DEPARTMENT OF THE ARMY 286th MILITARY POLICE DETACHMENT (CID) 22nd MILITARY POLICE BATTALION, 3rd MILITARY POLICE GROUP UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND APO AE 09392

CIRB-KAW

30 April 2004

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID Lateriii Report - 0040-04-CID469-79638-5H1A/5M3/9G1

DATES/TIMES/LOCATIONS OF OCCURRENCES:

- 1. 28 FEB 2004/0855; GRID COORDINATE 38S LE825101, TAAL AL JAL, IRAQ
- 2. 1 MAR 2004/1810/29 MAR 2004/1419; FOB WARRIOR, KIRKUK, IRAQ

DATE/TIME REPORTED: 28 FEB 04, 1800

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INVESTIGATED BY: SA

C. bl. 65

SUBJECT: 1.

M; WHITE; HEADQUARTERS AND HEADQUARTERS COMPANY (HHC), 1/27 IN BN, 25TH ID (HOME BASE: SCHOFIELD-BKS, HI), FORWARD OPERATING BASE (FOB) MCHENRY, IRAQ, APO AE 09347; CT; [MURDER][FALSE OFFICIAL STATEMENT]

VICTIM: 1. KADIR, MUHAMAD HUSAIN; LOCAL IRAQI NATIONAL, TAAL AL JAL, IRAQ; ZZ; (NFI); [MURDER]

2. U.S. GOVERNMENT; [FALSE OFFICIAL STATEMENT]

INVESTIGATIVE SUMMARY:

This is an "Operation Iraqi Freedom" investigation.

This office was notified by the Staff Judge Advocate (SJA), 4th Infantry Division, Camp Iron Horse, Tikrit, Iraq, APO AE 09323, of a soldier who shot and killed a local national who was flexi cuffed.

Investigation established probable cause to believe PFC committed the offense of Murder when he shot and killed Mr KADIR while he was flexi cuffed and detained by unit personnel following a cordon and search in Taal Al Jal, Iraq.

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105 668 Further, investigation established probable cause to believe PFC committed the offense of False Official Statement when he knowingly provided a false written statement to this did not know Mr KADIR was flexi cuffed when he office, which stated he (PFC) shot him. STATUTES: Article 118, UCMJ: Murder

Article 107, UCMJ: False Official Statement

EXHIBITS/SUBSTANTIATION:

103663 Attached: 7CI 156 1 5 Mar 04, detailing the Basis for 1. Agent's Investigation Report (AIR) of SA Investigation; unit coordination; witness interviews of CPT CPL ! SPC **block** collection of evidence and coordination subject interview of PFC with SJA. 105 bbs-

- 2. Serious Incident Report, dated 28 Feb 04 and bearing SIR number 4ID04052.
- 15-6 investigation packet containing the statements containing the statements of CSM 10 3663 DA form 3881 and statement of SGT statement of CPT DA form 3881 and statement of PFC statement of 2LT Handwritten statement of PFC Handwritten statement of SGT 7CS bbs
 - Photographic packet depicting the crime scene comprised of 8 photos.
 - 5. Compact Disc containing all photographic images of the originals of Exhibit 4. (USACRC Copy only). 70.4664
 - Mar 04, detailing his knowledge of this incident. Sworn Statement of SPC
 - 1 Mar 04, detailing his knowledge of this incident. Sworn Statement of PFC
 - I Mar 04, detailing his knowledge of this incident. Sworn Statement of PFC
 - 1 Mar 04, detailing his knowledge of this incident. Sworn Statement of SPC
 - 1 Mar 04, detailing his knowledge of this incident. 10. Sworn Statement of CPL
 - 1 Mar 04, detailing his knowledge of this incident. 11. Sworn Statement of SPC
 - , I Mar 04, detailing his knowledge of this incident. 12. Sworn Statement of SGT

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13. DA form 3881, Rights Warning Waiver Certificate and DA form 2823, Sworn Statement of dated 1 Mar 04, wherein; PFC dmitted to killing Mr KADIR an Iraqi National, however, PFC denied he knew Mr KADIR was flexi cuffed at the time of the shooting. 14. DA form 2823, Sworn Statement of SGT 1 Mar 04, detailing what he witnessed and observed during this incident. 15. Waiver Certificate and Sworn Statement of PFC 29 Mar 04, wherein; PFC admitted he killed Mr KADIR knowing he was flexi cuffed at the time of the shoöting. 18-1,64-1 166665 16. AIR of SA 16 Apr 04, detailing the re-interview of PFC coordination with the SJA and unit commander. 7C 665 17. Polygraph Examination Report pertaining to PFC 30 Mar 04. 18. DA Form 4137, Evidence/Property Custody Document, 8 Nov 03, voucher #252-04. Not Attached:

Retained in the files of the evidence depository, 22nd Military Police Battalion (CID), Baghdad International Airport, Baghdad, Iraq:

19. M-4 Carbine bearing serial number WO55444 (PFC Programme, Voucher #252-04

Retained in the files of the U.S. Army Crime Records Center (USACRC), Fort Belvoir, VA:

20. Polygraph authorization (PFC 29 Mar 04.

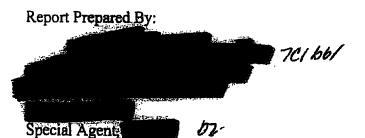
21. Polygraph examination statement of consent (PFC) 29 Mar 04.

22. Seven polygraph charts (PFC 29 Mar 04.

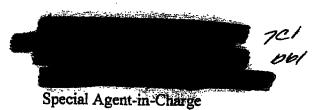
The originals of Exhibits 1 through 16 are forwarded with the USACRC copy of this report. The original of Exhibit 17 is maintained in the files of the United States Army Crime Records Center (UDACRC). The original of Exhibit 18 is maintained in the files of the 22nd Military Police Battalion (CID), Baghdad International Airport, Baghdad, Iraq.

STATUS: This is a Final "C" Report. This investigation is being terminated in accordance with Section V, paragraph 4-17(6), CIDR 195-1, in that the Special Agent in Charge has determined that furtherance of this investigation would be of little or no value and that leads remaining to be developed are not significant. Remaining leads include additional canvass interviews and full identification of Mr KADIR. Commander's Report of Action (DA Form 4833) is pending.

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Report Approved By:



DISTRIBUTION:

1- USACRC (original)

1-CDR, HHC, 1/27 IN BN, 25th ID 1-THRU: CDR, 22ND MP BN (CID), BIAP, IZ

THRU: CDR, 3rd MP Group (CID), ATTN: OPS, Ft Gillem, GA

TO: HQUSACIDC, ATTN: CIOP-COP-CO, Fort Belvoir, VA 22060-5505 (email only)

1-Director, Armed Forces Institute of Pathology, Attn: Armed Forces Medical Examiner, 1413 Research Blvd, Annex Building 102, Rockville, MD 20850 (w/exhibits)

1-PMO, 1st ID (email only)

1-PMO, CJTF-7 (email only)

1-SJA, 1st ID (Attn: MAJ

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1-Chief of Staff, 1st ID

1-File

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	CID Regulation 195-1	0040-04-CID469-79638
		PAGE 1 OF 4 PAGES
DETAILS		
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CID Regulation 195-1	0040-04-CID469-79638
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DETAILS	
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About 1645, 29 Feb 04, SA	pordinated with CPT
HHC, $1-27^{th}$ IN BN, 25TD.	FOR Warrior Kirkuk Toom obs
icite rules of chidadement (ROE) are bris	efed hefore overvy mississ as the
Soluters are fully aware of them. Cr	stated the only time and
Would engage a detainee is if one was	in a direct bostile throat com
rurther stated he has never he to this incident.	nad a problem with PFC
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About 2143, 29 Feb 04, SA co	<u>jelhir</u>
the name of the Iraqi killed was Mr Mu	pordinated with MAJ who stated
(NFI).	mamad nusain KADIR, Mosul, Iraq
1Ci biol	
About 1110, 1 Mar 04, SA	rviewed CPT 124 by 4
A Company, 1-27 th IN BN, 25ID,	FOR MCHapry Trace who manifely
verbar statement in which he stated do	ring the mission ho
by solutions and notified that an Ira	gi had been killed
arrived to the scane and questioned PF	C Shout what had happened
He stated PFC told him he sho	Lithe Iragi because he thought the
man had fullded at SGI	falso rolated by did
realize the Iraqi was flexi-cuffed whe	n he fired his weapon
10104	DARlow CL
About 1135, 1 Mar 04, SA	ined from CPT
statements from the 15-6 investigation	and photographs of the grape (Car
sworn Statements, Photographic Packet	and Compact Disk for Details)
701901	104664
About 1130, 1 Mar 04, SA interest interest	erviewed SPC
Medic, HHC, 1-2/" IN BN, 25ID	, FOB McHenry, Iraq who provided a
sworn statement in which he stated when	l he arrived the access the Trace had
checked for a pulse, which met with ned Statement for Details)	gative results. (See Sworn
7Cibbl	- A . A . A
About 1145, 1 Mar 04, SA Mar 1 inter	Textbey
HHC, 1-27 th IN RN, 25TD FOR M	cHenry, Iraq who provided a sworn
statement in which he stated he heard t	the shot being fired but all and
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DETAILS	
Serial number W055444. The M16 Rifle was a Cividence/Property Custody Document (EPCD), EPCD for Details) About 1243, 1 Mar 04, SA interview HHC, 1-27th IN BN, 25ID, FOB M Sworn statement in which he stated he was proposed when to detained the Iraqi in the for Details) About 1255, 1 Mar 04, SA interview bout 1255, 1 Mar 04, SA	ewed PFC lcHenry, Iraq who provided a pulling security while the two field. (See Sworn Statement
HHC, 1-27 TH IN BN, 25ID, FOB M worn statement in which he stated he heard nything. (See Sworn Statement for Details 7Cbb) bout 1323, 1 Mar 04, SA interview interview HHC, 1-27 th IN BN, 25ID, FOB McHen tatement in which he stated he was in chare eard a shot come from the opposite directive tails)	cHenry, Iraq who provided a d the shot fired but did not see s) 7C bk (ewed CPL seemed CPL seemed continuous
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B Battery, 1-62nd Air Defense Article who provided a sworn statement in which hear anything. (See Sworn Statement for	tillery (ADA), 25ID, FOB McHenry, ch he stated he did not observe
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	ed a check of the Defense
Clearance and Investigations Index (DCII)	
information pertaining to PFC	ebus
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About 0945, 5 Mar 04, SA	
Staff Judge Advocate, 4ID, FOB Iron collected as evidence did not have to be s	
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Army Climinal investigation babolatory to	ckaminacion.///haoi haiki///
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TYPED AGENT'S NAME AND SECUENCE NUMBER ORGANI SA 43 rd 1	IZATION MP DET (CID) (FWD)
	AE 09323, Operation Iraqi Freedo
SIGNATURE DATE	EXHIBIT

CID FORM 94

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5 Mar 04

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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 (813) 827-5341/2830

PHOTOGRAPHIC PACKET

CASE NUMBER: 0040-04-CID469-79638

HOMBEK:	DESCRIPTION OF PHOTOGRAPH
1	Photograph depicting where the remains of Mr KADIR lay after he washot
2	Photograph depicting the flexi-cuffs bound to Mr KADIR's wrists
3	Photograph depicting a close-up image of the Flexi-cuffs
4	Photograph depicting the front side of Mr KADIR
5	Photograph depicting the front side of Mr KADIR
6	Photograph depicting the head of Mr KADIR
7	Photograph depicting injuries to the head of Mr KADIR
8	Photograph depicting the spent cartridge, rifle and the remains of Mr KADIR from the shooting
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EXHIBIT 4

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EXHIBM 5

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away. When I am Iraqi male and ver negative results. Q: SA TALLER SPOON Q: Describe the in A: Gunshot wound. I d appeared to be bra Q: Did you provide A: I just checked ff Q: Describe what the A: He was wearing hair, a black beard.	affic Control Point (TCP) In to be conducted. I was In over to the location of the I was an over to the location of the I was an over to the location of the I was a shot in I	aqi? his head. The size of ounds. While I was not heave. his male who was should have.	I was press someone r ng in a field d. I checke of the entrai observing t	The area we with his face of for a pulse of the area we had for a pulse of the area we had for a pulse of the eyes on the eyes on the area we had a pulse of the eyes on the eyes of the eyes of the eyes on the eyes of the eyes on the eyes of the e	age of Taal A al treatment. as about three up. I proceed on the Iraqi, w	o there local Jal waiting After the case to asset thich met waste ely the size see what	ation, g for the all came meters as the ith
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704blet STATEMENT OF PFC FAKEN AT FOB WARRIOR DATED 1 March 2004 CONTINUED: STATEMENT (Continued Q: Did PFC lever state before this incident that he wanted to kill an Iraq!? A: Yes on numerous occasions. I could not tell if he was joking but he would always see any tradi and ask if he could shoot them. 25/08 Q: Has PFC shot any Iraqis prior to this incident? A: No. Q: Did PFC! make any indication he was going to shot and kill an Iraqi on the mission you were conducting оп 28 Feb 04? A: No. Q: When you went out to the location of the Iraqi to drop off the body bag what did the Iraqi look like? A: I was about 25 meters away and the only thing I could see is that the Iraqi had flexi-cuffs bound behind his back and he was laying face down. I could also see that his head was bloody. This Q: While you were pulling security for SGT A: Not that I noticed. did the Iraqi struggle with anyone? Q: Do you have anything else to add to this statement? A: No///End of Statement/// 104164 DODDOACID-005416 AFFIDAVIT 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. 10% bb 4 WITNESSES: on Making Statement) Subscribed and sworn to before me, a person authorized by law to administer oaths, this 1st day of March, 2004 FOB WARRIOR, KIRKUK, IRAQ ORGANIZATION OR ADDRESS 101 b6 [(Signature of Person Administering Oath) 701601 ORGANIZATION OR ADDRESS (Typed Name of Person Administering Oath)

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Article 136(b)(4), UCMJ (Authority To Administer Oaths)

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704604 STATEMENT OF FAKEN AT FOB Warrior DATED 1 March 2004 CONTINUED: STATEMENT (Continued) AFFIDAVIT HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT. WITNESSES: on Making Statement) Subscribed and swom to before me, a person authorized by law to administer oaths, this 1st day of March, 2004 FOR Warrior, Kirkuk, Iraq ORGANIZATION OR ADDRESS 7C1 66/ (Signature of Person Administering Oath) ORGANIZATION OR ADDRESS (Typed Name of Person Administering Oath) Article 136(b)(4), UCMJ DODDOACID-005421 (Authority To Administer Oaths) INITIALS OF PERSON MAKING STATEMENT 704ho4 PAGE OF_ 58

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EXHIBIT

STATEMENT OF PFC TAKEN AT FOB Warrior DATED 1 March 2004 CONTINUED A: Because some of them are trying to kill us. Q: Did you want to kill an innocent Iraqi? TCHB64 A: No. Q: What position was the Iraqi being detained at when SGT was attempting to place the flexi-duffs on him? A: His right side was facing me. He was at a slight angle so some of his front was also facing me. Q: Did you know the Iraqi was flexi-cuffed? A: No, I found out after I shot him. Q: Did SGT 1 iell you he finished placing the flexi-cuffs on the Iraqi? 104364 A: No. Q: When the Iraqi was getting flexi-cuffed what were you observing? A: In the beginning I was observing everything around us, but after the Iraqi started to resist I focused on his head. Q: When you were focusing on the iraqis head what did you see? A: I was focusing on the right side of the Iraqis head. I don't know the exact soot but it was above the Iraqis ear. Q: What could you see through the scope of your weapon when SGT was attempting to flexi-cuff the iraqi? A: As far as I remember all I could see was the Iraqis chest and up. Q: What part of the chest could you see? A: I could see from the pectoral region and up, but I was only focused on the Iraqis head. Q: How did you see the chest on the Iraqi if you were focused on his head? A: That is what I could see looking through the scope. I was mostly focused on the red dot from my scope, which was placed on the Iraqis head. Q: Did you intend on killing the Iragi? A: I did not intend on killing the Iraqi when we went out to detainee him; however I intended on killing the Iraqi when he 7C 4664 lunged at SGT Q: Why did you kill the Iraqi when you thought he lunged at SGT 7041564 A: I felt the Iraqi was attacking SGT I felt SGT I's life was in danger so I shot to kill the Iraqi. Q: While you were looking through your scope on your weapon could you see the Iraqis arms? A: Not fully. Q: What part of the arms could you see? A: I could see the shoulders on the Iragi. Q: Were the shoulders on the Iraqi canted to the front of his body? A: I don't know. Q: Were the shoulders in a way that you could tell the Iraqis arms were behind him? A: I could not tell. Q: When was the last time you saw the Iraqis hands behind his back? A: When SGT ld me to raise my weapon to his head and shot him if he moves. Q: While you were looking through your scope on your weapon could you see SGT A: No. Q: How did you know the Iraqi was lunging towards SGT A: Because the way the Iraqi turned I thought he was attempted to attack SGT Q: Describe to me what you saw when the Iraqi lunged? A: I saw his head and shoulders quickly turn to the left and I also saw the Iraqi move forward. Q: Did the Iraqi say anything when he was lunging forward? A: No. Q: Did the Iraqi have anything covering his eyes? A: No. Q: How far away from the detainee were you standing? A: About one to two meters. Q: What is the name of the scope you have on your weapon? A: M68. Q: What is the M68 used for? A: It is an aiming device and it puts a red dot on the target. DODDOACID-005428 Q: Does the M68 have any type of magnification? A: No. Q: Why were you looking through your scope of your weapon when you were so close to the detainee? INITIALS OF PERSON MAKING STATEMENT: For Official UK Only PAGE _2 OF

104.664 STATEMENT OF PFO TAKEN AT FOB Warrior DATED 1 March 2004 CONTINUED A: Because over the last week are chain of command stressed to us that anytime we took a shot it had to be aimed. Plus, I wanted to make sure I was taking an aimed shot so I did not shot SGT Q: If you did not know where SGT was why did you fire your weapon?
A: When I went to fire my weapon I opened my left eye and saw SGT was a second service. standing on the side. Q: What type of firer are you? A: Right handed. Q: Which eye do you use to site in an object? Q: You say you observed SGT \ before you fired your weapon, did you see his hands? A: No, I just took a quick glace to confirm SGT was out of the way. Q: Why did you shoot the detainee? A: I felt like he was attempting to kill SGT 704 bb4 Q: Why did you feel like the Iraqi was going to kill SGT \ A: He originally resisted being flexi-cuffed, we did not search him yet, the raid being conducted focused on old Iraqi army personnel who do not like coalition forces, and I did not know he was flexi-cuffed. So when the tragit lunged towards SGT I took that as a direct threat against his life. Q: Was the detainee searched prior to being flexi-cuffed? Q: Why wasn't the detainee search before he was flexi-cuffed? A: I don't know. I was just the security personnel. Q: Why did you not know the detainee was flexi-cuffed? A: Because SGT Inever gave me any indication the Iraqi was flexi-cuffed and I never saw the flexi-cuffs on the Iragi. Q: When you shot your weapon was it your intent to kill the Iraqi? Q: After the Iraqi was shot did you recover any weapons from him? A: No. Q: Why did you shot the Iraqi? A: He made a threat against SGT Q: Describe to me what your definition of lung is? A: Shift movement towards something. Q: What threat did you perceive the iragi was making? A: I though he was going to stab SGT Q: What was the Iraqi wearing? A: He was wearing a brown coat, which was open in front. Learth remember anything else. Q: Why did you think the Iraqi was going to stab SGT A: Because I could not see his hands so I thought he wasn't flexi-cuffed. Q: Did the Iraqi make any indication he was pulling something out of his coat? A: I could not see that area. Q: Did you see the Iraqi lung at SGT A: Al I saw was the Iraqi moving towards SGT Q: Could it be possible that SGT \ was pulling the Iraqi? A: Yes. Q: Did you see SGT pull the Iragi? A: No, because I could not see SGT what did you see? Q: When the Iraqi lunged at SGT 7C4164 A: I saw the Iraqis head and shoulders move towards SGT Q: How did you know the Iraqi lunged at SGT A: I assumed he was lunging towards SGT¹ was in the direction the Iraqi was because SGT 78 bb 4 lunging to. Q: Did the Iraqi touch SGT when he lunged towards him? 704hou DODDOACID-005429 A: No. Q: Was this killing unlawful? TODGE For Official use Only A: No. INITIALS OF PERSON MAKING STATEMENT: PAGE

ACLU-RDI 104 p.31

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STATEMENT OF PFC TAKEN AT FOB Warrior DATED 1 March 2004 CONTINUED Q: Why wasn't the killing of the Iraqi unlawful? A: According to the Rules of Engagement card I have it states a hostile intend directed towards coalition forces authorizes coalition forces to use deadly force. Q: What was the hostile intent directed towards SGT A: The way I perceived the situation I thought the Iraqi was going to kill SGT Q: Do you feel remorseful about killing the Iraqi? 764664 Q: When did you find out the Ireqi was flexi-cuffed? A: When CPT arrived and they began to look at the body. Q: Why did you feel the Iraqi was a threat? A: Because there were hostile forces in the area, he wasn't searched and I did not know he was flexi-cuffed. Q: When you shot your weapon at the detainee did you know you would kill him if you shot him? Q: When did you place your weapon onto fire? 704 664 A: After I saw the Iraqi make a sudden movement towards SGT Q: What type of weapon did you shoot the iraqi with? A: M4 Q: Were you coerced into providing this statement? A: No Q: How were you treated while you were being interviewed? Q: Were you given breaks throughout the interview? Q: Do you have anything else to add to this statement? A: No.///End of Statement//

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USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED	TO FINAL PAGE OF THIS FORM.
STATEMENT OF SGT SIA, 2nd BCT	DATED _2004/03/01
When traised his weapon up at the man as a show of force in order to put the man was the weapon pointed at the man's shoulder/chest area. Was he looking through the correct this traised his weapon to the man was the weapon pointed at the man's shoulder/chest area.	127 .
Not when I was looking at him. He may have looked through the scope when I was When you stated that the iraqi man was ready to be taken back and you pulled him we resistance or try to lunge towards you? No, the only movement he made was when he took his first step and slightly lost his Was it a sudden move, that could have been mistaken to be that he was lunging at you. From my point of view, no. I did not percieve that movement as threatening. Was before I turned with the iraqi man, I remember seeing the looking through his scope when he fired? I don't know, just before I turned with the iraqi man, I remember seeing the looking through his scope when he fired? I don't know, just before I turned with the iraqi man, I remember seeing the looking through his statement?	balance and leaned into me.
20 you have anything to and to this statement?	
No.///END OF STATEMENT///	·
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ACLU-RDI 104 p.35

FATEMENT OF SGT	70 4 blog Taken at SJA	A, 2BCT DATED 2004/03/01
STATEMENT (Continued)		,
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RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

	AUTHORITY:	Title 10. United States Code, Section 3012(g)	
	PRINCIPLE PURPOSE:	To provide communders and law enforcement officials with means by which information may be accurately identified.	
	ROUTINE USES:	Your Social Security is used as an additional alternative means of identification	
	DISCLOSURE:	to facilitate filing and retrieval. Disciosure of your Social Security Number is voluntary.	665
		September of Local Social Sections, Languages, 12 Comments	
	LOCATION: Kirkuk, Is	raq DATE: 29 Mar (14 TIME: 1005	
	FILE NUMBER: 0040-		
	NAME (Last, First MI):	ADDRESS: HHC. 1:27th Infantry Bettalion, FOB MCHanty, APO, AE C41	STATUS PEC
	ORGANIZATION OR.	ADDRESS: HHC. 127" Intantity Battation, FOB McHanty, APO. AE (4)	TIME ICS 60°0
		Diction we are seen alone we are remined to the mental and	
	The investigator whose	RIGHTS WAIVER/NON-WAIVER CERTIFICATE	il Ttiti
		name appears below told me that he she is with the United States Army Cri Agent and wanted to question me about the following offense(s) of which I	
	suspected asset \\lambda	rder, False Official Statements; False Swearing	241
	Before he she asked me	any questions about the offense(s), however, he site made it clear to me that	t I have the
	following rights:		
1C ble	\nuthing I con or do	er questions or say anything.	
ble 1		can be used as evidence against me in a criminal trial. et to the UCMD I have the right to talk privately to a lawyer before, during,	and after
5		a lawyer present with me during questioning. This lawyer can be a civilian	
•		Government or a military lawyer detailed for me at no expense to me, or both	
	-	- or -	
		ject to the UCMI). I have the right to talk privately to a lawyer before, during	
	questioning and to have	a lawyer present with me during questioning. I understand that this lawyer	can be one that I
v. 6	any questioning begins.	spense, or if I cannot afford a lawyer and want one, a lawyer will be appoint	ted for me before
Late 1		o discuss the offense(s) under investigation, with, or without a lawyer prese	nt. I have the right
700	to stop answering question	ons at any time or speak privately with a lawyer before answering further, e	ven if I sign the
5 *	waiver below.		•
	5. COMMENTS:		
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968		s stated above. I am now willing to discuss the offense(s) under investigation g to a lawyer first and without having a lawyer present with missing a lawyer	on and make a
-	Statement without taking	S to a tawket. That with four traving a rawket breastif water in	105
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	Witness= 2		mariai
			nci blet
	Signature of Witness	Spring	
		22 nd MP BN (CID)	
		APO, AE 09342	
		NON-WAIVER CERTIFICATE	
	I do not want to give up r	my rights: I want a lawyer: I do not want to be questioned or say anyth	hing: 🗖
	Signature of Interviewee:		
	D.A Form 3881-E		
	D-3 FORM 2001-E		
			DODDOACID-005

EXHIBIT /51 00 72

SWORN STATEMENT

LOCATION: Kirkuk, Iraq

FILE NUMBER: 0040-04-CID469-79638

DATE: 29 Mar 04 TIME: 14 9

75668 NAME: 3

SSAN:

GRADE RANK: PFC

ORGANIZATION OR ADDRESS: HHC. 1/27th Infantry Battalion, FOB McHenry, Kirkuk, Iraq,

APO, AE 09347

want to make the following statement under oath:

I provided a sworn statement on 1 Mar 04 concerning the incident in which I shot and killed an Iraqi farmer during a raid. Looking back on the entire situation, I would like to make some corrections to that statement at this time. Prior to the raid, the rules of engagement were put out that if anyone tried to flee the villiage, we were to shoot them. After arriving to the villiage and setting up, I could hear some shotgun blasts going off in the villiage where the raid was taking place. I then noticed an Iraqi male walking his cattle away from the villiage. Since the rules of engagement were put out that we were to shoot anyone fleeing the villiage, I asked if I should shoot the farmer because he was leaving the village. I was told by SGT not shoot him. About an hour later, put out over the radio to apprehend all males leaving the someone, maybe CPT villiage. At that time, we decided to apprehend the farmer. Myself and each had a set of flexicuffs and began walking into the field where the farmer was still with his cattle. My adrenaline was already pumping because of the raid and then even more so as we approached the farmer to apprehend him. Myself and lecided that would place the flexicuffs on the farmer, while I stood guard. The farmer seemed to be directing our attention to something else as we approached him, and then as SGT began placing the flexicuffs on him, he started resisting. Already at that point I had a lot of adrenaline going through my system outed at me to point my rifle at the Iraqi's head. I then pointed my rifle at his head and he stopped resisting. In my previous statement I put in that I did not realize the Iraqi was wearing flexicuffs when I shot him. Looking back now, I think it would be more accurate to say that I did not register in my mind that he was wearing flexicuffs. The adrenaline was affecting my perception of the situation. I remember seeing putting flexicuffs on him and I saw him with his arms behind his back as I pointed my rifle at his head. I had to know he had on flexicuffs before I shot him, but it just did not register in my mind at the time. Also in my previous statement, I said that the Iraqi lunged at Again, looking back on it now, I don't think the Iraqi actually lunged. What happened is turned him to walk away; however, because of the moved the Iraqi out of my sight picture. I just reacted by shooting him. adrenaline, when I would have never shot that man had I been thinking clearly. I would never shoot someone who was wearing flexicuffs if I registered in my mind that they were wearing them. It is everything combined between the pressure of the raid, the new rules of engagement, the Iraq resisting his detention, and the whole situation in general that caused me to not be react like I normally would,

INITIALS OF PERSON MAKING STATEMENT

25665

PAGE 1 OF 2 PAGES

x5665

DA Form 2823-E

7C5 665

Sworn Statement of PFC CONTINUED:

taken at Kirkuk, Iray, 29-Mar-04,

75mg

- Q. S.A. 101661
- A. PFC JCS bis
- Q. Did you hear each ell you "he's good, let's go"?
- A. No. He might have said it, but if he did, I did not hear it because of the adrenaline and the situation. It just did not register.
- Q. How do you feel you were treated today?
- A. Good.
- Q. Were you given the opportunity to drink, eat, and use the restroom today?
- A. Roger.
- Q. Is there anything else you would like to add to this statement?
- A. No///End of Statement//

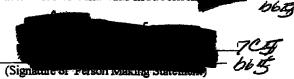
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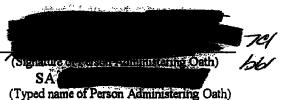
and ends on page 2. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence or unlawful inducement

Witness #1:

Witness =2:	
	·····



Subscribed and sworn before me, a person authorized by law to administer oaths, this 29th day of March 2004, at Kirkuk, Iraq



Article 136 (b) (4) UCMJ (Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT



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PAGE 2 OF 2 PAGES

EXHIBIT.

. 00 .74

DODDOACID-005437

DA Form 2823-E

	ROI NUMBER
AGENT'S INVESTIGATION REPORT	0040-04-CID469-79638
CID Regulation 195-1	PAGE 1 OF 1 PAGES
Knowing at the time of the shooting, he was flexi cuffed. Further, PFC Statement to this office when he knowingly provided a sworn statement Certificate and Sworn Statement of PFC for details). About 1230, 4 Apr 04, SALL Scoordinated with MAJ Advocate, 1st Infantry Division, who opined there was probable cause to of Murder and False Official Statement.	admitted to providing a False Official to this office he knew to be false (See Waiver 3 6 believe PFC 6 believe PFC 7 HHC, 1/27 IN BN, FOB
•	
	DODDOACID-005438
TYPED AGENT'S NAME AND SEQUENCE NUMBER Special Agent 1CL blol bz 09392 DATE	Det, 22 nd MP Battalion, Tikrit, Iraq, APO AE

CID FORM 94

FOR OFFICIAL USE ONLY

16 Apr 04

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	DODDOACID-005439
The state of the s	Exhibit 18

FOUO

DATE:

30 MAR 04

FROM:

CDR, 286TH MP DET (CID), TIKRIT, IZ

TO: DIR, USACRC, USACIDC, FT BELVOIR VA

CDR, USACIDC //CIOP-ZA//

CDR, 22D MP BN (CID)//OPS//

CDR, 3D MP GROUP (CID)//OPS//

CDR, 1/27th INF BN, 25ID, KIRKUK, IZ

SJA, 2BDE, 25ID, KIRKUK, IZ

1ID CHIEF OF STAFF, TIKRIT, IZ

1ID PROVOST MARSHAL, TIKRIT, IZ

1ID, SJA, TIKRIT, IZ

SUBJECT: CID REPORT OF INVESTIGATION –3RD STATUS/SS1 – 0040-04-CID469-79638 –5H1A/5M3/9G2C

DRAFTER: RELEASER:



7C1 b6/

- 1. DATES/TIMES/LOCATIONS OF OCCURRENCES:
- 1. 28 FEB 2004/0855 28 FEB 2004/0900; GRID COORDINATE 38S LE 825 101, TAAL AL JAL, IRAQ
 - 2. 1 MAR 2004/1440 29 MAR 04/1419, FQB MCHENRY, KIRKUK, IRAQ
- 2. DATE/TIME REPORTED: 28 FEB 04, 1800

3. INVESTIGATED BY: SA

101 to

4. SUBJECT: 1

M; WHITE; HEADQUARTERS AND HEADQUARTERS COMPANY (HHC), 1-27TH IN BN, 25TH ID (HOME BASE: SCHOFIELD BKS, HI), FORWARD OPERATING BASE (FOB) MCHENRY, IRAQ, APO AE 09347; CT; [MURDER] [FALSE OFFICIAL STATEMENT]

- 5. VICTIM: 1. KADIR, MUHAMAD HUSAIN; LOCAL IRAQI NATIONAL, TAAL AL JAL, IRAQ; ZZ; (NFI); [MURDER]
 - 2. U.S.GOVERNMENT: [FALSE OFFICIAL STATEMENT]
- 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 II INVESTIGATION"

DODDOACID-005440

3RD STATUS:

THIS STATUS REPORT IS GENERATED TO ADD THE OFFENSE OF FALSE OFFICIAL STATEMENT, TO ADD THE US GOVERNMENT AS THE VICTIM OF THAT OFFENSE, AND TO DOCUMENT A FURTHER CONFESSION STATEMENT OF

ON 29 MAR 04, PFC WAS RE-ADVISED OF HIS RIGHTS, WHICH HE WAIVED, AND PROVIDED A WRITTEN STATEMENT IN WHICH HE ADMITTED HE WAS NOT TRUTHFUL IN THE FIRST STATEMENT HE PROVIDED THIS OFFICE.

ADMITTED HE OBSERVED SGT PLACE FLEXICUFFS ON MR KADIR PRIOR TO THE SHOOTING, AND ADMITTED MR KADIR DID NOT LUNGE AT SGT AS ALLEGED IN HIS INITIAL STATEMENT.

2ND STATUS:

THIS STATUS REPORT IS BEING GENERATED TO FURTHER IDENTIFY PFC

10Sb45

ON 1 MAR 04, PFC WAS INTERVIEWED. PFC

ADMITTED SHOOTING AND KILLING MR KADIR WHILE SGT

HC, 1-27TH IN BN, FOB MCHENRY, IRAQ ATTEMPTED

TO WALK MR KADIR TO A SECURED AREA AFTER HAVING SECURED MR

KADIR'S HANDS BEHIND HIS BACK WITH FLEXICUFFS. PFC

EXPLAINED HE THOUGHT MR KADIR LUNGED TOWARD SGT

AN ATTEMPT TO HARM HIM AND CLAIMED HE DID NOT KNOW MR KADIR

WAS CUFFED WHEN HE SHOT AND KILLED HIM.

165 W8

ON 1 MAR 04, SGT WAS INTERVIEWED. SGT STATED HE DETAINED MR KADIR AND WAS ATTEMPTING TO MOVE THE VICTIM TO A DIFFERENT LOCATION WHEN PFC SHOT AND KILLED MR KADIR.

INVESTIGATION CONTINUES BY THE USACIDC.

INITIAL:

THIS OFFICE WAS NOTIFIED BY THE STAFF JUDGE ADVOCATES OFFICE, 4TH INFANTRY DIVISION, CAMP IRON HORSE, TIKRIT, IRAQ, APO AE 09323, OF A UNITED STATES SOLDIER WHO SHOT AND KILLED A LOCAL IRAQI NATIONAL, WHILE THE IRAQI WAS FLEXI-CUFFED.

PRELIMINARY INVESTIGATION REVEALED MEMBERS OF THE 1-27TH INFANTRY BATTALION WERE CONDUCTING A CORDON AND SEARCH IN TAAL AL JAL, IRAO TO CAPTURE ANTI-COALITION FORCES AND MORTAR

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78

CACHES. WHILE THE CORDON AND SEARCH WAS BEING CONDUCTED THE 1-27TH MORTAR PLATOON WAS POSITIONED AT A TRAFFIC CONTROL POINT (TCP) NORTH OF THE VILLAGE. THE PLATOON HAD INSTRUCTIONS TO DETAINEE ANY LOCAL IRAQIS TRYING TO FLEE THE VILLAGE. WHILE THE PLATOON WAS AT THE TCP A CALL OVER THE RADIO TO DETAINEE ANY IRAOI MALES IN THEIR VICINITY. THE TCP OBSERVED ONE IRAOI MALE -27TH INFANTRY, FOB MCHENRY, IRAQ (NFI) IN A FIELD SO SGT APPROACHED THE IRAQI TO DETAINEE HIM. (NFI) AND PFC WAS ATTEMPTING TO PLACE FLEXI-CUFFS ON THE WHILE SGT IRAOI HE STARTED TO RESIST. WHEN THE IRAOI STARTED TO RESIST PFC RAISED HIS WEAPON IN THE HIGH COVER POSITION TO PROTECT SGT IN CASE THE IRAQI OVERPOWERED HIM. SGT VAS ABLE TO FLEXI-CUFF THE IRAQ WITHOUT INCIDENT AND BEGAN TO MOVE THE IRAQI WHEN PFC THOUGHT HE 7057565 OBSERVED THE IRAQI LUNG AT SGT O HE FIRED ONE ROUND, WHICH STRUCK AND KILLED THE IRAOI. 1CH66U

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THE REMAINS OF THE LOCAL IRAQI NATIONAL WERE RELEASED TO A LOCAL TRIBE LEADER IN THE CITY OF TAAL AL JAL, IRAQ.

***REQUEST USACRC NAME CHECK OF PFC

- 7. COMMANDERS ARE REMINDED OF THE PROVISIONS OF AR 600-8-2 PERTAINING TO SUSPENSION OF FAVORABLE PERSONNEL ACTIONS AND AR 300-67 FOR THE SUSPENSION OF SECURITY CLEARANCES OF PERSONS UNDER INVESTIGATION.
- 8. CID REPORTS ARE EXEMPT FROM AUTOMATIC TERMINATION OF PROTECTIVE MARKINGS IN ACCORDANCE WITH CHAPTER 3, AR 25-55.

DATE:

3 MAR 04

FROM:

CDR, 43rd MILITARY POLICE DETACHMENT (CID)

TO:

DIR, USACRC, USACIDC, FT BELVOIR VA

CDR, 22ND MILITARY POLICE BATTALION (CID) PROVOST MARSHAL, 4TH INFANTRY DIVISION

SJA, 4th INFANTRY DIVISION

CHIEF OF STAFF, 4TH INFANTRY DIVISION

SUBJECT: CID REPORT OF INVESTIGATION – 2nd STATUS/SS1 – 0040-04-CID469-79638 –5H1A

DRAFTER: | RELEASER:

101 bles

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 28 FEB 2004/0855 – 28 FEB 2004/0900; GRID COORDINATE 38S LE 825 101, TAAL AL JAL, IRAQ

- 2. DATE/TIME REPORTED: 28 FEB 04, 1800
- 3. INVESTIGATED BY:

701661 62 705768

4. SUBJECT: 1.

PFC;

; M; WHITE; HEADQUARTERS AND HEADQUARTERS COMPANY (HHC), 1-27TH IN BN, 25TH ID, FORWARD OPERATING BASE (FOB) MCHENRY, IRAQ; CT; [MURDER]

- 5. VICTIM: 1. KADIR, MUHAMAD HUSAIN; LOCAL IRAQI NATIONAL, TAAL AL JAL, IRAQ; ZZ; (NFI); [MURDER]
- 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"

2ND STATUS:

THIS STATUS REPORT IS BEING GENERATED TO FURTHER IDENTIFY PFC

7051065

ON 1 MAR 04, PFC WAS INTERVIEWED. PFC ADMITTED SHOOTING AND KILLING MR KADIR WHILE SGT

705 Notes

HHC, 1-27TH IN BN, FOB MCHENRY, IRAQ ATTEMPTED TO WALK MR KADIR TO A SECURED AREA AFTER HAVING SECURED MR

KADIR'S HANDS BEHIND HIS BACK WITH FLEXICUFFS. PFC

1C51365

EXPLAINED HE THOUGHT MR KADIR LUNGED TOWARD SGT AN ATTEMPT TO HARM HIM AND CLAIMED HE DID NOT KNOW MR KADIR WAS CUFFED WHEN HE SHOT AND KILLED HIM.

19444 ON 1 MAR 04, SGT WAS INTERVIEWED. SGT STATED HE DETAINED MR KADIR AND WAS ATTEMPTING TO MOVE THE VICTIM TO A DIFFERENT LOCATION WHEN PFO SHOT AND KILLED MR KADIR.

INVESTIGATION CONTINUES BY THE USACIDC.

104844

INITIAL:

THIS OFFICE WAS NOTIFIED BY THE STAFF JUDGE ADVOCATES OFFICE, 4TH INFANTRY DIVISION, CAMP IRON HORSE, TIKRIT, IRAQ, APO AE 09323, OF A UNITED STATES SOLDIER WHO SHOT AND KILLED A LOCAL IRAQI NATIONAL, WHILE THE IRAQI WAS FLEXI-CUFFED.

PRELIMINARY INVESTIGATION REVEALED MEMBERS OF THE $1-27^{TH}$ INFANTRY BATTALION WERE CONDUCTING A CORDON AND SEARCH IN TAAL AL JAL, IRAQ TO CAPTURE ANTI-COALITION FORCES AND MORTAR CACHES. WHILE THE CORDON AND SEARCH WAS BEING CONDUCTED THE 1-27TH MORTAR PLATOON WAS POSITIONED AT A TRAFFIC CONTROL POINT (TCP) NORTH OF THE VILLAGE. THE PLATOON HAD INSTRUCTIONS TO DETÁINES ANY LOCAL IRAQIS TRYING TO FLEE-THE VILLAGE. WHILE THE PLATOON WAS AT THE TCP A CALL OVER THE RADIO TO DETAINED ANY IRAQI MALES IN THEIR VICINITY. THE TCP OBSERVED ONE IRAQI MALE (NFI) IN A FIELD SO SGT 1-27TH INFANTRY, FOB MCHENRY, IRAO YSHES (NFI) AND PFC APPROACHED THE IRAQI TO DETAINEE HIM.

WAS ATTEMPTING TO PLACE FLEXI-CUFFS ON THE 104bby WHILE SGT IRAQI HE STARTED TO RESIST. WHEN THE IRAQI STARTED TO RESIST PFC

7C4164

RAISED HIS WEAPON IN THE HIGH COVER POSITION TO PROTECT SGT IN CASE THE IRAQI OVERPOWERED HIM. SGT WAS ABLE TO FLEXI-CUFF THE IRAQ WITHOUT INCIDENT AND

BEGAN TO MOVE THE IRAQI WHEN PFC THOUGHT HE 705/2015 OBSERVED THE IRAQI LUNG AT SGT O HE FIRED ONE ROUND, 7C+HOCL WHICH STRUCK AND KILLED THE IRAOI.

THE REMAINS OF THE LOCAL IRAQI NATIONAL WERE RELEASED TO A LOCAL TRIBE LEADER IN THE CITY OF TAAL AL JAL, IRAQ.

REQUEST USACRC NAME CHECK OF PFC RICHMOND

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

DATE:

29 FEB 04

FROM:

CDR, 43rd MILITARY POLICE DETACHMENT (CID)

TO:

DIR, USACRC, USACIDC, FT BELVOIR VA

CDR, 22ND MILITARY POLICE BATTALION (CID)(FWD)

CDR, 3D MILITARY POLICE GROUP (CID) (FWD) PROVOST MARSHAL, 4TH INFANTRY DIVISION

SJA, 4TH INFANTRY DIVISION

CHIEF OF STAFF, 4TH INFANTRY DIVISION

SUBJECT: CID REPORT OF INVESTIGATION – INITIAL/SS1 – 0040-04-CID469-79638 –5H1A

DRAFTER: RELEASER:



1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 28 FEB 2004/0855 -- 28 FEB 2004/0900; GRID COORDINATE 38S LE 825 101, TAAL AL JAL, IRAQ

2. DATE/TIME REPORTED: 28 FEB 04, 1800

3. INVESTIGATED BY:

701/20/62

4. SUBJECT: 1. PFC; M; 1-27TH INFANTRY DIVISION, FORWARD OPERATING BASE MCHENRY, IRAQ; CT; (NFI); [MURDER]

- 5. VICTIM: 1. LOCAL IRAQI NATIONAL, TAAL AL JAL, IRAQ; ZZ; (NFI) [MURDER]
- 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"

THIS OFFICE WAS NOTIFIED BY THE STAFF JUDGE ADVOCATE OFFICE, 4TH INFANTRY DIVISION, CAMP IRON HORSE, TIKRIT, IRAQ, APO AE 09323, OF A UNITED STATES SOLDIER WHO SHOT AND KILLED A LOCAL IRAQI NATIONAL, WHILE THE IRAQI WAS RESTRAINED WITH FLEXI-CUFFS.

PRELIMINARY INVESTIGATION REVEALED MEMBERS OF THE 1-27TH INFANTRY BATTALION WERE CONDUCTING A CORDON AND SEARCH IN TAAL AL JAL, IRAQ TO CAPTURE ANTI-COALITION FORCES AND MORTAR CACHES. WHILE THE CORDON AND SEARCH WAS BEING CONDUCTED THE 1-27TH MORTAR PLATOON WAS POSITIONED AT A TRAFFIC CONTROL POINT

(TCP) NORTH OF THE VILLAGE. THE PLATOON HAD INSTRUCTIONS TO DETAINEE ANY LOCAL IRAQIS TRYING TO FLEE THE VILLAGE. WHILE THE PLATOON WAS AT THE TCP INSTRUCTIONS WERE RECEIVED VIA RADIO TO DETAIN ANY IRAQI MALES IN THEIR VICINITY. THE TCP OBSERVED ONE IRAQI MALE (NFI) IN A FIELD AND SGT. 1-27TH INFANTRY, FOB TO MCHENRY, IRAQ (NFI) WITH PFC. APPROACHED THE IRAQI TO TO PLACE FLEXI-

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DETAINEE HIM. WHILE SGT WAS ATTEMPTING TO PLACE FLEXICULES ON THE IRAQI, THE DETAINEE STARTED TO RESIST. PFC RAISED HIS WEAPON IN THE HIGH COVER POSITION TO PROTECT SGT

704 MOUL

ABLE TO COMPLETE THE CUFFING PROCEDURE WITHOUT INCIDENT, THEN BEGAN TO MOVE THE IRAQI WHEN PFC THOUGHT HE JOSEGN OBSERVED THE IRAQI LUNGE AT SGT FOR PFC TO THE RESPONDED BY FIRING ONE ROUND FROM HIS RIFLE, WHICH STRUCK AND KILLED THE IRAQI.

THE REMAINS OF THE LOCAL IRAQI NATIONAL WERE RELEASED TO A YET UNIDENTIFIED LOCAL TRIBAL LEADER IN THE CITY OF TAAL AL JAL, IRAQ.

FURTHER INVESTIGAITON IS PENDING RESPONSE TO THE UNIT'S LOCATION ON 29 FEB 04.

INVESTIGATION CONTINUES BY THE USACIDC.

***REQUEST USACRC NAME CHECK OF PFO

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

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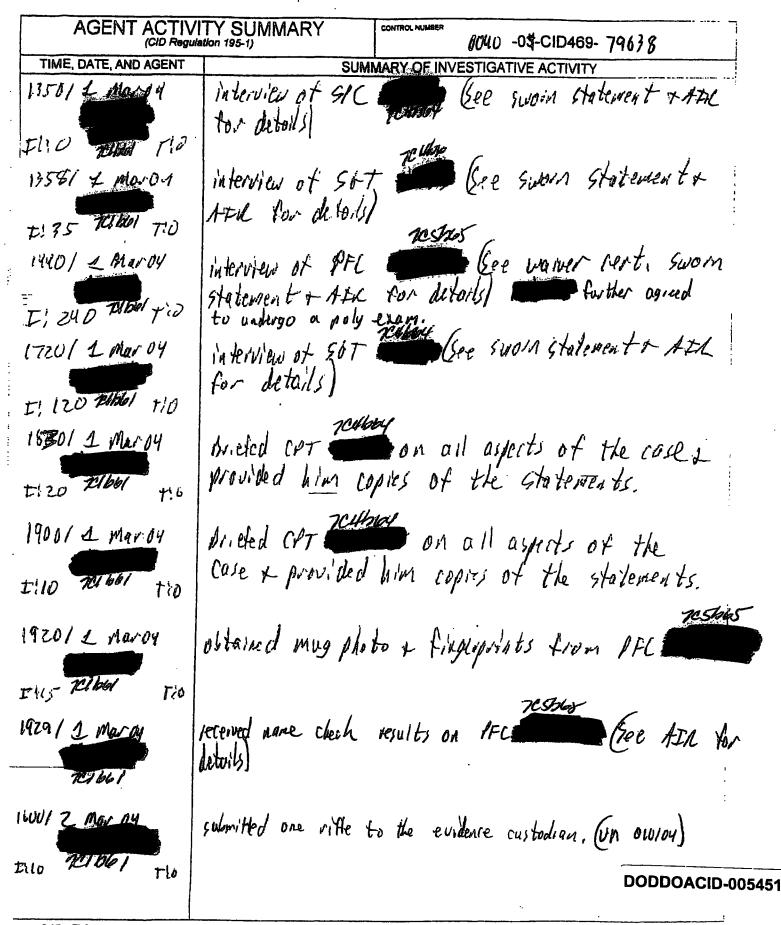
CONTROL NUMBER AGENT ACTIVITY SUMMARY 0840-84-CADU64-79638 (CID Regulation 195-1) TIME, DATE, AND AGENT BFI: dotified by SJA of a soldier who shoty billed 1800/28 Falsoy TC1 bb1 a local Fragi national while the tragi was Aexiculted. (see AIR for details) 1-27 In 2000/28 Feb 04 who provided the details coold with mas PC l blet to the incident (See AFR for details) TLU I! 15 7040/28 Fe604 coord with 6-3 AIR to set up a possible flight. to kirkuk, Flight scheduled for 1520/29 Feb 04. TCIbil IL5 Tio who stated the body of coord with mas 2050/28 Feb 04 the sugar was released back to the local tribe leader. II 5 nedby 2100/25 Feb 04 201 attempted to e-mail Mat! sifer was down. received still via siper ret. Gee still for details) 0710/29 Febou. could with 61 to obtain full be of 194001 29 Feb04 Could not obtain due to East being down. HUUV/ Z9 Feb 04 Dispatched Initial report. **DODDOACID-005449** neuble 1610/29 Feb Dui roovel with 1445 GJA and birekd him on all aspects of the case. T190 $\mathbf{x}^{(i)a}$ 1645/ 29 Feb 04 interview of CPT HAL 1-27 GPE AFIR

for details

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AGENT ACTIVI	•••••••	
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1° (a)		tak for details) Rested to file)
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tis rid	d c	
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		DODDOACID-0054
1323/ 1 Mar 04 yel	terview of GPL	sworn Statement + AIL
المام المام - RDI 104 p.52	for details)	TALL 4



ACTIVITY SUMMARY (CID Regulation 195-1) -04-010-09- 79638 004 o TIME, DATE, AND AGENT SUMMARY OF INVESTIGATIVE ACTIVITY updated case file. 1900/2 Mar 04 1140/3 Marey prepared lab request. TIO TESTO 1:0 1155/3 Maroy submitted lab request to evidence custodian TIS TOUR prepared and status report. To SAC for detar review [215/3 Nar04 report is on my Thumb drive. REVINDY OHTEPPED 22 STAT. TO CAN PAIN, OUT. TCTDUI Incoming SAC Reviews. 4 Mar O4 AIR weeds signed - Rending possible Lab For riflennless SUA 7C1 ble1 SJA/Command Final Coard on what they determine to pursue 701b61 Pending poly of - Crine Scene exam: case # on all documents. for coord w/ case Ages - TO SACI 1C1 b61

CID FORM 28-R 1 AUG 88

PREVIOUS EDITIONS OF THIS FORM WILL BE USED UNTIL EXHIBESTELD

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AGENT ACTIVITY SUMMARY

60 40 -04-CID469- 79638

TIME, DATE, AND AGENT 1815/4 MAR 04 SUMMARY OF INVESTIGATIVE ACTIVITY

NOTED COMMENTS OF IN-CONTRA SAC:

1) GET SON CONTES OF ALL EXPLANTS! BASE THEM + BET THESE DESNEON ON

THAT WEARN GOTAL TO LAB.

3) FNTENT TO PURSUE IS IMMATRIATAL

4) I SEE NO NEED FOOR ASLY. FACTS OF CASE SPEAK FOR THOM SELVES.

5) NOTER- CET CASE # ON ALL ROCS

Recieved. Reneved SAC comments

1. in regards to the crime scene, The location of the scene was not accessaloke and we were unable to travel to that location at the time. We ensured the unit took photographs and document obtain any evidence - in this case, the wespor, which we have To SAI

4 11 6, 641 1700



Comments to SAC reviews

I will sign AIR

2. will coold with GJA and provide copies of case to them.

3, 109Er

U. poly is a possibility, but really not needed.

5, will plate coase to on all documents

CID FORM 28-R

PREVIOUS EDITIONS OF THIS FORM WILL BE USED UNTIL EXHAUSTED

ACLU-RDI 104 p.55

DODDOACID-005453 APPL : I IA

TIME DATE, AND AGENT

SUMMA POP INVESTIGATIVE

0900/ 6 maroy

provided mat cose file. GJA, UIN copies of the

II 30 70 861 T. 0

0945/ 6 ME:04

70 10 10 F.O

send the lifte to the lab. Gee AIR for details)

1000/6 Ma/04

Il 20 reliber to

placed case number on all documents & signed ATR. TO SAC for review.

7 man 04

101 blel

SAL REVIEW :

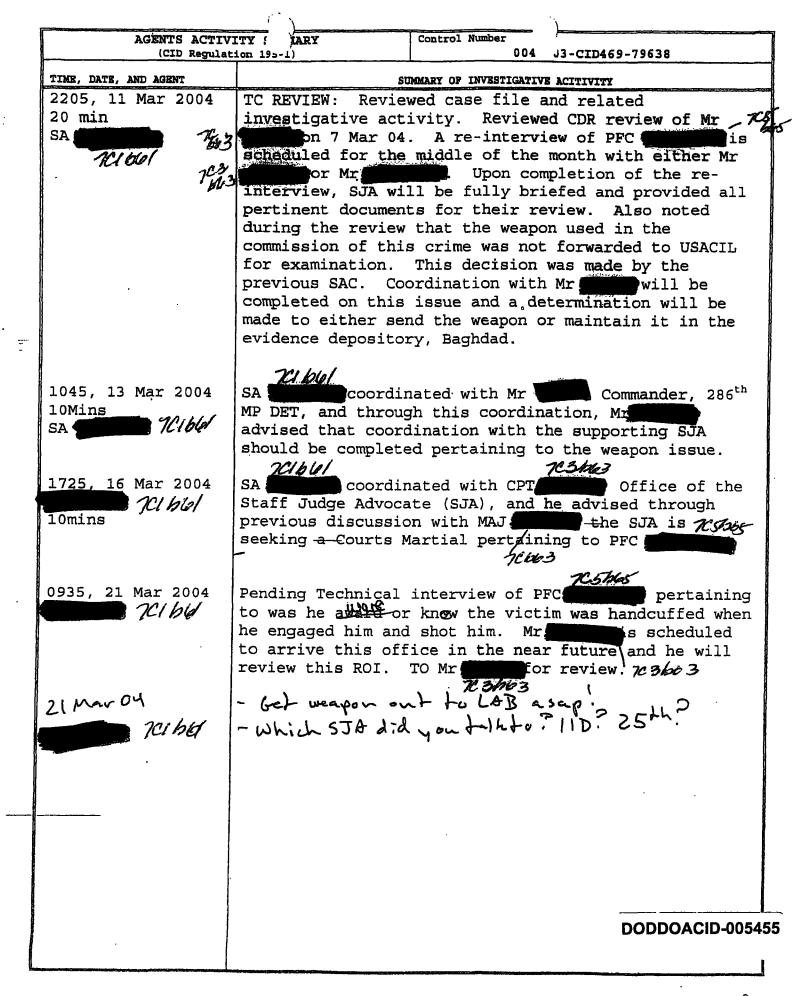
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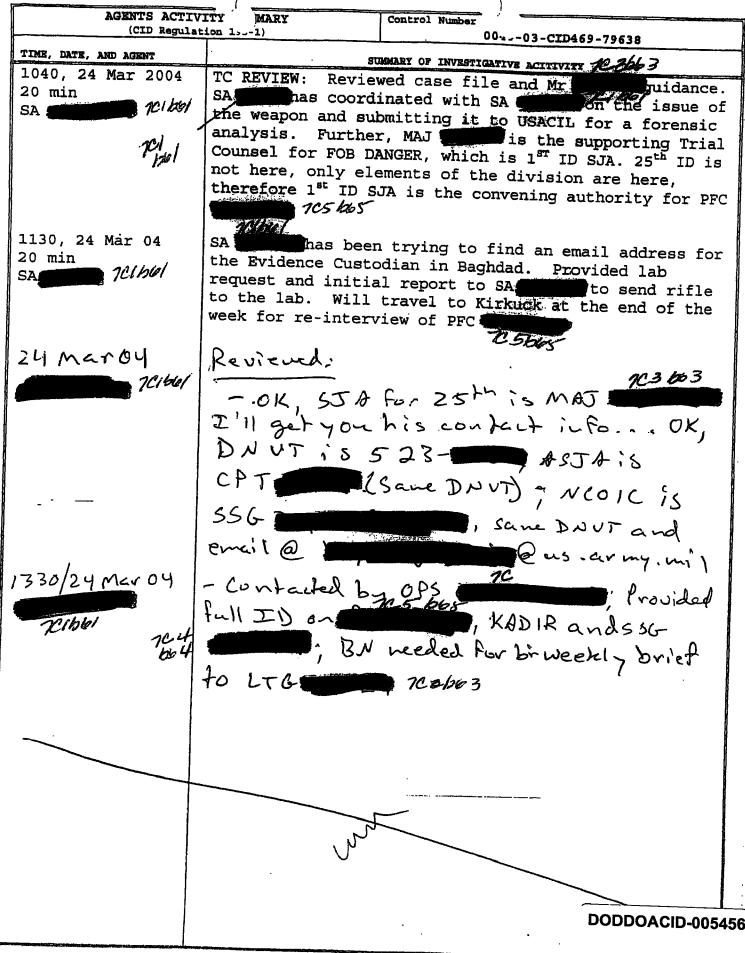
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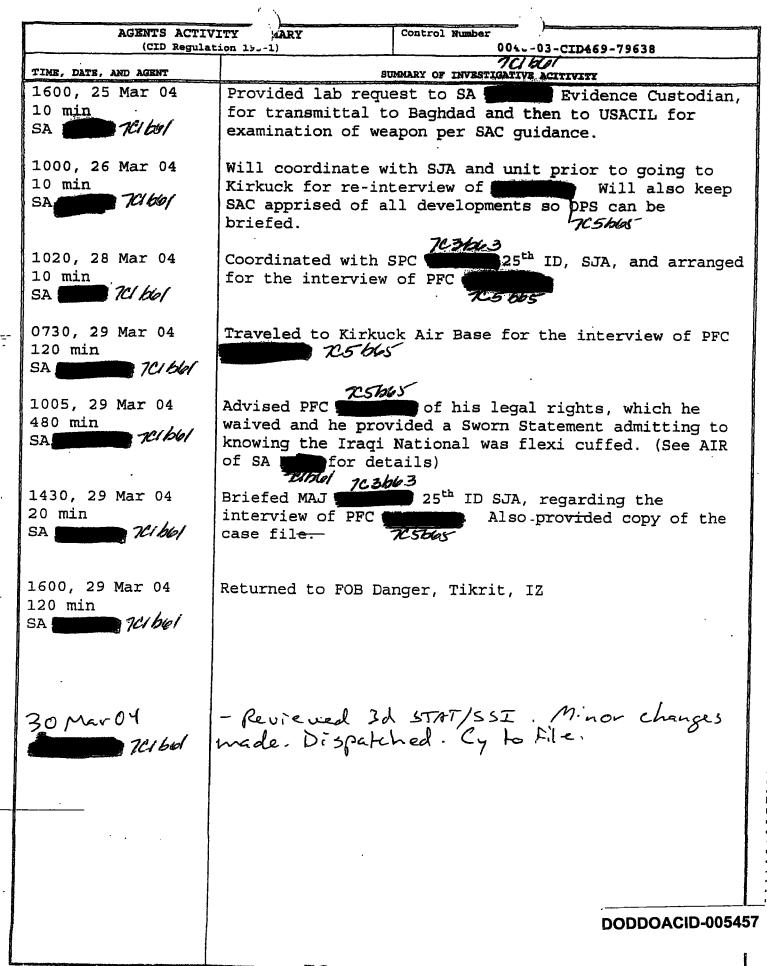
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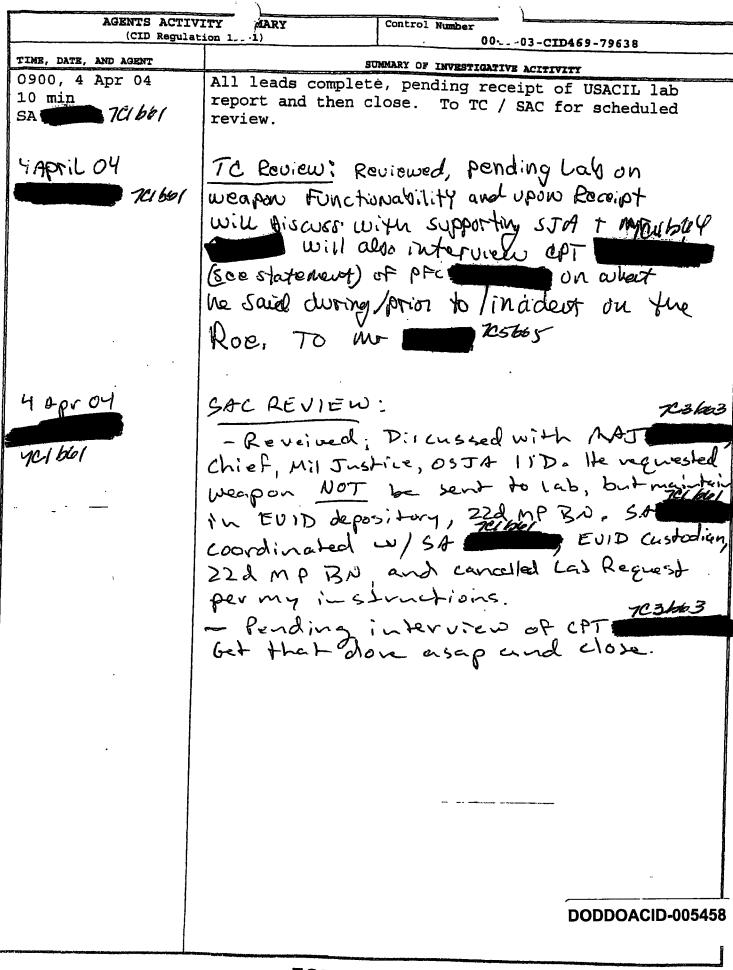


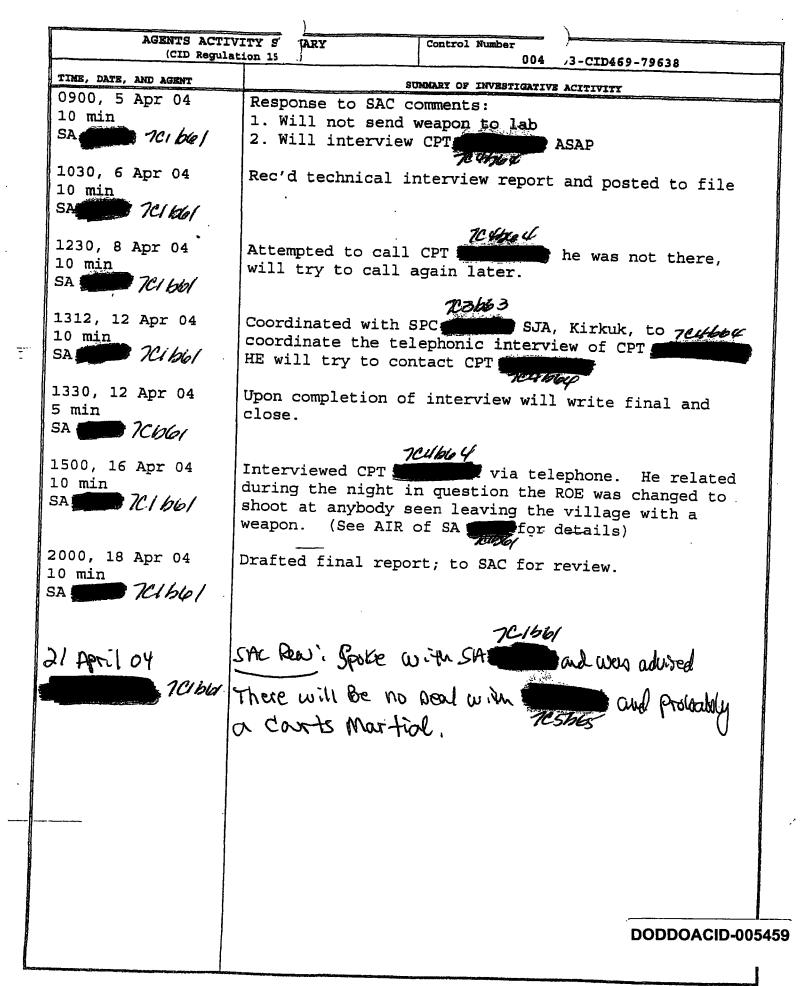


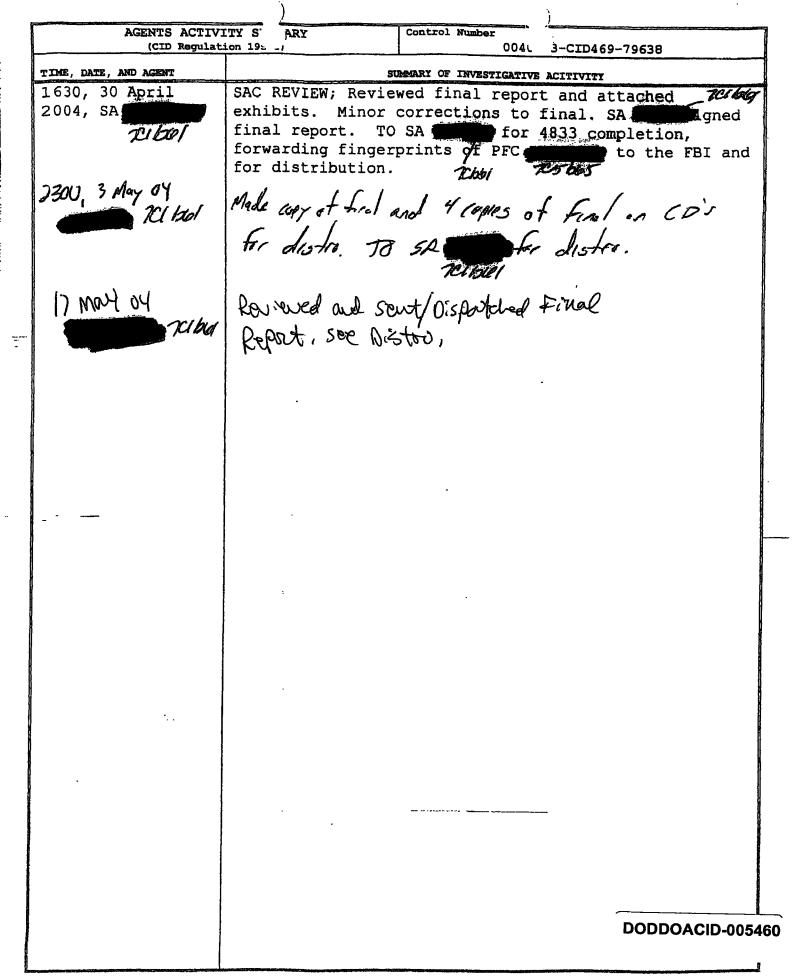
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AUTHORITY:	To provide o	ted States Code	e Section 3 d law enfo	012 (g) reement of	ficials	VE USES	S: Your s info ar identif	e used :	curity numi as on addition to facilitate	cal/elte	other personal nate means of ieval
PRINCIPAL PURPOSE:	with means t identified.	y which inform	nation may	be acoura	tely DISCL	OSURE:			your SSN#		
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18. Home Address:		49. City	Parrech	s, HI	50. Sta	te:	51. Coun	ry:	52. Zap Co	ode/Apo	:
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3. JUV: 54. Family Re	31 33. 2	ponsor Last N	ame:	56.	Sponsor First	Name:		37. Spc	msor Middle	e Name:	
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LEAVE BLANK	CRIMINAL	(STAPLE	HERE)	LEAVE BLANK
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		SUBMISSION APPROXIMATE CLASS	S AMPUBLION SCAR	
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AUASES/MAC LAST NAME, FIRST NAME, MIDDLE NAME, SU	<u> </u>		-	
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FBI NO.	STATE IDENTIFICATION NO.	DATE OF BIRTH MM DD YY	SEX RACE HEIGH	
1. R. THUMB	2. R. INDEX	3. R. MIDDLE		
6.L THIMB	7. L INDEX	8. L. MIDDLE	9. L. RING	10. L LITTLE
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FEDERAL BU CRIMINAL	REAU OF INVESTIGATION : JUSTICE INFORMATION :	ON, UNITED STATES SERVICES DIVISION.	DEPARTMENT	T OF JUSTICE	
PRIVACY ACT OF 1974 (P.L. 93-579) REQUIRES	THAT FRAL STATE OR LOCAL AGE	NCIES INFORM INDIVIDUALS WHE	DC141 858118151 4111	ABER IS REQUESTED WHETH	ER
SUCH DISCLOSURE IS MANDATORY OR VOLUN JUVENILE FINGERPRINT	DATE OF ARREST	ORI ORI	WILL BE MADE OF IT.	- 	
SUBMISSION YES	MM DD YY	CONTRIBUTOR VALLS	A1400		
]	3 1 04	ADDRESS US A			
TREAT AS ADULT YES	, , ,	REPLY YES	ELVOIR, VA		
		DESIRED?			
SEND COPY TO: (ENTER ORI)	DATE OF OFFENSE	PLACE OF BIRTH (STATE OR CO	UNTRY)	COUNTRY OF CITIZENSHI	Р
	2 28 04			U.S.A	
TYCIDOZO C				117/7	
MISCELLANEOUS NUMBERS	SCARS, MARKS, TATTOOS, AND AMPU	TATIONS			ne
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	RESIDENCE/COMPLETE ADDRESS	7.01	10.00	GITY	STATE
P	HHC, 1-27th En	10		1 M. U.	- w
OFFICIAL TAKING FINGERPRINTS	LOCAL IDENTIFICATION/REFERENCE	1711		FOR Mc Henry	+1009
(NAME OR NUMBER;				PHOTO AVAILABLE?	YES
SA MOI	04469 79639	}		PALM PRINTS TAKEN?	YES
EMPLO VERNMENT, INDICATE	SPECIFIC AGENCY SERVICE AND SERIAL NO		OCCUPATION		
US Army			11 C		
CHARGE/CITATION -			DISPOSITION		
Art 118; Mu	relec		-		
2.			2.		
Act 117. F	alx Office 1 9	Charles de			
3.	The street of	1075 PACES OF	3		
ADDITIONAL			ADDITIONAL		
ADDITIONAL INFORMATION/BASIS FOR CAUTIO	N .		STATE BUREAU STAMP		·-··
FD-259 (REV 5-11-99) ない.8. GPO: 2002 491-376/40032	·				

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/	LEAVE BLANK	CRIMINAL		(STAPLE I	HERE)			LEAVE BLAN	łK	
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FEDERAL BU	REAU OF INVESTIGATION	ON, UNITED STATE	S DEPARTMENT	OF JUSTICE	
CHIMINAL	JUS OF IMPOHMATION	SERVICES DIVISION,	ARKSBURG, V	W 26306	
PRIVACY ACT OF 1974 (P.L. 93-579) REQUIRES	THAT ARAL, STATE, OR LOCAL AGEN	ICIES INFORM INDIVIDUALS WH	C DCIAL SECURITY NUM	BER IS REQUESTED WHETH	ER ,
SUCH DISCLOSURE IS MANDATORY OR YOLUN JUVENILE FINGERPRINT	DATE OF ARREST	ORI	H WILL BE MADE OF IT.		L
SUBMISSION YES	MM 00 YY FB 1 04	CONTRIBUTOR	ISA1400 ARMY		
TREAT AS ADULT YES			BELVOIR, VA		
SEND COPY TO:	DATE OF OFFENSE	PLACE OF BIRTH (STATE OR C	OUNTRY)	COUNTRY OF CITIZENSHI	
TXCIO300	8.24.04	A STATE OF THE STA		415,4	
MISCELLANEOUS NUMBERS	tatto 19ht should		+ forearm	<u> </u>	1065
·	HHC, 1-27 Th	IN BN		FOR Metterry	IVA
OFFICIAL TAKING FINGERPRINTS	LOCAL IDENTIFICATION/REFERENCE			PHOTO AVAILABLE?	YES
5A 1 - 1000	04469 79638	3		PALM PRINTS TAKEN?	YES
EMPLOYER: 1			OCCUPATION	L	
US Army			111 C		
CHARGE/CITATION			DISPOSITION		
Art 118; N	Turde		1.		
Art 107;	False Official	Salend	/		
3.			3		
ADDITIONAL			ADDITIONAL		
ADDITIONAL INFORMATION/BASIS FOR CAUTION	(STATE BUREAU STAMP	<u> </u>	
FD-259 (REV 5-11-99) QU.S. GPO: 2002 491-378/40032					

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STATE USAGE		SUBMISSION APPROXIMATE CLASS	S AMPUTATION SCAR ME, FIRST NAME, MIDDLE NAME, BUFFIX	705 Hos
SIGNATURE OF PERSON CONTROLS	A Samuragaman and a samuragama	SOCIAL SECURITY AND	105065	
ALIASES/MAID LAST NAME, FIRST NAME, MIDDLE N	TCB606			
FBI NO	STATE IDENTIFICATION NO.	DATE OF BIRTH MM DD YY	SEX RACE HEIGH	
1. R. THUMB	2 R. INDEX	3. R. MIDDLE	4. R. RING	5. R. LITTLE T
S. L. 174	7. L INDEX	8. L. Mile.	9. L. Fi	10. L LITTLE
LEFT FOUR FINGERS TAKEN SIMULTA	NEOUSLY	L THUMB	RIGHT FOUR FINGERS TO ALTANEO	
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ACLU-RDI 104 p.79

FEDERAL BUI CRIMINAL	REAU OF INVESTIGATION : JUST ÇE INFORMATION :	ON, UNITED STATE SERVICES DIVISION,	S DEPARTMENT	r of Justice Av 26306	
PRIVACY ACT OF 1974 (P.L. 93-979) REQUIRES SUCH DISCLOSURE IS MANDATORY OR VOLUM	THAT FRAL, STATE, OR LOCAL AGENTARY, BASIS OF AUTHORITY FOR SUCH	NCIES INFORM INDIVIDUALS WHO SOLICITATION, AND USES WHICH	JOCIAL SECURITY NUA	ABER IS REQUESTED WHETHI	: A
JUVENILE FINGERPRINT	DATE OF ARREST	ORI			l
SUBMISSION YES	MM DD YV 3 1 0 4	ADDRESS US	SA1400 ARMY		
TREAT AS ADULT YES			BELVOIR, VA		
SEND COPY TO:	DATE OF OFFENSE	PLACE OF BIRTH (STATE OR C	DUNTRY)	COUNTRY OF CITIZENSHIE	,
(ENTER ORI)	MM DD YY	and the second second	_		
TX CINO300	2 28 04		.	U.S.A	
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	tatou right should RESIDENCE/COMPLETE ADDRESS	1/ 121	t. forearm	CITY	7C- 66S
	HHC. 1-27th I	n BN		FOB MeHeary	IVAG
OFFICIAL TAKING FINGERPRINTS 66/	LOCAL IDENTIFICATION/REFERENCE			PHOTO AVAILABLE?	YES
+ 54	0446979638	7 7		PALM PRINTS TAKEN?	YES
EMPLOYER: IF U.S. GOVERNMENT, INDICATE			OCCUPATION		
IF MILITARY, LIST BRANCH OF S	SERVICE AND SERIAL NO.				
US AIMY CHARGE/CITATION			- 11 C		·
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Act 118;	Murder				
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Art 107;	Falso Offe	ecal Statend			
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			STATE BUREAU STAMP		
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		SUBMISSION	APPROXIMATE CLASS	AMPUTATION	SCAR		
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ALIASES/MAIDE LAST NAME. FIRST NAME, MIDDLE NAME, SL	FFIX	1					
FBI NO.	STATE IDENTIFICATION NO.	4	MM DD YY	SEX RA	SE HEIGHT	WEIGHT 195	EYES HA BKN BK
1. R. THUNG	2. R. INDE	3. R. MIDDLE		4. FL RING		5. R. LITTLE	
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FEDERAL BU CRIMINAL	IREAU OF INVESTIGATION	ON, UNITED STATES	DEPARTMEN	T OF JUSTICE	
PRIVACY ACT OF 1974 (P.L. 93-879) REQUIRE:	B THAT)AL, STATE, OR LOCAL AGE	NCIES INFORM INDIVIDUALS WHO	CIAL SECURITY MU	W W ADJUD WEER IS REQUESTED WHETHE	R
SUCH DISCLOSURE IS MANOATORY OR VOLUMENTE SINGERPRINT	NTARY, ball'S OF AUTHORITY FOR SUCH	SOLICITATION, AND USES WHICH I	NILL BE MADE OF IT.		
BUDMIDSION YES	MM DD YY	1			
and midsion tes	3 1 04	ADDRESS US A	A1400		
TREAT AS ADULT YES		FT B	ELVOIR, VA	,	
		REPLY YES			
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OFFICIAL TAKING FINGERPRINTS	LOCAL IDENTIFICATION/REFERENCE	· 1 · 2 · 1		PHOTO AVAILABLE?	YES
(NAME OR NUMBER: 7C/					
9A 1001	044697963	8		PALM PRINTS TAKEN?	YES
EMPLOYER: IF MILITARY, LIST BRANCH OF	E SPECIFIC AGENCY. SERVICE AND SERIAL NO.		OCCUPATION		
US Army			uc	,	
CHARGE/CITATION			DISPOSITION		·
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	TO:	
	YOU WERE CALLED E	BY YOU WERE VISITED BY
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	PLEASE PHONE >	(Enter area code, If necessary)
	WILL CALL AGAIN	IS WAITING TO SEE YOU
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Nov / 0900	feisome of the ter one medic traited the ingi
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ACLU-RDI	104 p.85



Headquarters 4th Infantry Division (Mech) Fort Hood, Texas 76544

Office of the Staff Judge Advocate

1-27 IN 107115

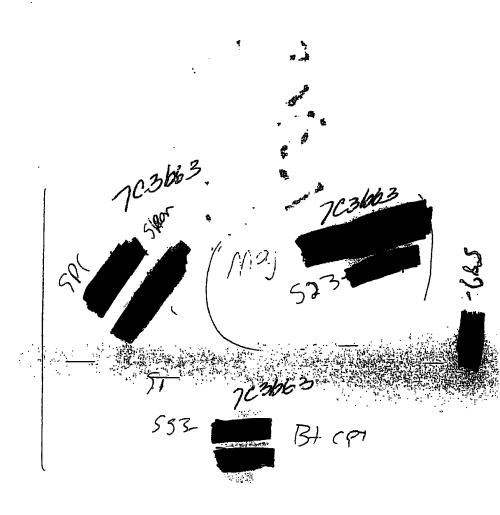
Shot and Killed detained in Flexicuffs

Pecused soldier @ Kirkuk

523- 103663 MAT 703663 G-2 OPS (WT) CA 23663

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