN: [REDACTED]
7. GRADE/STATUS: SGT
8. ORGANIZATION OR ADDRESS: B Company 1/36 Inf.
1st Armor Division
Baghdad, Iraq

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

SECTION A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command as a Special Agent and wanted to question me about the following offense(s) of which I am suspected/accused: **Aggravated Assault, Maltreatment of a Prisoner, Robbery, Larceny, Conspiracy, Unauthorized Release of a Prisoner, Failure to Obey a General Order.**

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

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

-or-

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

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

5. COMMENTS (Continue on reverse side)

SECTION B. Waiver

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

WITNESSES (if available)		SIGNATURE OF INTERVIEWEE	
1a. NAME (Type or Print)		[REDACTED]	
b. ORGANIZATION OR ADDRESS AND PHONE		[REDACTED]	
2a. NAME (Type or Print)		[REDACTED]	
b. ORGANIZATION OR ADDRESS AND PHONE		[REDACTED]	
		3. TYPE NAME OF INVESTIGATOR	
		[REDACTED]	
		6. ORGANIZATION OF INVESTIGATOR	
		323rd MP Det (CID)	

SECTION C. Non-waiver

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

2. SIGNATURE OF INTERVIEWEE

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

DA FORM 3881, NOV 89 (AUTOMATED)

EDITION OF NOV 84 IS OBSOLETE

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EXHIBIT 70

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

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

DATA REQUIRED BY THE PRIVACY ACT

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

1. LOCATION Baghdad, Iraq	2. DATE 14 Jul 01	3. TIME 0757Z	4. FILE NUMBER 0046-03-CID899-63502
5. Name (Last, First MI) [REDACTED]	6. ORGANIZATION OR ADDRESS B Company 1/36 Inf. 1st Armor Division Baghdad, Iraq		
6. SSN [REDACTED]	7. GRADE/STATUS 1 LT		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

SECTION A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command as a Special Agent. I wanted to question me about the following offense(s) of which I am suspected/accused: **Aggravated Assault, Maltreatment of a Prisoner, Robbery, Larceny, Conspiracy, Unauthorized Release of a Prisoner, Failure to Obey a General Order.**
 Before she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:
 1. I do not have to answer any questions or say anything.
 2. Anything I say or do can be used as evidence against me in a criminal trial.
 3. (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at my own expense to the Government or a military lawyer detailed for me at no expense to me or both.

-or-

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

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

5. COMMENTS (Continue on reverse side)

SECTION B. Waiver

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

WITNESSES (If Court-Martial)		3. SIGNATURE OF INTERVIEWEE [REDACTED] b7C-4, b6-4	
1a. NAME (Last, First MI) [REDACTED]	1b. ORGANIZATION OR ADDRESS AND PHONE 323 MP CID b7C-4, b6-4	2a. NAME (Last, First MI) [REDACTED]	2b. ORGANIZATION OR ADDRESS AND PHONE [REDACTED] b7C-4, b6-1
5. TYPE NAME OF INVESTIGATOR [REDACTED] b7C-4, b6-1		6. ORGANIZATION OF INVESTIGATOR 323 MP (CID)	

SECTION C. Non-waiver

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

2. SIGNATURE OF INTERVIEWEE

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

DA FORM 3881, NOV 89 (AUTOMATED)

EDITION OF NOV 84 IS OBSOLETE

EXHIBIT 2631 106

SWORN STATEMENT

 File Number : 0046-03-CID899-63502
 Location : Second Floor Conference Room, 1st Armor, D-Main, BIAP, Iraq
 Date : 14 Jul 2003
 Time : 1000Z *b7c-4, b6-4*
 Statement of : *[REDACTED]*
 Grade/Status : 1LT
 SSN : *[REDACTED]* *b7c-4, b6-4*
 Org/Address : B Company, 1/36 Infantry, 1st Armor Div., Baghdad, Iraq
b7c-4, b6-4

I *[REDACTED]* WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
 I personally never witnessed the beating of prisoners in the Banking District or the Bus station, As far as I know all my soldiers treated prisoners fairly I've only heard of one instance where soldiers detained someone and placed a sand bag over their heads, I investigated it asked the soldiers what happen and the told me the guy they detained was coming up to a soldier with a knife and the restrained him and put a sand bag over his head, and I told them that placing sand bags over prisoners head is now prohibited I never heard of until today of a wall covered in blood, with a diagram of a hand where prisoners are beaten or soldiers taxing detainees.

Q: How many Iraqis were detained by your platoon?

A: That information is kept at the company level?

Q: How many Iraqis were you involved in detaining?

A: About 10.

Q: How were they processed?

A: We would zip tie them and sit them down next to our guard shack where we could watch them then we would call warrior main, the company headquarters to pick them up which they would seldom do, so we would release them after 24 hours or after we were sure the company was not going to come and get them.

Q: Do you know of any detainees being beaten?

A: I only heard of one, he was zip tied and a sand bag was placed over his head,

but I heard this from the company commander I do not know of this incident first hand.

Q: Did you see or intervene in any beatings?

A: No.

Q: Did you instruct your soldiers in the treatment of detainees and the Iraqi public?

A: Yes.

Q: What did you tell them?

A: At first we were told we could place sand bags over their head but then we were told we couldn't. If the guy is resisting I told them to do what they had to do to get control of them. I did make it clear they should not beat the prisoners after they were in custody.

Q: Was money taken from Iraqi citizens for the purchase of food, ice or beverages by the unit members?

A: Negative.

Q: Who purchased the extras for the unit?

EXHIBIT _____ INITIALS OF PERSON MAKING STATEMENT *[REDACTED]*

PAGE 1 OF 3 PAGES

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EXHIBIT 30
31

STATEMENT OF: [REDACTED] b7c-4, b6-4; TAKEN AT: 1000Z [REDACTED] b7c-4, b6-4; DATED: July 14, 2003 CONTINUED: [REDACTED] b7c-4, b6-4

A Squad Leaders or myself.
Q Who is Dr. [REDACTED] b7c-3, b6-3
A One of the company medics attached to me for maybe ten days.
Q Did you ever see any writing on the walls of your platoon area near zone 15?
A Negative.
Q Did you actively supervise your soldiers?
A The most I could they were spread all over the place.
Q Did you inspect the living and working areas your soldiers occupied?
A Yes.
Q Did you see any blood on the walls in your platoon area?
A Negative, I never went back in the other rooms.
Q What did you tell your platoon about protecting each other?
A In Udari, I told them look around were in the middle of the desert there is
nobody here but us, the only people you can trust is the people in the platoon
in the company because the company is not going to be there it will only be
there.
Q What did you tell them to do if any one got into trouble?
A If someone got into trouble and you felt they were getting screwed that you
should stand up for them. If another soldier is in trouble your in trouble to.
Q Do you feel that applies to this investigation?
A No, if someone does something wrong, no. I don't mean to cover someone's ass
if they committed a crime. Don't lie and cover up for each other.

Question by 1LT [REDACTED] at 0938Z, when can I see a lawyer? Questions were ended
at that point.

END OF STATEMENT///

EXHIBIT _____ INITIALS OF PERSON MAKING STATEMENT [REDACTED] b7c-4, b6-4 PAGE 2 OF 3 PAGES

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EXHIBIT 20 31

67C-4, 66-4
67C-4, 66-4
67C-4, 66-4
STATEMENT OF: [REDACTED]; TAKEN AT: 1000Z; DATED: July 14, 2003 CONTINUED: [REDACTED]

AFFIDAVIT

I, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED] 67C-4, 66-4

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oath, this July 14, 2003, at 1000Z.

[REDACTED] 67C-1, 66-1

(Signature of Person Administering Oath)

SPECIAL AGENT [REDACTED] 67C-1, 66-1, 62
323RD MILITARY POLICE DETACHMENT (CID)
BIAP, IRAQI

(Typed Name of Person Administering Oath)

ARTICLE 136 (b) (4) UCMJ

(Authority to Administer Oath)

WITNESS:

EXHIBIT _____ INITIALS OF PERSON MAKING STATEMENT [REDACTED] 67C-4, 66-4
PAGE 3 OF 3 PAGES

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EXHIBIT 20 31

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

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

DATA REQUIRED BY THE PRIVACY ACT

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

1. LOCATION Baghdad, Iraq	2. DATE 14 Jul 03	3. TIME 0727Z	4. FILE NUMBER 0046-03-CID899-63502
5. Name (Last First MI) [REDACTED]	8. ORGANIZATION OR ADDRESS B Company 1/36 Inf. 1st Armor Division Baghdad, Iraq		
6. SSN [REDACTED]	7. GRADE/STATUS SGT	[REDACTED]	

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

SECTION A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command as a Special Agent and wanted to question me about the following offense(s) of which I am suspected/accused: **Aggravated Assault, Maltreatment of a Prisoner, Robbery, Larceny, Conspiracy, Unauthorized Release of a Prisoner, Failure to Obey a General Order.**

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

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

-or-

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

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

5. COMMENTS (Continue on reverse side)

SECTION B. Waiver

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

WITNESSES (if available)		3. SIGNATURE OF WITNESS [REDACTED]
1a. NAME (Type or Print)		4. SIGNATURE OF SUSPECT/ACCUSED [REDACTED]
5. ORGANIZATION OR ADDRESS AND PHONE		5. TYPE NAME OF INVESTIGATOR [REDACTED]
2a. NAME (Type or Print)		6. ORGANIZATION OF INVESTIGATOR 323 MP CID
6. ORGANIZATION OR ADDRESS AND PHONE		

SECTION C. Non-waiver

1. I do not want to give up my rights
☐ I want a lawyer ☐ I do not want to be questioned or say anything
2. SIGNATURE OF INTERVIEWEE

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

DA FORM 3881, NOV 89 (AUTOMATED)

EDITION OF NOV 84 IS OBSOLETE

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EXHIBIT 320

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

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

DATA REQUIRED BY THE PRIVACY ACT

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

1. LOCATION: Baghdad, Iraq
2. DATE: 14 Jul 03
3. TIME: 0820
4. FILE NUMBER: 0046-03-CID899-63502
5. Name (Last, First MI): [REDACTED]
6. SSN: [REDACTED]
7. GRADE/STATUS: E-6/RA
8. ORGANIZATION OR ADDRESS: B Company 1/36 Inf.
1st Armor Division
Baghdad, Iraq

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

SECTION A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command as a Special Agent and wanted to question me about the following offense(s) of which I am suspected: Aggravated Assault, Maltreatment of a Prisoner, Robbery, Larceny, Conspiracy, Unauthorized Release of a Prisoner, Failure to Obey a General Order. Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

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

-or-

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

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

5. COMMENTS (Continue on reverse side)

Have you been advised of your rights in the last 30 days? NO

SECTION B. Waiver

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

WITNESSES (if available)

1a. NAME (Type or Print)	3. SIGNATURE (Type or Print)
b. ORGANIZATION OR ADDRESS AND PHONE	4. SIGNATURE (Type or Print)
2a. NAME (Type or Print)	5. TYPE AND GRADE OF INVESTIGATOR
b. ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR

323rd MP BTL
BIAP, BAGHDAD, IRAQ

SECTION C. Non-waiver

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

2. SIGNATURE OF INTERVIEWEE

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

DA FORM 3881, NOV 89 (AUTOMATED)

EDITION OF NOV 84 IS OBSOLETE

111

EXHIBIT 33

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION: Office, BIAP, Baghdad, Iraq
 2. DATE (YYYYMMDD): 2003/07/14
 3. TIME: 0930
 4. FILE NUMBER: 0046-03-CID899
 5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED]
 6. SSN: [REDACTED]
 7. GRADE/STATUS: SSG/E-6
 8. ORGANIZATION OR ADDRESS: Company, 1/36 Inf, 1st Armored Division
 9. [REDACTED]

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Basically I was separated from some of the platoon for about a week and one half from 2nd of June through the 12th of June. I was at the bus stop, while they were at another location. We took our direction from the second ACR which is where we learned to bag detainees heads. We used nonviolent persons to clean up the area. On numerous occasions we have called and called and no one came to pick up prisoners. So the commander would allow us to release the prisoner. That direction came from the CO. When LTC [REDACTED] took over he said he didn't care how long a prisoner was in custody, don't release new violators. The only time I know of money being taken from Iraqis was on two different occasions, both occurred at the bank. The first was an Iraqi who was drunk, in a vehicle, with an AK, and a box of money. As far as I know the property with the person. I'm pretty sure that they turned it in. I believe that the second time was basically the same circumstances there was no vehicle involved and he was not drunk. I never saw any one beat a detainee. I never heard of a Robin Hood Tax. My knowledge no one ever stole money from Iraq citizens. We did purchase items from them but that was with our own money. They some times used US Dollars and sometimes used Iraqi Deniers. The dinars were somewhat easier to deal with, as they would rip us off for American money. Also during all of this Sgt. [REDACTED] was at the Museum with his 11 guys and I was at the bank. Sgt. [REDACTED] and I never worked together as we were both supervising our sections. We talked three to four times a week. We spoke about supply issues like ammunition issues, water, supplies, support from higher head quarters and like issues. I never made aware of any issues involving Iraqi detainees, robbing or beatings. The only detainee issue I was aware of is an Iraqi tried to stab Pvt [REDACTED] and was subdued. He is the only one I know of that may have been injured. Today we are trying to figure out why we were going to CID. I was told by Sgt. [REDACTED] that he was walking back from the shower when he is told by another soldier that "that was kind of fucked up." He asked what was fucked up, and was told that soldiers were beating a prisoner. He walked to the front and told the soldiers present, "if this is going on, knock it off." I am not aware that he saw anything.
 Did you ever beat an Iraqi civilian?
 No, negative.
 Did you ever tell anyone that you or your unit imposed a Robin Hood Tax?
 No sir.
 Are you aware of anyone taking money as a fine from curfew violators?
 No.
 Are you aware of anyone having Iraqi weapons to be used to help prevent them from being jailed if they accidentally shot a citizen?
 No.
 Did you fully understand the last question?
 Yes, I think I did. Basically your implying that we took weapons to use as a plant in case we shot someone.
 Is there anything else you would like to add to this statement?
 No sir.

Nothing

EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT DATED

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

FORM 2823, DEC 1998

DA FORM 2823, JUL 72, IS OBSOLETE

USAPA V1.00

EXHIBIT 33

STATEMENT OF

TAKEN AT

DATED

14 JUL 03

STATEMENT (Continued)

b7c-4,66-4

b7c-4,66-4

AFFIDAVIT

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

[REDACTED]
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14 day of JULY, 2003 at CID OFFICE, BIAPO BAHUAD, IRAQ

[REDACTED]
(Signature of Person Administering Oath)

[REDACTED]
(Typed Name of Person Administering Oath)

Article 136, UCMJ
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

EXHIBIT 33

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION CID Office, BIAP, Baghdad, Iraq	2. DATE (YYYYMMDD) 2003/07/14	3. TIME 1035Z	4. FILE NUMBER 67C-5,66-5
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED] 67C-5,66-5	6. SSN [REDACTED]	7. GRADE/STATUS ssg/E6	
8. ORGANIZATION OR ADDRESS B Company, 1/36 Infantry, 1st Armored Division			

9. I, [REDACTED] 67C-5,66-5, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

In regard to the statement I made earlier today I wish to help clarify a point of confusion. When I came out of the shower I overheard either SSG [REDACTED] or a heavy set private named [REDACTED], who were together, say "that's fucked up." I said, "what's fucked up." SSG [REDACTED] told me that my guys were beating a prisoner. I went right to the front and blew up at my guys, thinking that the allegation may be true. I went to where the prisoners were and said, "What the fuck's going on back here", SGT [REDACTED] and SPC [REDACTED] said, "Nothing". I then told them of the allegation by SSG [REDACTED]. They both replied together, "That's bullshit" and "nothings going on". I checked the prisoners and lifted their shirts and didn't see any bruises. I checked the prisoners and saw no evidence of a beating. I then asked SSG [REDACTED] what was going on, there's no bruises here, and I dint see any signs of them beating the prisoners. SSG [REDACTED] threw up his hands, and gasped. I then told them not to make up stories about my soldiers and that is how rumors get started. I reported this to my platoon sergenat that next day. I have had some personal conflicts with SSG [REDACTED], I feel that SSG [REDACTED] made the story up, due to the fact that I checked the prisoners out all over, lifting their shirts, etc. 67C-4,66-4

Q: Why did you not bring this information to light, on your first statement, when SA [REDACTED] asked you the question, Due you know of anyone in your unit beating prisoners?

A: Because I did not physically see it. It was hearsay.

Q: Are you aware of any prisoner abuse in A Co, possibly SSG [REDACTED] 67C-4,66-4

A: I know that he asked me to borrow a razor, and he told me that he was going to shave an Iraqi's eyebrows, and write "their" on his forehead. I didn't give him the razor, but he sat there and did it right in front of me. I think he got the razor from somebody else in his unit.

Q: Why didn't you stop him?

A: I told him that's fucked up, and then I told him that he was an E-6 in the US Army, had done it all, and was responsible for his own actions. I also told him that he was in charge, and it was his baby know. Mr [REDACTED], an interpreter was standing right there, also CPL [REDACTED] SSG [REDACTED] guys were also there. 67C-3,66-3

Q: You told CPT [REDACTED] about this eyebrow shaving and forehead writting? 67C-4,66-4

A: Yes, the day I packed up, and was relieved other soldiers. CPT [REDACTED] pulled me to the side, talking about the sand bags, and he said, "What's this I hear about your guys beating up prisoners" I then told him about checking out the prisoners as stated above. I then asked him if he was aware f SSG [REDACTED] shaiving the eyebrows. 67C-4,66-4

Q: Do you have anything that you wish to add to this statement?

A: Not at this time///END OF STATEMENT///

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

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED. 114

EXHIBIT 34

9. STATEMENT (Continued)

NOT
USED

b7c-5, b6-5

b7c-5, b6-5

AFFIDAVIT

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

(Signature of Person Making Statement)

WITNESSES:

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

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

EXHIBIT 34

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

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

DATA REQUIRED BY THE PRIVACY ACT

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

1. LOCATION CID OFFICE, BIAP	2. DATE 31 JUL 03	3. TIME 0920Z	4. FILE NO.
5. NAME (Last, First, MI) [REDACTED] b7c-4, 66-4	8. ORGANIZATION OR ADDRESS HHC, 1ST/36TH INF, IAD		
6. SSN [REDACTED]	7. GRADE/STATUS SGT/E-5		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator for whose name appears below told me that he/she is with the United States Army

CRIMINAL INVESTIGATION

COMMAND
ASSAULT

and wanted to question me about the following offense(s) of which I am

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

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

- or -

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

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

COMMENTS (Continue on reverse side)

Section B. Waiver

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

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE [REDACTED] b7c-4, 66-4
a. NAME (Type or Print)	ORGANIZATION OR ADDRESS AND PHONE	4. SIGNATURE OF INVESTIGATOR [REDACTED] b7c-4, 66-4
a. NAME (Type or Print)	ORGANIZATION OR ADDRESS AND PHONE	5. TYPED NAME OF INVESTIGATOR [REDACTED] b7c-4, 66-4, SA
		6. ORGANIZATION OF INVESTIGATOR 323RD MP DET (CID) BIAP, BAGHDAD, IRAQ

Section C. Non-waiver

I do not want to give up my rights

☐

I want a lawyer

☐

I do not want to be questioned or say anything

SIGNATURE OF INTERVIEWEE

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

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A FORM 3881, NOV 89

EDITION OF NOV 84 IS OBSOLETE

USAPA 2 01

EXHIBIT 3A

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION CID Office, BIAP, Baghdad, Iraq	2. DATE (YYYYMMDD) 2003/07/31	3. TIME 605ZULU	4. FILE NUMBER 67C-4, 66-4
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED] 67C-4, 66-4	6. SSN [REDACTED]	7. GRADE/STATUS SGT/E-5	
8. ORGANIZATION OR ADDRESS HHC, 1/36th Inf, 1 AD, Baghdad, Iraq 67C-4, 66-4			

9. I, [REDACTED] 67C-4, 66-4, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
 In regard to incidents that occurred at the bus stop. I have been there, and did sign my name on the wall. The only time I saw an citizen struck was the one that tried to stab PV2 [REDACTED] 67C-4, 66-4
 Q. The guy that tried to stab [REDACTED] was he beaten?
 A. No.
 Q. Was he struck after he was subdued?
 A. No.
 Q. Where was he taken after he was subdued?
 A. to the back of the bus stop where we held detainees.
 Q. Did you ever see anyone beaten in that detention room?
 A. No sir.
 Q. Did you ever see any one struck other than the guy that tried to stab [REDACTED] 67C-4, 66-4
 A. No sir. It is really kind of hard for me to give you a lot of information because I was back and forth between the bus stop and the bank. Sorry, I don't know much.
 Q. Where was your primary duty station?
 A. The banking district. I was attached to the third platoon, so I floated between the two locations.
 Q. Would they call you if they needed you?
 A. Ya, sometimes. Usually, I spent a week at the bank and a week at the bus stop.
 Q. Where you there to treat soldiers?
 A. Yes sir.
 Q. Did you ever treat any Iraqi citizens?
 A. Yes sir.
 Q. For what?
 A. A little boy who was hit in the head by one of the local nationals, he had a gash on his head. I also treated an Iraqi who received a cut to his head while being arrested.
 Q. Did you ever treat anyone who had been beaten by soldiers?
 A. No sir.
 Q. Did you treat anyone with broken collar bone, jaw, nose or very obvious or serious injuries?
 A. No sir.
 Q. Is there anything else you would like to add to this statement.
 A. No sir.

Nothing Follows

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

EXHIBIT 35

STATEMENT OF

TAKEN AT

DATED

31 JUL 03

8. STATEMENT (Continued)

b7c-4,66-4

NOT USED

b7c-4,66-4

AFFIDAVIT

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

b7c-4,66-4

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 31 day of JULY, 2003 at CID OFFICE, BIAF, ISAHADAD, DEAR

b7c-1,66-1

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Article 136 UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

EXHIBIT 118

PHOTOGRAPHIC PACKET

CASE NUMBER: 0046-03-CID899-63502

OFFENSE: Assault - Dereliction of duty

<u>NUMBER</u>	<u>DESCRIPTION OF PHOTOGRAPH</u>
1406.	Inside the "bus stop", view to southeast to damage on wall.
1407.	Inside the "bus stop", view to southeast to damage on wall.
1408.	Inside the "bus stop" looking south at blood spatter on wall.
1409.	View of holes in east wall.
1410.	Inside the "bus stop", view to southeast corner with damaged wall.
1411.	View of northwest corner of bus stop.
1412.	View of "Ali ba ba and Dr [REDACTED] written on wall. b7C-3,66-3
1413.	Hand prints on wall.
1414.	Damaged wall, looking west.
1415.	Damaged wall, looking west
1416.	Damaged wall, looking west.
1417.	Entrance to bus stop, looking to north.
1418.	View of entrance and southeast corner of bus stop.
1419.	View of southeast corner, damage and blood spatter.
1420.	View of southeast corner damage and blood spatter.
1421.	View of southeast corner damage and blood spatter.
1422.	View of entrance to holding area looking northeast.
1423.	View of entrance of bus stop holding area looking north.
1424.	View of entrance to bus stop looking north.

FOR OFFICIAL USE ONLY

EXHIBIT

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RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

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

DATA REQUIRED BY THE PRIVACY ACT

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

1. LOCATION 67C-4, 66-4	2. DATE 18 AUG 03	3. TIME 0520Z	4. FILE NUMBER
5. Name (Last, First, MI) [REDACTED]	8. ORGANIZATION OR ADDRESS # HHC, 1/36 INFANTRY 1 ARMOR DIVISION, BAGHDAD, IRAQ		
6. SSN [REDACTED]	7. GRADE/STATUS SSG-E-6		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

SECTION A. Rights

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

suspected/accused: FALSE SWEARING / CONSPIRACY

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

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

-or-

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

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

5. COMMENTS (Continue on reverse side)

ONLY RIGHTS READ WERE PREVIOUSLY READ IN REGARD TO THIS INVESTIGATION.

SECTION B. Waiver

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

WITNESSES (if available)		3. SIGNATURE OF SUSPECT/ACCUSED [REDACTED]
1a. NAME (Type or Print)		6. ORGANIZATION OF INVESTIGATOR 323RD MP DET (CID) (DSE) BIAP, BAGHDAD, IRAQ
6. ORGANIZATION OR ADDRESS AND PHONE		
2a. NAME (Type or Print)		
6. ORGANIZATION OR ADDRESS AND PHONE		

SECTION C. Non-waiver

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

2. SIGNATURE OF INTERVIEWEE

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

DA FORM 3881, NOV 89 (AUTOMATED)

EDITION OF NOV 84 IS OBSOLETE

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EXHIBIT 2537

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION
CID Office, BIAP, Baghdad, Iraq
2. DATE (YYYYMMDD)
2003/08/17
3. TIME
0720
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS
SSG/E-6
8. ORGANIZATION OR ADDRESS
HHC, 1/36 Infantry, 1st Armor Division

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

I need to help clarify the previous statement that I have given. First, I was at the location known as the bus stop for a total of about 10 days. When I arrived we did a right seat ride with the 2nd ACR. I rode with the ACR from 1 June 03 through 04 Jun 03. I officially took over the bus stop on 4 June 03. I was at the bus stop until approximately 11 Jun 03. On the 11th of Jun there was an incident with a 240 at the location known as the bank district. The day after the bank district incident I was assigned to the bank district and SSG _____ was assigned to the bus stop. From that day forward I was never again assigned to the bus stop. I would stop at the end of my shift to pick up a list of supplies, but was never there for very long. SSG _____ was assigned to the bus stop for about a week. Then SSG _____ came in and took over the bus stop. SSG _____ took over the museum. While I was at the bus stop there were no damaged walls, no blood on the walls, and no beating occurred that I witnesses or knew of. I was at the central bank until this investigation was started then reassigned to the Battalion on 27 Jun 03.

Q. Were you aware of any beating at the bus stop prior to the investigation being started?
A. Yes. But they were rumors.
Q. What was the rumor?
A. It was rumored that one our soldiers was almost stabbed by a detainee, and the soldiers messed him up pretty good.
Q. Where there any other rumors of beatings?
A. Yes. SSG _____ caught an Iraqi national rapping a little boy. What I heard that SSG _____ messed him up and turned him over to the Iraqi police, who also did the same.
Q. SSG _____ did you ever assault an Iraqi while at the bus stop?
A. No.
Q. Did you ever witness an Iraqi being assaulted at the bus stop?
A. No.
Q. Other than the incidents we have just discussed, are you aware of any soldiers beating or assaulting Iraqi civilians at the bus stop?
Q. No.
Q. Is there anything else you would to add to this statement?
A. No. But I am more than willing to assist with this investigation in any way that I can.
Q. Is there anything else you would like to add to this statement?
A. No, sir.

NOTHING FOLLOWS

10. EXHIBIT
11. INITIALS
PAGE 1 OF 2 PAGES

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

STATEMENT OF

TAKEN AT

LID OFFICE

DATED

18 AUG 03

9. STATEMENT (Continued)

b7c-4, b6-4

Nothing Follows

b7c-4, b6-4

AFFIDAVIT

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

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18 day of August, 2003 at LID OFFICE BAP, BAGHDAD, IRAQ

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

Article 132 UCMJ

(Authority To Administer Oaths)

SA

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

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EXHIBIT 37

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

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

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY:

Title 10, United States Code, Section 3012(g)

PRINCIPAL PURPOSE:

To provide commanders and law enforcement officials with means by which information may be accurately identified.

ROUTINE USES:

Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE:

Disclosure of your Social Security Number is voluntary.

1. LOCATION

b7c-5, 66-5

2. DATE

18 AUG 03

3. TIME

0800Z

4. FILE NUMBER

5. Name (Last First MI)

6. SSN

7. GRADE/STATUS

8. ORGANIZATION OR ADDRESS

B COMPANY 136 INFANTRY
1ST AD, BIAP, BAGHDAD, IRAQ

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

SECTION A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command and wanted to question me about the following offense(s) of which I am suspected/accused: CONSPIRACY / FALSE SWEARING

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

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

-or-

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

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

5. COMMENTS (Continue on reverse side)

PREVIOUS RIGHTS READ REGARDING THIS INVESTIGATION -

SECTION B. Waiver

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

WITNESSES (if available)

1a. NAME (Type or Print)

1b. ORGANIZATION OR ADDRESS AND PHONE

2a. NAME (Type or Print)

2b. ORGANIZATION OR ADDRESS AND PHONE

3. SIGNATURE OF SUSPECT/ACCUSED

4. SIGNATURE OF WITNESS

5. TYPE NAME OF INVESTIGATOR

6. ORGANIZATION OF INVESTIGATOR

323 RD HP DET (CID) (DSE)
APO AE 09324-2955

SECTION C. Non-waiver

1. I do not want to give up my rights

☐ I want a lawyer

☐ I do not want to be questioned or say anything

2. SIGNATURE OF INTERVIEWEE

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

DA FORM 3881, NOV 89 (AUTOMATED)

EDITION OF NOV 84 IS OBSOLETE

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EXHIBIT 38

DATE: 07 JUL 2003, 0700 HRS ZULU

FROM: SAC, 323rd MILITARY POLICE DET (CID) (DSE)
TO: DIRECTOR, USACRC, USACIDC, FORT BELVOIR, VA
CDR, 10TH MP BN (CID) (ABN) (FWD) //OPS//
CDR, 3D MP GROUP (CID) //OPS//
PROVOST MARSHAL
CDR 3 BCT
SJA CJTF-7

SUBJECT: CID REPORT - INITIAL - 0046-03-CID899-63502-5C1L

DRAFTER : SA [REDACTED]
RELEASER: SAC [REDACTED]

b7c-1, b6-1

UNCLASSIFIED - FOR OFFICIAL USE ONLY

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:
 1. 29 JUN 03/0300 HRS ZULU - 28 JUN 03/1900 HRS ZULU;
GRID COORDINATES NOT AVAILBLE, BAGHDAD, IRAQ
2. DATE/TIME REPORTED: 29 JUN 2003, 1730Z
3. INVESTIGATED BY: SA [REDACTED]
4. SUBJECT: 1. UNKNOWN; [AGGRAVATED ASSAULT]
5. VICTIM: 1. UNKNOWN; IRAQI CITIZEN; [AGGRAVATED ASSAULT]
6. INVESTIGATIVE SUMMARY: THE INFORMATION IN THIS REPORT IS BASED UPON AN ALLEGATION OR PRELIMINARY INVESTIGATION AND MAY CHANGE PRIOR TO THE COMPLETION OF THE INVESTIGATION.

b7c-1, b6-1
b2

THIS IS AN IRAQI FREEDOM INVESTIGATION.

THIS INVESTIGATION WAS INITIATED BASED ON NOTIFICATION FROM SJA, 1ST BDE, 1ST ARMORDER DIVISION, WHO REPORTED THAT TWO IRAQI MALE CITIZENS (NFI) WERE BROUGHT INTO THE 501ST FSB FOR MEDICAL TREATMENT AFTER HAVING BEEN BEATEN BY US FORCES.

PRELIMINARY INVESTIGATION DISCLOSED THAT UNKOWN SOLDIERS FROM THE B COMPANY, 1ST OF 36TH INFANTRY, 1ST ARMORDER DIVISION, BAGHDAD, IRAQ, ALLEGEDLY THREATENED AND MISTREATED IRAQI NATIONALS DURING A ROADSIDE DETENTION.

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AN UNKNOWN NUMBER OF SOLDIERS SLAPPED AN UNKNOWN NUMBER OF IRAQI CITIZENS, WHILE THE CITIZENS HAD THEIR HANDS ZIP TIED BEHIND THEIR BACK, AND THEIR HEADS COVERED WITH SAND BAGS.

INVESTIGATION CONTINUES BY CID.

7. COMMANDERS ARE REMINDED OF THE PROVISIONS OF AR 600-8-2 PERTAINING TO SUSPENSION OF FAVORABLE PERSONNEL ACTIONS AND AR 380-67 FOR THE SUSPENSION OF SECURITY CLEARANCES OF PERSONS UNDER INVESTIGATION.

8. CID REPORTS ARE EXEMPT FROM AUTOMATIC TERMINATION OF PROTECTIVE MARKING IN ACCORDANCE WITH CHAPTER 3, AR 25-55.

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DOD-DOACID000500

AGENTS ACTIVITY SUMMARY (CID Regulation 195-1)		Control Number 0046-03-CID899-43500
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY	
Aug-29-2003 [REDACTED] b7C-1, b6-1	Distribution - USACRC - CDR, B Company I Brigade, 36 th Infantry. 7 Armored Division - SSA LTC [REDACTED] LTC [REDACTED] b7C-3, b6-3 - PMO LTC [REDACTED] b7C-3, b6-3 - File	
17 OCT 03 [REDACTED] b7C-1, b6-1	(CORRECTED COPY) - USACRC - CDR, B CO. - SSA, - PMO, - File	
20-Jan-04 [REDACTED] b7C-1, b6-1	(returned exhibit 28) - USACRC	
28-Jan-04 [REDACTED] b7C-1, b6-1	(4833) - USACRC	

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