

DEPARTMENT OF THE ARMY
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND
3rd MILITARY POLICE GROUP (CID)
78th MILITARY POLICE DETACHMENT (CID) (FWD)
BAGHDAD, IZ
APO AE 09342

CIMPR-FR

14 SEP 04

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL/SSI - 0245-04-CID259-80279-
5C2/5Y2E

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. UNKNOWN, Iraq (IZ)

2. DATE/TIME REPORTED: 29 AUG 2004, 1000

3. INVESTIGATED BY: SA *b7c-1, b6-1, b2*

b7c-1, b6-1, b2
SA *b7c-1, b6-1, b2*
SA *b7c-1, b6-1, b2*
SA *b7c-1, b6-1, b2*
SA *b7c-1, b6-1, b2*

4. SUBJECT: (UNKNOWN); [ASSAULT (UNFOUNDED)] [CRUELTY AND
MALTREATMENT (UNFOUNDED)]

5. VICTIM: 1. *b7c-4, b6-4* CIV; INTERNMENT SERIAL NUMBER

(ISN): *b7c-4, b6-4* M; OTHER; DATE OF CAPTURE: 16 NOV *b7c-4, b6-4*

03; AKA: *b7c-4, b6-4* (NFI) [ASSAULT *b7c-4, b6-4*
(UNFOUNDED)] [CRUELTY AND MALTREATMENT (UNFOUNDED)]

INVESTIGATIVE SUMMARY:

This investigation was initiated upon the receipt of a Request for Investigation (RFI) (0365-04-CID001), from the United States Army Criminal Investigation Command, Fort Belvoir, VA, of a possible abuse involving Mr. *b7c-4, b6-4* by unknown person(s) at an unknown location.

Investigation established the above offenses did not occur as alleged by Mr. *b7c-4, b6-4*. This investigation was coordinated with the Office of the Staff Judge Advocate, Multi-National Force-Iraq (MNF-I), Camp Victory, IZ. Subsequent to coordination, the SJA opined the offenses did not occur. The opined was based on the fact a review of Mr. *b7c-4, b6-4* medical record reflected *b7c-4, b6-4* he was in good health and did not have any injuries; the photographs taken of Mr. *b7c-4, b6-4* immediately after his capture did not show any signs/types of injuries; and the testimonial evidence provided by the capturing unit did not develop any information to corroborate Mr. *b7c-4, b6-4* allegation.

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STATUTES:

Article 128, UCMJ: Assault (Unfounded)

Article 93, UCMJ: Cruelty and Maltreatment (Unfounded)

EXHIBITS/SUBSTANTIATION:

Attached:

1. Agent's Investigation Report (AIR) of SA [REDACTED] ^{b7c-1, b6-1}, 5 Aug 04, detailing the receipt of the initial complaint and coordination with Detainee Operations.
2. Detainee Record of Mr. [REDACTED] ^{b7c-4, b6-4} 19 May 04.
3. AIR of SA [REDACTED] ^{b7c-1, b6-1} 10 Aug 04, detailing receipt of the RFA and interview of SPC [REDACTED] ^{b7c-4, b6-4}
4. Waiver Certificate and Sworn Statement of SPC [REDACTED] ^{b7c-4, b6-4}, 9 Aug 04, in which he denied ever seeing Mr. [REDACTED] being abused during capture. ^{b7c-4, b6-4}
5. AIR of SA [REDACTED] ^{b7c-1, b6-1} 12 Aug 04, detailing the receipt of the RFA and interview of SGT [REDACTED] ^{b7c-4, b6-4}
6. Waiver Certificate and Sworn Statement of SGT [REDACTED] ^{b7c-4, b6-4} 12 Aug 04, in which he denied assaulting Mr. [REDACTED] ^{b7c-4, b6-4}
7. AIR of SA [REDACTED] ^{b7c-1, b6-1} 3 SEP 04, detailing coordination with SJA.

Not Attached:

Retained in case file 0245-04-CID259-80279:

8. Interrogation Report, 26 Feb 04, pertaining to Mr. [REDACTED] ^{b7c-4, b6-4}

The original of Exhibits 1, 3 through 7 are forwarded with USACRC copy of this report. The original of Exhibit 2 is maintained in Detainee Operations, Multi-National Force Iraq, APO, AE 09342.

STATUS: This is a Final Report. Commanders Report of Disciplinary Action Taken (DA Form 4833) is not required.

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Report Prepared By:

*b7c-1, b6-1, b7c-2*Special Agent, 

Report Approved By:

*b7c-1, b6-1*Special Agent in Charge 

Distribution:

- 1- DIR, USACRC, 6010, 6th Street, Fort Belvoir, VA 22060-5506 (original)
- 1- USACIDC (ATTN: Ms.  (e-mail only) *b7c-3, b6-3*)
- 1- THRU:
 - CDR, 22nd MP BN (CID), APO AE 09342
 - CDR, 3rd MP Group (CID)
- TO: CDR, USACIDC, ATTN: CIOP-ZA, Fort Belvoir, VA 22060
- 1- PMO, MNF-I (e-mail only)
- 1- CID LNO, MNF-I, APO AE 09335 (e-mail only)
- 1- Detainee Ops (ATTN: COL  (e-mail only) *b7c-3, b6-3*)
- 1- SJA, III Corps (ATTN: CPT  (e-mail only) *b7c-3, b6-3*)
- 1- Commander, A Co, 1st Battalion, 22nd Infantry Regiment, Fort Hood, TX
(no action required)
- 1- Commander, 411th MP Company, III CORPS, Fort Hood, TX
(no action required)
- 1- File

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AGENT'S INVESTIGATION REPORT

ROI NUMBER 0245-04-CID-259-80279

CID Regulation 195-1

PAGE 1 OF 1 PAGES

DETAILS

BASIS FOR INVESTIGATION: About 0900, 2 Aug 04, this office received a Request for Investigation (RFI) 0334-04-CID001 from the United States Army Criminal Investigation Command, 6010 6th Street Fort Belvoir, VA 22060, which requested an investigation be conducted into allegations made by Mr. [REDACTED] b7c-4, b6-4, National Detainee Reporting System (NDRS) Number [REDACTED] that he was tortured during an b7c-4, b6-4 interrogation on 26 Feb 04.

About 1000, 5 Aug 04, SA [REDACTED] b7c-4, b6-4 coordinated with MAJ [REDACTED] b7c-3, b6-3, Detainee Operations, Multinational Force- Iraq, who provided a copy of the detainee records pertaining to Mr. [REDACTED] (See b7c-4, b6-4 Detainee Records of Mr. [REDACTED] for details)///LAST ENTRY/// b7c-4, b6-4

b7c-4, b6-1, b2

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA [REDACTED]		ORGANIZATION 78 th Military Police Det (CID)(FWD), 22 nd Military Police Bn (CID)(FWD), APO, AE 09342
SIGNATURE [REDACTED]	DATE 5 AUG 04	EXHIBIT 1

CID FORM 94
1 FEB 77

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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

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0673-04-CID034

PAGE 1 OF 2 PAGES

DETAILS

BASIS FOR INVESTIGATION: About 0900, 9 Aug 04, this office received a Request for Assistance (RFA) from the Detainee Abuse Task Force, 22nd Military Police Battalion (CID)(FWD), 3rd Military Police Group (CID), Baghdad, Iraq APO AE 09342, to fully identify and interview SPC [REDACTED] A Co, 1st Battalion (BN), 22nd Infantry Regiment (INF RBGT), 4ID, Fort Hood, TX 76544 (FHTX), and SPC [REDACTED] (NFI), A Co, 1st BN, 22nd INF REGT, 4ID, FHTX, concerning their knowledge of the interrogation of Mr. [REDACTED] National Detainee Reporting System (NDRS) Number [REDACTED] on 26 Feb 04. *b7c-4, b6-4*

About 1020, 9 Aug 04, SA [REDACTED] coordinated with CPT [REDACTED] Unit Commander, A Co, 1st BN, 22nd INF REGT, 4ID, FHTX, wherein he stated SPC [REDACTED] was in his unit and would have him report to the CID Office for an interview as soon as possible. CPT [REDACTED] stated he does not have a soldier by the name SPC [REDACTED] (NFI) in his unit. *b7c-3, b6-3*

About 1225, 9 Aug 04, SA [REDACTED] interviewed SPC [REDACTED] who stated he did not physically, sexually, or mentally abuse detainees while in Iraq. SPC [REDACTED] stated he did not know Mr. [REDACTED] (See Waiver Certificate and Sworn Statement for details) *b7c-4, b6-4*

About 1450, 9 Aug 04, SA [REDACTED] coordinated with SA [REDACTED] Polygraph, this office, who related he would require more information regarding the investigation before he could re-interview SPC [REDACTED] *b7c-4, b6-4*

About 1615, 9 Aug 04, SA [REDACTED] coordinated with SA [REDACTED], this office, who conducted a DEIDS Database search on SPC [REDACTED] (NFI). The DEIDS search did not reveal anyone by the name SPC [REDACTED] (NFI) within the database. *b7c-4, b6-4*

About 1704, 9 Aug 04, a 1st Information (Info) Report was dispatched, via email.

About 0904, 10 Aug 04, SA [REDACTED] received an e-mail from the originating office stating the name of SPC [REDACTED] (NFI) was incorrect on the RFA. The correct soldier to be interviewed was SGT [REDACTED] 411th Military Police (MP) Company, 89th MP Brigade, III Corps, FHTX. *b7c-4, b6-4*

About 1030, 10 Aug 04, SA [REDACTED] coordinated with MSC [REDACTED] Operations Sergeant, 411th MP Company, 89th MP Brigade, III Corps, FHTX, who stated SGT [REDACTED] was on leave until 17 Aug 04 in [REDACTED]. MSC [REDACTED] stated SGT [REDACTED] leave address was [REDACTED]. *b7c-3, b6-3*

About 1115, 10 Aug 04, a 2nd Info Report was dispatched, via email.

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA [REDACTED]		Fort Hood Resident Agency, CID	
Fort Hood, TX 76544		DATE	
SIGNATURE [REDACTED]		EXHIBIT	
[REDACTED]		10 AUG 04	
[REDACTED]		3	

CID FORM 94
(Automated)

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b7c-4, b6-4
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b7c-4, b6-4

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b7c-4, b6-4

b7c-4, b6-4
b7c-4, b6-4

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER


0673-04-CID034

PAGE / OF 2 PAGES

DETAILS

About 1610, 10 Aug 04, SA ^{b7c-1, b6-1} coordinated with SA ^{b7c-1, b6-1} Special Agent-in-Charge, Fort McCoy Resident Agency (CID), Fort McCoy, WI 54656 (FMWI), and briefed him on this RFA. SA related he would complete interview of SGT ^{b7c-1, b6-1} and to fax all documents to his office. ^{b7c-1, b6-1}

About 1640, 10 Aug 04, a 3rd Info Report was dispatched, via email, relating that remaining interview will be conducted by FMWI office.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER ^{b7c-1, b6-1, b2}		ORGANIZATION Fort Hood Resident Agency, CID Fort Hood, TX 76544	
SIGNATURE SA 	DATE 10 AUG 04	EXHIBIT 3	

CID FORM 94
(Automated)

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

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

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your Social Security Number is voluntary. *b7c-4, b6-4* *b7c-4, b6-4*

1. LOCATION BLDG 2200, Fort Hood, TX 76544	2. DATE 9 Aug 04	3. TIME 1240	4. FILE NUMBER 0673-04-CID034
5. NAME (Last First MI) <i>b7c-4, b6-4</i>	6. ORGANIZATION OR ADDRESS A Co, 1 st Battalion, 22 nd Infantry Regiment, 4ID, Fort Hood, TX 76544		
<i>b7c-4, b6-4</i>	7. GRADE/STATUS E-4/AD		

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: Cruelty and Maltreatment of Detainees, Conspiracy III

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)

Have you been advised of your legal rights and requested a lawyer within the past year? Y / N *b7c-4, b6-4*

SECTION B. Waiver

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

WITNESSES (if available)		3. SIGNATURE OF INTERVIEWEE <i>b7c-4, b6-4</i>
1a. NAME (Type or Print)		<i>b7c-1, b6-1, b2</i>
b. ORGANIZATION OR ADDRESS AND PHONE		
2a. NAME (Type or Print)		3. SIGNATURE OF INTERVIEWER SA <i>b7c-4, b6-4</i>
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OR ADDRESS Fort Hood Resident Agency, USACIDC, Fort Hood, TX 76544

SECTION C. Non-waiver

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

2. SIGNATURE OF INTERVIEWEE

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

DA FORM 3881, NOV 89 (AUTOMATED)

EDITION OF NOV 84 IS OBSOLETE

Exhibit: 4

SWORN STATEMENT

LOCATION: Building 2200, Fort Hood, TX 76544 DATE: 9 Aug 04 TIME: 1435
NAME: [REDACTED] b7c-4, b6-4
SSAN: [REDACTED] b7c-4, b6-4
STATUS: E-4 / Active Duty
ORGANIZATION/ADDRESS: A Co, 1st Battalion, 22nd Infantry Regiment, Fort Hood, TX 76544

I have been in A Co since 9 Jan 01. My unit and I arrived in Iraq on 15 Apr 03. My unit was based 5 miles south of Tikrit. Our mission was to provide security in and around Tikrit. Our missions consisted of doing raids on houses and buildings, and other things as needed. From the middle of Jun 03 through the end of Aug 03, my unit conducted numerous raids on houses within Tikrit. On a raid, we would enter into a house, separate the women and children from the men. Then we would zip tie the men's hands together. We would search the house for weapons, ammunition, pictures, identification, large sums of money, and other items of intelligence value. Once the men were detained, the interpreters would interview the person(s) and confirm their identity, or find out where the people we were looking for could be found. If it was a person we were looking for, we would load them into a vehicle and transport them to the Battalion Headquarters. The Battalion Headquarters was the location of the EPW cage, which was a temporary holding facility for detainees. Upon arrival at Battalion, the person detaining the individual would have to fill out the paperwork for them. The paperwork consisted of what the raid was, who the person was, and why they were being detained. We would have to do detailed sworn statement on what our course of action was with the detainee. The detainees were required to have a hood over there head so that they did not see the routes that we were using. The detainees were required to stay quiet and not talk amongst themselves. We would sometimes use sandbags for the hoods, but most of the time it was a blindfold of some material. Once we arrived at Battalion, we would be required to take the detainees off the truck and separate them from each other in a holding area. The paperwork would be completed, and then responsibility would be released to the EPW guards. On two separate occasions, I was called back from my company to help escort some of the detainees I detained from the Battalion area up to the Brigade detention center. The process was similar to that at Battalion, with the exception of being more detailed on the sworn statements.

[REDACTED] b7c-4, b6-4
A. [REDACTED] b7c-4, b6-4

Q. At any time were you physically abusive to a detainee that was in your custody?

A. No.

Q. At any time did you place the muzzle of your weapon against the head of a detainee that was in your custody?

A. No.

Q. At any time did you sexually abuse a detainee that was in your custody?

INITIALS OF PERSON MAKING STATEMENT [REDACTED] b7c-4, b6-4

Page 1 of 3 Pages

Exhibit: 4

"Statement of [redacted] Continued:"

A. No.

Q. At any time were you instructed by a superior or other personnel to physically, sexually, or mentally abuse a detainee?

A. No. As far as I know, nothing like that has happened within my unit.

Q. Prior to leaving for Iraq and in preparation for, were you trained on the handling of detainees?

A. I honestly don't remember, but I am sure we were told how to at one point or another.

Q. Do you know of any individual within your unit or that was working with your unit in Iraq that may have abused a detainee?

A. I never saw anyone abuse a detainee. I heard on a couple of occasions of someone within the Division or Brigade level, but never heard their name.

Q. Were you instructed on what to say at this interview by anyone within your unit?

A. No.

Q. Do you know an Iraqi man by the name Mr. [redacted] b7c-4, b6-4

A. I have no idea who he is. I went through so many raids and dealt with so many people. A lot of the time we would bring the men to the Battalion area with no identification. Many times we would have the interpreter give us their name.

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

A. Not at this time. ///END OF STATEMENT/// [redacted] b7c-4, b6-4

INITIALS OF PERSON MAKING STATEMENT: [redacted]

Page 2 of 3 Pages

Exhibit: 4

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Statement of b7c-4, b6-4 Continued."

AFFIDAVIT

I, b7c-4, b6-4, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTOOD THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

b7c-4, b6-4
(Signature of Person Making Oath)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 9th Day of August, 2004

ORGANIZATION AND ADDRESS

(Signature of Person Administering Oath)
Special Agent b7c-1, b6-6, b2
(Typed Name of Person Administering Oath)

Art. 136, UCMJ

(Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT b7c-4, b6-4

Page 3 of 3 Pages

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Exhibit. 4

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0093-04-CID065-

PAGE 1 OF 1 PAGES

DETAILS

About 0900, 11 Aug 04, this office received a CAT 1 Request For Assistance (RFA) (0245-04-CID259-80279 from the Detainee Abuse Task Force, 22nd Military Police Battalion (CID)(FWD), 3rd Military Police Group (CID), Baghdad, Iraq, APO AE 09342, to fully identify and interview SGT [REDACTED] b7C-4, b6-4 411th Military Police (MP) Company (CO), 89th MP Brigade, Fort Hood, TX 76544 (FHTX), concerning his knowledge of the interrogation of an Iraqi detainee, Mr [REDACTED] National Detainee b7C-4, b6-4 Reporting System (NDRS) Number [REDACTED] b7C-4, b6-4

About 1615, 12 Aug 04, SA [REDACTED] b7C-4, b6-4 advised SGT [REDACTED] b7C-4, b6-4 of his rights, which he waived, and provided a sworn statement in which he related he only witnessed about three interrogations while he was assigned in Iraq, and did not know Mr [REDACTED] (See Sworn Statement for details) b7C-4, b6-4

STATUS: This RFA is closed in the files of this office. All requested activity has been completed, and no further investigative activities are anticipated.

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

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA [REDACTED] b7C-4, b6-4, b2		ORGANIZATION Fort McCoy CID Office, 3 rd MP GRP (CID), Fort McCoy, WI 54656	
SIGNATURE [REDACTED]	DATE 12 Aug 04	EXHIBIT 5	

CID FORM 94 FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE
(Automated) Protective Marking is Excluded From Automatic Termination (Para 13, AR 34-16)

RIGHT WARNING PROCEDURE/WAIVER CERTIFICATE

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

DATA REQUIRED BY THE PRIVACY ACT 0093-04-CID065-

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: [Redacted]
2. DATE: 12 AUG 09
3. TIME: 1616
4. FILE NO.: 0093-04-CID065
5. NAME (Type or Print): [Redacted]
6. SSN: [Redacted]
7. GRADE/STATUS: E-5/AD
8. ORGANIZATION OR ADDRESS: 411th MP CO, III CORPS and Ft Hood Fort Hood, TX 76544

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: Noncompliance with Procedural Rules; Assault; Dereliction of Duty/// [Redacted]

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 question or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. 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.
4. I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or to speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

Section B. Waiver

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

WITNESSES (If available)
1a. NAME (Type or Print)
b. ORGANIZATION OR ADDRESS AND PHONE
2a. NAME (Type or Print)
b. ORGANIZATION OR ADDRESS AND PHONE
3. SIGNATURE OF INTERVIEWER
4. SIGNATURE OF INTERVIEWER
5. SIGNATURE OF INTERVIEWER
6. ORGANIZATION OF INVESTIGATOR: Fort McCoy CID Office, Fort McCoy, WI 54656

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

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USAPA 2.01

EXHIBIT 6

SWORN STATEMENT

FILE NUMBER : 0093-04-CID065-
LOCATION : [REDACTED] b7c-4, b6-4
DATE : 12 Aug 03 TIME: 1650 [REDACTED] b7c-4, b6-4
NAME : [REDACTED] b7c-4, b6-4
SSAN : [REDACTED] b7c-4, b6-4 Grade/Status: E-5/AD
ORG/ADDRESS : 411th Military Police Company, 720th MP BN, 89th MP BDE, III CORPS, Ft Hood, TX 76544

[REDACTED] b7c-4, b6-4
[REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER

OATH: I deployed to Iraq in Mar 03, and arrived at Camp Iron Horse, Tikrit, Iraq around May 03. While assigned there, I performed duties as both a detainee guard and as a detainee guard NCOIC at Camp Pack Horse around Sep 03, for approximately one month. My duties as a guard placed me inside a horse stable used as a detainee facility and I guarded the interior cells. We knew the guards by their numbers, we didn't care about their names. I remember the numbers used when I was at the facility went as high as 3 or 4 numbers. Another platoon in my company relieved us and my company went on patrol.

Q: Do you know a detainee by the name of [REDACTED] b7c-4, b6-4?

A: No.

Q: When you were a detainee guard, did you ever observe any interrogations?

A: Yes, about three.

Q: During your time in Iraq, did you ever observe any US personnel point or put a weapon to a detainee's head?

A: No. In Falluja my squad captured two Iraqi's who had shot some Iraqi civilians and fled the area. We pointed our weapons at them, but only until they were in hand cuffs for our safety.

Q: Did your squad place either of the two men in a hood?

A: For transport purposes only.

Q: Was that policy for your unit?

A: Yes. Anytime we moved prisoners we put a bag over their head so they could not see where they were going.

Q: Do you know the names of the two Iraqi's?

A: No. We took them to Falluja and released them to the 3rd ACR in Falluja.

Q: Who conducted the interrogations you observed?

A: Military Intelligence personnel in Tikrit.

Q: During any of the interrogations you observed, did you witness any detainee being tortured or assaulted by US personnel?

A: No.

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

A: No.//End of Statement// [REDACTED] b7c-4, b6-4

[REDACTED] b7c-4, b6-4

INITIALS OF PERSON MAKING STATEMENT: [REDACTED] b7c-4, b6-4

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EXHIBIT 6

"Statement of [REDACTED] Continued:"

A. No.

Q. At any time were you instructed by a superior or other personnel to physically, sexually, or mentally abuse a detainee?

A. No. As far as I know, nothing like that has happened within my unit.

Q. Prior to leaving for Iraq and in preparation for, were you trained on the handling of detainees?

A. I honestly don't remember, but I am sure we were told how to at one point or another.

Q. Do you know of any individual within your unit or that was working with your unit in Iraq that may have abused a detainee?

A. I never saw anyone abuse a detainee. I heard on a couple of occasions of someone within the Division or Brigade level, but never heard their name.

Q. Were you instructed on what to say at this interview by anyone within your unit?

A. No.

Q. Do you know an Iraqi man by the name Mr. [REDACTED]?

A. I have no idea who he is. I went through so many raids and dealt with so many people. A lot of the time we would bring the men to the Battalion area with no identification. Many times we would have the interpreter give us their name.

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

A. Not at this time. ///END OF STATEMENT/// [REDACTED]

INITIALS OF PERSON MAKING STATEMENT: [REDACTED]

Page 2 of 3 Pages

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Exhibit:

"Statement of b7c-4, b6-4 Continued:"

AFFIDAVIT

I, b7c-4, b6-4, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTOOD THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 9th Day of August, 2004

ORGANIZATION AND ADDRESS

(Signature of Person Administering Oath)

Special Agent b7c-1, b6-1, b2
(Typed Name of Person Administering Oath)

Art. 136, UCMJ

(Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT b7c-4, b6-4

Page 3 of 3 Pages

Exhibit.

AGENT'S INVESTIGATION REPORT

ROI NUMBER 0245-04-CID259-80279

CID Regulation 195-1

PAGE 1 OF 1 PAGES

DETAILS

About 1038, 3 Sep 04, SA ^{b7c-1, b6-1} [REDACTED] coordinated with CPT ^{b7c-1, b6-1, 3} [REDACTED] Office of the Staff Judge Advocate, Multi-National Force Iraq, APO, AE 09342, and briefed him the aspects of the investigation. CPT [REDACTED] unfounded the offenses of Assault and Cruelty and Maltreatment due to the lack of credible evidence to prove the offense had occurred. ///Last Entry///

b7c-1, b6-1, 3

^{b7c-1, b6-1, 2}
TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED]

ORGANIZATION

Detainee Abuse Task Force, 22nd Military Police Bn (CID)(FWD), APO, AE 09342

SIGNATURE [REDACTED]

DATE

3 Sep

EXHIBIT

7

CID FORM 94
1 FEB 77

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