

DEPARTMENT OF THE ARMY HEADQUARTERS TASK FORCE IRONHORSE TIKRIT, IRAQ

REPLY TO ATTENTION OF #

AFYB-CG

24 August 2003

MEMORANDUM FOR MAJ		Headquarters,	2d Brigade,	4th Infantry	Division
(Mechanized), FOB Warhorse,	Baqubah, Iraq			•	

SUBJECT: Appointment of Investigating Officer

- 1. You are hereby appointed an investigating officer pursuant to AR 15-6 to conduct an informal investigation into three (3) allegations of soldier misconduct contained in a sworn statement by PFC 2d Brigade, dated 18 August 2003.
- a. Unlawful use of force. Whether SFC ordered soldiers to fire an MK-19 on unarmed civilians (men, women, and children), and whether civilians were wounded or killed in the incident.
- b. Maltreatment of detainees. Whether members of BRT, 2d Brigade placed detainees on top of a HMMWV, between the brush guard and hood during transportation to Brigade holding area.
- c. Theft of private property. Whether members of BRT, 2d Brigade stole property from the homes of Iraqi citizens and the property of detainees.
- 2. You will use informal procedures under AR 15-6, Chapter 4. You will make specific findings and recommendations on all relevant issues you identify in the course of your investigation. If, during your investigation, you suspect that persons you intend to interview may have violated any provision of the Uniform Code of Military Justice (UCMJ) or any other criminal law, you must advise them of their rights under the UCMJ, Article 31, or the Fifth Amendment, as appropriate. Rights warnings and waivers will be documented on DA Form 3881. All witness statements will be sworn and recorded on DA Form 2823.
- 3. Prepare the report of proceedings on DA Form 1574 and submit the original to me within 10 days of receipt of this memorandum. You must submit any requests for delay to me in writing. Include with your report all documentary evidence, sworn statements, and other information or evidence you considered.
- 4. Before proceeding with the investigation, contact CPT and in at 534-and initial legal briefing. CPT will serve as your primary legal advisor.

FOR THE COMMANDER

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COL, GS Chief of Staff

Enclosure I



DEPARTMENT OF THE ARMY HEADQUARTERS 2BCT, TASK FORCE IRONHORSE FOB WARHORSE BAQUBAH, IRAQ

AFYB-CO-S6

3 September 2003

MEMORANDUM FOR Chief of Staff, Headquarters, Task Force Ironhorse

SUBJECT: Findings and Recommendations of the investigation into alleged violations of the Law of Land Warfare

1. Findings.

- a. Allegation number one. The allegation of unlawful use of force on 8 June 2003 is unsubstantiated. There is no credible evidence that civilians were fired upon by members of the 2nd BCT BRT. All of the 16 individuals interviewed stated that no unarmed civilians were attacked that night. SSG (Exhibit 2) stated that he fired 2 rounds from his M-16 at an armed individual. Both rounds missed the target. After the individual fled into a field SSG says that 5 40mm rounds were fired. PFC (Exhibit 3) puts the number of 40 mm rounds at 15. SSG stated that 2 round apparently hit some Palm trees next to a house. SPC (Exhibit 4) stated that he saw 2 men through his LRAS and one of them had hot spots in the shoulder area. This could indicate that an individual was bleeding but it is inconclusive. The wounded individual in question was the purported individual that fled into the field. SSG (Exhibit 5) from A section, 1st platoon arrived on site approximately 5-10 minutes after the incident started. He stated that a thorough search of the area was conducted and they did not find any weapons, impact points, blood trails, or damage to vehicles or buildings. SFC (Exhibit 6), SGT (Exhibit 7), and all stated that another search of the area the next morning failed to reveal anything also said that after talking to the locals they gathered that no one had been injured. There is no evidence to suggest that civilians were fired upon on that night.
- b. Allegation number two. There is no proof that the allegation of maltreatment of detainees is true. Every member of the platoon (Exhibits 2-17) did admit to transporting detainees on the hoods of the vehicles. No one admitted to stuffing detainees between the brush guard and the hood of the vehicle. It is physically impossible to put a person in between the brush guard and the hood. There is only 3 inches of clearance behind brush guard. The distance and speed traveled varied among those individuals interviewed. The shortest distance reported at 1-11/2 kilometers. SSG and SSG estimated the distance to be 10-15 kilometers. The speed varied from 15 mph by SPC Fegahali (Exhibit 8), and SPC (Exhibit 9) to 30 mph by SPC (Exhibit 10), SGT Exhibit 11), CPL (Exhibit 12), SPC and SPC (Exhibit 13). Although members of the BRT did not mistreat the detainees, placing them on the hood is not a safe method of transportation. There is also no evidence that any detainee was ever severely beaten by members of A section, 1st Platoon. Four individuals, SSG SPC (Exhibit 15), did admit that they had to get physical with one detainee who and PFQ

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Enclosure II

Page 1 of 2

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resisted their attempts to apprehend him. SPC Exhibit 16) stated that PFC did tell him that CPT beat a detainee. There is no evidence to support this claim.

c. Allegation number three. The third allegation of theft of private property is uncorroborated. Every member of the platoon denies the allegation. Seven members of the platoon, SSG and SPC SPC SPC SPC (Exhibit 17), SPC and PFC and admit to confiscating money and other items from detainees. Each one asserts that the items were turned in to the supported Task Force. SFC SPC and PFC claim that on several occasions health and welfare searches were conducted to ensure no personnel possessed confiscated property. Every member of the platoon also denies following vehicles to nice homes so that they could be searched for valuable items. There is no corroborating evidence that members of the platoon stole property from detainees or Iraqi Citizens.

2. Recommendations

a. Allegation number one. Take no action against SFC There is no evidence to support the allegation of unlawful use of force.

- b. Allegation number two. Although the allegation of maltreatment of detainees is not substantiated, the platoon leadership should coordinate for appropriate vehicles to provide safe transportation of detainees if the tactical situation permits. No administrative or judicial actions should be taken.
- c. Allegation number three. Take no action. There is no evidence that any member of 1st platoon committed theft against any detainees or Iraqi citizens.
- 3. Point of contact is the undersigned at DSN 302-534-7

MALSC

MAJ, SC Investigating Officer

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Enclosure II

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EXLIBIT 1

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BRT 22 BDE 4ID 1 + PLT.

It all started with my platoon sergant kunning and hiding every time we set into a fine fight There is about 4 to 5 times where he abandoned up ina fight The joke of the plt was him running archibiling. He must of heard us talking about Lim one day because right before a mission one risho he went up to dis sunner and asked him If he wanted to test the M-19 out on some one tanight. We went on a patrol mission that night to We usually just drive around and look for people with AKS and conforstate them. We have always been able to deive up to them and take the invegion from them with no shots tired. That high on a mission werseen a IRAQI civilian walking towards is on the other side of the samuel. so he orecided to set up an embush and Kill him in strad of driving up to him and taking the weapon he haited until he was heat to as on the other side of the canal and opened are on him, He never took his weapon of his shoulder. He just ran away from us into the feild for colver. Or the country side in IRAQ all people have glars for protection because most of them have hever even seen an American soldier.

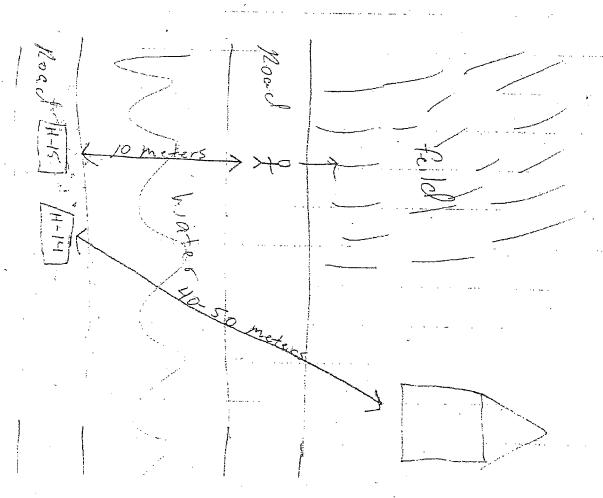
After the man ran into the field for cover we waited, dose to a minute and there was herer any Fire returned. That's when my plt SGT told his gainer to spray the field with M-19 rounds. The gumer put about 45 rounds into the Rield, still there was no return fine. But next door to the best was a house. It is so hot over them that every one sleeps sub side. After the M-19 etplosions all you heard was homen and children screaming. My PH SET told my ganner to get eyes on the Louse with the best LRASSS. There were I men - 4-6 women and about 10 children My PLT SGT asked my gunner it there was any weapons and he said no that the twent were just trying to get them all inside. Then a single shot come from of in the distance well over 500 neters away Then my 1/t 55T said FXXX Its and light them up. His gunner shot about 3-4 M-19 dound's into the front yard and Everyone else shot there M-165. It lasted about 10 seconds, . Then we just stoped and Watched them. My gunner booking through the Like A.S.S. seen that the 2 men were injured, One of them had dis arm half blown off. All the people at the house were panicing. Some ran into the woods, some into the house, and a couple ran next door to, another house. his just sat there and watched them.

Statement of

Jaken at 1350

Rated 2003 08 18

Finally a stay drove by and boaded a bunch of injustage in it and drove of And so did we looking for motion people to Kill. The KOE for us over there was to engage and capture the enemy, seize all weapons, and give medical attention to any one hunt. The ROE was not fall owed because there were no even or weopons.



statement of (b)(b)2

We would also take pows and there wasn't anyone to come pick him up so we would put the pow on top of the Hund with the gunner until one toyed to throw up. After that we would may the them and Stuff them In between the hood and the brush gard of the Humr. I asked to at least the his leg to the brush guard so take dont fall off and My NCO would say who cares, if he falls off. We just ran him over and one less one to worry about. When we captured a join in a vehicle we had to call a tow truck to pick 1/4 is One day we didn't seed teal like waiting so they threw an incinerary granade in it and told the CO that it crashed into the ditch and caught fixe. There are other times when we would seach houses and steal stuff from the houses or the pows: such as bricks of money. IRAQT army metals uniforms, pictures of Saddam, Tshirts wish his tace on them all the way down to ciggarrette lighter They would drave down the road and see a car pull into a nice house and say the car was ounning from them to search the house and see what they could get. There is a story about it section Yost control on a FRAUI and beat him half to death. Bad enough that the whole hood of the Hume was covered in blood. 6532 Switzmeno of Jaken at 1350

Pared 2003 08/8

After the incident we got back into our truck and continued our patrols. A section was on there way to meet us. We spotted what we though was people burriets we apons up then road. So we haited for Asection to show up. Then we senthed for the weggons We couldn't find any so we returned to the house. MY Matoon I wader and some of my noos went to seach the house but we had prouble finding it. We don't know if we ever found the right house.

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 HERE OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE WITNESSES: Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18th day of AUCUST, 7003 at ROOM C22H, BLDG 1001, FHTX TOOM 122H BLDG 1001, FHTX Typed Name of Feisan Administering Oath) Tuda: Advocate, Captain, 11.5 Army	TATEMENT OF	TAKEN AT. 1350 DATED 2003 0818
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WITNESSES: Subscribed and swom to before me, a person authorized by law to administer oaths, this 18th day of August , 2003 at ROOM (224 BLDG 1001). FHTX PROOM (224 BLDG 1001). FHTX DRGANIZATION OR ADDRESS TIALS OF PERSON MAKING STATEMENT TIALS OF PERSON MAKING STATEMENT I HAVE INTITIALED THE ENTIRE STATEMENT MADE THIS STATEMENT FREELY WITHOUT HAVE INTITIALED THE BOTTOM OF EACH PAGE ON THE STATEMENT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE. Subscribed and swom to before me, a person authorized by law to administer oaths, this 18th day of August , 2003 at ROOM C22H , BLDG (0001), FHTX Tryped reams of reison Administering Oath) Tudas Advocate, Capitain, ILS Army (Authority To Administer Oaths)		
Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18th day of Aurust , 2003 at ROOM CZZH BLDG (OAD) FHTX PROM CZZH BLDG (OAD) FHTX ORGANIZATION OR ADDRESS CREANIZATION OR ADDRESS FIALS OF PERSON MAKING STATEMENT		FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE
Subscribed and swom to before me, a person authorized by law to administer oaths, this 18th day of Aurust 7003 at ROOM (224 BLDG 1001) FHTX PROM (224 BLDG 1001) FHTX Proper varie of reison Administering Oath) Tudg: Advocate, Contain, ILS Army (Authority To Administer Oaths)	CONTAINING THE STATEMENT. I HAVE MADE THIS STATE	MENT FREELY WITHOUT HODE OF BENEFIT OF REWARD, WITHOUT
Subscribed and sworn to before me, a person authorized by law to administer paths, this 18th day of August 7003 at ROOM CZZH, BLDG 10001, FHTX CORGANIZATION OR ADDRESS ROOM CZZH, BLDG 10001, FHTX Typed Name of Ferson Administering Oath) Tudg. Advocate, Cantain, I.S. Array (Authority To Administer Oaths) FIALS OF PERSON MAKING STATEMENT	THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLA	AWFUL INFLUENCE
Subscribed and sworn to before me, a person authorized by law to administer paths, this 18th day of August 7003 at ROOM CZZH, BLDG 10001, FHTX ORGANIZATION OR ADDRESS ROOM CZZH, BLDG 10001, FHTX ITYPER Name of Ferson Administering Oath) Tudg: Advocate, Cantain, 11.5 Army (Authority To Administer Oaths) FIALS OF PERSON MAKING STATEMENT	•	
administer paths, this 18th day of ALKUST, ZQQ3 at ROOM CZZH, BLDG (QXD), FHTX DRGANIZATION OR ADDRESS ROOM CZZH, BLDG (QXD), FHTX Typed Name of Ferson Administering Oath) Tuda: Advocate, Cantain, Il.S Army (Authority To Administer Oaths)		(Signature of Fersal Statement)
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FIALS OF PERSON MAKING STATEMENT PAGE 7 OF 7 PAGES	ORGANIZATION OR ADDRESS	(Typeu Name or Ferson Administering Oath)
PAGE 7 OF 7 PAGES	ROOM 1224 BWG 1001, FHTX	(Typeu Name or Ferson Administering Oath)
	ORGANIZATION OR ADDRESS ROOM (224, BWG 1001, FHTX ORGANIZATION OR ADDRESS	(Typeu Name or Ferson Administering Oath)

ACLU-RDI 1866 p.10

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SWORN For use of this form, see AR 19	STATEMENT 0-45; the proponent agenc	y is ODCSOPS	. •
LOCATION	DATE TIM		FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY NUM	BER	GRADE/STATUS
ORGANIZATION OR ADDRESS			-34
BRT, 2BCT, 4ID	· .		·
1,	WANT TO MAKE THE	FOLLOWING ST	ATEMENT UNDER OATH:
Q'what is your position?			
A I'm the section sergeant f	or B section 1	ST Platoor). (1997)
Q How long have you been in 1	he platoon?		
A. 2 years and I month,		,	,
Q Did you know PFC			
A yes, he was my driven	•		
Q Has any member of the BF placing them between the HUMVEE?	iT ever transpor brush guard a	rted a dend the f	etainee by
A No, But we have place the gunner on top	ed them on -	the Acod	and behind
Q Who made the decision to A. I think it was CPT	o transport th	en that	way?
the detainers that way	ed and dista	nce that	you transported
The max distance was a about 30 Km per hour	1600× 10-15 K	ms. The 1	may speed was
A Has any member of the BI A Not as far as I know		na Deto	iinee?
Q Has anymember of the or detain ees? Incl	BRIEVER Stol	en proper bricks o	ty from civilians fmoney
A live never seen anyon quantity of Dinar wil	ne do that, -	L're vere	erseen a large
EXHIBIT 2 INITIALS OF	PERSON MAKING STATEN	MENT PAG	SE 1 OF 2 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEM THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INIT AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES A STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF AN	TALS OF THE PERSON MA NRE UTILIZED, THE BACK (DATED KING THE STAT OF PAGE 1 WILL	CONTINUED." EMENT AND BE INITIALED
DA FORM 2823, JUL 72 SUPERSEDES DA FORM 282	2 1 1401 69 14/11/04 14/11	DELICED	USAPPC V2.00

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of FOB Normandy during A. Brave section was returning north Of Ed Normandy during A. Brave section was returning north Off. finished out an Iragi of the diffe. I fold off. To ste stepped across a palm grove towards a he approxamithey to rounds at the sagi so we manuvered so reported and I also seen one in the hold and two round app of the house. Spe information existing the it looked like one make was Civilian whicle pilled up looded Once the plateon was reorganized a no should or impact areas from	for a patrol south along a dike road. make valking south on the appesite side to stop the vahicle and collod it up told me to engage thee Iragi. I had I have creater and he took at running rose. SFC Then told PFC was morning the MK-19. He fired individual. We lost contact with the for bother eyes spe round fell short, two rounds hit percently hit palm trees just outside of me that there was two males borso with no wayons. He soid that Sheeding from his right shoulder A about for people and drove off. e did a saarch of the area to fined
this incode of happined on June 9th 20	
AF	FIDAVIT
WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTORIAL STATEMENT. I HAVE MADE THIS STATEMENT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFULL.	LEREELY WITHOUT HODE OF DEMERT OF DEMARD, WITHOUT
WITNESSES:	Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 H day of August , 12003 at
ORGANIZATION OR ADDRESS	(Signature or reison Auministering Oath)
ORGANIZATION OR ADDRESS	(Typed Name of Person Administering Oath) A C (5-6) (Authority To Administer Oaths)
INITIALS OF PERCON MANUELS OF	
INITIALS OF PERSON MAKING STATEMENT	PAGE O DE O DAGES
000 ((2)(PAGE 2 OF 2 PAGES (53(a) USAPPC V2.00

	CM/ODE	U OTATEMMENT		
	For use of this form, see AR 19	N STATEMENT 90-45; the proponent a	gency is ODCSOPS	
LOCATION	**************************************	27 AUG 03	TIME (530	FILE NUMBER
LAST NAME FIRST NAME MIDD	NE NAME	SOCIAL SECURITY	NUMBER	GRADE/STATUS
ORGANIZATION OR ADDRESS BET, 2 BCT, 4	ID.			25
-		WANT TO MAKE	THE FOLLOWING S	TATEMENT UNDER OATH:
Q - How long ha	ve you been in t	he Natora?		;
- Since JAN	2002	product,		
Q-Did you kn	ion PFC ?			
Q-Are you an	ware of any patro	is along a co	inal?	•,
Q- At anytime		rols did you		eny unarmed Civiling
Q Are you o Ordered y	aware of a pati	ol along a con a civilia	anal When an carryin	SFC AK-47?
	an into a field.), I fired aba			e to fire into
Did you No, we	receive any redid hear gui	turn fine?	distance	
Did you No, ne	fire od any cin	vilians?		
Q Did SFC	reral times he w	ould run a	way and I	l'e down
in the alone	prone. Leaving	me and the	o driver to	fight
	ever see member and brush guard			cinees between
A Not bet place the	ween the grill of m on the Hood of ane too Pack	ind Brush gu r behind the	lard, we so	ometimes would because our
EXHIBIT 3		PERSON MAKING ST		AGE 1 OF 2 PAGES
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DA FORM 2823, JUL 72	SUPERSEDES DA FORM 28	23, 1 JAN 68, WHICH	H WILL BE USED.	USAPPC V2.00
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ACLU-RDI 1866 p.13

DOD-044996

P	
	STATEMENT (Continued) -
	Q who made the decision to place detainers on the Hood?
	A. I'm not sure it might have been our old platoon leaden
	CPT (LINE 1997)
-	Q Did you ever hear or see a detainer being beaten by member of the BRT?
-	Are you aware of any soldiers in the BRT who stole items from I ragi homes and detainees including "bricks of money", I ragi Service medals, and pictures of SADDAM?
	A' We would confiscate items but we would always turn then into 2-8 IN.
	A No.
	all (b)(6) Z!
-	
╁	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 THE STATEMENT, AND WITHOUT COERCION, UNLAWFUL INFL.
١	WITNESSES: Subscribed and sworn to before me, a person authorized by law to
	administer oaths, this 27th day of August 192003
	ORGANIZATION OR ADDRESS
-	(Typed Name of Person Administering Oath)
	ORGANIZATION OR ADDRESS (Authority To Administer Oaths)

(538) USAPPC V2.00

ONACOTAL	OT 8 753 853 17	Solven	and the second s
For use of this form, see AR 190	STATEMENT 0-45; the proponent agency	is ODCSOPS	
LOCATION	DATE TIME 27 A 44 03 15	330	ILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY NUME	BER	GRADE/STATUS
ORGANIZATION OR ADDRESS BRT, 28CT, 4ID			<i>*</i>
	WANT TO MAKE THE	FOLLOWING STA	TEMENT UNDER OATH:
Q How long have you been in the A Since JAN 2002			7.EME. (1.7. 67. 67. 111.
Q Did you know PFC ? A. Yes, He was ny driver		ć 0 N	, , , , , , , , , , , , , , , , , , ,
Q. Were you ever on a Patrol i Canal where you saw an i	nalloud car	. 1. 3	
A. On one mission along a cleft with an AK-47. SS. at the man the shots me that fired 2-4 rounds a shot come from down the down the road and orien might have come from. I my shoulder into the M240 the MK-19, where those resulting when injured or a saw 2 men injured or a LRAS, The mens shoulders had been hit. One man house and one went bely sur pulled up later and	can short nissed and he of MK-19 into ne road some nted to where was facing to B. I heard a ounds landed, appeared to be shad hotspots ran down the nind the howe	fled interpretations fled interpretation the field. the field. the field. we though our 9th few more I don't Kr injured that look we thank took with so	we heard a en we moved on the fire O'clock with rounds from now. I laten through my al like they mand another me other people
Q Did any member of your wounded Civilians?	platoon gire	first A	id to the
A. No, they were on the just soil and watched. Q could you point this out		f the ca	nal. We
	PERSON MAKING STATEM	MENT PÄGE	1 OF 2 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEM THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INIT AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES A STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF AN	TIALS OF THE PERSON MA ARE UTILIZED, THE BACK (KING THE STATE OF PAGE 1 WILL B	MENT AND BE INITIALED
DA FORM 2823, JUL 72 SUPERSEDES DA FORM 282	3, 1 JAN 68, WHICH WILL	BE USED.	USAPPC V2.00

ACLU-RDI 1866 p.15

STATEMENT (Continued)	3
Q Are you aware of any mem	hers of the BRT who placed
detainees between the Dru	sh guard and the hood of a HUMVIE?
A. No. We did place them	on the hood.
1 Day Carry Cuant	2
a How far would you drive	with them this way?
A About lor. 1/2 Kms.	
- Q How fast were you travelin	, with the detainers on the hood!
Mr. + Oont Know, Maybe.	30 mph. news that were beaten by members of the
Q Are you aware of any detail	ness that were beaten by members of the
BRT?	,
A. No.	
l _	
Whe you awar of any o	ccasions when members of the BRT ns from Civilians?
Stale money or valuable iter	ns from Civilians?
A NO.	
	1 hora of the BRT would
Q thre you aware of any insta	ences when members of the BRT would
follow a vehicle to a "nice"	, Nouse and then sedion in the
under the prefext that t	he vehicle had tried to flee?
ANO	
Q Is there anothing you	e can add to this investigating?
A. NO	
V7. 100	
AFF	DAVIT
	, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT
WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE I FULLY	JNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE
BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTION OF THE STATEMENT. I HAVE MADE THIS STATEMENT	ECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE
THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL	INFLUENCE, OR UNLAWFUL INDUCEMENT.
4	
	(Signature of Person Making Statement)
WITNESSES:	Subscribed and sworn to before me, a person authorized by law to
¢ .	administer oaths, this 27th day of August, 19203
	at
	ARCHAN, .
ORGANIZATION OR ADDRESS	(Signature of Ferson Auministering Oath)
	g. San Naminotoring Satisf
	(Typed Name of Person Administering Oath)
ODC ANIZATION OF A DOCESCO	AR 15-6
ORGANIZATION OR ADDRESS	(Authority To Administer Oaths)
INITIALS OF PERSON MAKING STATEMENT	
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LOCATION	nor use or this form,	see AR 190-45; the pr	oponent agency ーーTIMI ムガ 3 14		FILE NUMBER	
LAST NAME, FIRST NAME,	MIDDLE MALE		ECURITY NUME	BER	GRADE/STATUS	
ORGANIZATION OR ABBRE	ess CT, 4ID					
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	,					
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a man	to our	(6ft N	1; th	\sim	4K-47	
My TC	shot tu	inor oc	rgs a	sith r	1116 at	
the ma	n. The sh	ots miss	ed and) he t	ledin	
to a	fe:10. H-	14. Lired	2-4	round	s of mk.	-19
into th	at feild. L	Ne Near	a s	not co	one fron	~
down	He road	sometim	e later	. 789d	to we	
moved	the new ob	e roada	nd di	iented.	to whei	`e
we th	wight the 1	Rire might	- have	Correl	som. I	was
4 Eccins	THO DI	9 O'clock	Him	m st	wylder in t	6
The ?	408 IL	and or fe	2ω m	ore roc	uds fro	n
the n	NK-19. W'	here those	\sim \sim \sim	s wor	A, Idon	TKNOW
I	= (akr scu	w to mer	wini i	red or	appeared t	olse
	gwed throughoutspots	ugh my	LRAS	I The	mens sho	u/der
0~	e man ran	down th	e trail =	tword	anothert	ouse
av.	one wer	it behind t	Le Mous	e will	n some of L	erproph
1+	Sur pulled	up later	and u	re neu	er sawti	~e
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DA FORM 2823, JUL 7:	2 SUPERSEDES DA	FORM 2823, 1 JAN 68	, WHICH WILL	BE USED.	USAF	PPC V2.00

For use of this	SWORN STATE form, see AR 190-45; the		agency is ADCSA	i De
LOCATION	DATE	16:03	TIME 2000	FILE NUMBER
LAST NAME FIRST NAME, MIDDLE NAME		SECURITY		GRADE/STATUS
ORGANIZATION OR ADDRESS BRT, 2 BCT, 4ID				/ 33 6
		.	· · · · · · · · · · · · · · · · · · ·	
1, _	, WAN	ГТО МАКЕ	THE FOLLOWIN	G STATEMENT UNDER OATH:
Q' what is your position I'm the A Section				
Q How long have you be A Since March 2002	en in the plat	00n?		
Q Do you know PFC	?	. '		•
A yes Q Are you aware of				
Ves. I recall the and it took 5-10 in arrived we searched no damage or impossings. We another search of after that search friendly and asked a gour recall anytic	incident. I ninuter for A of the area, l nact points r ereturned the the area. L either, The	heard Section Ne for No r di Ne di People in ho	them on to respond no be in the in the imes	the Rodio and. When we slood trails, and any MK49 and conducted and anything area were
between the brush transporting then	guard and th	e. hood	ofaHU	MVEE while
A No, we did tran	sport them or	1 the	hoods a	nd on top behind
the gunner Q How far and how hood?				
The farthest distant	nce was about	10-15	km and a	bat 25mph
EXHIBIT 5	INITIALS OF PERSON M	AKING ST	ATEMENT	PAGE 1 OF 2 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEATHE BOTTOM OF EACH ADDITIONAL PAGE MUST AS "PAGE OF PAGES." WHEN ADDIT. BTATEMENT WILL BE CONCLUDED ON THE REVE	BEAR THE INITIALS OF THE ONAL PAGES ARE UTILIZE	D THERA	AT DATED I MAKING THE S	CONTINUED."
A FORM 2823, JUL 72 SUPERSEDES	DA FORM 2823 1 JAN 6	0. WHICH	11011 DC 11075	

all (b)(4) 2

STATEMENT (Continued)
a detained?
A No, we did have to get physical with one individual when he resisted.
P Are you aware of any members of the BRT who stole valuables or Money from civilians or detainees?
A No, We have turned in large sums of money on orcasion.
Q Do you know of any soldiers who would follow cars to "nire" houses and then search the house for valuables under the preter that the rehide had tried to run from them A No
a Do you have anything to add to this investigation?
· ·
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.
WITNESSES: Subscribed and sworn to before me, a person authorized by law to
administer oaths, this <u>37</u> day of <u>Angust</u> , 19 <u>2003</u>
ORGANIZATION OR ADDRESS (Signature of Person Administering Oath)
(Typed Name of Person Administering Oath)
(Typed Name of Person Administering Oath)
ORGANIZATION OR ADDRESS (Authority To Administer Oaths)
INITIALS OF PERSON MAKING STATEMENT PAGE 2 OF 2 PAGES
PAGE 2 OF 2 PAGES USAPPC V2.00

ACLU-RDI 1866 p.19

				N STATEMENT		
LOCATION		For use of th	is form, see AR 1	90-45; the proponen		
		The Control of the Co		28 AUG 03	1840	FILE NUMBER
LAST NAME	FIRST NAME	, MIDDLE NAME		SOCIAL SECURIT		GRADE/STATUS SFC
B	ON OR ADDR	BCT, 41	D .			
		9				
1,_	大高神び	is your co	urrent du	ty position		IG STATEMENT UNDER OATH:
_		Sergeant				
4 .	octwe.	est the n	ood ano	the plas	in guard	by placing him of a HUMVEE?
	vo, b	ut A Sec re Hood	efion dia	d transp IMVEE	ort som	e detainers
(Dehina	yone eve of the gu to my t	inner?		inter on	top of a HUMVEX
hee a	w.er.e	2 riding	on the	hood?		red while they
	TM	not su	re hou	s far it c	var.	
	beat	en by m	rembers	of the	BRT?	nees that were
A	, NO,	I'm no	ot awar	e of any	•	ş
. بعصد	det	ain ees?	risper 19	trom Ir	aga cita	1
	I'm heal none	not au th and u of the	velfare soldier	any. I searches Kept o	conducte to ens	d several pure that ted property
XHIBIT (INITIALS OF	PERSON MAKING S	TEMENT	PAGE 1 OF 3 PAGES
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A FORM 28				3, 1 JAN 68, WHICH		USAPPC V2.00

all (b) (6) Z

Are you aware of an incident where B section engage on Individual carry an AK-47 along a canal in the vicinity of FOB Normandy during the May-June time Frame?

A-Brain Section RI4, RK WAS conductur A NIGHT partroll reported one Iraq; personell Ad our 10'O'clock will AK47. At 12-8 cmprz) Rules of Engagement for personell ortside of shome was to shoot on site. B see engaged will milig trom R14/my gunner SPC while Spc obsured from RIS with LRAS (Night Site). Intent MKIG rounds impacted short sending debree and my Ammw. Spe reported the somet individual moved back peross A dield set our 11 d'élaches Section force his eup Burst of mx19 rounds. Spc regorded that the suderitual was hit in his some but continued behind a villiage. Personell come out from the village haves she was surst of mx19 according to Spc on the LRAS. AT vo dome did I see any consenties coming by our location. the vext morning we redurned e guestimed the villingues and they reported to cot what there were no cousualties.

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NTAINING THE STATEMENT, I HAVE MADE THIS	AFFIDAVIT , HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT B I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE ED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT N, UNLAWFUL INFLUENCE, OR UNLAWELL INDUCEMENT.
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ONTAINING THE STATEMENT. I HAVE MADE THIS IREAT OF PUNISHMENT, AND WITHOUT COERCION	, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE ED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT N, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT (Signature of Person Waking Systement) Subscribed and sworp to before the second statement of the second sta
ONTAINING THE STATEMENT. I HAVE MADE THIS IREAT OF PUNISHMENT, AND WITHOUT COERCION	, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT B. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE ED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT N, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT (Signature of Person Waking Systement) Subscribed and sworn to before me, a person authorized by law to administer oaths, this 25 day of August 19203 at
ONTAINING THE STATEMENT, I HAVE MADE THIS	, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE ED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT N, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT (Signature of Person waking Systement) Subscribed and sworn to before me, a person authorized by law to administer oaths, this 25 th day of August 19203
ONTAINING THE STATEMENT. I HAVE MADE THIS IREAT OF PUNISHMENT, AND WITHOUT COERCION	, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT B. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE ED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT N, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT (Signature of Person Waking Systement) Subscribed and sworn to before me, a person authorized by law to administer oaths, this 25 day of 2007 at (Typed Name of Person Administering Oath)
ONTAINING THE STATEMENT. I HAVE MADE THIS IREAT OF PUNISHMENT, AND WITHOUT COERCION TNESSES: RGANIZATION OR ADDRESS	, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT B. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE ED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT N, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT (Signature or Person waking Systement) Subscribed and sworn to before me, a person authorized by law to administer oaths, this 25 th day of August 19203 at Asignature of Person Administering Oath)
ONTAINING THE STATEMENT. I HAVE MADE THIS IREAT OF PUNISHMENT, AND WITHOUT COERCION	, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE ED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT N, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT (Signature of Person Making Systement) Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29 ⁺² day of 2003 at 15 I FULLY UNDERSTANDING MACHINETING OATH) (Signature of Person Administering Oath) (Typed Name of Person Administering Oath)

all (b)(6) z

			<u>aa</u>	(4)(4) 2
For use of		RN STATEMENT 190-45; the propone	ent agency is ODCSO	PS .
LOCATION		DATE 28 AUG 03	TIME	FILE NUMBER
AST NAME, FIRST NAME, MIDDLE NAME		SOCIAL SECUR	ITY NUMBER	GRADE/STATUS
RGANIZATION OR ADDRESS				1 301
BRT, 2BCT, 4ID	· · · · · · · · · · · · · · · · · · ·			· ·
1,		, WANT TO MA	AKE THE FOLLOWING	STATEMENT UNDER OATH:
Q what is your pos		•		
A I'm the truck Co	ommanda ol	(H13 in A5	ection:	
Q How long have you	been in the	2 platoon?		
Aldmonths				
A Yest	C	•	,	
,				Late of
Q Have you or any the hood and w to a holding a	he brush go	n the BICL f ward of a HI	JIACED A DE	transport thom
A No, we have to movement we	ransported never mist	them on the treated and	hood for no , detainees	more than a 101
Q How fastwere y			ransported H	e detainees on the
A. No more than	,			
Q Po you know o	fanyone	who beat a	detorine?	
A.No.	·		4.	
Q Do you Know o other valuables	fany soldi	ier who sta	ole Bricks"	of money or
A.No.	110M 1219			, j
,				
A New Oil ONE DAY	e of an in ing an Ak dy, durin	cident whi -47 along a g the may	ere Bsection canal in totune ti	on engaged an the vicinity meframe?
Down a dike			700 UVG -	_
HIBIT)	INITIALS C	OF PERSONAL MANAGES	STATEMENT	AGE 1 OF 2 PAGES
ADDITIONAL PAGES MUST CONTAIN THE BOTTOM OF EACH ADDITIONAL PAGE N "PAGEOF PAGES." WHEN AL ITEMENT WILL BE CONCLUDED ON THE R	AUST BEAR THE IN DDITIONAL PAGES	IITIALS OF THE PERS	EN AT DATED_ ON MAKING THE ST	CONTINUED."
	·	323, 1 JAN 68, WHIC		USAPPC V2.0

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	<u> </u>
STATEMENT (Continued)	:
guy with an AK-47. A section was	
the contact report headed South	in support. Upon arrival to
B' sections location we (A section	i) were informed that they
had fired and wounded the shot with a MK-19 round that had	goy w/ the AK-47. He was blown of his arm so said
by the soldiers in Beection 'A'	section searched the surround-
ine area to find no injured per	ople nor any signs of impacts
of the MK-19 rounds. A' section	returned to the same
sight the tollowing day during da	ylight again to the no
impacts of the 40mm gernades. Talk	ling to locals we gathered
THE ONE THE STATE OF THE STATE	•
	•
	•
	, i
AFFIDA	AVIT
WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2 . I FULLY UN	HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT IDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE
DI ME. THE STAFEMENT IS TRUE, THAVE INTIALED ALL CORRECT	HONS AND HAVE INITIALED THE POTTOM OF FACILIBACE
CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FR THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL IN	EELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT IFLUENCE OR UNLAWFUL INDUCEMENT.
	(Signature of Person Making Statement)
WITNESSES:	Subscribed and sworn to before me, a person authorized by law to
a a	administer oaths, this 28th day of August , 192003

PAGE 2 OF 2 PAGES
USAPPC V2.00

AR-15-C (Authority To Administer Oaths)

65466

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

		SWORN STATEMENT		·
LOCATION	For use of this fo	rm, see AR 190-45; the propone DATE	TIME	OPS FILE NUMBER
	- 120 d. - 120 d.	27 AUG 03	1920	
LAST NAME	CIDOT NAME MIDITIE NAME	SOCIAL SECUR	TY NUMBER	GRADE/STATUS 5PC
ORGANIZATI	ION OR ADDRESS			
	ince JAN 2001		AKE THE FOLLOWI	NG STATEMENT UNDER OATH:
Q D;	d you know PFC			
A. A. R. IS	Jere you ever on a proving the MAY-JUN notividual carry an No. I'm in A Sedii adio Call from B. 5 minutes to get the NK-19 gunner said any damage. We is still didn't see an offered us drinks	Ak-47 on his son, When the iner Bection. We respond here, We looked a he fired the rowent back to the year back to the	dent happy and the hounds we would be the hounds we would be the exple in the	the took us about where the where the couldn't find he next day and he houses even
	Do you know of an letainees between to transport them No. But we have the gunner How fast and how fast and how fast and or to be	the how and to the holding transported them and you travel	the Brush area?, on the h	guard of aHUMVEE
	No more than 5		204 15-	Zomph,
A	Do you know who no I don't know	nade the decision	to transpo	ing them this way?
	Do you know of a bed detainers? 1. No. Im NOT a		ere memb	Decs of the BRT
EXHIBIT	8	INITIALS OF PERSON MAKING	STATEMENT	PAGE 1 OF 2 PAGES
THE BOTTOM AS "PAGE	AL PAGES MUST CONTAIN THE HEAD OF EACH ADDITIONAL PAGE MUST I OF PAGES." WHEN ADDITION WILL BE CONCLUDED ON THE REVERS	BEAR THE INITIALS OF THE PER DNAL PAGES ARE UTILIZED, THE	SON MAKING THE EBACK OF PAGE 1	STATEMENT AND BE INITIALED
DA FORM 2	823, JUL 72 · SUPERSEDES	DA FORM 2823, 1 JAN 68, WH	ICH WILL BE USED	. USAPPC V2.00

6546c

STATEMENT (Continued)	
Q Are you aware of any in took items from civilia	notances where any member of the BRT ins or detained and Kept them?
A No. Anything we found we were searched aft	I was turned it. On many occasions er raids
Vehicle to a "nice" house of them so that they co	stance, where soldiers would follow a Claim that the vehicles had run from uld search the house for valuable?
A NO.	else to add to this investigation?
	4.*
	* *
, , , , , , , , , , , , , , , , , , ,	AFFIDAVIT
of Mic. The Statewick IS TRUE, TRAVE INTIALED ALL CO	HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT LY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE RRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE, NT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT FUL INFLUENCE, OR UNLAWFUL INDUCEMENT. Re of Person Making Statement)
VITNESSES:	Subscribed and sworn to before me, a person authorized by law to administer oaths, this 274 day of 405
·	at,
ORGANIZATION OR ADDRESS	
	ignature of Person Aummistering Oath)
·	(Typed Name of Person Administrating Oath)
ORGANIZATION OR ADDRESS	(Authority To Administer Oaths)
IITIALS OF PERSON MAKING STATEMENT	
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· ·	USAPPC V2.00

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LOCATION	V , s	To dee of this form, see)	AR 190-45; the proponent DATE	TIME	FILE NUMBER
LASTAIAA	JE FIRST NAME, MID	OLE NAME	28 AUG 03	0830	CDADE IOTATUO
		ZEL MAIML	STORY SECTION		GRADE/STATUS
ORGANIZA	ATION OR ADDRESS				
	27	7 7			
1,			, WANT TO MAKE	THE FOLLOWIN	G STATEMENT UNDER OATH:
Q + V	uhat sectio,	n are you in?			
· 177,	1 Section				
$\mathbf{A}^{\mathbf{Q}}$	Uhat is ye	our position?			
H.	Im the p	latoon leaders	driven for 157	Platoan	
, Q	How long he	ave use has '	n the platoun?		
A	over 2 year	XL2	n the platoun!		
			·		·
PA.	Yes	law PFC			
· ·	. Are you a	ware of the	alleged incide	at involvin	y B Section along
•	a canal ro	oad in the vic	in it of EUBA	120 mainda	where they engaged
A	Thair	idual carning	- an 110-477	•	
	. 103, mg 1	rehicle was sh	e first one on	site for	m A section
. ~	to tech	PRIJECT OF JOA			
À	B Section	was herida	Jou arrived?		
	there we	dismounted c	and conducted in 110 of 110	ting for u	s. When we got
	Where tho	individud =	i al last	a search	of the field
	or the we	apon. We al	so looked for	M 1/ 1/2 !	he individual
	but didn	+ find any	we also sean	/11 K=17 //	n pact points
	of the ho	USP.	arso seare	STECK THE	outside area
\mathcal{G}	2 Did you	Speak to and	civilians that	. \ . ~	
A	. No, we	didn't have a	civilians from	t night?	•
	7 11112 - 1.	o one right a	il interpreter.		
	2 what has	ipened the nex	t marning?	0 -	1 .
*	of the ar	rea Ani	e area and co	unduded	another search
		in rigain, a	ne aldniti.	nd any	another search thing.
XHIBIT		_ 			
	4	INITIALS	S OF PERSON MAKING STA	ATEMENT	PAGE 1 OF 2 PAGES
ADDITIOI	NAL PAGES MUST CON	VTAIN THE HEADING "STA	ATEMENT OF TAKEN	AT DATED	CONTINUED "
O PAUL_		WHEN ADDITIONAL PAG	IES ARE UTILIZED. THE RA	CK OF PAGE 1 W	TATEMENT AND BE INITIALED VILL BE LINED OUT, AND THE
INICIVIEIYI	2823, JUL 72	OON THE REVERSE SIDE C	PF ANOTHER COPY OF THI	S FORM.	
1143		SUPERSEDES DA FORM	I 2823, 1 JAN 68, WHICH	WILL BE USED	USAPPC V2.00

6546e

of the doc shook to and of the civillars the resulting.
A I didn't dismount that morning, we never had an interpretare with us son I doubt anyone spoke to the civilians
QIs there anything else that you can add to this incident?
A. I personally think this is a BS story. It B Section had opened up with a MK-19 there would have been nothing left of the mun Hut that was there. We only found I AK round in the wall of the house. I never heard anyone making a statement about shooting at civilians
Q Did any member of the BRT transport detainers by placing them between the hood and the brush guard of the vehicle?
A NO, We would place them on the had or behind the garne in
a How for and how fast did you travel?
A, Maybe 15 km at the most our speed was about 15-20 mph on the good parts at the road. Q Are you aware of any incident where a member of the BRT beat a detainer?
A Not to my knowledge. We did have to wrestle an individual who was resisting apprehension.
Are you aware of any times that member of the BET Stake money from Civilians or detainoes? A. I am not aware of any theft by members of the BET. We did confiscate money but it was always turned in.
AFFIDAVIT
I,
WITNESSES: Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28th day of August, 19203
ORGANIZATION OR ADDRESS Stering Oath)
ath)
AR 15-6
ORGANIZATION OR ADDRESS (Authority To Administer Oaths)
INITIAL C OF REDCON MANUAC STATEMENT
INITIALS OF PERSON MAKING STATEMENT PAGE 7 OF 2 PAGES USAPPC V2.00

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	-For use of this fo		TATEMENT 5: the proponent a	agency is ODCSOPS	
LOCATION	TOTAGE OF THIS TO		0ATE 19A4403	TIME 1400	FILE NUMBER
LAST NAME FIRST	NAME, MIDDLE NAME	S	OCIAL SECURITY	NUMBER	GRADE/STATUS
ORGANIZATION OR BRT, 28	ADDRESS 3CT, 4ID				
	* * * * * * * * * * * * * * * * * * *				
Q. What	Section are you	ou in?	, WANT TO MAKI	ETHE FOLLOWING S	TATEMENT UNDER OATH:
Q How	long have you! I 14 months	peen in th	e platoon?		
A Yes	you know PFC			,	
carry: durin	you aware of any AK-47 and AK-47 and AK-47 and any - I aware of it	along a c Sune time t but I c	anal in the frame of the did not p	he vicinity	gagoda individual of FOB Normand, bocause my
Q Have the b	you eversee rush guard and, not betwee, I transport to	nadeto	ainee bei	HUMIVE	£ (,
ATA	the hood? I not sure the	espeed w Distance	you trans	sport the d	etainers &
A No	re you ever see	in member	's of the	BRT beat	a cletainee?
	·				
EXHIBIT //	D	INITIALS OF PE	RSON MAKING S	TATEMENT PA	AGE 1 OF 2 PAGES
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DA FORM 2823, JUL 72

SUPERSEDES DA. FORM 2823, 1 JAN 68, WHICH WILL BE USED.

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STATEMENT (Continued)	
Q Are gou aware of any ti	me members of the BRT stole
Valuable Items and "bricks a perainees?"	me members of the BRT stole of Money from IRaa civilianson
NO	
Q De you know of any incider a vehicle to a "nice" ho	me so that they could come it to
A NO	that the wehicle had tried to
A No	lse to add to this investigation.
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	FFIDAVIT
	, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT Y UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE RECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE # IT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT FUL INFLUENCE.
· · · · · · · · · · · · · · · · · · ·	atement)
WITNESSES:	Subscribed and sworn to before me, a person authorized by law to administer oaths, this 25th day of Ausum, 18203
: <u> </u>	administer oaths, this <u>JST</u> day of <u>HU5U3T</u> , 18 2003
ORGANIZATION OR ADDRESS	Commence of Person Programme
· ·	
	AR: 15-6
ORGANIZATION OR ADDRESS	(Authority To Administer Oaths)

PAGE A OF 2 PAGES

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		SWORN STATEMEN		2000
LOCATION	For use of this for	my see AR 190-45; the propo	TIME	FILE NUMBER
LAST NAME FIRST	NAME MIDGLE NAME	28 A4G (03 1430 JRITY NUMBER	GRADE/STATUS SSG
BRT, S	18CT, 4ID			
1,1			MAKE THE FOLLOW	ING STATEMENT UNDER OATH:
la de la companya de	is your position	1 .		
	d leader			
1 4	ong have you been	in this platuon	7	
A One	•	,		,
PA yes				
anin	ou know anything dividual carrying Normandy duri	an AK-47 along o	icanal 19 P	section engaged he vicinity of rame?
	was on emerger			
Q Hau Brus	e you ever seen is	detainees being nood of the veh	transported icle?	between the
A. No.	, but we did f	place them on -	the hood an	nd transport then
Q Hou	u far and how tod?	fast did you t	ravel with-	He detainers on the
PA No	more than 51	Kms. Speed was	s no more t	han 30mph.
Q Do	you know of a	ny detainees to	hat were b	eaten by members
A No				
EXHIBIT		INITIALS OF PERSON NAME	G STATEMENT	PAGE 1 OF 2 PAGES
THE BOTTOM OF EA AS "PAGE OF_	ES MUST CONTAIN THE HEAD CH ADDITIONAL PAGE MUST PAGES." WHEN ADDITION E CONCLUDED ON THE REVER	BEAR THE INITIALS OF THE I DNAL PAGES ARE UTILIZED,	PERSON MAKING TH THE BACK OF PAGE	
DA FORM 2823,	JUL 72 SUPERSEDES	DA FORM 2823, 1 JAN 68, 1	WHICH WILL BE USE	D. USAPPC V2.00 6546;

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STATEMENT (Continued)	:
Q Da you know of any men Valuables or "bricks" of mo	bers of the BRT who Stole ney from Civilians or detainees?
Do you know of any incident a vehicle to a "nice" house valuables. All of this structured tried to evade them? A NO.	where members of the BRT Followed a so that they could search it for ler the pretexy that the nehicle
Q Do you have anything else	to add to this investigation?
AFF	IDAVIT
WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE . I FULLY BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORR. CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFULL.	FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT
WITNESSES:	Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 day of 49037 , 19.200?
	at
ORGANIZATION OR ADDRESS	ministering Oath)
·	
ORGANIZATION OR ADDRESS	ing Oath) (Authority To Administer Oaths)
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INITIALS OF PERSON MAKING STATEMENT	PAGE 2 OF 2 PAGES
	USAPPC V2.00

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SWOI For use of this form, see AR	RN STATEMENT	agency is ODCS	DPS
LOCATION	DATE 28 A44 03	TIME 1615	FILE NUMBER
LAST NAME CIRCL NAME MIDDLE NAME	SOCIAL SECURITY	<u> </u>	GRADE/STATUS CPL
BRT, 28CT, 4ID			<i>y</i>
			IG STATEMENT UNDER OATH:
Q What position did you fill		MAYan	of June time frame?
A Counner in A Section, 1:	Platoon		
Q Do you Know PFC			
A. yes	•		,
Q Have you even seen a det and the hood of a deta	ainee placed	between	the brush guard
A NO, we have transport	ed them or	the hoo	od,
Q What was the max speed detainers on the hood A About 10 Km and no f	of the HUM	VEF?	
Q Have you ever seen am			
Q # Do you know if any Valuable property or Citizens or detained A NO	"bricks" of nes?	cash fi	rom IRAQI
Q Are you aware of an inclindividual carrying an A of FOB Normandy, during t	ident where kk-47 along a he May to Ju	Bsection canal in netime i	n engaged an " the vicinity Frame?
H We (A Sec) Arrived	on scene	after.	B sec engaged.
We drove down the puth Bs	ec was on	to a c	crossing to the
other side of the dike. In	ias behind	ien L	CAS and saw
two Blangs ST- ucrailly so	ound (Well A	74.5 C	ountry) and no
EXHIBIT 12	A PERCON MAKING ST	ATEMENT	PAGE 1 OF 2 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING STATE THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE IN AS "PAGEOF PAGES." WHEN ADDITIONAL PAGES STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF A	IITIALS OF THE PERSON S ARE UTILIZED, THE BA	N MAKING THE : ACK OF PAGE 1	DCONTINUED.* STATEMENT AND BE INITIALED WILL BE LINED OUT, AND THE
DA FORM 2823, JUL 72 SUPERSEDES DA FORM 2	823, 1 JAN 68, WHICH	WILL BE USED.	USAPPC V2.00 6546K

ACLU-RDI 1866 p.33

all (6) (6) 2 STATEMENT (Continued) evidence of Barrie danger. Theirs theory came our and observed us as we passed. Went to another house and there was no damage to the house. These occupants also came out, like we had just woken them up. We travelled farther down the dike and came to a field But there was no damage there either- No knocked down trees, no fires - Northing. I'd say we travelled 2K Arca and there was nothing to indicate there was a firefight les alone "45 HEPP 40mm Rounds" Wothing Sollows AFFIDAVIT AVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE ___ 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: Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 th day of Aug , 19,2003 ORGANIZATION OR ADDRESS ture of Person Administering Oath)

USAPPC V2.

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

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SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

DA-FORM 2823, JUL 72

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	(b)(4) 2
STATEMENT (Continued) Q How far and how fast w Position?	ould you travel with detainers in this
M	stance of 10 Km and a max speed of
Q Are you aware of any in beat a detainee?	neident where a member of the BRT
A. No. I'm not aware o	fany
- Q Are you aware of any inc	dividuals in the BRT who stop valuable
ANO	need from IRAQI civilians or detainers?
Fillow a ve	As any incident where members of your hide to a "Nice" house so that they could
fled from them?	under the pretext that the vehicle has
Q Can you add anything e	lse to this investigation?
ANO.	
	AFFIDAVIT
Y ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CO	, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT LLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE DRRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE & ENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT VFUL INFLUENCE. OR UNLAWFUL INDUCEMENT. Atement)
ITNESSES:	Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28^{+1} day of 4000
	at
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	·		THE FOLLOWIN	G STATEMENT UNDER OATH:
How long have you been i	in the plata	×1 (
Q Were you on a patro engaged an Individu	al wistch	alov an AK4	nga cana 77	.I when the Patrol
A that was & section and went to help.	, I'm in a	Section.	We heard	small armsfine times
Q When you arrived d				
A. I have no clue	this happe	nel?		
Q Have you everseen the brush guard or	nd the hoc	d of a Hu	MVEE!	
A Not between the	Mood and	brush gu	ard but o	on the hood itself,
Q Do you know who way? A NO	made the c	decesion.	to transf	Port them, that
Q Have you ever see detainees?				, ·
A. Once we had to individual was	1 to 15ting.	we an	dny bee	it him.
QAre you aware o- Items from Iraq	fany times	when men	nber of H	he BRT Stole
Items from Iraq of money, Pictures ANO	of SADDAM	1:and IRAG	I Sorvice	modals.
EXHIBIT 14	INITIALS OF PER	SOM MAKING ST	ATEMENT	PAGE 1 OF 2 PAGES
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STATEMENT (Continued)	
Q-Did member of the BR	it ever follow a "nice" can home
and then south a local	to seath the house because una
Vehicle tiel to avoid	to search the hous; because the
Λ . Λ	, To 1000 C
A- No	
Q Do you have anything investigation	ng else that might helpthis
A. No	
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	AFFIDAVIT
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	ng Statement)
WITNESSES:	Subscribed and sworn to before me, a person authorized by law to
	administer oaths, this 27 day of August , 192003
	at
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The state of the s	ing Oath)
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	AR 15-6
ORGANIZATION OR ADDRESS	(Authority To Administer Oaths)
INITIALS OF PERSON STATEMENT	
	PAGE OF A PAGES
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SWORN STATEMENT For use of this form, see AR 190-45; the proponent agency is ODCSOPS LOCATION DATE TIME FILE NUMBER 27<u>A</u>U603 1445 LAST NAME, FIRST NAME, MIDDLE NAME GRADE/STATUS JBCT, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: Q - How long have you been in 157 Platoon? A - Since OCT 2002 Q - Did you know PFC A- Yes 'ordered soldiers? Q- Are you aware of any time when sta to fine upon unarmed civilians? - No. We only fired when we were ambashed or hit by R.P.G.s. We never fire into populated areas. Only into open areas. Were you on a Patrol along a canal? There were several times we conducted Postrols along canals but we never fined upon anyone. I don't think that I would give an order to fine upon civilians and PFC would not have heard verbal commands because he was in another vehicle. Q Have you ever seen detainers placed between the grill and the brush guard of a HUMVEE and driven to the brigade holding area? A. We sometimes would place them on the roof behind the gunner or on the hood next to the windshield because we didn't have room inside the vehicles We would always drive at a slow pace on a hardball road. We never placed them between the grill and the Brushquad Q Have you ever seen any property theft by members of the BEIT

A Have you ever seen any property theft by members of the BEI A. No - we would confiscate money and other things but we would always turn it in. We've had several health and welfare inspections and nothing has been found.

EXHIBIT	15	INITIALS OF PERSON MAKING STATEMENT			
·	10	P	PAGE 1 OF	Δ	PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____TAKEN AT _____DATED____CONTINUED."
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED
AS "PAGE _____OF ____PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE
STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823, JUL 72

SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

USAPPC V2.00 65469

all (6)(6)Z

STATEMENT (Continued)
O. Have you ever seen or heard of members of BRT following a rice can with the pretext of boing to their home to search it for valuables?
A No the only time we would search a house was on a planned Raid. Or if a vehicle ** anor person ran from us.
Q Have you even seen or heard of BRT soldiers beating detainers
A. No. sometimes we get physical during an arrest but no beatings went on. Our chain of Command has always told us we would face UCMJ action if we did
A Untere weak the patrols along two canal. A In the vicinity of Camp Normandy sometime in the May to June time frame
A PFC was always saying that he wanted to get shot in the arm or leg so that he could go home. He would fake being sick, he was always whining. He would often say that he wanted to
Kill SEC SEC SEC SEC is hard on us but fair. Sometimes he acts like a drill sergeant. Also, would point his weapon at children and threateness to Kill them if they didn't go away.
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. ** ** ** ** ** ** ** ** **
NITNESSES: Subscribed and sworn to before me, a person authorized by law to administer oaths, this 274 day of 4050 , 4050 , 4050
at
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ORGANIZATION OR ADDRESS AR 15-6 (Authority To Administer Caths)
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LOCATION		DATE 27A46'03	TIME	FILE NUMBER
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Q How long he A Since the	ove you been in the end of March	he pladoon? 2003		
Q Pid you 1	Know PFC			
Q Are you an AK	aware of a part t7 along a car was in A Section	nal in the vi	cinity of t	dividual carrying OB Normandy?
Q Have you between A No	u ever seen anyo . The brush guar	ne from the B and the ho	RT transpo ed of a 1th	urt a detainer UMVEE?
or on	u ever seen a d Top behind the	e gunners p	15; +10 -1.	
H. Yes, distant	on the hood.	we would a	only carry	them for short
	Know who mo		sion to to	ansport the
A No				g.
O Have y	you everseen or Linee?	heard of me	inbers of	the BRT beat
A I've no	ever seen it, but	I heard from	PFC.	that CPT
bead a	detainer Every	one else said	that CPT	got physical
didn-	detained Every an arrest because	the individu	al was re	sisting but he
EXHIBIT / (INITIA	S OF PERSON MAKING S	TATEMENT	PAGE 1 OF 2 PAGES
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DA FORM 2823, JUL 72	SUPERSEDES DA FOR	M 2823, 1 JAN 68, WHIC	H WILL BE USED.	UŞAPPC V2.00

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STATEMENT (Continued)	
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Q-Doyou Know of	any instances where members of the
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and pictures of sa	ddain?
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A. No. When we dod	ain someone we colled everything and
turn it in	an someone we comed to the grining and
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L & Pid members of th	e BRT ever follow a "nice" car home
and then search is	a pice carnome
	from them?
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A Sind	long have you ce the end or	f June,	,		
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					of the BRT places I of a Humy EE?
A. N		es we woul	D place the	en on the	Hood to fransport
Q K	ow far and	I how fast	would go	utravel i	with & the detailers
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	oo you know his manner?	Whomad	le the deci	sãon to to	ransport them in
	I'M not su				æ
Q	Are you an	vare of any knowledge	o. I member of	the BRT	who bear detainees
Q	Are you au	vare of an	g member	of the	BRT who stole
	or we tern	ee5!			from civilians
A	I'm not au or detaines	vare of can s. If we conf	yone who is	stale som	ething from civilian
EXHIBIT		INITIALS O	F PERCON MAKING	STATEMENT	PAGE 1 OF 2 PAGES
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Q Is there anything else that you can add to this

STATEMENT (Continued)



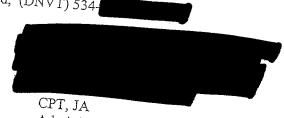
DEPARTMENT OF THE ARMY HEADQUARTERS 4TH INFANTRY DIVISION (MECHANIZED) OFFICE OF THE STAFF JUDGE ADVOCATE FORT HOOD, TX 76544-5000

REPLY TO ATTENTION OF:

05 September 2003

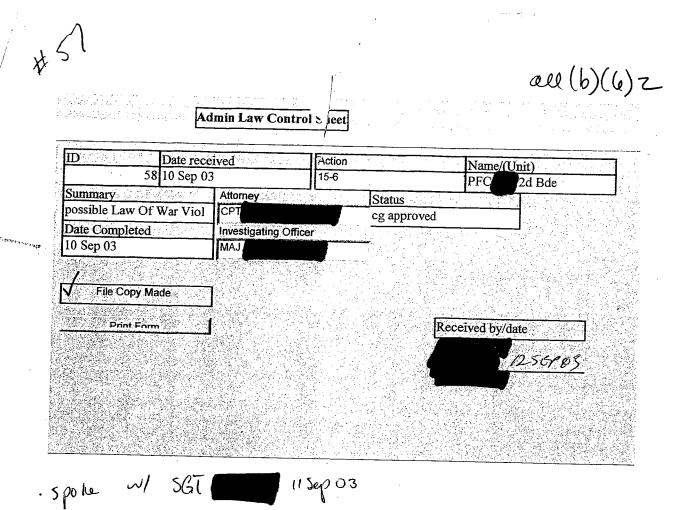
MEMORANDUM FOR COMMANDER, 4th Infantry Division (Mechanized), Fort Hood, Texas 76544 SUBJECT: AR 15-6 Investigation - Legal Review

- 1. In accordance with AR 15-6, paragraph 2-3, I have reviewed the AR 15-6 investigation into allegations of soldier misconduct contained in a sworn statement by PFC August 2003. I make the following determinations: 2d Brigade, dated 18
 - a. The proceedings comply with the legal requirements.
- b. Errors in the proceedings, if any, do not have a material adverse effect on any individual's substantial rights.
 - c. Sufficient evidence supports the findings.
 - d. The recommendations are consistent with the findings.
- 2. The investigation is legally sufficient.
- 3. The point of contact is the undersigned, (DNVT) 534-



Administrative Law Attorney

ale(b)(4) z



6546X