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DEPARTMENT OF THE ARMY  
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND  
PRISONER INTERROGATION TEAM (PIT)(CID)  
75TH MILITARY POLICE DETACHMENT (-)  
BAGHDAD CORRECTIONAL FACILITY  
APO AE 09342

CIRD-PIT

22 July 04

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL SUPPLEMENTAL -  
0004-04-CID789-83980-5H6-5Y3

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 28 MAR 04/1700 - 28 MAR 04/1940, BAGHDAD CENTRAL  
CORRECTIONAL FACILITY (BCCF), ABU GHRAIB, IRAQ

DATE/TIME REPORTED: 28 MAR 04, 2020

INVESTIGATED BY: SA *7C-1 b6-1 b2-1*; SA *7C-1, b6-1*  
*7C-1, b6-1 b2*

SUBJECT: 1. AMIR, NAIF SLIMAN (DECEASED); INTERNMENT SERIAL  
NUMBER (ISN) 13505; UNKNOWN, IZ; M; WHITE; DETAINEE; BCCF, ZZ; (NFI)  
[RIOTING]

2. *7C-4, b6-4* ISN *b6-5* UNKNOWN, IZ; M; WHITE; DETAINEE; BCCF;  
ZZ; (NFI) [RIOTING]

3. NONE. (NFI) [JUSTIFIABLE HOMICIDE]

VICTIM: 1. U.S. GOVERNMENT; (428TH MILITARY POLICE COMPANY  
(USAR) BCCF) (SOUTH BEND, IN) [RIOTING]

2. AMIR, NAIF SLIMAN (DECEASED); INTERNMENT SERIAL NUMBER (ISN)  
13505; UNKNOWN, IZ; M; WHITE; DETAINEE; BCCF; ZZ; (NFI) [JUSTIFIABLE  
HOMICIDE]

INVESTIGATIVE SUMMARY:

This is an "Operation Iraqi Freedom" investigation.

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This investigation was initiated upon notification by the 391<sup>st</sup> Military Police (MP) Battalion (BN), BCCF, Abu Ghraib, Iraq that a riot took place in Tiers 4A and 6A of the BCCF. During the riot, detainee AMIR, was shot and killed by SGT ~~7C-66-4~~ <sup>7C-66-4</sup>, 428th MP Company (CO), BCCF and detainee <sup>7C-4</sup> was shot by SSG <sup>7C-4</sup> <sup>66-4</sup>, 28th MP CO, BCCF.

Investigation established probable cause to believe Detainees AMIR and ~~7C-66-4~~ <sup>7C-4</sup> committed the offense of Rioting when they participated in a riot in the BCCF resulting in the use of force by responding MP's. The shooting of both detainees was justifiable and neither SGT ~~7C-66-4~~ <sup>7C-4</sup> nor SSG ~~7C-66-4~~ <sup>7C-4</sup> committed a criminal offenses.

Further investigation disclosed initial medical screening records were maintained on Detainee ~~7C-66-4~~ <sup>7C-4</sup>. However, these records were only initial medical screening records and did not pertain to any treatment he received after being shot during the riot. No other records were available as both Detainee ~~7C-66-4~~ <sup>7C-4</sup> and Detainee AMIR were detained by Iraqi officials, and were not Coalition Detainees.

STATUTES:

18 USC, SEC 1792: RIOTING  
Article 118, UCMJ: MURDER (JUSTIFIABLE HOMICIDE)

Exhibits:

Added Attached:

10. Agent's Investigation Report of SA ~~7C-66-4~~ <sup>7C-66-4</sup> dated 14 Jun 04 detailing the search for additional records pertaining to Mr. ~~7C-66-4~~ <sup>7C-4</sup>, and the collection of the initial medical screening records.

11. Initial Medical Screening Records pertaining to Mr. ~~7C-66-4~~ <sup>7C-4</sup>

Added Not Attached:

None

The original of Exhibit 10 is forwarded with the USACRC copy of this report. The original of Exhibit 11 is maintained in the files 391<sup>st</sup> MP BN Aid Station, Baghdad Central Confinement Facility, Abu Ghraib, Iraq.

STATUS: This is a final supplemental report.

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Approved By:

7E-1, b6-1  
b2

Distribution:

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22060-5 506 (original)

1 - CDR, USACIDC, (ATTN: CIOP-COP-CO), Fort Belvoir, VA 22060-5506

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DEPARTMENT OF THE ARMY  
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND  
PRISONER INTERROGATION TEAM (PIT)(CID)  
75TH MILITARY POLICE DETACHMENT (-)  
BAGHDAD CENTRAL CONFINEMENT FACILITY  
APO AE 09342

CIRD-PIT

20 JUN 04

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - 2D FINAL SUPPLEMENTAL -  
0004-04-CID789-83980-5H6-5Y3

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 28 MAR 04/1700 - 28 MAR 04/1940, BAGHDAD CENTRAL  
CONFINEMENT FACILITY (BCCF), ABU GHRUYEB, IRAQ

DATE/TIME REPORTED: 28 MAR 04, 2020

INVESTIGATED BY: SA 7C-1, b6-1 b2 SA 7C-1, b6-1  
7C-b6- b2

SUBJECT: 1. AMIR, NAIF SLIMAN (DECEASED); CIVILIAN; INTERNMENT  
SERIAL NUMBER (ISN) 13505; UNKNOWN, IZ; M; WHITE; DETAINEE; BCCF,  
ABU GHRUYEB, IZ; ZZ; (NFI) [RIOTING]

2. 7C-4, b6-4 ; CIVILIAN; ISN 7C, b6-5 UNKNOWN, IZ; M;  
WHITE; DETAINEE; BCCF, ABU GHRUYEB, IZ; ZZ; (NFI) [RIOTING]

3. NONE. (NFI) [JUSTIFIABLE HOMICIDE]

VICTIM: 1. U.S. GOVERNMENT; (428TH MILITARY POLICE COMPANY  
(USAR) BCCF, ABU GHRUYEB, IZ) (SOUTH BEND, IN) [RIOTING]

2. AMIR, NAIF SLIMAN (DECEASED); CIVILIAN; ISN 13505;  
UNKNOWN, IZ; M; WHITE; DETAINEE; BCCF, ABU GHRUYEB, IZ; ZZ; (NFI)  
[JUSTIFIABLE HOMICIDE]

INVESTIGATIVE SUMMARY:

THIS IS AN "OPERATION IRAQI FREEDOM" INVESTIGATION.

This investigation was initiated upon notification by the 391<sup>st</sup> Military Police (MP)  
Battalion (BN). BCCF, Abu Ghuryeb, Iraq that a riot took place in Tiers 4A and 6A of  
the BCCF. During the riot, detainee AMIR, was shot and killed by SGT 7C, b6-4

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7C-4 - b6-4 428th MP Company (CO), BCCF and detainee 7C-4 b6-4  
was shot by SSG 7C-4, b6-4 428th MP CO, BCCF.

Investigation established probable cause to believe Detainees AMIR and 7C-4 b6-4 committed the offense of Rioting when they caused a commotion in the BCCF resulting in the use of force by responding MP's. The shooting of both detainees' was justifiable and no criminal offenses were committed by either SGT 7C-4 b6-4 or SSG 7C-4 b6-4

STATUTES:

18 USC, SEC 1792: RIOTING  
Article 118, UCMJ: MURDER (JUSTIFIABLE HOMICIDE)

EXHIBITS/SUBSTANTIATION:

ADDED ATTACHED:

6. AIR of SA 674, b6-4 17 Jun 04, detailing coordination to obtain Death Certificate of Detainee AMIR.
7. DA Form 2669-R, 28 Mar 04, detailing the circumstances of Detainee AMIR's death.
8. Journal Entry, 28 Mar 04, pertaining to injuries sustained by Detainee 7C-4 b6-4 during the riot.
9. (1-2) In-processing spreadsheet created on both detainees upon their initial detainment at BCCF.

ADDED NOT ATTACHED:

None.

STATUS: This is a Final Supplemental Report. Commander's Report of Disciplinary Action Taken (DA Form 4833) is not required.

Report Prepared/Approved By:

7C-4 b6-4

Special Agent in Charge

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APO AE 09342  
1 - CDR, 391st MP BN (ATTN: LTC *K16-3*), BCCF  
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DEPARTMENT OF THE ARMY  
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND  
PRISONER INTERROGATION TEAM (PIT)(CID)  
75TH MILITARY POLICE DETACHMENT (-)  
BAGHDAD CORRECTIONAL FACILITY  
APO AE 09342

CIRD-PIT

23 APR 04

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION – FINAL SUPPLEMENTAL -SSI-  
0004-04-CID789-83980-5H6-5Y3

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 28 MAR 04/1700 – 28 MAR 04/1940, BAGHDAD CORRECTIONAL  
FACILITY (BCF), ABU GHRUYEB, IRAQ

DATE/TIME REPORTED: 28 MAR 04, 2020

INVESTIGATED BY: SA 7C-1, D-1 b2 ; SA 7C-1, D-1 b2  
7C-1, b6-1 b2

SUBJECT: 1. AMIR, NAIF SLIMAN (DECEASED); INTERNMENT SERIAL  
NUMBER (ISN) 13505; UNKNOWN, IZ; M; WHITE; DETAINEE; BCF, ABU  
GHRUYEB, IZ; ZZ; (NFI) [RIOTING]

2. 7C-4, b6-4 ; ISN 7C-5, UNKNOWN, IZ; M; WHITE;  
DETAINEE; BCF, ABU GHRUYEB, IZ; ZZ; (NFI) [RIOTING]

3. NONE. (NFI) [JUSTIFIABLE HOMICIDE]

VICTIM: 1. U.S. GOVERNMENT; (428TH MILITARY POLICE COMPANY  
(USAR) BCF, ABU GHRUYEB, IZ) (SOUTH BEND, IN) [RIOTING]

2. AMIR, NAIF SLIMAN (DECEASED); INTERNMENT SERIAL  
NUMBER (ISN) 13505; UNKNOWN, IZ; M; WHITE; DETAINEE; BCF, ABU  
GHRUYEB, IZ; ZZ; (NFI) [JUSTIFIABLE HOMICIDE]

INVESTIGATIVE SUMMARY:

THIS IS AN "OPERATION IRAQI FREEDOM" INVESTIGATION.

This investigation was initiated upon notification by the 391<sup>st</sup> Military Police (MP)  
Battalion (BN), BCF, Abu Ghrueyeb, Iraq that a riot took place in Tiers 4A and 6A of the  
BCCF. During the riot, detainee AMIR, was shot and killed by SGT 67C-4, b6-4

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shot by SSG ~~7C-4, 66-4~~ 428th MP Company (CO), BCF and detainee ~~7C-4 66-4~~ was  
b7c-4, 66-4 428th MP CO, BCCF.

Investigation established probable cause to believe Detainees AMIR and ~~7C-4 66-4~~  
committed the offense of Rioting when they caused a commotion in the BCCF resulting  
in the use of force by responding MP's. The shooting of both detainees' was justifiable  
and no criminal offenses were committed by either SGT ~~7C-4, 66-4~~ or SSG  
~~7C-4, 66-4~~

STATUTES:

18 USC, SEC 1792: RIOTING

Article 118, UCMJ: MURDER (JUSTIFIABLE HOMICIDE)

EXHIBITS/SUBSTANTIATION:

ADDED ATTACHED:

None.

ADDED NOT ATTACHED:

None.

STATUS: This is a Final Supplemental Report. Commander's Report of Disciplinary  
Action Taken (DA Form 4833) is not required.

Report Prepared By:

Report Approved By:

~~7C-1~~  
~~66-1~~  
bv

~~7C-1 66-1~~

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DEPARTMENT OF THE ARMY  
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND  
PRISONER INTERROGATION TEAM (PIT)(CID)  
75TH MILITARY POLICE DETACHMENT (-)  
BAGHDAD CORRECTIONAL CONFINEMENT FACILITY  
APO AE 09342

CIRD-PIT

21 APR 04

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION – 1ST SUPPLEMENTAL -SSI-0004-04-CID789-83980-5H6-5Y3

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 28 MAR 04/1700 – 28 MAR 04/1940, BAGHDAD CORRECTIONAL CONFINEMENT FACILITY (BCCF), ABU GHRUYEB, IRAQ

2. DATE/TIME REPORTED: 28 MAR 04, 2020

3. INVESTIGATED BY: SA *7C-1, 56-1* *62: SA 7C-1 66-1*  
*dv*

4. SUBJECT: 1. [CORRECTED] AMIR, NAIF SLIMAN (DECEASED);  
INTERNMENT SERIAL NUMBER (ISN) 13505; UNKNOWN, IZ; M; WHITE;  
DETAINEE; BCCF, ABU GHRUYEB, IZ; ZZ; (NFI) [RIOTING]

2. *7C-4 66-4* ; ISN *7C-5* UNKNOWN, IZ; M; WHITE;  
DETAINEE; BCCF, ABU GHRUYEB, IZ; ZZ; (NFI) [RIOTING]

3. [CORRECTED] UNKNOWN. (NFI) [JUSTIFIABLE HOMICIDE]

5. VICTIM: 1. [CORRECTED] U.S. GOVERNMENT; (428TH MILITARY POLICE COMPANY (USAR, SOUTH BEND, IN), BCCF, ABU GHRUYEB, IZ) [RIOTING]

2. [CORRECTED] AMIR, NAIF SLIMAN (DECEASED);  
INTERNMENT SERIAL NUMBER (ISN) 13505; UNKNOWN, IZ; M; WHITE;  
DETAINEE; BCCF, ABU GHRUYEB, IZ; ZZ; (NFI) [JUSTIFIABLE HOMICIDE]

6. INVESTIGATIVE SUMMARY:

THIS IS AN "OPERATION IRAQI FREEDOM" INVESTIGATION.

THIS INVESTIGATION WAS INITIATED UPON NOTIFICATION FROM THE  
391<sup>ST</sup> MILITARY POLICE (MP) BATTALION (BN), BCCF, ABU GHRUYEB, IZ  
THAT DETAINEE AMIR, WAS SHOT AND KILLED; AND DETAINEE *7C-4 66-4*

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WAS SHOT AND WOUNDED BY MILITARY POLICE WHILE RIOTING IN TIERS 4A AND 6A OF THE ABU GHRUYEB PRISON HARDSITE.

1ST SUPPLEMENTAL:

THIS SUPPLEMENTAL REPORT IS BEING GENERATED TO ADD AMIR AS A VICTIM, ADD AN UNKNOWN SUBJECT FOR THE OFFENSE OF JUSTIFIABLE HOMICIDE AND CLARIFY OFFENSES.

ON 21 APR 04, AN ADMINISTRATIVE REVIEW REVEALED AMIR SHOULD HAVE BEEN LISTED AS A VICTIM FOR THE OFFENSE OF JUSTIFIABLE HOMICIDE.

INITIAL REPORT:

PRELIMINARY INVESTIGATION REVEALED A RIOT BEGAN IN TIER 6A OF THE ABU GHRUYEB PRISON HARDSITE AND THE INTERNAL RECTION FORCE (IRF) RESPONDED TO THE SCENE. WITHIN TIER 6A ALL THE PRISONERS HAD BROKEN THEIR THE LOCKS TO THEIR CELLS AND WERE THROWING BRICKS, ROCKS AND METAL PIPES AT THE MILITARY POLICE GUARDS. MULTIPLE ATTEMPTS WERE MADE TO STOP THE RIOT UTILIZING VERBAL PERSUASION AND WITH LESS THEN LETHAL MUNITIONS. PRIOR TO THE IRF'S ENTRY TO THE TIER, SEVERAL FLASHBANGS WERE DEPLOYED AND MORE LESS THAN LETHAL MUNITIONS WERE EXPENDED. PRIOR TO THE IRF ENTERING THE TIER THE TEAM WAS BRIEFED ON THE RULES OF ENGAGEMENT AUTHORIZING THE USE OF DEADLY FORCE. AS THE IRF WAS ENTERING THE TIER, SGT *7C-4* *56-4* *7C-4, 56-4* 428<sup>TH</sup> MP COMPANY, ABU GHRUYEB, IRAQ, IDENTIFIED A DETAINEE (AMIR) WHO WAS THROWING A BRICK AT THE ENTRY TEAM, AT THIS TIME SGT *7C-4, 56-4* ENGAGED THE DETAINEE WITH ONE LETHAL ROUND OF BUCKSHOT STRIKING HIM IN THE CHEST AND NECK.

ANOTHER RIOT BEGAN IN TIER 4A OF THE ABU GHRUYEB PRISON HARDSITE AND THE IRF RESPONDED TO THE SCENE. MULTIPLE ATTEMPTS WERE MADE TO STOP THE RIOT UTILIZING VERBAL PERSUASION AND LESS THAN LETHAL MUNITIONS. PRIOR TO THE IRF'S ENTRY TO TIER 4A, SEVERAL FLASHBANGS WERE DEPLOYED AND MORE LESS THAN LETHAL MUNITIONS WERE EXPENDED. PRIOR TO THE IRF ENTERING THE TIER THE TEAM WAS BRIEFED ON THE RULES OF ENGAGEMENT AUTHORIZING DEADLY FORCE. AS THE IRF WAS ENTERING TIER 4A, SSG *7C-4, 56-4* *7C-4, 56-4* 428<sup>TH</sup> MP COMPANY, ABU GHRUYEB PRISON, IRAQ, WAS STAGED IN THE WINDOW AND IDENTIFIED A DETAINEE *7C-4, 56-4*. EXIT HIS CELL ON THE SECOND FLOOR AND BEGAN THROWING ROCKS AND OTHER DEBRIS AT THE IRF AS THEY MADE ENTRY. SSG *7C-4, 56-4* ENGAGED THE DETAINEE WITH ONE LETHAL ROUND OF BUCKSHOT STRIKING THE DETAINEE IN THE LEG.

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AT 2018, 28 MAR 04, CPT (DR) 7C-3 106-3, 67<sup>TH</sup> COMBAT SUPPORT HOSPITAL (CSH), ABU GHRUYEB PRISON, IRAQ, PRONOUNCED DETAINEE AMIR DEAD. DETAINEE 7C-464 WAS TREATED FOR MINOR INJURIES AND LATER RETURNED TO HIS CELL.

AT 2150, 28 MAR 04, SA 7C-1; b6-1 ADVISED SGT 7C-4, b6-4 OF HIS LEGAL RIGHTS, WHICH HE WAIVED AND PROVIDED A WRITTEN STATEMENT WHICH DETAILED THE EVENTS SURROUNDING AND HIS ACTIONS DURING THE SHOOTING OF THE DETAINEE. SGT 7C-4, b6-4 STATED HE SHOT THE DETAINEE (AMIR) TO PROTECT THE ENTRY TEAM FROM SERIOUS BODILY INJURY.

AT 0825, 29 MAR 04, SA 7C-1, b6-1 ATTEMPTED TO INTERVIEW DETAINEE 7C-464 WHO REFUSED TO COOPERATE WITH THIS INVESTIGATION.

AT 1325, 29 MAR 04, SA 7C-1, b6-1 ADVISED SSG 7C-4, b6-4 OF HIS LEGAL RIGHTS, WHICH HE WAIVED AND RENDERED A SWORN STATEMENT WHICH HE DETAILED HIS KNOWLEDGE OF BOTH SHOOTING INCIDENTS. SSG 7C-4, b6-4 STATED HE SHOT THE DETAINEE (7C-464) TO PROTECT THE ENTRY TEAM FROM SERIOUS BODILY INJURY.

THE OCONUS CID CASUALTY LIASON OFFICER (CLO) IS SA 7C-1, b6-1 7C-1, b6-1 5<sup>TH</sup> MP DETACHMENT (CID), PRISON INTERROGATION TEAM (PIT), ABU GHRUYEB PRISON, ABU GHRUYEB, IRAQ, AT DNV 318-550 67C-1, b6-1

INVESTIGATION CONTINUES BY USACIDC.

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

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DEPARTMENT OF THE ARMY  
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND  
PRISONER INTERROGATION TEAM (PIT)(CID)  
75TH MILITARY POLICE DETACHMENT (-)  
BAGHDAD CORRECTIONAL CONFINEMENT FACILITY  
APO AE 09342

CIRD-PIT

14 APR 04

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL (C) - SSI-0004-04-CID789-83980-5H6-5Y3

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 28 MAR 04/1700 - 28 MAR 04/1940, BAGHDAD CORRECTIONAL CONFINEMENT FACILITY (BCCF), ABU GHURYEB, IZ

DATE/TIME REPORTED: 28 MAR 04, 2020

INVESTIGATED BY: SA 7C-1 b6-1 b2 ; SA 7C-1 b6-1 b2

SUBJECT: 1. AMIR, NAIF SLIMAN (DECEASED); INTERNMENT SERIAL NUMBER (ISN) 13505; UNKNOWN, IZ; M; WHITE; DETAINEE; BCCF, ABU GHURYEB, IZ; ZZ; (NFI) [RIOTING][JUSTIFIABLE HOMICIDE]

2. 7C-4 b6-4 ISN 7C-4 b6-4 UNKNOWN, IZ; M; WHITE; DETAINEE; BCCF, ABU GHURYEB, IZ; ZZ; (NFI) [RIOTING]

VICTIM: 1. U.S. GOVERNMENT; (428TH MILITARY POLICE COMPANY (USAR), ABU GHURYEB, IZ) (SOUTH BEND, IN) [RIOTING] [JUSTIFIABLE HOMICIDE]

INVESTIGATIVE SUMMARY:

THIS IS AN "OPERATION IRAQI FREEDOM" INVESTIGATION.

This investigation was initiated upon notification by the 391<sup>st</sup> Military Police (MP) Battalion (BN), BCCF, Abu Ghuryeb, Iraq that a riot took place in Tiers 4A and 6A of the BCCF. During the riot, detainee AMIR was shot and killed by SGT 7C-4, b6-4 7C-4, b6-4, 428th MP Company (CO), BCCF and detainee 7C-4 b6-4 was shot by SSG 7C-4, b6-4 428th MP CO, BCCF.

Investigation established probable cause to believe the shootings of both detainees was justifiable and neither SGT 7C-4, b6-4 nor SSG 7C-4, b6-4 committed any criminal offenses.

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STATUTES:

18 USC, SEC 1792: RIOTING

Article 118, UCMJ: MURDER (JUSTIFIABLE HOMICIDE)

EXHIBITS/SUBSTANTIATION:

ATTACHED:

1. Agent's Investigation Report (AIR) of SA *TC-1/bb-1*, 8 Apr 04, details the initial notification; interviews; and SJA and command coordination.
2. Waiver Certificate and Sworn Statement of SGT *TC-bb-4*, 28 Mar 04, which details his knowledge of this investigation.
3. Sworn Statement of MAJ *TC-4/bb-4*, 29 Mar 04, which details his knowledge of this investigation.
4. Waiver Certificate and Sworn Statement of SSG *TC-bb-4*, 29 Mar 04, which details his knowledge of this investigation.
5. Compact Disc 040004.789, containing the original images of the riot scene and injuries sustained by the detainees. (USACRC and file copy only)

NOT ATTACHED:

None.

The originals of Exhibits 1 through 5 are attached to the USACRC copy of this report.

STATUS: This is a Final (C) Report. This investigation is being terminated IAW CIDR 195-1, Chapter 4-17(a)(6) in that the Special Agent-in-Charge determined that furtherance of the investigation would be of little or no value and leads remaining are insignificant. Commander's Report of Disciplinary Action Taken (DA Form 4833) is not required.

LEADS REMAINING: Interview of remaining MP's who were involved in quelling the riot.

Report Prepared By:

Report Approved By:

*TC-1  
bb-1*

*b2*

*TC-1  
bb-1*

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# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0004-04-CID789-83980

PAGE 1 OF 3 PAGES

## DETAILS

**BASIS FOR INVESTIGATION:** On 28 Mar 04, this office was notified by the 391<sup>st</sup> Military Police (MP) Battalion (BN), Abu Ghryeb Prison, Abu Ghryeb, Iraq that Detainee Naif Sliman AMIR, Internment Serial Number (ISN) 13505 was shot and killed and Detainee 7C-4 66-4, ISN 7C-5 was wounded when riots began in Tiers 4A and 6A in the Abu Ghryeb Prison Hardsite.

At 2100, 28 Mar 04, SA 7C-1, 66-1 interviewed CPT (DR) 7C-1, 66-3, 1, 67<sup>th</sup> Combat Support Hostital, Abu Ghryeb Prison, Iraq. CPT 7C-1, 66-3 stated Detainee AMIR had an entry/exit wound on his upper right chest and an entry/exit wound in neck. CPT 7C-1, 66-3 stated Detainee AMIR was intubated and emergency procedures were initiated to control the bleeding within Detainee's AMIR's chest. CPT 7C-1, 66-3 related the bleeding could not be controlled in Detainee's AMIR's chest and was pronounced dead at 2018, 28 Mar 04.

At 2111, 28 Mar 04, SA 7C-1, 66-1, SA 7C-1, 66-1 and Investigator (INV) 7C-6 66-6 his office. obtained photographs of the injuries Detainee AMIR sustained and Tier 6A cell block (See Compact Disc for details).

**AGENT'S COMMENT:** A Crime Scene Examination was not conducted due to officer safety concerns as another prison riot started.

About 2130, 28 Mar 04, SA 7C-1, 66-1 coordinated with LTC 7C-3 66-3 commander, 391<sup>st</sup> MP BN, Abu Ghryeb Prison, Iraq and briefed him on the status of this case.

About 2150, 28 Mar 04, SA 7C-1, 66-1 advised SGT 7C-4 66-4, 128<sup>th</sup> Military Police (MP) Company, Abu Ghryeb, Iraq (South Bend, IN) of his legal rights, which he waived and provided a written statement which detailed the events surrounding and his actions during the shooting of the detainee. (See Waiver Certificate and Sworn Statement of SGT 7C-1, 66-4).

About 0810, 29 Mar 04, SA 7C-1, 66-1 coordinated with PFC 7C-4 66-4, 391<sup>st</sup> MP BN, Abu Ghryeb Prison, Iraq (Columbus, OH), of the detainee In processing office, who verified the identified the detainees AMIR (Deceased) and Detainee 7C-4 66-4.

About 0825, 29 Mar 04, SA 7C-1, 66-1 attempted to interview Detainee 7C-4 66-4, still located within the processing aid station, who refused to cooperate with this investigation.

About 0840, 29 Mar 04, SA 7C-6 66-1 interviewed MAJ 7C-3, 66-3, 391<sup>st</sup> MP BN, Abu Ghryeb Prison, Iraq. MAJ 7C-3 stated he was in the hard site at the time of the riots and shootings. MAJ

TYPED AGENT'S NAME AND SEQUENCE NUMBER 7C-1 66-1 02	ORGANIZATION Prisoner Interrogation Team (PIT) (CID) (FWD) Baghdad Correctional Facility, Abu Ghryeb, Iraq DATE 8 Apr 04 EXHIBIT 1	
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CID FORM 94  
1 FEB 77

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# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0004-04-CID789-83980

PAGE 2 OF 3 PAGES

## DETAILS

MAJ ~~7C-1~~ related saw rocks and bricks being thrown at the MP and at the cell doors. MAJ ~~7C-3~~ <sup>66-3</sup> stated he did not have any direct contact with the IRF team and could not provide any further information for this investigation.

About 0900, 29 Mar 04, SA ~~7C-1~~ <sup>66-1</sup> interviewed MAJ (Dr.) ~~7C-3~~ <sup>66-3</sup> 391<sup>st</sup> MP BN, Abu Ghryeb, Iraq, who stated he arrived at the "hard site" and observed Detainee ~~7C-4~~ <sup>66-4</sup> lying on a stretcher with an injury to his knee. MAJ ~~7C-3~~ <sup>66-3</sup> related he applied a dressing to the wound and had Detainee ~~7C-4~~ <sup>66-4</sup> transported to Battalion Aid Station. While at the aid station, MAJ ~~7C-3~~ <sup>66-3</sup> said he cleaned and stitched the wound to Detainee ~~7C-4~~ <sup>66-4</sup>. MAJ ~~7C-3~~ <sup>66-3</sup> stated there was an entry and exit wound above the knee, apparently caused by a shotgun pellet, which caused no broken bones or other severe damage.

At 1117, 29 Mar 04, SA ~~7C-1~~ <sup>66-1</sup> interviewed MAJ ~~7C-4~~ <sup>66-4</sup> 391<sup>st</sup> MP BN, Abu Ghryeb Prison, Iraq, who rendered a Sworn Statement which detailed his knowledge of the shooting incident (See Sworn Statement for details).

At 1325, 29 Mar 04, SA ~~7C-1~~ <sup>66-1</sup> advised SSG ~~7C-4~~ <sup>66-4</sup> 91<sup>st</sup> MP BN, Abu Ghryeb Prison, Iraq, of his legal rights, which he waived and rendered a Sworn Statement which he detailed his knowledge of both of the shooting incidents. (See Waiver Certificate and Sworn Statement for details)

About 1429, 29 Mar 04, SA ~~7C-1~~ <sup>66-1</sup> interviewed SGT ~~7C-3~~ <sup>66-3</sup> 128<sup>th</sup> MP CO, Abu Ghryeb, Iraq. He stated about 1700 hrs he and the IRF team responded to the hard site because of a riot. He stated when the team entered the hallway near the tier; he could see the bricks being thrown. SGT ~~7C-3~~ <sup>66-3</sup> said that a plan was devised to us non lethal to make entry into the tier. He said after a couple of attempts to gain entry using flash bangs and non lethal rounds with no success, MAJ ~~7C-3~~ <sup>66-3</sup> ordered the team to go to lethal rounds. He said MAJ ~~7C-3~~ <sup>66-3</sup> said do not shoot unless you actually see them throw a rock at you or any other soldier. SGT ~~7C-3~~ <sup>66-3</sup> said he and the other shot gunners posted on the left and right of the door in the windows. As the team began to try to make entry, he heard SGT ~~7C-4~~ <sup>66-4</sup> he had one. I could see a couple of rocks being thrown. About 4-5 seconds later he heard a shot. He then saw a couple of Iraqi prisoners bring an injured detainee to the door. SGT ~~7C-3~~ <sup>66-3</sup> said most of the detainees went into their cells at that time. He and the rest of the team made entry and secured the tier. He stated while securing the tier, MAJ ~~7C-3~~ <sup>66-3</sup> said the other tier had the same problem. SGT ~~7C-3~~ <sup>66-3</sup> said as he approached the tier he could see rocks being thrown from the tier windows into the hallway. He said the lights were off in the tier. SGT ~~7C-3~~ <sup>66-3</sup> said he and the team used non-lethal rounds to approach the door of the tier. He said the team made entry using a flash bang. He said when the team made entry into the tier, he heard SSG ~~7C-4~~ <sup>66-4</sup> all, "If you throw that brick, I will shoot you". He then heard the shot and the detainees went into their cells. He said the team began to secure the tier.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA ~~7C-1~~  
SGT ~~66-1~~ <sup>02</sup>

ORGANIZATION

Prisoner Interrogation Team (PIT) (CID) (FWD)  
Baghdad Correctional Facility, Abu Ghryeb, Iraq

DATE

8 Apr 04

EXHIBIT

CID FORM 74  
1 FEB 77

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<b>AGENT'S INVESTIGATION REPORT</b> <i>CID Regulation 195-1</i>	ROI NUMBER 0004-04-CID789-83980
	PAGE 3 OF 3 PAGES

DETAILS

At 1920, 29 Mar 04, SA *K-1* coordinated with CPT *7C-163*, Command Judge Advocate, 504<sup>th</sup> Military Intelligence Brigade and Abu Ghryeb Prison, Iraq. CPT *7C-163* opined that no crime had been committed and the shooting was justifiable Homicide.

At 0930, 8 Apr 04, SA *K-1* coordinated with LTC *7C-163* and briefed him on the outcome of the investigation.

////////////////////////////////////LAST ENTRY////////////////////////////////////

SA <i>K-1</i> <i>163</i>	ORGANIZATION Prisoner Interrogation Team (PIT) (CID) (FWD) Baghdad Correctional Facility, Abu Ghryeb, Iraq	
	DATE 8 Apr 04	EXHIBIT 1

CID FORM 94  
1 FEB 77

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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

COV-1 - 04-CID789-83482

**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 and retrieval.  
**DISCLOSURE:** Disclosure of your Social Security Number is voluntary.

1. LOCATION Abu Ghryeb Prison, Abu Ghryeb, Iraq	2. DATE 28 Mar 04	3. TIME 214E	4. NUMBER 0003-04-CID789-83482
5. SSN R, b6-4	6. ORGANIZATION OR ADDRESS 428 <sup>th</sup> Military Police Company, Abu Ghryeb, Iraq		
7. GRADE/STATUS E-5			

## 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: Murder

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)

### 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.
1a. NAME (Type or Print)		6. ORGANIZATION OF INVESTIGATOR
b. ORGANIZATION OR ADDRESS AND PHONE		Prison Interrogation Team
2a. NAME (Type or Print)		Abu Ghryeb, Iraq
b. ORGANIZATION OR ADDRESS AND PHONE		

### SECTION C. Non-waiver

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

### 2. SIGNATURE OF INTERVIEWEE

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 19

## SWORN STATEMENT

File Number: 0004-04-CID789- 3480

Location: Abu Ghryeb Prison, Abu Ghryeb, Iraq

Date: 28 Mar 04

Time: 2342 7C-4

Statement of: 7C-4 7C-4

SSN: 7C-4 7C-4

Grade/Status: E-5/RC

Org/Address: 428<sup>th</sup> Military Police Company, Abu Ghryeb, Iraq

I, 7C-4 7C-4, want to make the following statement under oath: I am making this statement freely.

I am part of the Internal Reaction Force (IRF) and the Bravo Team leader. About 1700 hrs, 28 Mar 04, we were called to the hard site. When we showed up we staged in the hallway near the administration office. MAJ 7C-3, 7C-3 I believe the battalion S-3, called us down to tier three I believe. At that time he informed us the detainees in the tier were all out of their cells and were rioting. Then we went over a plan of action of how to take the tier back. The first phase of the plan was to enter with the ballistic shields and less than lethal rounds for our shotguns, but I was not part of that team. They tried to enter the tier three times total and it did not calm them down at all. Before they went in with the less than lethal force, we had an interpreter tell them to return their cells. We did offer them a warning that we had shotguns and we were prepared to use them. After the three attempts with less than lethal rounds and flash bangs, we decided that we would enter the tier. Myself, SSG 7C-4, 7C-4 and SGT 7C-3, 7C-3 were ordered by either MAJ 7C-3, 7C-3 or MAJ 7C-3, 7C-3, I'm not sure which, to load the lethal rounds. MAJ 7C-3, 7C-3 clearly stated our rules of engagement. We were authorized deadly force against any detainee that posed a threat to myself or any American soldier. He identified the bricks and pipes they were throwing at us as a threat. At that point, the shotgun team, consisting of us three, moved forward. My sector of fire was the upper right hand tier. I immediately identified a detainee holding a large brick and wearing a green scarf around his head and face. He was standing on the upper right hand tier, third cell down. I then screamed, "I got him, I got him" so the whole team could hear, but I did not engage, I just had him in my sights. The detainee then threw the brick at my position. As he threw the brick, I pulled my trigger and he dropped. After I shot, everyone ran to their cells and we regained control of the cells. As they were running back to their cells, a couple of detainees threw rocks at us. While we were still finishing in the tier, MAJ 7C-3, 7C-3 told us we have another incident down at the other tier; I'm not sure which one. We assembled outside the tier. MAJ 7C-3, 7C-3 briefed us and said the same type of incident was happening. They were also throwing bricks and stuff. They were up against the tier door throwing rocks outside of the tier. Another MP unit had already engaged them with less than lethal rounds with no success. We had an interpreter tell them that if they don't get back in their cells, we had lethal and were prepared to use them. I don't know who the interpreter was. They still continued to throw rocks and that's when MAJ 7C-3, 7C-3 decided to send us in with lethal rounds. We had a shotgun team of five; three of us had lethal and two had non lethal. We were in the hallway and moved toward the tier door. Rocks were still being thrown at us. SSG 7C-4, 7C-4 id one of the non-lethal shot gunners fire at the window where the rocks were coming from. We got to the door and they had backed away from the door towards their cells. We then deployed a flash bang grenade so we could enter the door. SSG 7C-4, 7C-4 were the

INITIALS 7C-4

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Page 1 of 3

EXHIBIT 2 20

STATEMENT OF:

DATED: 28 Mar 04 CASE #: 0004-04-CID789- § 3922

door of the tier. When he entered, a detainee from the far left hand cell popped out with a brick. SSG 7C-4, 1b6-4 aid, "If you throw that I will shoot you." The detainee threw the brick at him and SSG 7C-4, 1b6-4 shot one time. The detainee then ran back into the cell and we began a routine clearing of the cells.

Q: SA 7C-1, 1b6-1

A: SGT 7C-4, 1b6-4

Q: When you got to the tier, were the detainees throwing rocks and pipes?

A: Yes, in fact one of our ballistic shields, which are supposed to sustain 9MM rounds, was dented by one of the rocks during the first attempt to enter.

Q: Were any soldiers hit by any thrown objects?

A: We had one soldier get hit in the leg, I think during the second attempt to enter.

Q: When they went in with the less than lethal, did anyone shot?

A: Yes, SSG 7C-4, 1b6-4

Q: Did it have any effect?

A: No.

Q: Were you hit by any thrown objects?

A: No.

Q: Why did you shot?

A: To protect my soldiers and myself.

Q: Were you in fear of your life?

A: Yes.

Q: During the attempt to enter the cell by the shotgun team, did anyone else shot besides you?

A: No, not when we had lethal rounds.

Q: What kind of round did you have loaded and what kind of shotgun did you have?

A: 00 Buck shot and I had a Mosburg 590 Shotgun 12 gauge with serial number 03296 and stock number 1005-01-251-8578.

Q: When you shot him what position was he standing?

A: I only saw his upper torso. Then he threw the rock with his right hand; that's when I shot.

Q: How many times did you fire?

A: I shot him once. I shot center mass like I was trained.

Q: What time did you enter the tier?

A: I don't know.

Q: Which tier did this occur in?

A: I believe it was 3.

Q: During the second shooting, did SSG 7C-4, 1b6-4 : an interpreter when he warned the detainee to drop the rock?

A: No.

Q: Describe rules of engagement that you abide by.

A: Typically, in our shotgun we have two less than lethal rounds followed by six lethal rounds loaded. We are authorized to address any aggressive threat to myself or my soldiers. During this incident, less lethal was attempted three times so we were ordered to take out our less lethal rounds. If you fear for the safety of yourself or your soldiers you can use lethal. The decision to

INITIALS: 7C-4  
1b6-4

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EXHIBIT 2

STATEMENT OF:

DATED: 28 Mar 04

CASE #: 0004-04-CID789- 83590

use less lethal or lethal is made by MAJ 7C, 106-3 or SSG 7C-4, 106-4 We keep the less lethal in front of the lethal rounds in order to get rid of them if we need to go to lethal rounds.

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

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

7C-106-4

-----AFFIDAVIT-----

I, 7C-4, 106-4 AVE 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 UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

7C-4, 106-4

Subscribed and sworn to before me this 28<sup>th</sup> day of March 2004

to administer oaths, this 28<sup>th</sup> day of March 2004

7C-106-4

7C-1, 106-1

Special Agent: 7C-1, 106-1  
(Typed Name of Person Administering Oath)

Article 136, UCMJ  
(Authority to Administer Oath)

INITIALS

7C, 106-4

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EXHIBIT 2 22

## SWORN STATEMENT

File Number: 0004-04-CID789- 83980

Location: Abu Ghryeb Prison, Abu Ghryeb, Iraq

Date: 29 Mar 04

Time: 1117 <sup>7C/bb-4</sup>

Statement of: <sup>7C-4, bb-4</sup>

SSN: <sup>7C-4, bb-4</sup>

Grade/Status: O-4/AC

Org/Address: 391<sup>st</sup> Military Police Battalion, Abu Ghryeb, Iraq

<sup>7C-4, bb-4</sup>

want to make the following statement under oath: I am making this statement freely.

On 28 Mar 04, the MPs on duty were dealing with a small-scale riot most of the day. At about 1610 hrs, a runner from the hard site came to the operations cell and told us the IRF was needed in the hard site. I went down to the hard site, tier 6A, and observed the situation. I saw that bricks and pieces of cement were being thrown and the detainees were out running free in their tiers. At this time it was only in tier 6. I then decided to deploy 301<sup>st</sup> soldiers around the perimeter of tier 6. I was able to determine that an Iraqi Correctional Officer (ICO) was located in the adjacent tier in which prisoners were loose. He would only be able to get out by coming through tier 6A where prisoners were also out loose. I then deployed the IRF. I talked to SSG

<sup>7C, bb-4</sup> and planned to enter the tier by using a flash bang and three less than lethal shotguns. Because of the severity of the situation, I had all soldiers not on the IRF team go "red" with their weapons in case any prisoners escaped during the attempt to enter. The IRF attempted to enter using the plan. When they entered the rocks kept coming. I believe the team deployed 7-10 less than lethal rounds. We tried the plan again with no success. I then called the Quick Reaction Force (QRF). We tried the same plan, but with M-203 less than lethal rounds. We still had no success. I then instructed SSG <sup>7C, bb-4</sup> and his team to remove all non-lethal rounds. I was concerned about the ICO still located somewhere in the tier. The plan was to have SSG

<sup>7C, bb-4</sup> and SGT <sup>7C-4, bb-4</sup> position themselves with their weapons pointing through the windows from outside of the tier. I instructed them if you have a clean shot of a detainee who is throwing rocks at us go ahead and shoot. As the team entered the door, I heard SGT <sup>7C-4, bb-4</sup> fire his weapon. I then saw a detainee drop and crawl in the cell. Several of the detainees from that cell came out and motioned as if they wanted to bring the injured detainee down to the door. The detainees then brought the injured detainee down. It was less than five minutes after the shot, that we removed the injured detainee from the tier and began medical aid. After that, the team went in and secured the tier. We were then able to verify the ICO was OK.

About ten minutes before we were finished with 6A, we got word that 4A was having trouble as well. We got down to 4A and I saw rocks being thrown from the tier. I also saw that the prisoners had removed a handrail, 14 ft X 3in diameter, and was using it as a ram against the door. I instructed members of the 301<sup>st</sup> MPs to use less than lethal rounds against any attempt to reach through the windows of the tier. As a standby, we had lethal round shotguns standing by in case the door was breached. The IRF then moved to tier 4A. We used an interpreter to tell the prisoners to return to their cells and if they didn't we would use deadly force. I planned with SSG <sup>7C, bb-4</sup> to have one less than lethal shotgun and three lethal. The non-lethal shotgun, as we opened gate, shot five rounds. The three lethal shotguns moved forward and positioned in the windows with the same instructions as before. As soon as we opened the door, the rocks started <sup>7C/bb-4</sup>

INITIALS <sup>7C/bb-4</sup>

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Page 1 of 2

EXHIBIT 3 - - 23

STATEMENT OF: 7C-4, 124 DATED: 29 Mar 04 CASE #: 0004-04-CID789- 8370

7C-4, 124 firing. SSG 7C-4, 124 then shot. This tier had broken all their lights so we had no visibility. SSG 7C-4, 124 stated he thought he hit his target. We then moved in and secured the tier. It wasn't until we entered and began to secure the tier that we found the injured detainee. We then brought in the medics to treat the prisoner. The total time it took from the shot fired and when treatment began was about 20 minutes.

Q: SA 7C-4, 124

A: MAJ 7C-4, 124

Q: Did you use an interpreter to warn the prisoners at tier 6A?

A: Yes. We talked to the detainees using the interpreters in 6A more a lot.

Q: Did you hear SGT 7C-4, 124 anything before he shot?

A: No, it was very loud because of the rocks hitting the doors.

Q: Describe to me the rules of engagement you use when dealing with detainees during a riot.

A: We start with verbal warnings; then we use a show of force, which we did by staging the IRF team in front of the tier; less than lethal force is then used; and then we use deadly force. My major concern was for the ICO that was still unaccounted for.

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

A: Yes, I gave the order to use lethal rounds and any lethal rounds used were by my order.

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

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

-----AFFIDAVIT-----

I, 7C-4, 124, 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.

7C-4, 124  
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29<sup>th</sup> day of March 2004 at Mosul, Iraq.

7C-1, 124-1  
(Sig)

Special Agent 7C-1, 124-1  
(Typed Name of Person Administering Oath)

Article 136, UCMJ  
(Authority to Administer Oath)

INITIAL 7C-4, 124

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Page 2 of 2

EXHIBIT 3 24



# 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

CCM - 01 - CID 789 - 83 980

**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 Abu Ghryeb Prison, Abu Ghryeb, Iraq 7C-4, b6-4	2. DATE 29 Mar 04	3. TIME 1325	4. FILE NUMBER 000304CID789-83980
5. GRADE/STATUS E-6	6. ORGANIZATION OR ADDRESS 428 <sup>th</sup> Military Police Company, Abu Ghryeb, 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: Aggravated Assault

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.
1a. NAME (Type or Print)		7C-4, b6-4
1b. ORGANIZATION OR ADDRESS AND PHONE		
2a. NAME (Type or Print)		7C-4, b6-1
2b. ORGANIZATION OR ADDRESS AND PHONE		Prison Interrogation Team Abu Ghryeb, 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

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Ex 4

## SWORN STATEMENT

File Number: 0004-04-CID789- 83980

Location: Abu Ghryeb Prison, Abu Ghryeb, Iraq

Date: 28 Mar 04

Time: 14.14 TC-4  
16-4

Statement of: TC-4, 16-4

SSN: TC-4, 16-4

Grade/Status: E-6/RC

Org/Address: 428<sup>th</sup> Military Police Company, Abu Ghryeb, Iraq

I, TC-4, 16-4 want to make the following statement under oath: I am making this statement freely.

About 1700, 28 Mar 04, we got a call to get the IRF to the hard site. We went to the hard site. I left the team at the truck to go get a briefing as to the situation. The team went ahead and staged in the hallway in the hard site. When I got inside, MAJ TC-3, 16-3 briefed me about the situation while we stood in front of tier 6. He said that all the inmates had busted the locks and were running free in the tier. I could see this for myself as I looked into the tier. He asked me how we could get the tier back under control. I suggested that we use shield members with oc spray available. We would also use two less than lethal shotguns behind them. I would follow them with a lethal shotgun. The show of force by staging at the tier door work for the detainees on the lower tier but the top tier continued to throw rocks and bricks. We then tried a second time using a flash bang. We got the door cracked two times, one of which we were able to get two shield guys in. The front shield guy began to get hit hard with several rocks. So then I came in and tried to suppress the rock throwing by using non-lethal rounds from the shotgun. I fired about 3-4 times, but it didn't work. That was the third try. Once we backed out and regrouped, we got the word from MAJ TC-3, 16-3 to go lethal. He told us that any detainee threatening us with bodily harm by throwing the bricks were to be engaged with lethal force. Because we could not actually gain entry, I decided to have the lethal guns in the windows of the tier. The detainees continued to throw bricks. I then heard SGT TC-4, 16-4 say he had someone in his sights. I could see someone in the top tier with a green towel around his face. He was standing ready to throw the brick. He then threw the brick at the door and popped back in his cell. He came back out with a bigger rock. MAJ TC-4, 16-4 said, "If he is throwing bricks engage". The detainee threw the brick and SGT TC-4, 16-4 shot a round. The detainee dropped on the top tier and went into the cell. Some detainees began to wave and say they had somebody hurt. The detainees then brought the injured detainee down. The detainees began to retreat to their cells and we removed the injured man. At that point we began a routine sweep and secured the tier. While we were settling tier 6 down, MAJ TC-4, 16-4 said that we had the same problem in another tier. We moved down to that tier. I saw that they were also throwing rocks and running freely in the tier. The rocks were coming out of the tier windows. We could not get close because of the rocks. I had a non lethal gun fired a crowd control round at the door as we approached. That got us to the door. Once we got to the door, we formed a plan similar to the previous plan but with six guns. We had to use spotlights to see in the tier because they had busted the lights. Once we were shining the light in the tier, I could see detainees popping out of their cells throwing rocks at the tier door. I threw a flash bang in the door of the tier. I stepped in the door and saw a detainee with a rock in his hand. I screamed that I would shoot if he threw the rock. My two team leaders came along beside me, at which time the detainee threw the rock.

INITIALS TC-4  
16-4

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Page 1 of 3

EXHIBIT 4 26

STATEMENT OF: 7C-4, 12-4

DATED: 29 Mar 04

CASE #: 0004-04-CID789-8358D

I fired at the detainee. I brought the remainder of the shotgun team in and we began to sweep the tier until it was secure. Not knowing that I had actually made contact with the detainee, we did not find him until we were almost done clearing the tier. I called back to MAJ 7C-4 1 advised him of the wounded detainee. We then got him to medical aid.

Q: SA 7C-4, 12-4

A: SSG 7C-4, 12-4

Q: Were interpreters used when warning the detainees?

A: Yes.

Q: Prior to your team approaching the second tier, do you know if non-lethal rounds were used against the detainees?

A: The 301<sup>st</sup> MPs were already staged at the gate and had tried using the non-lethal rounds.

Q: During the first shooting, were members of your team attempting to enter the door when SGT 7C-4, 12-4 hot?

A: We were trying to get the door open, but couldn't because of the rocks being thrown.

Q: Were you hit by any rocks?

A: No, but one of my team members was hit in the leg.

Q: Why did you shoot the detainee that was throwing the rock?

A: Because he was trying to do bodily harm to me.

Q: Were you in fear of your life?

A: Yes.

Q: What kind of round did you have loaded and what kind of shotgun did you have when you shot the lethal round?

A: 00 Buck shot and I had a Mosburg 590 Shotgun 12 gauge.

Q: When you shot him, where was he standing?

A: He was on the bottom tier, about 10-15 yards away on my left.

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

A: No. ///END OF STATEMENT/// 7C-4, 12-4

INITIALS 7C-4, 12-4

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Page 2 of 3

EXHIBIT 4

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STATEMENT OF: 7C-4, 1b-4 DATED: 29 Mar 04 CASE #: 0004-04-CID789-75460

-----AFFIDAVIT-----  
I, 7C-4, 1b-4 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 OR UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

7C-4, 1b-4

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29<sup>th</sup> day of March 2004 at  
Abu C

7C-1, 1b-1  
(Signature of Person Administering Oath)

Special Agent 7C-1, 1b-1  
(Typed Name of Person Administering Oath)

Article 136, UCMJ  
(Authority to Administer Oath)

INITIALS

7C-1, 1b-1  
4

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Page 3 of 3

EXHIBIT 4-28

# PHOTOGRAPHIC PACKET

NUMBERDESCRIPTION OF PHOTOGRAPHS

1. Photograph depicting the full body of AMIR
2. Photograph depicting the entry wound to the chest
3. Photograph depicting a close up of the entry wound to the chest
4. Photograph depicting the entry wound to the chest and neck
5. Photograph depicting a close up of the entry wound to the neck
6. Photograph depicting the exit wounds
7. Photograph depicting a close up of the exit wound from the neck shot
8. Photograph depicting a close up of the exit wound of the chest shot
9. Photograph depicting a close up of the exit wound of the chest shot
10. Photograph depicting the incision made during medical treatment
11. Photograph depicting a facial view of AMIR
12. Photograph depicting a pile rocks and bricks swept up after the riot

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USE ONLY

EXHIBIT \_\_\_\_\_

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Ex 5

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# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0004-04-CID789-83980

PAGE 1 OF 1 PAGES

## DETAILS

About 1650, 15 Jun 04, this office was notified by the 22<sup>nd</sup> MP BN that this investigation was to be re-opened to obtain the death certificate pertaining to Detainee AMIR.

About 1100, 16 Jun 04, INV 7C-6, 26-6, his office, coordinated with SFC 7C, 06-3 7C, 06-3 COIC, Detainee In-Processing Section, BCCF who stated there was not a copy of Detainee AMIR's death certificate on file.

About 1130, 16 Jun 04, INV 7C, 06-6, coordinated with SPC 7C, 06-3 Administration Clerk, Task Force Oasis, 67th Combat Support Hospital, BCCF who stated there was not a death certificate on file for Detainee AMIR.

About 1230, 16 Jun 04, INV 7C, 06-6, coordinated with CW4 7C, 06-3 Interrogator, JIDC, BCCF who related Detainee AMIR was an Iraqi who committed crimes against other Iraqis and no interrogations were conducted on him, nor any records maintained by the JDIC.

About 1000, 17 Jun 04, SA 7C, 06-1 coordinated with 7C, 06-3 COIC, Battalion Aid Station, 391st MP BN, BCCF who provided copies of IN-processing documents for both detainees, a copy of the journal that describes the shooting of Detainee 7C, 06-4, and DA Form 2669-R detailing the death of Detainee AMIR. (See Exhibits 7-9 for details)

About 1300, 17 Jun 04, SA 7C, 06-1 coordinated with Mortuary Affairs, Baghdad International Airport (BIAP) who related they had no information concerning the death of Detainee AMIR.

////////////////////////////////////LAST ENTRY////////////////////////////////////

IDENTIFICATION NUMBER

S  
SI

7C-1  
06-1 02

ORGANIZATION

Prisoner Interrogation Team (PIT) (CID) (FWD)  
Baghdad Correctional Facility, Abu Ghryeb, Iraq

DATE

17 Jun 04

EXHIBIT

6

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**Page(s)**

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**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



# AGENT'S INVESTIGATION REPORT

CID Regulation 5-1

ROI NUMBER

0004-01D789-83980 / 0057-04-CID789

PAGE 1 OF 1 PAGES

## DETAILS

**BASIS FOR INVESTIGATION:** On 9 Jun 04, this office received a Request For Correction (RFC) 0265-04-CID001 from U.S. Army Criminal Investigation Command, Fort Belvoir, Virginia 22060 in reference to the collection of detainee files (intake medical, interrogation logs, processing, and transfer records) pertaining to Report of Investigation 0004-04-CID789-83980 involving the death of detainees Naif Sliman AMIR, Internment Serial Number (ISN) # 7C166-4, and 7C-4 66-4 ISN# 7C166-5 NFI.

About 1100, 10 Jun 04 INV 7C166-6 and INV 7C166-6 coordinated with SPC 7C166-3, Administration Clerk, Task Force Oasis, 67<sup>th</sup> CSH, Baghdad Central Confinement Facility (BCCF), Abu-Ghraib (AGI), who related that there were no medical records on file for Mr. AMIR and Mr. 7C-4 66-4. There are no medical files prior to the unit's arrival on 4 Mar 04. There was not an automated system in use to determine if Mr. AMIR and Mr. 7C-4 66-4 were ever treated for any medical conditions.

About 1130, 11 Jun 04, INV 7C166-6 and INV 7C166-6 coordinated with CW4 7C166-3, Senior Interrogator, JIDC, BCCF, AGI, who related that once a detainee is deceased all records are transferred to the Magistrate Cell, SSG 7C166-3 for disposition. CW4 7C166-3 also related that there were no files for Mr. AMIR and Mr. 7C-4 66-4 on record.

About 1300, 11 Jun 04, INV 7C166-6 and INV 7C166-6 coordinated with SFC 7C166-3, Detainee In-processing Section NCOIC, 391<sup>st</sup> Military Police (MP) Battalion (BN), BCCF, AGI, who related that there were no In-processing records on file for Mr. AMIR and Mr. 7C-4 66-4. All In-processing files prior to 15 Feb 04 were retained by 320<sup>th</sup> MP BN, Cumberland, MD. There was not an automated system in use to determine if Mr. AMIR and Mr. 7C-4 66-4 was ever captured or detained at the BCCF.

About 0900, 14 Jun 04, INV 7C166-6 and INV 7C166-6 coordinated with SSG 7C166-3, Magistrate Cell Administration NCOIC, HHC 3-4, BCCF, AGI for the detainee files of Mr. AMIR and Mr. 7C166-3, at which time SSG 7C166-3 advised that Mr. AMIR and Mr. 7C166-3 did not have detainee files because they were not Coalition detainees but Iraqi criminals interned at BCCF.

About 1000, 14 Jun 04, INV 7C166-6 and INV 7C166-6 coordinated with SSG 7C166-3, 91<sup>st</sup> MP BN Aid Station, BCCF, AGI, who related that Mr. AMIR and Mr. 7C-4 66-4 were not Coalition Detainees, but Iraqi criminals, and thus only given an initial health screening. (See medical file)

Status: Your RFC has been completed in the attached enclosures. No further investigative activity is anticipated by this office.

////////////////////LAST ENTRY////////////////////////////////////

7C-1  
66-1  
62

ORGANIZATION  
PRISONER INTERROGATION TEAM (PIT)(CID)  
Baghdad Central Confinement Facility, Abu Ghryeb 09342

DATE

14 Jun 04

EXHIBIT

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CID FORM 94

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**Page(s)**

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**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

DATE: 29 MAR 04

FROM: SAC, ABU GHRUYEB PRISON COMPLEX (CID)  
TO: DIRECTOR, USACRC, USACIDC, FORT BELVOIR, VA  
CDR, HQUSACIDC //CIOP-2A//  
CDR, 22<sup>ND</sup> MP BN (CID) (FWD) //OPS//  
CDR, 3D MP GROUP (CID) //OPS//  
SJA, 16<sup>TH</sup> MP BDE  
LNO CID, CJTF-7 (FOR FURTHER DISTRIBUTION)  
CDR, 16<sup>TH</sup> MP BDE  
CDR, 391<sup>ST</sup> MP BN

SUBJECT: CID REPORT -INITIAL/SSI-0004-04-CID789-83980-5H6-5Y3

DRAFTER: SA  
RELEASER: SA *7C, b6 -1*

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1. DATES/TIMES/LOCATIONS OF OCCURRENCES:
  1. 28 MARCH 2004/1700 HRS - 28 MARCH 2004/1755 HRS, ABU GHRUYEB PRISON, ABU GHRUYEB, BAGHDAD, IRAQ
  2. 28 MARCH 2004/1810 HRS - 28 MARCH 2004/1940 HRS, ABU GHRUYEB PRISON, ABU GHRUYEB, BAGHDAD, IRAQ
2. DATE/TIME REPORTED: 28 MARCH 2004, 2020
3. INVESTIGATED BY: SA *7C, b6 -1 b2* SA *7C, b6 -1*  
*7C, b6 - b2*
4. SUBJECT: 1. AMIR, NAIF SLIMAN (DECEASED); DETAINEE;  
ISN: *7465* M; OTHER; IRAQ; ZZ; (NFI) [RIOTING] [JUSTIFIABLE HOMICIDE]  
  
2. *7C-61 b6-4* ; DETAINEE; ISN: *7466-54*;  
OTHER; IRAQ; ZZ; (NFI) [RIOTING]
5. VICTIM: 1. U.S. GOVERNMENT; (428<sup>TH</sup> MILITARY POLICE COMPANY) [RIOTING] [JUSTIFIABLE HOMICIDE]
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.

"THIS IS AN OPERATION IRAQI FREEDOM INVESTIGATION"

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ON 28 MAR 04, THIS OFFICE WAS NOTIFIED BY THE 391<sup>ST</sup> MILITARY POLICE (MP) BATTALION (BN), ABU GHRUYEB PRISON, ABU GHRUYEB, IRAQ THAT DETAINEE AMIR, WAS SHOT AND KILLED; AND DETAINEE 74664 WAS SHOT AND WOUNDED BY MILITARY POLICE WHILE RIOTING IN TIERS 4A AND 6A OF THE ABU GHRUYEB PRISON HARDSITE.

PRELIMINARY INVESTIGATION REVEALED A RIOT BEGAN IN TIER 6A OF THE ABU GHRUYEB PRISON HARDSITE AND THE INTERNAL RECTION FORCE (IRF) RESPONDED TO THE SCENE. WITHIN TIER 6A ALL THE PRISONERS HAD BROKEN THEIR THE LOCKS TO THEIR CELLS AND WERE THROWING BRICKS, ROCKS AND METAL PIPES AT THE MILITARY POLICE GUARDS. MULTIPLE ATTEMPTS WERE MADE TO STOP THE RIOT UTILIZING VERBAL PERSUASION AND WITH LESS THEN LETHAL MUNITIONS. PRIOR TO THE IRF'S ENTRY TO THE TIER, SEVERAL FLASHBANGS WERE DEPLOYED AND MORE LESS THAN LETHAL MUNITIONS WERE EXPENDED. PRIOR TO THE IRF ENTERING THE TIER THE TEAM WAS BRIEFED ON THE RULES OF ENGAGEMENT AUTHORIZING THE USE OF DEADLY FORCE. AS THE IRF WAS ENTERING THE TIER, SGT 7C166-4 428<sup>TH</sup> MP COMPANY, ABU GHRUYEB, IRAQ, IDENTIFIED A DETAINEE (AMIR) WHO WAS THROWING A BRICK AT THE ENTRY TEAM, AT THIS TIME SGT 7C166-4 ENGAGED THE DETAINEE WITH ONE LETHAL ROUND OF BUCKSHOT STRIKING HIM IN THE CHEST AND NECK.

ANOTHER RIOT BEGAN IN TIER 4A OF THE ABU GHRUYEB PRISON HARDSITE AND THE IRF RESPONDED TO THE SCENE. MULTIPLE ATTEMPTS WERE MADE TO STOP THE RIOT UTILIZING VERBAL PERSUASION AND LESS THAN LETHAL MUNITIONS. PRIOR TO THE IRF'S ENTRY TO TIER 4A, SEVERAL FLASHBANGS WERE DEPLOYED AND MORE LESS THAN LETHAL MUNITIONS WERE EXPENDED. PRIOR TO THE IRF ENTERING THE TIER THE TEAM WAS BRIEFED ON THE RULES OF ENGAGEMENT AUTHORIZING DEADLY FORCE. AS THE IRF WAS ENTERING TIER 4A, SSG 7C166-4 428<sup>TH</sup> MP COMPANY, ABU GHRUYEB PRISON, IRAQ, WAS STAGED IN THE WINDOW AND IDENTIFIED A DETAINEE 74664. EXIT HIS CELL ON THE SECOND FLOOR AND BEGAN THROWING ROCKS AND OTHER DEBRIS AT THE IRF AS THEY MADE ENTRY. SSG 7C166-4 ENGAGED THE DETAINEE WITH ONE LETHAL ROUND OF BUCKSHOT STRIKING THE DETAINEE IN THE LEG.

AT 2018, 28 MAR 04, CPT (DR) 7C166-3 67<sup>TH</sup> COMBAT SUPPORT HOSPITAL (CSH), ABU GHRUYEB PRISON, IRAQ, PRONOUNCED DETAINEE AMIR DEAD. DETAINEE 74664 WAS TREATED FOR MINOR INJURIES AND LATER RETURNED TO HIS CELL.

00-43

AT 2150, 28 MAR 04, SA ~~7C166-1~~ ADVISED SGT ~~7C166-4~~ OF HIS LEGAL RIGHTS, WHICH HE WAIVED AND PROVIDED A WRITTEN STATEMENT WHICH DETAILED THE EVENTS SURROUNDING AND HIS ACTIONS DURING THE SHOOTING OF THE DETAINEE. SGT ~~7C166-4~~ STATED HE SHOT THE DETAINEE (AMIR) TO PROTECT THE ENTRY TEAM FROM SERIOUS BODILY INJURY.

AT 0825, 29 MAR 04, SA ~~7C166-1~~ ATTEMPTED TO INTERVIEW DETAINEE ~~7-4 66-4~~ WHO REFUSED TO COOPERATE WITH THIS INVESTIGATION.

AT 1325, 29 MAR 04, SA ~~7C166-1~~ ADVISED SSG ~~626-4, 66-4~~ OF HIS LEGAL RIGHTS, WHICH HE WAIVED AND RENDERED A SWORN STATEMENT WHICH HE DETAILED HIS KNOWLEDGE OF BOTH SHOOTING INCIDENTS. SSG ~~7C166-4~~ STATED HE SHOT THE DETAINEE ~~7-4 66-4~~ TO PROTECT THE ENTRY TEAM FROM SERIOUS BODILY INJURY.

THE OCONUS CID CASUALTY LIASON OFFICER (CLO) IS SA ~~7C166-1~~ ~~7C166-1~~ 75<sup>TH</sup> MP DETACHMENT (CID), PRISON INTERROGATION TEAM (PIT), ABU GHURYEB PRISON, ABU GHURYEB, IRAQ, AT DNV 318-550 ~~674, 66-1~~

INVESTIGATION CONTINUES BY USACIDC.

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

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AGENTS ACTIVITY SUMMARY (CID Regulation 195-1)		CONTROL NUMBER 0004-04-CID789-83980
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY	
2020, 28 Mar 04 7C1bb-1 I: 15, T: 0	BASIS FOR INVESTIGATION: On 28 Mar 04, this office was notified by the 391 <sup>st</sup> Military Police (MP) Battalion (BN), Abu Ghryeb Prison, Abu Ghryeb, Iraq that Detainee Naif Sliman AMIR, Internment Serial Number (ISN) 13505 was shot and killed and Detainee 7C-4 66-4, ISN [redacted] was wounded when riots began in Tiers 4A and 6A in the Abu Ghryeb Prison Hardsite.	
2100, 28 Mar 04 7C1bb-1 I: 15, T: 20	At 2100, 28 Mar 04, SA 7C1bb-1 interviewed CPT (DR) 7C1bb-3 94-3, 66-3 67 <sup>th</sup> Combat Support Hostital, Abu Ghryeb Prison, Iraq. CPT 7C1bb-3 stated Detainee XXX had an entry/exit wound on his upper right chest and an entry/exit wound in neck. CPT 7C1bb-3 stated Detainee AMIR was intubated and emergency procedures were initiated to control the bleeding within Detainee's AMIR's chest. CPT 7C1bb-3 stated the bleeding could not be controlled in Detainee's AMIR's chest and was pronounced dead at 2018, 28 Mar 04.	
2111, 28 Mar 04 7C1bb-1 I: 20, T: 10	At 2111, 28 Mar 04, SA 7C1bb-1 and Investigator (INV) 7C1bb-3 this office, obtained photographs of the injuries Detainee 7C-4 66-4 sustained and Tier 6A cell block (See Compact Disc for details).  AGENT'S COMMENT: A Crime Scene Examination was not conducted due to safety concerns as another prison riot started.	
2130, 28 Mar 04 7C1bb-1 I: 10, T: 0	About 2130, 28 Mar 04, SA 7C1bb-1 coordinated with LTC 7C1bb-3 7C1bb-3 Commander, 391 <sup>st</sup> MP BN, Abu Ghryeb Prison, Iraq and briefed him on the status of this case.	
2150, 28 Mar 04 7C1bb-1 I: 20, T: 10	About 2150, 28 Mar 04, SA 7C1bb-1 advised SGT 7C1bb-4 7C1bb-4 28 <sup>th</sup> Military Police (MP) Company, Abu Ghryeb, Iraq (South Bend, IN) of his legal rights, which he waived and provided a written statement detailing the events surrounding and his actions during the shooting of the detainee. (See Waiver Certificate and Sworn Statement of SGT 7C1bb-4)	
2240, 28 Mar 04 7C1bb-1 I: 10, T: 0	Briefed CW4 7C1bb-1 22 <sup>nd</sup> Military Police (MP) Battalion (BN)(CID), BN Operations, on the situation. SA 7C1bb-1 advised to return all soldiers and weapons to duty upon completion of statements.	
0810, 29 Mar 04 7C1bb-1 I: 20, T: 10	About 0810, 29 Mar 04, SA 7C1bb-1 coordinated with PFC 7C1bb-3 7C1bb-3 391 <sup>st</sup> MP BN, Abu Ghryeb Prison, Iraq (Columbus, OH), of the detainee In processing office, who identified the detainees as AMIR, Naif Sliman, National Detainee Reporting System (NDRS) # 13505 (Deceased) and Detainee 7C-4 66-4, NDRS [redacted] stated that MAJ (Dr.) 7C1bb-3 treated 7C-4 66-4	
0820, 29 Mar 04 7C1bb-1 I: 20, T: 0	Coordinated with SGT 7C1bb-3 391 <sup>st</sup> MP BN, Abu Ghryeb, Iraq (Columbus, OH), of the detainee aid station, who stated MAJ (Dr.) 7C1bb-3 treated 7C-4 66-4	
0825, 29 Mar 04	About 0825, 29 Mar 04, SA 7C1bb-1 attempted to interview 7C1bb-4 still located	

CID FORM 28-R  
1 OCT 80

PREVIOUS EDITIONS OF THIS FORM WILL BE USED UNTIL EXHAUSTED

PAGE 1

0000003



AGENTS ACTIVITY SUMMARY (CID Regulation 195-1)		CONTROL NUMBER 0004-04-CID789-83980
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY	
TC-1, bb-1 I: 20, T: 10	in the in processing aid station, who refused to cooperate with this investigation.	
0840, 29 Mar 04 TC-1, bb-1 I: 20, T: 0	About 0840, 29 Mar 04, SA TC-1, bb-1 interviewed MAJ TC-3, bb-3 91 <sup>st</sup> MP BN, Abu Ghryeb Prison, Iraq. MAJ TC-3 stated he was in the hard site at the time of the riots and shootings. MAJ TC-3 related saw rocks and bricks being thrown at the MP and at the cell doors. MAJ TC-3 stated he did not have any direct contact with the IRF team and could not provide any further information for this investigation.	
0900, 29 Mar 04 TC-1, bb-1 I: 20, T: 10	About 0900, 29 Mar 04, SA TC-1, bb-1 interviewed MAJ (Dr.) TC-3, bb-3 391 <sup>st</sup> MP BN, Abu Ghryeb, Iraq, who stated he arrived at the "hard site" and observed TC-4, bb-4 lying on a stretcher with an injury to his knee. MAJ TC-3, bb-3 aid applied a dressing to the wound and had TC-4, bb-4 transported to Battalion Aid Station. While at the aid station, MAJ TC-3, bb-3 said he cleaned and stitched the wound. MAJ TC-3, bb-3 stated there was an entry and exit wound above the knee, apparently caused by a shotgun pellet, which caused no broken bones or other severe damage.	
1117, 29 Mar 04 TC-1, bb-1 I: 45, T: 0	At 1117, 29 Mar 04, SA TC-1, bb-1 interviewed MAJ TC-3, bb-3 91 <sup>st</sup> MP BN, Abu Ghryeb Prison, Iraq, who rendered a Sworn Statement which detailed his knowledge of the shooting incident (See Sworn Statement for details).	
1325, 29 Mar 04 TC-1, bb-1 I: 40, T: 0	At 1325, 29 Mar 04, SA TC-1, bb-1 advised SSG TC-3, bb-3 391 <sup>st</sup> MP BN, Abu Ghryeb Prison, Iraq, of his legal rights, which he waived and rendered a Sworn Statement which he detailed his knowledge of the shooting incident. (See Waiver Certificate and Sworn Statement for details)	
1400, 29 Mar 04 TC-1, bb-1 I: 30, T: 0	Transmitted SSI INI for OPS.	
1429, 29 Mar 04 TC-1, bb-1 I: 60, T: 0	About 1429, 29 Mar 04, SA TC-1, bb-1 interviewed SGT TC-4, bb-4 428 <sup>th</sup> MP CO, Abu Ghryeb, Iraq. He stated about 1700 hrs he and the IRF team responded to the hard site because of a riot. He stated when the team entered the hallway near the tier, he could see the bricks being thrown. SGT TC-4, bb-4 said that a plan was devised to us non lethal to make entry into the tier. He said after a couple of attempts to gain entry using flash bangs and non lethal rounds with no success, MAJ TC-3, bb-3 ordered the team to go to lethal rounds. He said MAJ TC-3, bb-3 aid do not shoot unless you actually see them throw a rock at you or any other soldier. SGT TC-4, bb-4 aid he and the other shot gunners posted on the left and right of the door in the windows. As the team began to try to make entry, he heard SGT TC-4, bb-4 ay he had one. I could see a couple of rocks being thrown. About 4-5 seconds later he heard a shot. He then saw a couple of Iraqi prisoners bring an injured detainee to the door. SGT TC-4, bb-4 aid most of the detainees went into their cells at that time. He and the rest of the team made entry and secured the tier. He stated while securing the tier, MAJ TC-3, bb-3 id the other tier had the	

CID FORM 28-R  
1 OCT 80

PREVIOUS EDITIONS OF THIS FORM WILL BE USED UNTIL EXHAUSTED

PAGE 2

0004-04

AGENTS ACTIVITY SUMMARY (CID Regulation 195-1)		CONTROL NUMBER 0004-04-CID789-83980
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY	
1920, 29 Mar 04 TC-166-1 I: 20, T: 0	<p>same problem. SGT TC-3166-3 id as he approached the tier he could see rocks being thrown from the tier windows into the hallway. He said the lights were off in the tier. SGT TC-166-3 said he and the team used non-lethal rounds to approach the door of the tier. He said the team made entry using a flash bang. He said when the team made entry into the tier, he heard SSG TC-166-2 yell, "If you throw that brick, I will shoot you". He then heard the shot and the detainees went into their cells. He said the team began to secure the tier.</p> <p>At 1920, 29 Mar 04, SA TC-166-1 coordinated with CPT TC-3166-3 Command Judge Advocate, 504<sup>th</sup> Military Intelligence Brigade and Abu Ghryeb Prison, Iraq. CPT TC-3166-3 inid that no crime had been committed and the shooting was justifiable Homicide.</p> <p>SAC review:</p> <ol style="list-style-type: none"> <li>1. Pictures need to be burned to CD with photo log.</li> <li>2. Provide copies of case file to CPT TC-3166-3</li> <li>3. Prepare case for closure.</li> <li>4. File to SA TC-166-1 completion.</li> </ol>	
25 Apr 04 TC-166-1	Final prepared Sent via SIPR.	
24 May 04 TC-166-1	To Ops for review:	
14 Jun 04 TC-166-1	Reviewed. File closed.	

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AGENTS ACTIVITY SUMMARY (CID Regulation 19S-1)		CONTROL NUMBER 0004-04-CID789-83980
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY	
1600, 15 Jun 04 <i>Lib 1</i> I: 30	Directed by CW3 <i>Lib 3</i> , AOPS, 22nd MP BN that this investigation needed to be reopened to document the receipt of death certificates or lack thereof. (See email #1)	
1100, 16 Jun 04 <i>Lib 1</i> I: 30	Coordinated with detainee in-processing who did not have a copy of AMIR's death certificate. (See AIR)	
1130, 16 Jun 04 <i>Lib 1</i> I: 30	Coordinated with Aid Station who did not have a copy of AMIR's death certificate. (See AIR)	
1230, 16 Jun 04 <i>Lib 1</i> I: 30	Coordinated with MI Section concerning records. (See AIR)	
1930, 16 Jun 04 <i>Lib 1</i> I: 30	Coordinated with CW3 <i>Lib 3</i> 22nd MP BN to obtain death certificate from Mortuary affairs.	
1000, 17 Jun 04 <i>Lib 1</i> I: 30	Coordinated with SGT <i>Lib 3</i> reference medical records. (See AIR)	
1300, 17 Jun 04 <i>Lib 1</i> I: 30	Received information from CW3 <i>Lib 3</i> at Mortuary Affairs did not have a copy of AMIR's death certificate. (See AIR)	
1900, 17 Jun 04 <i>Lib 1</i> I: 30	Prepared Supplemental Report.	
21 Jun 04 <i>Lib 1</i> 1620 <i>Lib 1</i>	Sent (Lib 1) 2 D SPP to SPER. Case closed	

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000006

DATA REQUIRED BY PRIVACY ACT									
AUTHORITY		Title 10, United States Code Section 3012 (g)				ROUTINE USES: Your social security number and other personal information are used as an additional/alternate means of identification to facilitate and retrieval			
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified					DISCLOSURE: Disclosure of your social security # is voluntary				
1. Rec Code	2. Action Code	3. Date	4. Rel to Case	5. Control	6. Sequence #	7. Year	8. Office - CID	9. ROI #	Offense
SECTION 1: PERSONAL INFORMATION									
1. SSN: <u>TC-31663</u>		11. First Name: <u>TC-31663</u>		12. Middle Name: <u>NMA</u>		13. Grade/Rank: <u>E-5</u>		14. Other ID Number: <u>TC-31 166-3</u>	
20 Sex: <u>M</u>	21 Race: <u>C</u>	22 Ethnic: <u>-</u>	23 Height: <u>71</u>	24 Weight: <u>228</u>	25 Hair: <u>BLK</u>	26 Eye Color: <u>BRN</u>	27 Citizen: <u>U.S.</u>	28 Educ: <u>13</u>	29 Prior Record: <u>NO</u>
30 Marital: <u>M</u>									
31 MOS: <u>316</u>	32. Job Description/Location:		33. MC:	34. Security Clr: <u>SEC</u>		35. Physical Marks/ Tattoos:		36. Spouse Military Yes: <input type="checkbox"/> No: <input type="checkbox"/>	
37. Alias/Nicknames:			38. Alias/Nicknames:			39. Alias/Nicknames:			
40. Unit/ Organization: <u>428 B MP CO.</u>					41. Unit Phone Number: <u>ABU Ghari b Prison</u>				
42. Military Service:		43. Sub Unit:		44. State: <u>TC-31663</u>		45. Country:		46. Zip Code/APO	
47. State: <u>TC-31663</u>		48. Country: <u>U.S.</u>		49. Zip Code/APO: <u>U.S. 31663</u>					
SECTION 2: CONTACT INFORMATION									
53. JUV:	54. Family Rel:	55. Last Name:			56. First Name:		57. Middle Name:		
58. Social Security		59. Grade/Rank:		60. MC		61. Unit			
62. City:		63. State:		64. ZIP/APO:		65. Phone: Wk:		Hm:	
SECTION 3: OFFENSE RECORD									
66. Offense Code:		67. UFC:		68. Offense Code:		69. UFC:		70. Offense Code:	
71. UFC:		72. Offense Code:		73. UFC:					
SECTION 4: INTERVIEW INFORMATION									
Telephone:		ETS:		PCS/DEROS:		Date / Time Interview START: Date: Time:			
Place of Interview:						Date / Time Interview END: Date: Time:			
Disposition:									
SECTION 5: VEHICLE INFORMATION									
74. Category:		75. Type:		76. Recovered: Yes: <input type="checkbox"/> No: <input type="checkbox"/>		77. Value:		78. Insurer: Policy: Year/Date Exp	
79. Year		80. Make:		81. Model:		82. Vehicle Style:		83. # of Doors: 84. Color: 85. Size	
86. VIN				87. License Plate:		88. State:		89. DOD Decal Number:	
NOTES: Home phone: N/A          LAST HIV TEST:									

CID FORM 44-R...Online version

FHTX, 1999

000.007

FHTX, 1999

**DOD-DOACID002614**



0004-C 511784-83980

# INVESTIGATIVE WORKSHEET

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY Title 10 United States Code, Section 3012(g). ROUTINE USES: Your social security number and other personal information are used as an additional/alternative means of identification to facilitate filing and retrieval

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified. DISCLOSURE: Disclosure of your social security number is voluntary

REC CODE	ACTION CODE	DATE SUBMITTED	SEQ NUMBER	YEAR	UNIT	ROI NUMBER	REL TO CASE	CONTROL #
			0004	04	289	83980		

## INDIVIDUAL DATA

704, 66-4 JMDER	OTHER ID NUMBER	704, 66-4	704, 66-4	GRADE E-5
				POB C TY

SEX Male	RACE Cuacasion	ETHNIC	HEIGHT 5'8"	WEIGHT 170	HAIR COLOR BRN	EYE COLOR	CITIZEN US	EDUC	PRIOR RECORD Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	MARITAL Single
MOS 31B	MCAC	POSITION	INDUSTRY	SECURITY	PHYSICAL MARKS					

ALIAS-NICKNAME(S)	38 ALIAS-NICKNAME(S)	39 ALIAS-NICKNAME(S)
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ORGANIZATION 428 <sup>th</sup> Military Police Company	IF CONTRACTOR / CONTRACTOR NUMBER
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MILITARY SERVICE USAR	SUBUNIT	FORT/CITY South Bend	STATE IN	COUNTRY US	ZIP CODE/APO
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ADDRESS	CITY	STATE	COUNTRY	ZIP CODE/APO
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## FAMILY MEMBER DATA

JUV <input type="checkbox"/>	FAMILY REL	SPONSOR LAST NAME	SPONSOR FIRST NAME	SPONSOR MIDDLE NAME
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SOCIAL SECURITY NUMBER	SPON GRADE	SPON MCAC	SPONSOR UNIT ADDRESS
------------------------	------------	-----------	----------------------

SPONSOR CITY	SPON ST	SPON CTY	SPON ZIP CODE/APO	SPON PHONE NUMBER
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## OFFENSE

OFFENSE CODE	UFC	OFFENSE CODE	UFC	OFFENSE CODE	UFC	OFFENSE CODE
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## ADMINISTRATIVE

UNIT TELEPHONE #	ETS	PCS/DEROS	DATE INTERVIEW (START)	TIME INTERVIEW (START)
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PLACE OF INTERVIEW (START)	DATE INTERVIEW (END)	TIME INTERVIEW (END)	PLACE OF INTERVIEW (END)	FINGER PRINT <input type="checkbox"/>	PHOTO <input type="checkbox"/>
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VEHICLE DATA	LICENSE # / DECAL #	DISPOSITION
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## CORPORATION DATA

CONTRACTOR NUMBER	FED SERV/PROD #	CORPORATION NAME
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CORP ADDRESS	CORP CITY	CORP ST	CORP CTY	CORP ZIP CODE/APO
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CONTRACT NUMBER	
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NOTES

HOME OF RECORD: 67C-4, 66-4 HOME PHONE NUMBER: 67C-4, 66-4

67C-4, 66-4

LSA Shadow

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**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



**Page(s)**

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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](mailto:scottj@centcom.smil.mil)  
(813) 827-5341/2830

