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13. JUDICIAL FINDINGS SUILTY DISMISSED	
NOT GUILTY OTHER (For example, guiltant sentences, punishments, or administrative action	ty of a lesser included offense. Explain in Remarks.)
a. REPRIMAND b. ADMONITION (1) ORAL (2) IN WRITING c. DETENTION d. FORFEITURE e. FINED \$ f. REDUCED FROM TO g. EXTRA DUTY FOR l. CORRECTIONAL CUSTODY FOR DAYS J. CONFINED k. SEPARATION: PUNITIVE DISCHARGE OTHER	MONTHS DAYS h. RESTRICTED FOR DAY
Type Chapter: Characterizat	ion: Effective Date;
I. OTHER (For example, suspension of driving privileges. Explain in Remarks 15. REMARKS	2.)
•	
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•	
	21
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	,
\	
57C-3 66-3	•
6a. TYPED NAME AND GRADE OF COMMANDING OFFICER	
·	_
8b. SIGNATURE	18c. DATE OF REPORT (YYYYMMDD)
6d. AKO E-MAIL ADDRESS	2=6 4 (2-6)**
· Constitution of the cons	000000
A FORM 4833, JUN 2004	Page 2 of 2

ACL_U-RD<u>J</u>J113 p.4

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Law Enforcement Sensitive

DEPARTMENT OF THE ARMY

U.S. ARMY CRIMINAL INVESTIGATION COMMAND
87th Military Police Detachment (CID)
3d Military Police Group (CID), Building 8-1221 Randolph Street, Fort Bragg,
North Carolina 28310-8310

24 Sep 2004

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL (C)/SSI - 0573-2004-CID023-67403 - 522/3 5Y2B7 / 5C2B/9G2

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 01 AUG 2003, 0001 - 31 OCT 2003, 2359; UNKNOWN LOCATION, MOSUL, IRAQ

2. 01 OCT 2003, 0001 - 31 DEC 2003, 2359; UNKNOWN LOCATION, MOSUL, IRAQ

DATE/TIME REPORTED: 29 JUL 2004, 1310_

INVESTIGATED BY:

SA SA SA 676-1,66-1,62

SUBJECT:

PFC;

MALE; WHITE; 65TH MILITARY POLICE COMPANY, 16TH MILITARY POLICE BRIGADE, FORT BRAGG, NC 28310; FC; FAIL TO OBEY GENERAL ORDER (CJTF 7 REGULATION), ASSAULT

2. ; SGT; MALE; WHITE; 65TH MILITARY POLICE COMPANY, 16TH MILITARY POLICE BRIGADE, FORT BRAGG, NC 28310; FC; FAIL TO OBEY

GENERAL ORDER (CJTF 7 REGULATION), ASSAULT

VICTIM:

1. UNKNOWN, ; CIV; IRAQ; MALE; OTHER; IZ; ZZ; ASSAULT (NFI)

1

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Proventive medicing is as alsoled from SURADARIA permissason (Chap S. As. 25-55)

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b76-5,66-5

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2. U.S. GOVERNMENT; COMBINED JOINT TASK FORCE (CJTF) - 7; FAIL TO OBEY GENERAL ORDER (CJTF 7 REGULATION)

INVESTIGATIVE SUMMARY:	676-3,66-3
This investigation was initiated upon notification from Mr. Inspector (IG) Office, Fort Bragg, NC 28310 (FBNC), of a possible assault on a detainee that Iraq.	General's
Investigation established probable cause to believe that SGT and PFC committed the offenses of Failure to Obey General Order and Assault, when they ph mistreated, struck, and kicked an unknown Iraqi male whom they had detained at a committed the offenses of Failure to Obey General Order and Assault, when they ph mistreated, struck, and kicked an unknown Iraqi male whom they had detained at a committed the offenses of Failure to Obey General Order and Assault, when they ph mistreated, struck, and kicked an unknown Iraqi male whom they had detained at a committed the offenses of Failure to Obey General Order and Assault, when they ph mistreated, struck, and kicked an unknown Iraqi male whom they had detained at a committed the offenses of Failure to Obey General Order and Assault, when they ph mistreated, struck, and kicked an unknown Iraqi male whom they had detained at a committed the offenses of Failure to Obey General Order and Assault, when they ph mistreated, struck, and kicked an unknown Iraqi male whom they had detained at a committed the offenses of the order o	otographed,
STATUTES:	
Article 134, UCMJ: Failure to Obey General Order	
Article 128, UCMJ: Assault	· <u>.</u>
EXHIBITS/SUBSTANTIATION:	
EXHIBITS/SUBSTANTIATION: Attached:	
1. Agent's Investigation Report (AIR) of SA 30 Jul 04, detailing the Investigation; Witness Interviews and other Investigative Activity.	Basis for 676-5
2. Waiver Certificate of PFC 29 Jul 04, wherein he invoked his right to leave the counsel.	legal
3. AIR of SA 30 Jul 04, detailing Subject and Witness Interviews and cowith the Unit.	pordination 576-1,66-4
4. Sworn Statement of SPC 30 Jul 04, wherein he detailed his knowledge incident.	of the 676-4,186-1
5. AIR of SA 23 Sep 04, detailing Subject Interviews, Laboratory exa of evidence, Witness Interviews, Coordination with Commander and Office of the St Advocate.	amination
2	·
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Protective marking is excluded from automatic	0000006

permination (Chap 3, AR 25-55)

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6. Unit Roster of personnel who deployed in Support of Operation Iraqi Freedom, 17 Mar 04.
7. Waiver Certificate and Sworn Statement of SGT Aug 04, wherein he denied he 1776-51 assaulted the detainee.
8. Waiver Certificate of SGT 10 Aug 04. 1574-5,66-5
9. Consent to Search (CID Form 87-R-E), 11 Aug 04, signed by SSG wherein he gave consent to have his computer examined. 67C-1/66-1 10. AIR of SA 2000 23 Aug 04, wherein he detailed the interview of Mrs.
10. Alk of SA
11. Sworn Statement of Mrs. 20 Aug 04, wherein she detailed her knowledge of 67C-4, 66-47 the incident.
12. Crime Lab Examination Request, 11 Aug 04, requesting SSG computer be 672-4, 66-4 examined for any videos or pictures of alleged detainee abuse. (USACRC and file only)
13. Waiver Certificate of SGT 25 Aug 04. 676-5, 66-5
14. U.S. Army Criminal Investigation Laboratory (USACIL) Examination Report, 2004-CID131-1489, 25 Aug 04, reporting that an examination of the submitted computer did identify pictures and a video which depicted detainee abuse, which consisted of photographing, video taping, and verbally abusing of a detainee.
15. Polygraph report (SGT 10 Aug 04, documenting SGT 10 Continued to 67c-5, 66-5 deny striking the detainee after he was placed in restraints. (USACRC and Action CDR copy only)
only) 576-1,66-1 16. AIR of SA 13 Sep 04, wherein he detailed the reinterview of Mrs. 17. Sketch of area where the abuse took place in Iraq, 13 Sep 04, prepared Mrs. 676-4,66-4
17. Sketch of area where the abuse took place in Iraq, 13 Sep 04, prepared Mrs. 676-4,66-4
18. Sworn Statement of Mrs. 13 Sep 04, wherein she clarified details of her 67c-466-4 knowledge of the incident.
19. Evidence/Property Custody Document, Voucher Number 287-04 (USACRC and File Copy Only).

3

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Not Attached:

Retained in the Evidence Depository, this office:

20. Computer (SSG)

672-4,66-4

Retained in the files of the Polygraph Division, U.S. Army Crime Records Center, Fort Belvoir, VA 22060:

21. Polygraph Authorization (SGT)

), 10 Aug 04.

676-5,66-5 D, 10 Aug 04. 676-5,66-5

22. Polygraph Examination Statement of Consent (SGT)

23. Four Polygraph Charts (SGT)

10 Aug 04. 67c-5,66-5 The originals of Exhibits 1, 3-5, 9-11, and 16-18 were attached to the USACRC copy of this

report. The originals of Exhibits 2, 7, 8, 13 and 14 were retained in the files of this office pending adjudication. The original of Exhibit 6 was retained in the files of the 65th MP CO. FBNC. The original of Exhibits 12 was retained in the files of USACIL, Ft. Gillem, GA. The original of Exhibit 15 was retained in the files of the Polygraph Division, USACRC, Ft Belvoir, VA 22060. The original of Exhibit 19 was retained in the files of the evidence depository of this office.

STATUS: This is a Final (C) Report. This investigation is being terminated IAW Chapter 4-17a(4), CIDR 195-1. The supported staff judge advocate is of the opinion that sufficient admissible evidence is available to prosecute the subjects for the offense(s), that additional investigation would produce only cumulative and unneeded evidence, and that the identification of additional subjects or offenses is unlikely. Leads Remaining: Identify, Locate and Interview the Iraqi Detaince. Commander's Report of Disciplinary Action Taken (DA Form 4833) is pending.

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REPORT PREPARED BY

670-166-1

REPORT APPROVED BY

670-3,66-3

b7e-3,66

157e-1,66-1

Special Agent-in-Charge

Special Agent,

DISTRIBUTION:

Dir, USACRC, Ft Belvoir, VA

Cdr, 10th MP Bn, Ft Bragg, NC

CDR 3D MP GRP USACIDC FT GILLEM GA

CDR USACIDC CURRENT OPERATIONS (DETAINEE ABUSE CASES)

CHIEF OF STAFF, 18TH AIRBORNE CORPS, (COL

Commander, 10th Military Police BN, Fort Bragg, NC (LTC

DEPUTY GARRISON COMMANDER, FBNC (MR

PMO BLOTTER CLERK 157C-3,66-3

PMO BLOTTER CLERK

PMO OPERATIONS SGT (SFC

SJA, XVIII ABN CORPS (CHIEF)(LTC

SJA, XVIII ABN CORPS (SR TRIAL COUNSEL) (CPT

PROVOST MARSHAL, XVIII ABN CORPS (COL

CID CRIMINAL INTELLIGENCE CENTER (MR

COMMUNITY PROVOST MARSHAL, FORT BRAGG (LTC

ACTION COMMANDER:

THRU: Commander, 503rd Military Police Battallion, Fort Bragg, NC 28310

TO: Commander, 65th MP Company, 503rd Military Police Battallion, Fort Bragg, NC

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FILE

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AGENT'S INVESTIGATION REPORT CID Regulation 195-1

0573-04-CID023-67403 Page 1 of 3 Pages

BASIS FOR INVESTIGATION: At 1310, 29 Jul 04, this office was notified by Mr Chief Inquiries and Investigation, Inspector General (IG) Office, Fort Bragg, NC 28310 (FBNC) who stated a soldier reported possible detainee abuse to his office, but the soldier declined to report the information to law enforcement.

676-4664

DETAILS:

676-1,66-1

67e-4, 164.4

conducted a complainant interview of Mr At 1335, 29 Jul 04, SA 65th Military Police 67e-5,66-5 who stated that on Monday, 26 Jul 04, PFC Company (MP CO), FBNC, contacted his office and reported he had information pertaining to detainee abuse in Iraq. On 27 Jul 04, PFC came into the IG office 678-5/16-5 and stated while he was deployed with the 65th MP CO in Iraq, between two and three months ago, they detained an Iraqi male for Rape and Grand Theft Auto. While the Iraqi was in their custody, he was struck by SGT 65th MP CO, FBNC, while handcuffed in the back of the Highly Mobile Multi Wheeled Vehicle informed Mr that he was the gunner in the turret at 676-47, 66-42 676-5,665 (HMMWV). PFC

the time and that he kicked the detainee in order to get him to be quiet, as that was the 576-4, 56-4 teason he was being struck. Mr stated PFO provided several names of 676-4, 66-4 soldiers assigned to the 65th MP CO, FBNC, who were witnesses to the incident. PFC (NFI) was the driver of the vehicle and she

676-3,66-3

separated from the Army in Apr 04. PFO provided the following names all from 676-5, 66-5 the 65th MP CO, FBNC, but did not specify their part in, or knowledge of the incident:

SPC 1-14.66-4 SPC SPC SPC SPC **SGT** SPC SSG

676-4.66-K also informed Mr that it was determined through an interpreter 676-5,66-5 PFC (NFI) that the detainee was a "REPO" man and the "Rape victim" was a prostitute. They turned the Iraqi over to the Iraqi police. The detainee was bleeding from the right side of 1576-5,66-5 his face when he was turned over to the Iraqi police. PFO forward because he did not think it was right; however, he was afraid he would get into

87th MP DSE (CID) (DSE) 3d MP Group, Fort Bragg, NC 28310 Date: Exhibit:

30 Jul 04

LAW ENFORCEMENT SENSITIVE CID Form 94

FOR CIFFICIAL USE ONLY ACLU-RDI 113 p.10

0573-04-CID023-67403 AGENT'S INVESTIGATION REPORT Page 2 of 3 Pages CID Regulation 195-1 the pictures. PFC declined to report the incident to CID, as requested by the IG 1576-5,66-5 was placed in contact with Trial Defense Services (TDS), FBNC, 672-5,66-5 who advised him not to talk to anyone regarding the incident. Mr stated Mr 676-4, 66-4 Chief of Assistance, IG Office, FBNC, also talked with PFC 67c-3,66-3 nd may have more information; however, Mr was out of the office 676-566-5 67c-1,66-1 At 1400, 29 Jul 04, SA contacted the phone number (67C-4, 16-4 provided by Mr as belonging to PFC Reached voice mail of 67C-5, 66-5 unidentified male and left message for him to contact this office. conducted a name check utilizing the ACI2 system. 67C-1,156-1 At 1410, 29 Jul 04, SA and 676-5,66-5 57c-1,66-1 SA checked for any information on Report of Investigation (ROI) 0165-02-CID033-16278 pertained to a 1578-5,665 B Company, 6/101st Aviation Regiment, Fort 1576-5, 156-5 Campbell, KY for possession of Meth and Ecstasy in Murfreesboro, TN (NFI). ROI FBNC, where a witness interview was conducted of PFC in reference to other 676-5, 66-5 unit member using controlled substances. Sequence number 0073 09 CF004 (1) (NFI) for being AWOL. 676-5,66-3 deserter file), pertained to advised PFC of his rights, which he invoked 67c-5, 1/6-5 676-1,66-1 At 1806, 29 Jul 04, SA and requested legal counsel. (See Non-Waiver Certificate) Agent's Comment: PFC appeared to be visibly shaken, breaking down several 67c-5,66-5 times. He indicated that he wanted to tall related times. He indicated that he wanted to tell what happened but, was worried he would get into trouble. He stated he had talked to a TDS lawyer, at the direction of the IG office, and the lawyer advised him not to talk to anyone. PFC stated he would talk with bre-5, 66-5 676-3,66-3 his lawyer and family and contact this office at a later date. 574-1,66T 65th MP CO. At 1855, 29 Jul 04, SA briefed CPT FBNC, on all aspects of this investigation to date. 576-4,664 67C-1,66-1 conducted a witness interview of SPC At 1020, 30 Jul 04, SA 65th MP CO, FBNC, who provided a verbal statement wherein he stated he was not on the mission when the incident occurred, but he had heard about it from unit

SA

87th MP DSE (CID) (DSE)
3d MP Group, Fort Bragg, NC 28310

Date: Exhibit:
30 Jul 04

CID Form 94
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LAW ENFORCEMENT SENSITIVE
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ACLU-RDI 113 p.11

AGENT'S INVESTIGATION REPORT CID Regulation 195-1

0573-04-CID023-67403 Page 3 of 3 Pages

stated he heard from someone in the unit (NFI) that while on 67C-4,66-4 patrol or at a check point an Iraqi female (NFI) got out of a vehicle screaming. Through the interpreter that was with the unit, the female stated she was raped and that the male in the car had done it. The unit took the Iraqi male into custody and transported him to an struck the 676-5,66-5 67C-4,66-4 Iraqi Police Station (NFI). SPC had heard that SGT detainee at some point, but he did not know the severity of the strike or the number of times. He also heard that when the detainee was turned over to the Iraqi Police, they began to beat on him too. When the unit left the Police Station, the detainee was bleeding heard there was as video of the incident that one of the 67C-466-4 from the head. SPC did not think the Chain of Command was 676-4,66-4 unit members (NFI) had. SPC tated he did not know if the detainee resisted informed at the time. SPC arrest or had any weapons and that he only heard what he knows from other unit members. He stated he never saw the video and no one offered to show him it. He was injured at the time and was either at the Tactical Operation Center working the radio or somewhere else on the base at the time. He stated they were deployed from 4 Apr 03 until 29 Mar 04 and the incident happened several months into the deployment, but he was not sure when. He stated they were at the Mosul Airfield, Mosul, Iraq. ///LAST ENTRY///

SA

87th MP DSE (CID) (DSE)
3d MP Group, Fort Bragg, NC 28310

Date: Exhibit:
30 Jul 04

CID Form 94

FOR OFFICIAL USE ONLY

LAW ENFORCEMENT SENSITIVE

ACLU-RDI 113 p.12

RIGHTS \ ING PROCEDU	JRE/WAIVER CERTIFI
For use of this form, see AR 190-30; th	e proponent agency is ODCSOPS
DATA REQUIRED BY 1	THE PRIVACY ACT
AUTHORITY: Title 10, United States Code, Section 3012(g) PRINCIPAL PURPOSE: To provide commanders and law enforcement of Your Social Security Number is used as an additional Disclosure of your Social Security Number is vol	fficials with means by which information may be accurately identified. itional/alternate means of identification to facilitate filing and retrieval. funtary. 576-56-5
1. LOCATION FORT Bragg, NC 28310	229 DATE 3. TIME 4. FILE NO. 2506 LCS 0573-04-CIDOS
5. NAME (Last, First, MI) 672-31663	8. ORGANIZATION OR ADDRESS 67403
6. SSN 7. "GRADE/STATUS E-3/LA	Fort Bragg, NC 28310
Section A. Rights PART I - RIGHTS WAIVER/NON	-WAIVER CERTIFICATE
The investigator whose name appears below told me that he/she is with the United States of the State	and wanted to question me about the following of ense(s) of which I am
 (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer during questioning. This lawyer can be a civilian lawyer I arrange for at no expen or both. 	se to the Government or a military lawyer detailed for me at no expense to me,
(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer during questioning. I understand that this lawyer can be one that I arrange for at appointed for me before any questioning begins. If I am now willing to discuss the offense(s) under investigation, with or without a privately with a lawyer before answering further, even if I sign the waiver below.	my own expense, or if I cannot afford a lawyer and want one, a lawyer will be
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) und without having a lawyer present with me.	er investigation and make a statement without talking to a lawyer first and
WITNESSES (If available) 6161 (1064)	3. SIGNATURE OF INTERVIEWEE
87th MP Det (CID)	s. SIGNATURE OF INVESTIGATOR 576-66-6
+ or + Broca, NC 28310 2a. NAME (Type or Print)	SA SA STOPED NAME OF INVESTIGATOR
	8. ORGANIZATION OF INVESTIGATOR 87+1 MP Det (C10) Fort Bragg LC 28310
Section C. Non-waiver	111
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 SERVEROR GOVERNMENT	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
DA FORM 3881, NOV 89 LAW ENFORCEMENT SENSITIVE ACLU-RDI 113 p.13	4 IS OBSOLETE

DODDOACID 005823

AGENT'S INVESTIGATION REP	PORT ROI NUMBER
	0573-04-CID023-67403
CID Regulation 195-1	D 1 504
b18-1166-1	Page 1 of 2/1/2 U.blate
About 0910, 30 Jul 04, SA coordinated wi	th 1SG 65 th Military 676-5
Police Company (MP CO) Fort Bragg, NC (FBNC), who related SGT
65 th MP CO. FBNC was on leave in Maryland. 1S	General related SPC and SPC and SPC
, 65 th MP CO, FBN	General related SPC and SPC and SPC and SPC by 16-4,66-
interview ASAP.	121-1466-16
672-7,061	fewed SPC who provided a Sworn 176-5/56-
Between 1000-1302, 30 Jul 04, SA Time of the little of the state of the witnessed REC	65 th MP CO FRNC
kick the detainee and SGT	e with a closed fist (See Sworn Statement for 1576-5,66
<u></u>	
676-1,06	67C-4,66-K
Inhout 1335, 30, Jul 04, SA interviewed SS	65 th MP CO
FBNC, who detailed his knowledge pertaining to the	ne abuse of the unknown Iraqi detainee. SSG by 444 lent in question, but was not sure what transpired
stated he vaguely remembered the incid	lent in question, but was not sure what transpired
in SGT Highly Mobile Multi wheeled ve	hicle (HMMWY) while the detainee was being 676-566- stated he knew SGT took a lot of 676-566-
photographs and video clips on his digital camera,	and would often download the photos and videos
to his (SSG) land video clips on this digital carriera,	remembered seeing a video of an Iraqi 674-4/5
detainee crying and professing his innocence, but	SSG could not remember much else. 67446
SSG stated he definitely did not see vide	eo or photos of any detainee abuse. 676-4,66-4
676-466-6	
SA escorted SSG to his vehicle	in which the laptop computer was stored. SSG
related SGT stored a lot of photos	os on the computer and made an attempt to show of locate the photos at which time SA
land the date of the date of the compatible 360	Widence 676-X//
67C-4,66-K	67637063
AGENT'S COMMENT: SSG entered SG talker. SSG also also stated SSG is guy" to make things happen.	Territories to "show off" a lot and is a big
talker. SSG also stated SSG is	an aggressive person and is known as a "go to
guy" to make things happen. 4766-6 67	C-5/66-5
About 1358, 30 Jul 04, SA collected SSG	15/6-49
utilizing a DA Form 4137, Evidence/Property Custo	ody Document (EPCD)
bic 1,66-1	676-4,66-4
About 1400, 30 Jul 04, SA	fine interviewed SDC
65 th MP CO, FBNC, who rendered a	verbal statement. SPO stated 576-486-4
sometime around Oct - Nov 03, his squad had bee	n conducting Traffic Control Points (TCP) in the
North East section of Mosul, Iraq. Further, SPC	relayed it was routine for the unit to bre-
conduct TCP's nightly between the hours of 2330 -	
TYPED AGENT'S NAME AND SEQUENCE NUMBER	ORGANIZATION 87th Military Police Detachment (CID) (DSE)
	3d MP Group, Fort Bragg, NC 28310-5000
SIGNATURE	DATE EXHIBIT
	30 JUL 04 50000 14
CID FORM 94 OR OFFICIAL	USE ONLY
	EXHIBIT \[\frac{1}{2}
LAW ENFORCEMENT SENSITIVE	
ACLU-RDF113 p.14AL USZ GHLY	

transported in the civilian vehicle they arrived in, which was driven by an NCO in the unit. Upon arrival at the Iraqi Police Station the female was released and the two male were turned over to the graph of the detainee were not abused by the Iraqi Police. SPC stated he viewed a video clip, stated he was about five seconds long, containing a unit member calling one of the male detainees however, it did not contain anyone assaulting the detainee and he was not sure who filmed the clip or whose voice was in the clip. SPC claimed he did not witness anyone strike, kick, or buse any force against the detainees, except during the initial apprehension in order to place them flex cuffs but this did not consist of hitting or kicking the detainees.
DETAILS Incident. SPC
incident. SPC stated a the checkpoints would be conducted until an individual would be detained, at which time the detainee(s) would be transported to an Iraqi Police Station and the unit, would conduct a TCP at a new location. SPC stated on the night in question he had been pulling security from the gun turret on his HMMWV, when a woman exited a vehicle at the TCP and began to scream. SPC was informed by the translator she was claiming to havebread transported to an Iraqi police station located approximately a half a mile away. SPC stated he did not witness anyone strike the detainee and claimed to have never viewed any video of photographic images of detainee abuse. About 1455, 30 Jul 04, SA half interviewed SPC BNC, who provided a verbal statement wherein he stated that he had been part of the search/apprehension team for the TCP on the night of the incident. SPC stated they had set up the TCP just over the crest of a hill, in order to limit visibility and prevent individuals from by-passing the checkpoint. Further, SPC half at some point a car crested the at a high rate of speed and 67 which time a female and then two males exited the year whiched and came towards the MPs. Additionally, SPC stated the two males were detained and the female informed the interpreter the she was raped or was about to be raped. SPC related by the female informed the interpreter the she was raped or was about to be raped. SPC related by transported in SGT half will be stated the unit member call in another HMMWV; and the female was transported in another HMMWV; and the female was transported in the civilian vehicle they arrived in, which was driven by an NCO in the unit. Upon arrival at the Iraqi Police Station the female was released and the two males were to to the gracial Police. Additionally, SPC stated the unit remained at the Police station for a short while to ensure the detainee were not abused by the Iraqi Police. SPC station to female was released and the two males were the detainees of the male detainees. **Correcti
incident. SPC stated a the checkpoints would be conducted until an individual would be detained, at which time the detainee(s) would be transported to an Iraqi Police Station and the unit, would conduct a TCP at a new location. SPC stated on the night in question he had be presented by the male of the pulling security from the gun turret on his HMMWV, when a woman exited a vehicle at the TCP and began to scream. SPC was informed by the translator she was claiming to have been raped by the male in the vehicle. The male was then detained, placed in flex-cuffs and transported to an Iraqi police station located approximately a half a mile away. SPC stated he did not witness anyone strike the detainee and claimed to have never viewed any video of photographic images of detainee abuse. About 1455, 30 Jul 04, SA half interviewed SPC SPC stated the had been part of the search/apprehension team for the TCP on the night of the incident. SPC stated they had set up the TCP just over the crest of a hill, in order to limit visibility and prevent individuals from by-passing the checkpoint. Further, SPC had at some point a car crested the at a high rate of speed and 67 which the female informed the interpreter the she was raped or was about to be raped. SPC related by all three individuals were transported to a near-by Iraqi Police Station; one of the males was transported in SGT half which was all three individuals were transported to a near-by Iraqi Police Station; one of the males was transported in the civilian vehicle they arrived in, which was driven by an NCO in the unit. Upon arrival at the Iraqi Police Station the female was released and the two males were detained was transported in another HMMWV; and the female was related the viewed a video clip, stated the unit remainer calling one of the male detainees had been part of the
detained, at which time the detainee(s) would be transported to an Iraqi Police Station and the unit would conduct a TCP at a new location. SPC stated on the night in question he had been pulling security from the gun turret on his HMMWV, when a woman exited a vehicle at the TCP and began to scream. SPC was informed by the translator she was claiming to have been raped by the male in the vehicle. The male was then detained, placed in flex-cuffs and transported to an Iraqi police station located approximately a half a mile away. SPC stated the did not witness anyone strike the detainee and claimed to have never viewed any video of photographic images of detainee abuse. About 1455, 30 Jul 04, SAC interviewed SPC STATE
and began to scream. SPC was informed by the translator she was claiming to have been raped by the male in the vehicle. The male was then detained, placed in flex-cuffs and transported to an Iraqi police station located approximately a half a mile away. SPC stated he did not witness anyone strike the detainee and claimed to have never viewed any video of photographic images of detainee abuse. About 1455, 30 Jul 04, SA interviewed SPC BC, who provided a verbal statement wherein he stated that he had been part of the Stated that he TCP on the night of the incident. SPO stated they had set up the TCP just over the crest of a hill, in order to limit visibility and prevent individuals from by-passing the checkpoint. Further, SPC at a some point a car crested the at a high rate of speed and 67% screeched to a half upon entering the TCP, at which time a female and then two males settled the vehicle and came towards the MPs. Additionally, SPC stated the two males were detained and the female informed the interpreter the she was raped or was about to be raped. SPC related 67% all three individuals were transported to a near-by Iraqi Police Station; one of the males was transported in SGT stated in SGT HMMWI, one was transported in another HMMWV; and the female was transported in another HMMWV; and
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ROI NUMBER AGENTS INVESTIGATION REPORT 0573-04-CID023-67403 CID REGULATION 195-1 PAGE 1 OF 4 PAGES 670-1,66-1 **DETAILS:** drafted and submitted DA Form 3655 (Crime Lab Examination, At 1345, 3 Aug 04, SA Request) to have the computer owned by SSG 65th Military Police Company 6 (MP CO), Fort Bragg, NC (FBNC) examined for any videos or photographs of alleged detainee abuse. 67C-3,66-3 (See DA FM 3655 for Details) 676-1166-1 coordinated with MSG , Operations At 1100, 5 Aug 04, SA NCO, 65th Military Police Company (MP CO), FBNC,, who provided DA 31 (Leave Form) which 172-5,665 65th MP CO, FBNC. SGT is on leave till pertained to SGT also stated he would compile a deployment roster of those individuals who 17246 8 Aug 04. MSG deployed in support of Operation Iraqi Freedom. MSG further related SSG leave till 10 Aug 04 and provided his contact information. 676-166et coordinated with MSG who provided a copy of the units 57c-446-4 At 1300, 6 Aug 04, SA deployment roster which listed all personnel who deployed in support of Operation Iraqi Freedom. 67C-5,66-5 676-1,66-1 of his legal rights which he this office, advised SGT At 0930, 9 Aug 04, SA waived and rendered a Sworn Statement wherein he denied he abused or assaulted any Iraqi detainee while deployed in support of Operation Iraqi Freedom and did not witness any other soldier doing so. (See Rights Waiver Certificate and Sworn Statement for Details) 678-5,66-5 676-1,66-1 this office, advised SGT of his rights which he At 0936, 10 Aug 04, SA waived and continued to deny he assaulted the Iraqi detainee. (See Rights Waiver Certificate) At 0936, 10 Aug 04, SA 65th MP interviewed SPC At 1700, 10 Aug 04, SA team for the last two months of the 67C-5,66-5 further related he was assigned to 1st Squad 67C-46C CO, FBNC, who related he was assigned to SGT company's year long deployment to Iraq. SPC of 4th Platoon, 65th MP CO during the time frame of the incident, was not present at the incident and had only heard rumors about what had occurred. SPC stated he had heard about the vide of 76-4,66-4 abused the detainee but has not seen it. 696-5, 66-5 wherein it was alleged SGT 676-1,66-1 65th MP was contacted by SPC At 0900, 11 Aug 04, SA CO, FBNC, who related he wanted to retract his statement as it was not truthful. SA who stated he believed he would get into trouble because he 67c-4,66-4 interviewed SPC had left something out of his statement and therefore wanted to retract it in its entirety. SPC eventually stated the detainee had become belligerent and started to flail about and this is when SGT struck the individual. SPC said his previous statement was in fact truthful but he had bic-4,66-4

>1eft out the part about the detainee becoming unruly. 87th MP Det (CID) (ABN), DSE Fort Bragg, NC 28310 FOR OFFICIAL USE ONLY CID FORM 94-E PROTECTIVE MARKING IS EXCLUDED FROM 1 OCT 95 AUTOMATIC TERMINATION (Para 13, AR 340-16) LAW ENFORCEMENT SENSITIVE ACLUFRE 1913 P.19

	AGENTS INVESTIGATION REPORT	ROI NUMBER 0573-04-CID023-67403	
	CID REGULATION 195-1	, page 2 of 4 pages	
57C-5, 66-5 (At 0945, 11 Aug 04, SA and SA about whether or not he wished to talk he confer with his family and his lawyer about he would invoke his right to remain silent.	this office, discussed with PFC to this office about the incident as he previously stated this. PFC stated upon the advice of his lawyers.	ed er <i>b 70-5, 66-</i>
	recognizance.	inted, photographed and released on his own	F
	At 1443, 11 Aug 04, SA Interview AWOL Apprehension, PMO, FE CO during Operation Iraqi Freedom. SGT when this incident occurred but did not witness detainee. SGT related if the not have seen it as he was in another vehicle w	stated he had been assigned to the 65 th MP stated he was present at the checkpoint or anyone else assault/abuse the Iraqi se incident occurred while in the vehicle then he would when the detainee was transported.	676-41 12-5/6-5 176-4,66-4
	At 1525, 11 Aug 04, SA Coordinat	ted with SSG who signed A Consent to be examined. (See Consent Form for Details). A Mrs. The ded SGT white the detained numerous times and the second secon	
	who related she witnessed programmed had told her that he kicked the design of the state of the	ed SGT hit the detainee numerous times and betainee also. 676-5/66-5	576-5,156-5
-	At 1400, 20 Aug 04, SA drafted R. Their case number is 0139-04-Cl At 1700, 24 Aug 04, SA drafted R. At 1700,	ed Mr. Chief of Assistance,	
12-5, 66-5	and referred him to Mr	Chief of Inquiries and Investigations, IG OFFICE, 67 had just reported he believed SGT had made a said he contacted the commander (CPT 676-4766-47	016-318
76-5/66	At 1400, 25 Aug 04, SA coordinate MP CO, FBNC, who related he had been notified SPFO CONTRACT CPT and made no comment as	ed with CPT Commander, 65 th ed by Mr. Commander, 65 th of the recent allegation made to interviewed all members of the squad and that they a splead by PEC Commander.	17/22//
16-5/56	made the allegation to be moved to another sec to SGT to not say anything to PFC	n to a different platoon and believed PFC had	675-866
	TYPED NAME, SEQUENCE NUMBER 87th MP Det (CID) (ABN), DSE Fort Bragg, NC 28310	DATE 135-10C	4
	1 OCT 95 PROTECTIVE MARK AUTOMATIC TERMIN	CIAL USE ONLY KING IS EXCLUDED FROM ATION (Para 13, AR.340-16) Data is Entered)	ig::020
I	LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY	EXHIBIT	5
· AC	CLU-RDI 113 p.20	The additional companies of the companie	-

	AGENTS INVESTIGATION REPORT	U5/3-04-GIDU23-0/4U3	
•	CID REGULATION 195-1	PAGE 3 OF 4 PAGES	676-4,664
	At 1626, 25 Aug 04, SA advised So wherein he requested not to be questioned or sa	bldiers and that action would be brought forward. 676-5,66-5 GT Sold of his legal rights, which he invoked by anything. st Information Report from the 37 th MP DET CII	d
76-5/65 176-5/4	had told her that he kicked the detainee. Mrs. knee an Iraqi man in the stomach seven	was interviewed and stated she witness. Was alleged by PFC and that PFC and the property of t	676-466 { 0
	pictures or video of detainee abuse was found of and a video of the detainee were located. The physical HMMV with his hands flexi cuffed behind his bedetainee "Ali Baba" and the detainee responded yelled at the detainee to shut up. (See Report for the Staff Judge Advocate (SJA), FBNC, combined the staff Ju	with "No Mister, No Ali Baba"; then SGT or Details) with CPT pleted a thorough review of case file and stated and pould not render her legal opinion until Mrs.	fa neb76-5,66-5 576-5,66-5 ,-Office—she 676-466-4
76-41 66-4 76-41 66-4	was reinterviewed and asked about the location (Mrs.) was the only one who stated HMMWV. CPT and PFC related she was unwhen PFC and PFC stated it or individuals present (outside) stated they did not by the company of the company o	sof each individual soldier during the incident as she saw SGT abuse the detainee outsid nclear how Mrs. could have witnesse courred while inside of the vehicle and the other twitness anything. A and sent same to Ft Jackson to reinterview Mrs.	she 12.5,66.5 te of the ed this 67.6.466.4
16-4, 66-4	About 1230, 23 Sep 04, this office received the (See AIR of SA) for de b72-166-About 1245, 23 Sep 04, SA Counsel, 18 th Airborne Corps, Office Of the Staduring Mrs. Interview. CPT	this office, briefed CPT then provided a legal opinion probable of the provided and the pr	Trial rovided ause
	87th MP Det (CID) (ABN), DSE Fort Bragg, NC 28310 CID FORM 94-E 1 OCT 95 PROTECTIVE MARK AUTOMATIC TERMINA	CIAL-USE ONLY EXHIBIT ATION (Para 13, AR 340-16)	7000
LAY AC		Data is Entered)	BIT 5

ROI NUMBER

AGENTS INVESTIGATION REPORT

ROI NUMBER

0573-04-CID023-67403

CID REGULATION 195-1

committed the offense Assault, when they struck an expoint for the alleged rape of an Iraqi woman and PFC existed to believe SGT Iraqi male who they had detained at a checkpoint for the alleged rape of an Iraqi woman.

676-3,66-3 was unable to provide a legal opinion for the offense of Failure to Agent's Comment: CPT Obey a General Order as a copy of the Cental Command General Order was unavailable at the time of the review conducted by CPT 676-3,66-3

///Last Item///

87th MP Det (CID) (ABN), DSE Fort Bragg, NC 28310

CID FORM 94-E

1 OCT 95

SIGNATUR

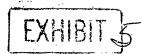
FOR OFFICIAL USE ONLY

PROTECTIVE MARKING IS EXCLUDED FROM AUTOMATIC TERMINATION (Para 13, AR 340-16)

LAW ENFORCEMENT SENSITIVE ACLU-RDITITION ONLY

EXHIBIT

676-1,66-1



Page(s)

23

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

PART I - RIGHTS WAIVER/NO	officials with means by which information may be accurately identified. Iditional/alternate means of identification to facilitate filling and retrieval. Incompany. DATE: 3. TIME 4. FILE NO. 8. ORGANIZATION OR ADDRESS 65-4 MP 00 Fort Bragg , NC 283/0
PRINCIPAL PURPOSE: ROUTINE USES: DISCLOSURE: 1. LOCATION For + Brage, NC 28310 5. NAME (Lest First MI) 8. SSN 7. GRADE/STATUS SGT / LA PART I - RIGHTS WAIVER/NO	additional/alternate means of identification to facilitate filing and retrieval. Poliuntary. DATE: 3. TIME 4. FILE NO. 8. ORGANIZATION OR ADDRESS 65-4 MP 00 Fort Bragg , NC 28310
PART I - RIGHTS WAIVER/NO	additional/alternate means of identification to facilitate filling and retrieval. 2. DATE: 3. TIME 4. FILE NO. 8. ORGANIZATION OR ADDRESS 65-4 MP 00 Fort Bragg , NC 28310
Disclosure of your Social Security Number is void to the secur	2. DATE: 3. TIME 4. FILE NO. 8. ORGANIZATION OR ADDRESS 65-4 MP 00 Fort Bragg , NC 28310
For t Bragg, NC 28310 5. NAME (1991 FIRST MILL) 67C-5(665) 7. GRADE/STATUS 5GT / LA PART I - RIGHTS WAIVER/NO	8. ORGANIZATION OR ADDRESS 65-11 MP 00 Fort Bragg, NC 28310
7. GRADE/STATUS SGT / K-F PART I - RIGHTS WAIVER/NO	654 MP 00 Fort Bragg, NC 28310
SGT / KA	<u> </u>
and the same of th	N-WAIVER CERTIFICATE
Section A. Rights	
both. or or during questioning. This lawyer can be a civilian lawyer I arrange for at no expensive both. or or during questioning. I understand that this lawyer can be one that I arrange for a appointed for me before any questioning begins.	and wanted to question me about the following offense(s) of which I am it clear to me that I have the following rights: The before, during, and after questioning and to have a lawyer present with me sense to the Government or a military lawyer detailed for me at no expense to me, where the following and to have a lawyer present with me at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be to a lawyer present. I have a right to stop answering questions at any time, or speak
2 Water	· · · · · · · · · · · · · · · · · · ·
ection B. Waiver	
understand my rights as stated above. I am now willing to discuss the offense(s) ur ithout having a lawyer present with me.	nder investigation and make a statement without talking to a lawyer first and
WITNESSES (If available)	3. SIGNATURE OF INTERVIEWEE
a. NAME (Type or Print)	3. SIGNATURE OF INTERVIEWEE 676-51665
. ORGANIZATION OR ADDRESS AND PHONE	
CHARIZATION ON ADDITIONS AND FROME	4. SIGNATURE OF INVESTIGATOR 1576-1, 66-1
a. NAME (Type or Print)	5. TYPED NAME OF INVESTIGATOR 676-1,66-1
ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR/
	6. ORGANIZATION OF INVESTIGATOR (CID)
ection C. Non-walver	Fort Bragg, NC 28300
I do not want to give up my rights:	☐ I do not want to be questioned or say anything. Juli 2024
SIGNATURE OF INTERVIEWEE	
TTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 282	23) SUBSECUENTLY EYECLITED BY THE SUSPECTACOURS
DALFORMENT OF CEMENT SENSITIVED THON OF NOV	

	DRN STATEMEN		
For use of this form, see AR 190-45: Th		eputy Chief of Staff fo	r Personnel. FILE NUMBER
FORT BRAGG, NC 28310	09 AUG 04	1054	670-5,66-5
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY NU	MBER	GRADE/STATUS ES/Active
ORGANIZATION OR ADDRESS 65 TH MP COMPANY, FBNC	-5,66-5		20/10470
I, SGT want to provide the following s	tatement, under oath:	676-5,66	3
		, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
While working in Mosul, Iraq, my patrol performed a has checkpoint. They were instructed to exit the vehicle and of women that was half naked and had her gown ripped came asked my interpreter what she was saying and he told me to been ripped open and he appeared very scared. So I kinda our weapons. I instructed the interpreter to tell the one Iraq which point I stepped on the back of his leg while yelling this back and proceeded to put the flexi cuffs on him. I instructed driver park the vehicle along side the road. I then went which point I got my new videocamera and proceeded to s job, ali' barbor "he was saying no mister no mister I then checked on SSG to see lifewe were ready to go and was handed over to the Iraqi police. I then told one of my for Iraqis to beat women (jokingly) and he said no sergean smoked a cigarette with the 101" guys that were standing of	pen all doors and trunk. cout of the taxi screamir hat the guys raped her. I of put 2 and 2 together a qui to get on the ground. To him to get down on the ructed one of the 101st g Idle of the road, and what back to my vehicle and ay while taping the guy said "no no no no shut- he gave me the thumbs traqi buddies that this gu t. I then told him well th	Three iraqi's exited and carrying on war noticed at that time and believed the work of the war of t	If the vehicle. At that time a while pointing at the gentlemen. I that one of the guys shirt had omen. At hat point we had drawn stitution in him doing that. At got down on the ground I got on the vehicle. I went back to talk to the vehicle ready to move. At get the vehicle ready to move. At pe women huh? I got you, good with the video camera. I then the tothe police station where he men and that it must be common gave the Iraqi to the police and
676-1,6/-1	at Home of the police sta	13/2-	5,565
Q: 121-5,66-5			
A: Q: Did you ever hit or kick the detainee?	•		
A: Not while he was in handcuffs.	•		
Q: When did you hit him?			
A: I didn't really hit him, but I used force in getting him of Q: Did you ever hit the detained while you were removing			um.
A: No.	min nom me oaem or m		
Q: Did you ever kick the detainee while escorting him to t	he Iraqi police station?		
A: No.Q: Did you witness the Iraqi police hitting or beating the d	letainee?		
A: No.	·	•	
Q: Did you take a video clip of the detainee?			·
A: Yes.			
Q: What did the video clip show?A: I turned it on night vision, and I was standing outside the "Ali Babor" which means thief or criminal. The only reason			
wanted to use it. Q: Did you see PFC kick the detainee? 676-3	5.66-5		1
Q: Did you see PFC kick the detainee? D/C 3. A: No I didn't.	1166	6-4	
A: No I didn't. Q: Do you remember PFC telling the detainee to A: No. We were in the lead vehicle. I was more interested	shut up?		
		en't ambushed.	
Q: Why would anyone report you hit a detainee if it didn't A: The day I signed out on leave (29 Jul 04) I brought the	squad into the mail roor	n and went over so	uad notes. During that time I / 2
informed PFO that he was over his body fat percent	ntage, and was being pu	t on remedial PT.	PFC started tearing up
and I told him that he did it to himself, and he started cryin			quick. He than asked to speak to
EXHIBIT INITIALS OF PERSO	N MAKING STATEM	DENT	PAGE 1 OF AGES DA
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LAW ENFORCEMENT SENSITIVE ACLU-RDt 113 p.25

EXHIBIT 19

	TAKEN AT Fort Bragg, NC, DA at night, couldn't eat, and that he wal ashed him too hard. I told him to ge SSG that we needed to so then knocked on the door a	kes up in cold sweats. When think about what he just saidend PFC	1 asked him why, he said	he was his me in five because of his
that couldn't take it and wanted Q: Do you think this is why PF	what was going on and PFC to change fearns. Consider reported the accusations would be the only way he would be his statement? d to this statement?	told SSG that h	e wanted off my team. He	
•				
 -	·			·
			-	
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			67C-51 (do-5	676-966-5
EXHIBIT	INITIALS OF PERSON MAK	ING STATEMENT	PAGE 2 OF	
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LAW ENFORCE	MENT SENSITIVE orm 282	23 (Automated)	EXH	IBIT
ACLU-RDI 113 p.	26			//

	15/0-5/06
	-04-CID023-
ATEMENT OF SGT TAKEN AT Fort Bragg, NC,	0.573 - 0.4 - 0.000
	010000000000000000000000000000000000000
•	
-//-	
676-566-5	
	AFFIDAVIT
HAVE READ OR HAVE HAD READ TAGE FULLY UNDERSTAND THE CONTENTS OF THE EN	O ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON TIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE
VITTALED ALL CORRECTIONS AND HAVE INITIALED THE BO	TTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE
HIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR RI OERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEM	MENT.
	(Signature of Person Making Statement)
VITNESSES:	SUBSCRIBED AND SWORN BEFORE ME, A PERSON BY LAW
	TO ADMINISTER OATHS, THIS 9 DAY OF <u>August</u> , 2004 AT Fort Bragg, NC.
RGANIZATION OR ADDRESS	AT Fort Bragg, NC.
	(Signature of Person Administering Oath)
RGANIZATION OR ADDRESS	67CA
	SA (Name of Person Administering Oath)
	Article 136 (b) (4), UCMJ (Authority to Administer Oath)
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e statement of the stat	and the second s
•	67K-5/665
	by Cart
CHIBIT INITIALS OF PERSON M	TAKING STATEMENT PAGE 3 OF STAGES
DOMESTING THE HEADING THE HEADING	"STATEMENT OF TAKEN AT DATED CONTINUED." THE
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OTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALED AS "PAGE_OF_PAGES."	HE INITIALS OF THE PERSON MAKING THE STATEMENT AND
OTTOM OF EACH ADDITIONAL PAGE MUST BEAR TH	HE INITIALS OF THE PERSON MAKING THE STATEMENT AND

RIGHTS	WARNING PROCEDURE/WAIVER CERTIFICATE
AUTHORITY: PRINCIPLE PURPOSE:	Title 10, United States Code, Section 3012(g) 0573-04-010025-014() 5 To provide commanders and law enforcement officials with means by which
ROUTINE USES:	information may be accurately identified. Your Social Security is used as an additional/alternative means of identification to facilitate filing and retrieval.
DISCLOSURE:	Disclosure of your Social Security Number is voluntary.
LOCATION: Fort Brag FILE NUMBER: 0573-0 NAME (Last, First MI): ORGANIZATION OR A	SSAN: GRADE / STATUS: SGT DATE OF STATUS: SGT
Command as a Special Assuspected Assuspected Assuspected Before he/she asked me	RIGHTS WAIVER/NON-WAIVER CERTIFICATE name appears below told me that he/she is with the United States Army Criminal Investigation agent and wanted to question me about the following offense(s) of which I am ault, Maltreatment of a Person Under Your Order any questions about the offense(s), however, he/she made it clear to me that I have the
Anything I say or do 3. (For personnel subject questioning and to have for at no expense to the	there questions or say anything. It can be used as evidence against me in a criminal trial. It to the UCMJ) I have the right to talk privately to a lawyer before, during, and after a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange Government or a military lawyer detailed for me at no expense to me, or both.
	2 1 100 - during and after
Cquestioning and to have	oject to the UCA with me during questioning. I understand that this lawyer can be one that I a lawyer profess. With me during questioning. I understand that this lawyer can be one that I appointed for me before expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before
• A stieming homing	thought the month
to stop answering quest waiver below. 5. COMMENTS: Have	ions at any time of speak privately was a series of the speak privately was a series of the speak privately was a series of the series of the speak privately was a series of the speak privately was a series of the series of th
	as stated above. I am now willing to discuss the offense(s) under investigation and make a first and without having a lawyer present with me.
Signaurator Wilness	Signature of Interviewee
SPECIAL A	Signatule of Investigator/Special Agent 57
Witness# 2	- Control Agent
Signature of Witness	Signature of Investigator/Special Agent US ARMY CID COMMAND FORT BRAGG, NC 38307-5000
	CERTIFICATE
I do not want to give t	NON-WAIVER CENTIFICATE up my rights: I want a lawyer: ☐ I do not want to be questioned or say anything: ☐
Signature of Interview	vee:
DA Form 3881-E	



4		It	Consent	To Search	Time: 1525 hr c
11 1	104 1	19	(USACIDC Suppler	4 to AD 190-221	
ame of person c	onsenting to the search:		1	2. Organization and total	PCO, FB4C 28310
SSG				03 M	and the following possible violation(s) of law:
have been infor	ned by the undersigned L	JSACIDC Spe	cial Agent that an inq	uiry is being conducted in o	connection with the following possible violation(s) of law:
	distribution, ar	nd/or pro	luction of mat	arial constituting	Of Containing Comme
033633101			soldiers deta	ined by U.S. Force	
			·		that remain premises or property as
l have been re	guested by the unders	signed USA	CIDC Special Agen	t to give my consent to	a search of my person, premises, or property as or property. (If you do not give your consent, do not
cated below.	I have been advised o	f my right to	refuse a search of	my porosin press	
n this form.)				7. /	Officials assisting the undersigned USACIDC Special Agent to
hereby authoriz	e the undersigned USAC	IDC Special A	gent and/or other Au	thorized Law Enforcement	Officials assisting the undersigned USACIDC Special Agent to
duct a search of	: (Initial and sign applic	Initials	Signature		
а.	My Person	Intiais			
	<u> </u>	initials	Signature		
h			· · · · · · · · · · · · · · · · · · ·	,	
b.	My Quarters				
antod Att					·
cated At;					
	1	Initials	Signature		
c.	My Vehicle				
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d.	Other				
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_ocated At:	 . <i></i>	comp	le devices, ca	meras, photograp	hs, movies, manuals, notebooks, papers,
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Described As	COMPACI	APTO	> Compu	TOR SNE	be removed by the authorized law enforcement personn le laws or regulations:
am authorizin	g the above search(s)	for the follo	wing general types Army Regulation	of property which may 195-5, or other applicable or data including	le laws or regulations:
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maferial re	isted to the even	ontaile	II mile	it conduct and da	ata and/or initorination dood to the
or purporte	ed detainees eng	aged		tion of such mate	erials.
access 10,	possession to always t	o the under	laned USACIDC S	pecial Agent freely, volu	intentity three trial-
6. This writter	n permission is given t	o ale allacit			67C-466-E
				of Person Granting Con.	
			Righardre		,
			5	704,661	Signature of Witness (If Available)

LAW ENFORCEMENT SENSITIVE ACLUARDIOABIOLOS USE ONLY

EXHIBIT 9

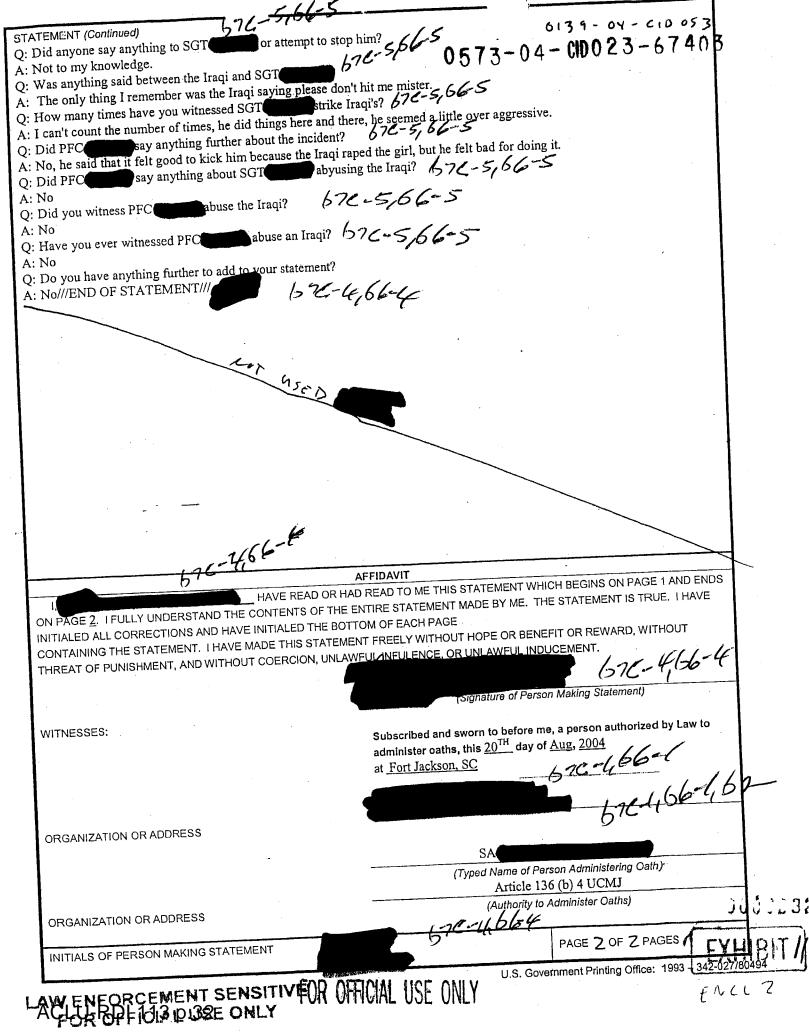
				4 - CID	023-	674n =	}
		חמט⊘ממת	ROI NUMBER	0139-04	-CID05	3	
	STIGATION gulation 195-1	REPORT	PAGE	1 0	F l	PAGES	
Sasis For Investigation: Aborder in Charge, Fort Braggoncerning her knowledge of	of SGT and S	GT ab	using detaine	es while i	istance from s n Iraq. 6	om the Spe 676 76-5,66 as Mrs	cial -466-0
About 1450, 20 Aug 04, SA		d DEIDS check				Mrs	16.4
is the dependan	nt spouse of SPO		, 17th Milita	ry Police I	Detachme	nt, Fort	50-6
· · · · · · · · · · · · · · · · · · ·	166-1	67C-	4,66-4	, wh	o provide	d a Sworn	57E-56
About 1701, 20 Aug 04, SA Statement which detailed ho to her that he also abused th	ow che witnessed Strl	abus	e an Iraqi det ent for details	ainee and	how PFC	st	tated
so her that he also addised the AGENTS COMMENT: Mr	61C-F106-6	was recer	ntly married,		676-4	166-4	
676	1666 issued M	67C-46106	DD Form 27	01, Victin	n/Witness	Form.	
About 1420, 23 Aug 04, SA	received	a USACRC na	me check for	Mrs	61C-4	hich revea	led -
no derogatory information.	///LAST ENTRY///		 .				
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			e de la companya de				
					•		
_ un and man-control comments out out	and make the second of the sec		65				
		166	, O •				
TYPED AGENT'S NAME AND SE	QUENCE NUMBER 57	3 rd MP		CID), USACIDC 29207	á'		
SA		DATE	ug 04		HIBIT	* . ÚÚĆ	30
CID FORM 94	FOR C	OFFICIAL US	E ONLY			FXHI	RIT
ACLURD DISCEME	ENT SENSITIVE		•			1 -1	. 1. 1.

SWORN	STATEMENT		676-466-6
For use of this form, see AR 190	-45; the proponent ag	ency is ODCSOPS	
	DATE	TIME	FILE NUMBER 0139-04-CID053
CATION	20 Aug 04	11701	RANK/STATUS
t Jackson. SC 29207	SOCIAL SECURIT	YNUMBER	CIV
ST NAME, FIRST NAME, MIDDLE NAME 76-4/564			CIV
DDRESS/ORGANIZATION	171-41	56-16	664
DDRESS/ORGANIZATION	67C-416	1 67	2.4/00
6x 466-4	<u></u> _	OLUNIO CT	ATEMENT UNDER OATH:
	, WANT TO MAKE TH	vitnessed an even	
ring the time frame of October through February I.	COT	. SPC	, Fru
. G.tt may collan in illeliue, be q	50.	t. During this op	eration, Sgt and other 672
SPG PFC , and I work contains to			
am members stopped a car to find a woman crying in the balling security at this time, but then came over to the area to the security at this time, but then came over to the area to the security at this time, but then came over to the area to the security at this time, but then came over to the area to the security at this time, but then came over to the area to the security at this time, but then came over to the area to the security at this time, but then came over to the area to the security at this time, but then came over to the area to the security at this time, but then came over to the area to the security at this time, but then came over to the area to the security at this time, but then came over to the area to the security at this time, but then came over to the area to the security at this time, but then came over to the area to the security at this time, but then came over to the area to the security at this time, but then came over to the area to the security at this time, and the security at this time, but then came over to the area to the security at this time, and the security at this time, and the security at the se	oack scal explaining	v who had suppor	sably raped the female in his car.
short period after. I wimessed SO I	J. J. I I I I I I I I I I I I I I I I I	or in the same tru	CK as the prisorier as our balance
short period after, I witnessed SGT kick the male Ir his truck. The guy was bleeding profusiy as he put him it his truck. The guy was bleeding profusiy as he put him it	that time. After our	patrol shift was	over, my friend, PFC
- 1- 1 him Wat the Hiller of Doo		the suge to the	Trant Futtee Diamon, Open
his truck. The guy was decening processed fuck at ansported him. I was the driver of SSG fuck at ansported him. I was the driver of SSG fuck at ansported him. I was the driver of SSG fuck at ansported him. I was the driver of SSG fuck at a support of SSG fuck at a suppor	as the female over	to Iraqi Police to i	investigate the case to
ompletion. I did not witness anyone else in the squad do a	nationals in the past.	For instance, at	the Pay Site, in which we pulled
physically abuse Iraqi veterans to pay, SGT kneed a man	in the ribs about fi	ve times and threv	w him over a hill for not standing
to for Iradi Veterans to Day, 50 1	I III the ribs about a		
the correctly. by: SA Solution of the correctly. Solution of the correctly.			
D: SA			
2: Mrs 676-4, B6-2 2: Do you remember more of a time frame when the incide	ent at the traffic cont	rol point occured	?
o. Do you remember more of a uniciralize with	ant ut the man	_	
A: I can't really remember.	71-5,66-	>	
Q: Who else witnessed SGT abuse the Iraqi? // A: The soldiers memtioned above were there, but I don't kn	now if they witness	ed it or not.	
A: The soldiers meritable	5/-5		
O. Where did SGI	on the ground.		
A: He kicked him in the ribs while the Iraqi?	76-5,66-	5	
O. How many times did SGI	,,, =-		
A: I'd say about three or four times.			
with the order		1 41 -	5,66-5
A: I'd say about 3-4 times, he mi min in the lace.		576	to the temporary
Q: Where did the club come from? A: It came from a previous check point, we had taken it of the club?	ff of an Iraqi, SGT	had kept	it in his truck.
A: It came from a previous check point, we had 676-3	5,66-5		
A: It came from a previous check point, we had taken to Q: How long did SGT have the club? 676-39. A: I'm not sure, usually we just keep them so they don't go	o back into the com	munity.	
A. I'm not sure, usually we just keep are			
Q: What did the club look like? A: Like a small thick baseball made of wood, about 2 foo	t long.		
A: Like a small thick baseball made of wood, as			
Q: Who pulled the Iraqi out of the vehicle?		•	
A: I didn't see.			Linear I didn't see the Iraqi
A: I didn't see. Q: Did the Iraqi resist at all? A: I didn't see when he was first pulled out, but when I ca	ame over and he wa	s being put in han	id nons, i didn't see the had-
A: I didn't see when he was first puned out, but made			
significant			
Q: Who placed the hand irons on the Iraqi?	171-5,66	5-7 (Cort
A: SGT and the Iraq	66-4 66-4	- All	*
Q: Who was in the truck with SGT	66-4	170	
INIT	ALS OF PERSON MA	KING STATEMENT	PAGE 1 OF 2 PAGES
FXHIBIT (no color			PAGE TOT ETTIGE
1123	TATEMENT OF TA	AKEN ATDATED_	CONTINUED."
- CONTAIN THE HEADING "S) A L W L W		
ADDITIONAL PAGES MUST CONTAIN THE HEADING "S	HE INITIALS OF THE	PERSON MAKING	THE STATEMENT AND BE INITIALED
ADDITIONAL PAGES MUST CONTAIN THE HEADING "S THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR TH AS "PAGEOFPAGES." WHEN ADDITIONAL PAGES A STATEMENT WILL BE CONCLUDED ON THE REVERSE SID	OC UTILIZED THE B	ACK OF PAGE 1 W	ALL BE LINED OUT AND THE

DA FORM 2823. JUL 72

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

EXHIBIT



For use of this form United States	Army Crimo 222	estigation Command	RECEIVED	RETURNED
: (Include Zip Code)	ا ا	ROM: (Include Zip Code) PECIAL AGENT-IN-CHARGE	DEGIS MAIL	REGIS MAIL
RECTOR ACIL-CONUS	18	7th MP DETACHMENT (CID)(ABN)		RY EXP
ORTH 2ND STREET	I	Fort Bragg, NC 28310	RY EXP	RIEAT
JILDING 213-B ORT GILLEM, GA 30050-500	00		HAND	HAND
JRI GILLLIN, GILL			DATE	DATE
		.11	RECEIVED BY	
TTN: Imaging & Tech Suppo	ort	676-1166-1	EVIDEN	CE RECEIPT
o 1	1	676	RECEIVED	INITIATED
CAIL		@bragg.army.mil	3. AUTOVON AND P	UONE NI IMBER
CONTRIBUTOR CASE NUMBER	1	2. INVESTIGATOR'S NAME	3. AUTOVON AND P. DSN	HONE NOWIER
0573-04-CID023-67403-5Y2E SUSPECT(S) (Last, first and middle n	37/5C2B	576-56 MP CO, FBNC 28310 676-5, 66-55th MP CO, FBNC 676-5,66-5	16/-162	
GT VICTIM(S) (Last, first and middle na				
UNKNOWN				
		7. ONE COPY OF EVIDENCE RECEIPT ENCLOSED WITH EVIDENCE	8. OTHER EVIDENCE SUBMITTED ON THE	CE PREVIOUSLY HS CASE
OF OFFICE		TATOT ACED WITH EVIDENCE		
6. TYPE OF OFFENSE	e r		☐ YES 🖾	NO .
Failure To Obey General Ord	er	⊠ YES □ NO		
Failure To Obey General Ord	er SUSPECT(S), DA			
Failure To Obey General Ord	er SUSPECT(S), DA	⊠ YES □ NO		
Failure To Obey General Ord	er SUSPECT(S), DA	☐ YES ☐ NO TE SUBMITTED, UNIT CASE AND LABORAT	ORY REFERRAL NUMBE	
Failure To Obey General Ord Assault 9. IF "YES" IN ITEM 8, LIST OTHER	SUSPECT(S), DA	☐ YES ☐ NO TE SUBMITTED, UNIT CASE AND LABORAT 10. EVIDENCE SUBMITTED b. DESCRIPTION OF EX	ORY REFERRAL NUMBE	
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DODDOACID 005843

107 TU-07-CIP C 10. EVIDENCE SUBMITTED b. DESCRIPTION OF EXHIBIT a. EXHIBIT 11. EXAMINATION(S) REQUESTED (Briefly furnish any information or instructions that might assist the laboratory in examining, evaluating or returning evidence and/or report.) Imaging & Tech Support: Please examine Exhibit #1 for any photograph or video images which depict possible detainee abuse. PLEASE CONDUCT ANY OTHER TEST YOU DEEM NECESSARY. 676-4166-4 INSPECTOR GENERAL'S OFFICE, FORT BRAGG, NC 28310 THIS INVESTIGATION WAS INITIATED UPON NOTIFICATION FROM MR 676-4,66-4 THIS INVESTIGATION WAS INITIATED OF CHARGE THAT OCCURRED IN IRAQ. 176-5/66 (FBNC), OF A POSSIBLE ASSAULT ON A DETAINEE THAT OCCURRED IN IRAQ. CONTACTED MR. AND REPORTED HE HAD INFORMATION CAME INTO THE IG OFFICE AND STATED THAT WHILE HE WAS PRELIMINARY INVESTIGATION INDICATES THAT ON 26 JUL 04, PFO DEPLOYED WITH THE 65TH MP COMPANY IN IRAQ, THEY DETAINED AN IRAQI MALE FOR RAPE AND GRAND THEFT AUTO. WHILE THE IRAQI WHILE THE DETAINEE WAS HANDCUFFED AND IN THE BACK OF THE HIGHLY 616-INFORMED MR THAT HE WAS THE GUNNER IN THE TURRET AT THE TIME 14 WAS IN THEIR CUSTODY, HE WAS STRUCK BY SGT NO HE KICKED THE DETAINEE IN ORDER TO GET HIM TO BE QUIET, AS THAT WAS THE REASON HE WAS BEING STRUCK. PFO THAT IT WAS DETERMINED THROUGH AN INTERPRETER (NFI) THAT THE DETAINEE WAS A REPO MAN AND THE "RAPE MOBILE MULTI WHEELED VEHICLE (HMMWV). PFO VICTIM" WAS A PROSTITUTE. THE UNIT TURNED THE IRAQI OVER TO THE IRAQI POLICE, THE DETAINEE WAS BLEEDING FROM THE RIGHT STATED THERE WAS A COMPACT DISC DEPICTING THE ABUSE AND HE MIGHT DECLINED TO REPORT THE INCIDENT TO CID, AS REQUESTED BY THE IG OFFICE. PFO SIDE OF HIS FACE WHEN HE WAS TURNED OVER. PFO PLACED IN CONTACT WITH TRIAL DEFENSE SERVICES (TDS), FBNC, WHO ADVISED HIM NOT TO TALK TO ANYONE REGARDING THE ISED OF HIS LEGAL RIGHTS, WHICH HE INVOKED AND REQUESTED LEGAL COUNSEL. AND PFC INCIDENT. 65TH MP CO, FBNC, WAS INTERVIEWED AND STATED HE WITNESSED BOTH SGT. KICKED THE DETAINEE NUMEROUS 6,72 ON 29 JUL 04, PFC STATED PFO ASSAULT THE DETAINEE WHILE HE WAS IN THEIR CUSTODY. SPO WHILE SGT RECORDED THE ASSAULT. SPO STATED SG HIT THE DETAINEE NUMEROUS TIMES WITH A CLOSED TIMES WHILE SGT RECORDED THE ASSAULT. SPC STATED SG FIST WHILE ATTEMPTING TO REMOVE THE DETAINEE FROM THE VEHICLE. ON 30 JUL 04, SPQ 65TH MP CO, FBNC, PROVIDED A LAPTOP COMPUTER TO THIS OFFICE ON WHICH HE STATED ALL PICTURES AND VIDEOS WERE DOWNLOADED DURING THE IRAQI DEPOLYMENT. THE COMPUTER WAS TAKEN AS EVIDENCE AND IS 616-166-1 AWAITING EXAMINATION, IS CURRENTLY ON LEAVE AND IS BEING LOCATED.

DA FORM 3655 PG 2 ACLU-ROIGA DESCRIPTIVE

Evidence above has not been ex

INVESTIGATION CONTINUES BY CID.

TYPED/PRINTED NAME OF REQUESTER / 16/11

100 --

wific field

DATE

/3 August, 2004

	RIGH'1	RNING PROC	EDURE/WAIVER CER	ATE	· ·
	For use of	this form, see AR 190	-30; the proponent agency is	ODCSOPS	
		DATA REQUIRED	BY THE PRIVACY ACT		
JTHORITY:	Title 10, United	States Code, Section 301	2(g)	sich information may	becaccusted identified.
UNCIPAL PURPOSE:	To provide comm	nanders and law enforcer	nent officials with means by what additional/alternate means of	identification to facil	itate filing and retrieval.
OUTINE USES:	Your Social Sect	ur Social Security Numb	er is voluntary.		4. FILE NUMBER
SCLOSURE:	Disclosure 41 y 5.		2. DATE	3. TIME	0573-04-CID023-67403
th MP DET CID (ABN),	Fort Bragg, NC	28310	25 AUG OY 8. ORGANIZATION OR ADDR	1626	0373-04-CID023-07403
ame (Lasi Firsi MI)			65th MP CO		
	170-66	T 7. GRADE/STATUS	Fort Bragg, NC 2831	0	
SN	0-01	SGT	10tt Blagg, 110 200 1		
	PART I	RIGHTS WAIVE	R/NON-WAIVER CER	TIFICATE	
ECTION A. Rights	IAICI				
SCHORA, Rights				-iminal Invection	tion Command
e investigator whose name	appears below tolo	de that he/she is with	h the United States Army Co	following offense(s	s) of which I am
	7671118-		4		
spected/assaute Assaute	questions about the	offense(s) however,	he/she made it clear to me th	at I have the follow	ving rights:
I do not have to answer at	ny questions or say	anyming		1967	
Anything I say or do can	be used as evidence	e against me m a crimi	That didn't	and after quest	ioning and to have a lawyer nent or a military lawyer detailed
(For personnel subject to	the UCMJ) I have	e me right to talk priva er can be a civilian law	yer I arrange for at no expen	nse to the Governm	nent or a military lawyer detailed
resent with me during quest or me at no expense to me o	or both				
I life as the cost	•				
			-Or-		
		·	-or-		
For civilians not subject to	the UCMJ) I have	the right to talk privat		g, and after question	oning and to have a lawyer
il derein of other	Honing I illicista	He mat mile iam lor our	ely to a lawyer before, during the one that I arrange for at	ig, and after question my own expense, o	oning and to have a lawyer or if I cannot afford a lawyer and
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DA FORM 3881, NOV 89 (AUTOMATED)

EDITION OF NOV 84 IS OBSOLETE

LAW ENFORCEMENT SENSITIVE ACLU-RDI 113 p.35



Γ II - RIGHTS WARNING PROCEDURE

1. WARNING - Inform the suspect/accused of

- a. Your official position.
- b. Nature of the offense(s)
- c. The fact that he/she is a suspect/accused.
- 2. RIGHTS Advise the suspect/accused of his/her rights as follows: "Before I ask you any questions, you must under your rights."
 - a. "You do not have to answer my questions or say anything."
 - b. "Anything you say or do can be used as evidence against you in a criminal trial."
 - c. (For personnel subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer

THE WARNING can be a civilian you arrange for at no expense to the Government or a military lawyer detailed for you at no expense to you, or both."

> (For civilians not subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer can be one you arrange for at your own expense, or if you cannot afford a lawyer and want one, a lawyer will be appointed for you before any questioning begins."

d. "If you are now willing to discuss the offense(s) under investigation, with or without a lawyer present, you have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even it you sign a waiver certificate."

Make certain the suspect/accused fully understands his/her rights. 676-5

THE WAIVER

"Do you understand your rights?" Ve (If the suspect/accused says "no," determine what is not understood, and if necessary repeat the appropriate right advisement. If the suspect/accused says "yes," ask the following question.)

"Have you ever requested a lawyer after being read your rights?" (If the suspect/accused says "yes," find out when and where. If the request was recent (i.e., fewer that 30 days ago), obtain legal advice on whether to continue the interrogation. If the suspect/accused says "no," or if the prior request was not recent, ask him/her the following question.)

"Do you want a lawyer at this time? (If the suspect/accused says "yes." stop the questioning until he/she has a lawyer. If the suspect/accused says "no," ask him/her the following question.) 5,66-5

"At this time, are you willing to discuss the offense(s) under NO investigation and make a statement without talking to a lawyer and without having a lawyer present with you?" (If the suspect/accused says "no," stop the interview and have him/her read and sign the non-waiver section of the waiver certificate on the other side of this form. If the suspect/accused say "yes," have him/her read and sign the waiver section of the waiver certificate on the other side of this form.)

SPECIAL INSTRUCTIONS

WHEN SUSPECT/ACCUSED REFUSES TO SIGN WAIVER CERTIFICATE: If the suspect/accused orally waives his/her rights but refuses to sign the waiver certificate, you may proceed with the questioning. Make notations on the waiver certificate to the effect that he/she has stated that he/she understands his/her rights, does not want a lawyer, wants to discuss the offense(s) under investigation, and refuses to sign the waiver certificate.

IF WAIVER CERTIFICATE CANNOT BE COMPLETED IMMEDIATELY: In all case the waiver certificate must be completed as soon as possible. Every effort should be made to complete the waiver certificate before any questioning begins. If the waiver certificate cannot be completed at once, as in the case of street interrogation, completion may be temporarily postponed. Notes should be kept on the circumstances.

PRIOR INCRIMINATING STATEMENTS:

1. If the suspect/accused has made spontaneous incriminating statements before being properly advised of his/her rights he/she should be told that such statements do no obligate him/her to answer further questions.

2. If the suspect/accused was questioned as such either without being advised of his/her rights or some question exists as to the propriety of the first statement, the accused must be so advised. The office of the serving Staff Judge Advocate should be contacted for assistance in drafting the proper rights advisal.

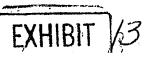
NOTE: If 1 or 2 applies, the fact that the suspect/accused was advised accordingly should be noted in the comment section on the waiver certificate and initialed by the suspect/accused.

WHEN SUSPECT/ACCUSED DISPLAYS INDECISION ON EXERCISING HIS OR HER RIGHTS DURING THE INTERROGATION PROCESS: If during the interrogation, the suspect displays indecision about requesting counsel (for example, 'Maybe I should get a Lawyer."), further questioning must cease immediately. At that point, you may question the suspect/accused only concerning whether he or she desires to waive counsel. The questioning may not be utilized to discourage a suspect/accused from exercising his/her rights. (For example, do not make such comments as "If you didn't do anything wrong, you shouldn't need an attorney.")

COMMENTS (Continued)

REVERSE OF PAREEMENT SENSITIVE FOR OFFICIAL USE ONLY

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FOR OFFICE USE ONLY - LAW ENFORCEMENT SE. ITIVE



DEPARTMENT OF THE ARMY US ARMY CRIMINAL INVESTIGATION LABORATORY 4553 N 2ND STREET FOREST PARK, GA 30297-5122

CILA-EP

25 August 2004

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, 87TH MILITARY POLICE DETACHMENT (CID), 3D MILITARY POLICE GROUP (CID), USACIDC, 8-1221 RANDOLPH STREET, FORT BRAGG, NC 28310-5000

SUBJECT: Forensic Division Report(s)

USACIL Case Number 2004-CID131-1489

Submitter Case Number 0573-04-CID023-67403

- 1. Enclosed are the Final Laboratory Exhibit List and Final Division Report for the Imaging and Technical Support Division.
- Two original reports have been produced. These reports were completed at or near the time of the forensic examination(s) and prepared in the ordinary course of business by the forensic examiner(s) assigned to the case. These reports were made by the regularly conducted activity as a regular practice of the United States Army Criminal Investigation Laboratory. original report is enclosed and the other is kept in the official files of this laboratory and maintained IAW AR 25-400-2 and CIDR 195-1.
- 3. All items received in the laboratory for examination are returned to the submitting agency upon completion of laboratory testing.
- IAW AR 195-2, requests and fund cites for court appearances of Laboratory Examiners will be made at least 10 working days prior to the date of court proceedings.

Point of contact is the Evidence Processing Division, DSN Commercial (404) 469-676-3.66-3 797-7112, or Email: usacil@usacil.army.mil.

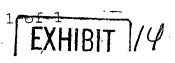
Deputy Records Custodian

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AN ASCLD/LAB ACCREDITED LABORATORY (SINCE 1985)

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FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE



DEPARTMENT OF THE ARMY US ARMY CRIMINAL INVESTIGATION LABORATORY 4553 N 2ND STREET FOREST PARK, GA 30297-5122

CILA-IT

25 August 2004

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, 87TH MILITARY POLICE DETACHMENT (CID), 3D MILITARY POLICE GROUP (CID), USACIDC, 8-1221 RANDOLPH STREET, FORT BRAGG, NC 28310-5000

Imaging and Technical Support Division - Final Report SUBJECT:

USACIL Case Number 2004-CID131-1489

Submitter Case Number 0573-04-CID023-67403

EXHIBIT:

1(1-2) - Laptop computer containing hard drive and CD (Item 1, Doc 287-04).

FINDINGS:

- 1. Enclosure 1 contains a copy of this report (Findings.doc) with hyperlinked text that allows the user to directly access the referenced files.
- 2. The hard drive (HD) from Exhibit 1 is designated as Exhibit 1-1. Examination of Exhibit 1-1 determined the Operating System (OS) to be Microsoft Windows XP Service Pack 1, with an installation date of 07 December 2003. The Registered Owner was and the Time Zone was set to Eastern Daylight Time (EDT) (GMT -04:00 hours).
- Exhibit 1-1 was examined and found to contain two (2) pictures and one (1) video pertaining to the incident(s) under My Documents \My Pictures\Pictures

 The following table carry investigation. These files were found in \Documents and pictures\. The following table contains 676-5,66 Settings \ information obtained from file metadata concerning the above referenced pictures.

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Imaging and Technical Support Division - Final Report CILA-IT SUBJECT:

USACIL Case Number 2004-CID131-1489

Submitter Case Number 0573-04-CID023-67403

Camera: SONY DCR-TRV350

Picture Creation Date and Time Filename

19 Oct 2003 01:30:04 arab1.jpg 19 Oct 2003 01:30:07 arab2.jpg

Metadata is information embedded within a file that describes or defines the file. Digital camera metadata varies based on manufacturer and camera model. It normally includes basic information about the camera, such as the brand and model Settings for each photograph, such as shutter speed, aperture settings, exposure time, light source, and the date and time the picture was taken according to the camera's internal clock may also be included.

pictures of possible interest. These pictures were found in Ny Documents and Settings My Documents My Documen \Documents and Settings\
Pictures\Pictures\2003-10-30\. The following table contains information obtained from file metadata concerning the above referenced pictures.

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DIGITAL CAMERA	Date and Time
Filename	Picture Creation Date and Time
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	27 October 2003 11:34:16
000_0205.JPG	27 October 2003 11:35:41
000_0208.JPG	27 October 2003 11:33.41
000_0210.JPG	27 October 2003 11:36:10
	27 October 2003 11:36:28
000_0211.JPG	27 October 2003 11:37:14
000_0214.JPG	27 October 2003 11.37.11
-	

- 5. Exhibit 1-2 is a professionally manufactured CD and contains nothing of evidentiary value.
- Included on Enclosure 1 is a Microsoft Access database AllFiles.mdb containing a listing of the files from Exhibit 1-1. Each file listed has information regarding the last access date, whether or not the file was deleted, the size of the file, and the time and date it was created. The dates and times have been adjusted to reflect the proper time zone setting.



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CILA-IT

Imaging and Technical Support Division - Final Report SUBJECT:

USACIL Case Number 2004-CID131-1489

Submitter Case Number 0573-04-CID023-67403

Two original reports have been produced. These reports were completed at or near the time of the forensic examination(s) and prepared in the ordinary course of business by the undersigned. These reports were made by the regularly conducted activity as a regular practice of the United States Army Criminal Investigation Laboratory. Point of contact is the Evidence Commercial (404) Processing Division, DSN 797-Fax DSN 797-7112, or Email: usacil@usacil.army.mil.

67C-3,66-3

Forensic Computer Examiner

Encl CD

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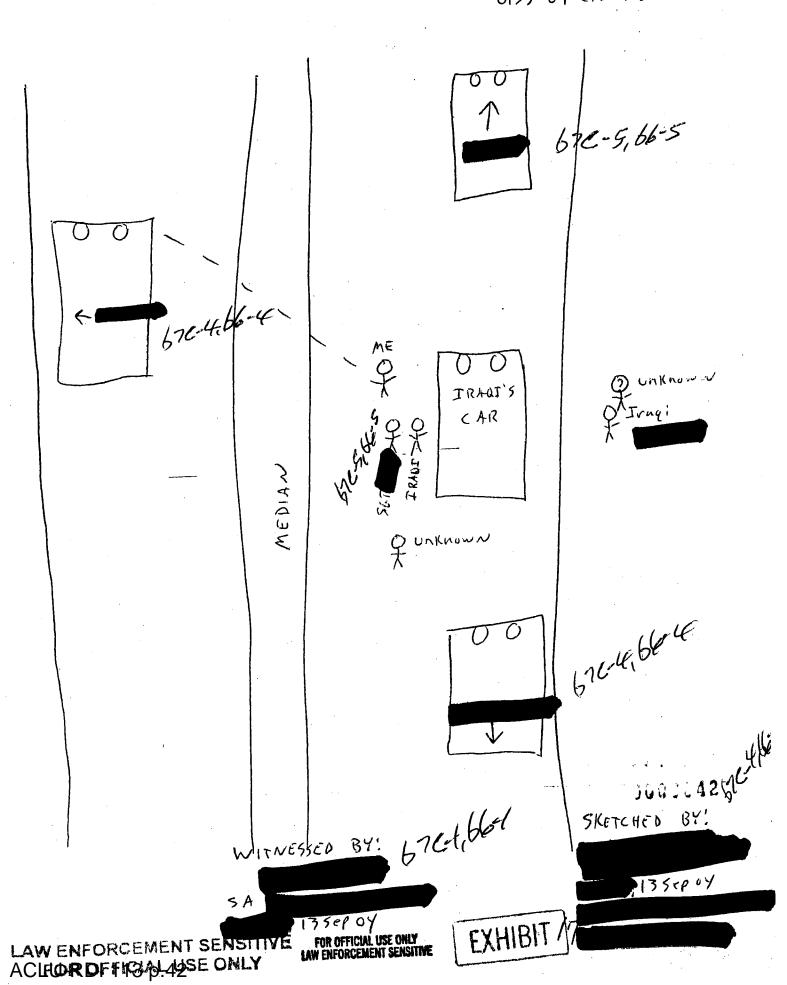
-04-CJD023 · G 7403 0155-04-CID053 INVESTIGATION REPORT AGENT'S CID Regulation 195-1 PAGES 1 OF PAGE 676-466-4 DETAILS BASIS FOR INVESTIGATION: About 1400, 10 Sep 04, this office received a Request for Assistance from the 87th Military Police Detachment (ABN) (CID), 3RD Military Police Group, Building 8-1221 Randolph Street, Fort Bragg, NC 28310, to locate and re-interview Mrs concerning her witnessing of an Iraqi National being abused by SGT About 1451, 13 Sep 04, SA obtained a rough sketch of the incident scene from Mrs (See sketch for details). 67C-4,66-K 678-1,667 who provided a sworn statement detailing interviewed Mrs About 1453, 13 Sep 04, SA and the whereabouts of other personnel during the incident (See the abuse of an Iraqi National by SGT sworn statement for details). ///LAST ENTRY/// 676-5,66-5 678-1.66-1 TYPED AGENT'S NAME AND SEQUENCE NUMBER 37th MP Det CASE (CID), 3rd MP Grp (CID), USACIDC Fort Jackson, SC 29207 EXHIBIT DATE SIGNATURE 13 Sep 04

FOR OFFICIAL USE ONLY

RCEMENT SENSITIVE

113 P.41 USE ONLY

0155-04-CID073-67403



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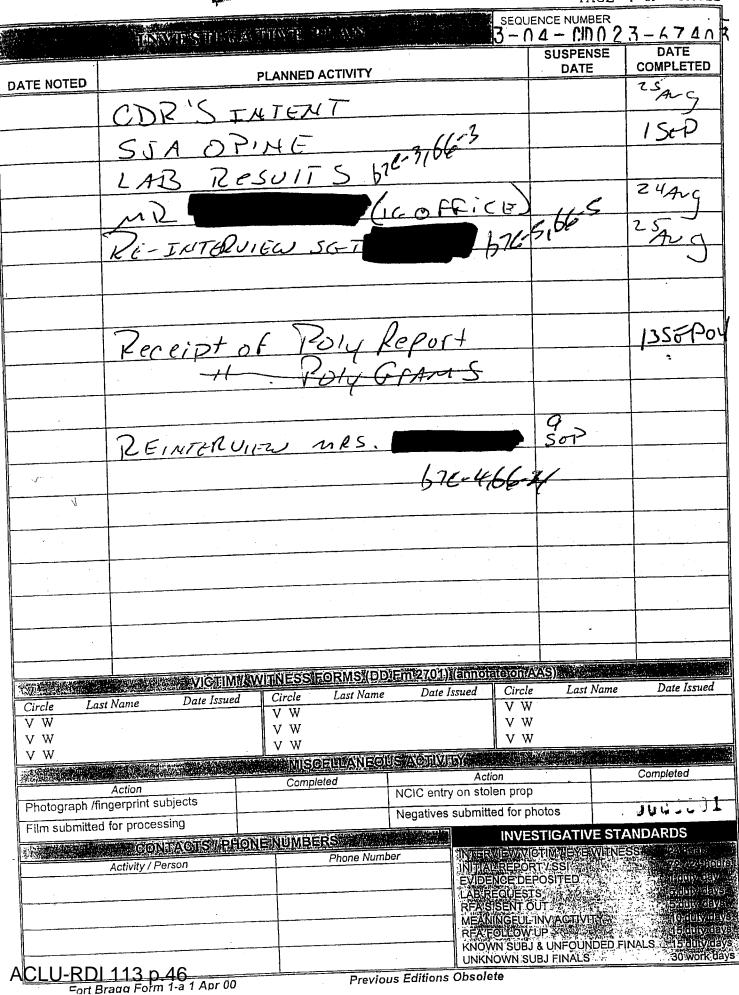
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LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE ACLU-RDI113 p.43

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	AFFIDAVIT
HAVE READ	OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS
	THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE
	ATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT
CONTAINING THE STATEMENT. I HAVE MADE THIS STA THREAT OF PUNISHMENT, AND WITHOUT COERCION, U	UNLAWER HELD ENCE OR LINE AWFUL INDUCEMENT.
	6/2
	(Signature of Person Making Statement)
WITNESSES:	
WITHEOOLS.	Subscribed and sworn to before me, a person authorized by Law to administer oaths, this $13^{\rm TH}$ day of Sep, 2004
	at Fort Jackson, SC
	16604
-	-676-1106
	at Fort Jackson, SC 67C4,664 67C4,664
ORGANIZATION OR ADDRESS	6 2 4 4
	SA
	(Typed Name of Person Administering Oath) Article 136 (b) 4 UCMJ
•	(Authority to Administer Oaths)
ORGANIZATION OR ADDRESS	(Additionly to Administration Sound)
	FAGE Z OF ZPAGES
INITIALS OF PERSON MAKING STATEMENT	PAGE Z OF Z PAGES U.S. Government Printing Office: 1893 - 342-027/80

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AGENT'S ACTIVITY SUMMAR	Υ 💮	Control Number	0573-2004-CID	023-67403	
TIME, DATE, AND AGENT	SUMM	IARY OF INVEST	to clarify details	so that SJA wil	l of
13/19/2004 11.00	700	aumhat hteviousi	ly used to contact $A \sim SC$	PMT PO	676-466-4
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0573-2004-CID023-67403 Control Number AGENT'S ACTIVITY SUMMARY SUMMARY OF INVESTIGATIVE ACTIVITY TIME, DATE, AND AGENT 676-1,067 received 1st Information Report At 1700, 27 Aug 04, SA from the 37th MP DET CID (CASE), Ft Jackson, SC (FJSC), wherein it 08/30/2004 17:00 17C-4,66-K was reflected that former SPC was interviewed and stated she 57E-1,664 abuse the detainee in the HMMW was alleged 676-5/66-5 0:05 INV witnessed SGT had told her that he kicked the 67C-5/66-5 and that PFC by PFC further related she also witnessed SGT 676-4,66-4 detainee. Mrs. e. Mrs. further related she also with the stomach several times while he (the knee an Iraqi man in the stomach several times while he (the house she have allocated for former Iraqi Iraqi male) stood in line to receive pay allocated for former Iraqi Preceived USACIL Report 676-166-1 veterans. computer; however two pictures 676-466-4 At 1500, 1 Sep 04, SA #2004-CID131-1489 which reflected no pictures or video of detainee 09/01/2004 15:00 abuse was found on SSG and a video of the detainee were located. The pictures showed the Baba" and the detainee responded with "No Mister, No Ali Baba"; then SGT yelled at the detainee to shut up. 676-566-5

At 1030, 7 Sep 04, SA Coordinated with 0:15 INV 57c-1,1661 Trial Counsel, Office of the Staff Judge Advocate (SJA), by 1000 poleted a thorough review of case file and stated characteristics. 09/07/2004 10:30 FBNC, completed a thorough review of case file and stated she believed was reinterviewed and asked about the location of 676.4466-44 the incident occurred; however she would not render her legal opinion

each individual soldier during the incident as she (Mrs.

could have witnessed this when PFC

tated it occurred while inside of the vehicle and the other individuals present (outside) stated they did not witness anything.

the only one who stated she saw SGT

outside of the HMMWV. CPT

678-1,66-t

0:30 OTH

as she (Mrs. was abuse the detainee 5765655 related she was unclear how 676-4, 66-4

and PFC 676-5, 66-5

AGENT'S ACTIVITY SUMMAR	Control Number 0573-2004-CID023-67403
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY 675-3,66-3
08/24/2004 17:00	At 1700, 24 Aug 04, SA SA SA SINGUE MINISTER OF THE SA
0:20 INV 67c+156-1	he had received the initial phone call from PEC and and referred him by
0.20 IIIV 6 KM 1 50	to Mr. Chief of Inquiries and Investigations, IG OFFICE, 676-496-4
b16-4666	FBNC. Mr. Section 1 stated PFC 1 had just reported he 6/6-5/66-5
676466-1	believed SGT had made a threatening statement towards him. AMR. Said he contacted the commander (CPT) 157C-4, 66-4
6/226,060	and referred the matter to him.
08/25/2004 10:45	Contacted unit. CPT contacted on leave until tomorrow. Left 676-4, 66-40 message for him to call this agent.
0:05 OTH 676-166-1	676-1,66-3
08/25/2004 14:00	At 1400, 25 Aug 04, SA coordinated with CPT
0:20 INV	the state of the s
0:20 INV 67e1,66-1	Said the flad liftle viewed all file files of the file of the files
6725	squad and that they all stated SGT had made no comment as 6.76-5,166-5 alleged by PFC CPT CPT stated he moved PFC
00)	from SGT team to a different platoon and believed
57C-5,56-5	
1576-4,66	
	CDT then said the 16th MP Brigade Commander (LTC 1999)
	would be the individual who would take action 67c-3, 66-3
	against the soldiers and that action would be brought forward. Contact Lt Acting Commander, 65th MP CO and
08/25/2004 14:30	Contact Lt Company Acting Commander, 65th MP CO and B2-3/06 requested SGT come to this office. He stated SGT was 576-5,66-
0:05 OTH 67C-4661	currently on a range and would be brought to this office upon completion
6,000	of it at approximately 1600, 25 Aug 04 6766 (GG)
08/25/2004 16:26	At 1626, 25 Aug 04, SA advised SGT and of his legal by 12 37 08 3
1701,660	rights, which he invoked wherein he requested not to be questioned or say anything.
0:05 INV 676/1666	marted STATUS. TO SAC
	Drafted simos, 10 sic
670-166	ℓ
GAC BICHES	2
57646	sev.
.,	71-11-49 1 - 6 - 1
25 Aug 04 G	et final done toprepare for documents
	to arrive.

366366

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AGENT'S ACTIVITY SUMMAR	RY	Control Number	0573-2004-CID0	23-67403	:
TIME, DATE, AND AGENT	SUMN	MARY OF INVEST	TIGATIVE ACTIVI	TY B	7c-4664
08/11/2004 14:45	At 1445, 11 Aug 04	. SAC i	interviewed SGI		
0:15 INV bye-1,66-1	who related he had lraqi Freedom. SG checkpoint when th or anyone else ass related if the incide have seen it as he	been assigned to The his incident occurred ault/abuse the Irac nt occurred while	ed but did not with qi detainee. SGT in the vehicle ther	during Operation oresent at the ess SGT	9C-4664 676-566-5 676-4,66-4
	transported.	674-666	b" (576-4,66-4
08/11/2004 15:25	At 1525, 11 Aug 04 who signed A Cons	, SA	coordinated with S m which authorize		· ·
0:05 INV 576-1,66-1	be examined. (See Custodian.	e Consent Form fo	or Details). Submi	tted to Evidence	
08/20/2004 08:24	Received USCACII	L acknowledgeme	nt. Their case nu	mber is	·
0:05 OTH 676-166-1	2004-CID131-1489	and has been ex	peallea.		
08/20/2004 09:00	Case Agent TDY to)23-67414 from	,
0:01 OTH 67C-466-t	15 - 19 Aug 04.	676-1	166-6	676	.4,66K
08/20/2004 09:30	At 0930, 20 Aug 04	eant 65th MP CO	coordinated with 1 , who stated Mrs.		
0:10 INV 676-1,66-1	the following numb	was married to ers:	a	and provided	676-4,66-4
08/20/2004 10:00	HOME: CELL: At 1000, 20 Aug 04 at the numbers pro	vided by 1SG	The home r	act Mrs.	12-4,66-4 12-4,66-4
0:15 INV 57C-1,66-1 08/20/2004 11:00	answered by a clea	aning lady who sta id not know where but to SA check of Mrs.	ted the The cell phone in the	number no longer is office. 676-1, it been able to	66-1
0:10 INV 676-1166-1				4	16-4,66
08/20/2004 12:45 0:15 INV 67 C-1, 66-t	Conducted Post Lo names dervied from these individuals wand quiery to case	n the check again vas married to a file)		Posted checks	12-4,66-4 12-4,664
08/20/2004 13:30	Contacted Mr.	who provided		cellphone	76-4,66-4
0:10 INV 57c-libb-1	number	62.1,66			-4,664
08/20/2004 13:45	At 1345, 20 Aug 04		contacted Mrs.	who related she	. — — ;
0:10 INV BRE-1, 66-1	witnessed SGT had told he	hit the detailer that he kicked to	nee numerous tim he detainee also.	es and PFC 67	c-5,66-5
	Agents Comment. stated she would r	Will dispatch RF/	A to have same in	terviewed as she	678-4,66-4
08/20/2004 14:00	Drafted RFA and s			Mrs.	ט'
0:30 OTH 67C-1,66-1					

Control Number AGENT'S ACTIVITY SUMMARY 0573-2004-CID023-67403 SUMMARY OF INVESTIGATIVE ACTIVITY TIME, DATE, AND AGENT 1576-466-K At 1300, 6 Aug 04, SA coordinated with MSG 08/06/2004 13:00 provided a copy of the units deployment roster which listed all personnel who deployed in support of Operation Iraqi Freedom.

At 0930, 9 Aug 04, SA 6x-5,66-5 0:15 INV 576-1,156-1 this office, advised SGT 08/09/2004 09:30 of his legal rights which he waived and rendered a Sworn Statement wherein he denied he abused or assaulted any Iraqi detainee while 1576-1166l 0:59 INV deployed in support of Operation Iraqi Freedom and did not witness any other soldier doing so. (See Rights Waiver Certificate and Swom Statement for Details) this office, advised SGT At 0936, 10 Aug 04, SA 08/10/2004 09:36 of his rights which he waived and continued to deny he 676-5 66-5 assaulted the Iraqi detainee. (See Rights Waiver Certificate) on 67e-466-4 2:15 INV 676-1166-1 return to this office as 67C-5,66-5 At 1500, 10 Aug 04, S briefed CPT 08/10/2004 15:00 status of investigation and requested PFC 676-166-6 his fingerprints and photographs needed to be taken and to determine if 0:15 OTH he had retained a lawyer or if he was willing to dicuss the investigation 676-466-4 67C-1,66-1 with this office. 65th MP CO, FBNC, who related he was team for the last two months of the At 1700, 10 Aug 04, SA 08/10/2004 17:00 I further related 674-4,66-4 57c-1,661 assigned to SGT 0:20 INV company's year long deployment to Iraq. SPO he was assigned to 1st Squad of 4th Platoon, 65th MP CO during the time frame of the incident, was not present at the incident and had only heard rumors about what had occurred. SPC stated he had 674-4766-4 abused the 676-5/66-5 heard about the video wherein it was alleged SGT 676-4,66-4 detainee but has not seen it. 176-1,66-1 was contacted by SPC At 0900, 11 Aug 04, SA 08/11/2004 09:00 65th MP CO, FBNC, who related he wanted to bre-1,66-1 retract his statement as it was not truthful. SA 1:00 INV who stated he believed he would get interviewed SPC into trouble because he had left something out of his statement and therefore wanted to retract it in its entirety. SPC stated the detainee had become belligerent and started to flail about and said his 676-5,66-5 struck the individual. SPO previous statement was in fact truthful but he had left out the part about 1, this 15 76-1156-1 the detainee becoming unruly. At 0945, 11 Aug 04, SA and SA about whether or not he wished to 67C-566-5 08/11/2004 09:45 office, discussed with PFC talk to this office about the incident as he previously stated he confer 0:30 INV 67E-1, 66-1 stated upon the 674-566-5 with his family and his lawyer about this. PFC advice of his lawyer he would invoke his right to remain silent. Agents Comment: PFC was was fingerprinted, photographed and 676-5766-57 released on his own recognizance.

AGENT'S ACTIVITY SUMMA	Control Number 0573-2004-CID023-67403
IME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY
3/02/2004 09:15	CIC REVIEWED. TO TC.
05 ADM 67C-1,66=	676-1166el
3/03/2004 13:00	At 1300, 3 Aug 04, SA conducted a Personnel Locator Check and a DEIDS check which disclosed SPC had been married and her former spouses address was listed as the 17th MP DET, Ft Jackson, SC and her home address was listed as the 17th MP however there was only a local number
15 IA 67C-1,66-1	listed which had been disconnected.
3/03/2004 13:30	Response to SAC/TC REVIEWS:
10 IA 67C-1,66-1	Response to SAC/TC REVIEWS: 1. Will obtain Consent To Search from SSG and then submit by 12-4,66-4, computer to USACIL.
	2. Will ask unit once I start canvassing.
	3. Noted.
	4. Added
	5. Will do.
	6. Once I obtain a good address for her I will dispatch the RFA.
	1. Will do.
	2. Drafted Lab request and will submit once I have signed consent from SSG
	3. Will do. 676-4664
	4. I have numerous addresses for the have to identify a valid one for her.
	5. Will do. 67C-166-1
8/03/2004 13:45	At 1345, 3 Aug 04, SA decree drafted and submitted DA Form 3655 (Crime Lab Examination Request) to have SSG
30 IA 67C-1,66-1	65th Military Police Company (MP CO), Fort Bragg, NC (FBNC) computer examined for any videos or photographs of alleged detainee abuse. (See DA FM 3655 for Details)
3/05/2004 11:00	At 1100, 5 Aug 04, SA coordinated with MSG
15 IA 676-1, bb-1	FBNC, who provided DA 31 (Leave Form) which pertained to SGT, 65th MP CO, FBNC. SGT
9/2 ((100)	on leave till 8 Aug 04. MSG also stated he would compile a
	Operation Iraqi Freedom. MSG further related SSG is is 5/2-4/bb
8/05/2004 12:30	Left voicemail for SSG (Control of the Control of t
:05 OTH 676-1,66-1	so that he can sign Consent To Search Form.
8/05/2004 17:30	At 1730, 5 Aug 04, SA contacted SSG white, who
0:05 OTH 676-1,66-1	i figled life May oil leave in our and modif po prought pure on 10,169
5 AV 604	CONTACTED USACIL (MR.) WHO STATED CONSENT FORM IS ALL THEY WEST EXAMNE COMPUTER FOR A WITNESS.

AGENT'S ACTIVITY SUMMARY

Control Number

0573-2004-CID023

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

exited the vehicle and came towards the MPs. Additionally, SPC stated the two males were detained and the female informed the interpreter the she was raped or was about to be raped. SPC related all three individuals were transported to a near-by Iraqi Police HMMWV; one 1574-5,66-5 Station; one of the males was transported in SGT was transported in another HMMWV; and the female was transported in

the civilian vehicle they arrived in, which was driven by an NCO in the unit. Upon arrival at the Iraqi Police Station the female was released and the two male were turned over to the Iraqi Police. Additionally, SPC and the two male were turned over to the Iraqi Police. Additionally, SPC and the two male were turned over to the Iraqi Police. Additionally, SPC stated the unit remained at the Police station for a short while to

ensure the detainee were not abused by the Iraqi Police. SPC 575-466-4 stated he viewed a video clip, which was about five seconds long, containing a unit member calling one of the male detainees "Ali BABA", however, it did not contain anyone assaulting the detainee and he was not sure who filmed the clip or whose voice was in the clip. SPC claimed he did not witness anyone strike, kick, or use any force against the detainees, except during the initial apprehension in order to place them flex cuffs but this did not consist of hitting or kicking the detainees.

CRC Name Check Requested for:

676-5,66-5

07/30/2004 15:03

676-1,66-1

07/30/2004 16:30

30 5-104

676-1,661

Drafted INI.

TO SAC FOR REVIEW AND INI DISPATCH.

Rev. Good work!! 676-1,661 Get computer to lab after get search

warrant from magistrate

Did we ask anyone else about them having videos or protos!

make sure cdr Knows we listed 1 as a subject for the Kicking twhy!

This needs to be added to the list

for Cat I reports. The first

Report is due Monday by 1100

Get actual return date of from his leave

we need to get RFA to locate & Interview First thing 2 Ang. CATI RFAIII correct + Finalize ATR's.

ACLU-RDI 113 p.55

Control Number AGENT'S ACTIVITY SUMMARY 0573-2004-CID023 SUMMARY OF INVESTIGATIVE ACTIVITY TIME, DATE, AND AGENT 67e-4,66-4 65th MP CO, FBNC, who detailed his knowledge 1576-Tible-1 pertaining to the abuse of the unknown Iraqi detainee. SSG 2:10 INV stated he vaguely remembered the incident in question, but was not sure what transpired in SGT numvee while the detainee was being 676-566-5 transported to the Iraqi police station. SSG stated he knew 676-4.66-40 took a lot of photographs and video clips on his digital 576-5,66-5 camera, and would often download the photos and videos to his (SSG) laptop computer. SSG remembered seeing a video of an Iraqi detainee crying and professing his innocence, but SSG 672-4,66-4 stated he 67C-4,664 could not remember the much else. SSG definitely did not see video or photos of any detainee abuse. escorted SSG and the laptop related SGT stored a lot 676-5, 66-5 6704664 computer was stored. SSG of photos on the computer and made an attempt to show the photos to could not locate the photos at which time 676-4, 66-4 made the determination to seize the computer as evidence. AGENT'S COMMENT: SSG AGENT'S COMMENT: SSG related SGT tries to 67C-5, 66-5
"show off" a lot and is a big talker. SSG also stated SSG 67C-F, 66-47
"is an aggressive person and is known as a "go to guy" to make is an aggressive person and is known as a "go to guy" to make things happen. 676-1166-1 Compaq 67C-4, 664 About 1358, 30 Jul 04, SA collected SSG laptop computer as evidence utilizing a DA Form 4137, Evidence/Property Custody Document (EPCD). this office, interviewed SPC 2-4,56-4 576-166-1 About 1400, 30 Jul 04, SA 07/30/2004 14:00 rendered a verbal statement. SPC stated sometime around 67C-4,664.
Oct - Nov 03, his squad had been conducting Traffic Control Points 670-1,66-1 (TCP) in the North East section of Mosul, Iraq. Further, SPC relayed it was routine for the unit to conduct TCPs nightly between the hours of 2330 - 0200, which was the case on the night of the incident. stated a the checkpoints would be conducted until an 1576-4,66-4 individual would be detained, at which time the detainee(s) would be transported to an Iraqi Police Station and the unit would conduct a TCP stated on the night in question he 67e-4, 66-4 at a new location. SPC had been pulling security from the gun turret on his HMMWV, when a woman exited a vehicle at the TCP and began to scream. SPC was informed by the translator she was claiming to have 52-4, 66-4 been raped by the male in the vehicle. The male was then detained, placed in flex-cuffs and transported to an Iraqi police station located stated he did not 67C -4, 66-4 approximately a half a mile away. SPC witness anyone strike the detainee and claims to have never view any video of photographic images of the detainee. Recorded data pertaining to U.S. Government 07/30/2004 14:39 6721,66-1 B7C-1,66-1 676-4,66-1 0:01 INV About 1455, 30 Jul 04, SA interviewed SPC 07/30/2004 14:55 1-70-1,66-1 65th MP Co, FBNC, who provided a verbal statement. SPO stated he had been part of the search/apprehension team for the TCP on the night of the incident. SPO stated they had set up the TCP just over the crest of a hill, in order to limit visibility and prevent 1:00 INV , at some 67C-4766-49 individuals from by-passing the checkpoint. Further, SPO point a car crested the at a high rate of speed and screeched to a halt upon entering the TCP, at which time a female and then two males 11. 11

Control Number 0573-2004-CID023 AGENT'S ACTIVITY SUMMARY SUMMARY OF INVESTIGATIVE ACTIVITY TIME, DATE, AND AGENT (ROI) 0165-02-CID033-16278 pertained to a B Company, 6/101st Aviation Regiment, Fort Campbell, KY for possession of meth and Ecstasy in Murfreesboro, TN (NFI). ROI 0089-01-CID023-75860, pertained to PFC 65TH MP Company, FBNC, where a witness interview was conducted of professional preference to other unit member using controlled in reference to other unit member using controlled substances. Sequence number 0073-98-CID024 (subject deserter file), (NFI) for being AWOL. 676-3,66-3 pertained to Case Initiation 07/29/2004 15:43 675-1,66-1 670-5,66-5 0:01 INV Recorded data pertaining to 07/29/2004 15:45 676-11661 0:01 INV Recorded data pertaining to 07/29/2004 15:48 157C-3,66-3 676-1166-1 Recorded data pertaining to 07/29/2004 15:49 0:01 INV 676-1,66-1 Recorded data pertaining to UKNOWN, 07/29/2004 16:28 Pof his legal 676-5,66-5 676-466-1 676-1, blod At 1806, 29 Jul 04, SA and advised PFC of his legal rights in writing, which he invoked and requested legal counsel. (see 07/29/2004 18:06 1,76-5,66-5 Non-Waiver Certificate) 3:00 INV appeared to be visibly shaken, breaking Agent's Comment: PFC down several times. He indicated that he wanted to tell what happened but, was worried he would get into trouble. He stated he had talked to a Trial Defense lawyer, at the direction of the IG office, and the lawyer stated the would talk 67C-5, 66-5 advised him not to talk to anyone. PFC with his lawyer and family and contact this office at a later date. 676-3,66-3 At 1855, 29 Jul 04, SA briefed CPT 676-1,66-1 65th MP Company, FBNC on all aspects of this investigation to date. 674-3,66-3 About 0910, 30 Jul 04, SA coordinated with 1SG 07/30/2004 09:10 65th MP CO, FBNC, who related SGT was on leave in Maryland. 1SG 0:20 INV were in the area and would be in for an interview ASAP. Between 1000-1302, 30 Jul 04, SA 676-4,66-4 interviewed SPC 07/30/2004 10:00 65th MP CO, FBNC, who provided a sworn kick the detainee 616-5, 66-5 statement in which he detailed witnessing PFC 3:02 INV 6901,661 and SGT hit the detainee with a closed fist (See Sworn 576-5, 66-5 Statement for Details). 676-166-1 conducted a witness interview of SPC At 1020, 30 Jul 04 SA 07/30/2004 10:20 who stated he was back at the base when the incident occured and he only heard about it from other soldiers. (see AIR) 676-1,661 0:30 INV 67C-4,66-4 Recorded data pertaining to 07/30/2004 11:15 67C-4766-4001.12 676-1,66-1 0:01 INV 5%-1,156-1 About 1335, 30 Jul 04, SA interviewed SSG 07/30/2004 13:35

Control Number AGENT'S ACTIVITY SUMMARY 0573-2004-CID023 SUMMARY OF INVESTIGATIVE ACTIVITY TIME, DATE, AND AGENT Chief Inquiries and Investigation, Inspector ragg, NC 28310 (FBNC) who state BASIS FOR INVESTIGATION: At 1310, 29 Jul 04, this office was 07/29/2004 13:10 notified by Mr General (IG) Office, Fort Bragg, NC 28310 (FBNC) who stated a soldier 1,70-1,66-1 3:00 INV reported possible detainee abuse to his office, but the soldier declined to conducted a complainant interview of , 26 Jul 04, PFC report the information to law enforcement. At 1335, 29 Jul 04, SA who stated on Monday, 26 Jul 04, PFC MP Company, FBNC contacted his office and reported he had information pertaining to detainee abuse in Iraq. On Tuesday, 27 Jul 04, PFO came into the IG office and stated while he was deployed with the 65th MP Company in Iraq, between two and three months ago, they detained an Iraqi male for Rape and Grand Theft Auto. While the while 676-5,66-5 Iragi was in their custody he was struck by SGT handcuffed in the back of the Highly Mobile Multi Wheeled Vehicle informed Mr that he was the gunner 624,664 (HMMWV). PFC in the turret at the time and he may have kicked the detainee in order to get him to be quite, as that was the reason he was being struck. Mr provided several names of soldiers 676-5,665 stated PFC assigned to the 65th MP Company, who were witnesses to the incident,
PFC was stated SPC was the driver of the b76-5,665 vehicle and she separated from the Army in Apr 04 (NFI). PFC 676-5.66-5 provided the following names, but did not specify their part in, or knowledge of the incident: SPC 67C-4,66-4 SPC SPC SPC SPC SGT 676-4,66-4 SSG that it was determined through an 678-5,665 PFC also informed Mr interpreter (NFI) that the detainee was a repo man and the "Rape victim" was a prostitute. They turned the Iraqi over to the Iraqi police. The detainee was bleeding from the right side of his face when he was stated he came forward 57655 turned over to the Iraqi police. PFC because he did not think it was right; however, he was afraid he would declined to report 6765,665 get into trouble too, as there was a compact disc depicting the abuse and he might be in some of the pictures. PFC was 676-5,66-5 the incident to CID, as requested by the IG office. PFC placed in contact with Trial Defense Services (TDS), who advised him anyone regarding the incident. Mr. stated Mr. 57C-4, 56-4. Chief of Assistance, IG Office, FBNC also talked with PFC 67C-3, 66-3 not to talk to anyone regarding the incident. Mr and may have more information; however, Mr was 676-3,663 out of the office at the time. contacted the phone number 670-1,66-1 At 1400, 29 Jul 04, SA 676-5,66-5 as belonging to PFC Reached voice mail of unidentified mail and left message for him to contact this office. 676-1156-1 conducted a name check utilizing the 6765655 cked for any information on Report of Investigation At 1410, 29 Jul 04, SA ACI2 system. SA checked for any information on Report of Investigation and 67C-4,66-K **ACLU-RDI 113 p.5**

ACIDE Supp	olement I to AR I)	.416 6-16 Consent		0573-04-(1703)	} - e =
е: 11 Ди	104	CONSCIR	To Search	1525 hr c	, °C
lame of person c	onsenting to the search:		2. Organization and loca	PCO, FBUC 2831	
SSG.					$\underline{\cup}$
have been inform	ned by the undersigned under undersigned undersigned undersigned undersigned undersigned undersigned undersigned undersigned under undersigned under undersigned under undersigned undersigned under u	nd/or production of mat	erial constituting (ned by U.S. Force	onnection with the following possible violation(s) of law: or containing detainee abuse or Enenes.	ny
I have been red cated below. I	quested by the unders have been advised o	signed USACIDC Special Agent f my right to refuse a search of	t to give my consent to a my person, premises, o	a search of my person, premises, or property as r property. (If you <u>do not g</u> ive your consent, do no	ot
hereby authorize duct a search of:	the undersigned USAC	IDC Special Agent and/or other Auticable blocks)	horized Law Enforcement C	officials assisting the undersigned USACIDC Special Ager	nt to
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b.	My Quarters	initials Signature			
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CRIME LAB EXAMINATION REQUEST For use of this form, see AR 195-5; The proponent agency is the United States Army Crime Investigation Command TO: (Include Zip Code) DIRECTOR USACIL-CONUS Referral Number Referral Number Referral Number RECEIVED RETURN SPECIAL AGENT-IN-CHARGE 87th MP DETACHMENT (CID)(ABN) REGIS MAIL REGIS MAIL	
For use of this form, see AR 195-5; The proponent agency is the United States Army Crime Investigation Command TO: (Include Zip Code) DIRECTOR USACIL-CONUS FROM: (Include Zip Code) SPECIAL AGENT-IN-CHARGE 87 th MP DETACHMENT (CID)(ABN) REGIS MAIL REGIS M.	i i
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NORTH 2ND STREET Fort Bragg, NC 28310	
BUILDING 213-B	
FORT GILLEM, GA 30050-5000 HAND	
DATE DATE	
ATTN: Imaging & Tech Support	
672-1,56-1 EVIDENCE RECEIPT	
EVIDENCE RECEIPT RECEIVED INITIATED	
With agg. at my. min	CH 60
1. CONTRIBUTOR CASE NUMBER 2. INVESTIGATOR'S NAME 2 3. AUTOVON AND PHONE NUMBER	-
0573-04-CID023-67403-5Y2B7/5C2B SA DSN 236-	
4. SUSPECT(S) (Last, first and middle name(s)) PFC 65 th MP CO, FBNC 28310	
PFC 65 th MP CO, FBNC 28310 576. 5 166. 5	1
5. VICTIM(S) (Last, first and middle name(s))	
UNKNOWN	
	1
6. TYPE OF OFFENSE 7. ONE COPY OF EVIDENCE RECEIPT 8. OTHER EVIDENCE PREVIOUSLY ENCLOSED WITH EVIDENCE SUBMITTED ON THIS CASE	
Failure To Obey General Order	
Assault Sylves NO YES NO	
, I	
9. IF "YES" IN ITEM 8, LIST OTHER SUSPECT(S), DATE SUBMITTED, UNIT CASE AND LABORATORY REFERRAL NUMBER(S)	
9. IF "YES" IN ITEM 8, LIST OTHER SUSPECT(S), DATE SUBMITTED, UNIT CASE AND LABORATORY REFERRAL NUMBER(S)	,
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10. EVIDENCE SUBMITTED a. EXHIBIT b. DESCRIPTION OF EXHIBIT	
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DA FORM 3655 1 AUG 74 REPLACES DA FORM 3655-R, 1 NOV 70, WHICH IS OBSOLETE

BOPY

Jud : 115

	. 1	10. EVIDENCE	302		
a, EXHIBIT		b.	DESCRIPTION OF EXHI	BII	
per and the case of the	·				
	·		7	vratory in examining evalu	ating or returning evidence
. EXAMINATION(S) RE	QUESTED (Briefly furnish an	y information or instruction	ns that might assist the tabe	recory in committing, committee	J ,
d/or report.)				•	
naging & Tech Supp	ort:	•			
lease examine Exhib	it #1 for any photogra	ph or video images w	hich depict possible	detainee abuse.	
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RESOURCES COMMAND
ATTENTION: AHRC-FOI, RM 7S65
200 STOVALL STREET
ALEXANDRIA, VIRGINIA 22332-0404

MR. THOM JONES thom.jones@hoffman.army.mil (703) 325-4053

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ACLU-RDI 113 p.68

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AUTHORITY: Title 10, United State	DATA REQ es Code Section 3012 (g)	UIRED BY PRIVAC ROUTIN	NE USES: Your socia Are used a	al security number and o is an additional/alternate e and retrieval.	ther personal information means of identification
PRINCIPAL PURPOSE: To provide command means by which info	lers and law enforcement of	identified.		of your social security	
1. Rec Code: 2. Action Code: 3. Date:	4. Rel to Case: 5. 0	Control: 6. Sec	quence # 7. Year:	8. Office 9. RC - CID -	OI# Offense:
10. Last Name:	11. First Name		12. Middle	Name:	13. Grade/Rank: SPC/RA-6
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20. Sex: 21. Race: 22. Ethnic: 23. Hei	ght: 24. Weight: 25.	Hair: 26. Eye Co	1 <i>U</i> .5.	28. Educ: 29. Prior 12 ND	5
31. MOS: 32. Job Description/Location: 3	33. MC: 34. Security Cir			36. Spouse M Yes: No: No:	filitary: Branch:
37. Alias/Nicknames:	38. Alias/Nicknam	d1. Unit Pho		· · · · · · · · · · · · · · · · · · ·	Call/Pager:
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		56. First Name:		57. Middle Name:	7
53. JUV: 54. Family Rel: 55. Last Name 58. Social Security:	59. Grade/Rank:	60. MC:	61. Unit:		
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heard I - w/ moustacle. 1000 -Being loud + boisterons. Vehicle sped to check point of another vehicle behind it. Saw a women funt so all males were restrained.

Triterpreter spale of men of ended up transporting.

2. Tean leader 576-5,66-5 - ganner 676-5,66-5 - grandriver 67C-4,66-4 Told enterpreter to have him stay quet. Priving to concentrate.

57c-5,66-5 - kicked him a comple of times to get his attention to have him quet. Turned him over to tragic police on 67C-4.66-4 67E-5,66-5 to shot the gay up becour he couldn't concentrate --676-5,66-5 hat the 8131 Heard at discussed that SET 570-966- Police - 670-5,665 Every bod, ACLU-RDI 113 p.70

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AUTHORITY:		Title 10), United States	Code S	DATA Section 3012	REQUII	RED BY	PRIVACY A ROUTINE U	JSES:	Are used a	I security nu s an addition and retrieva	al/alternate means	rsonal information of identification
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10. Last Name:			<u></u>	11. F	irst Name:					12. Middle	Name:		Grade/Rank:
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576-5,66-5
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ACLU-RDI 113 p.72

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ACLU-RDI 113 p.73

Deployed to YApro3-29 Maroy Mosul, Iraq mosul perfield Incident - Sometime - Several months - 'oxa doployment nerking radio at TOC broduce bone in Injuried between Ap- - Jun-Basketag// not out on patrol Heard about it. nothered patrols of Iraq: pelice
and some escerts. also chaok points. Gill get out of rehide screaming - goy in vehide - Thas crying - sould sho was raped. detained make - enknown it he had wearens, interpreter up mps. proght him to starten (NED) Heard he was temped of ce or truck by

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who that him. Imai police did too-Heard hongs Heteling has he was left at.
Heard hongs a wide of it. (unknown who had) does not think coc was informed.

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AUTHORITY:	Title 10, United Sta	DATA tes Code Section 3012	REQUIRED BY PI	ROUTINE USES:	Your social security in Are used as an addition to facilitate and retries	ional/alternate mea	personal information ans of identification
RINCIPAL PURPOS	SE: To provide commar means by which inf	nders and law enforcem formation may be accur	ent officials with ately identified.	DISCLOSURE: I	Disclosure of your so	cial security # is v	roluntary 1403
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Referred to:

U.S. ARMY HUMAN RESOURCES COMMAND ATTENTION: AHRC-FOI, RM 7S65 200 STOVALL STREET ALEXANDRIA, VIRGINIA 22332-0404

MR. THOM JONES thom.jones@hoffman.army.mil (703) 325-4053

Page(s)

48-52

Withheld due to:

____ Foreign Language

X Photos depicting Americans

_____ Photos depicting foreign nationals

____ Civilian Agency Records

Turned detainer over to Iraqi police
Bleeding from face - right side,

ACLU-RDI 113 p.78

Called menday came in Kuesdas IG told wants go to CID Afaid of physical volonce from platoon mente-5. Asked if he would get into frouble It colled TD5 CO at there u/ples? Chain of command does not know 576-3,66-3 - Trustigative Chief-inquiries & 67C-3/66-3 Chief of Assistance 57C-5,66-5 3003054

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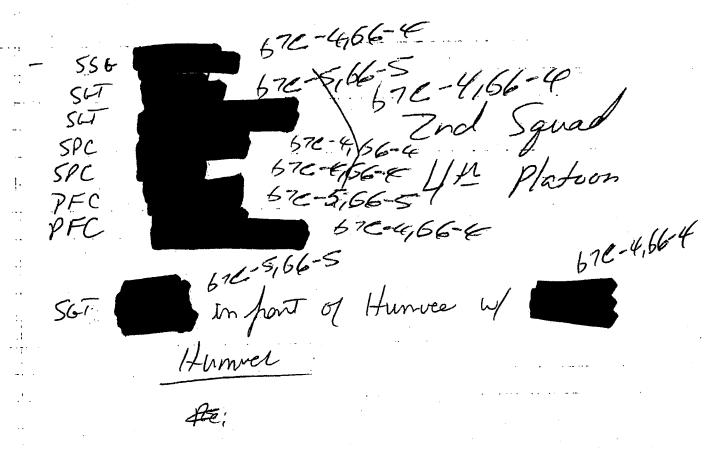
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ACLU-RDI 113 p.83

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1410-29 Jul 04 Name check 570-5,66-5 0165-02-15033-16278 subject. were in pos of math + 676-5166-5 Ecstasy in Murfresberg, TN. Almeda, California 676-5,66-5 B Company 6/101st Awaten Regiment Fort campbell, les 676-566-5 5x-5,66-5 DOB 6'7C-5,66-5 DOB 676-5,66-5 0089-01- EIDOZ3-75860 witness - drug case 670-4,66-4 0073-98-CIDOZY subject Poserto- Rile

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