

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT TIKRIT CID Office, COB Speicher DATED 3 Jul 06

STATEMENT (Continued)

*[Redacted content]*  
NOT  
USED  
**(b)(6), (b)(7)(C)**

AFFIDAVIT

I, **(b)(6), (b)(7)(C)** HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND EN **(b)(6), (b)(7)(C)** CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

**(b)(6), (b)(7)(C)**

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 3 day of July 2006 at Building 718 (CID Office), COB Speicher, Tikrit, IZ

**(b)(6), (b)(7)(C)**  
(Signature of Person Administering Oath)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
ORGANIZATION OR ADDRESS

SA **(b)(6), (b)(7)(C)**  
(Typed Name of Person Administering Oath)  
Art 136 UCMJ / 10 USC 936  
(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATE **(b)(6), (b)(7)(C)**

PAGE 3 OF 3 PAGES

SWORN STATEMENT

Use of this form, see AR 190-45; the proponent agency is ODCI.

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 13 Jul 06	TIME 1027	FILE NUMBER (b)(6), (b)(7)(C) 0086-06-CID469-75447
LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C)	SSN (b)(6), (b)(7)(C)	GRADE/STATUS E-6/AD	

C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349

I, (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q. What was your mission during Operation Iron Triangle, on or about 9 May 06?

(b)(6), (b)(7)(C)  
 A. I was with the ISG and CPT (b)(6), (b)(7)(C) I was just an extra set of boots on the ground. If I see a platoon needing help I make myself available to help out. During the first phase on the island I was in the same general area as ISG (b)(6), (b)(7)(C) and CPT (b)(6), (b)(7)(C) I was a few meters from them pulling security while they were talking on the Asp to other elements of the company. I stayed in that same area until we were picked up by UH-60 (b)(6), (b)(7)(C)

Q. Prior to 15 Jun 06, did anyone tell you there may have been a conspiracy to murder the detainees? If so, please elaborate on who told you, when and where they told you this and what they told you.

(b)(6), (b)(7)(C)  
 A. Prior to 15 Jun 06 I had no knowledge of a conspiracy to do anything, nor do I want to know at this time. (b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_ TAKEN AT \_\_\_ DATED \_\_\_ CONTINUED."  
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_ OF \_\_\_ PAGES."  
 WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

TIKRIT

STATEMENT OF (b)(6), (b)(7)(C)

TAKEN AT CID Office, COB Speicher DATED 3 Jul 06

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

(b)(6), (b)(7)(C)

I know the same thing everyone in America knows because I read it on the net. I think I read it on Yahoo but could be mistaken. I read that SSG (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) killed 3 local nationals after they had already been detained. It went on to say that one of the soldiers, I think SSG (b)(6), (b)(7)(C), threatened to kill another soldier if he told anyone about what happened. If I remember correctly the soldier they threatened was PFC (b)(6), (b)(7)(C). It didn't say if SSG (b)(6), (b)(7)(C) was alone in threatening the soldier or if he was speaking on behalf of all 3 of them so I assumed they all were in on it. ~~for~~ I read all this on the news (b)(6), (b)(7)(C)

Q. Prior to today, did SPC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) CPL (b)(6), (b)(7)(C) or SPC (b)(6), (b)(7)(C) discuss with you their actions on 9 May 06 (Operation Iron

Triangle)? If so, please explain who discussed this with you, when and where this conversation(s) took place, and what was said.

(b)(6), (b)(7)(C)

A. Prior to today none of the above mentioned or anyone else mentioned anything about Iron Triangle. The only one of these I even know pretty well is SGT (b)(6), (b)(7)(C). He is my soldier, but is assigned to 3rd plf. He never mentioned anything to either (b)(6), (b)(7)(C) either (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

STATEMENT OF (b)(6), (b)(7)(C)

TIKRIT  
TAKEN AT CID Office, COB Speicher DATED 3 Jul 06

STATEMENT (Continued)

NOT USED  
(b)(6), (b)(7)(C)

AFFIDAVIT

I, (b)(6), (b)(7)(C) HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

Person Making Statement

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 3 day of July 2006 at Building 718 (CID Office), COB Speicher, Tikrit, IZ

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA (b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)  
Art 136 UCMJ / 10 USC 936

ORGANIZATION OR ADDRESS

(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 3 OF 3 PAGES

SWORN STATEMENT

Use of this form, see AR 190-45; the proponent agency is ODCS.

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 3 Jul 06	TIME 10-20	FILE NUMBER (b)(6), (b)(7)(C) 086-06-CID469-75447
LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C)	SSN: (b)(6), (b)(7)(C)	GRADE/STATUS E-4 SPC AD	
ORGANIZATION OR ADDRESS C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349			

(b)(6), (b)(7)(C) \_\_\_\_\_, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q. What was your mission during Operation Iron Triangle, on or about 9 May 06?

A. I was on Radio Guard at Co Cp @ FOB Brassfield-Mora (b)(6), (b)(7)(C)

Q. Prior to 15 Jun 06, did anyone tell you there may have been a conspiracy to murder the detainees? If so, please elaborate on who told you, when and where they told you this and what they told you.

(b)(6), (b)(7)(C) No. I have no knowledge of this. (b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_ CONTINUED."  
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WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT CID Office, COB Speicher DATED 3 Jul 06

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

**(b)(6), (b)(7)(C)** *yes our Battalion Commander held a Company formation letting any Soldier know if they have any information to come forward and give statements* **(b)(6), (b)(7)(C)**

Q. Prior to today, did SPC **(b)(6), (b)(7)(C)** PFC **(b)(6), (b)(7)(C)** SSG **(b)(6), (b)(7)(C)** SPC **(b)(6), (b)(7)(C)** SGT **(b)(6), (b)(7)(C)** PFC **(b)(6), (b)(7)(C)** SGT **(b)(6), (b)(7)(C)** CPL **(b)(6), (b)(7)(C)** or SPC **(b)(6), (b)(7)(C)** discuss with you their actions on 9 May 06 (Operation Iron Triangle)? If so, please explain who discussed this with you, when and where this conversation(s) took place, and what was said.

**(b)(6), (b)(7)(C)** A. *NO. I have no knowledge of this* **(b)(6), (b)(7)(C)**

INITIALS OF PERSON MAKING STATEMENT

**(b)(6), (b)(7)(C)**

PAGE 2 OF 3 PAGES

STATEMENT OF **(b)(6), (b)(7)(C)**

TAKEN AT TIKRIT CID Office, COB Speicher DATED 3 Jul 06

STATEMENT (Continued)

[Redacted statement content with diagonal lines and "NOT USED" text]

AFFIDAVIT

I, **(b)(6), (b)(7)(C)** HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND END **(b)(6), (b)(7)(C)** STAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

**(b)(6), (b)(7)(C)**

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 3 day of July 2006 at Building 718 (CID Office) COB Speicher Tikrit, IZ

**(b)(6), (b)(7)(C)**

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

Cco 3-187 FOB Brassfield Mora IRAQ

SA **(b)(6), (b)(7)(C)**

(Typed Name of Person Administering Oath)

Art 136 UCMJ / 10 USC 936

ORGANIZATION OR ADDRESS

(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT **(b)(6), (b)(7)(C)**

PAGE 3 OF 3 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSO-r-s

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 03 July 06	TIME 1032	FILE NUMBER 0086-06-CID469-75447
LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C)	SIGNATURE (b)(6), (b)(7)(C)		GRADE/STATUS E-4 / AD
ORGANIZATION OR ADDRESS C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349			

I, (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q. What was your mission during Operation Iron Triangle, on or about 9 May 06?

(b)(6), (b)(7)(C) I was left behind on the FOB at Brassfield-Mora to maintain the CP and monitor the radio. At (b)(6), (b)(7)(C) During that time I had no comms with the element involved in Iron Triangle. (b)(6), (b)(7)(C)

Q. Prior to 15 Jun 06, did anyone tell you there may have been a conspiracy to murder the detainees? If so, please elaborate on who told you, when and where they told you this and what they told you.

(b)(6), (b)(7)(C) A. The only thing I heard was several AIF were killed by someone in our company. It wasn't until I saw the news and found out that there were 3 individuals in our company being charged with murder that I knew something was wrong with what the killing. Other than the fact that an investigation was being started. In other words I did not know these people were detained till they were brought in and arrested. (b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_ TAKEN AT \_\_\_ DATED \_\_\_ CONTINUED."  
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STATEMENT OF (b)(6), (b)(7)(C)

TIKRIT  
TAKEN AT CID Office, COB Speicher DATED 3 Jul 06

STATEMENT (Continued)

Q Do you have any knowledge of the deaths of the detainees? If so, from whom?

(b)(6), (b)(7)(C) // I know is there was an investigation into a possible murder, then I saw on the news that (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) later (b)(6), (b)(7)(C) were being charged with murder. (b)(6), (b)(7)(C)

Q. Prior to today, did SPC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) CPL (b)(6), (b)(7)(C) or SPC (b)(6), (b)(7)(C) discuss with you their actions on 9 May 06 (Operation Iron Triangle)? If so, please explain who discussed this with you, when and where this conversation(s) took place, and what was said.

(b)(6), (b)(7)(C) A: No. I don't talk to these people more than I have to. (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

STATEMENT OF (b)(6), (b)(7)(C)

TIKRIT  
TAKEN AT CID Office, COB Speicher DATED 3 Jul 06

STATEMENT (Continued)

[Redacted statement content]

NOT  
USED

(b)(6), (b)(7)(C)

AFFIDAVIT

(b)(6), (b)(7)(C)

I HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND  
INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS  
STATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL  
INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

WITNESSES:

Subscribed and sworn to before me, a person authorized by  
Law to administer oaths, this 3 day of July 2006 at  
Building 718 (CID Office) COB Speicher, Tikrit, IZ

(b)(6), (b)(7)(C)

ORGANIZATION OR ADDRESS

SA (b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)  
Art 136 UCMJ / 10 USC 936

ORGANIZATION OR ADDRESS

(Authority to Administer Oaths)

(b)(6), (b)(7)(C)MENT

PAGE 2 OF 3 PAGES

SWORN STATEMENT

File of this form, see AR 190-45; the proponent agency is ODCSC

(b)(6), (b)(7)(C)

LOCATION  
Building 718 (CID Office), COB Speicher, Tikrit, IZ

DATE  
07 JULY 2006

TIME  
10:42

FILE NUMBER  
0086-06-CID469-75447

LAST NAME, FIRST NAME, MIDDLE NAME

(b)(6), (b)(7)(C)

SSN:

(b)(6), (b)(7)(C)

GRADE/STATUS

E5/AD

C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349

I, (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q. What was your mission during Operation Iron Triangle, on or about 9 May 06?

(b)(6), (b)(7)(C)

WAS IN THE COMPANY COMMAND POST (C.P.) WITH THE DUTY OF RADIO WATCH. THE CP LOCATED ON F.O.B. BRASSFIELD-MORA. I DO NOT RECALL IF I WAS RESPONSIBLE FOR EVENING OR DAY RADIO WATCH HOURS (b)(6), (b)(7)(C)

Q. Prior to 15 Jun 06, did anyone tell you there may have been a conspiracy to murder the detainees? If so, please elaborate on who told you, when and where they told you this and what they told you.

(b)(6), (b)(7)(C)

DO NOT EVER RECALL ANYONE TELLING ME ANY INFORMATION REGARDING A CONSPIRACY TO MURDER DETAINEES (b)(6), (b)(7)(C)

EXHIBIT

(b)(6), (b)(7)(C) STATEMENT

PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_ TAKEN AT \_\_\_ DATED \_\_\_ CONTINUED."

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Exhibit 222

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Law Enforcement Sensitive

ACLU DDII CID ROIS 34963

STATEMENT OF **(b)(6), (b)(7)(C)**

**TIKRIT**  
 TAKEN AT CID Office, COB Speicher DATED 3 Jul 06

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

**(b)(6), (b)(7)(C)**

MY KNOWLEDGE OF THE DETAINEE DEATHS COMES FROM AN ARTICLE I READ IN THE L.A. TIMES ON THE INTERNET.

**(b)(6), (b)(7)(C)**

Q. Prior to today, did SPC **(b)(6), (b)(7)(C)** PFC **(b)(6), (b)(7)(C)** SSG **(b)(6), (b)(7)(C)** SPC **(b)(6), (b)(7)(C)** SGT **(b)(6), (b)(7)(C)** PFC **(b)(6), (b)(7)(C)** SGT **(b)(6), (b)(7)(C)** CPL **(b)(6), (b)(7)(C)** or SPC **(b)(6), (b)(7)(C)** discuss with you their actions on 9 May 06 (Operation Iron Triangle)? If so, please explain who discussed this with you, when and where this conversation(s) took place, and what was said.

**(b)(6), (b)(7)(C)**

TOLD PFC **(b)(6), (b)(7)(C)** THAT HE HAD DONE THE RIGHT THING TO DO AFTER READING AN ACCOUNT OF THIS INCIDENT ON THE INTERNET L.A. TIMES ARTICLE. PFC **(b)(6), (b)(7)(C)** WAS SURPRISED HIS NAME WAS IN A PUBLIC NEWS ARTICLE. HE SAID HE DID NOT SAY ANYTHING TO ANYONE (OR SOMETHING TO THAT EFFECT.) NONE OF THE OTHER INDIVIDUALS MENTIONED ABOVE HAVE DISCUSSED THIS INCIDENT WITH ME IN ANY WAY. I SAW PFC **(b)(6), (b)(7)(C)** WHEN HE CAME INTO THE C.P. DURING THE EVENING AROUND 1900 WHILE I WAS ON DUTY. I MENTIONED TO HIM THIS POSITIVE REMARK TO ENCOURAGE HIM AS THE LA TIMES ARTICLE AROUND 24 JUNE 06 STATED THAT PFC **(b)(6), (b)(7)(C)** HAD BEEN THREATENED WITH DEATH BY FELLOW SM'S **(b)(6), (b)(7)(C)** AND **(b)(6), (b)(7)(C)** I BELIEVE PFC **(b)(6), (b)(7)(C)** TOOK A GATORADE FROM THE C.P. REFRIGERATOR BEFORE LEAVING AND HAD NOTHING MORE TO SAY ON THIS MATTER **(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)** STATEMENT

PAGE 2 OF 3 PAGES

FOR OFFICIAL USE ONLY DDII CID ROR Exhibit 9  
 Law Enforcement Sensitive

001155

STATEMENT OF **(b)(6), (b)(7)(C)**

TAKEN AT TIKRIT CID Office, COB Speicher DATED 3 Jul 06

STATEMENT (Continued)

[Redacted statement content]

AFFIDAVIT

I, **(b)(6), (b)(7)(C)** HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3 FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

**(b)(6), (b)(7)(C)**

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 3 day of July 2006 at Building 718 (CID Office), COB Speicher, Tikrit, IZ

**(b)(6), (b)(7)(C)**  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA **(b)(6), (b)(7)(C)**  
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Art 136 UCMJ / 10 USC 936

(Authority to Administer Oaths)

**(b)(6), (b)(7)(C)** STATEMENT

PAGE 3 OF 3 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent age (b)(6), (b)(7)(C)

LOCATION  
Building 718 (CID Office), COB Speicher, Tikrit, IZ

DATE 3 July 06  
15 JUN 06

TIME 1046

(b)(6), (b)(7)(C)

FILE NUMBER  
0086-06-CID469-75447

LAST NAME, FIRST NAME, MIDDLE NAME  
(b)(6), (b)(7)(C)

SSN  
(b)(6), (b)(7)(C)

GRADE/STATUS  
E-5/AD

ORGANIZATION OR ADDRESS  
C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349

(b)(6), (b)(7)(C)

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

What was your mission during Operation Iron Triangle, on or about 9 May 06?

I was with 3<sup>rd</sup> SQD, 2<sup>nd</sup> PLT. We air assaulted in, cleared one house which was empty, then walked three clicks across the desert searching any buildings. We only found 2 farmers we detained them and got on a UH-60 and went back to Brigade TOC on IRAM triangle. The rest of the day we stayed at Brigade TOC trying to get a bird out of there and get back to the rest of the platoon.

(b)(6), (b)(7)(C)

Q. Prior to 15 Jun 06, did anyone tell you there may have been a conspiracy to murder the detainees? If so, please elaborate on who told you, when and where they told you this and what they told you.

I never heard about a conspiracy because I don't talk to 3<sup>rd</sup> PLT. I don't like them and I try to stick to my platoon and make sure that we aren't jacked up. I did go on leave on 6 JUN and I then heard about it on the news.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_ TAKEN AT \_\_\_ DATED \_\_\_ CONTINUED."  
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Exhibit 223

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT <sup>TIKRIT</sup> CID Office, COB Speicher DATED 3 Jul 06

STATEMENT (Continued)

**(b)(6), (b)(7)(C)** Do you have any knowledge of the deaths of the detainees? If so, from whom?

NO, I thought they were rightfully killed. on 9 MAY 06 I was told by my SQD leader SSG **(b)(6), (b)(7)(C)** that 3<sup>rd</sup> PLT had killed a few people that tried to stab one of the guys. so from that I thought the killings were just. That was the only thing I heard before I went on leave on 6 JUN 06. I got back from leave yesterday and I have not talked to anyone about this **(b)(6), (b)(7)(C)**

Q. Prior to today, did SPC **(b)(6), (b)(7)(C)** PFC **(b)(6), (b)(7)(C)** SSG **(b)(6), (b)(7)(C)** SPC **(b)(6), (b)(7)(C)** SGT **(b)(6), (b)(7)(C)** PFC **(b)(6), (b)(7)(C)** SGT **(b)(6), (b)(7)(C)** CPL **(b)(6), (b)(7)(C)** or SPC **(b)(6), (b)(7)(C)** discuss with you their actions on 9 May 06 (Operation Iron Triangle)? If so, please explain who discussed this with you, when and where this conversation(s) took place, and **(b)(6), (b)(7)(C)** was said.

A. NO, like I said before, I don't talk to 3<sup>rd</sup> platoon, I usually only talk to 2<sup>nd</sup> platoon. We are also so busy that our schedules conflict, so I rarely see them **(b)(6), (b)(7)(C)**

INITIALS OF PERSON **(b)(6), (b)(7)(C)**

PAGE 2 OF 3 PAGES

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT TIKRIT CID Office, COB Speicher DATED 3 Jul 06

STATEMENT (Continued)

*[Redacted content]*  
**NOT USED**  
**(b)(6), (b)(7)(C)**  
*[Redacted content]*

AFFIDAVIT

I, **(b)(6), (b)(7)(C)** HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND END **(b)(6), (b)(7)(C)** AND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

**(b)(6), (b)(7)(C)**  
*(Signature of Person Making Statement)*

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 3 day of July 2006 at Building 718 (CID Office), COB Speicher, Tikrit, IZ

**(b)(6), (b)(7)(C)**  
*(Signature of Person Administering Oath)*

ORGANIZATION OR ADDRESS

SA **(b)(6), (b)(7)(C)**  
*(Typed Name of Person Administering Oath)*

Art 136 UCMJ / 10 USC 936

ORGANIZATION OR ADDRESS

*(Authority to Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT **(b)(6), (b)(7)(C)**

PAGE 3 OF 3 PAGES



SWORN STATEMENT

File of this form, see AR 190-45; the proponent agency is CDCSC (b)(6), (b)(7)(C)

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 3 July 06	TIME 1046	FILE NUMBER 0086-06-CID469-75447
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SSN: (b)(6), (b)(7)(C)	GRADE/STATUS E4 / AD	
ORGANIZATION OR ADDRESS C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349			

I, SPC (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q. What was your mission during Operation Iron Triangle, on or about 9 May 06?

A. Our mission was to find bad guys, look for weapons or anything else that would aid terrorists. We searched a few houses, found some A.K.s. Then we searched a village and found a bunch of bad guys. (b)(6), (b)(7)(C)

Q. Prior to 15 Jun 06, did anyone tell you there may have been a conspiracy to murder the detainees? If so, please elaborate on who told you, when and where they told you this and what they told you.

A. NO. <sup>less</sup> ~~two~~ then two weeks later <sup>after Iron Triangle</sup> I went on leave. I didn't get back from leave until 11 Jun 06. The next day I went out on a 24 hour OP. The morning I came in from the OP we started starting 3rd Platoon up to COB Speicher for investigations. (b)(6), (b)(7)(C)

EXHIBIT	INITIAL (b)(6), (b)(7)(C) STATEMENT	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_ TAKEN AT \_\_\_ DATED \_\_\_ CONTINUED."  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_ OF \_\_\_ PAGES."  
WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

FOR OFFICIAL USE ONLY  
Law Enforcement Sensitive

AGU DDII CID ROIS 34969

Exhibit 7 234

STATEMENT OF SPC (b)(6), (b)(7)(C) TAKEN AT <sup>SECRET</sup> CID Office, COB Speicher DATED 3 Jul 06

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

(b)(6), (b)(7)(C)

A. NO & YES. All I know is what I've read on the internet. I do not know who did what or what was done, if anything.

I read on the internet that there were three G.I.s arrested for suspected murder, and then a day later it was four G.I.s arrested. (b)(6), (b)(7)(C)

Q. Prior to today, did SPC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) PFC

(b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) CPL (b)(6), (b)(7)(C) or SPC (b)(6), (b)(7)(C) discuss with you their actions on 9 May 06 (Operation Iron

Triangle)? If so, please explain who discussed this with you, when and where this conversation(s) took place, and what was said.

(b)(6), (b)(7)(C)

A. NO. I was on leave after the mission, and I don't get to talk to the other platoons that often. (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

STATEMENT OF SFC (b)(6), (b)(7)(C)

TAKEN AT TIKRIT CID Office, COB Speicher DATED 3 Jul 06

STATEMENT (Continued)

[Redacted statement area with handwritten "NOT USED" and "(b)(6), (b)(7)(C)"]

AFFIDAVIT

I, SFC (b)(6), (b)(7)(C) HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3 (b)(6), (b)(7)(C) AND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 3 day of July 2006 at Building 718 (CID Office), COB Speicher, Tikrit, IZ

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA (b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)

Art 136 UCMJ / 10 USC 936

(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 3 OF 3 PAGES

SWORN STATEMENT

Use of this form, see AR 190-45; the proponent agency is ODCS.

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 03 JUL 06	TIME 1052	FILE NUMBER (b)(6), (b)(7)(C) 0086-06-CID469-75447
LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C)	SSN (b)(6), (b)(7)(C)	GRADE/STATUS E-4/AD	
ORGANIZATION OR ADDRESS C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349			

I, (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q. What was your mission during Operation Iron Triangle, on or about 9 May 06?

(b)(6), (b)(7)(C)

A. MY mission was to follow CPT (b)(6), (b)(7)(C) and act as his RTO during the operation (b)(6), (b)(7)(C)

Q. Prior to 15 Jun 06, did anyone tell you there may have been a conspiracy to murder the detainees? If so, please elaborate on who told you, when and where they told you this and what they told you.

(b)(6), (b)(7)(C)

A. NO, I did not question anyone about the a conspiracy to murder the detainees, and nobody asked me any questions either (b)(6), (b)(7)(C)

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 1 OF 3 PAGES

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

Exhibit 225

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ACLU DDII CID ROIS 34972

STATEMENT OF (b)(6), (b)(7)(C)

TIKRIT  
TAKEN AT CID Office, COB Speicher DATED 3 Jul 06

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

(b)(6), (b)(7)(C)

A. I received a radio transmission reporting 4 enemy KIA at that location from C36R SPC (b)(6), (b)(7)(C). I received the report according to CPT (b)(6), (b)(7)(C) format he mentioned during the Rock drill. The format is to report first the number of enemy killed, next the number of detainees and last the number of women and children at the site. Only one number for each. An example is "0 1 12" which means 0 killed, 1 detainee, and 12 women and children. C36R SPC (b)(6), (b)(7)(C) gave his grid first which according to my notes was LC 8656 4672 then gave an initial report of "1 3 2" indicating 1 enemy KIA, 3 detainees, and 2 women and children. I do not know what time I received that report, later I received a report indicating "0 2" at the same grid location, indicating 4 KIA, 0 detainees

Q. Prior to today, did SPC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) CPL (b)(6), (b)(7)(C) or SPC (b)(6), (b)(7)(C) discuss with you their actions on 9 May 06 (Operation Iron

Triangle)? If so, please explain who discussed this with you, when and where this conversation(s) took place, and what was said.

(b)(6), (b)(7)(C)

A. NO, All of those individuals are members of 3rd platoon, and I as a member of Hq Platoon have limited contact with all of them except SPC (b)(6), (b)(7)(C). As a platoon RTO he comes to me to get Batteries and radio equipment for the platoon, I did not discuss the actual on 9 May 06 with him while he was getting his batteries or radio equipment. (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES



SWORN STATEMENT

Use of this form, see AR 190-45; the proponent agency is ODCSL

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 03 JUL 06	TIME 1140 (b)(6), (b)(7)(C)	FILE NUMBER 0086-06-CID469-75447
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SSN (b)(6), (b)(7)(C)	GRADE/STATUS BS/AD	
ORGANIZATION OR ADDRESS C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349			

I, SGT (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q. What was your mission during Operation Iron Triangle, on or about 9 May 06?

(b)(6), (b)(7)(C) I WAS NOT INVOLVED IN THE OPERATION. I WAS AT COPE PULLING GUARD. (b)(6), (b)(7)(C)

Q. Prior to 15 Jun 06, did anyone tell you there may have been a conspiracy to murder the detainees? If so, please elaborate on who told you, when and where they told you this and what they told you.

(b)(6), (b)(7)(C) NO (b)(6), (b)(7)(C)

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_ TAKEN AT \_\_\_ DATED \_\_\_ CONTINUED."  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_ OF \_\_\_ PAGES."  
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STATEMENT OF (b)(6), (b)(7)(C)

TIKRIT  
TAKEN AT CID Office, COB Speicher DATED 3 Jul 06

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

(b)(6), (b)(7)(C) ALL I HEARD WAS THERE MIGHT HAVE BEEN SOME DETAINEES THAT WERE INJURED. I MIGHT HAVE HEARD IT WHEN I WAS SHOWERING (b)(6), (b)(7)(C)

Q. Prior to today, did SPC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) CPL (b)(6), (b)(7)(C) or SPC (b)(6), (b)(7)(C) discuss with you their actions on 9 May 06 (Operation Iron Triangle)? If so, please explain who discussed this with you, when and where this conversation(s) took place, and what was said.

(b)(6), (b)(7)(C) NOT ONE PERSON HAS DISCUSSED ANY ACTIONS TAKEN WITH ME (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES



STATEMENT OF **(b)(6), (b)(7)(C)**

TIKRIT  
TAKEN AT CID Office, COB Speicher DATED 3 Jul 06

STATEMENT (Continued)

[Redacted statement content with handwritten "NOT USED" in the center]

AFFIDAVIT

I, SGT **(b)(6), (b)(7)(C)** HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON **(b)(6), (b)(7)(C)** AND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

**(b)(6), (b)(7)(C)**  
Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 3 day of July 2006 at Building 718 (CID Office), COB Speicher, Tikrit, IZ

**(b)(6), (b)(7)(C)**  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA **(b)(6), (b)(7)(C)**  
(Typed Name of Person Administering Oath)  
Art 136 UCMJ / 10 USC 936  
(Authority to Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT **(b)(6), (b)(7)(C)**

PAGE 3 OF 5 PAGES

SWORN STATEMENT

Use of this form, see AR 190-45; the proponent agency is ODCSL

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 3 Jul 06	TIME 1209	(b)(6), (b)(7)(C) FILE NUMBER 0086-06-CID469-75447
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SSN (b)(6), (b)(7)(C)	GRADE/STATUS E-6 / AD	
ORGANIZATION OR ADDRESS C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349			

(b)(6), (b)(7)(C)

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q. What was your mission during Operation Iron Triangle, on or about 9 May 06?

(b)(6), (b)(7)(C)

My mission was to Convoys from FOB Ramagen South to vicinity Muthana Chemical Complex. Where we were to clear north to south detain all military aged males, search for weapons caches. This was approx 1000 meters or so from the island where the ROE was different from the ROE on my objectives (b)(6), (b)(7)(C)

Q. Prior to 15 Jun 06, did anyone tell you there may have been a conspiracy to murder the detainees? If so, please elaborate on who told you, when and where they told you this and what they told you.

(b)(6), (b)(7)(C)

No one told me of any conspiracy to commit murder on the detainees. But the day of as soon as I heard the story I knew right away in my heart and just putting myself in that situation that they without a doubt murdered the detainees. I'm not sure exactly all of whom I discussed my opinion with but from day one I knew I was right about what happen but couldn't prove anything or be certain due to the fact that I was on a totally different objective (b)(6), (b)(7)(C)

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 1 OF 4 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_ TAKEN AT \_\_\_ DATED \_\_\_ CONTINUED."

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STATEMENT OF (b)(6), (b)(7)(C)

TIKRIT TAKEN AT CID Office, COB Speicher DATED 3 Jul 06

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

(b)(6), (b)(7)(C) The only knowledge of the deaths of the detainees I found out reading the newspaper on line. And I had heard the day of that the detainees had tried to escape attacking the soldiers and then they were shot by the soldiers. (b)(6), (b)(7)(C)

Q. Prior to today, did SPC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) CPL (b)(6), (b)(7)(C) or SPC (b)(6), (b)(7)(C) discuss with you their actions on 9 May 06 (Operation Iron

Triangle)? If so, please explain who discussed this with you, when and where this conversation(s) took place, and what was said.

(b)(6), (b)(7)(C) I had asked SGT (b)(6), (b)(7)(C) one day while he was cutting my hair. just like why aren't they letting you take leave. He said cause I'm still under investigation. I said oh and then asked honestly dude did you know anything about what happen. He replied "Hell no man. I still can't believe it myself. sometimes you just don't know people." I said "yeah I guess so but I knew they were lying their asses off thinking it would be cool to say hey I killed somebody. That is all I ever recall talking to any of the above names about the situation. (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 2 OF 4 PAGES

STATEMENT OF

(b)(6), (b)(7)(C)

TAKEN AT

COB Speicher, TIKET

DATED

3 July 06

CONTINUED

STATEMENT (Continued)

Q: What did you hear about the incident during operations along Inaraga?

A: While back at the Red Knight toe area / Detainee holding area I heard that 3<sup>rd</sup> PLT soldiers PFC (b)(6), (b)(7)(C) and SFC (b)(6), (b)(7)(C) had killed 2 detainees because they tried to escape and tried stabbing one and the other punched PFC (b)(6), (b)(7)(C) and that they thought I.A. gave the detainees the knife. As to where when I heard this I thought there is no way because our company SOP is search detainees thoroughly, detain then do a hasty detainee packet and place a guard on detainees. Me personally I don't let the I.A. interact with detainees while on missions with us.

Q: Do you think the ROE had anything to do w/ why the detainees were shot?

A: I think that the ROE soldiers thought they could get away with what they did because the ROE being what it was on the island. The ROE I was briefed was on the island the ROE was kill all military aged males, off the island the normal ROE applied which is Hostile threat, Hostile intent protect yourself or other soldiers as necessary. The difference between the two ROE's are that our everyday go out and patrol, mission ROE's are that if someone poses a threat to yourself or other coalition forces you protect by any means necessary as to where the ROE on operation triangle on the island was to kill all military aged males as to where on an everyday patrol or mission we don't go by that type of ROE.

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

A: The only other thing that I could say is that our/my company doesn't stand for or influence this kind of action. I also am glad to see that the system is actually working.

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

A: NO/END OF STATEMENT (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT:

(b)(6), (b)(7)(C)

PAGE 3 OF 4 PAGES

STATEMENT OF (b)(6), (b)(7)(C)

TIKRIT TAKEN AT CID Office, COB Spelcher DATED 3 Jul 06

STATEMENT (Continued)

(b)(6), (b)(7)(C)

On May 19 2006 I do not recall who I asked what happen on the island but I was told that 3<sup>rd</sup> platoon PFC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) had killed two detainees because they tried to stab SPC (b)(6), (b)(7)(C) and the other had punched or somewhere along those line hit PFC (b)(6), (b)(7)(C) and tried to run away, and that they believed I.A (IRAQI Army) gave the detainees the knife. That is all I was ever told about the incident (b)(6), (b)(7)(C)

AFFIDAVIT

I, (b)(6), (b)(7)(C) HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 3 day of July 2006 at Building 718 (CID Office), COB Speicher, Tikrit, IZ

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA (b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)

Art 136 UCMJ / 10 USC 936

ORGANIZATION OR ADDRESS

(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 4 OF 4 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSL.

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 3 July 06	TIME 1210	FILE NUMBER (b)(6), (b)(7)(C) 086-06-CID469-75447
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SSN: (b)(6), (b)(7)(C)	GRADE/STATUS E-4 AD	
ORGANIZATION OR ADDRESS C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349			

I, (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q. What was your mission during Operation Iron Triangle, on or about 9 May 06?

(b)(6), (b)(7)(C)

My mission during Operation Iron Triangle was to resupply the soldiers as they needed to be, also to take the detainees to the holding area (b)(6), (b)(7)(C)

Q. Prior to 15 Jun 06, did anyone tell you there may have been a conspiracy to murder the detainees? If so, please elaborate on who told you, when and where they told you this and what they told you.

(b)(6), (b)(7)(C)

I didn't know there was a conspiracy to murder the detainees (b)(6), (b)(7)(C)

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT  
(b)(6), (b)(7)(C)

PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_ TAKEN AT \_\_\_ DATED \_\_\_ CONTINUED."

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

STATEMENT OF **(b)(6), (b)(7)(C)** WITNESSED AT CID Office, COB Speicher DATED 3 Jul 06

STATEMENT (Continued)

**(b)(6), (b)(7)(C)** Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

**(b)(6), (b)(7)(C)** The only knowledge that I have about the deaths of the detainees is that they had broke free and it was PFC **(b)(6), (b)(7)(C)** that had told this to me. Other than that rumors going around the company and what had been on the news and in the papers. This took place on the day of or the day after **(b)(6), (b)(7)(C)**

Q. Prior to today, did SPC **(b)(6), (b)(7)(C)** PFC **(b)(6), (b)(7)(C)** SSG **(b)(6), (b)(7)(C)** SPC **(b)(6), (b)(7)(C)** SGT **(b)(6), (b)(7)(C)** PFC **(b)(6), (b)(7)(C)** SGT **(b)(6), (b)(7)(C)** CPL **(b)(6), (b)(7)(C)** or SPC **(b)(6), (b)(7)(C)** discuss with you their actions on 9 May 06 (Operation Iron Triangle)? If so, please explain who discussed this with you, when and where this conversation(s) took place, and

**(b)(6), (b)(7)(C)** as said.

A. Yes, SPC **(b)(6), (b)(7)(C)** and PFC **(b)(6), (b)(7)(C)** had told me that they had killed three detainees that had broke free. PFC **(b)(6), (b)(7)(C)** said he was punched in the face and SPC **(b)(6), (b)(7)(C)** had a cut on his face. They told me this as I picked them up from the aid station to take them back to their platoon. As I was speaking to PFC **(b)(6), (b)(7)(C)** he had told me that himself and **(b)(6), (b)(7)(C)** had killed three people and its got him messed up in the head, I had told him "ok that means what to me". After that he asked me for a cigarette to calm his nerves. My conversation with SPC **(b)(6), (b)(7)(C)** was basically him degrading any other mos other than they infantry and they dont know what we go through. This took place on the day of or the day after **(b)(6), (b)(7)(C)**

INITIALS OF PERSON MAKING STATEMENT

**(b)(6), (b)(7)(C)**  
PAGE 3 OF 5 PAGES





## SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

## PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.  
**ROUTINE USES:** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your social security number is voluntary.

1. LOCATION FOB Speicher, Iraq	2. DATE (YYYYMMDD) 2006/07/03	3. TIME 1405	4. FILE NUMBER (b)(6), (b)(7)(C)
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS O-2	
8. ORGANIZATION OR ADDRESS HHC, 3-187 IN, 3 BCT; FOB Brassfield-Mora; APO AE 09349			

(b)(6), (b)(7)(C)

, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

During Operation Iron Triangle, I served as the Battalion Mortuary Affairs Officer for the 3-187th Infantry Battalion, 3rd BCT. My job as the Mortuary Affairs Officer is to process the remains and personal effects of all KIAs brought to the FOB to include US Military, Local Nationals, IA/IP, and Insurgents. During the processing, I search for any type of munitions that may be left on the bodies, identifying marks such as tattoos or scars, remove all clothing, collect all personal effects and turn them over to the BN S-2, and assist the Medical Platoon Sergeant in taking photographs to properly document and identify the remains. Four bodies were brought in to me on FOB Brassfield-Mora, Samarra, Iraq sometime in the early evening of 9 May by the FSC company that supports 1-33 CAV. Two of the bodies had a zip tie on the left hand as well as engineer tape around their necks. The other two bodies did not have zip ties or engineer tape. Several people were in the exam room with me. The only person that I can clearly remember being with me is SFC (b)(6), (b)(7)(C) the Medical Platoon Sergeant. At this time, none of us were aware of any criminal wrong doing. I was under the assumption that another battalion had done this and that this may have been some crazy way of marking the dead. I proceeded with my exam by cutting away the clothes of the remains and ensured that all wounds were documented by photograph. Because of the unusual way the bodies were marked I also ensured the zipties and engineer tape were photographed. SFC (b)(6), (b)(7)(C) recommended that we should cut away the zipties and engineer tape from the bodies prior to turning them over to the IPs and then to Samarra hospital. I concurred and cut them away from the two bodies after the photographs were taken. I believe this was the right thing to do, because at the time we were not aware of criminal wrong doing and the bodies would eventually reach their families and I didn't feel that it was something they should see.

Q: SA (b)(6), (b)(7)(C)

A: ILT (b)(6), (b)(7)(C)

Q: Were the zipties found on the wrists of the deceased cut or broken?

A: There was only one zip tie on each of the two remains. From what I saw and from what the pictures that were taken, the zip tie that was on the wrist was a complete zip tie. However, the other zip tie, which was not with the remains, would have to have either been cut or broken. This is because the other zip tie would have had to have been looped through the other.

Q: Explain the process of releasing the bodies.

A: Bodies are given to local IPs then the IPs turn the bodies over to the morgue at Samarra Hospital.

Q: Do you remember exactly who you released the bodies to?

A: They were IP personnel. I do not know their names.

Q: Do you remember exactly who brought the deceased to you?

A: I do not know their names, they were Soldiers from the FSC company that supports 1-33 CAV.

Q: Do you have any contact information for Mortuary Affairs?

A: No; the remains are given directly from my office to the IPs.

Q: Did you find any identification on the deceased?

A: I do not remember finding anything, however the BN S-2 CPT (b)(6), (b)(7)(C) would know if anything was turned over to him.

Q: Did you locate a knife along with the remains, and if not would you have noticed if there was one there?

A: No. The only thing I remember finding is an expensive ink pen on the older man. I would have noticed something like a knife, because I usually don't find things like that on the Iraqis that are brought in.

Q: Were there any records, documenting the identification of the deceased prior to you processing the bodies?

A: No. The only thing I remember finding is an expensive ink pen on the older man.

Q: Who would have these records if they were taken?

A: The BN S-2, CPT (b)(6), (b)(7)(C)

Q: I have shown you the photographs from the case? To your knowledge, did you see all the photographs that you and SFC (b)(6), (b)(7)(C) had taken?

A: Yes (b)(6), (b)(7)(C) JTA (b)(6), (b)(7)(C)

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF

TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF

1LT (b)(6), (b)(7)(C)

TAKEN AT

COB Speicher, Iraq

DATED

3 JUL 06

## 9. STATEMENT (Continued)

(b)(6), (b)(7)(C) Q: You mentioned a grazing wound on one of the detainees backs, can you elaborate as to why you believe that is significant?  
 (b)(6), (b)(7)(C) A: Based on my experience as a medic and a flight medic from 1995-2001, the grazing wound that was on one of the bodies is significant, because it shows that the individual had to have been either lying on his stomach or in the process of falling down while he was shot. There is absolutely no way that I can think of that a round would have grazed him this way if he had been standing up. If he were standing upright, the round would have gone in him. The grazing wound was vertical, so it is clear that someone shot him from either in front of him or behind him, not to his side. And it skimmed over his upper back.

(b)(6), (b)(7)(C) Q: What did you do with the clothing, the ink pen and the zip ties; who did you give it to; what procedure did you use to collect it?  
 (b)(6), (b)(7)(C) A: I placed it in a bio hazard bag and then placed the bag inside the body bag. I used trauma sheers (scissors) to cut away the clothing...etc. The zip ties were thrown away as bio hazard.

(b)(6), (b)(7)(C) Q: Did you clean the deceased prior to releasing them?

(b)(6), (b)(7)(C) A: No. Just organized the personal affects in the bio bag.

(b)(6), (b)(7)(C) Q: You previously mentioned having a conversation with someone about the "marking" of the bodies, mentioning that it was a strange way to mark them. Who did you speak to and what further information did they provide about the mission?

(b)(6), (b)(7)(C) A: I was speaking with several people that were at my table during chow. 1LT (b)(6), (b)(7)(C) is the only one that I remember being there, and I just said that is was kind of wierd how they were marked and that whoever it was was pretty stupid for marking bodies that way. He replied that it had been C Co that did that, and I was like oh! Nothing else was mentioned about it.

(b)(6), (b)(7)(C) Q: Describe what injuries you observed to the deceased?

(b)(6), (b)(7)(C) A: Besides the grazing wound. I observed several gunshot wounds that appeared to be entrance wounds to the back and butt of the remains. There were also various gunshot wounds to the arms, legs, sides, and head. On the older man, his skin had started to peel off, almost like he was burned or it was rubbed off. This type of wound has been on several other bodies besides this and may be a result of the skin dying and being less elastic.

(b)(6), (b)(7)(C) Q: Do you have anything further to add to this statement?

(b)(6), (b)(7)(C) A: No./End of Statement/

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

STATEMENT OF ILT (b)(6), (b)(7)(C) TAKEN AT TIKRIT COB Speicher, Iraq DATED 3 JUL 06 (b)(6), (b)(7)(C)

B. STATEMENT (Continued)

Not used

(b)(6), (b)(7)(C)

AFFIDAVIT

(b)(6), (b)(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 3 day of July, 2006 at COB Speicher, Iraq

\_\_\_\_\_  
ORGANIZATION OR ADDRESS  
\_\_\_\_\_  
ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C)

SA (b)(6), (b)(7)(C)  
(Typed Name of Person Administering Oath)

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

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 3 OF 3 PAGES

SWORN STATEMENT

Use of this form, see AR 190-45; the proponent agency is ODCS.

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 3 July 06	TIME 1507	FILE NUMBER (b)(6), (b)(7)(C) 086-06-CID469-75447
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SSN (b)(6), (b)(7)(C)	GRADE/STATUS E4/AD	
ORGANIZATION OR ADDRESS C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349			

I, (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q. What was your mission during Operation Iron Triangle, on or about 9 May 06?

(b)(6), (b)(7)(C) After the company landed on their objective my  
 (b)(6), (b)(7)(C) ~~my~~ squad air assaulted in on CH-47's to a  
 different objective. we got are 995's that  
 we had slung loaded ready to go and  
 linked up with Headquarters platoon. They  
 out the Operation Headquarters platoon and my  
 squad did our missions while the rest of  
 my company air assaulted to do there missions.  
 During the operation we cleared around 30 homes and  
 detained about 10 Iraqi nationals. we processed  
 them and had them taken to the biff. (b)(6), (b)(7)(C)

Q. Prior to 15 Jun 06, did anyone tell you there may have been a conspiracy to murder the detainees? If so, please elaborate on who told you, when and where they told you this and what they told you.

(b)(6), (b)(7)(C) I have never heard about a conspiracy  
 to murder detainees. (b)(6), (b)(7)(C)

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 1 OF 3 PAGES

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

STATEMENT OF (b)(6), (b)(7)(C)

TAKEN AT CID Office, COB Speicher DATED 3 Jul 06

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

(b)(6), (b)(7)(C) I have no knowledge of the deaths of the detainees during operation Iron Triangle. I understand that 3rd platoon killed three people during operation Iron Triangle. I don't know the details of the deaths. (b)(6), (b)(7)(C)

Q. Prior to today, did SPC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) PFC

(b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) CPL (b)(6), (b)(7)(C) or SPC (b)(6), (b)(7)(C) discuss with you their actions on 9 May 06 (Operation Iron Triangle)? If so, please explain who discussed this with you, when and where this conversation(s) took place, and what was said.

(b)(6), (b)(7)(C) I don't really get along with the members of 3rd platoon and rarely speak to them. I never discussed their actions on 9 May 06 because I don't really talk to them. (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES



SWORN STATEMENT

Use of this form, see AR 190-45; the proponent agency is ODC

LOCATION

Building 718 (CID Office), COB Speicher, Tikrit, IZ

DATE

03 JUL 2006

TIME

1545

FILE NUMBER

0086-06-CID469-75447

LAST NAME FIRST NAME MIDDLE NAME

(b)(6), (b)(7)(C)

SSN

(b)(6), (b)(7)(C)

GRADE/STATUS

E6/SSG A1

ORGANIZATION OR ADDRESS

C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349

(b)(6), (b)(7)(C)

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q. What was your mission during Operation Iron Triangle, on or about 9 May 06?

A. My mission was the clear an Island of all al Quta member on this Island. once we land there was no one on the objective my squad push south west to another objective clear and another house and this house was empty. I move my squad back to the first objective, and wait for further order. once I return I start looking for my assault pack that was taken by SSG (b)(6), (b)(7)(C) Squad. (b)(6), (b)(7)(C)

my squad

Sgt (b)(6), (b)(7)(C) Sgt (b)(6), (b)(7)(C) SPl (b)(6), (b)(7)(C) SPl (b)(6), (b)(7)(C) Pfc (b)(6), (b)(7)(C) Pfc (b)(6), (b)(7)(C)

Q. Prior to 15 Jun 06, did anyone tell you there may have been a conspiracy to murder the detainees? If so, please elaborate on who told you, when and where they told you this and what they told you.

A. No, because I ssg (b)(6), (b)(7)(C) dont talk to everyone in my platoon and I dont like everyone in my platoon. So to keep confuse down, I stay to myself and my room. (b)(6), (b)(7)(C)

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_ TAKEN AT \_\_\_ DATED \_\_\_ CONTINUED."

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

STATEMENT (b)(6), (b)(7)(C)

TAKEN AT CID Office, COB Speicher DATED 3 Jul 06

STATEMENT (Continued)

(b)(6), (b)(7)(C)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. yes, from CNN, all I can tell you is what I hear on the news and I only caught bit and piece of it b/c because I was drunk. At the company no one will talk to me because of the investigation.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Prior to today, did SPC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) PFC

(b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) CPL (b)(6), (b)(7)(C) or SPC (b)(6), (b)(7)(C) discuss with you their actions on 9 May 06 (Operation Iron

Triangle)? If so, please explain who discussed this with you, when and where this conversation(s) took place, and what was said.

A. No, because in our platoon there is a good old boy system, and I'm not part of it. But I know something was wrong b/c the company was still talking to C.I.D. (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

DA FORM 2825, DEC 1999

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Law Enforcement Sensitive

Exhibit 231  
ACLU DDII CID ROIS 34992

001183



STATEMENT OF (b)(6), (b)(7)(C)

TIKRIT  
TAKEN AT CID Office, COB Speicher DATED 3 Jul 06

STATEMENT (Continued)

(b)(6), (b)(7)(C)

On May 9th, information came across the radio that three  
Iraqi male was killed in combat, the detail  
of how the individual was wasn't released.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

I SSG (b)(6), (b)(7)(C) was not aware of an open investigation about the  
three detainees that was killed. But I knew something was wrong  
because I saw SSG (b)(6), (b)(7)(C) going to Baghdad to talk to  
someone. I was not sure who it was then I SSG (b)(6), (b)(7)(C)  
packed my personal bag and went on leave. Then time I  
learned of an investigation I was on leave. Once I return  
from leave it was pull to the side by 1LT (b)(6), (b)(7)(C) and  
was order not to talk about the investigation. I SSG  
(b)(6), (b)(7)(C) leave date was from May 30, 2006 to June 16, 2006  
But I return on June 21, 2006, because of legal person.

(b)(6), (b)(7)(C)

AFFIDAVIT

I, SSG (b)(6), (b)(7)(C) HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND  
ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE  
INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS  
STATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL  
INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

(making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by  
Law to administer oaths, this 3 day of July 2006 at  
Building 718 (CID Office), COB Speicher, Tikrit, IZ

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA (b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)

Art 136 UCMJ / 10 USC 936

ORGANIZATION OR ADDRESS

(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 3 OF 3 PAGES

SWORN STATEMENT

Full use of this form, see AR 190-45; the proponent agency is ODCSCG.

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 3 Jul 06	TIME 1610	FILE NUMBER 0086-06-CID469-75447
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SSN (b)(6), (b)(7)(C)	GRADE/STATUS E-4/SPC	
ORGANIZATION OR ADDRESS C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349			

(b)(6), (b)(7)(C)

I, SPC (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q. What was your mission during Operation Iron Triangle, on or about 9 May 06?

A. I was a gunner on truck C6 my truck commander was Lt. (b)(6), (b)(7)(C) I also was the radio operator for my truck. I never got out of the truck I stayed behind my gun. We drove in from Fob Romgain id to the area where headquarters was located linked up with some guys from 2nd platoon and cleared three houses nothing found but some weapons and farmers. I never left truck. (b)(6), (b)(7)(C)

Q. Prior to 15 Jun 06, did anyone tell you there may have been a conspiracy to murder the detainees? If so, please elaborate on who told you, when and where they told you this and what they told you.

(b)(6), (b)(7)(C)

A. I knew nothing of the conspiracy. I was never around those guys on the whole mission they flew in onto an island (b)(6), (b)(7)(C) I never made it to the island. (b)(6), (b)(7)(C)

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 1 OF 3 PAGES

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

Exhibit 22a

STATEMENT OF SPC (b)(6), (b)(7)(C)

TIKRIT  
TAKEN AT CID Office, COB Speicher DATED 3 Jul 06

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

(b)(6), (b)(7)(C)  
A. On May 9 I was on the radio when I heard a report sent up to Cpt. (b)(6), (b)(7)(C) radio operator which was SPC (b)(6), (b)(7)(C). The report stated the number of detainees and women and children. Later another report came later stating number of dead, number of detainees and, number of women and children. The two didn't match I told no one. Around the 20<sup>th</sup> of June I got on yahoo and looked up the whole case and found out that the detainees shouldn't have been killed (b)(6), (b)(7)(C)

Q. Prior to today, did SPC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) PFC

(b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) CPL (b)(6), (b)(7)(C) or SPC (b)(6), (b)(7)(C) discuss with you their actions on 9 May 06 (Operation Iron Triangle)? If so, please explain who discussed this with you, when and where this conversation(s) took place, and what was said.

(b)(6), (b)(7)(C)  
A. NO (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

STATEMENT OF SPC (b)(6), (b)(7)(C)

TAKEN AT <sup>TIKRIT</sup> CID Office, COB Speicher DATED 3 Jul 06

STATEMENT (Continued)

[Redacted statement content]

NOT

USIA

(b)(6), (b)(7)(C)

AFFIDAVIT

I, SPC (b)(6), (b)(7)(C) HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 3 day of July 2006 at Building 718 (CID Office), COB Speicher, Tikrit, IZ

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

Sgt (b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)

Art 136 UCMJ / 10 USC 936

ORGANIZATION OR ADDRESS

(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 3 OF 3 PAGES

SWORN STATEMENT

Use of this form, see AR 190-45; the proponent agency is ODCSt.

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 03 JUL 06	TIME 11:18	(b)(6), (b)(7)(C) FILE NUMBER 086-06-CID469-75447
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)		(b)(6), (b)(7)(C)	GRADE/STATUS E-3
ORGANIZATION OR ADDRESS C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349			

I, (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q. What was your mission during Operation Iron Triangle, on or about 9 May 06?

(b)(6), (b)(7)(C) My job during Operation Iron Triangle was gunner/medic for Headquarters platoon, Charlie Company, 3-187 Infantry. I was to watch and treat all of the detainees. Also to treat all U.S. and Iraqi Soldiers injured during the operation.

Q. Prior to 15 Jun 06, did anyone tell you there may have been a conspiracy to murder the detainees? If so, please elaborate on who told you, when and where they told you this and what they told you.

(b)(6), (b)(7)(C) No, SPC (b)(6), (b)(7)(C) told me during Operation Iron Triangle that three detainees cut themselves free. After doing so they proceeded to attack (b)(6), (b)(7)(C). In defense, they killed the detainees. (b)(6), (b)(7)(C) told me that the one with the knife was swing it wildly at him. And the other two started to beat on (b)(6), (b)(7)(C). The detainees started to run and that is when they killed them. He told me in the humvee on the way back to the TOC that same day.

EXHIBIT	INITIAL (b)(6), (b)(7)(C) STATEMENT	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ DATED \_\_\_\_\_ CONTINUED."  
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_ OF \_\_\_ PAGES."  
 WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

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 Law Enforcement Sensitive

Exhibit 233  
 AGIU DDII CID ROIS 34997

STATEMENT OF (b)(6), (b)(7)(C)

TIKRIT  
TAKEN AT CID Office, COB Speicher DATED 3 Jul 06

STATEMENT (Continued)

(b)(6), (b)(7)(C) you have any knowledge of the deaths of the detainees? If so, from whom?

A. Since the arrest of the four soldiers I was told by the First Sergeant that SPC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) had killed the detainees in cold blood. First Sergeant (b)(6), (b)(7)(C) was talking to a small group of us soldiers in Charlie Company. Last week I was reading on Yahoo News that (b)(6), (b)(7)(C) was charged with the same. ISG (b)(6), (b)(7)(C) said, "put it this way when you have detainees detained you safe guard them not kill them." He said this in his truck on the way back from COB Speicher when they got arrested (b)(6), (b)(7)(C)

Q. Prior to today, did SPC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) CPL (b)(6), (b)(7)(C) or SPC (b)(6), (b)(7)(C) discuss with you their actions on 9 May 06 (Operation Iron

Triangle)? If so, please explain who discussed this with you, when and where this conversation(s) took place, and

(b)(6), (b)(7)(C) said.

(b)(6), (b)(7)(C)

A. Refer to the second question.

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

STATEMENT OF (b)(6), (b)(7)(C)

TIKRIT  
TAKEN AT CID Office, COB Speicher DATED 3 Jul 06

STATEMENT (Continued)

[Redacted content area with handwritten "NOT USED" and "(b)(6), (b)(7)(C)"]

AFFIDAVIT

(b)(6), (b)(7)(C) HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I HAVE FULLY UNDERSTOOD THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 3 day of July 2006 at Building 718 (CID Office), COB Speicher, Tikrit, IZ

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA (b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)

Art 136 UCMJ / 10 USC 936

(Authority to Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS (b)(6), (b)(7)(C) STATEMENT

PAGE 3 OF 3 PAGES

SWORN STATEMENT

Use of this form, see AR 190-45; the proponent agency is ODCSC

LOCATION  
Building 718 (CID Office), COB Speicher, Tikrit, IZ

DATE  
3 Jul 2006

TIME  
1630

(b)(6), (b)(7)(C)

NUMBER  
0086-06-CID469-75447

LAST NAME, FIRST NAME, MIDDLE NAME  
(b)(6), (b)(7)(C)

GRADE/STATUS  
(b)(6), (b)(7)(C)

GRADE/STATUS  
E-31 PFC

ORGANIZATION OR ADDRESS  
C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349

I, PFC (b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

(b)(6), (b)(7)(C) What was your mission during Operation Iron Triangle, on or about 9 May 06?

I WAS The Driver For my Team leader SGT. (b)(6), (b)(7)(C) IN Truck (42). I WAS WITH HEADQUARTERS PLT DURING Iron Triangle. I Drove FROM OUR STAGING AREA (FOB RAMAGALL) TO OUR INITIAL OBJECTIVE. WE STARTED BY SEARCHING AND CLEARING HOUSES AND DETAINING MILITARY AGE MALES. WE THEN WENT TO CLEAR AN OBJECTIVE (b)(6), (b)(7)(C), (b)(7)(D)

(b)(6), (b)(7)(C), (b)(7)(D) AND STG. (b)(6), (b)(7)(C)

I BEGAN SEARCHING A WHITE TRUCK THAT WAS PULLING UP. WHILE SEARCHING A MAN IN A BLUE TRUCK WAS HOLDING SIGHT FOR US. WE USED HAND & ARM SIGNALS TO GET HIM TO STOP BUT HE WENT AROUND SO WE SHOT DISABLING SHOTS. HE STOPPED GOT OUT AND STARTED TO RUN OFF THE OBJECTIVE SO WE ENGAGED HIM (b)(6), (b)(7)(C)

Q. Prior to 15 Jun 06, did anyone tell you there may have been a conspiracy to murder the detainees? If so, please

elaborate on who told you, when and where they told you this and what they told you.

(b)(6), (b)(7)(C) I HAD HEARD NOTHING ABOUT A CONSPIRACY & HARDLY KNEW THE PEOPLE INVOLVED (b)(6), (b)(7)(C)

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT  
(b)(6), (b)(7)(C)

PAGE 1 OF 3 PAGES

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



STATEMENT OF (b)(6), (b)(7)(C)

TAKEN AT CID Office, COB Speicher DATED 3 Jul 06

STATEMENT (Continued)

(b)(6), (b)(7)(C) Do you have any knowledge of the deaths of the detainees? If so, from whom?

(b)(6), (b)(7)(C) I have heard, though I don't remember from whom that some members from our 3rd platoon element had shot a detainee because the detainee tried to attack an individual with a knife.

Q. Prior to today, did SPC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) CPL (b)(6), (b)(7)(C) or SPC (b)(6), (b)(7)(C) discuss with you their actions on 9 May 06 (Operation Iron Triangle)? If so, please explain who discussed this with you, when and where this conversation(s) took place, and what was said.

(b)(6), (b)(7)(C) A. They are not in my platoon and I am new to the company so I don't talk to many people outside my platoon.

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

FOR OFFICIAL USE ONLY  
Law Enforcement Sensitive  
ACLU DDII CID ROIS 35001 Exhibit 739

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT CID Office, COB Speicher DATED 3 Jul 06

STATEMENT (Continued)

[Redacted statement content]

NOT  
USA  
**(b)(6), (b)(7)(C)**

AFFIDAVIT

I, **(b)(6), (b)(7)(C)** HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

**(b)(6), (b)(7)(C)**  
*Person Making Statement*

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 3 day of July 2006 at Building 718 (CID Office), COB Speicher, Tikrit, IZ

**(b)(6), (b)(7)(C)**  
*(Signature of Person Administering Oath)*

ORGANIZATION OR ADDRESS

SA **(b)(6), (b)(7)(C)**  
*(Typed Name of Person Administering Oath)*

Art 136 UCMJ / 10 USC 936

ORGANIZATION OR ADDRESS

*(Authority to Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT **(b)(6), (b)(7)(C)**

PAGE 3 OF 3 PAGES

**SWORN STATEMENT**

For use of this form, see AR 190-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

LOCATION Cob Speicher, Tikrit, Iraq APO AE 09323	DATE (b)(6), (b)(7)(C) TIME (b)(6), (b)(7)(C) 4 JUL 06   1730	GRADE/STATUS E5/AD
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	
HHC 3/187 INF, FOB Bassfield-Mora, Samarra, Iraq APO AE 09349		

(b)(6), (b)(7)(C)

... WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

While attached to C Co. we have had several issue about the way the company operated. We myself and the other snipers have felt unsafe about working with C Co. I feel that most of the company has been brainwashed throughout the deployment to kill more when ever possible. I feel that the problems are caused by the 1SGT and Co. Every meeting I've been to involving C Co their ROE has suggested killing locals who don't appear to be a real threat. Such as killing locals who are unarmed but might leave the general area. C Co's 1SGT has the mentality that all locals should be killed. He has said that all Iraqis should be killed, to me several times while I have ridden with him in his HMMWV. I have felt unsafe working with C Co because of the company killing innocent civilians and creating stories to cover them up. I have not personally witnessed any of these occasions but I hear C Co soldiers talking about them. One story was about C Co killing 3 locals in a tomato truck. What really happened was the gunner was nervous behind the .50 caliber machine gun and killed 3 civilians. After the 3 civilians were killed the LT of the platoon shot out both tires so it would appear that the vehicle wouldn't stop after having its tires shot out and that it forced them to use lethal force. Then upon returning to the unit after Iron Triangle I heard stories of the executions. First I was told by platoon members that they we given orders to

(b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 4 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_ TAKEN AT \_\_\_ DATED \_\_\_ CONTINUED."  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_ OF \_\_\_ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED THE RISK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

ACQUITTION CID ROIS 35003

FILE NUMBER \_\_\_\_\_

STATEMENT OF Sgt

(b)(6), (b)(7)(C)

TAKEN AT CDB Speicher, Iraq, APO AE 09383 DATED 4/5/06

CONTINUED

STATEMENT (Continued)

(b)(6), (b)(7)(C) kill everyone on the objective. As for the executions I overheard member of 3rd platoon describe it. That the team that entered the house detained 3 males in the house. Radioed to CCo's 1SGT that they had 3 detainees. 1SGT responded with "why do you have 3 detainees who are supposed to be dead". Then the soldiers took the detainees outside and cut the zip-cuffs off the detainees hands to make it appear that they broke them off. Mean while the soldiers were hitting each other and SPC (b)(6), (b)(7)(C) cut himself in the face to make it appear that the detainees put up a fight. Then the detainees were told to run away. Then when they were about 100 meters away they were shot by the soldiers. After that they threatened another soldier that they would kill him if he told what had happened. Then they radioed to CCo command that they had 3 enemy KIA.

Q: SA (b)(6), (b)(7)(C)

A: Sgt (b)(6), (b)(7)(C)

Q: Have ROE briefs you've attended with other companies been as loose as C Co's?

A: C Co's ROE has been the only company to authorize killing of civilians who are ~~not~~ unarmed or don't appear to be a threat but are leaving a general area or are of military age. As opposed to other companies where the local would have to pose a threat.

Q: Do you remember specific dates <sup>4/5</sup> when 1SG (b)(6), (b)(7)(C) made those comments to you?

A: Those comments were made on different occasions from January 06 through May 06

Q: Do you remember any specifics as far as C Co covering things up; other than the Tomato Truck incident?

A: The tomato truck incident is the only one I've heard (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT: \_\_\_\_\_

(b)(6), (b)(7)(C)

ACLU DDIL CID ROIS 85004 235

STATEMENT OF Sgt (b)(6), (b)(7)(C)

TAKEN AT Cob Speicher, Iraq APO AE 09383 DATED 4/24/06

CONTINUED

STATEMENT (Continued)

(b)(6), (b)(7)(C)

details about.

Q: When have you overheard C Co talking about covering things up, and can you identify which soldiers stated what?

A: I over hear these things before missions and while riding with C Co but the conversations are between many different soldiers throughout the company.

Q: Who mentioned the tomato truck?

A: A soldier from 1st platoon C Co.

Q: When did you return from leave after Iron Triangle?

A: I returned from leave in late May.

Q: Do you remember which 3rd platoon C Co members said what?

A: I do not remember which soldiers were talking about the incident.

Q: How well do you know members of C Co?

A: Not very well. They take my team to and from objectives then leave us alone to do our job.

Q: Are you sure it was 3rd platoon who was discussing the incident?

A: Yes 3 platoon soldier were discussing what happened on Iron Triangle as well as SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C)

Q: Was this information discussed after SSG (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) & SPC (b)(6), (b)(7)(C) were "taken away"?

A: Yes.

Q: Do you have anything else to add?

A: No/ End of statement (b)(6), (b)(7)(C)

FILE NUMBER \_\_\_\_\_

STATEMENT OF Sgt (b)(6), (b)(7)(C)

TAKEN AT CoB Speicher, Iraq 09393 DATED 4 JUL 06

CONTINUED

STATEMENT (Continued)

(b)(6), (b)(7)(C)

*NOT SEEN*

(b)(6), (b)(7)(C)

AFFIDAVIT

I, (b)(6), (b)(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)  
 \_\_\_\_\_  
 (Typed Name of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 4 day of JUL, 2006 at CoB Speicher, Iraq APO AF 09393

ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C)  
 \_\_\_\_\_  
 (Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

UCMJ, Article 136 / 10 USC 936  
 (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

ACLU DDII **FACE** **0116-06-CID469-75459** **35006**

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE - EXHIBIT 35006

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

LOCATION COB Speider, Iraq APO AE 09393	DATE 5 July 06	ME 1700	FILE NUMBER (b)(6), (b)(7)(C)
LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)		GRADE/STATUS E3/AD
ORGANIZATION OR ADDRESS HHC, 3rd SFB, 3rd BCT, 101 ABN DIV (AA&T), COB Speider, APO AE 09393			

(b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was shown a picture of a young male who I confidently identified as the soldier who held the gunner position on a particular convoy. My statement was made on 28 June 06 at 1600pm when I stated I was not completely positive the soldier I had identified was SPC (b)(6), (b)(7)(C). I am mistaken and now positive the soldier I had identified is not SPC (b)(6), (b)(7)(C) but is PFC (b)(6), (b)(7)(C). I am clarifying this after talking to a soldier who knows both soldiers.

Q: SA (b)(6), (b)(7)(C)

A: A/C

Q: So the soldier you stated was SPC (b)(6), (b)(7)(C) in your prior statement is A/C (b)(6), (b)(7)(C)

A: Yes

Q: Who informed you of which soldier was written (b)(6), (b)(7)(C) which?

A: I do not feel comfortable releasing that information.

Q: Do you have anything further to add?

A: No - end of statement (b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_ TAKEN AT \_\_\_ DATED \_\_\_ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_ OF \_\_\_ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF THE LAST PAGE.

ACLU ID# CID-ROIS 35009

FILE NUMBER \_\_\_\_\_

STATEMENT OF AFC (b)(6), (b)(7)(C)

TAKEN AT Colb Speicher, Iraq, APO AE 0933 DATED 5 JUL 06

CONTINUED

STATEMENT (Continued)

(b)(6), (b)(7)(C)

NOT USED

(b)(6), (b)(7)(C)

AFFIDAVIT

I, AFC (b)(6), (b)(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5 day of JULY, 2006 at Colb Speicher, Iraq, APO AE 0933

ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C)

ORGANIZATION OR ADDRESS

SA (b)(6), (b)(7)(C)  
(Typed Name of Person Administering Oath)

UCMJ, Article 136 / 10 USC 936  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

ACLU DDJ CID ROIS 35018

CONFIDENTIAL - SECURITY INFORMATION



SWORN STATEMENT

Use of this form, see AR 190-45; the proponent agency is ODCS.

0086-06-CID469-7544

LOCATION

FOB Rammer, Iraq APO AE 09393

DATE

(b)(6), (b)(7)(C) 06 July 06 09:37

FILE NUMBER

LAST NAME FIRST NAME MIDDLE NAME

(b)(6), (b)(7)(C)

GRADE/STATUS

(b)(6), (b)(7)(C)

ES/AD

ORG

111B, 3/300th Field Artillery, FOB Rammer, Iraq APO AE 09393

(b)(6), (b)(7)(C)

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

(b)(6), (b)(7)(C)

dropped off on the second lift after the initial infil. I Arrived at the TAC Loc. and began to Help set up the TAC. After about 2 hours of setting up the TAC, S-2 and THT need Help setting up detainee holding pens, I Helped with that or in the process of helping with that they had detainees coming in on A/C So I the ME and SPC (b)(6), (b)(7)(C) escorted the detainees from the A/C to the Holding pens. SFC (b)(6), (b)(7)(C) CPT. (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) was handling the detainee pockets and processing the evidence to my knowledge. After the holding pens was up I went back to the Tac and began more setting up and RTO operations under MSG (b)(6), (b)(7)(C) MAJ (b)(6), (b)(7)(C) and CPT. (b)(6), (b)(7)(C) The S-2 was also set up inside the Tac. CPT. (b)(6), (b)(7)(C) was in and out all day handling and processing detainees.

Q: SA (b)(6), (b)(7)(C)

A: Sgt

Q: Is the above statement in reference to Operation Iron Triangle as I May do?

A: YES

Q: Are the names mentioned above all the S-2 & THT you remember being out there?

A: YES SPC (b)(6), (b)(7)(C) is S-2 and one more name PFC (b)(6), (b)(7)(C) was also out w/ S-2

Q: What is A/C

A: Abbreviation for Aircraft, UH 60 was the main one used

Q: What is TAC?

A: The TAC is the main Control Point for the operation (the Brains of the operation) usually the TAC IS responsible for provide Guidance or assistance to the consulting elements.

Q: Do you remember seeing or hearing about an orange handled knife?

A: NO

Q: Have you heard or seen a knife like that since the operation?

A: NO

Q: Can you describe MSG (b)(6), (b)(7)(C)

A: 6ft tall, Average man, Black hair

Q: Can you describe how the evidence is processed?

A: As far as I know evidence is put into a zip lock Bag by The Patrol Leader or the person(s) detaining the individual, And the Bag goes with the detainee and is processed with the Detainee also most of the time if not all the time Pictures are taken of the evidence and the Detainee together. after that I have no Idea what happens with it.

Q: Do you have anything else to add? / cont. (b)(6), (b)(7)(C)

EXHIBIT

INIT (b)(6), (b)(7)(C) G STATEMENT

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_ TAKEN AT \_\_\_ DATED \_\_\_ CONTINUED."

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

STATEMENT (Continued)

(b)(6), (b)(7)(C)

I remember two more of S-2 and JHT outfits <sup>(b)(6), (b)(7)(C)</sup> ~~not mentioned~~ <sup>(b)(6), (b)(7)(C)</sup> ~~here not mentioned~~ <sup>(b)(6), (b)(7)(C)</sup> ~~End of statement~~  
editor S-2 MSL <sup>(b)(6), (b)(7)(C)</sup> and JHT SGT. <sup>(b)(6), (b)(7)(C)</sup>

(b)(6), (b)(7)(C)

AFFIDAVIT

I, (b)(6), (b)(7)(C) HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 6 day of JUL 2006 at Fob Remagen, Iraq

(b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)

Art 136 UCMJ

(Authority to Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 2 OF 2 PAGES

SWORN STATEMENT

Fc. use of this form, see AR 190-45; the proponent agency is ODC ;

0086-06-CID469-75447

LOCATION

FOB REMAGEN TIKRIT IRAQ

DATE

(b)(6), (b)(7)(C) 6 July 06 1043 0959

TIME

(b)(6), (b)(7)(C)

FILE NUMBER

(b)(6), (b)(7)(C)

SSN:

(b)(6), (b)(7)(C)

GRADE/STATUS

O4/AC

ORGANIZATION OR ADDRESS

HQB 3-320 FA FOB Remagen, APO AE 0093

(b)(6), (b)(7)(C)

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

During Operation IRON TRIANGLE I was the Executive Officer of Task Force 3-320. On Day One of the Operation (9 May) I spent the vast majority of the day in the Battalion Tactical Command Post (TAC). Throughout the day numerous detainees and their accompanying packets were processed. At no time do I remember a specific bag of evidence being dropped off at the TAC pertaining to the detainees that were shot and killed. O/A 10 May my Bn CDR informed me that upon return to FOB Remagen that I would serve as the AR 15-6 Investigation officer to look into the possibility of detainee abuse regarding the detainees that were shot by members of C/3-187 In. During the course of the investigation the soldier's questioned described a knife that was used to cut SFC (b)(6), (b)(7)(C) the knife described had an orange handle with black string. I was told the knife along with other evidence was put in a bag and dropped off with a Master Sergeant at the TAC. I asked MSGT (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) had they remembered receiving the bag or seeing the knife, but neither recalled the bag of evidence. I then asked CPT (b)(6), (b)(7)(C) about the bag and he did not recall seeing it. I spent the vast majority of my time in the TAC and I do not recall seeing the bag with evidence either. Also during the course of my AR 15-6 investigation I and SFC (b)(6), (b)(7)(C) emptied the evidence from Operation IRON TRIANGLE and searched it for the knife in question. The search did not produce the knife or any evidence from the objective area in question.

Q: SA (b)(6), (b)(7)(C)

A: Maj (b)(6), (b)(7)(C)

Q: Has anyone mentioned the knife in question since the completion of the operation on 15-16?

A: No.

Q: Who else worked with evidence in the TAC besides the list of people provided?

A: SFC (b)(6), (b)(7)(C)

Q: Can you describe the bag the knife was in?

A: As I remember the bag was described as a greenish brown bag resembling a sandbag.

Q: What are the procedures in use, for receiving and holding evidence at the TAC?

A: The evidence is to be received by a member of the S2 shop who verifies that the accompanying paperwork is filled out so the evidence can be linked to a detainee. The evidence is stored within the confines of the TAC until end of mission. Upon returning to the FOB evidence is stored in the SA Milvan under the supervision of SFC (b)(6), (b)(7)(C) until it is forwarded with the prisoner, returned if the prisoner is released or destroyed. (b)(6), (b)(7)(C)

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 1 OF 2 PAGES

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

STATEMENT OF Ma **(b)(6), (b)(7)(C)** TAKEN AT FOB Remagen DATED 6 JUL 06

STATEMENT (Continued)

(b)(6), (b)(7)(C)

Q: When checking the paperwork, is the evidence removed from the bag?  
 A: No other than to inventory it against the paperwork.  
 Q: As far as you know, was paperwork generated on any of the 3 dead detainees?  
 A: I never saw the paperwork so I can not say for sure.  
 Q: Do you have anything else to add?  
 A: I have nothing else to add. **(b)(6), (b)(7)(C)** END of statement **(b)(6), (b)(7)(C)**

AFFIDAVIT

I, Ma **(b)(6), (b)(7)(C)** HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

**(b)(6), (b)(7)(C)**

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 6 day of JULY 2006 at FOB Remagen, Irag, APO AE 09393

**(b)(6), (b)(7)(C)** (Administering Oath)

ORGANIZATION OR ADDRESS

SA **(b)(6), (b)(7)(C)**

(Typed Name of Person Administering Oath)

Art 136 UCMJ

(Authority to Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT **(b)(6), (b)(7)(C)**

PAGE 2 OF 2 PAGES

SWORN STATEMENT

0086-06-CID469-75447

For use of this form, see AR 190-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

LOCATION FOB Remagen, <del>FOB APO AE 09393</del>	DATE 6 Jul 06	FILE NUMBER 1103
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS E7 AD
ORGANIZATION OR ADDRESS 4B 31320 FA, FOB Remagen, APO AE 09393		

(b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 09 MAY 06 I SFC (b)(6), (b)(7)(C) was working in and around the TAC. I was called to help PFC (b)(6), (b)(7)(C) enter the deceased local nationals into the BATS. PFC (b)(6), (b)(7)(C) had already entered the first individual into the system when I came over to help him. I was entering the typed information into the computer and taking photos while PFC (b)(6), (b)(7)(C) did the finger printing. I remember seeing a packet still around the neck of the first person I helped with. I asked (b)(6), (b)(7)(C) if the hole in the ziploc bag looked like it had a bullet hole through it. I had no information on how the individuals were killed at that time. The individuals were entered into the BATS with as much information as we had at the time. I did not see any form of identification in the area. Once we finished entering them into the BATS we left the site of the individuals and continued work. I am not aware of who took the bodies or who unloaded them. While working in the TAC the only evidence I witnessed was one AK47. (b)(6), (b)(7)(C)

Q SA (b)(6), (b)(7)(C)

A SFC (b)(6), (b)(7)(C)

Q Would you, in the normal course of your duties, take in evidence at the TAC?

A I am not sure because I have never worked in a TAC. (b)(6), (b)(7)(C)

Q Did you see an orange handled knife be brought in as evidence? (b)(6), (b)(7)(C)

A No (b)(6), (b)(7)(C)

Q What happened to the paper work you used to enter the deceased into BATS?

A As far as I am aware the paper work went with the deceased. (b)(6), (b)(7)(C)

Q Do you know what the standard procedure is when receiving evidence at the TAC?

A No (b)(6), (b)(7)(C)

Q Why did you think the hole in the ziploc bag was a bullet hole?

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_ TAKEN AT \_\_\_ DATED \_\_\_ CONTINUED."  
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_ OF \_\_\_ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

STATEMENT OF (b)(6), (b)(7)(C)

TAKEN AT FOB Remagen, APO AE 09343 DATED 6-5-106

CONTINUED

STATEMENT (Continued)

Q I saw a body and did not see how the hole would get there after the death. (b)(6), (b)(7)(C)

Q Were you present when all evidence brought to the TAC was processed?

A No I was usually doing BATS on the people who were to be released. (b)(6), (b)(7)(C)

Q Do you know who was responsible for processing the evidence at the TAC?

A As far as I am aware that is primarily the job of SFC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

Q What unit is he in?

A He is in HHB 3-300 FA and works with the S2 section. (b)(6), (b)(7)(C)

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

A No (b)(6), (b)(7)(C) / END OF STATEMENT //

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

FILE NUMBER

STATEMENT (Continued) (b)(6), (b)(7)(C)

FRQ  
FBI Remagen APO AE 09393 6 JUL 06

NOT USED

AFFIDAVIT

I, (b)(6), (b)(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 6 day of Jul, 20 06 at FBI Remagen APO AE 09393

ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C)

ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C)  
(Typed Name of Person Administering Oath)

UCMJ, Article 136 / 10 USC 936  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 3 OF 3 PAGES

SWORN STATEMENT

Use of this form, see AR 190-45; the proponent agency is ODC.

0086-06-CID469-7544

LOCATION FOB Ramagan, Iraq APO AE 09393	DATE 06 JULY 2006	TIME 1246	OFFICER NUMBER (b)(6), (b)(7)(C)
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	GRADE/STATUS O3/AD		
ORGANIZATION OR ADDRESS HAB, 3/320 Field Artillery, FOB Ramagan, Iraq APO AE 09393 (b)(6), (b)(7)(C)			

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I served as the Intelligence Officer for 3-320<sup>th</sup> FA on Operation Iron Triangle at the Muthana Chemical Complex in the southeast, Taji, War Zone region on 9-11 day. I supervised the handling of detained local nationals, battle tracking at the IAC, and the collection of pictures and weapons/evidence from objectives. Physical evidence was collected at the Battalion IAC in a building that was used throughout the operation as a headquarters for the battalion task force. Communications, the operations center and the intelligence section were all operating out of rooms in this area. We initially kept weapons and other pertinent evidence from objectives in a small room off of the operations room. Later in the first night we moved the evidence collected and collected all other evidence into a larger room in the back center of the building. There was an open window hole so my evidence and detainees NCO, SFC (b)(6), (b)(7)(C) had the window boarded with loose pieces of concrete rubble on the site. This room was accessible to any person in the IAC so we kept a close eye on it. All of the soldiers and officers in and out kept away Iraqi Army soldiers from getting in. In addition, our American interpreter (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) and myself all kept a log catalog in this room. Evidence was segregated by bundle and shoe tagged. When the operation was complete, I helped MSG (b)(6), (b)(7)(C) load all of the weapons and other evidence that was not DODEX onto the headquarters humvee. Most of the other evidence was military equipment. The DODEX evidence consisted of cell phones, computers, audio tapes, CDs, etc. This evidence was taken to the Brigade S&IFF by SGT (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) who was at brigade intelligence and was assigned to me for the operation. He transported the sensitive DODEX evidence back to brigade at COB Speicher for exploitation on a Chinook flight to Ramagan the night of the 9<sup>th</sup>. I am not sure how he got from Ramagan to Speicher. After I loaded the evidence into MSG (b)(6), (b)(7)(C) humvee I helped EOD wire the building for demolition. I had never seen

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF (b)(6), (b)(7)(C)
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_ TAKEN AT \_\_\_ DATED \_\_\_ CONTINUED."  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_ OF \_\_\_ PAGES."  
WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.



**(b)(6), (b)(7)(C)** STATEMENT (Continued)

this done, so I wanted to help and watch. During the course of this I checked every room in the building. No evidence was left behind. When we arrived back at Penger, the evidence was put into the intelligence shop evidence nylon container. When we were asked to bring out the "knife we had from 'I saw through'" we produced an AK-47 sawn-off. We brought this to Major **(b)(6), (b)(7)(C)** SFC **(b)(6), (b)(7)(C)** and myself and were told we had the wrong knife. Major **(b)(6), (b)(7)(C)** told us we were looking for an orange-handled hunting knife that possibly had tape or rope around the handle. Neither SFC **(b)(6), (b)(7)(C)** or I remember seeing any knife close to this description. We searched the containers of evidence and unloaded all of the iron, ironside bundles of weapons or equipment. I then told Major **(b)(6), (b)(7)(C)** that we did not have any knife close to this description. I questioned every member of my shop to see if anyone else had seen such a knife. No one could remember seeing it. I then ordered SFC **(b)(6), (b)(7)(C)** to pull all the evidence out of the cones and search it again. He was helped by SFC **(b)(6), (b)(7)(C)** and others from our intelligence section. I meanwhile called 3-187 to inquire about the knife in question. I do not remember who I spoke to, but I believe it was a sergeant in the intelligence section. He told me that the evidence from Objective Murray, including the knife was given to a white Master Sergeant with grey rim glasses who was somewhat heavier of build. I could not identify anyone who matched this description. I asked MSG **(b)(6), (b)(7)(C)** if he knew anyone that fit this description. Initially he did not. I asked other members of my intelligence section if they remembered anyone that fit this description. Initially, no one did. After a while the idea was suggested that this described Master Sergeant was a member of the Brigade command group which had landed outside the TAC in a pair of Blackhawk helicopters and was on the ground at the time the boomer from Objective Murray were brought in to the TAC area. We never determined who this Master Sergeant was for certain. I saw CPT **(b)(6), (b)(7)(C)** the commander of Charlie, 3-187 outside of our TOC head-quarters building sometime after we were back from Ben Penger and after we had searched the cones for the orange-handled knife. He told me the evidence from that objective (Murray) was in a white fuel sack with two AK-47s, one or two pistols and the knife. I then asked SFC **(b)(6), (b)(7)(C)** MSG **(b)(6), (b)(7)(C)** PFC **(b)(6), (b)(7)(C)** SSG **(b)(6), (b)(7)(C)** if they had ever seen a pocket or bundle which matched this description. I had SFC **(b)(6), (b)(7)(C)** download and search the cones containing evidence for a third time, this time searching for the pocket or white grain sack. I called it a fuel sack up above because that is what I was raised referring to **(b)(6), (b)(7)(C)**

DA FORM 2823, DEC 1998

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 EXHIBIT 41

001209

STATEMENT (Continued)

such pack, as, but I believe CPT (b)(6), (b)(7)(C) word was "gray" sack. No such sack was found. It is my understanding that Major (b)(6), (b)(7)(C) and SFC (b)(6), (b)(7)(C) searched the evidence container again for a fourth time. I was not present for the entire search of the container every time, but I did check on the progress of each search that I observed. The men were in my opinion diligent and thorough. At no time did anyone remember seeing a knife that matched the description of a game handled within holes with rope or tape around the handle. SFC (b)(6), (b)(7)(C) MSG (b)(6), (b)(7)(C) and I all jointly remember not seeing such a knife. When I located the evidence only MSG (b)(6), (b)(7)(C) truck, it was not present. At that time, I was not aware of if a search was made after the removal of the evidence container. I personally checked MSG (b)(6), (b)(7)(C) truck bed to see if somehow the knife had fallen into a crack or crevice. I found nothing at all. Our system for tracking evidence was to bundle them if they were not already when the company representative brought them to us and then either use bag to use tape and markers to tag and label the bundles. We did not make a master evidence log of what came in or out of the evidence room or the objective. Also, pertaining to the dead insurgents from Objective Murray I did not see the bodies until several hours after they were brought to the TAC area. At some point in the afternoon of the 9th I was relieved by Major (b)(6), (b)(7)(C) to go check the bodies on the back of a humvee. The bodies were about to be taken by the Iraqi Army to local authorities near Samarra. There were four body bags. One contained a man in a white dishdasha. I was asked from early in the operation. The other three were before the bodies from Objective Murray. When I opened the body bags at that time they had been sitting on the back of a humvee in approximately 106° full sun for a few hours. I tried to move as quickly as possible and was not very observant. I did locate the five-mannee detainee packets. They were still ground the necks of the corpses, but each one had spilted to be under the body. It was attached to. I rolled the body out, cut the packets free, and rolled the body back in, then passed up the body bag and turned them over to the Iraqi Army. I took the packets to the TAC building. I appraised them to be of no value - because they had spilted to under the corpses inside the body bag, the packet was full with blood and effluvia like a sack. My papers were soaked inside the packets. I had poured as much of the liquid out back into the body bag to not make a biohazard near the TAC area, but the packets were still beyond recovery. I threw them on the floor of the back east side room of the TAC building. When I saw SSG (b)(6), (b)(7)(C) the

DA FORM 2823, DEC 1998

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 EXHIBIT 241

001210

STATEMENT OF

(b)(6), (b)(7)(C)

TAKEN AT FOB Herndon

DATED

0086-06-CID469-75447

6 JUL 06

STATEMENT (Continued)

(b)(6), (b)(7)(C)

*meals NCO, I asked him in passing to get rid of the bio hazard. I did not explain what the packets were. The next time I looked the packets were gone.*

Q: SA (b)(6), (b)(7)(C)

A: CPT (b)(6), (b)(7)(C)

Q: Was the evidence entered on an evidence log upon entry to the TAC?  
A: No. We were more concerned with sorting and categorizing the detainees we had taken. We expected between thirty and forty and took over 200. Only 100 were sent back to the Regional Detention Facility. I did not have the manpower to also permanently assign someone to the evidence room.

Q: Do you have anything else to add?

A: I cannot remember anything else which pertains to this. END OF STATEMENT (b)(6), (b)(7)(C)

AFFIDAVIT

I, CPT (b)(6), (b)(7)(C) HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 6 day of JUL 2006 at FOB Herndon, DC APO AE 09703

(b)(6), (b)(7)(C)

ORGANIZATION OR ADDRESS

SA (b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)

Art 136 UCMJ

ORGANIZATION OR ADDRESS

(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 4 OF 4 PAGES

SWORN STATEMENT

0086-06-CID469-75447

For use of this form, see AR 190-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

LOCATION FAB Remagen, Tikrit, IZ APO AE 09343	DATE (b)(6), (b)(7)(C) TIME (b)(6), (b)(7)(C)	GRADE/STATUS SPL / AA
LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	
ORGANIZATION OR ADDRESS HHS, 3/3205 FA, FAB Remagen, Tikrit, IZ, APO AE 09343		

(b)(6), (b)(7)(C)

I, SPL (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

During Operation Iron Triangle I worked in the S-2 section of the TAC. My duties included: detainee operations, database work, battle tracking, enrollment of detainees into the BATS system (biometric fingerprinting), and details. On the first day of the operation I was tasked to help pull three dead bodies of a truck that came by way of helicopter. After pulling the bodies off Colonel (b)(6), (b)(7)(C) (Brigade Commander) and Major (b)(6), (b)(7)(C) (Brigade S-2) opened the bags to inspect the bodies. The bodies appeared to have been shot, and some bodies had red tape over their mouth and eyes. Some of the bodies had engineer tape over their eyes. The tape was cut away by whom I cannot remember and the Brigade S-2 took photographs.

After inspection of the bodies were complete they were loaded onto trucks and taken behind the field medic station. I continued with my duties.

Q: SA (b)(6), (b)(7)(C)  
A: SPL (b)(6), (b)(7)(C)

Q: About what date and time were you at the TAC?

A: Arrived at the TAC at 0700 on either May 10<sup>th</sup> or May 9<sup>th</sup> (can't remember) for a period of three days.

Q: What time did the dead bodies arrive?

A: Dead bodies arrived around 0900.

Q: Did you ever view a knife with an orange handle?

A: No I did not. (b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 3 PAGES (b)(6), (b)(7)(C)
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_ TAKEN AT \_\_\_ DATED \_\_\_ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_ OF \_\_\_ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

STATEMENT OF (b)(6), (b)(7)(C)

TAKEN AT FOB Remagen, TIKRIT, IR, APD AE OADR DATED 6 Jul 06 (b)(6), (b)(7)(C) CONTINUED

STATEMENT (Continued)

(b)(6), (b)(7)(C)

Q: Did you ever handle or see any evidence while at Operation Iron Triangle?

A: Only evidence used for DOCEX that was sent back to Brigade with SGT (b)(6), (b)(7)(C) DOCEX mean Document Exploitation.

Q: What does "TAC" stand for?

A: TAC stands for "Tactical Alliance Center" to the best of my knowledge.

Q: Did you ever leave the TAC?

A: No, not in the three days I was there.

Q: Who is SGT (b)(6), (b)(7)(C)?

A: SGT (b)(6), (b)(7)(C) is an interrogator who works with Chief (b)(6), (b)(7)(C) at the Brigade Support Battalion.

Q: What evidence did you assist with specifically?

A: I just helped with carrying evidence to the Chinook which was taken back to Brigade.

Q: Did you see anything unusual or witness any illegal activities while at Operation Iron Triangle?

A: The only thing I saw that may have been illegal was that some bodies had red duct tape over their eyes and mouth. It was later cut off so photographs of the bodies could be taken.

Q: Who removed the tape?

A: It was either removed by Colonel (b)(6), (b)(7)(C) (Brigade Commander) or Major (b)(6), (b)(7)(C) (Brigade S-2)

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

A: No, not at this time. /// END OF STATEMENT /// (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

ACLU DDII CID ROIS 35023

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EXHIBIT 216

001213

FILE NUMBER \_\_\_\_\_  
STATEMENT (Continued)

NOT USED

(b)(6), (b)(7)(C)

**AFFIDAVIT**

**(b)(6), (b)(7)(C)** \_\_\_\_\_, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE \_\_\_\_\_ AND UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT. **(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 10<sup>th</sup> day of July, 2006 at Ft. Belvoir, Jikrit, 13 APO AE 093 93

ORGANIZATION OR ADDRESS

**(b)(6), (b)(7)(C)**

ORGANIZATION OR ADDRESS

SA **(b)(6), (b)(7)(C), (b)(7)(F)**

(Typed Name of Person Administering Oath)

UCMJ, Article 136 / 10 USC 936  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 3 OF 3 PAGES  
**(b)(6), (b)(7)(C)**

SWORN STATEMENT

Use of this form, see AR 190-45; the proponent agency is ODC

0086-06-CID469-75447

LOCATION FOB Remagen, Tikrit, IZ, APOAE 04393	DATE 6 Jul 06 12:45	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SSN (b)(6), (b)(7)(C)	GRADE/STATUS GS12/Civilian
ORGANIZATION OR ADDRESS HHB, 3/320th FA, FOB Remagen, Tikrit, IZ, APOAE 04393		

(b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

(b)(6), (b)(7)(C)

ON MAY AND I DO NOT REMEMBER THE EXACT DATE, I WAS AT THE TOC WHERE THE IRON TRIANGLE OPERATION WAS CENTERED. FOUR TWO DAYS I WORKED WITH THE THT TEAM SCREENING AND INTERROGATING DETAINEES. I WAS A TRANSLATOR. AT NIGHT I SLEPT AT THE WE EVIDENCE ROOM WITH TWO IRAQI NATIONALS. AT THE EVIDENCE ROOM I HAVE SEEN A BIG BAG WHICH I WAS TOLD WAS EVIDENCE AND I HAVE ALSO SEEN A FEW AUTOMATIC RIFLES. I WAS TOLD THERE WERE SOME DEAD BODIES IN THE FIELD, BUT I HAVENOT SEEN THEM. I BELIEVE THE EVIDENCE WAS HANDLED BY SGT (b)(6), (b)(7)(C)

Q: SA (b)(6), (b)(7)(C)

A: MR (b)(6), (b)(7)(C) Q: About what time did you arrive where Operation Iron Triangle occurred?

A: I ARRIVED AT ABOUT 8:00 AM.

Q: What does "THT" stand for?  
A: TACTICAL HUMAN TEAM. (b)(6), (b)(7)(C)

Q: Where was the evidence room in relation to the TOC?  
A: IT WAS THE ROOM TO THE LEFT OF THE TOC ROOM AS YOU EXIT THE TOC ROOM.

Q: What does "TOC" stand for?  
A: TACTICAL OPERATION CENTER.

Q: Who is SGT (b)(6), (b)(7)(C)?  
A: HE IS A U.S. SOLDIER WORKING FOR THE S2.

Q: Did you ever see a knife with an orange handle?  
A: NO, I DID NOT.

Q: Have you heard any rumors of a knife?  
A: NO, I HAVE NOT.

Q: Would you have seen the knife if it came in?  
A: PROBABLY, YES.

Q: How often did you remain at the TOC?  
A: ALL THE TIME AFTER DARK AND FROM TIME TO TIME (b)(6), (b)(7)(C)

EXHIBIT INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C) PAGE 1 OF 2 PAGES (b)(6), (b)(7)(C)

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

STATEMENT OF (b)(6), (b)(7)(C)

TAKEN AT Fobkenager, Tikrit, IZ, DATED 6 Jul 06

0086-06-CID-108-15441

STATEMENT (Continued)

(b)(6), (b)(7)(C)

me DURING THE DAY.

Q: Did you ever see the evidence get processed?

A: YES, I SAW SGT (b)(6), (b)(7)(C) TAKE SOME OF THE EVIDENCE OUT OF THE EVIDENCE ROOM.

Q: Do you know how evidence (b)(6), (b)(7)(C) supposed to get processed?

A: NO, I DO NOT KNOW.

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

A: NO, I DO NOT HAVE. // END OF STATEMENT //

(b)(6), (b)(7)(C)

AFFIDAVIT

(b)(6), (b)(7)(C)

I HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 6<sup>th</sup> day of Jul 2006 at Fobkenager, Tikrit, IZ, AO 06 04393

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C), (b)(7)(F)

(Typed Name of Person Administering Oath)

Art 136 UCMJ

ORGANIZATION OR ADDRESS

(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) PAGE 2 OF 2 PAGES



SWORN STATEMENT

0086-06-CID469-75447

For use of this form, see AR 190-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

LOCATION FOB Remagen APO AE 09393	DATE 6 Jul 06	(b)(6), (b)(7)(C)	LE NUMBER 1134
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS SGT E5/AD	

ORGANIZATION OR ADDRESS  
HQB 3/320 # FOB Remagen, APO AE 09393

(b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 9 MAY 06, I was working in the TAC as a RTO. Throughout the day I receive calls over the radio about detainees coming in along with weapons that they had on them. When they arrive to the Tac, I seen the weapons through the window. Throughout the day I seen numerous AK-47's that came in and a few pistols along with ammo for the AK-47's and pistols. They were taken to another room in the building where S-2 was in charge of watching them. I'm not allowed to process evidence at all. My job was to be an RTO and to log in traffic that comes over the radio. I did not see a Knife at all during Operation Iron Triangle at anytime. (b)(6), (b)(7)(C)

Q SA (b)(6), (b)(7)(C)

A. SGT (b)(6), (b)(7)(C)

Q Did you process any evidence while at the TAC?

A. No (b)(6), (b)(7)(C)

Q Did you witness any evidence being processed?

A. No. I saw evidence being brought in but not process. (b)(6), (b)(7)(C)

Q Do you know the procedure used by TAC personnel to process evidence?

A. No. (b)(6), (b)(7)(C)

Q Did you do anything other than monitor the radio?

A. Yes. I help bring the bodies in off the bird and did a police call around the building. (b)(6), (b)(7)(C)

Q Did you do anything with the bodies after taking them off the helicopter?

A. Yes. Me and three others help load them onto a truck to be

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_ TAKEN AT \_\_\_ DATED \_\_\_ CONTINUED."  
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 LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823  
1 JUL 72

SUPERSEDES DA FORM 2823, JAN 68, WHICH WILL BE USED FOR OFFICIAL USE ONLY AND IS NOT TO BE DISTRIBUTED OUTSIDE THE SERVICE

ACLU DDH CID ROIS 35027  
EXHIBIT 244

FILE NUMBER

STATEMENT (Continued)

Sgt (b)(6), (b)(7)(C)

Fob Remagn, 5127

6 JUL 2016

(b)(6), (b)(7)(C)

taken to the area S-2 needed them to be.

(b)(6), (b)(7)(C)

Q Do you have any thing else to add to this statement?

A No. **/// END OF STATEMENT ///**

AFFIDAVIT

(b)(6), (b)(7)(C) HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 6 day of July, 2016 at Fob Remagn AB 4509393

ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

UCMJ, Article 136 / 10 USC 936 (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 2 OF 2 PAGES

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FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE **ACLU DDII CID ROIS 35028** EXHIBIT 299

SWORN STATEMENT

use of this form, see AR 190-45; the proponent agency is CDC

0086-06-CID469-75447

LOCATION

FOB Remagen, Tikrit, IZ, APO AE 09343

DATE

6 Jul 06 1204

FILE NUMBER

GRADE/STATUS

03 / AP

ORGANIZATION OR ADDRESS

HQB, 3/320th FA, FOB Remagen, Tikrit, IZ, APO AE 09343

PT (b)(6), (b)(7)(C)

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 9 May 06, I was the acting operations officer for TF 3-320 FA. We were conducting operation IRON TRIANGLE into the Mustang Chemical Complex. We Air Assaulted from FOB Remagen into the objective area about 0530. I was in the Command and Control aircraft with LTC (b)(6), (b)(7)(C) until we landed in the TAC area around 0930. My duties were to both track what the units were doing on each radio, receive + sending reports. When we got to the TAC area the detainee holding area was being constructed on the east side of the bldg. Through out the day detainees were brought to the holding area to be processed. I don't remember how many there were but at the end of the day we had a lot of local Medical men in the holding pen. As far as the bodies were concerned, I received the report from A/3-67 that said they had 4 KIA. The bodies were brought to the holding area and we coordinated for them to be turned over to the Sangers Marge through 3-187 at Bussard - Marge. The closest I ever got to the bodies was about 200 meters. I only saw them come off the aircraft in body bags and then brought to the holding area. As far as evidence, I do not recall seeing evidence in the TAC area other than about \$10,000 the SZ showed to Col (b)(6), (b)(7)(C) when he arrived. My duties did not revolve around evidence collection so I didn't pay much attention to any that may have been around. I was under the "impression" it stayed in holding area with all the detainees. I never left the TAC area again my main duties were to both track, send + receive reports, and IZ the bldg.

Q: SA (b)(6), (b)(7)(C)

A: KPT

Q: Who is LTC (b)(6), (b)(7)(C)

A: Commander of TF 3-320 FA

Q: What does "TAC" stand for?

A: It is a Heavy Command and control node for the Battalion

Q: Who was the S-2?

A: CPT (b)(6), (b)(7)(C)

Q: Who handled evidence while at Iron Triangle?

A: As far as I know evidence was collected by the units and (b)(6), (b)(7)(C)

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 1 OF 2 PAGES

(b)(6), (b)(7)(C)

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_ TAKEN AT \_\_\_ DATED \_\_\_ CONTINUED."

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

STATEMENT OF (b)(6), (b)(7)(C)

TAKEN AT FOB Remagen, IZ

0086-06-CID46 DATED 6 Jul 06

STATEMENT (Continued)

passed to the SZ section. I do not know specifically who collected and stored the evidence for them.

Q: Do you remember ever seeing ~~for~~ a knife with an orange handle?

A: NO

Q: Would you have seen the knife if it ever came in?

A: No I do not remember seeing any evidence other than the \$10,000 in cash. It was not my boss so I did not pay much attention to it.

Q: Have you heard any rumors of a knife?

A: The only thing I know about a knife is that a detainee pulled a knife on a guard at OWS Marney from a pocket, and the detainee was then shot and killed. As far as I know all such evidence was handed to the SZ section via the bodies case in.

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

A: NO /// END OF STATEMENT ///

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

AFFIDAVIT

READ OR HAD READ TO ME THIS STATEMENT

WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 6<sup>th</sup> day of Jul 2006 at FOB Remagen, TIKrit, IZ, APO AE 093 93

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA (b)(6), (b)(7)(C), (b)(7)(F)

(Typed Name of Person Administering Oath)

Art 136 UCMJ

ORGANIZATION OR ADDRESS

(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 2 OF 2 PAGES

(b)(6), (b)(7)(C)

SWORN STATEMENT

0086-06-CID469-75447

For use of this form, see AR 190-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

LOCATION FOB Remagen APO AE 09393	DATE: (b)(6), (b)(7)(C) TIME 1208 6 Jul 06 1208	FILE NUMBER 0086-06
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS E3/AD

HHB 3/320 FA FOB Remagen APO AE 09393

(b)(6), (b)(7)(C)

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was the BATS Operator during Operations Iron Triangle. BATS is a Biometric Automated Toolset. I use BATS to enroll the detainees into a data base. (b)(6), (b)(7)(C) That was my only function during the operation and have no part in handling any evidence. (b)(6), (b)(7)(C)

Q SA (b)(6), (b)(7)(C)

A. PFC

Q Were you in a position to see evidence as it was processed at the TAC?

A. No, I was not. (b)(6), (b)(7)(C)

Q Were you in a position to see evidence as it was brought into the TAC?

A. No, I was not. (b)(6), (b)(7)(C)

Q Do you know the procedures used to process evidence at the TAC?

A. No, I do not. (b)(6), (b)(7)(C)

Q Did you have anything to do with evidence at the TAC?

A. I helped tie up and move the evidence onto a truck at the end of the operation. (b)(6), (b)(7)(C)

Q Did you see an orange handled knife when you did this?

A. No, I did not. (b)(6), (b)(7)(C)

Q Were there any items with the detainees, the deceased ones, when you processed them into BATS?

A. Yes, I remember seeing a pen on one of the deceased individuals. (b)(6), (b)(7)(C)

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

A. No, I do not. (b)(6), (b)(7)(C) /// END OF STATEMENT ///

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_ TAKEN AT \_\_\_ DATED \_\_\_ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_ OF \_\_\_ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

FILE NUMBER

STATEMENT (Continued)

PFC (b)(6), (b)(7)(C)

FOB Remagen, Iraq

6 JUL 06

NOT USED

AFFIDAVIT

I, (b)(6), (b)(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 6th day of July, 2006 at FOB Remagen APO AE 09393

(b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)

UCMJ, Article 136 / 10 USC 936 (Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 2 OF 2 PAGES

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FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

EXHIBIT 246 001222

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

LOCATION CoB Speicher, Iraq, APO AE 09393	DATE 06 July 06	LE NUMBER 1749
LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS E4/AD
ORGANIZATION OR ADDRESS HHS 3/320th Field Artillery, FOB Remigon, Iraq, APO AE 09393		

(b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On the Iron Triangle mission on 09 May 2006, I did not see or hear about any knives in evidence. Since the Iron Triangle mission, I have not heard of or seen any knife from the mission.

On 08 May 2006 at about 0800 to 0900 (b)(6), (b)(7)(C) a friend of mine, approached me because we hadn't seen each other for some time. After some casual conversation, (b)(6), (b)(7)(C) said that he was excited about the mission because when he rides with Col (b)(6), (b)(7)(C) he gets to kill people. Nothing more was said about the subject.

Iron Triangle was not backed up by very strong evidence. There was one Intelligence Information Report (IIR) that covered info about the area (training camp for insurgents). There were (b)(6), (b)(7)(C), (b)(7)(D)

(b)(6), (b)(7)(C), (b)(7)(D) In my opinion, there was not enough evidence to warrant US spending all the time and money that we planned to, and we did spend on the mission. There is so much intelligence that is not acted on when there is more information that was not acted on. We have had on different cases (b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 4 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_ TAKEN AT \_\_\_ DATED \_\_\_ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_ OF \_\_\_ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF THE COVER OF THIS FORM.

AOLU DDII CID ROIS 55033

FILE NUMBER \_\_\_\_\_

STATEMENT OF SPC **(b)(6), (b)(7)(C)**TAKEN AT C&B Speicher, IraqDATED 6 JUL 06

CONTINUED

STATEMENT (Continued)

**(b)(6), (b)(7)(C)**

On operations, more specifically big operations platoons run into people that want to give information regarding terrorists. When this happens, usually the soldiers take the local national to the place so they can see the house then conduct a raid to detain those people. Most of the time it is a tribal strife and the perso gets released.

Q: SA **(b)(6), (b)(7)(C)**A: SPC **(b)(6), (b)(7)(C)**

Q: Did you handle evidence on Iron Triangle?

A: I handled personal belongings during iron triangle. All of the personal belongings were in plastic bags, anything bigger was taken to the TAC. Sometimes the personal belongings is used as evidence.

Q: Did you handle the deceased detainees' belongings?

A: No.

Q: ~~Have you~~ Did **(b)(6), (b)(7)(C)** seem like he was being truthful in his statement to you, or did he seem like he was lying?

A: I don't know for sure, but he may have been trying to impress me.

Q: Would you further describe why the intelligence was insufficient in your opinion?

A: 218 people were captured on Iron Triangle. 109 people were sent to the Brigade-division holding facility of the 109, 100 were released 9 were sent to higher. There was barely any evidence on the area, and that proved it.

Q: So you believe with the amount of manpower expended and ~~planned~~ **(b)(6), (b)(7)(C)** for the mission, there should have been more High Value targets **(b)(6), (b)(7)(C)** and intelligence gathered **(b)(6), (b)(7)(C)**

ACLU DDII CID ROIS 35034

INITIALS OF PERSON MAKING STATEMENT **(b)(6), (b)(7)(C)**

INVESTIGATIVE OF EXHIBITS PAGES 247

001224



FILE NUMBER \_\_\_\_\_

STATEMENT OF SPC (b)(6), (b)(7)(C)

TAKEN AT COB Speicher, Iraq

DATED 6 JUL 06

CONTINUED

(b)(6), (b)(7)(C) STATEMENT (Continued)

A: Absolutely

Q: What kind of intelligence would normally be gathered prior to an ROE of "kill or capture all military age males" and an ROE to kill all High Value Targets (HVT)?

A: In the past 10 months, we have never had enough evidence to kill a person or HVT on site.

During Iron Triangle, there was an HVT list, but it was only a list of 30 <sup>(b)(6), (b)(7)(C)</sup> ~~people~~ people (misspelled names) with no picture or information on why they were wanted. The chain of command specifically put out that all military aged males were to be detained. I heard this from many different sources.

Q: Should the ROE for your Bn and 3/187 <sup>have</sup> ~~(b)(6), (b)(7)(C)~~ be the same for the same operation?

A: Yes, because 3 BCT and the 101st div- has a general ROE and because TP3/320 was in charge of the operation, so C 3/187 was just supporting the same operation.

Q: You mentioned a "HVT" list with "Kill or Capture" for another operation. Can you further explain this?

A: Red light 2 was probably in April 2006. There was an HVT list with pictures and other information about the HVTs on it. <sup>(b)(6), (b)(7)(C)</sup> ~~is~~ in the last column, in each row, it said kill or capture the person, with some other text. C 3/187 was not involved in that mission, and there were no deaths of local nationals during the operation. During Redlight 2, we captured about half of our HVTs (5).

Q: With the intelligence provided for Iron Triangle, should there have been any change in the standard ROE?

A: No <sup>(b)(6), (b)(7)(C)</sup>

(b)(6), (b)(7)(C) ACLU DDII CID ROIS 35035

INITIALS OF PERSON MAKING STATEMENT: \_\_\_\_\_

ENFORCEMENT DIVISION

OF EXHIBIT PAGES 247

FILE NUMBER \_\_\_\_\_

STATEMENT OF Spc (b)(6), (b)(7)(C)

TAKEN AT COB Speicher, Iraq DATED 6 JUL 06

CONTINUED

STATEMENT (Continued)

Q: Do you have anything else to add?  
A: No. End of Statement (b)(6), (b)(7)(C)

AFFIDAVIT

I, (b)(6), (b)(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

(b)(6), (b)(7)(C) (Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 6 day of JUL, 2006 at COB Speicher, Iraq APO AE 09793

ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C)

ORGANIZATION OR ADDRESS

SA (b)(6), (b)(7)(C)  
(Typed Name of Person Administering Oath)

UCMJ, Article 136 / 10 USC 936  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

ACLU DDII PAGE 4 OF 4 CID ROIS 35036 PAGES

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EXHIBIT 207





FILE NUMBER

STATEMENT OF SFC (b)(6), (b)(7)(C)

TIKRIT  
TAKEN AT CID Office, COB Speicher DATED 12 JULY

STATEMENT (Continued)

Q. Have you ever been authorized to kill High Value Targets (HVT) immediately upon positive identification (PID), without allowing them a chance to surrender? If so when, where and by whom? (b)(6), (b)(7)(C)

A. The only time this was authorized was during Iran <sup>Triangle</sup> ~~Triangle~~ on Obj Murrey, the small island, where we were told that they had PID all males on that island as terrorists, VHA <sup>high level source(s)</sup> ~~high level source(s)~~. This was passed down to us from the brigade commander all the way down the chain of command to my LT, 1LT (b)(6), (b)(7)(C) It was also ~~stated~~ <sup>stated</sup> to us directly by our <sup>Company</sup> ~~Company~~ Commander (b)(6), (b)(7)(C) Cpt (b)(6), (b)(7)(C) and our brigade commander <sup>Col</sup> ~~Col~~ (b)(6), (b)(7)(C) at FOB Remegen before we left on the mission.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

12 round before I was given the order to cease fire because the truck had come to a stop when it hit the median. It had ~~or~~ turned towards the edge of the bridge then turned back it <sup>towards the US</sup> ~~was heading~~ directly at our truck. <sup>I think it was</sup> ~~SFC~~ (b)(6), (b)(7)(C) who was patrolling the sector and heading south to assist us, <sup>who</sup> ~~thought~~ he saw a black bag fly out of the truck <sup>and into the canal turn</sup> ~~when they~~ towards the edge of (b)(6), (b)(7)(C) <sup>the US</sup> ~~I think~~ it

he might have been the same thing

Q. Have you ever heard of or participated in a Kill/Kill operation? If so when, where and from whom?

A. There was an operation in May that I did not participate in because I was injured. The <sup>idea</sup> ~~idea~~ I got from the OP order was that there were certain individuals who had been PID as Terrorist and that we were authorized to kill them. If after they were identified they did not actively surrender. For my <sup>platoon</sup> ~~platoon~~ (b)(6), (b)(7)(C) <sup>actual</sup> ~~actual~~ Obj they planned to call out the mans name and if he affirmed that was him, <sup>that</sup> ~~that~~ and he was close to the physical description that was given.

That would PID him as the PID Terrorist. From what I heard when the my platoon finally found the man and called out his name he jumped up from where he was sitting with his hands up. At this point because he was actively surrendering they detained him. The order was given by our PL, 1LT

(b)(6), (b)(7)(C) who had in turn received it from the Company Commander, I ~~do~~ <sup>do</sup> not know how

if the order went

After the <sup>sem</sup> ~~truck~~ stopped we thought we heard hissing sounds coming from the <sup>sem</sup> ~~truck~~ so we pulled the truck back a safe distance. I stayed in the turret and handled the radio while they searched and cleared the sem. I ~~don't~~ <sup>don't</sup> remember finding anything <sup>in</sup> ~~in~~ the cab or later in cargo hold. The only thing of note was that they

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 3 OF 5 PAGES

STATEMENT OF SPC (b)(6), (b)(7)(C)

TIKRIT TAKEN AT CID Office, COB Speicher DATED

12 JUL 06

STATEMENT (Continued)

Q. What do you know about an operation in which members of 3-187 INF killed a 7 year-old girl during an operation on 22 May targeting HVTs?

A. I only heard 3<sup>rd</sup> or 4<sup>th</sup> hand accounts. From what I remember hearing the girl was 2 and she ran into the lane of fire and got hit in the head. I thought I heard they had engaged the target through the window and by the time they saw the girl it was too late.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Were Jordanian, or they had Jordanian Ids. In brief we tried to search the semi. They did not stop for our escalation of force. They became an imminent threat to us, even if they did not fire at us, so we used deadly force in self defence. There were impact marks and bullets lodged in the armor of our truck. Their marks are now covered by the RAP armor on our truck. I think there were 2 hits on the TC door and one on the side passenger door. One opinion was that these were Arco Ricochet impacts another was that they maybe round rounds, something like 6mm type, which would explain why there were no casings found. Bottom line the semi posed a serious threat and we used escalation of force all the way to deadly force, which lead to the death of the two males in the semi.

Q. Have you ever seen SSG (b)(6), (b)(7)(C) with a pistol? If so, please elaborate?

A. I saw him with the pistol the day after Iron triangle, in Remuyen. I did not think much of it at the time. I had assumed he would turn it in after a couple days, when we got back. I don't remember seeing it again so I did not give it much thought. I'm pretty sure he picked it up on Obj Murray, from the second set of buildings we air assaulted.

Q: SA (b)(6), (b)(7)(C)

A: SPC

Q: Why do you believe he obtained the pistol from that objective?

A: when I had gotten a report about what was found in that house it was a pistol and some other items. When I looked at what was found I never saw the pistol.

INITIALS (b)(6), (b)(7)(C) NT

PAGE 4 OF 5 PAGES

File Number \_\_\_\_\_

STATEMENT OF Spc **(b)(6), (b)(7)(C)** TAKEN AT TIKRIT CID Office, COB Speicher DATED 12 JUL 06

STATEMENT (Continued)

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

A. Not at this time. / End of statement / **(b)(6), (b)(7)(C)**

AFFIDAVIT

I, Spc **(b)(6), (b)(7)(C)** HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 5. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

**(b)(6), (b)(7)(C)**

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12 day of JUL 2006 at Building 718 (CID Office), COB Speicher, Tikrit, IZ

**(b)(6), (b)(7)(C)**

ORGANIZATION OR ADDRESS

SA **(b)(6), (b)(7)(C)**

(Typed Name of Person Administering Oath)

Art 136 UCMJ

ORGANIZATION OR ADDRESS

(Authority to Administer Oaths)

INITIALS OF **(b)(6), (b)(7)(C)**

PAGE 5 OF 5 PAGES

## SWORN STATEMENT

**LOCATION:** Tikrit CID Office  
Contingency Operating Base (COB) Speicher  
Tikrit, Iraq, APO AE 09393

**DATE:** 12 July 06 **TIME:** 1343

(b)(6), (b)(7)(C)

**NAME:** (b)(6), (b)(7)(C) **SSN:** (b)(6), (b)(7)(C) **GRADE/STATUS:** 02/AD  
**ORGANIZATION OR ADDRESS:** C Company, 3/187<sup>th</sup> Infantry Regiment, FOB  
Brassfield-Mora, APO AE 09393

I, (b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER  
OATH:

(b)(6), (b)(7)(C)

On or about the morning of 13JUN06 at FOB Brassfield-Mora I was ordered to assist in turning SSG (b)(6), (b)(7)(C) over to the Military Police. I was instructed to get him out of bed, seize all weapons in his room, and supervise him while he gathered a few things in a bag to take with him. SFC (b)(6), (b)(7)(C) and I went down to SSG (b)(6), (b)(7)(C) room and awoke him. I took his M-4 assault rifle from next to his bed and brought it outside of his room where CPT (b)(6), (b)(7)(C) 1SG (b)(6), (b)(7)(C) SGM (b)(6), (b)(7)(C) and LTC (b)(6), (b)(7)(C) were supervising this process. I also instructed him to turn over anything else in his room that might be considered a weapon. He handed me a few things like knives and leatherman type things. I took them to the same place outside of his living quarters. After 3-5 minutes had passed, SSG (b)(6), (b)(7)(C) had started to pack. He then took a non-military issued hand gun in a tan/brown leather holster with 1 clip out from the vicinity of his bed. He told me that he knew he wasn't supposed to have it and asked if I would get rid of it. I told him to give it to me. I continued to watch him pack his belongings with SFC (b)(6), (b)(7)(C) and we continued to search his room for more weapons. I then left to put the hand gun in the box where we had previously been collecting weapons but the box was gone. I then handed the handgun off to SSG (b)(6), (b)(7)(C) (standing outside the room) who was now the squad leader of 3<sup>rd</sup> squad, SSG (b)(6), (b)(7)(C) squad. I told him to hold on to it until I could find out what to do with the handgun. He put the handgun in a room a couple doors down from SSG (b)(6), (b)(7)(C). I looked around for someone to find out what to do with the handgun. I then saw SFC (b)(6), (b)(7)(C) again. I asked him what to do with the gun that SSG (b)(6), (b)(7)(C) had just handed to me and he said to give it to CPT (b)(6), (b)(7)(C). I went back to SSG (b)(6), (b)(7)(C) and told him to give me the gun so I could turn it in to CPT (b)(6), (b)(7)(C). Upon receiving the hand gun back from SSG (b)(6), (b)(7)(C) handed it directly to CPT (b)(6), (b)(7)(C). That was the first and last time I have seen that handgun. From the time which I received the hand gun until the time I gave it to CPT (b)(6), (b)(7)(C) lasted approximately 15 minutes.

Q: SA (b)(6), (b)(7)(C)

A: LT (b)(6), (b)(7)(C)

Q: Whose room did he place the handgun?

A: I don't know. The person was not there and the room was open

(b)(6), (b)(7)(C)

INITIALS OF PERSON  
MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 1 OF 5 PAGES

DA FORM 2823 (Computer Generated)

EXHIBIT 249

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 35042

001232



CASE#

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office,, COB  
SPEICHER, TIKRIT, IRAQ, DATED 12 July, 2006, CONTINUED.

(b)(6), (b)(7)(C)

: Why did he ask you to get rid of the weapon?

A: Because myself and the chain of command have briefed several times about having unauthorized weapons over an eight month period.

Q: Had you seen or heard about this handgun previously?

A: No.

Q: Was there anyone else who handled the weapon besides the three people you mentioned?

A: Not before I turned into CPT (b)(6), (b)(7)(C) and that was the last time I saw the weapon.

Q: Explain to me about the tomato truck incident.

A: On or about the middle of January 2006, 3rd platoon was conducting operations out of three combat outposts along MSR Tampa. On MSR Tampa on the bypass bridge approximately 10 kilometers south of FOB Brassfield-Mora, SGT (b)(6), (b)(7)(C) of 1<sup>st</sup> squad in 3/C/3-187 IN informed me that there was a large truck stopped against the median of the bridge. He said that two men had dismounted from the truck and were acting suspiciously and it looked like they had placed something against the median. I told him to monitor it for a few more minutes and if they were still acting that way then I would take my HMMV (C36) (Myself, SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C), PFC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) and another HMMV (SGT (b)(6), (b)(7)(C) and go check it out. The men remained on the bridge. I took my HMMV (C36) and SGT (b)(6), (b)(7)(C) to go check it out. I instructed my element to remain 100 meters east of the local national truck and I would take my vehicle 100 meters west of the local national truck to complete the cordon for a hasty vehicle search. Upon driving by the truck on the south side I saw a black bag up against the median. This was a known TTP for disguising IED's in our sector. I also noticed that the two men appeared to be working on either side of the vehicle on the tires, but there was no flat tire or a spare in the spare rack or in the vicinity of the vehicle. I then gave the call to my men to use extreme caution when approaching the vehicle. I dismounted my vehicle with PFC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) and walked over to the west/north bound lane. I yelled to the two men by the truck to come to me in Arabic (taal inah) and English and that I was going to search them (iliza ma facheck) both in Arabic and English. They ignored me the first 2 or 3 times I yelled it and then got up and ran under the bed of their truck after I yelled it repeatedly. I was about 75 meters from their truck at this point. They then reappeared from under the truck at a full sprint towards the cab of their truck with the black bag in their hand. I signaled them with a stopping motion and yelled at them to stop in Arabic (Agaf) and English several times. They ignored the commands and mounted their truck and started their engine. I then told my men to get behind our HMMV and take cover. SGT (b)(6), (b)(7)(C) was dismounted by our HMMV at this time as well. I remained in the west/north bound lane in a continuing effort to stop the truck. I gave verbal and visual commands 5 to 10 more times and the truck then began to accelerate towards me. After it had moved (b)(6), (b)(7)(C)

INITIALS OF PERSON

MAKING STATEMENT (b)(6), (b)(7)(C)

DA FORM 2823 (Computer Generated)

PAGE 2 OF 5 PAGES

EXHIBIT 249

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 35043

001233

CASE#

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office,, COB  
SPEICHER, TIKRIT, IRAQ, DATED 12 July, 2006, CONTINUED.

(b)(6), (b)(7)(C) about 30 meters in my direction, I raised my rifle at the grill of the truck and the truck continued to accelerate. After had moved about another 10 meters towards me, I fired 1 disabling shot into the grill of the truck with my M-4 in accordance with proper escalation of force procedures. The truck continued to accelerate at me. I began to think the truck was attempting to run over me and felt threatened. I then fired another disabling shot at the left front tire of the truck and flattened it. The truck continued to accelerate at me. I then fired another disabling shot into the right front tire and flattened it. I waited approximately 3 to 5 seconds in between disabling shots. The truck again continued to accelerate towards me. I then noticed a hand appear out of the passenger's side window and then I observed muzzle flashes and heard rounds whizzing by my head and impacting our HMMV behind me. Simultaneously, I fired 1 round into the windshield of the truck and ran for cover behind the C36 HMMV. Then the rest of the my men began to shoot the windshield of the truck with their M-4's except for SPC (b)(6), (b)(7)(C) who continued to pull security. After approximately 6 rounds were fired from the local national truck it discarded the black bag over the side of the bridge into the canal. The truck then turned and began to head directly towards the C36 HMMV and increase speed. SGT (b)(6), (b)(7)(C) then instructed SPC (b)(6), (b)(7)(C) to turn the .50 cal machine gun at the local national truck and fire upon it to stop it so it did not hit the C36 Hmmv. He did so and the truck stopped approximately 10 feet from our vehicle (C36 Hmmv). 2<sup>nd</sup> Platoon then arrived on scene as well as some more personnel from 3<sup>rd</sup> Platoon. We cleared the truck and found 2 dead military aged males in the truck. We found no weapons in the vehicle. However, SFC (b)(6), (b)(7)(C) said that he also observed the men throw the bag over the bridge in to the canal from the passenger side window. SGT (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) removed the bodies from the truck and the Military Police and the Iraqi Police were called to take the bodies away. After the engagement we assessed our vehicle with the Iraqi Police and they told us that the bullet holes and imbedded bullets in our vehicle came from an 8mm handgun.

Q: Do you have any knowledge of LT (b)(6), (b)(7)(C) pushing a detainee down and breaking his jaw?

A: No, I do not. I know 1<sup>st</sup> and 2<sup>nd</sup> platoon were being investigated for detainee abuse.

Q: Do you have any knowledge of 1SG (b)(6), (b)(7)(C) allegedly taking the head of a dead Iraqi man and slapping another local national with the dead man's hand after the dead man had been driven around the market place on the hood of an HMMWV?

A: No, I have never anything about it.

Q: Do you have any knowledge about B Company engaging a vehicle near an observation post by the Samara hospital, resulting in the death of two Iraqi women, one who was pregnant?

A: No, I do not (b)(6), (b)(7)(C)

INITIALS OF PERSON

MAKING STATEMENT (b)(6), (b)(7)(C)

DA FORM 2823 (Continued)

PAGE 3 OF 5 PAGES

EXHIBIT 46

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 35044

001234

CASE#

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office,, COB  
SPEICHER, TIKRIT, IRAQ, DATED 12 July, 2006, CONTINUED.

(b)(6), (b)(7)(C)

Q: Have you ever been authorized to kill High Value Targets (HVTs) immediately upon positive identification without allowing them the chance to surrender?

A: We were told if they did not actively surrender we were allowed to kill them. The only mission I have ever been on that I guy was positively identified and killed was Operation Iron Triangle. This is where the one male in the window was killed. We participated in judgment day but we detained the target who was a military aged male after he actively surrendered.

Q: Have you ever participated in a kill/kill operation?

A: I do not know what a kill/kill mission is.

Q: Did you participate in the operation where the 7 year old girl was killed on 22 May 06?

A: We were given a target about ten clicks away. I heard about it three or four days later in the AAR.

Q: Explain the mission you were on.

A: I believe it was Operation Judgment Day and it took place on 22MAY06. We were given a target named (b)(6), (b)(7)(C) by CPT (b)(6), (b)(7)(C) CPT (b)(6), (b)(7)(C) had (b)(6), (b)(7)(C), (b)(7)(D)

(b)(6), (b)(7)(C), (b)(7)(D)

(b)(6), (b)(7)(C), (b)(7)(D) He was not home and I ended up detaining him at an oil change stand about 2 hours later approximately 300M west of his house after he actively surrendered. We found him after SSG (b)(6), (b)(7)(C) stopped (b)(6), (b)(7)(C), (b)(7)(D)

(b)(6), (b)(7)(C), (b)(7)(D)

(b)(6), (b)(7)(C), (b)(7)(D)

(b)(6), (b)(7)(C), (b)(7)(D)

After returning to the initial target house I noticed a white bongo truck at an oil change station across the street. I went over and asked if (b)(6), (b)(7)(C) was there and he got out from behind an oil drum raising his hands. We then detained him. 1<sup>st</sup> and 2<sup>nd</sup> Platoons were given targets to the northwest of our target approximately 10 kilometers. I was told not to start our raid until 1<sup>st</sup> platoon had killed a guy named (b)(6), (b)(7)(C). The two other platoons were to go to some stores and kill known members of Al-queda in Iraq after positively identifying them. I heard a few days later that a little girl was killed on one of the other platoon's raids during this Operation at an after action review. We detained our target and then our mission was deemed complete by CPT (b)(6), (b)(7)(C)

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

A: No.///END OF STATEMENT///(b)(6), (b)(7)(C)

INITIALS OF PERSON  
MAKING STATEMENT (b)(6), (b)(7)(C)  
DA FORM 2823 (Computer Generated)

PAGE 4 OF 5 PAGES

EXHIBIT 249

~~FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 35045

CASE#

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office,, COB SPEICHER, TIKRIT, IRAQ, DATED 12 July, 2006, CONTINUED.

I, (b)(6), (b)(7)(C) READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 5 FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)  
\_\_\_\_\_  
(Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this Wednesday, July 12, 2006, at Tikrit CID Office COB Speicher, Tikrit, Iraq, APO AE 09393

(b)(6), (b)(7)(C)  
\_\_\_\_\_  
(Signature of Person Administering Oath)

SA (b)(6), (b)(7)(C)  
(Typed Name of Person Administering Oath)  
Article 136 (b) UCMJ  
(Authority to Administer Oath)

\_\_\_\_\_  
\_\_\_\_\_

Witness  
\_\_\_\_\_  
\_\_\_\_\_

INITIALS OF PERSON  
MAKING STATEMENT \_\_\_\_\_  
DA FORM 2823 (Computer Generated)

PAGE 5 OF 5 PAGES  
EXHIBIT 249

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 35046

SWORN STATEMENT

0086-06-CID469-75447

For use of this form, see AR 190-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

LOCATION COB Speicher, Tilit, Trag, APO AE 09393	DATE (b)(6), (b)(7)(C) 12 Jul 06	TIME (b)(6), (b)(7)(C) 1620	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)		GRADE/STATUS E-6 / AD
C Co, 3/187th INF BN, FOB Brassfield-Mora, Samarra, Trag, APO AE 09349 (b)(6), (b)(7)(C)			

(b)(6), (b)(7)(C) \_\_\_\_\_, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:  
 on the same day that SSG (b)(6), (b)(7)(C) was taken away SFC (b)(6), (b)(7)(C) and LT (b)(6), (b)(7)(C) stepped into the room (mine, spec (b)(6), (b)(7)(C); SSG (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) had told us (me & spec (b)(6), (b)(7)(C) to leave the room, we stepped out in front of our chevrons where I noticed Higher chevrons of command and other rooms being searched we moved out of the way of the search maybe 4 or 5 chevrons down from our mine all which took place about 0700-0800 guessing the time was morning (early) I sat down and waited keeping other soldiers out of the way, maybe 45 min - 1HR SFC (b)(6), (b)(7)(C) came by with some of the soldiers personal weapons and knives (my, bayonette, shotgun etc.) but as I waited (SSG (b)(6), (b)(7)(C) I heard all clear but some other rooms were still being searched, when the Lt (b)(6), (b)(7)(C) approached me and asked me to hold on to a weapon (Handgun in a leather holder) about 0900 cause the search was still going so I stood there 2 chevrons down from mine (SSG (b)(6), (b)(7)(C) for about 5 to 10 min when Lt (b)(6), (b)(7)(C) approached me again and told me to pass the handgun off because he was going to turn it in to the company XO cpl (b)(6), (b)(7)(C) as I passed it to him (Lt (b)(6), (b)(7)(C) the XO (cpl (b)(6), (b)(7)(C) was just walking by and the Lt (Lt (b)(6), (b)(7)(C) stopped him and I left there (b)(6), (b)(7)(C)

Q: SA (b)(6), (b)(7)(C)  
 A: Who is 1LT (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C)  
 Q: Who is 1LT (b)(6), (b)(7)(C)  
 A: platoon leader  
 Q: Who is SFC (b)(6), (b)(7)(C)  
 A: HQ's platoon Sgt. (b)(6), (b)(7)(C)  
 Q: Where was your room?  
 A: 3 chevrons from the back of the pad on the right as your facing the rear of the pad do not remember the room # but has my name on the T-barrier in front  
 Q: Did 1LT (b)(6), (b)(7)(C) and SFC (b)(6), (b)(7)(C) say why they were searching rooms or what they were looking for?  
 A: No (b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF (b)(6), (b)(7)(C)
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_\_\_ OF \_\_\_\_\_ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

STATEMENT OF (b)(6), (b)(7)(C) SSG

TAKEN AT COB Speicher, Tikrit, Iraq, APO AE 09393 DATED 12 Jul 06 (b)(6), (b)(7)(C) CONTINUED

(b)(6), (b)(7)(C) STATEMENT (Continued)

Q: Do you know who the weapons belonged to that SFC (b)(6), (b)(7)(C) confiscated?

A: no

Q: Did LT (b)(6), (b)(7)(C) tell you who the weapon belonged to?

A: later in the day sometime during the evening he LT (b)(6), (b)(7)(C) told me it was found in my chest on SSG (b)(6), (b)(7)(C) side

Q: What type of a handgun was it?

A: don't know it was in a leather holster could not ID

Q: What did you do with the weapon while it was in your possession?

A: Held it in my ACU cargo pocket

Q: Do you know where the handgun is now?

A: no

Q: When was the last time you saw the handgun?

A: when I passed it off to LT (b)(6), (b)(7)(C)

Q: Do you know if SSG (b)(6), (b)(7)(C) possessed a personal weapon?

A: no other than company issue

Q: Have you ever seen SSG (b)(6), (b)(7)(C) with a weapon other than his issued weapons?

A: (b)(6), (b)(7)(C) w/ wps that we find in houses searched or on mission

Q: Have you ever heard SSG (b)(6), (b)(7)(C) talking about a personal weapon or referring to any weapons known as "Betsy" or "Betty"?

A: No personal wps or nothing

Q: Have you ever seen SSG (b)(6), (b)(7)(C) with a handgun?

A: no

Q: Did you ever see SSG (b)(6), (b)(7)(C) with that pistol?

A: no

Q: Were you on Operation Iron Triangle?

A: no, was on leave at the time of the mission

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

A: no // END OF STATEMENT // (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)

PAGE 7 OF 12 PAGES (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

0086-06-CID469-75447

Tikrit, Iraq

FILE NUMBER

12 Jul 06

STATEMENT (Continued)

*Not Used*  
 (b)(6), (b)(7)(C)

AFFIDAVIT

(b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 5. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12<sup>th</sup> day of Jul, 20 06 at COB Speicher, Tikrit, Iraq, APO AE 09353

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA (b)(6), (b)(7)(C), (b)(7)(F)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

UCMJ, Article 136 / 10 USC 936

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 5 OF 5 PAGES

(b)(6), (b)(7)(C)

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EXHIBIT 350

ACLU DDII CID ROIS 35049

001239

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSCt.

0086

75477

LOCATION  
Building 718 (CID Office), COB Speicher, Tikrit, IZ

DATE (b)(6), (b)(7)(C)

FILE NUMBER

13 July 06 0470 1601

02706 CID 469-75477

LAST NAME, FIRST NAME, MIDDLE NAME

(b)(6), (b)(7)(C)

SSN:

(b)(6), (b)(7)(C)

GRADE/STATUS

E4 AD

ORGANIZATION OR ADDRESS

C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349

(b)(6), (b)(7)(C)

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q. What do you know about an incident during Jan 06, during which members of 3rd Platoon, C CO, 3-187 shot and killed two men in a semi-truck (possibly hauling a load of tomatoes) on MSR Tampa on the Tigris River Bridge?

A. When the "incident" happened I was asleep at cop 3. I came on guard about four hours after it happened. All the guys that were there had to stay on the bridge for the rest of the night because the Iraqi Police left and we couldn't move the trucks.

Q: WERE YOU AWAKE AT COP2 DURING OR AFTER THE "INCIDENT"?

A: NO

Q: WHAT DID YOU HEAR ABOUT THE INCIDENT AND WHO TOLD YOU?

A: I heard that some shots were fired at cop 2 and they stopped a truck on the bridge, one iraqi threw a bag off the bridge, and then the two iraqis got in the truck and started

Q. What do you know about 1LT (b)(6), (b)(7)(C) or anyone else pushing or throwing an Iraqi male to the ground, resulting in the man sustaining a broken jaw or any other injury?

A. I havent walked around 1Lt (b)(6), (b)(7)(C)

QUESTION ONE CONTINUED: to move at our humvees so they opened fire into the grill of the truck. The iraqis didnt stop so they started firing into the cab. I heard several different people talking about it, I dont remember who exactly.

Q: DID YOU LOOK AT OR OBSERVE ANY BULLET HOLES IN THE HUMVEE?

A: not really, all the trucks have some damage from bullets or scrapes. (b)(6), (b)(7)(C)

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 1 OF 5 PAGES

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



STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT CID Office, COB Speicher DATED 13 JUL 06

STATEMENT (Continued)

Q. What do you know about 1SG (b)(6), (b)(7)(C) allegedly taking the hand of a dead Iraqi man and slapping another local national with the dead man's hand? This allegedly took place after the man's body was driver around a market place on the hood of a HMMWV.

(b)(6), (b)(7)(C) I havent heard about this. (b)(6), (b)(7)(C)

Q. What do you know about an incident in which members of B CO, 3-187 INF engaged a vehicle near the observation post by the Samarra hospital, resulting in the death of two Iraqi women, one who was pregnant?

(b)(6), (b)(7)(C) I havent seen or talked to anyone from B Co 3-187 since we were in Kuwait at Beheing. (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 2 OF 5 PAGES

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT CID Office, COB Speicher DATED 12/20/06

STATEMENT (Continued)

Q. Have you ever been authorized to kill High Value Targets (HVT) immediately upon positive identification (PID), without allowing them a chance to surrender? If so when, where and by whom?

(b)(6), (b)(7)(C) There was a mission where we were authorized to kill (b)(6), (b)(7)(C)  
I was part of the outer cordon.

Q. WERE YOU PART OF THE TEAM WHO CAPTURED (b)(6), (b)(7)(C)

A. NO. (b)(6), (b)(7)(C)

Q. Have you ever heard of or participated in a Kill/Kill operation? If so when, where and from whom?

(b)(6), (b)(7)(C) Nope. (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 7 OF 5 PAGES

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT CID Office, COB Speicher DATED 13 Jul 06

STATEMENT (Continued)

Q. What do you know about an operation in which members of 3-187 INF killed a 7 year-old girl during an operation on 22 May targeting a HVT?

(b)(6), (b)(7)(C) A. I overheard some people saying that they had PID of an HVT and shot him, and his 7 year old daughter was shot in the head accidentally.

Q. WHERE AND FROM WHOM DID YOU HEAR ABOUT THIS?

A. I can find out one of the people was Lt Young. I don't remember who he was talking to.

Q. OTHER THAN WHAT YOU WROTE ABOVE DID YOU HEAR ANYTHING ELSE? PLEASE ELABORATE.

A. nothing that I can recall. (b)(6), (b)(7)(C)

Q. What do you know about an incident at a gas station during Operation Iron Triangle, in which members of 1LT (b)(6), (b)(7)(C) platoon opened fire on several vehicles, resulting in the death of an Iraqi man?

(b)(6), (b)(7)(C) A. I heard that some people fired at a gas station, but I didn't hear about anyone killing someone. (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 4 OF 5 PAGES

FOR OFFICIAL USE ONLY ACU/DII CID ROIS 85053  
Law Enforcement Sensitive

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT CID Office, COB Speicher DATED 13 Jul 06

STATEMENT (Continued)

Q. Have you ever seen SSG GIROUARD with a pistol? If so, please elaborate?

**(b)(6), (b)(7)(C)** Yes, after SSG **(b)(6), (b)(7)(C)** and myself found a 9mm pistol with two mags at Iron Triangle, SSG **(b)(6), (b)(7)(C)** was looking at it and its holster.

B. WHERE DID YOU FIND THE 9MM PISTOL?

A: we found it at the house where SSG **(b)(6), (b)(7)(C)** and SSG **(b)(6), (b)(7)(C)** killed the 4 iraqi's. it was in a woman's purse.

B. WHAT DID SSG **(b)(6), (b)(7)(C)** DO WITH THE 9MM PISTOL?

A: I found out last night that he kept the pistol and mags.

B. PLEASE EXPLAIN IN DETAIL **(b)(6), (b)(7)(C)**

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

A. None. // END OF STATEMENT // **(b)(6), (b)(7)(C)**

AFFIDAVIT

**(b)(6), (b)(7)(C)** HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 5. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

**(b)(6), (b)(7)(C)**

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 13 day of Jul 2006 at Building 718 (CID Office), COB Speicher, Tikrit, IZ

**(b)(6), (b)(7)(C)**

ORGANIZATION OR ADDRESS

**(b)(6), (b)(7)(C)**

(Typed Name of Person Administering Oath)

Art 136 UCMJ

ORGANIZATION OR ADDRESS

(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

**(b)(6), (b)(7)(C)**

PAGE 5 OF 5 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

LOCATION Bldg 718 COB BREKHER TIKRIT. 12	DATE 13 July 00 1653	FILE NUMBER 0086-00-010409-13449
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS E4/RA
ORGANIZATION OR ADDRESS C. Co 3-187 INF FOB BRASSFIELD NORA, SAMARRA, 12 APO AE 09349		

(b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

At Iron Triangle at the second obj, the first house that we cleared. SSG (b)(6), (b)(7)(C) and myself found a 9mm pistol. It was black, a little smaller than a m9. It was stamped with something like made in Czechoslovakia. There were two mags and a leather shoulder holster. I put it in the knapsack bag with the AK 47's and parts. SSG (b)(6), (b)(7)(C) looked at it for a little while and I walked back in the house to try and find more weapons or documents and stuff like that. We found it in a bedroom in a purse that was hanging on a nail in the wall. The holster was a brown color, in poor condition. The Purse was a large dark brown or black edged purse. After SSG (b)(6), (b)(7)(C) was looking at the pistol and holster and mags, I never saw them again. The bag with the pistol, AK 47, AK 47 parts, mags, and the knife that cut (b)(6), (b)(7)(C) was handed over to 2nd Platoon Lt (b)(6), (b)(7)(C). Second Platoon also took the remaining detainees and the bodies of the KIA's. Later there was an ordeal about where the knife was. I thought it was in the bag with the rest of the contraband. I think that the knife was found right inside the doorway of the house.

Q: HOW DO YOU KNOW THE KNIFE WAS FOUND INSIDE THE DOOR?

A: I am not sure it was found inside the house but that's where (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) were when I was checking them out, and they started telling me what they said had happened.

Q: WHAT DID THEY SAY HAPPENED?

A: They said that while they were changing the floor cloths on the detainees, one of them hit (b)(6), (b)(7)(C) and the other cut (b)(6), (b)(7)(C) then they all started to run away. (b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 4 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_ TAKEN AT \_\_\_ DATED \_\_\_ CONTINUED," THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_ OF \_\_\_ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

ACLU DDH CID ROIS 35055

STATEMENT OF (b)(6), (b)(7)(C)

TAKEN AT CROFFICE, COB SPICHER, TIKRIT DATED 13 JUL 06

CONTINUED

STATEMENT (Continued)

Q: WHY WERE THEY CHANGING THE FLEXCUFFS?

A: because that's what SSG (b)(6), (b)(7)(C) had told them to do.

Q: WAS THERE A MAGAZINE IN THE PISTOL?

A: yes.

Q: WHO CLEARED THE WEAPON AND WAS THERE A ROUND CHAMBERED?

A: I cleared the pistol, no there wasn't a round in the chamber.

Q: AFTER YOU CLEARED THE WEAPON WHAT DID YOU DO WITH IT?

A: I looked at it for a while then I put it back in the holster and (b)(6), (b)(7)(C) played with it for a little bit and then I put it in the bag with the ak 47 parts. Then we took the bag outside and layed out all the evidence for pictures with the detainees.

Q: DID YOU TAKE THE PICTURES OF THE EVIDENCE?

A: no, it was SGT (b)(6), (b)(7)(C) or CPL (b)(6), (b)(7)(C)

Q: WERE YOU THERE WHEN THE PICTURES OF THE EVIDENCE WERE TAKEN?

A: Yes, I was holding the 3X5 cards with the detainee in the picture.

Q: DO YOU RECALL PHOTOGRAPHING THE WEAPON WITH THE HOLSTER, THE 9MM?

A: NO.

Q: WHEN WAS THE LAST TIME YOU SAW THE 9MM?

A: when SSG (b)(6), (b)(7)(C) was looking at the evidence before I did my last search of the house.

Q: DESCRIBE THE KNIFE OR (b)(6), (b)(7)(C) SAID HE WAS CUT WITH?

A: it was about 9-11 inches overall, with an orange handle, it looked like a utility or garden knife.

Q: DESCRIBE THE WEAPON, THE 9MM?

A: it was a Czech made 9mm semi auto, it was a little smaller than a Barrett 9mm-M9, it was black, it had two mags and a shoulder holster, the holster was brown and looked old.

Q: EXPLAIN THE CIRCUMSTANCES SURROUNDING WHEN YOU FIRST SAW THE KNIFE?

A: After the shots were fired and I grabbed my bag and ran to the house, I checked on (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) they did not have any like threatening injuries so I turned my attention to the (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)

PAGE 2 OF 4 PAGES

STATEMENT OF (b)(6), (b)(7)(C)

TAKEN AT CID OFFICE, CORPUS CHRISTI, TEXAS

DATED 13 JUL 06

CONTINUED

STATEMENT (Continued)

(b)(6), (b)(7)(C) if fugis, the two were dead and the third was exsperant so I went back to (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) at that point (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) started telling me and whoever else that was around what had happened. after a few minutes SSG (b)(6), (b)(7)(C) asked again what had happened before he sent up a sit rep. (b)(6), (b)(7)(C) had the knife and was showing it to everyone.

Q: WHERE WERE YOU WHEN THE SHOTS WERE FIRED? HOW FAR AWAY WAS YOUR LOCATION TO WHERE THE HOUSE WAS?

A: I was on the P2 with CPL (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) I was about 150-200 meters north east of the house.

Q: YOU SAID SSG (b)(6), (b)(7)(C) WAS ASKING WHAT HAPPENED OR TELLING (b)(6), (b)(7)(C) AND (b)(6), (b)(7)(C) WHAT HAPPENED AND WHAT WAS (b)(6), (b)(7)(C) TELLING EVERYONE ABOUT THE KNIFE AND WHAT HAPPENED?

A: SSG (b)(6), (b)(7)(C) asked what had happened and (b)(6), (b)(7)(C) said that one of the detainees cut him with the knife, and one of the detainees hit (b)(6), (b)(7)(C) and then all three started running away. Then (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) opened up and started to shoot at the fleeing detainees.

Q: ARE YOU SURE THE WEAPON WAS IN THE BAG WHEN YOU GAVE IT TO AN INDIVIDUAL OR SET IT DOWN? WHO DID YOU GIVE IT TO?

A: Yes, I put the pistol in its holster and both were in the bag. I am not sure if it was set down or if I gave the bag to SSG (b)(6), (b)(7)(C)

Q: AFTER YOU TOOK THE BAG WITH THE PISTOL OUTSIDE WHAT DID YOU DO?

A: I went back inside the house for the last search.

Q: HOW LONG DID YOU STAY INSIDE AND WHAT DID YOU DO AFTER YOU RETURNED OUTSIDE?

A: It took about 5 minutes to look thru the room where we found the pistol then I went outside and started getting the evidence lined up dress right dress for pictures. (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)

PAGE 3 OF 4 PAGES

STATEMENT OF: (b)(6), (b)(7)(C)  
TAKEN AT: CID OFFICE, COMSPECHEP, TIKRIT

DATED: 13 Jul 06  
FILE NUMBER: 0086-06-C10469-75447

STATEMENT (Continued)

(b)(6), (b)(7)(C)

Q: DO YOU HAVE ANYTHING TO ADD TO THIS STATEMENT?

A: No. // END OF STATEMENT // (b)(6), (b)(7)(C)

AFFIDAVIT

I, (b)(6), (b)(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13 day of Jul, 20 06 at CID OFFICE / COMSPECHEP 12

ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C)  
(Oath)

ORGANIZATION OR ADDRESS

SA (b)(6), (b)(7)(C)  
(Typed Name of Person Administering Oath)

UCMJ, Article 136 / 10 USC 936  
(Authority To Administer Oaths)

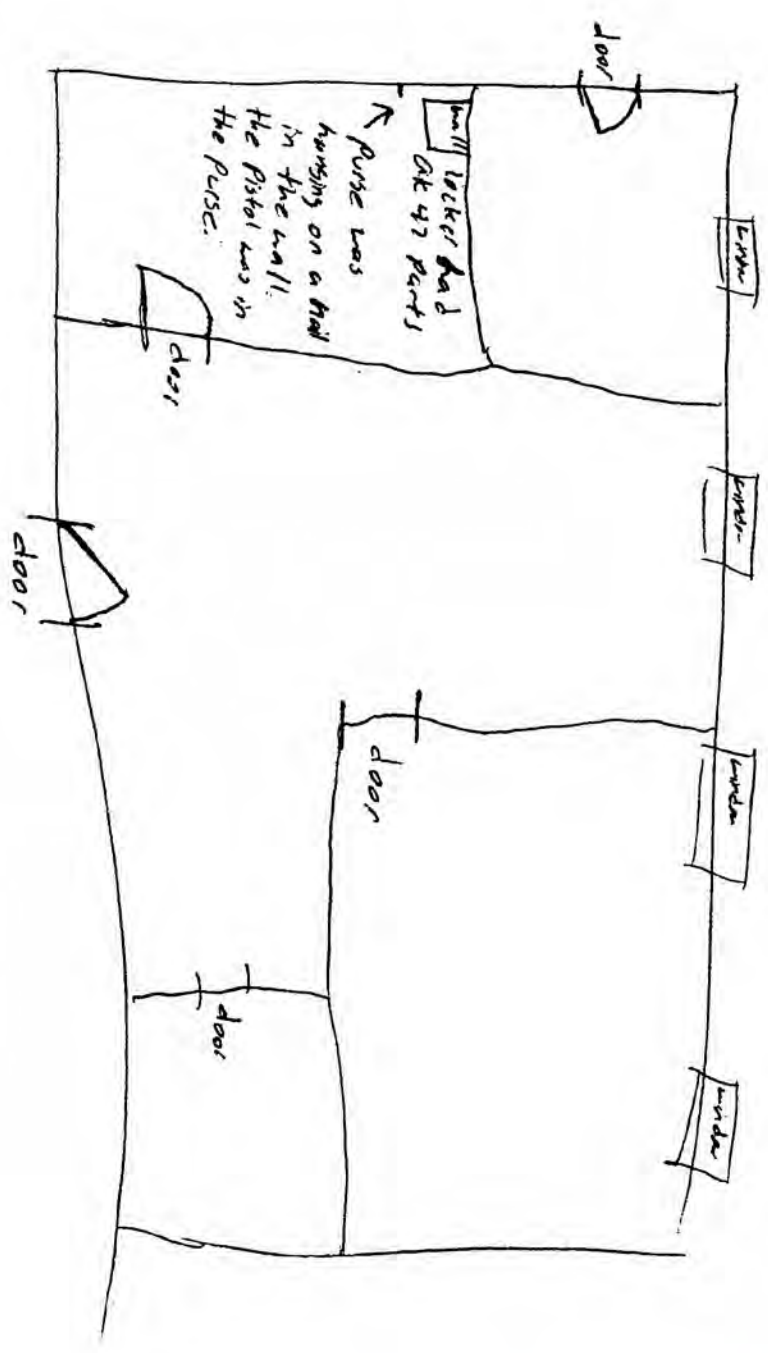
INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 4 OF 4 PAGES



This is a rough sketch of where Sp[REDACTED] and myself found the purse that contained the gun pistol at Obj 2 house at Iran Triangle.

north  
↓



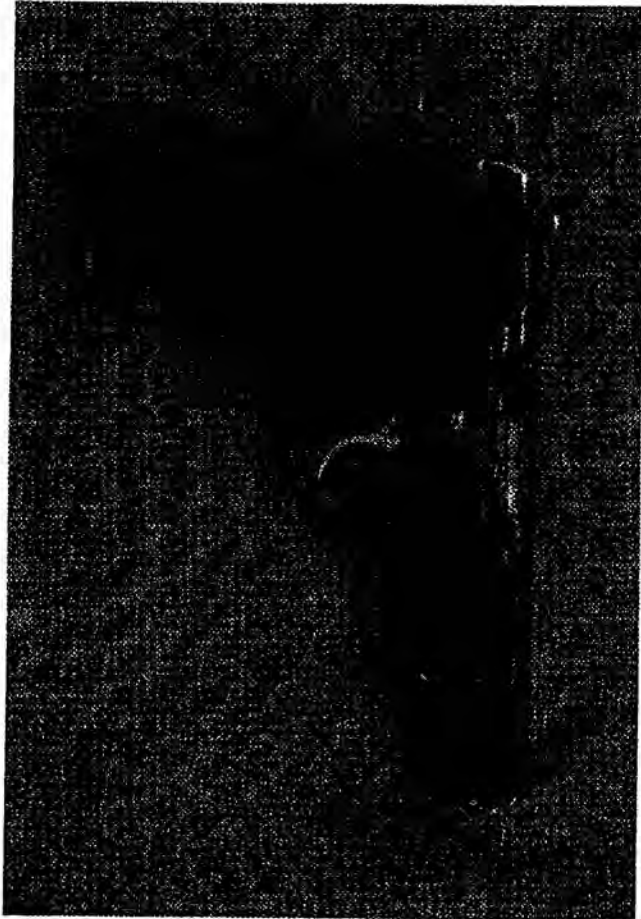
drawn by  
WINTERBROOK BAY, SA

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

13 July 06.

PLEASE VIEW THE TWO PICTURES GIVEN TO YOU.  
AGENT'S NOTE: THESE PHOTOGRAPHS WERE VIEWED BY SAs [REDACTED] ON THE COMPUTER IN BLDG 718 CDS SPECIATED CDD OFFICE, TIKRIT-12 IN CODE. (b)(6), (b)(7)(C)



Q: IS THIS THE WEAPON YOU TOOK OUT OF THE WOMAN'S PURSE?

A: It looks like the weapon. To the best of my knowledge it is the weapon from the purse that Spc [REDACTED] and myself found at Operation Iron Triangle Qaly's house (house?)

Q: What makes you believe this weapons the weapon found at the house?  
A: It has the same holster that I remember except for the straps and the weapon had made in Czech Republic or it.

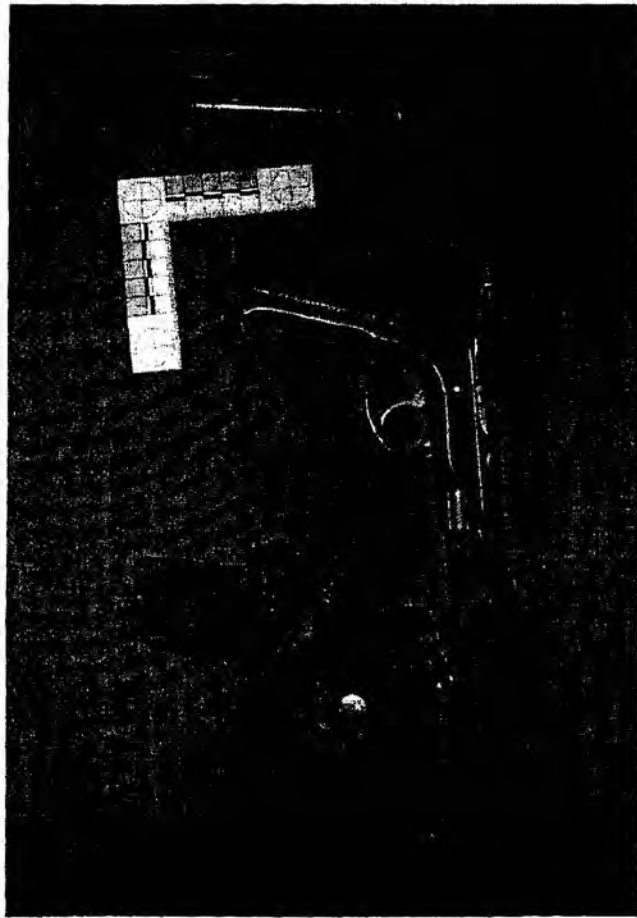
(b)(6), (b)(7)(C)

13 Jul 06.

ACLU DDII CID ROIS 35060

(b)(6), (b)(7)(C)

13 July 06.



ACLU DDII CID ROIS 35061

~~CONFIDENTIAL - SECURITY INFORMATION~~

SWORN STATEMENT

(b)(6), (b)(7)(C)

LOCATION:  
Building 718 (CID Office)  
Contingency Operating Base (COB) Speicher  
Tikrit, Iraq, APO AE 09393

DATE: 07/15/2006 TIME: 1234

NAME: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C) GRADE/STATUS: E3

ORGANIZATION OR ADDRESS: HHC, 3BCT, COB Speicher, Iraq, APO AE 09393

(b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

(b)(6), (b)(7)(C) lived with (b)(6), (b)(7)(C) when he got back from leave. He showed me all the porn that he got when he was home on leave. it was in the back of a black leather cd case. Some of the porn names were sport fucking, deep throat, gag reflex, nemfo teens or something like that. I don't know the rest of them. There was something like 20 porn DVDs and he had two magazines for a little bit but he through them away.

Now I am going to talk about the gun that (b)(6), (b)(7)(C) got on iron triangle it was a nine mil and he had to have got it right before they killed the 3 detainees and right after the LT and sec squad left on the uh-60 he kept it with him as a drop weapon. In case he killed someone on accident. He kept it ether in the humvve or in his wall locker in his room. I don't think he ever shot it but I don't know. I can't recall if he did or did not.

Q: SA (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C)

Did you type the above portion of this statement?

Yes.

Do you know the names of the pornography magazines?

No.

When did SSG (b)(6), (b)(7)(C) come back from leave?

Sometime in January

Do you remember when he showed you the DVDs?

The day after he got back.

Why must have (b)(6), (b)(7)(C) have gotten the weapon before the 3 detainees ed and after the 1LT (b)(6), (b)(7)(C) and second squad left?

It's a guess, it's the only time I can think he would have been able to grab it.

Did you see the weapon on Iron Triangle?

No

Q: How do you know he obtained it from Iron Triangle then?

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 1 OF 3 PAGES

DA FORM 2823 (Computer Generated)

EXHIBIT 253

FOR OFFICIAL USE ONLY

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE **AGUDDI CID ROIS 25062**

STATEMENT OF PFC (b)(6), (b)(7)(C) TAKEN AT BLDG 718, COB  
SPEICHER, TIKRIT, IRAQ, DATED 15 JULY, 2006, CONTINUED.

(b)(6), (b)(7)(C) was searching the house while I was searching the detainees.  
(b)(6), (b)(7)(C) found the pistol and called out to me "weapon". I asked him what it  
was, he said 9mm. I called up to the berm in between house 1 and house 2 that  
there was a 9mm found in the house. The berm called down to SSG (b)(6), (b)(7)(C)  
there was a 9mm found at the first house.

Q: Why did they call it out to SSG (b)(6), (b)(7)(C)

A: Because he was in the second house and they were letting him know what we  
found in the first house.

Q: Who was on the berm?

(b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) and I believe (b)(6), (b)(7)(C) was on the hill.

Q: How do you know he kept it as a "drop weapon"?

A: He told me.

Q: When did he tell you this?

A: When he showed it to me.

Q: When did he show it to you?

A: After Iron Triangle, I think the next day.

Q: Did you ever see anyone use the weapon?

A: No.

Q: Who all knew he had it?

A: Me, (b)(6), (b)(7)(C) I'm not sure if SSG

(b)(6), (b)(7)(C) knew about it or not, (b)(6), (b)(7)(C) and I think that's it.

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

A: No /// END OF STATEMENT /// (b)(6), (b)(7)(C)

INITIALS OF PERSON  
MAKING STATEMENT (b)(6), (b)(7)(C)  
DA FORM 2823 (Computer Generated)

~~FOR OFFICIAL USE ONLY~~  
~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~ **ASLU DDH CID ROIS 35063** ~~SENSITIVE~~

STATEMENT OF PFC (b)(6), (b)(7)(C) TAKEN AT BLDG 718, COB  
SPEICHER, TIKRIT, IRAQ, DATED 15 JULY, 2006, CONTINUED.

(b)(6), (b)(7)(C) HAVE READ OR HAVE HAD READ TO ME THIS  
STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY  
UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE  
STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE  
INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE  
MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD,  
WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL  
INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C) \_\_\_\_\_  
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person  
authorized by law to administer oaths, this  
Saturday, July 15, 2006, at Building 718  
COB Speicher, Tikrit, Iraq, APO AE 09393

(b)(6), (b)(7)(C) \_\_\_\_\_

Special Agent (b)(6), (b)(7)(C)  
(Typed Name of Person Administering Oath)  
Article 136 (b) (4) UCMJ  
(Authority to Administer Oath)

\_\_\_\_\_  
\_\_\_\_\_  
Witness

INITIALS OF PERSON  
MAKING STATEMENT (b)(6), (b)(7)(C)  
DA FORM 2823 (Computer Generated)

Page 3 of 3

EXHIBIT 253

~~FOR OFFICIAL USE ONLY~~  
~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~ **AGUDDI CID ROIS 35064** EXHIBIT

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOP.

0086-06-CID469-75447

LOCATION  
Building 718 (CID Office), COB Speicher, Tikrit, IZ

DATE  
16 Jul 06

TIME  
1319

FILE NUMBER

(b)(6), (b)(7)(C)

SSN:  
(b)(6), (b)(7)(C)

GRADE/STATUS  
E5/AD

ORGANIZATION OR ADDRESS  
C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349

I, **(b)(6), (b)(7)(C)**, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q. What do you know about an incident during Jan 06, during which members of 3rd Platoon, C CO, 3-187 shot and killed two men in a semi-truck (possibly hauling a load of tomatoes) on MSR Tampa on the Tigris River Bridge?

A. At that time I was on leave in D.C. when I got back from leave I heard from members in 2nd Plt. that 3rd Plt. had killed some men in a tomatoe truck. I did not hear how many were killed or who exactly in 3rd Plt. had done it. I only heard that it had happened, I did not hear why either.

**(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**

Q. What do you know about 1LT **(b)(6), (b)(7)(C)** or anyone else pushing or throwing an Iraqi male to the ground, resulting in the man sustaining a broken jaw or any other injury?

A. I have not heard of this incident at all.

**(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

**(b)(6), (b)(7)(C)**

PAGE 1 OF 6 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_ TAKEN AT \_\_\_ DATED \_\_\_ CONTINUED."

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

STATEMENT OF (b)(6), (b)(7)(C)

TIKRIT TAKEN AT CID Office, COB Speicher DATED 16 Jul 06

STATEMENT (Continued)

Q. What do you know about 1SG (b)(6), (b)(7)(C) allegedly taking the hand of a dead Iraqi man and slapping another local national with the dead man's hand? This allegedly took place after the man's body was driver around a market place on the hood of a HMMWV.

A. I have not heard anything of this incident.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Q. What do you know about an incident in which members of B CO, 3-187 INF engaged a vehicle near the observation post by the Samarra hospital, resulting in the death of two Iraqi women, one who was pregnant?

A. I have not heard of this incident.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

INITIALS OF PERSON MADE (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

PAGE 2 OF 6 PAGES



FILE NUMBER

STATEMENT OF (b)(6), (b)(7)(C)

TAKEN AT <sup>SECRET</sup> CID Office, COB Speicher DATED 16 Jul 06

STATEMENT (Continued)

Q. Have you ever been authorized to kill High Value Targets (HVT) immediately upon positive identification (PID), without allowing them a chance to surrender? If so when, where and by whom?

A. I have not been authorized to kill any HVT's upon PID at any time.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Q. Have you ever heard of or participated in a Kill/Kill operation? If so when, where and from whom?

A. I have not heard anyone ever refer to a mission as a "kill/kill mission."

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

INITIALS OF PERSON (b)(6), (b)(7)(C)

PAGE 3 OF 6 PAGES

TIKRIT

STATEMENT OF (b)(6), (b)(7)(C)

TAKEN AT CID Office, COB Speicher DATED 16 Jul 06

STATEMENT (Continued)

Q. What do you know about an operation in which members of 3-187 INF killed a 7 year-old girl during an operation on 22 May targeting a HVT?

A. I do not recall this incident where a 7 year old girl was killed

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Q. What do you know about an incident at a gas station during Operation Iron Triangle, in which members of 1LT (b)(6), (b)(7)(C) platoon opened fire on several vehicles, resulting in the death of an Iraqi man?

I only know that personnel from 2nd Plt. were present when this happened and that 1LT (b)(6), (b)(7)(C) gave the order for his element to engage a vehicle. I did know that one man was killed but I do not know why they engaged or who engaged.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 4 OF 6 PAGES

File Number

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT TIKRIT CID Office, COB Speicher DATED 16 Jul 06

STATEMENT (Continued)

Q. Have you ever seen SSG **(b)(6), (b)(7)(C)** with a pistol? If so, please elaborate?

A. I saw SSG **(b)(6), (b)(7)(C)** with a pistol the day the three detainees were killed. After the rest of 3rd. Sqd's element linked up with my sqd. I saw him with it in one of the buildings. I saw him with the pistol on the first day of iron triangle. The place where I saw him with it was the company link point which was off the island. It was approx 1300 when his squad linked up with me at this point. He had it on him, it was in his

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

A. NO.

CONTINUATION OF QUESTION 9 IS ON PAGE 6

**(b)(6), (b)(7)(C)**  
**(b)(6), (b)(7)(C)**

AFFIDAVIT

I, **(b)(6), (b)(7)(C)** HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 6. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

**(b)(6), (b)(7)(C)**

(Typed Name of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 16 day of Jul 2006 at Building 718 (CID Office), COB Speicher, Tikrit, IZ

**(b)(6), (b)(7)(C)**

ORGANIZATION OR ADDRESS

SA **(b)(6), (b)(7)(C)**

(Typed Name of Person Administering Oath)

Art 136 UCMJ

ORGANIZATION OR ADDRESS

(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT **(b)(6), (b)(7)(C)**

PAGE 8 OF 8 PAGES

STATEMENT OF (b)(6), (b)(7)(C)

TAKEN AT CURB Speicher, TIKRIT DATED 16.10.06

CONTINUED

STATEMENT (Continued)

rack system. I could not see any distinguishable features of the pistol other than it being black. He had pulled it out of his rack to show 2nd sqd. what he had got from his prior obj. I saw it again one time while we were going on patrol several weeks later. I think it was the same one but i can not be sure about. He pulled it out to load it and that is when i saw it. I assumed he had got it from the prior objective because at that point a lot of people still had weapons that they confiscated on them. We had not yet made it to a colerita point so we had to carry them with us.

Q: (b)(6), (b)(7)(C)

A:

Q: IS THERE ANYTHING YOU WANT TO ADD TO THIS STATEMENT?

A: There is nothing i have to add to this statement // END STATEMENT // (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)

PAGE 6 OF 6 PAGES

FOR OFFICIAL USE ONLY - ACQU DDIH CID ROIS 05070

**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**  
 For use of this form, see AR 190-30; the proponent agency is ODCSOPS

0086 06 CID469 75447

0086-06-CID469

**DATA REQUIRED BY THE PRIVACY ACT**

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

1. LOCATION COB Speicher, Tikrit, Iraq	2. DATE 16 Jul 06	3. TIME 1550	4. FILE NO.
5. ORGANIZATION OR ADDRESS (b)(6), (b)(7)(C)		6. ORGANIZATION OR ADDRESS CCo, 3-187 Infantry FOB Brassfield, Samarra APO AE 093	
7. SSN (b)(6), (b)(7)(C)	8. GRADE/STATUS E-4/AD	9. (b)(6), (b)(7)(C)	

**PART 1 - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**Section A. Rights**

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command (CID) and wanted to question me about the following offense(s) of which I am suspected (b)(6), (b)(7)(C) Obstruction of Justice / False Official Statement III

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

- I do not have to answer any questions or say anything.
- Anything I say or do can be used as evidence against me in a criminal trial.
- (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

- or -

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

- If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

I requested legal counsel on 16 Jun 06. I have had an opportunity to obtain legal counsel

5. COMMENTS (b)(6), (b)(7)(C) on reverse side  
I do not have legal counsel. I have initiated this contact with CID

**Section B. Waiver**

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me (b)(6), (b)(7)(C)

WITNESSES (if available)		3. SIGNATURE OF INTERVIEWEE
1a. NAME (Type or Print)		(b)(6), (b)(7)(C)
b. ORGANIZATION OR ADDRESS AND PHONE		
2a. NAME (Type or Print)		5. TYPED NAME OF INVESTIGATOR SA (b)(6), (b)(7)(C), (b)(7)(F)
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR 104th MP BN (CID) (ABU) Baghdad, Iraq, APO AE 09342

**Section C. Non-Waiver**

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

2. SIGNATURE OF INTERVIEWEE

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

SWORN STATEMENT

0086-06-CID469-75447

For use of this form, see AR 190-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

LOCATION Cob Speicher, Tikrit, Iraq	DATE 16 Jul 06	FILE NUMBER (b)(6), (b)(7)(C)
LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS SP4/E-4/AD
ORGANIZATION OR ADDRESS C Co, 3-187th Infantry, FOB Brassfield-Mora, Samarra, APOAE 09392		

(b)(6), (b)(7)(C) I, (b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

TAPES CAME TO ME FROM SSG (b)(6), (b)(7)(C) AND I FROM PRIVATE (b)(6), (b)(7)(C) SHORTLY AFTER I GOT BACK OFF LEAVE BY MY REQUEST. I WANTED TO WATCH THEM, I HAD STORED THEM ON TOP OF MY BLACK BOX AT THE HEAD OF MY BED NEXT TO MY TV. I TOOK THEM OUT TO BRING TO THE LAWYER. SSG (b)(6), (b)(7)(C) I DO NOT RECALL ANY TALK ABOUT THE INCIDENT EXCEPT THAT SPC (b)(6), (b)(7)(C) WAS CUT BY AN IRANI NATIONAL PLAN THEY RAN AND WERE SHOT, AND THAT SSG (b)(6), (b)(7)(C) WAS POSSIBLY AROUND THE CORNER OF SOMETHING TO THAT AFFECT AND THAT PFC (b)(6), (b)(7)(C) SHOT ONE OF THEM WITH THE M49 SAW.

Q Did SSG (b)(6), (b)(7)(C) or any other person ask you to conceal the tapes from CID or from any body else? Or to destroy the tapes?  
A. NO

Q. Did SSG (b)(6), (b)(7)(C) or any other person (b)(6), (b)(7)(C) included) discuss being under investigation by CID? If so, what did they say?  
A. I remember some aggravation from them due to being constantly taken off mission.

Q. Did you see the writings "Fuck CID" on his notebook? On his windshield?  
A. I DO NOT RECALL THE WINDSHIELD BUT I HAVE SEEN HIS NOTEBOOK.

Q. Did you approach SGT (b)(6), (b)(7)(C) or any other person, and ask, if they would conceal, help to conceal, or give advice on how to conceal items incriminating to you and/or to your Squad?  
A. I'M CHOOSING NOT TO ANSWER THIS QUESTION AT THIS TIME.

Q. Please describe the nature of your relationship with SGT (b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 3 PAGES
---------	---	-------------------

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

ACLU DDICID ROIS 35072

STATEMENT OF

**(b)(6), (b)(7)(C)**

TAKEN AT COB Speicher, Tikrit, Iraq DATED 16 Jul 06

CONTINUED

**(b)(6), (b)(7)(C)** STATEMENT (Continued)

A. I USED TO WORK WITH HIM, ie SAME COMPANY, IN FORT CAMPBELL. HE USED TO PULL AMMO 4+ **(b)(6), (b)(7)(C)** GUARD FOR US IN THE FIELD.

Q. Are you friends, enemies, or how would you describe how you get along with SGT **(b)(6), (b)(7)(C)**

A. ACQUINTANCE, I LIKE GUY OF WHAT I KNOW OF HIM,

Q. Can you think of any reason he would lie about you?

A. NO

Q. Did SSG **(b)(6), (b)(7)(C)** or SPC **(b)(6), (b)(7)(C)** or PFC **(b)(6), (b)(7)(C)** tell you ANYTHING that would indicate they committed a crime when they killed the three detainees during Operation Iron Triangle, on or about 9 May 06?

A. NOT THAT I RECALL, NO.

Q. Did you attend a squad meeting when SSG **(b)(6), (b)(7)(C)** threatened other squad members that he would kill them if they told the truth about what happened during Operation Iron Triangle? Did SPC **(b)(6), (b)(7)(C)** or PFC **(b)(6), (b)(7)(C)** make any similar threats?

A. I ATTENDED A SQUAD MEETING THAT WAS A "BITCH SESSION" WHERE SQUAD MEMBERS WERE ENCOURAGED TO "AIR" WHAT WAS WRONG

WITH THEMSELVES AND BRING UP ANYTHING ANYONE ELSE WAS DOING, OR NOT DOING. BASICALLY TO CONFRONT PEOPLE THAT WERE PISSING THEM OFF WITH OUT REGARD TO RANK. NOT ONCE DID I HEAR ANY THREATS. I HAD TO LEAVE TO RELIEVE SPC **(b)(6), (b)(7)(C)** AT THE LAZ SHORTLY BEFORE THEY WERE SCHEDULED TO LEAVE SO THAT **(b)(6), (b)(7)(C)** COULD ATTEND **(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF \_\_\_\_\_ PAGES

FOR OFFICIAL USE ONLY - ACQUISITION ID ROIS 35073

001263

FILE NUMBER 0086-06

STATEMENT OF **(b)(6), (b)(7)(C)**

TAKEN AT COB Speicher, Tikrit, Iraq

DATED 16 Jul 06

CONTINUED

STATEMENT (Continued)

**(b)(6), (b)(7)(C)**

Q. Did you willingly come into the CID office of your own free will and waive your legal rights prior to the interview?

A. NO ANSWER **(b)(6), (b)(7)(C)**

Q. Describe how you were treated by CID today?

A. STRANGLER **(b)(6), (b)(7)(C)**

Q. Did you tell the truth in this statement?

A. TO THE BEST OF MY KNOWLEDGE, YES **(b)(6), (b)(7)(C)**

Q. Are you declining to answer the first question on page 3 of this statement?

A. YES **(b)(6), (b)(7)(C)**

Q. Could you elaborate on your answer to question #2 on page 3 of this statement?

A. I FELT LIKE I WAS BEING FAST TALKED SOMEWHAT **(b)(6), (b)(7)(C)** OTHER THAN THAT VERY FRIENDLY **(b)(6), (b)(7)(C)**

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

A. NOT AT THIS TIME **(b)(6), (b)(7)(C)**

AFFIDAVIT

**(b)(6), (b)(7)(C)**

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

Refused to Sign. **(b)(6), (b)(7)(C)**  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 16th day of JULY, 20 06 at COB Speicher, Tikrit, Iraq

ORGANIZATION OR ADDRESS

**(b)(6), (b)(7)(C)**  
(Signature of Person Administering Oath)

SA **(b)(6), (b)(7)(C), (b)(7)(F)**  
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

UCMJ, Article 136 / 10 USC 936  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES



~~FOR OFFICIAL USE ONLY-LAW ENFORCEMENT SENSITIVE~~

Al-Tharthar Iraqi Police (I.P) patrol brought 4 unidentified bodies from the Silo and we put them in Sammara Hospital Fridge.

According to No.9 from the Record Book the Four Victim Bodies are:

- 1- Jasim Hassan Komar Abdullah. He was born 1935.
- 2- Nihad Jasim Hassan Komar. He was born 1991.
- 3- Ziyad Jasim Hassan Komar. He was born 1992.
- 4- Ahmad Farhan Hassan Komar. He was born 1988.

The J.C.C gave their permission to give the 4 Bodies in #2 above to their parents. According to Samarra I.P Commander.

This Translation was generated to the best of my ability as Category II Interpreter.

**(b)(6), (b)(7)(C)**

*July-17-06*

~~FOR OFFICIAL USE ONLY-LAW ENFORCEMENT SENSITIVE~~

~~FOR OFFICIAL USE ONLY-LAW ENFORCEMENT SENSITIVE~~

**ACLU DDJ CID ROIS 35075**

EXHIBIT \_\_\_\_\_

sign

The emergency truck has returned with the patrol to 2130 11  
Base 6/6 from G-Z with out any incident 0086-06-CID469-75447

sign

The J.C.C agree to send emergency truck with 2200 12  
Patrol to AL-Tharthar I.P station and then to  
go to AL-Howaish area a female having baby -

sign

The emergency truck and the patrol have returned 2245 13  
to the base from AL-Howaish and they brought  
the patient with out incident -

sign

The J.C.C agree to send emergency truck with patrol 200 14  
to AL-Dhubat 1st area -

sign

The emergency truck and the patrol returned 230  
after they brought the patient with out incident -

sign

The daily Record Book close for May-13-2006 --- 600 15  
s s s s open for May-14-2006 --- 600 1

sign

According to No. 9 from the Record Book the 730 2  
Four Bodies are (1) Jasim Hassan Komar Abdullah  
born in 1935 (2) Nihad Jasim Hassan Komar born 1991  
(3) Ziad Jasim Hassan Komar born in 1992 (4) Ahmad  
Farhan Hassan Komar born in 1988 -

I start my Regular shift today and I found out all 800 3  
the patrol member were doing their job in properly and  
the people who were in duty were Hashim Jasim. The  
people who are on duty for today are (b)(6), (b)(7)(C)

**(b)(6), (b)(7)(C)**

sign

s s s of n s s s May-13- '06 0086-06-CID469-75447

sign

The I.P Patrol went to bring the emergency truck from the Base in 6/2 after we got the permission from the J.C.

725

sign

The I.P Patrol return to Samirra hospital with the emergency Truck from Al-Tharthar

745

sign

I start my regular shift today and I found out all the Patrol members were doing their job in properly and the people who were in duty were (b)(6), (b)(7)(C)

800

(b)(6), (b)(7)(C)

sign

I went to I.P station in Samirra - to <sup>give</sup> get the mail with

1000

(b)(6), (b)(7)(C)

sign

I've Returned to the I.P station after delivering the mail

1200

sign

The patrol left without any incident

1430

sign

The J.C.C agree to give away a bottle of blood to the (b)(6), (b)(7)(C) who has Leukemia

1800

sign

Al-Tharthar I.P Patrol brought 4 unidentified Bodies from the silo and we put them in Samirra hospital fridge

1830

sign

The J.C.C gave their permission to send emergency truck with patrol to the G.Z, Samirra City Council building

2100

Sign

The J.C.C gave their permission to give the  
4 Bodies in No. 2 above to their parents  
According to Samira I.P Commander.  
Al-Tharthar Station must finish the  
Investigation report —

800 4

SWORN STATEMENT

For of this form, see AR 190-45; the proponent agency is ODCSOF

0086  
0116-06-CID469-75449 47

LOCATION: <b>(b)(6), (b)(7)(C)</b> Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE: <b>(b)(6), (b)(7)(C)</b> 19 JUL 2006	TIME: <b>(b)(6), (b)(7)(C)</b> 1300	IDENTIFICATION NUMBER: <b>(b)(6), (b)(7)(C)</b>
LAST NAME, FIRST NAME, MIDDLE NAME: <b>(b)(6), (b)(7)(C)</b>	SSN: <b>(b)(6), (b)(7)(C)</b>	GRADE/STATUS: E-5/RA	
ORGANIZATION OR ADDRESS: <b>(b)(6), (b)(7)(C)</b> C CO, 3-187 INF, FOB Brassfield Mora, Samarra, IZ, APO AE 09349 G/3STB, 3 PXT, 10: ABN DIV (ASLT), COB SPEICHER, TIKRIT			

**(b)(6), (b)(7)(C)** SGT **(b)(6), (b)(7)(C)** WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q. What do you know about an incident during Jan 06, during which members of 3rd Platoon, C CO, 3-187 shot and killed two men in a semi-truck (possibly hauling a load of tomatoes) on MSR Tampa on the Tigris River Bridge?

A. I know nothing.

Q. What do you know about 1LT **(b)(6), (b)(7)(C)** or anyone else pushing or throwing an Iraqi male to the ground, resulting in the man sustaining a broken jaw or any other injury?

A. I know nothing. **(b)(6), (b)(7)(C)**

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT: <b>(b)(6), (b)(7)(C)</b>	PAGE 1 OF <u>8</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT **(b)(6), (b)(7)(C)** DATED **(b)(6), (b)(7)(C)** CONTINUED."  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE    OF    PAGES"  
WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE  
**DDI CID ROIS 85082**  
FOR OFFICIAL USE ONLY  
Law Enforcement Sensitive

STATEMENT OF (b)(6), (b)(7)(C)

TAKEN AT CID Office, COB Speicher DATED 19 JUL 2006

STATEMENT (Continued)

(b)(6), (b)(7)(C)

Q. What do you know about 1SG (b)(6), (b)(7)(C) allegedly taking the hand of a dead Iraqi man and slapping another local national with the dead man's hand? This allegedly took place after the man's body was driver around a market place on the hood of a HMMWV.

A. I know nothing.

Q. What do you know about an incident in which members of B CO, 3-187 INF engaged a vehicle near the observation post by the Samarra hospital, resulting in the death of two Iraqi women, one who was pregnant?

A. All I know I read from open source - vehicle ran a checkpoint that was labeled Coalition Only, was engaged, and people died. (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

PAGE 2 OF 8 PAGES

FOR OFFICIAL USE ONLY  
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Law Enforcement Sensitive  
Exhibit 258  
AGIU DDII CID ROIS 35083

STATEMENT OF (b)(6), (b)(7)(C)

TAKEN AT CID Office, COB Speicher DATED 19 Jul 2006 (b)(6), (b)(7)(C)

STATEMENT (Continued)

(b)(6), (b)(7)(C) Q. What do you know about an operation in which members of 3-187 INF killed a 7 year-old girl during an operation on 22 May targeting a HVT?

A. Based on press intelligence, C Co initiated an operation South of Samarang; a man that was targeted for kill used his daughter as a human shield. She died. He was also unnamed. I don't know this information, I read it on the SI/FACT and/or heard it from sources I cannot recall - a process of hearsay.

(b)(6), (b)(7)(C) Q. What do you know about an incident at a gas station during Operation Iron Triangle, in which members of 1LT (b)(6), (b)(7)(C) platoon opened fire on several vehicles, resulting in the death of an Iraqi man?

I know nothing.

continued from page 4

that the POE had returned to the normal standard. I can't remember who said the POE had returned to normal, but it was clear that the kill phase was reserved for the island and desisted when we exited the island. (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

PAGE 1 OF 0 PAGES

STATEMENT OF

(b)(6), (b)(7)(C)

TAKEN AT CID Office, COB Speicher DATED

17 JUL 2006

STATEMENT (Continued)

Q. Have you ever been authorized to kill High Value Targets (HVT) immediately upon positive identification (PID), without allowing them a chance to surrender? If so when, where and by whom?

A. Not me. This is what I heard happened w/ the Togo girl - Dad was targeted for kill, she got in the way. I heard CS, (b)(6), (b)(7)(C) say that the new policy (Corp or higher, I don't know), is that if 2 local nationals (Iraqis) PID an emmergent, he can be killed. This was March or April 2006.

Q. Have you ever heard of or participated in a Kill/Kill operation? If so when, where and from whom?

A. Not exactly. I was part of OP IRON TRIANGLE - but did not participate in the initial "kill everyone on the island" phase. During the initial aerial (AASLT) to the island, all personnel on the island were subject to KILL - due to the level of reporting about AIF on the island. This phase of the operation ended approximately 0900 hours, whereupon the rules changed to normal ROE. I don't know who gave the order to make the initial AASLT a KILL/KILL OP. I was in the 2nd aerial that arrived about 50 minutes after the initial AASLT. As far as I remember, there were no people encountered on the island. Nobody ever used the term "KILL/KILL" when describing the initial AASLT. The initial AASLT kicked off at approx. 0515 hours; at approx 0600 hours, I was on the 2nd aerial AASLT that landed on the island. 1SG (b)(6), (b)(7)(C) and COL (b)(6), (b)(7)(C) were the high-ranking NCO and officer on the island. There were no detainees so I took a position on perimeter security until we ex-fil'd to the chemical housing area. After we left the island, it was made clear (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 4 OF 7 PAGES

(b)(6), (b)(7)(C)



STATEMENT OF

(b)(6), (b)(7)(C)

TAKEN AT

FOPs Bramfield - Mora

S. M. M. /  
TIKRIT

DATED 19 JUL 2000

(b)(6), (b)(7)(C)

CONTINUED

STATEMENT (Continued)

The detainees were loaded into UH-60s and transported to the BDE detainee area. One detainee spoke very good English - we talked about Chemistry, and his education in London. We expected to look for more targets.

The last OPB was approx 1-2 km from the BDE staging area. It was a CP factory that was apparently cleared by CF on the first day of the OP. But we found an Artillery shell (empty), and wires attached to a vehicle. 156 cleared the area of all soldiers b/c of the NATED threat. FOD showed up and began to deal w/ the hazards. I took a position on the perimeter until 3 men drove up in a small truck. I observed them, got the MC to release them, and let them go. The truck was full of watermelons.

We APT'd to the BDE staging area for the night. I set up w/ some of my PLT-notes and left the OPB at approx. 1345 the next day. OP TRIANGLE was over for me.

Q. Was COL (b)(6), (b)(7)(C) on the island when (b)(6), (b)(7)(C) received the first transmission about 3rd PLT having 4 detainees?

A. Yes. 156 (b)(6), (b)(7)(C) and the Commo guy were at the structure when he received the call about detainees (b)(6), (b)(7)(C) told me that I had some work, but that it was at another location. COL (b)(6), (b)(7)(C) was approx 100 m from me - I don't know if he heard the radio transmission w/ 156.

Q. Was he there when the 2nd transmission came across w/ 4 detainees and 4 KIAs?

A. I don't know anything about this transmission. When 156 transmitted info about the detainees - I got the info from him, not from the radio, not from the Commo SGT. COL (b)(6), (b)(7)(C) left approx 45 minutes before we did, I don't think he heard any of the transmissions either. When we exploded, my team-mate + I were separated. I flew up SFC (b)(6), (b)(7)(C); the other guy flew w/ 156 (b)(6), (b)(7)(C). As far as I know, the island was deserted; I was under the impression that the 4 detainees did not come from the island. (b)(6), (b)(7)(C)

Q. Has any members of the THT been threatened or in fear for their lives by personnel of 187th? Negative. There is some awkwardness in dealing w/ C6 because they think we reported them, but they wouldn't dare threaten me or my team. They may think this because THT has an (unwanted) reputation for getting people in trouble and for reporting against the Company (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)

PAGE 5 OF 8 PAGES

(b)(6), (b)(7)(C)

ACLU DDH CID ROIS 55086

(b)(6), (b)(7)(C)

STATEMENT OF

(b)(6), (b)(7)(C)

TAKEN AT Fort Belvoir, Montana

DATED 19 JUL 2006

CONTINUED

(b)(6), (b)(7)(C)

STATEMENT (Continued)

On or about 8 May 2006 I AASLTed into the first OPST of Operation Iron Triangle. I was part of the 2nd serial which left approximately 45 to 50 minutes after the initial AASLT. The initial serial was expecting to go into a hot LZ; they were also understanding, from whom I do not know, that AIF constituted all personnel on the island and that the island was a KILL/KILL phase of OP TRIANGLE. Nobody used the term KILL/KILL, but that is understood what that phase of the OP was. At approx. 0600 hours me & my team AASLTed into the island; 1SG (b)(6), (b)(7)(C) informed me there were no detainees - which meant no work for us. I took a position on perimeter security and noticed COL (b)(6), (b)(7)(C) about 100 M to my right. There did not appear to be any activity on the island. During our stay on the island, an element of Cto called 1SG to tell him they had 4 detainees; this number later changed to 2 or 3 detainees. After approx. 1 1/2 hours on the island we began to get ready to move out to follow an OPST (name UNK). I don't know who said, but it became clear that the KILL/KILL phase of the OP was over; at the next OPST we would return to normal ROE.

At the second OPST, 1LT (b)(6), (b)(7)(C) and his men were already on the ground. I AASLTed in, help reseed the gas station, and moved approx 300 to the housing area. On the way I passed a MILIT w/ A MARK-19; there were expended shells on the ground. I walked past what I thought were 4 detainees, and continued w/ 1SG to the Housing area. On site, me and my team began to process all males - one at a time, for approx. 2 1/2 hours. The detainees provided biographical data but could provide no information about AIF or the Gas Station. The detainees, and myself, did not hear anything about deaths on the OPST - I didn't ask, they didn't volunteer. After a few hours of processing, I noticed another approx. 10 detainees around the corner. The plan, regarding to CPT (b)(6), (b)(7)(C) was to reseed all males to the BOE detainee area. (b)(6), (b)(7)(C) The only detainee that I was able to get released was a mid-age man w/ 2 boys that had thalassemia & the home required dad's blood every month or so. Was expelled later that evening after waiting 4 hours on the A/U zone for our birds. We went to a staging area for the night. The next morning we AASLTed to a different housing complex and again processed all males in the village (actually, we didn't have time to process them all).

(b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)

PAGE 6 OF 8 PAGES (b)(6), (b)(7)(C)

FOR OFFICIAL USE ONLY - UNCLASSIFIED - AGLU DDII CID ROIS 55087

(b)(6), (b)(7)(C)

STATEMENT OF

TAKEN AT FOB BRASSFIELD - MORA

DATED 17 JUL 2000

CONTINUED

STATEMENT (Continued)

(b)(6), (b)(7)(C)

information travels fast. The fact that SFC (b)(6), (b)(7)(C) saw me talking w/ CID will do nothing to help the matter. I know that JAG or CID contacted PVT (b)(6), (b)(7)(C) (my Team member) regarding OP Iron Triangle. I do not know when, how, or why JAG contacted PVT (b)(6), (b)(7)(C). If Hatchett requested against C Co, I don't know about it. (b)(6), (b)(7)(C)

Q. Do you know of anyone falsifying SIGACTS?

A. There seems to be a trend toward not reporting some incidents -> perhaps to lower the SIGACT counts - make the area seem safer - make CF seem more effective, etc.. Recently, there was an UNK explosion happened on the SE corner of the FOB -> never showed up as a SIGACT. Frustrates me because in my job I am passing information about AIT/attacks. This usually requires me to reference SIGACTS that do not exist.

Q. Are patrols told to photograph + identify sources which is in violation of Army regulations?

A. I don't know - but I don't think so. We are pretty reverse when it comes to OPSEC for HUMINT OPS, so none of my Sources have been photographed or Patrolled.

Q. Who were they photographed by + has numbers of the 187th photographed + id'd your sources?

A. None of my sources have been photographed by 3-187 during patrols. Some Sources are known to 3-187 because they were introduced during SOT and/or liaison meets. There has not been a good information flow between B1 and THT regarding info about our sources. For example, S5 keeps ID cards on a number of people who we have sourced. (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)

PAGE 7 OF 8 PAGES

Samara File Number (b)(6), (b)(7)(C)  
FOB Brassfield - Moore  
TAKEN AT CID Office, G0B Speicher DATED 17 JUL 2006

STATEMENT OF (b)(6), (b)(7)(C)

STATEMENT (Continued)

(b)(6), (b)(7)(C)

Q. Have you ever seen SSG (b)(6), (b)(7)(C) with a pistol? If so, please elaborate?

A. No.

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

A. No. /// END OF STATEMENT /// (b)(6), (b)(7)(C)

AFFIDAVIT

(b)(6), (b)(7)(C)

I, SGT (b)(6), (b)(7)(C) HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 8. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 17th day of Jul 2006 at

By SA (b)(6), (b)(7)(C) FOB Brassfield - Moore (b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA (b)(6), (b)(7)(C), (b)(7)(F)

(Typed Name of Person Administering Oath)

Art 136 UCMJ

ORGANIZATION OR ADDRESS

(Authority to Administer Oath) (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 8 OF 8 PAGES

new This looks like the Czech made arm pistol and  
part of the holster, it had shoulder straps  
we first found it at obj 2 house 1  
of 06-CID4-755  
Iron Triangle, (b)(6), (b)(7)(C)  
SPC (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
July 06



ACLU DDII CID ROIS 35090 EXHIBIT 251



Triangle. We found  
mass, washable  
black or dark green

Sa(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)

19 August 2001

ACLU DDII CID ROIS 35091

(b)(6), (b)(7)(C)

This was like the Czech made

gun that SAC [redacted] and myself

found at Iron Triangle obj 2

house 1. The reason that I think that

it is the same one from Iron Triangle is that I

remember it was stamped with made in Czechoslovakia or

Czech Republic. [redacted]

SAC [redacted]

(b)(6), (b)(7)(C)

19 July 82, 1782

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

This looks like the gun pistol and myself

found at ob? house 1/19

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

19 July 06



ACLU DDII CID ROIS 35093



# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0086-06-CID469-75447

PAGE 1 OF 2 PAGES

## DETAILS

**Death Scene Examination:** About 0700, 21 Jul 06, SA (b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C), (b)(7)(F) SA (b)(6), (b)(7)(C), (b)(7)(F) and SA (b)(6), (b)(7)(C), (b)(7)(F) 31<sup>st</sup> MP Detachment (CID), Iraq; proceeded on an air assault into the landing zone adjacent to the crime scene near MGRS 38S LC 86937 44505.

Agent's comment: Pathfinder personnel cleared the objective, prior to scene examination. No enemy forces were present, nor were any other persons located at the scene for possible canvass interviews. The shooting scene, as described by witnesses, was confirmed to be north of the house. Due to refueling issues with the support aircraft and the combat environment, the examination was limited in scope and duration.

N = North, S = South, E = East, W = West, E/E = Entry/Exit. All measurements are approximate.

**Characteristics of the Scene:** The crime scene consisted of a single tan in color, mud and brick type construction building, with dirt floors, primarily occupied as a Local National dwelling. The dimensions of the house were 38'4" long x 27'9" wide. There were four rooms located within the house and a fifth room, which could be entered from the outside. The main E/E was located in the approximate center of the N wall and was unsecured at the time of the examination. The main E/E opened to the main room of the house, which stretched the width of the house. There was a single window located in the approximate center of the S wall. Adjacent to the S wall was a box and a cooler. There was a single room, suspected to have been used as a washroom, located directly to the W of the main room, adjacent the N wall of the house. Directly to the S of the washroom was another room (Room 2), which could be accessed from an E/E on the W wall of the main room. There was a single window in the approximate center of the S wall of room 2, with a table located adjacent the SE corner of the room. To the E of the main room, and adjacent the N wall of the house was another room (Room 1). There was a locker located in the SE corner of the room. Directly S of room 1 was a fifth room (outside room), which had a single E/E located on the SE corner of the house, and facing E. There was a window in the approximate center of the outside room.

**Conditions of the Scene:** The scene consisted of the house and an area surrounding the house, which was a sand and dirt surface, with intermittent vegetation. A slight raised berm was to the north of the scene, which the detainees would have been running toward as described by the witnesses. The entire scene was covered with dirt and dust. There were minimal items within the home, which did not appear to have been occupied recently, as there were no personal hygiene or food items present. There were no unusual odors present at the scene. The building appeared to have been occupied at one time, but there were no signs of recent occupation. The E window on the S wall of the house, located in the outside room, contained two cylindrical holes, which appeared to have been caused by a projectile traveling from the outside to the inside. The top hole was 2'2" from the window sill and 2'7" from the NE corner of the window. The bottom hole was 1'4" from the window sill and 2'3" from the NE corner of the window. There were no unusual odors present, and there was no artificial lighting within the house.

TYPED AGENT'S NAME AND SEQUENCE NUMBER	ORGANIZATION
SA (b)(6), (b)(7)(C), (b)(7)(F)	10 <sup>th</sup> MP Bn (CID) (FWD), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station: Ft Bragg, NC)
(b)(6), (b)(7)(C)	DATE
	21 Jul 06
	EXHIBIT
	260

CID FORM 94 ~~FOR OFFICIAL USE ONLY~~ LAW ENFORCEMENT SENSITIVE

ACLU DDII CID ROIS 35094

001283

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0086-06-CID469-75447

PAGE 2 OF 2 PAGES

DETAILS

**Factors Pertinent to Entry/Exit:** The scene could be accessed on foot from all directions. The house had a main E/E located in the north wall through which the rest of the house could be accessed. An exterior doorway was located in the east wall, adjacent to the southeast corner, which led to a single room, inaccessible by other means. There were no apparent signs of forced entry.

**Environmental Conditions:** At the time of the death scene examination the outside temperature was approximately 115 degrees Fahrenheit and the interior temperature of the death scene was also 115 degrees Fahrenheit. The ground adjacent to the house was dry and there had been no precipitation in the previous weeks.

**Search of the scene:** A Search of the scene produced the following items of evidentiary value. There were 20 expended 5.56mm shell casings located 22'6" from the NE corner of the house and 38'6" from the NW corner. Near the shell casings were two separate partial zip-ties. One was located 23'7" from the NE corner of the house and 39'8" from the NW corner. The other was located 26'8" from the NE corner and 42'0" from the NW corner of the house. There was also a group of five similar shell casings located 29' S of the approximate center of the S wall of the house. Located 21'3" from the NE corner of the house was a single shell casing, which was 4" from a soiled portion of a t-shirt, which was 5 1/2" from a pill container. Single shell casings were also located 13'4" from the NE corner of the house and 22'6" from the SE corner; 9'6" from the SE corner of the house; and 14'8" from the SE corner and 45'2" from the SW corner of the house. There was also an unused zip-tie located in the outside room, 2'3" from the SE corner; and another partial zip-tie located 23'5" from the SE corner of the house.

**Scene Documentation:** Scene Documentation: SA (b)(6), (b)(7)(C) prepared crime scene sketches and exposed photographs of the scene. SA (b)(6), (b)(7)(C) exposed a video tape of the scene. (See Crime Scene Sketches and photographic packet for details).

**Collection of Evidence:** The following items of evidence were collected by SA (b)(6), (b)(7)(C) on a DA Form 4137, Evidence/Property Custody Document, Document Number 0677/06. 30 expended 5.56mm shell casings, three partial zip-ties, one partial shirt, one medicine container, and one whole zip-tie. SA (b)(6), (b)(7)(C) attempted to remove the window containing the suspected bullet hole, however it was not possible to remove it without causing additional damage, and it appeared that further efforts would destroy the window completely.

**Search beyond the scene:** A search beyond the immediate curtilage of the building disclosed no items of evidentiary value. ///LAST ENTRY///

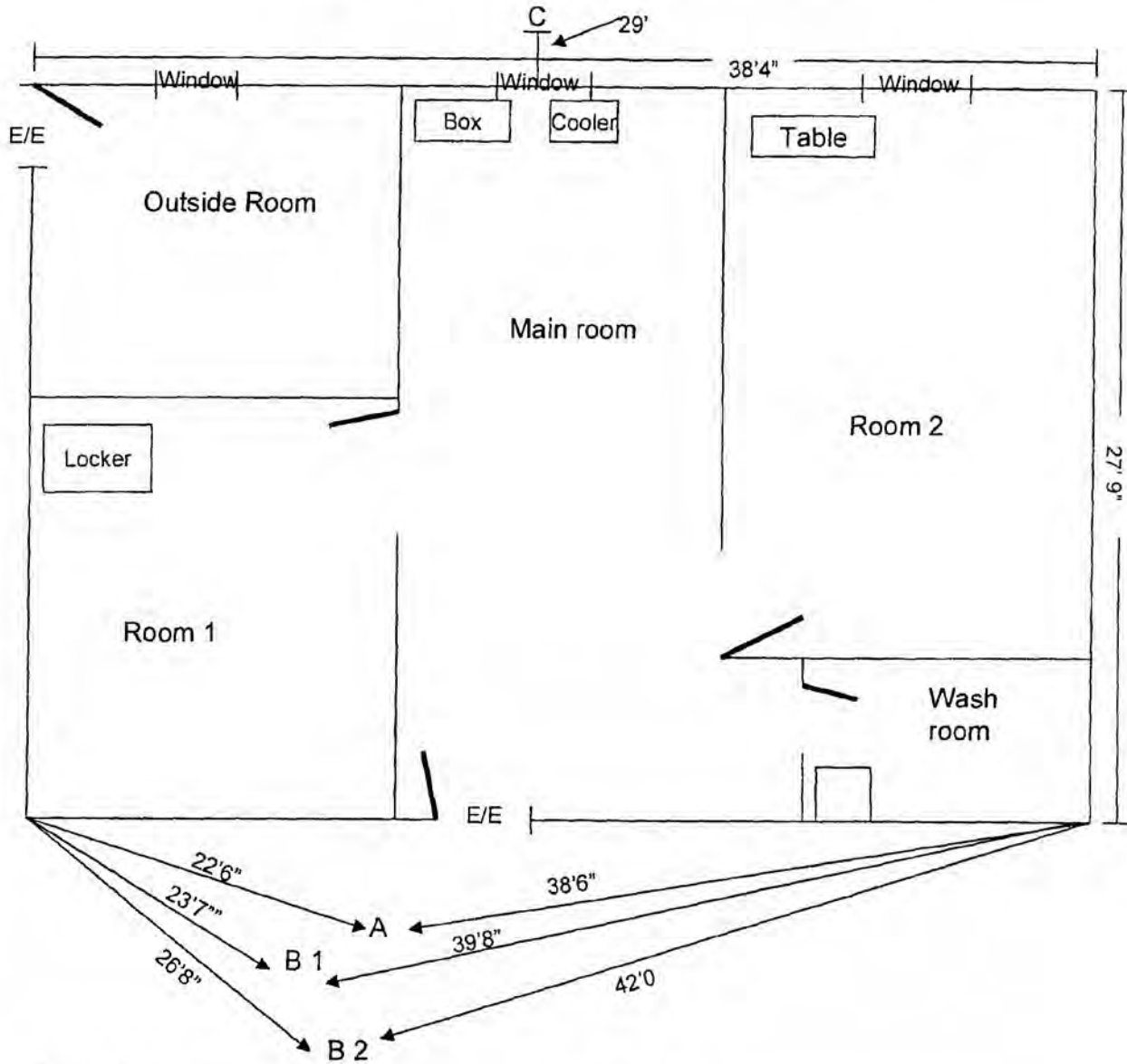
TYPED AGENT'S NAME AND SEQUENCE NUMBER	ORGANIZATION
SA (b)(6), (b)(7)(C), (b)(7)(F)	10 <sup>th</sup> MP Bn (CID) (FWD), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station: Ft Bragg, NC)
(b)(6), (b)(7)(C)	DATE
	21 Jul 06
	EXHIBIT
	260

CID FORM 94 F-1 (OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE)

ACLU DDJ CID ROIS 35095

001284

### Rough Sketch Depicting the Crime Scene



**Legend**

- A. 20 Casings
- B. Partial Zip ties
- C. 5 Casings

**Title Block**

Case Number: 0086-06-CID469-75447  
 Offense: Murder  
 Scene Portrayed: Location where detainees were captured / killed  
 Location: House at MGRS 38S LC 86937 44505  
 Victims: Mr. HAMID GUMAR, Mr. HAMID, Mr. HAMID AL-JEMI, Mr. KOMAR-ABDULLAH  
 Time/Date Sketched: 0845 / 21 Jul 06  
 Sketched by: SA (b)(6), (b)(7)(C)  
 Verified by: SA (b)(6), (b)(7)(C)



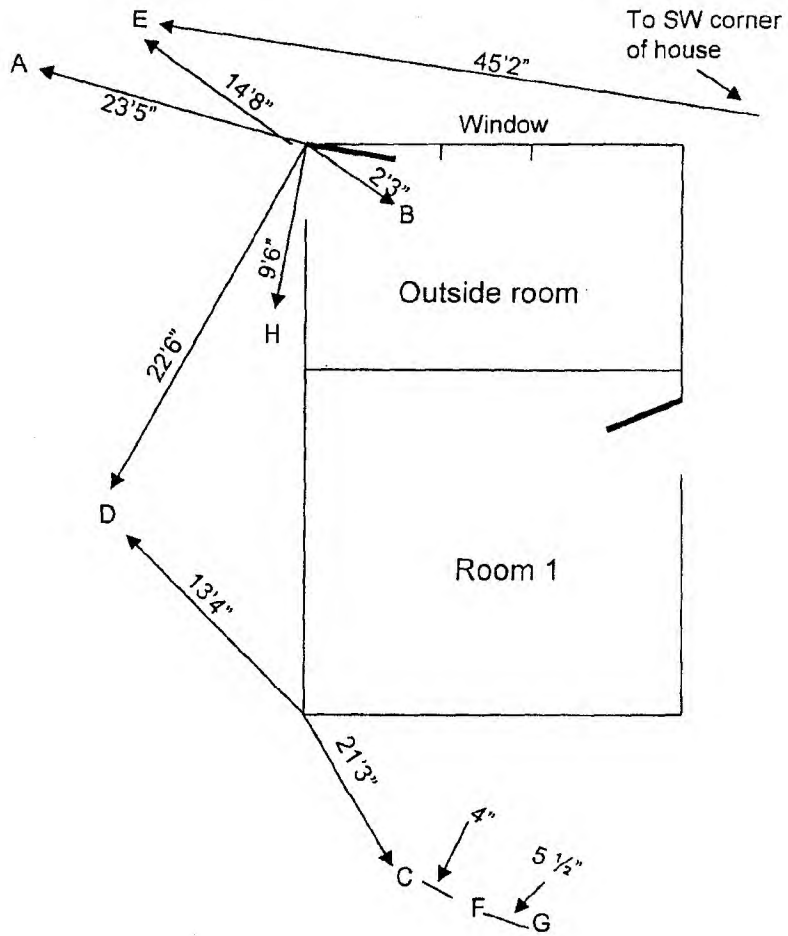
Not to scale

~~For Official Use Only - Law Enforcement Sensitive~~

Exhibit 261-1

ACLU DDII CID ROIS 35096

Rough Sketch Depicting East Portion of Crime Scene



**Legend**

- A. Zip-tie
- B. Zip-tie
- C. Single shell casing
- D. Single shell casing
- E. Single shell casing
- F. Shirt
- G. Pill container
- H. Shell casing

N



Not to scale

**Title Block**

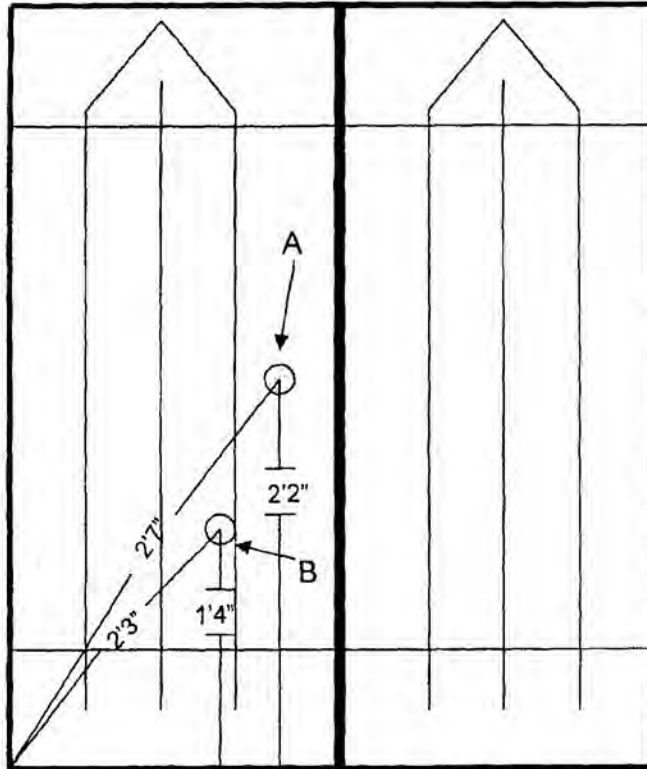
Case Number: 0086-06-CID469-75447  
 Offense: Murder  
 Scene Portrayed: East section of house  
 Location: House at MGRS 38S LC 86937 44505  
 Victims: Mr. HAMID GUMAR, Mr. HAMID, Mr. HAMID AL-JEMI, Mr. KOMAR-ABDULLAH  
 Time/Date Sketched: 0845 / 21 Jul 06  
 Sketched by: SA (b)(6), (b)(7)(C)  
 Verified by: SA (b)(6), (b)(7)(C)

~~For Official Use Only - Law Enforcement Sensitive~~

Exhibit 261-2

ACLU DDII CID ROIS 35097

Rough Cross Projection Sketch Depicting Outside View of Window



**Legend**

- A. Bullet Hole 1
- B. Bullet Hole 2

N



Not to scale

**Title Block**

Case Number: 0086-06-CID469-75447

Offense: Murder

Scene Portrayed: East window on South wall of house

Location: House at MGRS 38S LC 86937 44505

Victims: Mr. HAMID GUMAR, Mr. HAMID, Mr. HAMID AL-JEMI, Mr. KOMAR-ABDULLAH

Time/Date Sketched: 0845 / 21 Jul 06

Sketched by: SA (b)(6), (b)(7)(C)

Verified by: SA (b)(6), (b)(7)(C)

~~For Official Use Only - Law Enforcement Sensitive~~

Exhibit 261-3

ACLU DDII CID ROIS 35098

0086-06-CID469-75447



## PHOTOGRAPHIC PACKET



1. **DSCF0136:** Photograph depicting the entrance/ exit (E/E) on the south east corner of the objective leading into the outside room.
2. **DSCF0053:** Photograph depicting north west corner of outside room.
3. **DSCF0054:** Photograph depicting north east corner of outside room.
4. **DSCF0055:** Photograph depicting the western wall of the outside room.
5. **DSCF0056:** Photograph depicting the south west corner of the outside room.
6. **DSCF0057:** Photograph depicting the window in the south wall of the outside room.
7. **DSCF0059:** Photograph depicting the E/E to the outside room as viewed from inside the room.
8. **DSCF0117:** Photograph depicting a cut zip tie located behind the E/E door in the outside room, without scale.
9. **DSCF0119:** Photograph depicting a cut zip tie located behind the E/E door in the outside room, with scale.
10. **DSCF0051:** Photograph depicting a view of two bullet holes located in the window of the outside room; as viewed from outside the building.
11. **DSCF0124:** Photograph depicting a close up of a bullet hole located in the upper portion of the window, with scale.
12. **DSCF0125:** Photograph depicting a close up of a bullet hole located in the lower portion of the window, with scale.
13. **DSCF0126:** Photograph depicting a close up of the bullet hole located in the lower portion of the window, as viewed from a different angle, with scale.
14. **DSCF0092:** Photograph depicting a cut zip tie located outside, in front of the house, with scale.
15. **DSCF0109:** Photograph depicting a torn shirt located outside, in front of the house, with scale.
16. **DSCF0113:** Photograph depicting the torn shirt as seen from a different angle, with scale.

ACLU DDII CID ROIS 35099

001288

17. **DSCF0104:** Photograph depicting a 5.56mm casing located near the torn shirt, without scale.
18. **DSCF0106:** Photograph depicting a 5.56mm casing located near the torn shirt, with scale.
19. **DSCF0134:** Photograph depicting a zip tie located in front of the house, without scale.
20. **DSCF0135:** Photograph depicting a zip tie located in front of the house, with scale.

0086-06-CID469-75447



PHOTOGRAPHIC PACKET



21. **DSCF0138:** Photograph depicting a 5.56mm casing located on the eastern side of the house, without scale.
22. **DSCF0139:** Photograph depicting a 5.56mm casing located on the eastern side of the house, with scale.
23. **DSCF0142:** Photograph depicting a 5.56mm casing located on the southern side of the house, without scale.
24. **DSCF0143:** Photograph depicting a 5.56mm casing located on the southern side of the house, without scale.
25. **DSCF0147:** Photograph depicting a 5.56mm casing located on the southern side of the house, without scale.
26. **DSCF0149:** Photograph depicting a 5.56mm casing located on the southern side of the house, without scale.

ACLU DDII CID ROIS 35101

001290



0086-06-CID469-75447  
PHOTOGRAPHIC PACKET



DSCF0136

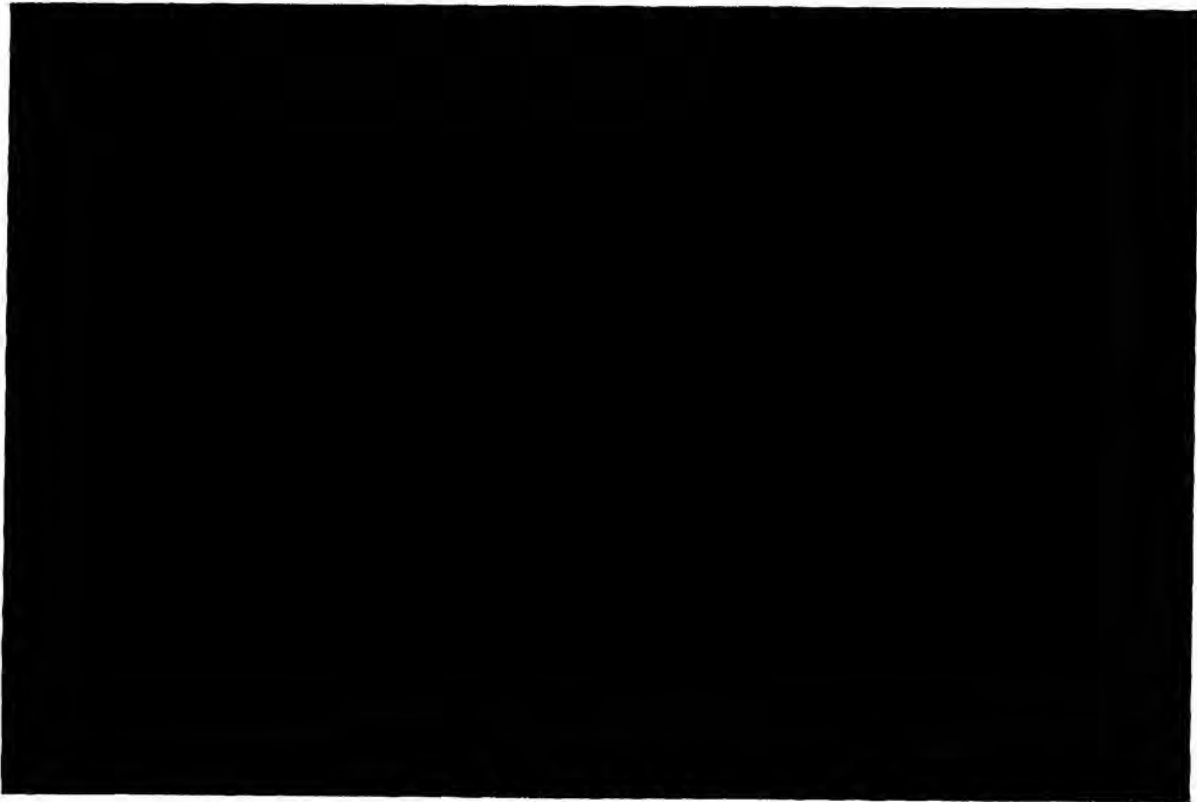
PHOTO 1

EXHIBIT 262

**ACLU DDII CID ROIS 35102**

001291

0086-06-CID469-75447  
PHOTOGRAPHIC PACKET



DSCF0053

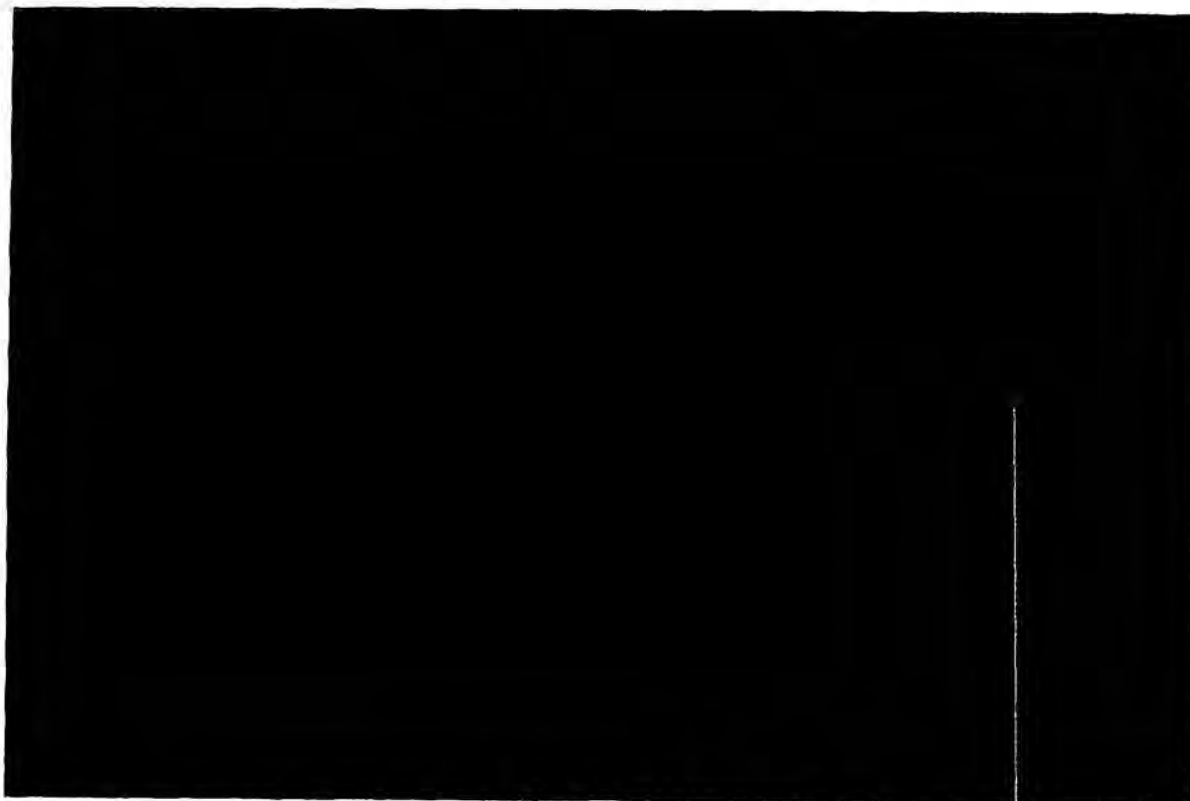
PHOTO 2

EXHIBIT 262

**ACLU DDII CID ROIS 35103**

001292

0086-06-CID469-75447  
PHOTOGRAPHIC PACKET



DSCF0054

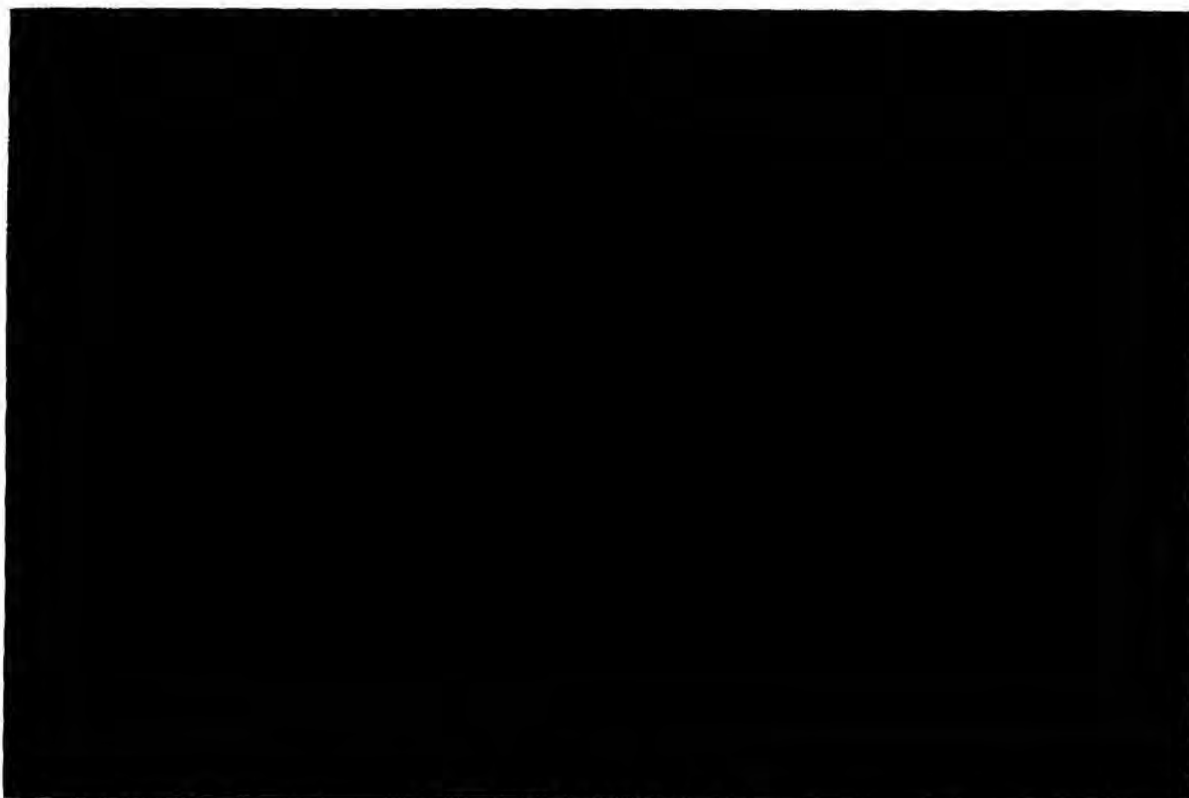
PHOTO 3

EXHIBIT 262

**ACLU DDII CID ROIS 35104**

001293

0086-06-CID469-75447  
PHOTOGRAPHIC PACKET



DSCF0055

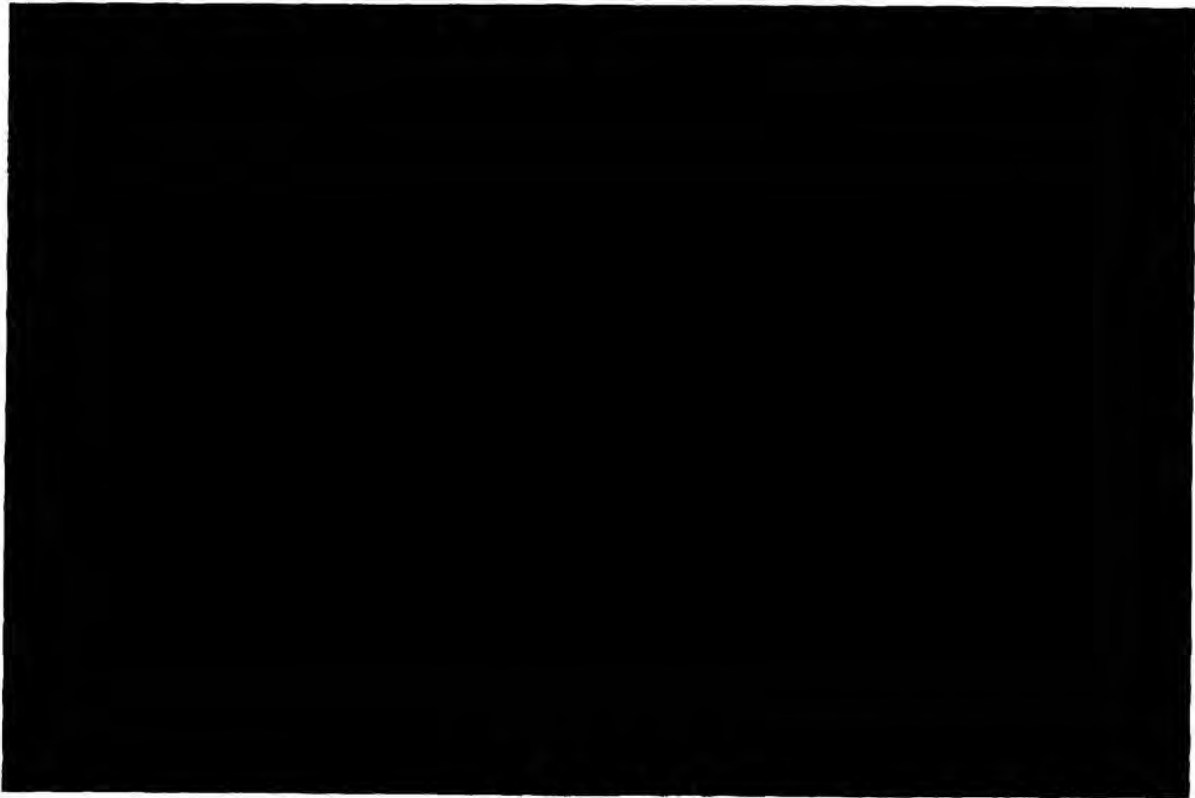
PHOTO 4

EXHIBIT 262

**ACLU DDII CID ROIS 35105**

001294

0086-06-CID469-75447  
PHOTOGRAPHIC PACKET



DSCF0056

PHOTO 5

EXHIBIT 262

ACLU DDII CID ROIS 35106

001295

0086-06-CID469-75447  
PHOTOGRAPHIC PACKET



DSCF0057

PHOTO 6

EXHIBIT 262

ACLU DDII CID ROIS 35107

001296

0086-06-CID469-75447  
PHOTOGRAPHIC PACKET



DSCF0059

PHOTO 7

EXHIBIT 262

**ACLU DDII CID ROIS 35108**

0086-06-CID469-75447  
PHOTOGRAPHIC PACKET



DSCF0117

PHOTO 8

EXHIBIT 262

**ACLU DDII CID ROIS 35109**

001298



0086-06-CID469-75447  
PHOTOGRAPHIC PACKET



DSCF0119

PHOTO 9

EXHIBIT 263

ACLU DDII CID ROIS 35110

001299

0086-06-CID469-75447  
PHOTOGRAPHIC PACKET



DSCF0051

PHOTO 10

EXHIBIT 263

**ACLU DDII CID ROIS 35111**

001300

0086-06-CID469-75447  
PHOTOGRAPHIC PACKET



DSCF0124

PHOTO 11

EXHIBIT 263

ACLU DDII CID ROIS 35112

0086-06-CID469-75447  
PHOTOGRAPHIC PACKET



DSCF0125

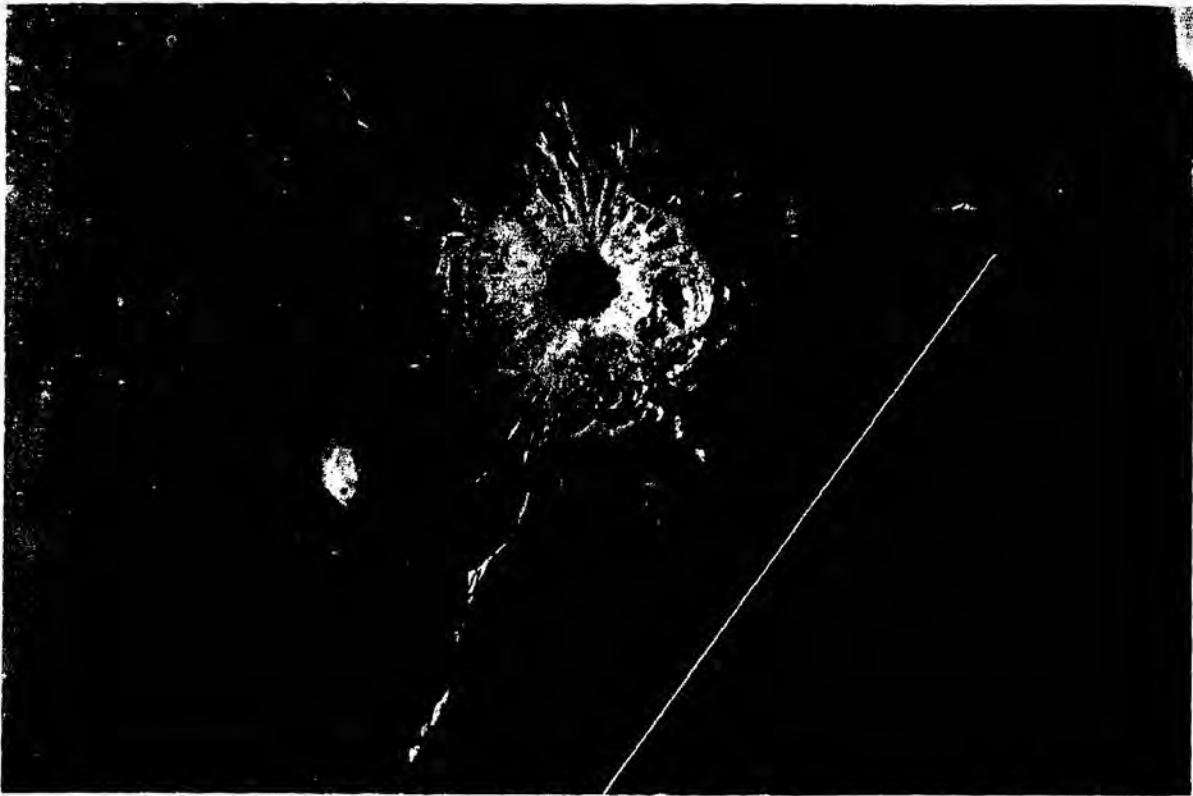
PHOTO 12

EXHIBIT 262

**ACLU DDII CID ROIS 35113**

001302

0086-06-CID469-75447  
PHOTOGRAPHIC PACKET



DSCF0126

PHOTO 13

EXHIBIT 263

ACLU DDII CID ROIS 35114

001303

0086-06-CID469-75447  
PHOTOGRAPHIC PACKET



DSCF0092

PHOTO 14

EXHIBIT 262

**ACLU DDII CID ROIS 35115**

001304

0086-06-CID469-75447  
PHOTOGRAPHIC PACKET



DSCF0109

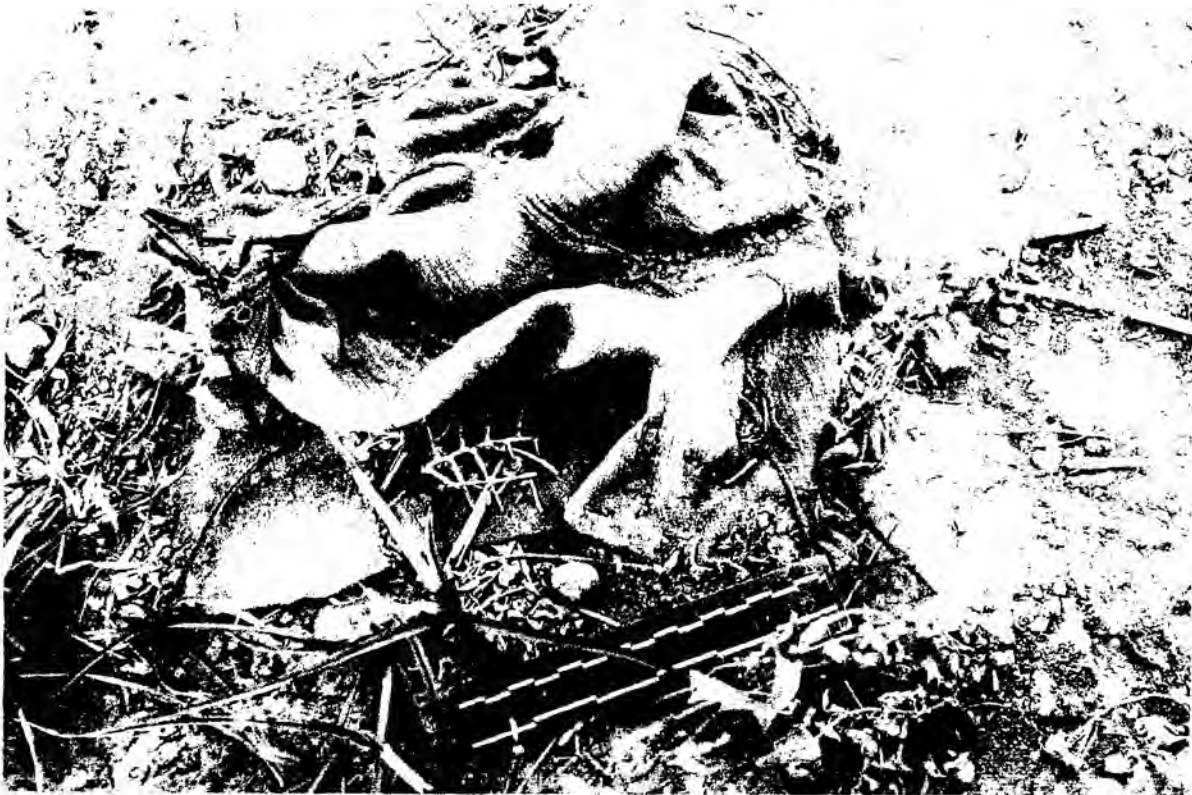
PHOTO 15

EXHIBIT 263

**ACLU DDII CID ROIS 35116**

001305

0086-06-CID469-75447  
PHOTOGRAPHIC PACKET



DSCF0113

PHOTO 16

EXHIBIT 262

**ACLU DDII CID ROIS 35117**

001306



0086-06-CID469-75447  
PHOTOGRAPHIC PACKET



DSCF0104

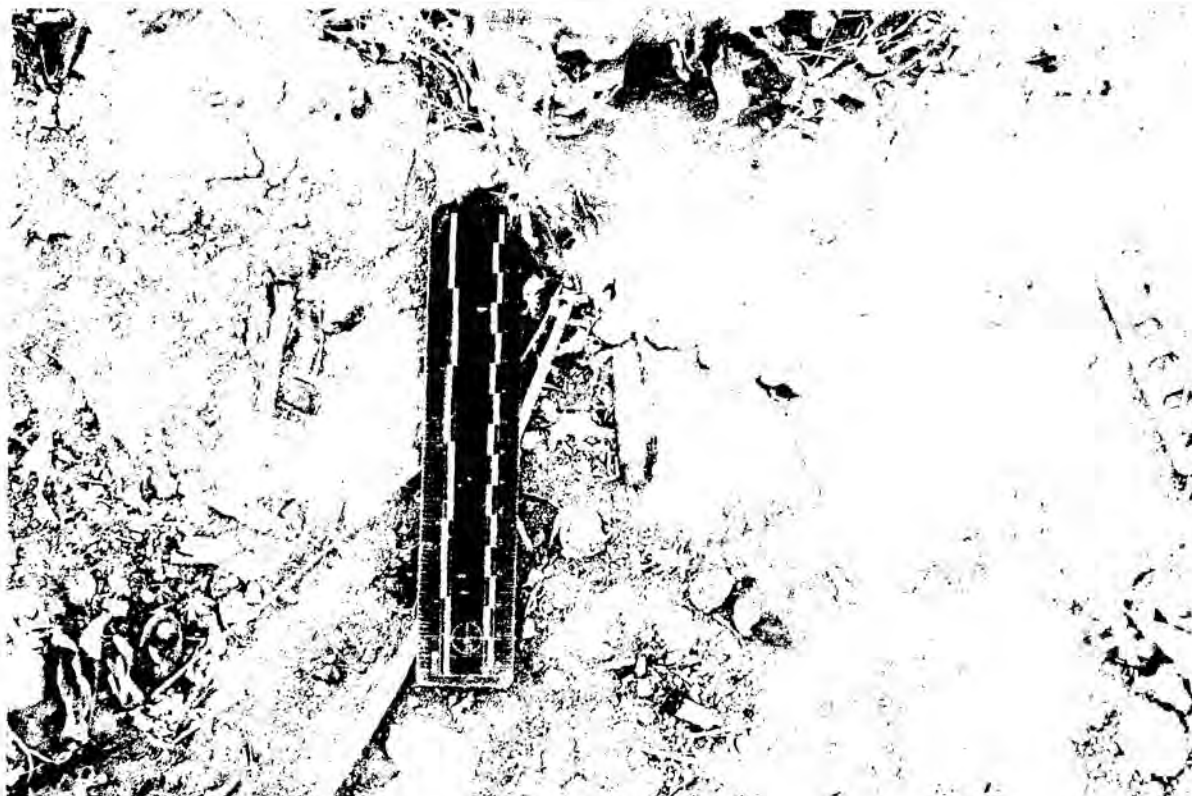
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EXHIBIT 268

**ACLU DDII CID ROIS 35118**

001307

0086-06-CID469-75447  
PHOTOGRAPHIC PACKET



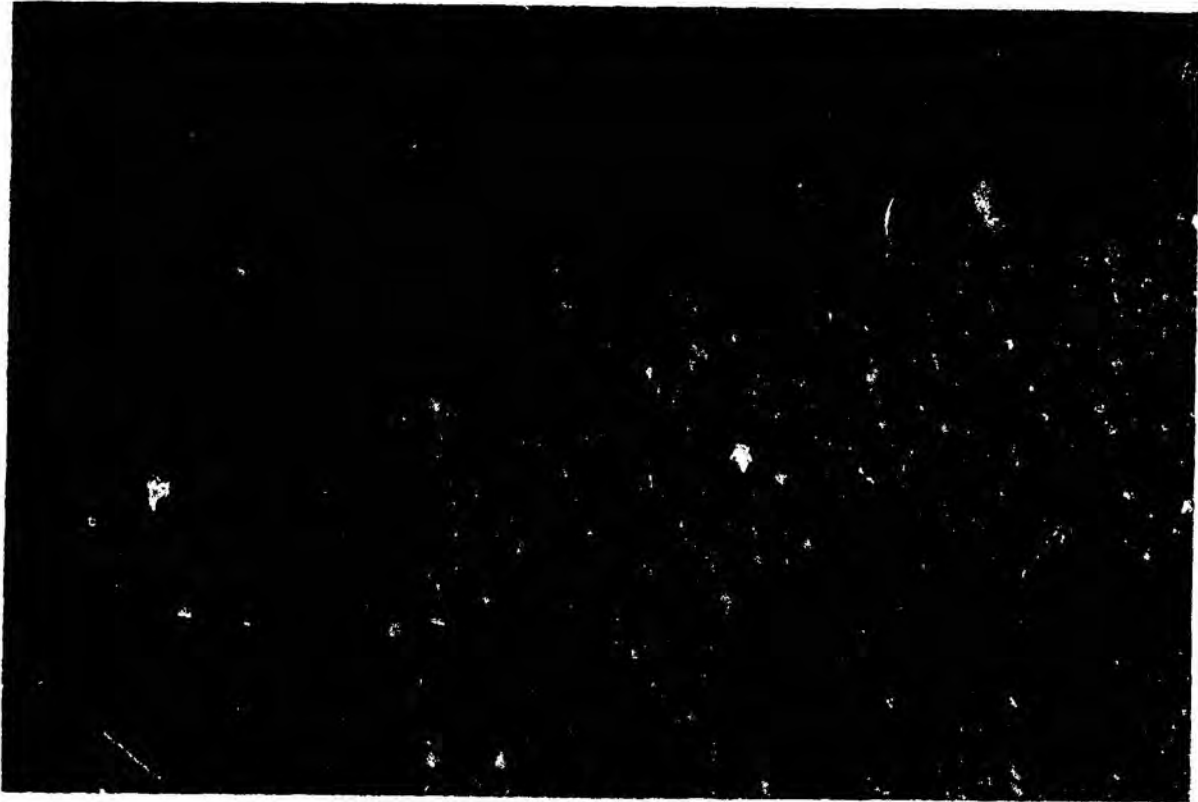
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PHOTO 18

EXHIBIT 262

**ACLU DDII CID ROIS 35119**

0086-06-CID469-75447  
PHOTOGRAPHIC PACKET



DSCF0134

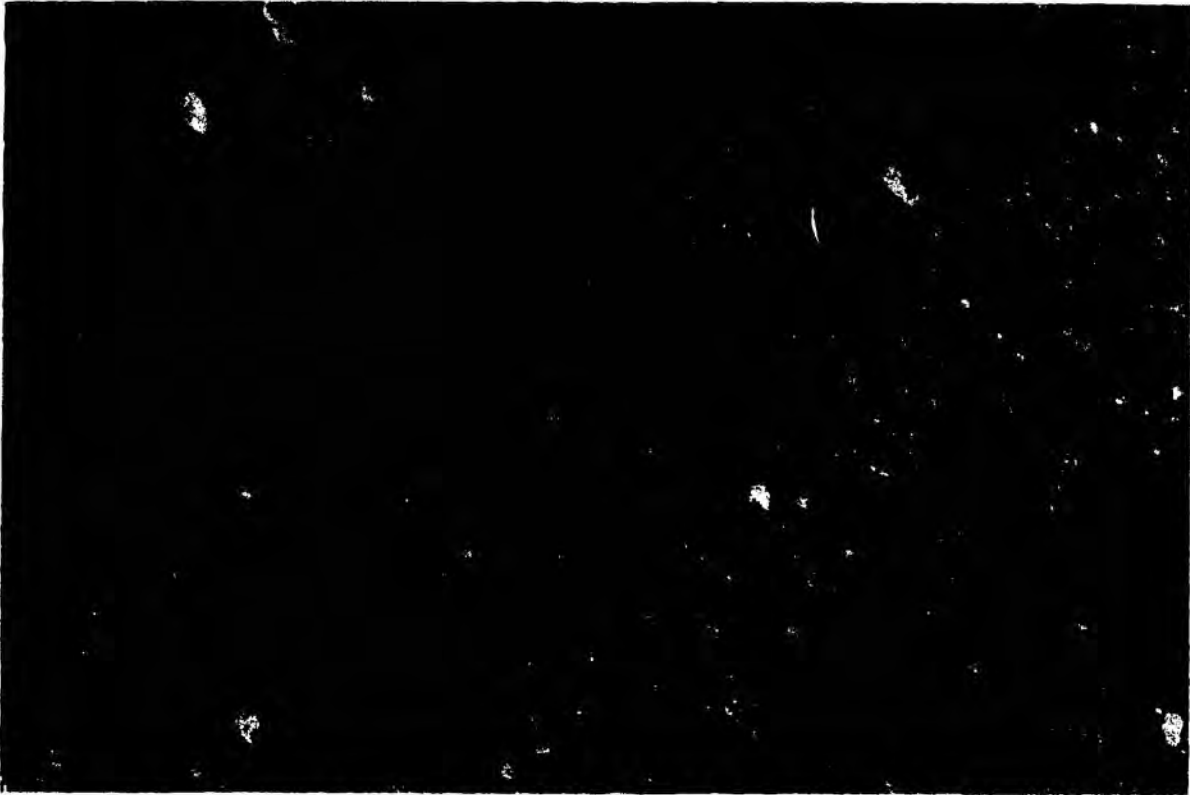
PHOTO 19

EXHIBIT 263

**ACLU DDII CID ROIS 35120**

001309

0086-06-CID469-75447  
PHOTOGRAPHIC PACKET



DSCF0135

PHOTO 20

EXHIBIT 263

ACLU DDII CID ROIS 35121

001310

0086-06-CID469-75447  
PHOTOGRAPHIC PACKET



DSCF0138

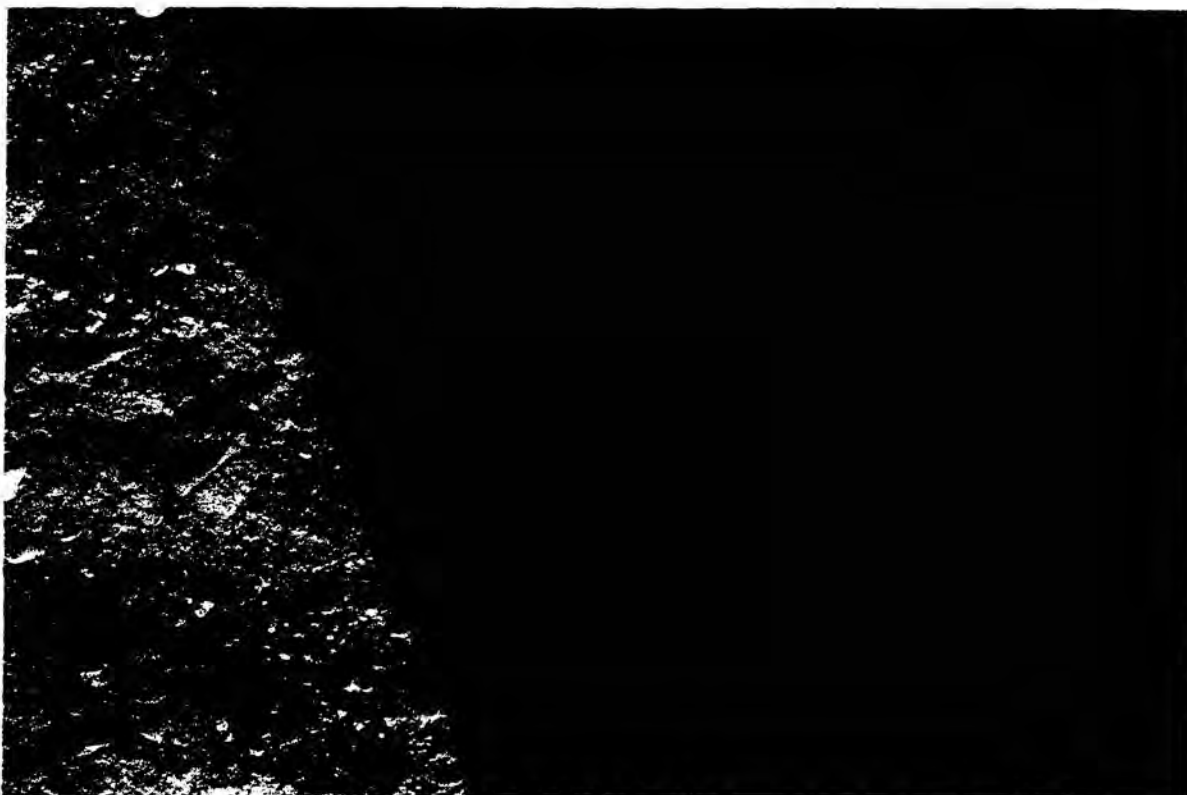
PHOTO 21

EXHIBIT 262

**ACLU DDII CID ROIS 35122**

001311

0086-06-CID469-75447  
PHOTOGRAPHIC PACKET



DSCF0139

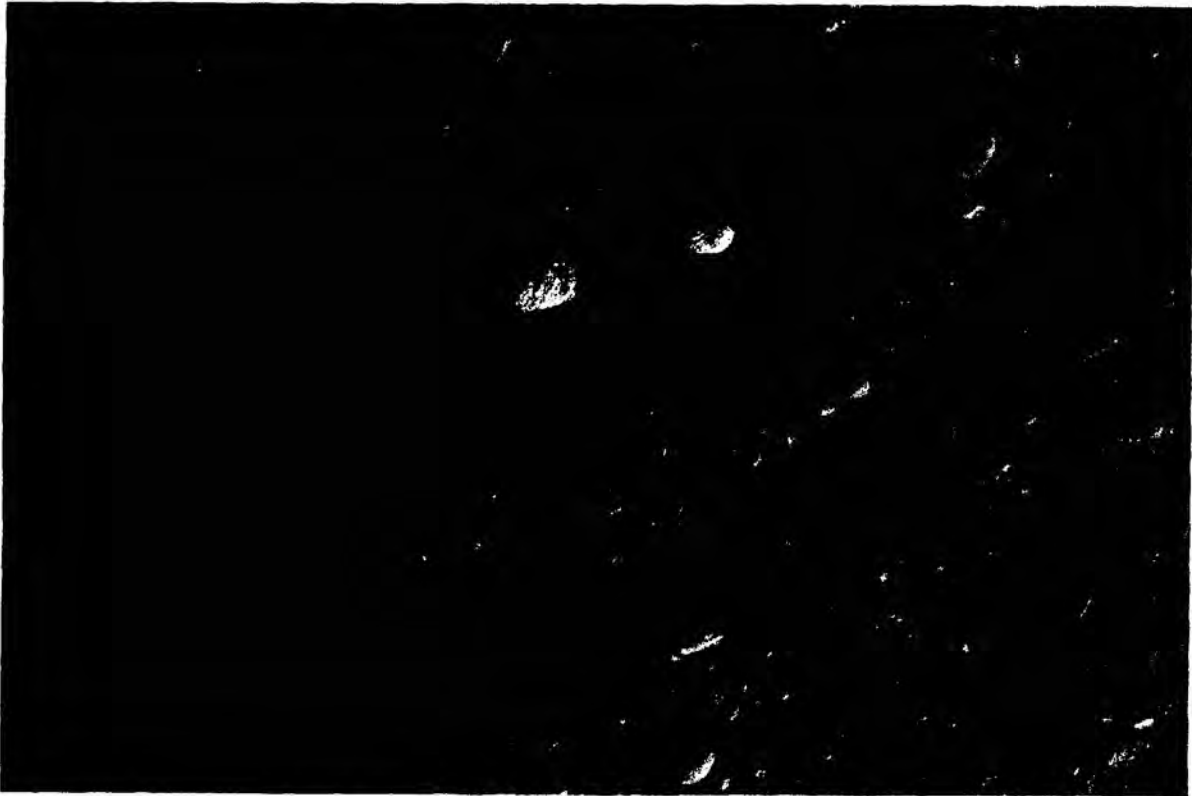
PHOTO 22

EXHIBIT 263

**ACLU DDII CID ROIS 35123**

001312

0086-06-CID469-75447  
PHOTOGRAPHIC PACKET



DSCF0142

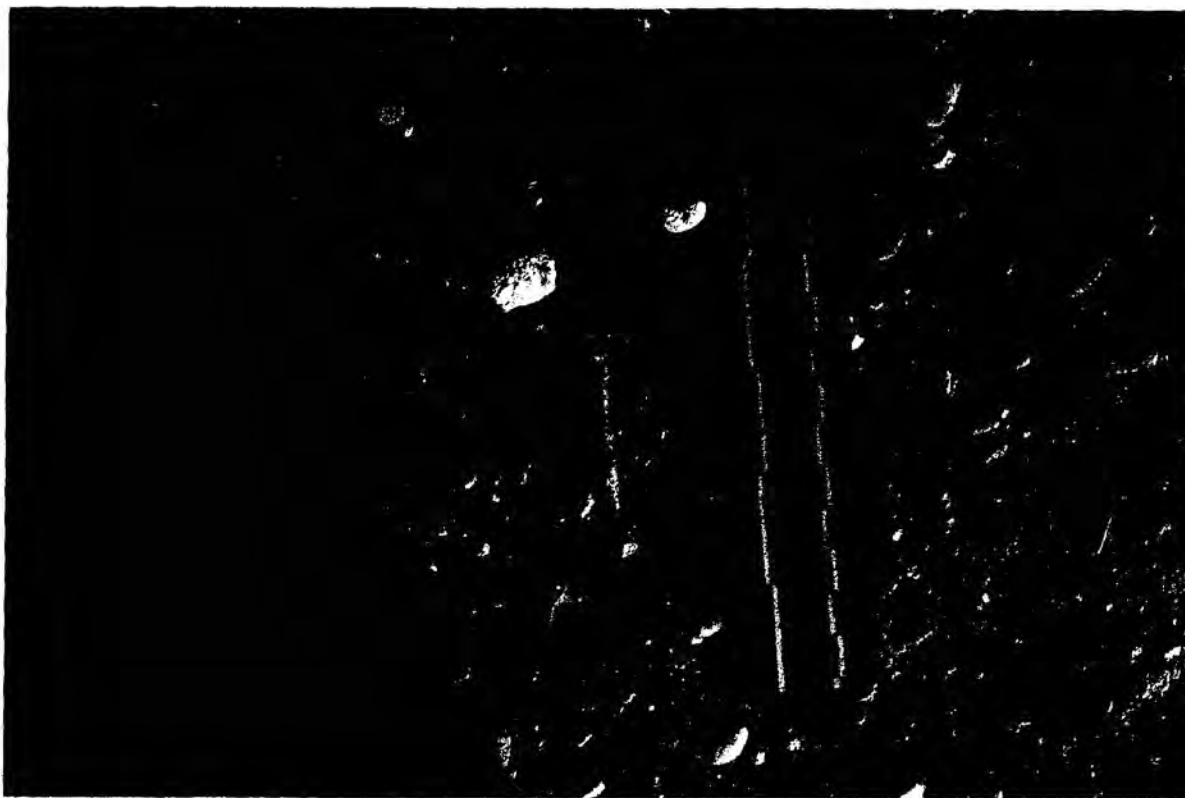
PHOTO 23

EXHIBIT 263

**ACLU DDII CID ROIS 35124**

001313

0086-06-CID469-75447  
PHOTOGRAPHIC PACKET



DSCF0143

PHOTO 24

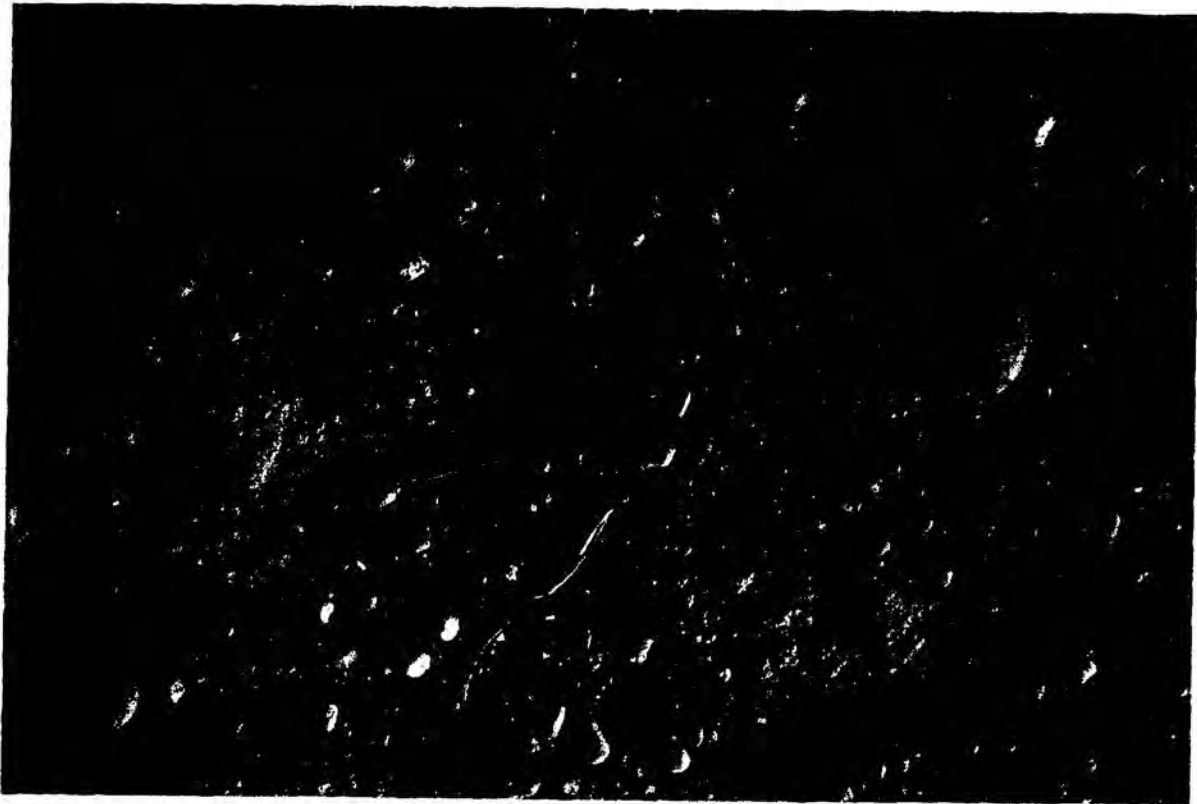
EXHIBIT 263

**ACLU DDII CID ROIS 35125**

001314



0086-06-CID469-75447  
PHOTOGRAPHIC PACKET



DSCF0147

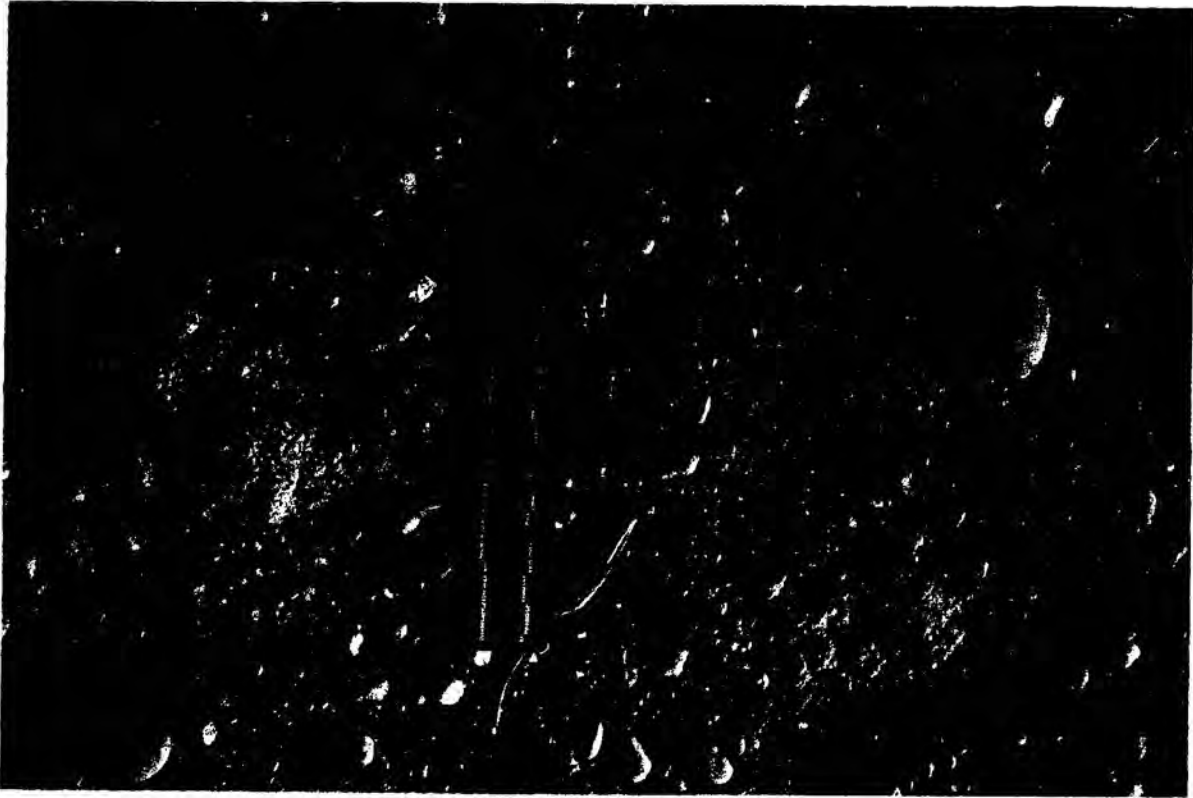
PHOTO 25

EXHIBIT 263

**ACLU DDII CID ROIS 35126**

001315

0086-06-CID469-75447  
PHOTOGRAPHIC PACKET



DSCF0149

PHOTO 26

EXHIBIT 263

**ACLU DDII CID ROIS 35127**

001316

<b>AGENT'S INVESTIGATION REPORT</b> <i>CID Regulation 195-1</i>	ROI NUMBER	0086-06-CID469-75447
	<b>0147-06-CID609</b>	
<b>PAGE 1 OF 1 PAGE</b>		

**DETAILS**

About 0901, 5 Aug 06, this office received a Category I (CAT I), Request for Assistance (RFA), (0086-06-CID469-75447), from the Contingency Operating Base (COB), CID, Tikrit, Iraq, requesting this office to coordinate with the Theatre Field Detention Facility (TFDF), and collect the Kevlar of SPC (b)(6), (b)(7)(C) as evidence.

About 1305, 5 Aug 06, SA (b)(6), (b)(7)(C) coordinated with TFDF, and spoke with USN Commander (b)(6), (b)(7)(C) TFDF, Camp Arifjan, Kuwait, APO AE 09366, who advised me that (b)(6), (b)(7)(C) Kevlar was never taken into custody by TFDF personnel. CDR (b)(6), (b)(7)(C) further advised that a MSG (b)(6), (b)(7)(C) (101<sup>st</sup> Airborne) (NFI), was the lead escort for (b)(6), (b)(7)(C) and that the Kevlar would have returned to Tikrit with him (b)(6), (b)(7)(C) //LAST ENTRY//

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6), (b)(7)(C), (b)(7)(F)		21 <sup>st</sup> Military Police Detachment	
S (b)(6), (b)(7)(C)		10 <sup>th</sup> Military Police Battalion, APO AE 09366	
		DATE	EXHIBIT
		5 Aug 06	263

*encl 1*

PRISONER'S PERSONAL PROPERTY LIST - PERSONAL DEPOSIT FUND

For use of this form, see AR 210-174; the proponent agency is USAFAC.

DATE

20 June 2006

DATA REQUIRED BY THE PRIVACY ACT OF 1974

AUTHORITY: Title 10, USC, Sec 3012.

PRINCIPAL PURPOSE: To verify information given on the personal property list.

ROUTINE USE: Information is used to verify disposition of personal property.

DISCLOSURE & EFFECT: Voluntary. If information is not provided, request cannot be completed.

NAME (Last, First, Middle Initial)

(b)(6), (b)(7)(C)

REGISTER OR SOCIAL SECURITY NUMBER

(b)(6), (b)(7)(C)

DESCRIPTION OF PROPERTY	QUANTITY RECEIVED	DISPOSITION				
		SHIPPED	DESTROYED	PRISONER'S POSSESSION	STORED	
					CONTAINER VALUABLES	SUPPLY ROOM
2 Black Nylon Belts	2					
2 Doc Tabs on Prisoner	2					
1 Rank TAB E-4	1					
1 Paper Protective Glasses	X			(b)(6), (b)(7)(C)		
WZ74 CASE + EXTRA LENSES	1					
1 Times Dotted watch	1					
1 American Flag 22 Patch	1			(b)(6), (b)(7)(C)		
3 Photo Cards	3					
1 Blank white metal Doc Tab	1					
1 Black Pen	1					
1 Paper Black Sunglasses WZ74	1					
Hand case	1					
1 Paper Shaver Lines	1					
PRISONER'S INITIALS	(b)(6), (b)(7)(C)					
CUSTODIAN'S INITIALS	C					
WITNESS' INITIALS						

RECEIPT IS ACKNOWLEDGED OF THE PROPERTY LISTED AS RECEIVED:

SIGNATURE OF (b)(6), (b)(7)(C)

SIGNATURE OF WITNESS

ALL PERSONAL PROPERTY IN MY POSSESSION AT TIME OF CONFINEMENT IS LISTED ABOVE AND I AUTHORIZE DISPOSITION AS INDICATED.

ORGANIZATION OF WITNESS

(b)(6), (b)(7)(C)

Camp Arifjan TDFD

REQUEST PROPERTY LISTED AS "SHIPPED" BE FORWARDED (Check one)  COD  Prepaid) TO ADDRESSEE BELOW:

NAME

ADDRESS

Property Listed in Column "SHIPPED" was forwarded on:

Property Listed in Column "DESTROYED" was destroyed on:

DATE

SIGNATURE OF CUSTODIAN

DATE

SIGNATURE OF CUSTODIAN

RECEIPT FROM PRISONER (To be completed upon final disposition of prisoner)

ALL OF THE PROPERTY HELD IN SAFEKEEPING FOR ME HAS BEEN RETURNED THIS DATE AND I RELIEVE THE CUSTODIAN OF ANY FURTHER RESPONSIBILITY.

DATE

SIGNATURE OF PRISONER

(See Instructions for Additions)

FOR OFFICIAL USE ONLY DDII CID ROIS 35129

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0129-06-CID146-RFA / 0086-06-CID469-75447

PAGE 1 OF 1 PAGES

## DETAILS

About 1030, 9 Aug 06, SA **(b)(6), (b)(7)(C), (b)(7)(F)** this office coordinated this investigation with Mr. **(b)(6), (b)(7)(C)** Special Assistant United States Attorney Central District of California and reviewed and made corrections to the My Space Warrants.

AGENTS COMMENT: The My Space Warrants were not completed before 1600 on the 9<sup>th</sup> therefore they were not stamped with a docket number from the records department. The Judge would not sign the Warrants without a Docket number resulting in the Warrants being signed on the 10<sup>th</sup>.

At 1000, 10 Aug 06, SA **(b)(6), (b)(7)(C)** delivered the completed My Space Warrants to the Records Department of the Los Angeles court house to be assigned a docket number.

At 1115, 10 Aug 06, SA **(b)(6), (b)(7)(C)** met with the Honorable Judge **(b)(6), (b)(7)(C)** and discussed the My Space Warrants and had them signed.

About 1245, 14 Aug 06, SA **(b)(6), (b)(7)(C)** coordinated this investigation with Mrs. **(b)(6), (b)(7)(C)** (NFI), My Space Subpoena Complaints Department, who related that there was no need to serve the Warrant in person that they have warrants served to them VIA email all the time. Scanned the Warrants and emailed them to My Space to obtain the requested information.///LAST ITEM///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA **(b)(6), (b)(7)(C), (b)(7)(F)**

ORGANIZATION

FORT IRWIN RESIDENT AGENCY (CID),  
FORT IRWIN, CA 92310

SIC **(b)(6), (b)(7)(C)**

DATE

14 Aug 06

EXHIBIT

265

CID FORM 94  
1 FEB 77

FOR OFFICIAL USE ONLY

ACLU DDII CID ROIS 35130

001319

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0129-06-CID146/0086-06-CID469-75447

PAGE 1 OF 1 PAGES

DETAILS

About 0915, 23 Aug 06, SA (b)(6),(b)(7)(C),(b)(7)(F) this office, coordinated with Ms (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Legal Compliance Division, MySpace.com, 407 Maple Dr, Beverly Hills, CA 90210 (BHCA) who provided a compact disc which contained the MySpace.com records as outlined in the search warrant. (See Compact Disc for details)///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6),(b)(7)(C),(b)(7)(F)

ORGANIZATION

FORT IRWIN RESIDENT AGENCY (CID),  
FORT IRWIN, CA 92310

(b)(6), (b)(7)(C)

DATE

23 AUG 06

EXHIBIT

267

CID FORM 94  
1 FEB 77

~~FOR OFFICIAL USE ONLY~~

**ACLU DDII CID ROIS 35285**

001473

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0129-06-CID146/0086-06-CID469-75447

PAGE 1 OF 1 PAGES

## DETAILS

About 0915, 23 Aug 06, SA **(b)(6), (b)(7)(C), (b)(7)(F)** this office, coordinated with Ms. **(b)(6), (b)(7)(C)** **(b)(6), (b)(7)(C)** Legal Compliance Division, MySpace.com, 407 Maple Dr, Beverly Hills, CA 90210 (BHCA) who provided a compact disc which contained the MySpace.com records as outlined in the search warrant. (See Compact Disc for details)///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA **(b)(6), (b)(7)(C), (b)(7)(F)**

ORGANIZATION

FORT IRWIN RESIDENT AGENCY (CID),  
FORT IRWIN, CA 92310

SIGNATURE

**(b)(6), (b)(7)(C)**

DATE

23 AUG 06

EXHIBIT

267

CID FORM 94  
1 FEB 77

~~FOR OFFICIAL USE ONLY~~

ACLU DDII CID ROIS 35286

001474

0086-06-CID469-75447

AGENT'S INVESTIGATIVE REPORT CID Regulation 195-1	ROI NUMBER 0163-06-CID609
	PAGE 1 OF 1 PAGES

DETAILS:

**BASIS FOR INVESTIGATION:** About 0945, 05 Sep 06, this office received a Request for Assistance (RFA) from the 31<sup>st</sup> Military Police (MP) Detachment (CID), Tikrit, Iraq, APO AE 09393, requesting that any personnel who were also in pre-trial confinement with PFC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) all of C Company (Co.), 3/187<sup>th</sup> Infantry Regiment, Forward Operating Base (FOB) Brassfield-Mora, Samara, Iraq, APO AE 09349 (FBM), be interviewed.

About 1335, SA (b)(6), (b)(7)(C) coordinated with CDR (b)(6), (b)(7)(C) Theater Field Detention Facility (TFDF), Camp Arifjan, Kuwait, APO AE 09366 (CAKU), who related that all three individuals had been kept separated from each other and other detainees. CDR (b)(6), (b)(7)(C) related that prior to the Article 32 hearing, on 07 Jul 06, the attorneys (CPT (b)(6), (b)(7)(C) NFI) for (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) "pulled a fast one" and went to the TFDF claiming authority had been granted for all four individuals to meet together. They were together for approximately 2.5 - 3 hours and left before CDR (b)(6), (b)(7)(C) was aware of the meeting. CDR (b)(6), (b)(7)(C) informed MAJ (b)(6), (b)(7)(C) Office of the Staff Judge Advocate (SJA), Combined Forces Land Coalition Command (CFLCC), CAKU, of the infraction and there after made sure the soldiers were not in contact with either anyone else or with each other and had no opportunity to communicate with each other. The soldiers were monitored 24 hours to reinforce the order.

Between 13 - 20 Sep 06, SA (b)(6), (b)(7)(C) conducted canvass interviews of the guard personnel working at the TFDF, CAKU. Besides personal observations of (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) the TFDF, CAKU guards had no relevant information. (See Canvass Interview Worksheets for details.)///Last Entry///

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F)	ORGANIZATION 21st Military Police Detachment (CID), Camp Arifjan, Kuwait, APO AE 09366	
SIGNATURE (b)(6), (b)(7)(C)	DATE 17 Sep 06	EXHIBIT 269

CI

ACLU DDII CID ROIS 35287



**CANVASS INTERVIEW WORKSHEET**

Conducted By: SA (b)(6), (b)(7)(C)

Date Name: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C) Rank: CPO/E7  
13 Sep Unit Address: Confinement Det. Bravo Camp Arifjan, KU APO AE 09366  
Residence Address: PCB 1113, Zone 6 Camp Arifjan, KU APO AE 09366  
Time Service/Family Member Home# Work # 430-7260  
1420 Remarks: Rcvd orders from 101st via CDR to keep detainees separated. There is a standing order not to interact w/detainees regarding why they're here (b)(6), (b)(7)(C) were model prisoners (b)(6), (b)(7)(C) was written up for disrespecting a guard (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) telephonically testified in the Art 32 on what happened.

Date Name: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C) Rank: MA2/E5  
13 Sep Unit Address: Confinement Det. Bravo Camp Arifjan, KU APO AE 09366  
Residence Address: PCB 1113, Zone 6 Camp Arifjan, KU APO AE 09366  
Time Service/Family Member Home# Work # 430-7212  
1433 Remarks: Pulled guard duty on all three detainees (b)(6), (b)(7)(C) talked about books. (b)(6), (b)(7)(C) talked in general about Iraq (difference between medical facilities, buildings, etc.) when they escorted him from dentist/doctor. Had almost no interaction with (b)(6), (b)(7)(C) told them all he didn't want to know about why they were there and that he was an officer of the court and whatever they said, he'd have to report.

Date Name: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C) Rank: MA1 / E6  
13 Sep Unit Address: Confinement Det. Bravo Camp Arifjan, KU APO AE 09366  
Residence Address: PCB 1113, Zone 6 Camp Arifjan, KU APO AE 09366  
Time Service/Family Member Home# Work # x 7212  
1438 Remarks: Guard Shift CDR - Spent time with all 3. They were always separated from their showers to their rec. time (b)(6), (b)(7)(C) made statements (usually after using the phone with either attorney or mother) of "Charges were bullshit. I'm going to prove them wrong." (b)(6), (b)(7)(C) response was, "It's none of my business." He physically checked on them so he saw them almost every day.

Date Name: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C) Rank: MA1 / E6  
13 Sep Unit Address: Confinement Det. Bravo Camp Arifjan, KU APO AE 09366  
Residence Address: PCB 1113, Zone 6 Camp Arifjan, KU APO AE 09366  
Time Service/Family Member Home# Work # x7212  
1450 Remarks: When (b)(6), (b)(7)(C) got in he drew an 8 x 12 square w/smaller squares inside and he was walking around like he carrying an M-16 around the smaller squares. (b)(6), (b)(7)(C) asked him what he was doing and (b)(6), (b)(7)(C) said he was practicing for his defense. (b)(6), (b)(7)(C) said he didn't care and made him re-rake the ground so area was smooth again. On the way to the phone (b)(6), (b)(7)(C) would say, "I'm innocent." or "I'm suing the Army." (b)(6), (b)(7)(C) response was, "I don't want to hear it." (b)(6), (b)(7)(C) never mentioned anything.

### CANVASS INTERVIEW WORKSHEET

Conducted By: SA (b)(6), (b)(7)(C)

Date: \_\_\_\_\_ Name: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C) Rank: MA3 / E4  
 \_13 Sep Unit Address: \_\_\_\_\_ Confinement Det Bravo \_\_\_\_\_ Camp Arifjan, KU APO AE 09366  
 Residence Address: \_\_\_\_\_ PCB 1202, Zone 6 \_\_\_\_\_ Camp Arifjan, KU APO AE 09366  
 Time: \_\_\_\_\_ Service/Family Member Home# \_\_\_\_\_ Work # \_\_\_\_\_ x 7212  
 \_1500\_ Remarks: No real interaction with them. Thought \_\_\_\_\_ as an ass. He bragged to her about a book he had written telling his side of the story. She dismissed/never responded to what he said.

Date: \_\_\_\_\_ Name: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C) Rank: MA2 / E5  
 \_13 Sep Unit Address: \_\_\_\_\_ Confinement Det. Bravo \_\_\_\_\_ Camp Arifjan, KU APO AE 09366  
 Residence Address: \_\_\_\_\_ PCB 1113, Zone 6 \_\_\_\_\_ Camp Arifjan, KU APO AE 09366  
 Time: \_\_\_\_\_ Service/Family Member Home# \_\_\_\_\_ Work # \_\_\_\_\_ x7212  
 \_1513\_ Remarks: Dealt with them as far as showers/meals, etc. but other than that, no interaction.

Date: \_\_\_\_\_ Name: \_\_\_\_\_ SSN: \_\_\_\_\_ Rank: \_\_\_\_\_  
 \_\_\_\_\_ Unit Address: \_\_\_\_\_ Camp Arifjan, KU APO AE 09366  
 Residence Address: \_\_\_\_\_  
 Time: \_\_\_\_\_ Service/Family Member Home# \_\_\_\_\_ Work # \_\_\_\_\_  
 \_\_\_\_\_ Remarks: \_\_\_\_\_

Date: \_\_\_\_\_ Name: \_\_\_\_\_ SSN: \_\_\_\_\_ Rank: \_\_\_\_\_  
 \_\_\_\_\_ Unit Address: \_\_\_\_\_  
 Residence Address: \_\_\_\_\_  
 Time: \_\_\_\_\_ Service/Family Member Home# \_\_\_\_\_ Work # \_\_\_\_\_  
 \_\_\_\_\_ Remarks: \_\_\_\_\_

### CANVASS INTERVIEW WORKSHEET

Conducted By: SA (b)(6), (b)(7)(C)

Date Name: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C) Rank: MA1 / E6  
 13 Sep Unit Address: Confinement Det. Bravo Camp Arifjan, KU APO AE 09366  
 Residence Address: PCB 1113, Zone 6 Camp Arifjan, KU APO AE 09366  
 Time Service/Family Member Home# Work # 430-7212  
 2215 Remarks: Acting Guard CDR, was in charge of MWR/Showers/Phone/tv/weights  
 "Rec" cell searches and chow (b)(6), (b)(7)(C) would try to make comments when he was finished with  
 phone, but (b)(6), (b)(7)(C) would cut him off. (b)(6), (b)(7)(C) were model detainees. They did tell the guards  
 they'd been together when they were picked up by 101st to go to/during Art 32.

Date Name: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C) Rank: MA1 / E6  
 13 Sep Unit Address: Confinement Det. Bravo Camp Arifjan, KU APO AE 09366  
 Residence Address: PCB 1113, Zone 6 Camp Arifjan, KU APO AE 09366  
 Time Service/Family Member Home# Work # x-7212  
 2223 Remarks: (b)(6), (b)(7)(C) were very cool, not nervous (b)(6), (b)(7)(C) talked but it was not about his  
 case, eg. talked about books, etc (b)(6), (b)(7)(C) was very quiet. (b)(6), (b)(7)(C) tried to just stay very  
 professional and not talk to them.

Date Name: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C) Rank: MA2 / E5  
 13 Sep Unit Address: Confinement Det. Bravo Camp Arifjan, KU APO AE 09366  
 Residence Address: PCB 1113, Zone 6 Camp Arifjan, KU APO AE 09366  
 Time Service/Family Member Home# Work # x 7212  
 2229 Remarks: (b)(6), (b)(7)(C) started off saying he was going to flip off another guard. When told  
 to keep his attitude in check he said, "I'm being charged with murder, I can't be charged  
 with anything else." The incident went on record and was brought up at Art 32, where (b)(6), (b)(7)(C)  
 telephonically testified. (b)(6), (b)(7)(C) were model inmates.

Date Name: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C) Rank: MA2 / E5  
 13 Sep Unit Address: Confinement Det. Bravo Camp Arifjan, KU APO AE 09366  
 Residence Address: PCB 1113, Zone 6 Camp Arifjan, KU APO AE 09366  
 Time Service/Family Member Home# Work # x7212  
 2237 Remarks: Mainly dealt with (b)(6), (b)(7)(C) Never mentioned anything about their case. (b)(6), (b)(7)(C)  
 talked about books (b)(6), (b)(7)(C) didn't say much (b)(6), (b)(7)(C) drew a lot.

Date Name: \_\_\_\_\_ SSN: \_\_\_\_\_ Rank: \_\_\_\_\_  
 Unit Address: \_\_\_\_\_ Camp Arifjan, KU APO AE 09366  
 Residence Address: \_\_\_\_\_  
 Time Service/Family Member Home# Work # \_\_\_\_\_  
 Remarks: \_\_\_\_\_

**CANVASS INTERVIEW WORKSHEET**  
Conducted By: SA (b)(6), (b)(7)(C)

Date Name: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C) Rank: MA1 / E6  
 13 Sep Unit Address: Confinement Det. Bravo Camp Arifjan, KU APO AE 09366  
 Residence Address: PCB 1113, Zone 6 Camp Arifjan, KU APO AE 09366  
 Time Service/Family Member Home# Work # 430 - 7212  
 2345 Remarks: (b)(6), (b)(7)(C) was a model prisoner (b)(6), (b)(7)(C) respectful, (b)(6), (b)(7)(C) a big mouth and mood swings. Eg. If it was a phone day and he had talked to his lawyer it was a good day. (b)(6), (b)(7)(C) never talked about any specifics but if you gave him the inclination he gabbed. Everyone played dumb about why they were there. There were between 6 - 25 detainees during the time (b)(6), (b)(7)(C) were there.

Date Name: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C) Rank: MA2 / E5  
 13 Sep Unit Address: Confinement Det. Bravo Camp Arifjan, KU APO AE 09366  
 Residence Address: PCB 1113, Zone 6 Camp Arifjan, KU APO AE 09366  
 Time Service/Family Member Home# Work # x 7212  
 2355 Remarks: Spent majority of time with (b)(6), (b)(7)(C) have any real conversation and didn't promote familiarity. (b)(6), (b)(7)(C) is a corrections officer on the outside so he knows what not to do.

Date Name: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C) Rank: MA2 / E5  
 14 Sep Unit Address: Confinement Det. Bravo Camp Arifjan, KU APO AE 09366  
 Residence Address: PCB 1113, Zone 6 Camp Arifjan, KU APO AE 09366  
 Time Service/Family Member Home# Work # x 7212  
 0003 Remarks: (b)(6), (b)(7)(C) were very professional. When they first got there (b)(6), (b)(7)(C) "MA can I ask you a question about my case?" (b)(6), (b)(7)(C) answer was, "No, speak to your attorney (b)(6), (b)(7)(C) didn't know "the game" when he first got there. He didn't know what he could and could not ask. Would threaten them that they would hear from his attorney. (b)(6), (b)(7)(C) is a cop on the outside so he knew what not to do. The less interaction, the better.

Date Name: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C) Rank: MA1 / E6  
 14 Sep Unit Address: Confinement Det. Bravo Camp Arifjan, KU APO AE 09366  
 Residence Address: PCB 1113, Zone 6 Camp Arifjan, KU APO AE 09366  
 Time Service/Family Member Home# Work # x7212  
 0011 Remarks: Guard CDR on swings from Jun - Aug. Had gotten direction from CPO (b)(6), (b)(7)(C) to keep them separated. Gave all detainees a blanket statement about not talking about case and being professional (b)(6), (b)(7)(C) very professional (b)(6), (b)(7)(C) saw each other the first week they were here and waived to each other (b)(6), (b)(7)(C) told to go back in his tent. (b)(6), (b)(7)(C) a switch, if he didn't like something he complained about being mal-treated. Like a "con artist." He could turn the switch on or off. He'd say things like, "This is bullshit." "The Army is going to pay." "I've got proof I'm innocent." "When my lawyer gets a hold of you, you're going to be screwed. (b)(6), (b)(7)(C) response was, "I don't know about your case and I don't want to." (b)(6), (b)(7)(C) didn't change after Art 32 (b)(6), (b)(7)(C) became more calm.

**CANVASS INTERVIEW WORKSHEET**

Conducted By: SA (b)(6), (b)(7)(C)

Date Name: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C) Rank: BMI / E6  
 15 Sep Unit Address: Confinement Det. Bravo Camp Arifjan, KU APO AE 09366  
 Residence Address: PCB 1113, Zone 6 Camp Arifjan, KU APO AE 09366  
 Time Service/Family Member Home# Work # 430-7212  
 1445 Remarks: Guard CDR for day shift (b)(6), (b)(7)(C) were model inmates and got favorable reports for their actions. Didn't really deal with (b)(6), (b)(7)(C)

Date Name: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C) Rank: MA2/E5  
 15 Sep Unit Address: Confinement Det. Bravo Camp Arifjan, KU APO AE 09366  
 Residence Address: PCB 1113, Zone 6 Camp Arifjan, KU APO AE 09366  
 Time Service/Family Member Home# Work # x-7212  
 1448 Remarks: Mainly dealt with (b)(6), (b)(7)(C) most no conversation with detainees.

Date Name: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C) Rank: MA1 / E6  
 15 Sep Unit Address: Confinement Det. Bravo Camp Arifjan, KU APO AE 09366  
 Residence Address: PCB 1113, Zone 6 Camp Arifjan, KU APO AE 09366  
 Time Service/Family Member Home# Work # x 7212  
 1452 Remarks: Mainly deal with (b)(6), (b)(7)(C) would make comments about (b)(6), (b)(7)(C) "He's at it again." When (b)(6), (b)(7)(C) d be yelling from his tent for a guards attention. (b)(6), (b)(7)(C) out but it was never anything about his case. No communication between (b)(6), (b)(7)(C)

Date Name: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C) Rank: MA1 / E6  
 15 Sep Unit Address: Confinement Det. Bravo Camp Arifjan, KU APO AE 09366  
 Residence Address: PCB 1113, Zone 6 Camp Arifjan, KU APO AE 09366  
 Time Service/Family Member Home# Work # x7212  
 1456 Remarks: Works in civilian law enforcement back in the States, knows not to talk about cases. (b)(6), (b)(7)(C) make comments like, "This is all bullshit." When (b)(6), (b)(7)(C) came back from the Art 32, they said (b)(6), (b)(7)(C) made a mess of things. (b)(6), (b)(7)(C) did no pursue the comments.

### CANVASS INTERVIEW WORKSHEET

Conducted By: SA (b)(6), (b)(7)(C)

Date Name: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C) Rank: MA1  
 17 Sep Unit Address: Confinement Det. Bravo Camp Arifjan, KU APO AE 09366  
 Residence Address: PCB 1113, Zone 6 Camp Arifjan, KU APO AE 09366  
 Time Service/Family Member Home# Work # x7212  
 2325 Remarks: Guard CDR during the day shift. Mainly dealt with (b)(6), (b)(7)(C) day shift.  
 Took (b)(6), (b)(7)(C) MWR rec. time. (b)(6), (b)(7)(C) is a "Pain in the ass." Pulled duty while they were in Echo tent, nothing happened. Total number of detainees was anywhere between 6 - 25 during the time the 3 were at the Det. Facility.

Date Name: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C) Rank: MA2  
 17 Sep Unit Address: Confinement Det. Bravo Camp Arifjan, KU APO AE 09366  
 Residence Address: PCB 1113, Zone 6 Camp Arifjan, KU APO AE 09366  
 Time Service/Family Member Home# Work # x7212  
 2330 Remarks: Hands off, no interaction. He's a confinement officer as a civilian. Knows to not have interaction.

Date Name: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C) Rank: EN2 / E5  
 17 Sep Unit Address: Confinement Det. Bravo Camp Arifjan, KU APO AE 09366  
 Residence Address: PCB 1113, Zone 6 Camp Arifjan, KU APO AE 09366  
 Time Service/Family Member Home# Work #  
 2350 Remarks: Didn't speak to detainees besides generic, "Here's your food." etc. Total number of detainees was somewhere between 5 - mid 20's.

Date Name: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C) Rank: MC3/E4  
 17 Sep Unit Address: Confinement Det. Bravo Camp Arifjan, KU APO AE 09366  
 Residence Address: PCB 1202, Zone 6 Camp Arifjan, KU APO AE 09366  
 Time Service/Family Member Home# Work # x7212  
 2355 Remarks: No comments or statements made by any of the 3 detainees to her.

Date Name: SSN: Rank:  
 Unit Address: Camp Arifjan, KU APO AE 09366  
 Residence Address:  
 Time Service/Family Member Home# Work #  
 Remarks:

### CANVASS INTERVIEW WORKSHEET

Conducted By: SA (b)(6), (b)(7)(C)

Date: 20 Sep Name: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C) Rank: MAI / E6  
 Unit Address: Confinement Det. Bravo Camp Arifjan, KU APO AE 09366  
 Residence Address: PCB 1113, Zone 6 Camp Arifjan, KU APO AE 09366  
 Time: 1445 Service/Family Member Home# \_\_\_\_\_ Work # 430-7212  
 Remarks: Had almost no interaction with them and they didn't say or make any comments /spontaneous statements

Date: \_\_\_\_\_ Name: \_\_\_\_\_ SSN: \_\_\_\_\_ Rank: \_\_\_\_\_  
 Unit Address: \_\_\_\_\_ Camp Arifjan, KU APO AE 09366  
 Residence Address: \_\_\_\_\_ Camp Arifjan, KU APO AE 09366  
 Time: \_\_\_\_\_ Service/Family Member Home# \_\_\_\_\_ Work # \_\_\_\_\_  
 Remarks: \_\_\_\_\_

Date: \_\_\_\_\_ Name: \_\_\_\_\_ SSN: \_\_\_\_\_ Rank: \_\_\_\_\_  
 Unit Address: \_\_\_\_\_ Camp Arifjan, KU APO AE 09366  
 Residence Address: \_\_\_\_\_ Camp Arifjan, KU APO AE 09366  
 Time: \_\_\_\_\_ Service/Family Member Home# \_\_\_\_\_ Work # \_\_\_\_\_  
 Remarks: \_\_\_\_\_

Date: \_\_\_\_\_ Name: \_\_\_\_\_ SSN: \_\_\_\_\_ Rank: \_\_\_\_\_  
 Unit Address: \_\_\_\_\_ Camp Arifjan, KU APO AE 09366  
 Residence Address: \_\_\_\_\_ Camp Arifjan, KU APO AE 09366  
 Time: \_\_\_\_\_ Service/Family Member Home# \_\_\_\_\_ Work # \_\_\_\_\_  
 Remarks: \_\_\_\_\_

0086-06-00469 7347

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0163-06-CID609

PAGE 1 OF 2 PAGE

### DETAILS

About 1100, 25 Sep 06, SA **(b)(6), (b)(7)(C)** coordinated with Senior Chief Petty Officer (SC) **(b)(6), (b)(7)(C)** Theater Field Detention Facility (TFDF), Camp Arifjan, Kuwait, APO AE 09366 (CAKU), who provided this office with a TFDF Roster of all inmates which were housed at the TFDF while SSG **(b)(6), (b)(7)(C)** SPC **(b)(6), (b)(7)(C)** SPC **(b)(6), (b)(7)(C)** and PFC **(b)(6), (b)(7)(C)** were housed at the TFDF. SC **(b)(6), (b)(7)(C)** further related that only three inmates on the roster remained at the TFDF and would not be allowed to talk to this office until their attorneys were contacted. (See TFDF Roster for Details)

About 1130, 25 Sep 06, SA **(b)(6), (b)(7)(C)** coordinated with MAJ **(b)(6), (b)(7)(C)** Chief Criminal Law, Staff Judge Advocate (SJA), Area Support Group (ASG) CAKU, who opined this office would need to coordinate with all inmates defense counsel prior to conducting canvass interviews.

About 1300, 25 Sep 06, SA **(b)(6), (b)(7)(C)** coordinated with SC **(b)(6), (b)(7)(C)** who related CPT **(b)(6), (b)(7)(C)** (NFI) was the Trail Defense Counsel for PVT **(b)(6), (b)(7)(C)** **(b)(6), (b)(7)(C)** TFDF, CAKU, and CPT **(b)(6), (b)(7)(C)** was the Trial Defense Counsel for both PVT **(b)(6), (b)(7)(C)** **(b)(6), (b)(7)(C)** TFDF, CAKU, and PVT **(b)(6), (b)(7)(C)** **(b)(6), (b)(7)(C)** TFDF, CAKU.

About 1100, 27 Sep 06, SA **(b)(6), (b)(7)(C)** coordinated with CPT **(b)(6), (b)(7)(C)** Trial Defense Services, Region 9, Balad, Iraq, APO AE 09391, who related he was presently the Defense Counsel for PVT **(b)(6), (b)(7)(C)** and would authorize this office to conduct a canvass interview of his client.

About 1415, 27 Sep 06, SA **(b)(6), (b)(7)(C)** coordinated with CPT **(b)(6), (b)(7)(C)** Trial Defense Services, Region 9, Tallil Air Base, Iraq, APO AE 09331, who related he was presently the Defense Counsel for PVT **(b)(6), (b)(7)(C)** and would authorize this office to conduct a canvass interview of his client.

About 0800, 28 Sep 06, SA **(b)(6), (b)(7)(C)** coordinated with SC **(b)(6), (b)(7)(C)** who related PVT **(b)(6), (b)(7)(C)** and PVT **(b)(6), (b)(7)(C)** were transferred to CONUS and were no longer housed in the TFDF, CAKU. SC **(b)(6), (b)(7)(C)** added she would be able to provide the location of PVT **(b)(6), (b)(7)(C)** and PVT **(b)(6), (b)(7)(C)** on 30 Sep 06.

About 0900, 28 Sep 06, SA **(b)(6), (b)(7)(C)** coordinated with CPT **(b)(6), (b)(7)(C)** Trial Defense Services, Region 9, Camp Bagram, Afghanistan, APO AE 09354, who related he was PVT **(b)(6), (b)(7)(C)** Defense Counsel and would authorize this office to conduct a canvass interview of his client.

About 1230, 28 Sep 06, SA **(b)(6), (b)(7)(C)** conducted a canvass interview of PVT **(b)(6), (b)(7)(C)** who related he never had any contact with SSG **(b)(6), (b)(7)(C)**, SPC **(b)(6), (b)(7)(C)** SPC **(b)(6), (b)(7)(C)** and PFC **(b)(6), (b)(7)(C)** and did not have any pertinent information to add to this investigation.

About 1100, 30 Sep 06, SA **(b)(6), (b)(7)(C)** coordinated with SC **(b)(6), (b)(7)(C)** who stated PVT **(b)(6), (b)(7)(C)** and PVT **(b)(6), (b)(7)(C)** were currently assigned to the Regional Confinement Facility, Ft. Lewis, WA, and were not expected to return to their unit.

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA <b>(b)(6), (b)(7)(C), (b)(7)(F)</b>		21 <sup>st</sup> Military Police Detachment	
<b>(b)(6), (b)(7)(C)</b>		10 <sup>th</sup> Military Police Battalion, APO AE 09375	
		DATE	EXHIBIT
		30 Sep 06	271

ACLU DDII CID ROIS 35295



0086-06-CID469-75447

<b>AGENT'S INVESTIGATION REPORT</b> <i>CID Regulation 195-1</i>	ROI NUMBER <b>0163-06-CID609</b>
	<b>PAGE 2 OF 2 PAGE</b>

DETAILS

STATUS: The requirements of this RFA are completed, and no further investigative activity is anticipated ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA <b>(b)(6), (b)(7)(C), (b)(7)(F)</b>		ORGANIZATION 21 <sup>st</sup> Military Police Detachment 10 <sup>th</sup> Military Police Battalion, APO AE 09375
SIGNATURE <b>b(6), b(7)(C)</b>		DATE 30 Sep 06
		EXHIBIT

CID FORM 94  
1 FEB 77

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**ACLU DDII CID ROIS 35296**

001484

013-06-21069  
086-06-010465-73447

INMATES CONFINED AT THEATER FIELD DETENTION FACILITY FROM AUG 8, 2006 THRU SEP 3, 2006

001485

EXHIBIT 272

~~FOR OFFICIAL USE ONLY  
LAW ENFORCEMENT SENSITIVE~~

NAME	Last Four of SSN b(6), b(7)(C)	DISPOSITION
b(6), b(7)(C)	[REDACTED]	Transferred to RCF Ft Lewis, WA
b(6), b(7)(C)	[REDACTED]	Transferred to Charleston NAVCONBRIG, Charleston, SC
b(6), b(7)(C)	[REDACTED]	Transferred to Miramar NAVCONBRIG, San Diego, CA TFDF
b(6), b(7)(C)	[REDACTED]	Returned to duty - B CO, 1/67 AR 20 BDE 41D, Fob Iskandariyah, Iraq
b(6), b(7)(C)	[REDACTED]	Transferred to RCF Ft Lewis, WA
b(6), b(7)(C)	[REDACTED]	Transferred to RCF Ft Lewis, WA
b(6), b(7)(C)	[REDACTED]	Transferred to RCF Ft Lewis, WA
b(6), b(7)(C)	[REDACTED]	Transferred to RCF Ft Lewis, WA
b(6), b(7)(C)	[REDACTED]	DECEASED
b(6), b(7)(C)	[REDACTED]	Returned to duty - B Co, 1-66 AR, 1BCT 41N(M) Camp Taji, Iraq 09378
b(6), b(7)(C)	[REDACTED]	Returned to duty - 528th Quartermaster CO, 5th BTL 113th Artillery, Camp Adder, Iraq 09331
b(6), b(7)(C)	[REDACTED]	Returned to duty - A TRP, 2-9CAV, 3BCT, 101 ABN DIV FOB Wilson, Iraq 09393
b(6), b(7)(C)	[REDACTED]	Transferred to RCF Ft Lewis, WA
b(6), b(7)(C)	[REDACTED]	Returned to duty - B Battery, 1/115 FAR Camp AL Tagaddum, Iraq 09381
b(6), b(7)(C)	[REDACTED]	Transferred to RCF Ft Lewis, WA TFDF
b(6), b(7)(C)	[REDACTED]	In confinement - Theater Field Detention Facility, Camp Arifjan Kuwait
b(6), b(7)(C)	[REDACTED]	Returned to duty - D Company, 2/128th Infantry, Camp Virginia, KU 09327
b(6), b(7)(C)	[REDACTED]	Returned to duty - 8/5-3 FA, LTF 24, Camp Arifjan, KU 09366
b(6), b(7)(C)	[REDACTED]	Returned to duty - 380TH AF Expeditionary Wing, Al Dhafra Av Base, United Arab Emirates 09853
b(6), b(7)(C)	[REDACTED]	Returned to duty - 243rd Engineer CO, 180th Trans Battalion, Camp Arifjan, KU 09366
b(6), b(7)(C)	[REDACTED]	Transferred to Miramar NAVCONBRIG, San Diego, CA TFDF
b(6), b(7)(C)	[REDACTED]	Returned to duty - F FSC 1/506th IN BN, 4th Bde, 4th ID (M) FOB Falcon, Baghdad, Iraq 09361
b(6), b(7)(C)	[REDACTED]	Returned to duty - B CO, 1-17 Infantry Regiment, Camp Taji 09378
FEMALE INMATES HAD NO CONTACT WITH MALE INMATES WHILE CONFINED		
Covers period from 2006 08 06 thru 2006 09 08		

ACLU DDII CID ROIS 35297

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0086-06-CID469-75447

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## DETAILS

On 19 Jun 06, CPT **b(6), b(7)(C)** **b(6), b(7)(C)** S2 Officer, 3BCT, 101<sup>st</sup> ABN DIV, COB Speicher, provided this office with her evaluation of photographs of the detainees and deceased which identified them with dossier numbers but could not match a name of the deceased to the photographs. (See Packet for details)

On 17 Jul 06, MG **b(6), b(7)(C)** **b(6), b(7)(C)** Commander, 101<sup>st</sup> ABN DIV, COB Speicher, appointed BG **b(6), b(7)(C)** **b(6), b(7)(C)** Assistant Deputy Commander, 101<sup>st</sup> ABN DIV, to conduct an AR 15-6 Investigation into the command climate and Use of Force by 3BCT during OIF 05-09. (See Appointment Orders for details)

About 1636, 26 Jul 06, SA **b(6), b(7)(C)** collected six weapons from SGT **b(6), b(7)(C)** **b(6), b(7)(C)** **b(6), b(7)(C)** Co, 3/187<sup>th</sup> INF, FBM, reportedly belonging to **b(6), b(7)(C)** **b(6), b(7)(C)** **b(6), b(7)(C)** **b(6), b(7)(C)** and **b(6), b(7)(C)** as evidence on an EPCD.

Weapon Serial Numbers: W023795 (M4), W024587 (M4), W023576 (M4 w/M203), W019849 (M4 w/M203), 030300 (M249), and 63717 (M249).

About 1850, 26 Jul 06, SA **b(6), b(7)(C)** interviewed **b(6), b(7)(C)** who denied having any knowledge of **b(6), b(7)(C)** having a pistol.

About 2030, 26 Jul 06, SA **b(6), b(7)(C)** interviewed **b(6), b(7)(C)** who related he had no knowledge of **b(6), b(7)(C)** having a pistol.

On 26 Jul 06, this office received the Arabic language documents and English language translations regarding the processing of the remains by the hospital authorities in Samara, Iraqi and the Police Record Book from CPT **b(6), b(7)(C)** Trial Counsel, 3<sup>rd</sup> BCT, 101<sup>st</sup> ABN DIV, COB Speicher, Tikrit, Iraq. (See Translation for details)

Agent's Comment: CID Interpreter **b(6), b(7)(C)** Titan Corporation, COB Speicher, Tikrit, Iraq, subsequently translated the "Rational Card". (See Translation for details)

About 1350, 31 Jul 06, SA **b(6), b(7)(C)** interviewed **b(6), b(7)(C)** who related he had no knowledge of **b(6), b(7)(C)** possessing a pistol.

About 1616, 3 Aug 06, SA **b(6), b(7)(C)** interviewed **b(6), b(7)(C)** who related the trip ticket for the convoy from Brassfield to Speicher was submitted to Battalion before they left Brassfield, otherwise, they wouldn't have been allowed to leave. Additionally, **b(6), b(7)(C)** related he could not remember exactly who was in which vehicle during the convoy. (See Sworn Statement for details)

TYPED AGENT'S NAME AND SEQUENCE NUMBER	ORGANIZATION	
SA <b>b(6), b(7)(C), b(7)(F)</b>	10 <sup>th</sup> MP Bn (CID) (FWD), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station: Ft Bragg, NC)	
S <b>b(6), b(7)(C)</b>	DATE	EXHIBIT
	30 Sep 06	273

CID FORM 94 FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE

ACLU DDII CID ROIS 35298

001486

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0086-06-CID469-75447

PAGE 2 OF 11 PAGES

DETAILS

About 1500, 4 Aug 06, CWS **b(6), b(7)(C)** Operations Officer; CW4 **(b)(6), (b)(7)(C), (b)(7)(F)** Assistant Operations Officer and LTC **b(6), b(7)(C)** Commander, all assigned to 10<sup>th</sup> MP BN (CID), Camp Victory, Baghdad, Iraq, coordinated with LTC **b(6), b(7)(C)** and LTC **b(6), b(7)(C)** **b(6), b(7)(C)** Incoming and Outgoing (respectively) Chiefs of Military Justice, Office of the SJA (OSJA), MNC-I, Camp Victory, Baghdad, Iraq, who concurred with listing COL **b(6), b(7)(C)** for the offense of dereliction of duty for failing to promptly report the deaths of the three detainees in violation of SECDEF Memorandum, Subject: Procedures for Investigation into Deaths in the Custody of the Armed Forces of the United States, 9 Jun 04. Further, COL **b(6), b(7)(C)** obstructed justice when he instructed subordinates not to report the incident until he returned from leave. Additionally, there was credible information to believe on 6 Aug 06 during an interview with the AR 15-6 Investigating Officer, COL **b(6), b(7)(C)** made a false statement when he declared the shooting of the "old man" during Operation Iron Triangle was within the ROE. However, during a subsequent interview, COL **b(6), b(7)(C)** changed his statement and said the shooting was not within the ROE.

About 1645, 4 Aug 06, SA **b(6), b(7)(C)** interviewed CP **b(6), b(7)(C)** who related he could not recall who was in the vehicle with him when he traveled to COB Speicher a couple of days before his leave started. He related he was under the advice of counsel and stated he would not provide anything via sworn statement. SA **b(6), b(7)(C)** related the only information this office was trying to obtain was to determine if he could recall when he came to Speicher and who was in his vehicle. CPT **b(6), b(7)(C)** related if he could contact the unit or if this office could ask him if a certain person was in the vehicle it may jog his memory. SA **b(6), b(7)(C)** contacted CPT **b(6), b(7)(C)** and relayed the information. CPT **b(6), b(7)(C)** asked SA **b(6), b(7)(C)** to relay again to CPT **b(6), b(7)(C)** this was the only information requested and that he was not suspected of a crime and that this office could not provide him with a name. SA **b(6), b(7)(C)** relayed the information and CPT **b(6), b(7)(C)** stated he would contact his lawyer and advise this office later today if he could or would provide the information via sworn statement.

Agent's Comment: CPT **b(6), b(7)(C)** subsequently came to the CID office to notify SA **b(6), b(7)(C)** that on advice of counsel he could not provide any sworn statements to this office.

About 1420, 5 Aug 06, SAC **b(6), b(7)(C)** was contacted by LTC **b(6), b(7)(C)** who advised that **b(6), b(7)(C)** did not want to relinquish the thumb drive because it was not his property and because it contained various personnel records on it, including awards, NCOERs, OERs, etc.

About 1105, 7 Aug 06, SA **b(6), b(7)(C)** interviewed SFC **b(6), b(7)(C)** Paralegal NCOIC, 3BCT, COB Speicher, Tikrit, Iraq (Home Station: Ft Campbell, KY). SFC **b(6), b(7)(C)** witnessed the testimony of **b(6), b(7)(C)** during an Article 32 hearing on 2 Aug 06 regarding the alleged murders of detainees on 9 May

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA <b>(b)(6), (b)(7)(C), (b)(7)(F)</b>		10 <sup>th</sup> MP Bn (CID) (FWD), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station: Ft Bragg, NC)	
<b>b(6), b(7)(C)</b>		DATE	EXHIBIT
		30 Sep 06	273

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ACLU DDII CID ROIS 35299

001487

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0086-06-CID469-75447

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## DETAILS

06 during OIT. **b(6), b(7)(C)** testified there was a trip ticket prepared which listed the names of Soldiers and the vehicles in which they traveled during a mission to COB Speicher to be interviewed regarding the alleged murders. **b(6), b(7)(C)** stated the trip ticket was prepared using a "thumb drive" which was maintained in his personal living area on FBM, Samara, Iraq. **b(6), b(7)(C)** related all members of his platoon could come to his living area in order to use the "thumb drive" to prepare documents. **b(6), b(7)(C)** related the "thumb drive" was currently at his quarters at FBM.

About 1400, 7 Aug 06, SA **b(6), b(7)(C)** coordinated with CPT **b(6), b(7)(C)** Military Magistrate, 101<sup>st</sup> ABN DIV, COB Speicher, Tikrit, who authorized the search and seizure of 1LT **b(6), b(7)(C)** thumb drive and the combat stress records of SPC **b(6), b(7)(C)** See Search Affidavits and Search Authorizations for details)

About 1500, 7 Aug 06, SA **b(6), b(7)(C)** collected **b(6), b(7)(C)** thumb drive from him as evidence on an EPCD.

Agent's Comment: **b(6), b(7)(C)** was provided with a copy of the EPCD and DA Form 3745, Search and Seizure Authorization. **b(6), b(7)(C)** through his chain of command, had indicated that he had the "thumb drive", but would not consent to the collection of the "thumb drive" to CID. A "thumb drive" is a commonly used term referring to a Universal Serial Bus (USB) device used to store computer media.

About 1530, 7 Aug 06, SA **b(6), b(7)(C)** interviewed LTC **b(6), b(7)(C)** HHC, 5-101<sup>st</sup> Aviation Regiment, COB Speicher, Tikrit, Iraq. **b(6), b(7)(C)** related none of the Aircraft participating in Objective Murray received hostile fire during operations. His unit was informed 20 minutes prior to the mission that they were not to conduct pre-assault fires. He was unaware if the ROE for Objective Murray had changed from a hostile target to a non-hostile target. (See Sworn Statement for details)

About 1535, 7 Aug 06, SA **b(6), b(7)(C)** and SA **b(6), b(7)(C)** conducted a preliminary search of **b(6), b(7)(C)** thumb drive for the 29 May "trip ticket". The file was named 29mayconvoy.xls. The created date was Sunday 29, May 06, which was also the modified date.

Agent's Comment: It was also noted that there did not appear to be "trip tickets" for any other dates than 29 May and 28/29 Jun 06. There were none prior, in between or after those dates. It is possible that **b(6), b(7)(C)** searched for 28/29 dates and then added them to his thumb drive from another computer, or any other dates were deleted. It is also possible to "recreate" the file on a computer with a modified time/date stamp in the system files.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA **b(6), b(7)(C), b(7)(F)**

ORGANIZATION

10<sup>th</sup> MP Bn (CID) (FWD), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station: Ft Bragg, NC)

**b(6), b(7)(C)**

DATE

30 Sep 06

EXHIBIT

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CID FORM 94 ~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 35300

001488

DETAILS

About 2138, 7 Aug 06, SA **b(6), b(7)(C)** received an email from CPT **b(6), b(7)(C)** requesting this office conduct interviews of personnel who CPT **b(6), b(7)(C)** TDS, related were in a vehicle with **b(6), b(7)(C)** on 29 May 06 and that he could not have threatened **b(6), b(7)(C)**.

About 1000, 8 Aug 06, SA **b(6), b(7)(C)** and SA **b(6), b(7)(C)** provided **b(6), b(7)(C)** with the Search and Seizure Authorization for **b(6), b(7)(C)** mental health records.

About 1300, 8 Aug 06, SA **b(6), b(7)(C)** reviewed **b(6), b(7)(C)** mental health records which did not contain any information pertinent to this investigation. (See Mental Health Records for details)

About 1500, 8 Aug 06, SA **b(6), b(7)(C)** and CWS **b(6), b(7)(C)** briefed in person COL **b(6), b(7)(C)** SJA, 101<sup>st</sup> ABN Div, COB Speicher, Tikrit (Home Station: Ft Campbell, KY) and MAJ **b(6), b(7)(C)** Provost Marshal, 101<sup>st</sup> ABN Div, on aspects of this investigation.

About 1930, 10 Aug 06, SA **b(6), b(7)(C)** and CWS **b(6), b(7)(C)** briefed in person COL **b(6), b(7)(C)** and MAJ **b(6), b(7)(C)** on this investigation.

About 0915, 12 Aug 06, SA **b(6), b(7)(C)** collected the ACH helmet of SPC **b(6), b(7)(C)** from SFC **b(6), b(7)(C)** as evidence on an EPCD.

About 0923, 12 Aug 06, SA **b(6), b(7)(C)** re-interviewed **b(6), b(7)(C)** who related he had never been in a vehicle with **b(6), b(7)(C)** which traveled to Speicher. (See Sworn Statement for details)

About 1010, 12 Aug 06, SA **b(6), b(7)(C)** interviewed **b(6), b(7)(C)** who related he was the driver of a vehicle in which **b(6), b(7)(C)** had ridden but related he could not recall what day or month the incident took place. (See Sworn Statement for details)

About 1042, 12 Aug 06, SA **b(6), b(7)(C)** interviewed **b(6), b(7)(C)** who related he was unsure the date he conveyed to COB Speicher; however, he had been there approximately 4 times in the last couple of months. He did not remember seeing anyone at all from 3<sup>rd</sup> platoon on the trip **b(6), b(7)(C)** rode in his vehicle. He stated TDS had told him the trip that **b(6), b(7)(C)** rode in his vehicle on was on 29 May 06; however, he did not know the date. (See Sworn Statement for details).

About 1045, 12 Aug 06, SA **b(6), b(7)(C)** interviewed **b(6), b(7)(C)** who related he was unsure of the date he rode with **b(6), b(7)(C)** to COB Speicher; however, he stated the driver was **b(6), b(7)(C)** **b(6), b(7)(C)** related he

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA <b>b(6), b(7)(C), b(7)(F)</b>	ORGANIZATION 10 <sup>th</sup> MP Bn (CID) (FWD), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station: Ft Bragg, NC)	
<b>b(6), b(7)(C)</b>	DATE 30 Sep 06	EXHIBIT 273

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had made four trips to COB Speicher since the start of the investigation. **(b)(6), b(7)(C)** stated **(b)(6), b(7)(C)** rode with him to COB Speicher some time at the end of May 06. **(b)(6), b(7)(C)** stated he never heard directly or heard about **(b)(6), b(7)(C)** threatening anyone. **(b)(6), b(7)(C)** stated he did not know a **(b)(6), b(7)(C)** (See Sworn Statement for details)

About 1048, 12 Aug 06, SA **(b)(6), b(7)(C)** interviewed **(b)(6), b(7)(C)** who related he was unsure the date he conveyed to COB Speicher; however, he had been there approximately 3 times in the last couple of months. **(b)(6), b(7)(C)** did not remember who was involved with the convoy in which **(b)(6), b(7)(C)** rode in his vehicle; however, he remembered it was on a LOGPAC mission. **(b)(6), b(7)(C)** further related when his vehicle dropped **(b)(6), b(7)(C)** off it was not at the CID office. (See Sworn Statement for details).

Agent's Comment: **(b)(6), b(7)(C)** further stated TDS had told him the trip that **(b)(6), b(7)(C)** rode in his vehicle was on 29 May 06; however, he did not know the date.

About 1310, 12 Aug 06, SA **(b)(6), b(7)(C)** interviewed **(b)(6), b(7)(C)** who stated he had never heard **(b)(6), b(7)(C)** or **(b)(6), b(7)(C)** threaten anyone. **(b)(6), b(7)(C)** did not recall a time when **(b)(6), b(7)(C)** rode in his truck. (See Sworn Statement for details)

On 12 Aug 06, this office received USACIL Report of Examination, DNA Branch, 20 Jul 06. The report detailed the possible presence of blood from an unknown individual was found on two knives belonging to **(b)(6), b(7)(C)** and the ACU pants, jacket and boots of **(b)(6), b(7)(C)**. No blood was found on any other submitted items. (See USACIL Report for details)

About 1000, 13 Aug 06, SA **(b)(6), b(7)(C)** received an email from MAJ **(b)(6), b(7)(C)** 5-101<sup>st</sup> Aviation, Combat Aviation Brigade (CAB), COB Speicher, who related their aircraft were not capable of retrieving aerial footage and none was available.

On 14 Aug 06, SA **(b)(6), b(7)(C)** emailed a request to LTC **(b)(6), b(7)(C)** TDS Regional Defense Counsel, Camp Victory, Baghdad, to schedule an appointment to fingerprint and photograph COL **(b)(6), b(7)(C)**

About 1257, 15 Aug 06, SA **(b)(6), b(7)(C)** received USACIL Report of Examination, DNA Branch, 26 Jul 06 and Digital Evidence Branch, 28 Jul 06. The DNA Branch Report reflected **(b)(6), b(7)(C)** DNA profile could not be excluded as the source of on **(b)(6), b(7)(C)** shirt and pants. It further detailed 4 unknown persons DNA profiles could not be excluded as the sources of DNA obtained from **(b)(6), b(7)(C)** boots, pants and **(b)(6), b(7)(C)** knife. The Digital Evidence Branch Report reflected several video files of interest were found

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA **(b)(6), (b)(7)(C), (b)(7)(F)**

ORGANIZATION

10<sup>th</sup> MP Bn (CID) (FWD), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station: Ft Bragg, NC)

SI **(b)(6), b(7)(C)**

DATE

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on the digital camera, the SD memory card and **b(6), b(7)(C)** laptop computer. Further an extensive amount of commercial adult pornography was found on **b(6), b(7)(C)** laptop.

Agent's Comment: The violation of General Order # 1 (adult pornography) was referred to the command and SJA for action deemed appropriate.

About 1257, 15 Aug 06, SA **b(6), b(7)(C)** reviewed the compact disc containing the contents of **b(6), b(7)(C)** laptop, prepared by USACIL, which revealed photographs of soldiers placing a pistol up to their heads, provocative photographs of females (not suspected to be taken by C 3/187), and nude photographs of **b(6), b(7)(C)** **b(6), b(7)(C)** **b(6), b(7)(C)** **b(6), b(7)(C)** and **b(6), b(7)(C)**

About 1400, 16 Aug 06, SA **b(6), b(7)(C)** contacted **b(6), b(7)(C)** who approved the release of the mental health records of **b(6), b(7)(C)** back to **b(6), b(7)(C)**

About 1700, 16 Aug 06, SA **b(6), b(7)(C)** released the original mental health records of **b(6), b(7)(C)** to **b(6), b(7)(C)**

On 18 Aug 06, SA **b(6), b(7)(C)** received the legal opinion of LTC **b(6), b(7)(C)** CID Command SJA, Ft Belvoir, VA, relating the fingerprinting and photographing of COL **b(6), b(7)(C)** was not a form of self-incrimination and must be complied with.

About 2150, 21 Aug 06, SA **b(6), b(7)(C)** interviewed CW2 **b(6), b(7)(C)** ODA 191, FOB Olsen, Samarra, Iraq, who related COL **b(6), b(7)(C)** conducted a ROE briefing during Operation Katrina to the senior NCOs and officers involved. He related based on the information **b(6), b(7)(C)** provided and **b(6), b(7)(C)** blustery persona that the ROE could have been misinterpreted by a Private or someone with less experience.

About 1036, 22 Aug 06, SA **b(6), b(7)(C)** re-interviewed **b(6), b(7)(C)** who related he traveled to Speicher on 29 May 06 for an interview by the General (BG **b(6), b(7)(C)**) but when they arrived to Speicher they were informed they were to be interviewed by CID. He could not recall which vehicle **b(6), b(7)(C)** or **b(6), b(7)(C)** rode in. **b(6), b(7)(C)** stated **b(6), b(7)(C)** rode in his vehicle on the way back to FBM on 29 May but he could not recall if they had a conversation. **b(6), b(7)(C)** was not sure if he convoyed to Speicher on 5 Jun 06. (See Sworn Statement for details)

About 1045, 22 Aug 06, SA **b(6), b(7)(C)** re-interviewed **b(6), b(7)(C)** who stated he had traveled to Speicher on several occasions; however, he could not recall the exact dates or who were passengers in his vehicle. **b(6), b(7)(C)**

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA **b(6), b(7)(C), b(7)(F)**

ORGANIZATION

10<sup>th</sup> MP Bn (CID) (FWD), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station: Ft Bragg, NC)

**b(6), b(7)(C)**

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declined to provide a sworn statement because he had no specific knowledge of what this office was inquiring about and related he could not remember anything specific about the convoys.

About 1100, 22 Aug 06, SA **(b)(6), b(7)(C)** re-interviewed **(b)(6), b(7)(C)** who stated he remembered **(b)(6), b(7)(C)** riding in a vehicle with him while traveling to Speicher; however, he could not remember a specific date. **(b)(6), b(7)(C)** stated the seating arrangements changed frequently because it depended on who wanted or needed to travel to Speicher. He added he knew convoy briefings were conducted; however, he could not remember who specifically conducted them (see Sworn Statement for details).

About 1118, 22 Aug 06, SA **(b)(6), b(7)(C)** re-interviewed **(b)(6), b(7)(C)** who related he believed he was part of a convoy on 29 May 06; however, he was not certain. **(b)(6), b(7)(C)** was **(b)(6), b(7)(C)** driver and if he came to Speicher, then he was present as well because he took **(b)(6), b(7)(C)** anywhere he needed to go (See Sworn Statement for details).

About 1400, 22 Aug 06, SA **(b)(6), b(7)(C)** re-interviewed **(b)(6), b(7)(C)** who related the first time he convoyed to Speicher was when they transported **(b)(6), b(7)(C)**, **(b)(6), b(7)(C)** and **(b)(6), b(7)(C)** prior to confinement. (See Sworn Statement for details)

About 1408, 22 Aug 06, SA **(b)(6), b(7)(C)** re-interviewed **(b)(6), b(7)(C)** who related he was a part of a convoy that took place on 29 May 06. He could not recall who had ridden in the vehicle with him except **(b)(6), b(7)(C)** or what personnel were on the convoy. **(b)(6), b(7)(C)** stated **(b)(6), b(7)(C)** HMMWV was towed to Speicher during that convoy because of a broken air conditioner. (See Sworn Statement for details)

About 1601, 22 Aug 06, SA **(b)(6), b(7)(C)** re-interviewed **(b)(6), b(7)(C)** who related he was a part of the 29 May 06 convoy to Speicher. The unit was informed they were to meet with a General in regards to the investigation. They were taken over to the 3BCT and waited for approximately 4 hours to be interviewed by the General. They were informed they were instead going to be interviewed by CID. **(b)(6), b(7)(C)** related **(b)(6), b(7)(C)** may have ridden in the commander's or someone else's vehicle because he was the odd man out. **(b)(6), b(7)(C)** further related he did not recall if **(b)(6), b(7)(C)** or **(b)(6), b(7)(C)** were a part of any convoy he may have taken to Speicher. (See Sworn Statement for details)

About 1630, 22 Aug 06, SA **(b)(6), b(7)(C)** re-interviewed **(b)(6), b(7)(C)** who related his vehicle was towed to Speicher on the 29 May 06 because of a problem with the air conditioner. He further related he did recall being over at the 3BCT prior to being interviewed by this office. (See Sworn Statement for details)

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA <b>(b)(6), (b)(7)(C), (b)(7)(F)</b>		10 <sup>th</sup> MP Bn (CID) (FWD), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station: Ft Bragg, NC)	
<b>(b)(6), b(7)(C)</b>	DATE	EXHIBIT	
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About 1640, 22 Aug 06, SA **(b)(6), (b)(7)(C)** re-interviewed **(b)(6), (b)(7)(C)** who related he has driven for **(b)(6), (b)(7)(C)** on missions and to FOB 7 but related he had never been his driver during a convoy to Speicher.

About 1821, 22 Aug 06, SA **(b)(6), (b)(7)(C)** re-interviewed **(b)(6), (b)(7)(C)** who related he could not recall if he traveled down to Speicher on the 29<sup>th</sup> of May or the 5<sup>th</sup> of Jun 06. The day **(b)(6), (b)(7)(C)** rode in his vehicle was on a Monday, it was a logistical convoy, **(b)(6), (b)(7)(C)** was not a part of the convoy **(b)(6), (b)(7)(C)** did not ride in his vehicle and a vehicle was also towed to the CLP yard on Speicher. (See Sworn Statement for details)

About 1900, 22 Aug 06, SA **(b)(6), (b)(7)(C)** re-interviewed **(b)(6), (b)(7)(C)** who related upon arrival to Speicher he and 3d platoon went straight to 3BCT. He did not know what happened to his HMMWV or if they went to the CLP yard prior to reporting to 3BCT. (See Sworn Statement for details)

On 22 Aug 06, SA **(b)(6), (b)(7)(C)** emailed a request to LTC **(b)(6), (b)(7)(C)** TDS Regional Defense Counsel, Camp Victory, Baghdad, to schedule an appointment to fingerprint and photograph COL **(b)(6), (b)(7)(C)**

On 24 Aug 06, SA **(b)(6), (b)(7)(C)** received an email from LTC **(b)(6), (b)(7)(C)** containing an email from LTC **(b)(6), (b)(7)(C)** SJA, HOUACIDC, which related in part, "In deference to your [COL **(b)(6), (b)(7)(C)**] expressed concerns, we will not take COL **(b)(6), (b)(7)(C)** fingerprints and photograph at this time. However, if judicial or nonjudicial action is initiated against him, we will require him to undergo this processing immediately."

AGENT'S COMMENT: COL **(b)(6), (b)(7)(C)** original email contained the following: "I just want to make sure that there really is a law enforcement reason for doing it; otherwise, it looks like we are just trying to embarrass and belittle him."

About 1430, 25 Aug 06, SA **(b)(6), (b)(7)(C)** re-interviewed **(b)(6), (b)(7)(C)** who related he was not sure of the date in which **(b)(6), (b)(7)(C)** was a passenger in his vehicle. **(b)(6), (b)(7)(C)** further related he and **(b)(6), (b)(7)(C)** had gotten of COP duty from 2 days to a week prior. He related it was the week that they had pulled COP duty and had to stay for seven days instead of their usual three or four days and he thought it took place at the end of May or possibly early Jun 06. (See Sworn Statement for details)

About 1530, 26 Aug 06, SA **(b)(6), (b)(7)(C)** re-interviewed SPC **(b)(6), (b)(7)(C)** C Co, 3/187<sup>th</sup> INF REG, FBM, who related he had driven **(b)(6), (b)(7)(C)** to Speicher on two occasions prior to the OIT investigation. **(b)(6), (b)(7)(C)** was not in the vehicle either time.

About 1100, 28 Aug 06, SA **(b)(6), (b)(7)(C)** received C Co 3/187<sup>th</sup> trip tickets from 24 May – 23 Jun 06 as they relate to **(b)(6), (b)(7)(C)**, **(b)(6), (b)(7)(C)**, **(b)(6), (b)(7)(C)** and **(b)(6), (b)(7)(C)** on COP and Patrol Duties. There was no individual trip

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA **(b)(6), (b)(7)(C), (b)(7)(F)**

ORGANIZATION

10<sup>th</sup> MP Bn (CID) (FWD), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station: Ft Bragg, NC)

**(b)(6), (b)(7)(C)**

DATE

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ticket for 29 May 06 in regards to a convoy to Speicher, COP or patrol duty in relation to any of the above personnel. (See Trip Tickets for details)

4 Trip tickets placed **(b)(6), b(7)(C)**, **(b)(6), b(7)(C)** and **(b)(6), b(7)(C)** in the vehicle together from 28 May – 31 May 06.

28 pages:

1. 1<sup>st</sup> Platoon 24-26 MAY 06 COP1 – COP3,
2. 281200MAY2006 -281600MAY2006 **(b)(6), b(7)(C)** (12 PAXs)
3. 281200MAY2006 -281600MAY2006 **(b)(6), b(7)(C)** (Total PAX –None)
4. 280800MAY2006 – 300800MAY06 **(b)(6), b(7)(C)** (27 PAX)
5. 280800MAY2006 – 300800MAY06 **(b)(6), b(7)(C)** (14 PAX)
6. 301600MAY2006-300001MAY2006 **(b)(6), b(7)(C)** (15 PAX)
7. 311600MAY06-312400MAY06 **(b)(6), b(7)(C)** (14 PAX)
8. 1<sup>st</sup> Platoon 30 MAY 06 -1 JUN 06 (28 PAX)
9. 011600JUN2006-012400JUN2006 **(b)(6), b(7)(C)** (12 PAX)
10. 061200JUN06-061600JUN06 **(b)(6), b(7)(C)** (14 PAX)
11. 011600JUN2006-012400JUN2006 **(b)(6), b(7)(C)** (14 PAX)
12. 1<sup>st</sup> Platoon 3-5 Jun 06 (26 PAX)
13. 041200JUN06-041600JUN06 **(b)(6), b(7)(C)** (14 PAX)
14. 050630JUN06-051800JUN06 **(b)(6), b(7)(C)** (13 PAX)
15. 051600JUN2006-05, 051600JUN2006-052400JUN2006 **(b)(6), b(7)(C)** (15 PAX)
16. 061600JUN2006-062400JUN2006 **(b)(6), b(7)(C)** (13 PAX)
17. 061600JUN2006-062400JUN2006 **(b)(6), b(7)(C)** (14 PAX)
18. 10100JUN2006-101400JUN2006 **(b)(6), b(7)(C)** (PAX 32)
19. 1<sup>st</sup> Platoon 13-15 JUN 06 (32 PAX)
20. 151600JUN2006-152400JUN2006 **(b)(6), b(7)(C)** (14 PAX)
21. 171200JUN2006-172000JUN2006 **(b)(6), b(7)(C)**
22. 161600JUN2006-162400JUN2006 **(b)(6), b(7)(C)** (14 PAX)
23. 181200JUN06-182000JUN06 **(b)(6), b(7)(C)**
24. 191200JUN06-192000JUN06 **(b)(6), b(7)(C)**
25. 221200JUN06-222000JUN06 **(b)(6), b(7)(C)**
26. 201200JUN06-202000JUN06 **(b)(6), b(7)(C)**
27. 11200JUN06212000JUN06 **(b)(6), b(7)(C)**
28. 230400JUN06-231200JUN06 **(b)(6), b(7)(C)**

Agent's Comment : The name in parentheses reflects the person who created the trip ticket.

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA <b>(b)(6), (b)(7)(C), (b)(7)(F)</b>		10 <sup>th</sup> MP Bn (CID) (FWD), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station: Ft Bragg, NC)	
<b>(b)(6), b(7)(C)</b>		DATE	EXHIBIT
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## DETAILS

About 1430, 29 Aug 06, SA (b)(6), (b)(7)(C) coordinated in person with CPT (b)(6), (b)(7)(C) Senior Trial Counsel, OSJA, 101st ABN Div, COB Speicher, Tikrit, Iraq (Home Station, Ft Campbell, KY). CPT (b)(6), (b)(7)(C) related that pursuit of the remains of the deceased was not required for possible action purposes. CPT (b)(6), (b)(7)(C) related the Soldiers involved did not deny shooting at and causing the deaths of the Iraqi nationals, and the remains were witnessed by other Soldiers not involved in the shooting.

Agent's Comment: The probative forensic value of the remains would be limited by advanced decomposition, and obtaining family approval for exhumation in a Muslim culture has proven to be almost impossible. Due to these factors, and the high risk inherent in combat missions in Iraq, it would be very difficult to obtain approval for a mission to obtain family consent and another mission to complete the exhumation (and another mission to return the remains).

About 1630, 3 Sep 06, SA (b)(6), (b)(7)(C) coordinated telephonically with CPT (b)(6), (b)(7)(C) CPT (b)(6), (b)(7)(C) related that he was preparing to depart Iraq and would require additional time to review the documents pertaining to COL (b)(6), (b)(7)(C) CPT (b)(6), (b)(7)(C) opined there was probable cause to believe the remaining listed subjects committed the offenses they were listed for in the eighth CID status report.

About 1130, 6 Sep 06, this office received the My Space account Search Warrant information on (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)

On 14 Sep 06, LTC (b)(6), (b)(7)(C) interviewed COL (b)(6), (b)(7)(C) SJA, MNC-I, Camp Victory, Baghdad, Iraq, to discuss potential conflicting answers provided by COL (b)(6), (b)(7)(C) during a meeting with LTG (b)(6), (b)(7)(C) COL (b)(6), (b)(7)(C) was present as the legal advisor to LTG (b)(6), (b)(7)(C) During the meeting COL (b)(6), (b)(7)(C) provided additional information to clarify what he originally told the AR 15-6 Officer, BG (b)(6), (b)(7)(C) Upon questioning, COL (b)(6), (b)(7)(C) explained he answered the questions posed to him by BG (b)(6), (b)(7)(C) based on what he knew at the time. The more detailed answers he provided during the meeting reflected the additional information he learned as a result of the AR 15-6 and from others. It was the opinion of COL (b)(6), (b)(7)(C) that COL (b)(6), (b)(7)(C) did not commit the offense of false swearing/false official statement when he provided those answers to BG (b)(6), (b)(7)(C) COL (b)(6), (b)(7)(C) related that he did not believe the initial shooting of the old man on Objective Murray during Operation Iron Triangle was in accordance with the ROE.

Agent's Comment: On 31 Aug 06, COL (b)(6), (b)(7)(C) had declined to provide CWS (b)(6), (b)(7)(C) her "internal working notes" pertaining to the interview of COL (b)(6), (b)(7)(C)

About 1400, 25 Sep 06, this office received the USACIL Report of Examination from the DNA, 24 Aug 06/5 Sep 06 and Digital Evidence Branch, 3 Aug 06/14 Sep 06. The DNA Branch Report reflected the possible

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

10<sup>th</sup> MP Bn (CID) (FWD), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station: Ft Bragg, NC)

(b)(6), (b)(7)(C)

DATE

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presence of blood was detected on the partial shirt removed from the death scene in which no DNA results were obtained due to degraded and/or insufficient amount of human DNA present. The Digital Evidence Branch Report reflected an examination of the camera which reflected three rolls of film were removed and processed and did not reveal any items of illegal activity. Further the thumb drive indicated the trip ticket file was created the day prior to 29 May 06 and the accuracy of the system clock that created the file could not be determined. (See USACIL Reports for details)

Between 1000 and 1300, 30 Sep 06, SA (b)(6), (b)(7)(C) reviewed all digital media received pursuant to the Search Warrants executed for the MySpace.com information of (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) in which no information pertinent to this investigation was noted.

Agent's Comment: The only items of interest were various inquiring comments from friends of the accused; however, the above persons did not respond with any information pertaining to OIT.

///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C)

ORGANIZATION

10<sup>th</sup> MP Bn (CID) (FWD), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station: Ft Bragg, NC)

(b)(6), (b)(7)(C)

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(b)(3)

(b)(3)

(b)(3)

{25FE0A46-DFFF-4CA9-B5E6-2A0E4859741B}

{08111992-D6CE-4581-A260-7554DDAEC02D}

{5F7B6698-D341-4B2C-A447-EDFA555968AE7}

The names were gotten from CPT (b)(6), (b)(7)(C) CDR's Inquiry, but we cannot match them to the faces:

AHMED FARHIM HAMID AL JEMI

ZAYAD JASIM HAMID

NAHAD YASIM HAMID GUIMAR

We have their finger prints in BATS. Those files can be opened only by someone with a BATS computer. The Dossier numbers that match the pictures are on the pix.

ACLU DDII CID ROIS 35309

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We have no data on this individual.



This individual was the holding the child in front of him. He was released on the final day of the operation during the mass release. We have no personal data on this individual.

(b)(3)

(b)(3)

ACLU DDII CID ROIS 35311

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE EXHIBIT 14-3





DEPARTMENT OF THE ARMY  
OFFICE OF THE STAFF JUDGE ADVOCATE  
HEADQUARTERS, 101ST AIRBORNE DIVISION (AIR ASSAULT)  
OPERATION IRAQI FREEDOM, COB SPEICHER  
TIKRIT, IRAQ  
APO AE 09393

REPLY TO  
ATTENTION OF

AFZB-CS

17 July 2006

MEMORANDUM FOR (b)(6) Assistant Division Commander –  
Support, 101st Airborne Division (Air Assault), Mosul, Iraq, APO AE 09319

SUBJECT: Appointment as Investigating Officer to Conduct AR 15-6 Informal Investigation  
into Command Climate and Use of Force by 3d BCT During Operation Iraqi Freedom 05-07

1. You are hereby appointed an Investigating Officer pursuant to AR 15-6, *Procedures for Investigating Officer and Board of Officers*, to conduct an informal investigation into the command climate in the 3d Brigade Combat Team (3 BCT), 101st Airborne Division (Air Assault), Task Force Band of Brothers as it relates to the use of force, the Rules of Engagement (ROE), and Escalation of Force (EOF) procedures during Operation Iraqi Freedom (OIF) 05-07. Your investigation will also examine the overall understanding and application of the Rules of Engagement by 3 BCT during OIF 05-07. Your investigation will specifically address, but is not limited to, the following issues:

a. Escalation of Force Procedures and the Rules of Engagement:

- (i) What are the 3 BCT EOF procedures and how were they developed?
- (ii) What was the ROE for status based targets and how was it developed?
- (iii) How was mission specific ROE in 3 BCT developed, to include the ROE for Operation Iron Triangle (o/a 9 May 2006) and a High Value Target (HVT) operation (o/a 22 May 2006)?

b. Application of EOF Procedures and the ROE:

- (i) What effect did command climate have on the application of EOF procedures and the ROE?
- (ii) Did command climate vary depending on level of command and what effect, if any, did that have on the application of EOF procedures and the ROE?
- (iii) How were the EOF procedures and the ROE, to include mission specific ROE, trained and communicated within the units.
- (iv) Was the ROE properly applied during Operation Iron Triangle (o/a 9 May 2006) and the High Value Target (HVT) operation (o/a 22 May 2006)?

~~FOUO~~

ACLU DDII CID ROIS 35313

~~Law Enforcement Sensitive~~

Exhibit 275  
001500

AFZB-CS

SUBJECT: Appointment as Investigating Officer to Conduct AR 15-6 Informal Investigation into Command Climate and Use of Force by 3d BCT During Operation Iraqi Freedom 05-07

c. Reporting:

(i) How was the Division suspected Law of Armed Conflict (LOAC) violation reporting requirement disseminated throughout the command?

(ii) Were all required suspected LOAC violation reports submitted in a timely manner and if not, why not?

2. In addition to addressing the above issues, you will review all documented 3 BCT EOF 15-6 Investigations or Commanders Inquiries and determine whether proper EOF procedures were followed or whether errors occurred in the application of deadly force.

3. You should also ensure that your investigation addresses:

a. What acts or events, if any constituted violations of law, regulations or policy.

b. What if any corrective action is required to prevent future EOF or ROE problems.

c. All other matters you deem relevant.

4. There are concurrent CID investigations ongoing into various 3 BCT EOF incidences, as well as one ongoing investigation into the 22 May 2006 HVT Operation. Coordinate with CID regarding statements or evidence gathered to avoid duplicative efforts.

5. You will provide an index of all properly labeled exhibits.

6. Based on your findings, you will make recommendations for any action that should be taken with respect to any culpably responsible individual. You will also make recommendations on any other matter under the control of this command that you deem appropriate.

7. You will conduct your investigation in accordance with the informal procedures of Chapter 4, AR 15-6. All witness statements will be sworn and memorialized on DA Form 2823, Sworn Statement, unless impracticable or otherwise directed by your legal advisor.

8. If, in the course of your investigation, you discover that your findings or recommendations may result in an adverse action against an individual senior in rank, then you will immediately report this to the appointing authority.

9. If, in the course of your investigation, you suspect an individual of committing a criminal offense under the Uniform Code of Military Justice (UCMJ), you will advise that person of his or her rights under Article 31, UCMJ, using a DA Form 3881, Rights Warning Procedure/Waiver Certificate, and proceed with questioning only if the individual waives his or her rights.

AFZB-CS

SUBJECT: Appointment as Investigating Officer to Conduct AR 15-6 Informal Investigation into Command Climate and Use of Force by 3d BCT During Operation Iraqi Freedom 05-07

10. (b) (6) Office of the Staff Judge Advocate, 101st Airborne Division (Air Assault), COB Speicher, Tikrit, Iraq, APO AE 09393 will act as your legal advisor during the course of your investigation. I recommend you consult with him prior to the start of your investigation.

11. Your findings will be supported by substantial evidence and by a greater weight of evidence than supports a different conclusion. Submit your report in the form of a memorandum for record to the OSJA for legal review no later than 1 August 2006. The memorandum for record must be attached to the DA Form 1574, Report of Proceedings by Investigating Officer/Board of Officers and include all exhibits. In the event that the above suspense can not be met, a written request for extension with supporting reasons shall be provided.

(b)(6)

Major General, USA  
Commanding

~~FOUO~~ **ACLU DDII CID ROIS 35315**

~~Law Enforcement Sensitive~~

Exhibit 275  
001502

EXHIBITS 276 and 277

Page(s) 001503 thru 001510 referred to:

CDR USAMEDCOM  
ATTN: FOIA OFFICE, STOP 76  
1216 STANLEY RD 2D FL  
FT. SAM HOUSTON, TX 78234-5049

Emergency unit card

Saladin Health office  
Semara Hospital

NO: \_\_\_\_\_

Name of the Patient: Ahmed Farhan Mohamed

SEX: \_\_\_\_\_

Age: \_\_\_\_\_

date of admission      Time  
( 8/13/2006 )      ( --:-- )

Complaints: \_\_\_\_\_

Curation: Dead at arrival

Present History: \_\_\_\_\_

Clinical Findings: \_\_\_\_\_

Provisional diagnosis: \_\_\_\_\_

existence a hole caused of gunfire  
at the  
Head  
Chest  
Legs

Emergency unit card

Saladin Health office  
Samara Hospital

No: \_\_\_\_\_

Name of the patient: Jasim Mohamed Gumer

Sex: \_\_\_\_\_

Age: \_\_\_\_\_

date of admission      Time  
( 5/13/2006 )      ( --- )

Complaints: \_\_\_\_\_

Curation: The patient arrived dead

Present History: \_\_\_\_\_

Clinical Findings: \_\_\_\_\_

Provisional diagnosis: \_\_\_\_\_  
existence hole caused by gunfire  
at the head and chest

Emergency unit card

Saladin Health office  
Samara Hospital

No: \_\_\_\_\_

Name of the patient: Nihad Jasim Mohamed

sex: \_\_\_\_\_

Age: \_\_\_\_\_

date of admission      time  
( 5/13/2006 )      ( --:-- )

Complaints: \_\_\_\_\_

Curtalison: The patient arrived dead

Present History: \_\_\_\_\_

Clinical findings: \_\_\_\_\_

Provisional diagnosis: \_\_\_\_\_

existence of hole caused by <sup>gun fire</sup> ~~death~~ at  
the head and chest and abdomen

Emergency unit card

Saladin Health office  
Samara Hospital

No: \_\_\_\_\_

Name of the Patient: Ziad Jasim Mohamed

Sex: \_\_\_\_\_

Age: \_\_\_\_\_

date of admission      Time  
( 5/13/2006 )      ( --:-- )

Complaints: \_\_\_\_\_

Curation: The patient arrived dead

Present History: \_\_\_\_\_

Clinical Findings: \_\_\_\_\_

Provisional diagnosis: \_\_\_\_\_

existence hole caused of gunfire  
at the head and chest

ACLU DDII CID ROIS 35320

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EXHIBIT 7/16-4

001506



Certificate No: 21618 Republic of Iraq  
 Date of Issue: 5/13/2006

Ministry of Health  
 Vital and Demographical

### DEATH CERTIFICATE

Occupation Farmer	Religion Moslim	Citizenship Iraqi	Sex Male	First name Ahmed	Deceased
Place of Birth		Date of Birth	Marital status		
Province Saladin	City Samara	12/19/1988	M D W		
Place of Death	Home #	Street #	District #	City Province	
Village	ALTharthar		Samara	Saladin	
District	Date of Death (writing)	Day	Month	Year	
City Samara	thirteenth of May		2006		
Province Saladin	Name of the mother of the deceased (b)(6)		Name of the father of the deceased (b)(6)		
Address of the reporter		Relative to the Deceased	Name of the death reporter		
Period between the symptoms and the death	Medical death certificate				
1- disease or condition cause to the death directly with the symptoms	A gut shots				
2- <u>deal</u>	B at the head and the chest and the legs				
3- <u>deal</u>	C				
2-	D				
Location of the death	1- At the home	2- At the hospital	3- other		
	X	X	X		
Endorsement of the company	Doctor's name	testimony of the doctor		(b)(6)	
	signature	work place		Samar hospital	
Leban medicine certificate	I did the autopsy of the body	Name of the doctor		(b)(6)	
		Signature		X	
Archive No: 117	Page No: 20	Province Saladin	Marital status		ID No: 680565
					Samara

10015077  
 FEDERAL BUREAU OF INVESTIGATION  
 U.S. DEPARTMENT OF JUSTICE  
 CIVIL RIGHTS DIVISION  
 MEMPHIS, TENNESSEE

0086-06-CID469-75447

Certificate No: 21619 Republic of Iraq  
 date of issue : 5 / 13 / 2006

Ministry of Health  
 Vital and Statistical

DEATH CERTIFICATE

Vocation Farmer	Religion Moslim	Citizenship Iraqi	Sex male	First name Jasim	Last name
Place of Birth Province Saladin city Samara		Date of Birth July 1st 1935		Marital status S <input checked="" type="radio"/> M <input type="radio"/> W	
Place of Death Village District City Samara Province Saladin	Home #	Street #	District #	City	Province
Date of Death (writing)		Day	Month	Year	
Name of the mother of the deceased (b)(6)			Name of the father of the deceased (b)(6)		
Address of the reporter		Relative to the deceased	Name of the death reporter		
Approximate period between the symptoms and the death	Medical death certificate 1- disease or condition cause to the death directly with the symptoms A gun shot B at the head C at the chest 2- (Medical)				
Location of the death		1- At the home	2- At the hospital	3- other <input checked="" type="radio"/>	
Employment of the company		Doctor's name signature		Testimony of the doctor work place Samara hospital	
Legal medicine certificate		I did the autopsy of the body		Name of the doctor signature	
Archive No: 1067	Page No: 73397	Province Saladin		Marital status I.D NO: 224400 Samara	

Deceased

Statistical number

ACQUITTANCE  
 RECEIVED  
 EXHIBIT  
 001308

0086-06-CID469-75447

Certificate No: 21617 Republic of Iraq  
 date of issue : 5 / 13 / 2006

Ministry of Health  
 Vital and Prostatal

DEATH CERTIFICATE

Vocation Farmer	Religion Moslim	Citizenship Iraqi	Sex Male	First name: Nihad	Last name:
Place of Birth		Date of Birth	Marital status		
Province: Saladin city		Samara	01 / 03 / 1991	⑤ M. D W	
Place of Death	Home #	Street #	District #	City	Province
	Village		AL Tharthar	Samara	Saladin
District	Date of Death (writing)		Day	Month	Year
City	By Samara		thirteenth	May	2006
Province	Saladin		name of the mother of the deceased		
Address of the reporter		relative to the Deceased		name of the death reporter	
Approximate period between the symptoms and the death	Medical death certificate				
ACIDIC	1- disease or condition cause to the death directly with the symptoms				
DI	A gun fire				
CIB	B at the head and chest				
R	C at the Abdomen				
OS	2-				
35328	Location of the death		1- At the home	2- At the hospital	3- other
35328	endorsement of the company		signature	testimony of the doctor	work place Samara hospital
0015097	Legal medicine Certificate		I did the autopsy of the body	Name of the Doctor	signature X

Deceased

Medical Statistics

0015097

0086-06-CID469-75447

Certificate No: 21616 Republic of Iraq  
 date of issue : 5/13/2006

Ministry of Health  
 Vital and Statistical

## DEATH CERTIFICATE

Vocation Farmer	Religion Moslim	Citizenship Iraqi	Sex Male	First name Ziad	Last name
Place of Birth		Date of Birth		Marital status	
Province Saladin		City Samara		⑤ M O W	
Place of Death Village District City Samara Province Saladin	Home #	Street #	District #	City	Province
	Date of Death (writing)			Day	Month
name of the mother of the deceased (b)(6)			name of the father of the deceased (b)(6)		
Address of the reporter		relative to the deceased		name of the death reporter	
Approximate period between the symptoms and the death	Medical death certificate				
1- disease or condition cause to the death directly with the symptoms A gun fire at B the head C the chest 2-					
Location of the death	1- At the home	2- At the hospital	3- other		
X	X		ⓧ		
Endorsement of the company	Doctor's name signature		testimony of the doctor work place		
	(b)(6)				
Legal medicine certificate	I did the autopsy of the body		Name of the doctor signature X		

Deceased

Statistical number 7021517

Archive No: 129 | page No: 64 | Province Saladin | Marital status I.D No: 277425 | Samara

0-001910

0086-06-CID469-75447

ACLUDDIN QADRI 35324

The Record Book use for this date May-12-2006  
s s s o. en s s s May-13 2006

sign

600  
600

sign

The I.P Patrol went to bring the emergency truck from the Base in 6/2 after we got the permission from the J.C.

725

sign

The I.P Patrol return to Samirra hospital with the emergency Truck from Al-Tharthar

745

sign

I start my regular shift today and I found out all the Patrol members were doing their job in properly and the people who were in duty were (b)(6)(b)(7)(C)

800

(b)(6)(b)(7)(C)

sign

I went to I.P station in Samirra - to <sup>give</sup> get the mail with (b)(6)(b)(7)(C)

1000

sign

I've returned to the I.P station after delivering the mail

1200

sign

The patrol left without any incident

1430

sign

The J.C.C agree to give away a bottle of blood to the patient (b)(6)(b)(7)(C) who has Leukemia

1800

sign

Al-Tharthar I.P Patrol brought 4 unidentified Bodies from the silo and we put them in Samirra hospital fridge

1830

sign

The J.C.C gave their permission to send emergency truck with patrol to the G.Z, Samirra City Council building

2100

sign

The emergency truck has returned with the patrol to Base 6/6 from G. Z with out any incident —

2200 12

sign

The J.C.C agree to send emergency truck with patrol to Al-tharthar I.P station and then to go to Al-Howaish area a female having baby —

2245 13

sign

The emergency truck and the patrol have returned to the base from Al-Howaish and they brought the paicent with out incident —

200 14

sign

The J.C.C agree to send emergency truck with patrol to Al-Dhubat 1st area —

230

sign

The emergency truck and the patrol returned after they brought the paicent with out incident —

600 15

sign

The daily Record Book close for May-13-2006 —  
s s s s open for May-14-2006 —

600 1

sign

According to No. 9 from the Record Book the Four Bodies are (1) Jasim Hassan Komar Abdulllah born in 1935 (2) Nihad Jasim Hassan Komar born 1991 (3) Ziad Jasim Hassan Komar born in 1992 (4) Ahmad Farhan Hassan Komar born in 1988 —

730 2

800 3

I start my Regular shift today and I found out all the patrol member were doing their job in properly and the people who were in duty were (b)(6)(b)(7)(C) The people who are on duty for today are (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) (b)(6)(b)(7)(C)

(b)(6)(b)(7)(C)

Sign

The J.C.C gave their permission to give the 4 Bodies in No. 2 above to their Parents According to Samira I.P commandor. Al-Thatthar Station must finish the Investigation report —

800 | 4

—

~~FOUO~~

ACLU DDII CID ROIS 35327

Law Enforcement Sensitive

Exhibit 13078

Exhibit(s) 279

Page(s) 1514 thru 1517 referred to:

CDR USAMEDCOM  
ATTN: FOIA Office, STOP 76  
1216 Stanley RD 2D FL  
FT. Sam Houston, TX 78234-5049



**Sample (3) Rational Card  
Salahaddin Health Dept./ General Hospital Samarra  
For Month of May 2006**

Sequence Number	The Deceased Name	The Name of the owner of Rational Card	Number of Ration Card	Number of the Station and the Name	Notice
15	Jasim Muhammed Kumar	Jasim Muhammed Kumar	35954	448/Balad	_____
17	Nihad Jasim Muhammed	Nihad Muhammed Jasim	77738	445/Samarra	_____
18	Ziyad Jasim Muhammed	Ziyad Jasim Muhammed	77738	445/Samarra	_____
19	Ahamad Farhan Muhammed	Ahamad Farhan Muhammed	35957	445/Samarra	_____

This translation was generated to the best of my ability as a Category II Interpreter.

(b)(6)



~~FOUO~~

~~Law Enforcement Sensitive~~ **ACLU DDII CID ROIS 35329**  
Signature  
Exhibit 211

Sample (3) rational card  
 Salehaddin Health Dept / General Hospital Samarra  
 For month of MAY - 2006

Seq. case	The deceased name	The name of the owner of Rational card	Number of Rational card	Number of the station and the Name	Notice
15	Jasim Muhammed Kumar	Jasim Muhammed Kumar	35954	448/BALAD	—
17	Nihad jasim Muhammed.	Nihad jasim Muhammed.	77738	445/Samarra	—
18	Ziyad jasim Muhammed	Ziyad Jasim Muhammed	77738	445/Samarra	—
19	Ahmad Farhan Muhammed	Ahmad Farhan Muhammed	35957	445/Samarra	—

(b)(6)

Sample (3) rational card  
 Salehaddin Health Dept / General Hospital Samarra  
 For month of MAY - 2006

Seq. case	The deceased name	The name of the owner of Rational card	Number of Rational card	Number of the station and the Name	Notice
15	Jasim Muhammed Komar	Jasim Muhammed Komar	35954	448/BALAD	—
17	Nihad Jasim Muhammed.	Nihad Jasim Muhammed.	77738	445/Samarra	—
18	Ziyad Jasim Muhammed	Ziyad Jasim Muhammed	77738	445/Samarra	—
19	Ahmad Farhan Muhammed	Ahmad Farhan Muhammed	35957	445/Samarra	—

(b)(6)

Sample (3) rational card  
 Salehaddin Health Dept / General Hospital Samarra  
 For month of MAY - 2006

Seq. case	The deceased name	The name of the owner of Rational card	Number of Rational card	Number of the station and the Name	Notice
15	Jasim Muhammed Komar	Jasim Muhammed Komar	35954	448/BALAD	—
17	Nihad jasim Muhammed.	Nihad jasim Muhammed.	77738	445/Samarra	—
18	Ziyad jasim Muhammed	Ziyad Jasim Muhammed	77738	445/Samarra	—
19	Ahmad Farhan Muhammed	Ahmad Farhan Muhammed	35957	445/Samarra	—

(b)(6)

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

LOCATION FDB SPEICHER	DATE 03 Aug 06	FILE NUMBER 008606-01419-75447
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS 02/AD
ORGANIZATION OR ADDRESS C Co, 3 <sup>rd</sup> Bn, 187 <sup>th</sup> Infantry FDB Bessfield MORA, IZ APO AE 09349		

(b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was pulled off of COP 2 with some of my men to go to <sup>(b)(6), (b)(7)(C)</sup> Speicher on the 28<sup>th</sup> of May 2006. We were told we were going to meet a <sup>(b)(6), (b)(7)(C)</sup> General. I AM NOT sure who filled out the trip ticket for battalion but, some one in my platoon possibly me, filled one out. We did this before we left. We manifested the C36 vehicle and the C33A vehicle on the trip ticket We also tasked <sup>(b)(6), (b)(7)(C)</sup> PFC <sup>(b)(6), (b)(7)(C)</sup> on the trip ticket with no vehicle assignment because he was going to ride up with headquarters platoon. We had 2 vehicles from my platoon in this convoy and 2 vehicles or more from the headquarters platoon to the best of my knowledge. The C36 vehicle was manifested as having myself PFC <sup>(b)(6), (b)(7)(C)</sup> Sgt./SPC <sup>(b)(6), (b)(7)(C)</sup> SPC <sup>(b)(6), (b)(7)(C)</sup> and one other individual who was possibly CPL <sup>(b)(6), (b)(7)(C)</sup>. The C33A vehicle contained SSG <sup>(b)(6), (b)(7)(C)</sup> and who I believe to be PFC <sup>(b)(6), (b)(7)(C)</sup> SPC <sup>(b)(6), (b)(7)(C)</sup>, and possibly <sup>(b)(6), (b)(7)(C)</sup> and possibly <sup>(b)(6), (b)(7)(C)</sup>. I do not remember anyone deviating from their vehicle assignments. PFC <sup>(b)(6), (b)(7)(C)</sup> rode in one of the Headquarters Platoon trucks to the best of my knowledge. <sup>(b)(6), (b)(7)(C)</sup>

(b)(6), (b)(7)(C)  
Q-SA <sup>(b)(6), (b)(7)(C)</sup>  
A-ILT <sup>(b)(6), (b)(7)(C)</sup>

Q- Do you have a copy of the trip ticket?  
A- I have it saved on a thumb drive that is used by all members of the platoon, especially squad leaders.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 4 <sup>(b)(6), (b)(7)(C)</sup>
---------	--	--

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

ACLU DDH CID ROIS 85346

STATEMENT OF 1LT (b)(6), (b)(7)(C)TAKEN AT FOB SPEICHER, IZDATED 03 Aug 06

CONTINUED

STATEMENT (Continued)

(b)(6), (b)(7)(C)

Q.- WHERE IS THE THUMB DRIVE?

A.- IN MY LIVING QUARTERS AT FOB BRASSFIELD-MORRA.

Q.- DID PFC (b)(6), (b)(7)(C) EVER TELL YOU IF HE WAS THREATENED BY MEMBERS OF YOUR SQUAD?

A.- NO, HE DID NOT.

Q.- DO YOU HAVE ANY KNOWLEDGE OF HIM BEING THREATENED?

A.- I READ IT IN THE NEWSPAPER. THAT WAS THE FIRST TIME I REMEMBER HEARING IT.

Q.- WHAT WAS YOUR RELATIONSHIP WITH PFC (b)(6), (b)(7)(C)?

A.- I HAVE BEEN HIS PLATOON LEADER SINCE OCTOBER 2005. WE HAVE HAD NO REAL ISSUES BESIDES SOME MINOR DISRESPECT ISSUES, BUT NOTHING REALLY NOTEWORTHY.

Q.- WHAT WAS YOUR RELATIONSHIP WITH PFC (b)(6), (b)(7)(C)?

A.- HE HAD DISCIPLINE ISSUES WITH HIS SQUAD LEADER (SSG (b)(6), (b)(7)(C)) AND HIS TEAM LEADER (PPL/SGT (b)(6), (b)(7)(C)) BEFORE BEING MOVED TO SSG (b)(6), (b)(7)(C) SQUAD. HE LOST HIS MILITARY ID A COUPLE OF TIMES, BUT NOTHING MORE IS WORTHY BESIDES THE SSG (b)(6), (b)(7)(C) AND SGT/CPL (b)(6), (b)(7)(C) INCIDENT. I KNOW HE HAD A LOT OF MAJOR DISCIPLINE ISSUES BEFORE I TOOK OVER AS PLATOON LEADER IN OCTOBER 2005. THE SSG (b)(6), (b)(7)(C) / CPL (b)(6), (b)(7)(C) INCIDENT WAS THAT HE LOST HIS ID CARD AND THEN WAS DISRESPECTFUL TO THEM AND LACKED PROPER MILITARY COURTESY WITH REGARDS TO THIS ISSUE. THIS BEHAVIOR WAS MOSTLY ISOLATED TO THIS INCIDENT.

Q.- WHAT WAS YOUR RELATIONSHIP LIKE WITH SPC (b)(6), (b)(7)(C)?

A.- HE WORKED WITH MY PLATOON SINCE AT LEAST OCTOBER 2005. I HAD NO SIGNIFICANT PROBLEMS WITH HIM AND WE HAD A POSITIVE RELATIONSHIP.

Q.- WHAT WAS YOUR RELATIONSHIP LIKE WITH SPC (b)(6), (b)(7)(C)?

A.- HE AND I WORKED TOGETHER SINCE OCTOBER 2005. WE HAD A GOOD RELATIONSHIP WITH NO SIGNIFICANT PROBLEMS.

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 2 OF 4 PAGES

STATEMENT OF 1LT (b)(6), (b)(7)(C)

TAKEN AT FOS SPEICHER, IZ

DATED 03 Apr 06

CONTINUED

STATEMENT (Continued)

(b)(6), (b)(7)(C)

Q- WHAT WAS YOUR RELATIONSHIP LIKE WITH SSG (b)(6), (b)(7)(C)

A- HE AND I WORKED TOGETHER SINCE OCTOBER 2005. HE WAS MY 3<sup>RD</sup> SQUAD LEADER. HE WAS A GOOD LEADER THAT WAS HIGHLY MOTIVATED AND HE AND I HAD A GOOD RELATIONSHIP. HE, ALONG WITH MY OTHER SQUAD LEADERS WORKED CLOSELY.

Q- IS THERE ANYTHING ELSE YOU WISH TO ADD?

A- NO, I DO NOT // END OF STATEMENT // (b)(6), (b)(7)(C)

Q- WHEN WAS THE TRIP TICKET MADE?

A- BEFORE THE CONVOY. WE WOULD NOT HAVE BEEN ABLE TO LEAVE WITHOUT IT.

Q- HOW DO YOU KNOW WHO WAS ON EACH VEHICLE?

A- I COULD NOT SAY PRECISELY WHO WAS ON EACH VEHICLE. I ONLY REMEMBER VAGUELY.

Q- DO VEHICLE ASSIGNMENTS CHANGE? IF SO WHY?

A- USUALLY NOT, BUT IT HAS HAPPENED (b)(6), (b)(7)(C) DEPENDING ON AVAILABLE SEATS IN THE VEHICLE OR ANY EXTRAORDINARY CIRCUMSTANCES.

Q- WAS THIS THE DAY (b)(6), (b)(7)(C) WAS THREATENED?

A- I DO NOT

Q- DO YOU KNOW FOR A FACT IT WAS ON THE 28<sup>TH</sup> MAY?

A- NO, BUT TO THE BEST OF MY KNOWLEDGE IT WAS.

Q- IS THERE ANYTHING YOU WISH TO ADD TO YOUR STATEMENT?

A- NO, THERE IS NOT // END OF STATEMENT // (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)

PAGE 3 OF 4 PAGES

STATEMENT OF 1LT (b)(6), (b)(7)(C)

TAKEN AT FOB SPEICHER, I2 DATED 03 AUGUST

CONTINUED

STATEMENT (Continued)

NOT

USED

**(b)(6), (b)(7)(C)**

AFFIDAVIT

**(b)(6), (b)(7)(C)**

I, **(b)(6), (b)(7)(C)**, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

**(b)(6), (b)(7)(C)**

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 03 day of August, 2000 at FOB SPEICHER, I2.

ORGANIZATION OR ADDRESS

**(b)(6), (b)(7)(C)**

SA **(b)(6), (b)(7)(C)**

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

UCMJ, Article 136 / 10 USC 936

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

**(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**

PAGE 4 OF 4 PAGES

FOR OFFICIAL USE ONLY

AGLIDD/CID RQIS 35349

EXHIBIT 254



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7 Aug 06

## AFFIDAVIT SUPPORTING REQUEST FOR AUTHORIZATION TO SEARCH AND SEIZE OR APPREHEND

For use of this form, see AR 27-10; the proponent agency is TJAG.

BEFORE COMPLETING THIS FORM, SEE INSTRUCTIONS ON PAGE 2

1. I, Special Agent (b)(6), (b)(7)(C) 481st Military Police Detachment (CID) (-)

(Name) (Organization or Address)

Camp Liberty, Baghdad, Iraq, APO AE 09342

having been duly sworn, on oath depose and state that:

A CID investigation revealed two soldiers, SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) conspired with their Squad Leader, SSG (b)(6), (b)(7)(C) all assigned to 3rd Squad, 3rd Platoon, C Company, 3/187th Infantry (C Co 3/187th INF), Forward Operating Base (FOB) Brassfield-Mora, Samara, Iraq (FBM), to shoot and kill three local national detainees, who were zip tied and blindfolded prior to the shooting. A fourth soldier, SPC (b)(6), (b)(7)(C) a member of the Squad subsequently shot and killed one of the wounded detainees in the face at the direction of SSG (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) another member of 3rd Squad was present at a Squad meeting directly before the incident, but did not participate in the conspiracy or subsequent killings.

2. The affiant further states that:

On 15 Jun 06, PFC (b)(6), (b)(7)(C) a member of 3rd Squad provided a sworn statement to CID wherein he stated threats to his life had been made by SSG (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) on 29 May 06, while riding in a HMMWV from FBM to Contingency Operating Base (COB) Speicher, Tikrit, Iraq, APO AE 09393 (CSIZ).

On 3 Aug 06, SA (b)(6), (b)(7)(C) 76th MP Det (CID), Camp Slayer, Baghdad Iraq, interviewed 1LT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Platoon Leader, 3rd Platoon, C Co, 3/187th INF, FBM in regards to the thumb drive. 1LT (b)(6), (b)(7)(C) stated he was unsure who prepared the trip ticket for the mission as all members of his platoon, especially Squad Leaders had access to the thumb drive, and it was currently located at his living quarters at FBM. 1LT (b)(6), (b)(7)(C) further stated PFC (b)(6), (b)(7)(C) was not on the trip ticket as riding with PFC (b)(6), (b)(7)(C) or any member of 3rd Platoon as he was scheduled to ride with one of the vehicles from the Headquarters element of the convoy.

On 7 Aug 06, SA (b)(6), (b)(7)(C) 10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq, interviewed SFC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Paralegal NCOIC, 3rd BCT, 101st ABN DIV (AASLT), CSIZ. SFC (b)(6), (b)(7)(C) witnessed the testimony of 1LT (b)(6), (b)(7)(C) during the Article 32 hearing on 2 Aug 06 regarding the alleged murders of detainees on 9 May 06 during Operation Iron Triangle. 1LT (b)(6), (b)(7)(C) testified that there was a trip ticket prepared which listed the names of Soldiers and the vehicles in which they traveled during a mission to CSIZ in which the purpose was to be interviewed regarding the alleged murders. 1LT (b)(6), (b)(7)(C) stated the trip ticket was prepared using a "thumb drive" which was maintained in his personal living area on FBM. 1LT (b)(6), (b)(7)(C) related all members of his platoon could come to his living area in order to use the "thumb drive" to prepare documents. 1LT (b)(6), (b)(7)(C) related the "thumb drive" was currently at his quarters at FBM.

AGENT's NOTE: 1LT (b)(6), (b)(7)(C) through his chain of command, has indicated that he has the "thumb drive", but will not consent to the collection of the "thumb drive" by CID. A "thumb drive" is a commonly used term referring to a Universal Serial Bus (USB) device used to store computer media. The last access and last modified dates are able to be determined through examination of the thumb drive.

M | TAB | TAB | 7 Aug 06 | TA | TAB | TAB

3. In view of the foregoing, the affiant requests that an authorization be issued for a search of "Thumb drive(s)" of 1LT (b)(6), (b)(7)(C) (the person) (and)

(the quarters or billets) (and)

(the automobile) ( ) and (seizure) (apprehension) of thumb drive(s) and all electronic media (items/persons searched for)

contained within

TYPED NAME AND ORGANIZATION OF AFFIANT  
Special Agent (b)(6), (b)(7)(C)  
481st MP Det (CID), Camp Liberty, IZ

(b)(6), (b)(7)(C)

SWORN TO AND SUBSCRIBED BEFORE ME THIS 7 DAY OF August 18 2006 AT 1408

COB Speicher, Tikrit, IZ, APO AE 09393

TYPED NAME, ORGANIZATION AND OFFICIAL CAPACITY OF  
AUTHORITY ADMINISTERING THE OATH  
(b)(6), (b)(7)(C) CPT  
Office of the Staff Judge Advocate, 101st ABN DIV (AASLT)  
Military Magistrate

SIGNATURE OF AUTHORITY ADMINISTERING THE OATH  
(b)(6), (b)(7)(C)

**INSTRUCTIONS FOR  
AFFIDAVIT SUPPORTING REQUEST FOR AUTHORIZATION TO SEARCH AND SEIZE OR APPREHEND**

1. In paragraph 1, set forth a concise, factual statement of the offense that has been committed or the probable cause to believe that it has been committed. Use additional page if necessary.
2. In paragraph 2, set forth facts establishing probable cause for believing that the person, premises, or place to be searched and the property to be seized or the person(s) to be apprehended are connected with the offense mentioned in paragraph 1, plus facts establishing probable cause to believe that the property to be seized or the person(s) to be apprehended are presently located on the person, premises, or place to be searched. Before a person may conclude that probable cause to search exists, he or she must first have a reasonable belief that the person, property or evidence sought is located in the place or on the person to be searched. The facts stated in paragraphs 1 and 2 must be based on either the personal knowledge of the person signing the affidavit or on hearsay information which he/she has plus the underlying circumstances from which he/she has concluded that the hearsay information is trustworthy. If the information is based on personal knowledge, the affidavit should so indicate. If the information is based on hearsay information, paragraph 2 must set forth some of the underlying circumstances from which the person signing the affidavit has concluded that the informant (whose identity need not be disclosed) or his/her information was trustworthy. Use additional pages if necessary.
3. In paragraph 3, the person, premises, or place to be searched and the property to be seized or the person(s) to be apprehended should be described with particularity and in detail. Authorization for a search may issue with respect to a search for fruits or products of an offense, the instrumentality or means of committing the offense, contraband or other property the possession of which is an offense, the person who committed the offense, and under certain circumstances for evidentiary matters.

7 Aug 06

SEARCH AND SEIZURE AUTHORIZATION

For use of this form, see AR 27-10; the proponent agency is OTJAG

TO: (Name and Organization of the person to whom authorization is given)

Special Agent (b)(6), (b)(7)(C) 481st MP Det (CID), Camp Liberty, Baghdad, Iraq, APO AE 09393 or any USACIDC  
Special Agent

(An affidavit) (A sworn or (unsworn) oral statement) having been made before me by Special Agent (b)(6), (b)(7)(C)  
(Name of Affiant)

481st MP DET, Camp Liberty, IZ, APO AE 09342

(Organization or Address of Affiant)

(which affidavit is attached hereto and made a part of this authorization), and as I am satisfied that there is probable cause to believe that the matters mentioned in the affidavit are true and correct, that the offense set forth therein has been committed, and that the property to be seized is located (on the person) (at the place) to be searched, you are hereby ordered to search the (person) (place) known as

1LT (b)(6), (b)(7)(C) 3/187th INF, FOB Brassfield-Mora, IZ, APO AE 09349

for the property described as "Thumb drive(s)" / USB drive(s) and all digital media contained within

bringing this order to the attention of the (person searched) (person in possession, if any person be found at the place or on the premises searched). The search will be made in the (daytime) (nighttime), and if the property is found there, you shall seize it, issue a receipt therefor to the person from whom the property is taken or in whose possession the property is found, deliver the property to:

Evidence Custodian, 10th MP Battalion (CID), Camp Victory, Iraq, APO AE 09342

(Name and Organization of Authorized Custodian)

and prepare a written inventory of the property. If there is no person at the searched place to whom the receipt may be delivered, the receipt will be left in a conspicuous location at the place or on the premises where the property is found.

Dated this 7 day of August, 2006.

TYPED NAME AND GRADE OF AUTHORIZING OFFICIAL

(b)(6), (b)(7)(C) CPT

DUTY POSITION OF AUTHORIZING OFFICIAL

Military Magistrate

ORGANIZATION OF AUTHORIZING OFFICIAL

Office of the Staff Judge Advocate  
101st ABN DIV (AASLT)  
COB Speicher, Tikrit, IZ, APO AE 09393

S (b)(6), (b)(7)(C)

M	TAB	TAB	TAB	TAB	7 Aug 06
<b>AFFIDAVIT SUPPORTING REQUEST FOR AUTHORIZATION TO SEARCH AND SEIZE OR APPREHEND</b>					
For use of this form, see AR 27-10; the proponent agency is TJAG.					
BEFORE COMPLETING THIS FORM, SEE INSTRUCTIONS ON PAGE 2					

1. I, Special Agent (b)(6), (b)(7)(C) 481st Military Police Detachment (CID) (-)  
(Name) (Organization or Address)

Camp Liberty, Baghdad, Iraq, APO AE 09342

having been duly sworn, on oath depose and state that:

A CID investigation revealed three Soldiers conspired and executed a plan to cut the zip ties off the wrist of three detainees', instruct them to run and subsequently shoot them. Further the investigation revealed, after the shooting, one of the detainees' was still alive and was subsequently shot by another Soldier.

2. The affiant further states that:

About 1130, 16 Jun 06, SA (b)(6), (b)(7)(C) 31st MP DET (CID), COB Speicher, Tikrit, IZ APO AE 09393, was notified by LTC (b)(6), (b)(7)(C) Commander, 3rd Battalion, 187th Infantry Regiment (3-187 INF), 3rd Brigade Combat Team (3BCT), 101st ABN Division, FOB Brassfield-Mora, Samara, Iraq, APO AE 09393 (FBM), that he received information that about 0400, 16 Jun 06, SPC (b)(6), (b)(7)(C) Charlie Company (C CO), 3-187 INF, 3BCT, FBM, approached SGT (b)(6), (b)(7)(C) Headquarters and Headquarters Company (HHC), 3-187 INF, 3BCT, FBM, and asked him if he knew where he could hide "something" incriminating to his squad. SGT (b)(6), (b)(7)(C) informed his Squad Leader who in turn informed LTC (b)(6), (b)(7)(C)

About 1527, 15 Jun 06, PFC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) interviewed C Co, 3/187th INF REG, FBM, were interviewed by CID and related they attended a squad meeting where SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) conspired to murder the three detainees. (b)(6), (b)(7)(C) related he was in fear for his life because SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) had threatened to kill him on several occasions if he informed anyone of the conspiracy to murder the detainees. (b)(6), (b)(7)(C) related he also was informed if he told anyone of the conspiracy he would be killed but (b)(6), (b)(7)(C) stated he laughed about the comment and did not take him seriously.

About 1300, 16 Jun 06, SSG (b)(6), (b)(7)(C) C CO, 3-187 INF, 3BCT, FBM, was interviewed by CID. He stated (b)(6), (b)(7)(C) assisted during the inventory of SSG (b)(6), (b)(7)(C) same unit, belongings.

About 1505, 16 Jun 06, SPC (b)(6), (b)(7)(C) waived his legal rights but declined to be questioned further when he was asked if SSG (b)(6), (b)(7)(C) personal effects contained any contraband during his inventory.

About 1515, 16 Jun 06, SA (b)(6), (b)(7)(C) asked SPC (b)(6), (b)(7)(C) for consent to search his bags and gear wherein SPC (b)(6), (b)(7)(C) declined and stated he wanted to consult a lawyer. SA (b)(6), (b)(7)(C) advised SPC (b)(6), (b)(7)(C) that his gear and bags will remain in this office until search authorization was received from a Magistrate. SA (b)(6), (b)(7)(C) further advised SPC (b)(6), (b)(7)(C) that the search would be conducted in his presence upon his return from Trial Defense Services.

Between 2200-2210, 16 Jun 06, SA (b)(6), (b)(7)(C) searched SPC (b)(6), (b)(7)(C) bags and gear. The search revealed four digital video cassettes, three in his body armor pouch and one in his bag along with a disposable camera. The aforementioned items were seized as evidence.

About 1657, 16 Jul 06, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) who related he was being seen by a doctor at Combat Stress Control, COB Speicher.

About 1357, 4 Aug 06, SA (b)(6), (b)(7)(C) was contacted by MAJ (b)(6), (b)(7)(C) Officer in Charge, Combat Stress Control, COB Speicher, who related SPC (b)(6), (b)(7)(C) was a patient at the clinic. She stated (b)(6), (b)(7)(C) had expressed a concern for his safety or was in fear for his life. MAJ (b)(6), (b)(7)(C) related in order for her to release the records of SPC (b)(6), (b)(7)(C) she would need a magistrate's order to do so.

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7 Aug 06

3. In view of the foregoing, the affiant requests that an authorization be issued for a search of Combat Stress / Mental Health records  
*(the person) (and)*  
of SPC **(b)(6), (b)(7)(C)**

*(the quarters or billets) (and)*

*(the automobile) (* ) and (seizure) (apprehension) of complete contents of SPC **(b)(6), (b)(7)(C)**  
*(items/persons searched for)*

mental health records.

TYPED NAME AND ORGANIZATION OF AFFIANT

Special Agen **(b)(6), (b)(7)(C)**  
481st MP Det (CID), Camp Liberty, Iraq

**(b)(6), (b)(7)(C)**

SWORN TO AND SUBSCRIBED BEFORE ME THIS

7

DAY OF August

2006

AT

1415

COB Speicher, Tikrit, IZ APO AE 09393

TYPED NAME, ORGANIZATION AND OFFICIAL CAPACITY OF  
AUTHORITY ADMINISTERING THE OATH

CPT **(b)(6), (b)(7)(C)**  
Office of the Staff Judge Advocate, 101st ABN DIV (AASLT)  
Military Magistrate

**(b)(6), (b)(7)(C)**

ING THE OATH

**INSTRUCTIONS FOR**

**AFFIDAVIT SUPPORTING REQUEST FOR AUTHORIZATION TO SEARCH AND SEIZE OR APPREHEND**

1. In paragraph 1, set forth a concise, factual statement of the offense that has been committed or the probable cause to believe that it has been committed. Use additional page if necessary.
2. In paragraph 2, set forth facts establishing probable cause for believing that the person, premises, or place to be searched and the property to be seized or the person(s) to be apprehended are connected with the offense mentioned in paragraph 1, plus facts establishing probable cause to believe that the property to be seized or the person(s) to be apprehended are presently located on the person, premises, or place to be searched. Before a person may conclude that probable cause to search exists, he or she must first have a reasonable belief that the person, property or evidence sought is located in the place or on the person to be searched. The facts stated in paragraphs 1 and 2 must be based on either the personal knowledge of the person signing the affidavit or on hearsay information which he/she has plus the underlying circumstances from which he/she has concluded that the hearsay information is trustworthy. If the information is based on personal knowledge, the affidavit should so indicate. If the information is based on hearsay information, paragraph 2 must set forth some of the underlying circumstances from which the person signing the affidavit has concluded that the informant (whose identity need not be disclosed) or his/her information was trustworthy. Use additional pages if necessary.
3. In paragraph 3, the person, premises, or place to be searched and the property to be seized or the person(s) to be apprehended should be described with particularity and in detail. Authorization for a search may issue with respect to a search for fruits or products of an offense, the instrumentality or means of committing the offense, contraband or other property the possession of which is an offense, the person who committed the offense, and under certain circumstances for evidentiary matters.

7 Aug 06

0086-06-CID469-75447

SEARCH AND SEIZURE AUTHORIZ/

For use of this form, see AR 27-10; the proponent agency is OTJAG

TO: (Name and Organization of the person to whom authorization is given) Special Agent (b)(6), (b)(7)(C) 481st MP DET CID (-), Camp Liberty IZ, APO AE 09342 or any USACIDC Special Agent

(An affidavit) (A sworn or (unsworn) oral statement) having been made before me by Special Agent (b)(6), (b)(7)(C) (Name of Affiant)

481st MP DET (-), Camp Liberty, IZ, APO AE 09342

(Organization or Address of Affiant)

(which affidavit is attached hereto and made a part of this authorization), and as I am satisfied that there is probable cause to believe that the matters mentioned in the affidavit are true and correct, that the offense set forth therein has been committed, and that the property to be seized is located (on the person) (at the place) to be searched, you are hereby ordered to search the (person) (place) known as

SPC (b)(6), (b)(7)(C) Company, 3/187th Infantry Regiment, APO AE 09393

for the property described as Combst Stress/Mental Health Records of SPC (b)(6), (b)(7)(C)

bringing this order to the attention of the (person searched) (person in possession, if any person be found at the place or on the premises searched). The search will be made in the (daytime) (nighttime), and if the property is found there, you shall seize it, issue a receipt therefor to the person from whom the property is taken or in whose possession the property is found, deliver the property to:

Evidence Custodian, 10th MP Battalion (CID), Camp Victory, Iraq, APO AE 09342

(Name and Organization of Authorized Custodian)

and prepare a written inventory of the property. If there is no person at the searched place to whom the receipt may be delivered, the receipt will be left in a conspicuous location at the place or on the premises where the property is found.

Dated this 7 day of Aug, 2006

TYPED NAME AND GRADE OF AUTHORIZING OFFICIAL (b)(6), (b)(7)(C) CPT

DUTY POSITION OF AUTHORIZING OFFICIAL Military Magistrate

ORGANIZATION OF AUTHORIZING OFFICIAL Office of the Staff Judge Advocate 101st ABN DIV (AASLT) COB Speicher, Tikrit, IZ, APO AE 09393

(b)(6), (b)(7)(C)

OIT 0086 935 r' - CID 469 - 75447 75447

**SWORN STATEMENT**

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL:** To provide commanders and law enforcement officials with means by which information may be accurately identified.  
**ROUTINE USES:** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your social security number is voluntary.

1. LOCATION: COB Speicher, 5-101 AVN HQ BLDG 4650  
2. DATE (YYYYMMDD): 2006/08/07  
3. TIME: 1530  
4. GRADE/STATUS: (b)(6), (b)(7)(C) NUMBER

5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(7)(C)  
6. SSN: (b)(6), (b)(7)(C)  
7. GRADE/STATUS: O-5/AD

8. ORGANIZATION OR ADDRESS: HHC, 5-101 AVN REGT, 101ST CAB

9. (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On or about 090545 May 06, As the Air Mission Commander of 5-101 AVN REGT, we landed a flight of 7 UH-60L Blackhawk helicopters simultaneously on OBJECTIVE MURRAY in support of 3-187 INF REGT. Approximately 30 minutes later we made a second insertion with 4 UH-60L Blackhawk helicopters into OBJECTIVE MURRAY. After the second insertion into OBJECTIVE MURRAY, we moved an additional element of approximately 44 soldiers from OBJ MURRAY to a series of mud huts approximately 3 to 5 kilometers north of OBJ MURRAY. At no time during the insertion did the flight of UH-60s in support of OBJ MURRAY take hostile fire.

Q: SA (b)(6), (b)(7)(C)  
A: LTC (b)(6), (b)(7)(C)  
Q: At any time during Operation Iron Triangle were there any reports of aircraft taking hostile fire?  
A: No, not that I recall.  
Q: Do you know if the soldiers from 3-187 INF took hostile fire upon exiting the aircraft?  
A: I don't know if they took fire but I know they fired while departing the aircraft on Objective Murray.  
Q: Do you know if they took fire when they were inserted into the objective north of Murray?  
A: I don't know. I did witness a group of soldiers fire into one of the houses. This group of soldiers was already present on the North objective when I landed. The soldiers I transported exited the aircraft and immediately took a knee or went into the prone position. I assume they were aware of the other soldiers on the north objective because you could easily see them.  
Q: Was your unit briefed that OBJ MURRAY was a hostile target?  
A: Yes, we were briefed that OBJ MURRAY was a hostile target. We rehearsed pre-assault fires at the 3 BCT combined arms rehearsal approximately one day prior to the operation. Flight leads and serial AMCs were present for the briefing. Approximately 20 minutes prior to take off from COB Speicher my battalion was notified by the 101st CAB that no pre-assault fires will be conducted.  
Q: Does that mean no pre-assault fires apply to the ground troops as well, or was that no pre-assault fires for the aircraft?  
A: In this case, the order given by the 101st CAB for no pre-assault fires applied only to the Brigade's aircraft. I am unaware if the ROE changed for 3-187 INF or if OBJ MURRAY was still considered a hostile target for 3-187 INF.  
Q: Do you have anything else to add to this statement?  
A: No.//END OF STATEMENT// (b)(6), (b)(7)(C)

10. EXHIBIT: \_\_\_\_\_ 11. INITIALS: (b)(6), (b)(7)(C) STATEMENT PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.





SWORN STATEMENT

(b)(6), (b)(7)(C)

LOCATION: Tikrit CID Office  
Contingency Operating Base (COB) Speicher  
Tikrit, Iraq, APO AE 09393

DATE: 12 Aug 06 TIME: 0923

NAME: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C) GRADE/STATUS: SSG/AD

ORGANIZATION OR ADDRESS: C Company, 3/187<sup>th</sup> Infantry Regiment, FOB  
Brassfield-Mora, APO AE 09393

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER

OATH:

Q: SA (b)(6), (b)(7)(C)

A: SSG (b)(6), (b)(7)(C)

Q: Do you recall riding in a convoy in which (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C) was in your vehicle?

A: Not at all. I don't even know who (b)(6), (b)(7)(C) is. I know (b)(6), (b)(7)(C) but I have never had any conversation with the guy or him ever being in the vehicle with me.

Q: Would there be any reason for someone to say he was in your vehicle?

A: He could have been in my vehicle when I was not in it but I don't ever recall (b)(6), (b)(7)(C) ever riding in a vehicle with me.

Q: Do you know how or why it was said they he may have been in your vehicle?

A: The only reason I know anything about this was because about three days ago members of my platoon were contacted by a female on the phone at battalion who stated she was a defense attorney and wanted to know if I was in the vehicle with (b)(6), (b)(7)(C) any time on a convoy sometime in May. I am not sure of the date she gave me but she gave me a date. I informed her that to my knowledge he had never been in vehicle with me. Then she told me thank you and that was the end of the conversation.

Q: Do you know if someone may have mentioned your name and thought you may have been in the vehicle with (b)(6), (b)(7)(C) at anytime?

A: I was told my name was bought up by someone in the platoon as that I may have been in the vehicle. They were speculating. I not sure who it was but I don't think they were saying for sure I was in the vehicle, just that I might have been.

Q: Have your soldiers ever mentioned to you that they were in a vehicle with (b)(6), (b)(7)(C) during a convoy to Speicher?

A. Not to my knowledge. They may have been on a convoy together because they are in the same company but no one has said specifically that (b)(6), (b)(7)(C) was in the vehicle with them at anytime.

Q: Have you been apart of a convoy to Speicher after Operation Iron Triangle (9 May 06)?

A: I know I came up here with CPT (b)(6), (b)(7)(C) to install the Warlock Duke into the vehicles and to bring CPT (b)(6), (b)(7)(C) and 1SG (b)(6), (b)(7)(C) FRG mail. I may have come up here on (b)(6), (b)(7)(C)

INITIALS OF PERSON  
MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 1 OF 3 PAGES

DA FORM 2823 (Computer Generated)

EXHIBIT 289

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT USE ONLY~~

(b)(6), (b)(7)(C) ACLU DDII CID ROIS 35372

CASE#

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB  
SPEICHER, TIKRIT, IRAQ, DATED 12 August, 2006, CONTINUED.

(b)(6), (b)(7)(C)

other occasions but I don't know when. I know I came up here to be questioned and I filled out a questionnaire across the street at the MWR. I think it was in July 06. I am not sure. I know I was interviewed by a CW3 at Brassfield-Mora (BM) about the sniper incident. I was interviewed by you in the beginning of July at the MWR and by you again on the 19 Jul at BM. I have been a member of many convoys but I think I may have come here only three times. Once was when you interviewed me and I turned in a questionnaire type statement. One time was for the installation of the warlock system. This is the third time I have been here since 9 May 06. Neither one of those times were (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C) in my vehicle. I know there was a run to Speicher after Iron Triangle in which people were volunteering to go. I did not want to come. That trip anyone could come but I declined. I am not sure when that was trip took place.

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

A: If (b)(6), (b)(7)(C) was ever in the vehicle with me I would remember because he is someone I really don't know. Usually my team rides in the vehicle with me so if he was in the vehicle at anytime I would remember.

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

No.///END OF STATEMENT///

(b)(6), (b)(7)(C)

INITIALS OF PERSON  
MAKING STATEMENT (b)(6), (b)(7)(C)  
DA FORM 2823 (Computer Generated)

PAGE 2 OF 3 PAGES

EXHIBIT 289

~~FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE~~

ACU DDH CID ROIS 35373

(b)(6), (b)(7)(C)

CASE#

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB  
SPEICHER, TIKRIT, IRAQ, DATED 12 August, 2006, CONTINUED.

I, (b)(6), (b)(7)(C) READ OR HAVE HAD READ TO ME THIS STATEMENT  
WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE (b)(6), (b)(7)(C) I UNDERSTAND THE  
CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS  
TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE  
BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS  
STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT  
THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE,  
OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

ent)

Subscribed and sworn to before me, a person  
authorized by law to administer oaths, this  
Saturday, August 12, 2006, at Tikrit CID Office  
COB Speicher, Tikrit, Iraq, APO AE 09393

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

SA (b)(6), (b)(7)(C)

Typed Name of Person Administering Oath)

Article 136 (b) UCMJ

(Authority to Administer Oath)

Witness

INITIALS OF PERSON  
MAKING STATEMENT (b)(6), (b)(7)(C)  
DA FORM 2823 (Computer Generated)

PAGE 3 OF 3 PAGES

EXHIBIT 289

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 35374

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

LOCATION COB SPEICHER, TURT, 12	DATE (b)(6), (b)(7)(C) TIME (b)(6), (b)(7)(C) NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)
ORGANIZATION OR ADDRESS C Co, 5-187 INF, FOB BRASSFIELD-MOLK	GRADE/STATUS E31 AD

(b)(6), (b)(7)(C)

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) On a ~~SPE~~ Monday I was a driver driving a Humvee in a convoy in charge, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) The vehicle I was in was appointed convoy security. PFC (b)(6), (b)(7)(C) was traveling in the vehicle I was driving for the other personnel in that vehicle was SSG (b)(6), (b)(7)(C) and I do NOT REMEMBER the gunner. (b)(6), (b)(7)(C) and I talked prior to the convoy escort about what happened he told me that some detainees escaped zip ties cut some a soldier punched (b)(6), (b)(7)(C) and they shot the detainees during the commotion. I told him to be careful because I know how W C I D can be. We did the Convoy brief, got into our vehicles and headed to Speicher. We stopped at Rimagon ate breakfast we ate breakfast (b)(6), (b)(7)(C) stayed with me and ate with the guys in first platoon. At no time did (b)(6), (b)(7)(C) approach us or (b)(6), (b)(7)(C) approach him. (b)(6), (b)(7)(C) from Rimagon we drove to Speicher. At Speicher our vehicle I dropped him off at the convoy yard and we went with the rest of his platoon. At no time did I see (b)(6), (b)(7)(C) threaten, talk, gesture or here with anything to (b)(6), (b)(7)(C) Furthermore (b)(6), (b)(7)(C) said he threatened anyone in his platoon. I cannot begin to speculate what day or month it was when we took

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_ TAKEN AT \_\_\_ DATED \_\_\_ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_ OF \_\_\_ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

ACLU DDH CID ROIS 35375

STATEMENT OF (b)(6), (b)(7)(C)

TAKEN AT COB SPEICHER, Tikrit, IRAQ DATED 12 AUG 06

CONTINUED

STATEMENT (Continued)

(b)(6), (b)(7)(C) to Speicher.

The second time I went to Speicher in regards with C.I.D was when I had to fill out a survey about operation triangle I was in the vehicle with Lt (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) no one from any other platoon was with us. We arrived filled out the survey as a group. They were reviewed by warrant officer (b)(6), (b)(7)(C) and we were released back to our (b)(6), (b)(7)(C) go back to Feb brassfield.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

I saw SSG (b)(6), (b)(7)(C) on the convoy brief when we took (b)(6), (b)(7)(C) to Speicher. I dont recall seeing anyone from the other 3 else from 3rd platoon at the convoy brief. (b)(6), (b)(7)(C)

Q: (b)(6), (b)(7)(C)

A:

Q: IS THERE ANYTHING YOU WANT TO ADD TO THIS STATEMENT?

A: NO ||| END OF STATEMENT ||| (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

FILE NUMBER \_\_\_\_\_

STATEMENT OF **(b)(6), (b)(7)(C)**

TAKEN AT COR SPEICHER, TIKRIT IRAQ DATED 17 AUG 06

CONTINUED

STATEMENT (Continued)

**NOT USED**

**(b)(6), (b)(7)(C)**

**AFFIDAVIT**

I, **(b)(6), (b)(7)(C)**, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

**(b)(6), (b)(7)(C)**

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 17 day of AUG, 20 06 at COR SPEICHER, TIKRIT, IR

ORGANIZATION OR ADDRESS

**(b)(6), (b)(7)(C)**

ORGANIZATION OR ADDRESS

SA **(b)(6), (b)(7)(C)**

(Typed Name of Person Administering Oath)

UCMJ, Article 136 / 5 USC 303 B

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

**(b)(6), (b)(7)(C)**

PAGE 3 OF 3 PAGES

(b)(6), (b)(7)(C)

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

LOCATION COB Speicher, IDAF APO AE 09373	DATE 12 Aug 06	FILE NUMBER 1042
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS E3/A1
ORGANIZATION OR ADDRESS C Company, 3/187th INF, FOB Brassfield-Mora, APO AE 09349		

(b)(6), (b)(7)(C)

... WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On an FSC escort mission some time during the month of May, PFC (b)(6), (b)(7)(C) was taken to FOB Speicher from FOB Brassfield-Mora in my truck, G11A. I cannot remember the exact reason for him going but I believe it was to get a new ID card. We left early in the morning, probably 0630, and headed up to FOB Ramagen for chow. We stayed at Ramagen for maybe 40 minutes and then we continued our trip to Speicher. Once we arrived, we parked our trucks in the PX parking lot, dismantled our guns, and split up. After being given a time to meet back up, when it was time to leave we mounted our guns, did a quick convoy brief and returned to FOB Brassfield-Mora. At no point in time this day do I remember seeing anyone else (b)(6), (b)(7)(C) from 3rd Platoon.

Q: SA (b)(6), (b)(7)(C)

A: PFC (b)(6), (b)(7)(C)

Q: How do you know this trip happened in May and not in June?

A: I'm not 100% sure that it was May.

Q: Was (b)(6), (b)(7)(C) in your vehicle for the entire trip to and from Speicher?

A: Yes.

Q: Was he dropped off anywhere at Speicher?

A: To the best of my knowledge he split from the group at the PX parking lot when everyone else left.

Q: Hypothetically, if 3rd platoon had two vehicles on a trip to Speicher, why would a 3rd platoon member ride in your vehicle?

A: No third platoon trucks came to Speicher that day.

Q: If there were, would it be normal for someone in 3rd to ride with you?

A: NO

Q: Did you have any conversations with (b)(6), (b)(7)(C) that day?

A: Just the normal whats up? how you doing sort of thing nothing more than (b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_ TAKEN AT \_\_\_ DATED \_\_\_ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_ OF \_\_\_ PAGES." WHEN ADDITIONAL PAGES ARE INITIALED, THE BACK OF PAGE WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

AGU ODI CID ROIS 33378

TRKRT/RAA

STATEMENT OF FC **(b)(6), (b)(7)(C)** TAKEN AT Colb Speicher, DATED 12 Aug 06

**(b)(6), (b)(7)(C)** STATEMENT (Continued)

few words when and if we walked past each other.

Q: Do you remember anything unusual or out of the ordinary about that day?  
 A: NO. Its been a long time since then, to the best of my knowledge everything went smoothly.

Q: When TDS talked to you, what did they inquire about?  
 A: They pretty much asked the same things I've been asked today. I don't remember anything different.

Q: Did they mention the date of this trip as 29 May 06?  
 A: Yes.

Q: Who else was in your vehicle for this trip?  
 A: SSG **(b)(6), (b)(7)(C)** SPC **(b)(6), (b)(7)(C)** SPC **(b)(6), (b)(7)(C)** FC **(b)(6), (b)(7)(C)** and myself.

Q: Where was **(b)(6), (b)(7)(C)** sitting?  
 A: **(b)(6), (b)(7)(C)** was in the back right behind the TC.

Q: Who else do you remember turning to Speicher on that trip?  
 A: The only people I remember were the ones in my truck.

Q: Do you have anything else to add?  
 A: NO. end of statement. **(b)(6), (b)(7)(C)**

AFFIDAVIT

I, **(b)(6), (b)(7)(C)** HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT FEAR OF PUNISHMENT AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

**(b)(6), (b)(7)(C)**  
 (Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 12 day of Aug 2006 at Colb Speicher Det. APO AE 39393

**(b)(6), (b)(7)(C)**

ORGANIZATION OR ADDRESS

SA **(b)(6), (b)(7)(C)**  
 (Typed Name of Person Administering Oath)

Art 136 UCMJ

ORGANIZATION OR ADDRESS

(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

**(b)(6), (b)(7)(C)**

PAGE 2 OF 2 PAGES



SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

LOCATION <u>COB SPEICHER, TX</u>	DATE <u>12 AUG 06</u>	FILE NUMBER <u>1045</u>
LAST NAME, FIRST NAME, MIDDLE NAME <u>(b)(6), (b)(7)(C)</u>	SOCIAL SECURITY NUMBER <u>(b)(6), (b)(7)(C)</u>	GRADE/STATUS <u>E-6 AD</u>
ORGANIZATION OR ADDRESS <u>1ST PIT CO 3-187 INF, FDB BRASSFIELD-MORA</u>		

(b)(6), (b)(7)(C)

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

EVER SINCE THE INVESTIGATION STARTED I HAVE CONDUCTED AROUND 4 TRIPS TO COB SPEICHER. IN ONE OF THE TRIPS PFC (b)(6), (b)(7)(C) RODE IN MY VEHICLE SOME TIME AT THE END OF MAY, SPC (b)(6), (b)(7)(C) WAS THE DRIVER AND I CAN'T REMEMBER WHO WAS THE GUNNER. DURING JUNE I CAME BACK TO PROVIDE SECURITY FOR FSC CPL (b)(6), (b)(7)(C) AND SGT (b)(6), (b)(7)(C) IN MY VEHICLE BUT I'M NOT 100% SURE. SOME TIME AROUND JULY I CAME AGAIN TO BE INTERVIEWED BY WO. (b)(6), (b)(7)(C) I DID NOT USED MY VEHICLE, AS BEST I RECALL I RODE WITH ONE OF THE OTHER SQUAD. THE FOURTH TRIP WAS ON AUGUST 12 AND I FLEW FROM FDB BRASSFIELD-MORA TO COP SPEICHER TO BE INTERVIEWED. IN THIS TRIP THE MEMBER OF MY PLATOON THAT CAME WITH ME WERE SFC (b)(6), (b)(7)(C), SSG (b)(6), (b)(7)(C), SSG (b)(6), (b)(7)(C), SSG (b)(6), (b)(7)(C), SGT (b)(6), (b)(7)(C), SGT (b)(6), (b)(7)(C), SPC (b)(6), (b)(7)(C), SPC (b)(6), (b)(7)(C), SPC (b)(6), (b)(7)(C), SPC (b)(6), (b)(7)(C), SPC (b)(6), (b)(7)(C), PFC (b)(6), (b)(7)(C) AND TWO OFFICERS FROM THE BATTALION.

Q: SA (b)(6), (b)(7)(C)

A: SSG (b)(6), (b)(7)(C)

Q: DID (b)(6), (b)(7)(C) RIDE TO SPEICHER WITH YOU AT ANY OTHER TIME THAN THE ONE YOU MENTIONED?

A: NO SINCE THE INVESTIGATION STARTED.

Q: DID YOU HEAR (b)(6), (b)(7)(C) THREATEN ANYONE IN YOUR TRUCK?

A: NOT AT ALL, HE DID NOT THREAT ANYONE TO MY KNOWLEDGE.

Q: HAVE YOU EVER HEARD OF (b)(6), (b)(7)(C) THREATENING ANYONE?

A: NO, I HAVE NOT.

Q: ARE YOU AND (b)(6), (b)(7)(C) IN THE SAME PLATOON?

A: NO, IM IN 1ST PIT AND I BELIVE HE IS ON 3RD PIT.

Q: HAS (b)(6), (b)(7)(C) RODE IN YOUR TRUCK SINCE THIS INVESTIGATION HAS STARTED?

EXHIBIT	INITIALS OF (b)(6), (b)(7)(C) STATEMENT	PAGE 1 OF 4 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_ TAKEN AT \_\_\_ DATED \_\_\_ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_ OF \_\_\_ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

STATEMENT OF SSG (b)(6), (b)(7)(C)

TAKEN AT COB SPEICHER, IZ TIKRIT DATED 12 AUG 06 (b)(6), (b)(7)(C) CONTINUED

STATEMENT (Continued)

A: NO, I HAVE NOT MET HIM, I DON'T EVEN KNOW HOW HE LOOKS LIKE.

Q: NOW, CERTAIN ARE YOU THAT YOUR FIRST TRIP WAS AT THE END OF MAY?

A: BECAUSE THE MISSION AND THE ROTATION ON THE COP CYCLES IT MADE SENSE TO ME THAT THE END OF MAY WAS THE TIME FOR THE TRIP, BUT I'M NOT A 100% SURE.

Q: HAS ANYONE TOLD YOU THAT THAT WAS THE TIME FRAME FOR THE TRIP?

A: THE DEFENCE COUNSEL MENTIONED THE 29 OF MAY BUT I TOLD HER THAT I COULD NOT PIN POINT AN EXACT DATE.

Q: IS THERE A TRIP TICKET OR ANY OTHER DOCUMENTATION FOR THAT TRIP?

A: IF THE TRIP IS AT COMPANY LEVEL THE CP SHOULD HAVE THE TICKET. IF THE TRIP WAS FOR FSC SCOTT THE TRIP TICKET IS TURN IN TO THE FSC CP AND THEY MAKE ONE WITH ALL THE ELEMENT IN THE CONVOY. (b)(6), (b)(7)(C)

Q: IS THERE ANY DOCUMENTATION FOR THE COP CYCLES?

A: NOT TO MY KNOWLEDGE.

Q: WHEN YOU RODE HERE WITH THE OTHER SQUAD, DO YOU REMEMBER WHAT WAS IN THE TRUCK?

A: NO, I RODE IN DIFFERENT VEHICLES THROUGH THE UDV.

Q: HAVE YOU HEARD ANY SOLDIER THREATEN ANY OTHER SOLDIER REGARDING THIS INVESTIGATION?

A: I HAVE NOT.

Q: IS THERE ANYTHING ELSE YOU WISH TO ADD TO THIS STATEMENT?

A: NO, I BELIEVE THAT'S ALL.

Q: HAS ANYONE ELSE FROM 300M1 APOKE WITH YOU TO

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)

PAGE 2 OF 4 PAGES

FILE NUMBER \_\_\_\_\_

STATEMENT OF SSG (b)(6), (b)(7)(C)

TAKEN AT C.O.B SPL. CHR, FZ TIKRIT DATED 17 AUG 06 (b)(6), (b)(7)(C) CONTINUED

STATEMENT (Continued)

SPL. CHR SINCE THE START OF THIS INVESTIGATION

A: NOT TO (b)(6), (b)(7)(C) CAN REMEMBER.

Q: WAS IT POSSIBLE THAT ONE OF YOUR TRIPS WAS ON THE 5<sup>TH</sup> OF JUNE 06?

A: I CAN'T EXACTLY REMEMBER THE DATE.

Q: WHY WAS (b)(6), (b)(7)(C) COMING TO SPL. CHR ON THE TRIP HE RODE WITH YOU?

A: TO MY KNOWLEDGE HE WAS GETTING INTERVIEWED BY CID.

Q: WHERE DID CHAGET DISMOUNT YOUR TRUCK?

A: I CAN'T EXACTLY REMEMBER.

Q: IS THERE ANYTHING ELSE YOU WISH TO ADD TO THIS STATEMENT?

A: NO // END OF STATEMENT // (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)

PAGE 3 OF 4 PAGES

FOR OFFICIAL USE ONLY - Law Enforcement Sensitive **AGU DDJ CID ROIS 35382** EXHIBIT 32



(b)(6), (b)(7)(C)

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

LOCATION COB Speicher, Tikrit, Iraq, APO AE 09343	DATE 12 Aug 06	TIME 1048	FILE NUMBER (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)		GRADE/STATUS E-4/AD
C Co, 3/187th INF BN, FOB Brassfield-Mora, Samarra, Iraq, APO AE 09349			

(b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C)

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Myself along with PFC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SSgt (b)(6), (b)(7)(C) had an FSC escort that I don't remember what the date was. We also had PFC (b)(6), (b)(7)(C) in our truck. SPC (b)(6), (b)(7)(C) was driving, SSgt (b)(6), (b)(7)(C) was the TC, PFC (b)(6), (b)(7)(C) was gunner, I was passenger and PFC (b)(6), (b)(7)(C) was in the hot seat. I know he was going to CID, but didn't see why nor did I care. We was told just to drop PFC (b)(6), (b)(7)(C) off + go about our business. The second time I had been to CID was to be questioned and give sworn statements concerning things heard about what happened with ~~the other~~ PFC (b)(6), (b)(7)(C) and the other three. I don't recall what date that was or how many days there was inbetween the first and second trip here. The second trip there was SPC (b)(6), (b)(7)(C) driving, SSgt (b)(6), (b)(7)(C) TC, PFC (b)(6), (b)(7)(C) passenger, myself gunner, and nobody in the hot seat. I personally have not seen PFC (b)(6), (b)(7)(C) since we had dropped him off at the CID office.

Q: SA (b)(6), (b)(7)(C)  
A: SPC (b)(6), (b)(7)(C)

Q: Do you remember what day your first trip to the CID office was?

A: SPC (b)(6), (b)(7)(C) I remember it being a Monday

Q: Which seat is the hot seat?

A: Behind the T.C. seat

Q: How did you know PFC (b)(6), (b)(7)(C) was going to CID?

A: He told us to drop him off at CID

Q: What else did PFC (b)(6), (b)(7)(C) say?

A: Other than I was getting him drunk when we got back (b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 3 (b)(6), (b)(7)(C)
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_ TAKEN AT \_\_\_ DATED \_\_\_ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_ OF \_\_\_ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

ACLU DDII CID ROIS 35384

STATEMENT OF

**(b)(6), (b)(7)(C)**TAKEN AT CoB Spider, Tikrit, Iraq, APO AEC 343 DATED 12 Aug 06 **(b)(6), (b)(7)(C)** CONTINUED**(b)(6), (b)(7)(C)** STATEMENT (Continued)

Q: Were there any other conversations?

A: NO

Q: What does "FSC" stand for?

A: Forward Support Company

Q: What did your truck do after you dropped PFC **(b)(6), (b)(7)(C)** off?

A: Went to the PX and Burger King.

Q: How many vehicles were in this convoy?

A: Log pack unknown number of vehicles

Q: How many vehicles were in the second convoy?

A: 4

Q: Do you know if PFC **(b)(6), (b)(7)(C)** was in this convoy?

A: No he wasn't only 1st Platoon

Q: What were your instructions for this mission?

A: Go to CID to be questioned and after words grab chow and head back to Brassfield-Moss

Q: Who is PFC **(b)(6), (b)(7)(C)**?

A: The newest guy on the team also pretty new to 1st Platoon and sometimes is our driver and other times our passenger

Q: Who is SFC **(b)(6), (b)(7)(C)**?

A: He is the Squad gunner for 1st Platoon 1st squad and team driver

Q: Who is SSG **(b)(6), (b)(7)(C)**?

A: 1st Platoon 1st squad Alpha team leader

Q: Who **(b)(6), (b)(7)(C)** instructed you to drop PFC **(b)(6), (b)(7)(C)** off and go about your business?

A: The convoy commander I don't remember who the convoy commander was.

Q: Were there any 3rd platoon members on either convoy?

A: The first convoy. Don't recall who, or how many other than PFC **(b)(6), (b)(7)(C)**Q: Can you recall who interviewed you the second time you were at CID? **(b)(6), (b)(7)(C)**INITIALS OF PERSON MAKING STATEMENT: **(b)(6), (b)(7)(C)**PAGE **(b)(6), (b)(7)(C)** OF **(b)(6), (b)(7)(C)** PAGES

(b)(6), (b)(7)(C)

TIKRIT, IRAQ

12 Aug 06

FILE NUMBER

(b)(6), (b)(7)(C)

STATEMENT (Continued)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Warrent Offices had questioned us.

Q: Could this have been on 1 Jul 06?

A: I dont know

Q: Could either of these convoys been on 5 Jun 06?

A: I dont know cant remember exact dates.

Q: Did you drop PFC (b)(6), (b)(7)(C) off here at the CID office or at another location?

A: It was at another location, but I dont remember where.

Q: Is it possible that you are getting some of these convoys mixed up?

A: Yes.

Q: What was near where you dropped PFC (b)(6), (b)(7)(C) off?

A: I dont recall

Q: Do you know if any other vehicles followed yours and dropped someone else off at the same location?

A: No it was just my vehicle.

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

A: NO //END OF STATEMENT// (b)(6), (b)(7)(C)

AFFIDAVIT

(b)(6), (b)(7)(C)

SPL (b)(6), (b)(7)(C)

HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 1. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12<sup>th</sup> day of Aug, 20 06 at CID, SPEIC, TIKRIT, IRAQ APO AF 09393

ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA (b)(6), (b)(7)(C), (b)(7)(F)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE (b)(6), (b)(7)(C) PAGES

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

LOCATION COB SPEICHER I 2	DATE 12 Aug 06	FILE NUMBER (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS SPC/AD
ORGANIZATION OR ADDRESS 1511T LCO 3-187 INF FOB BRASSFIELD-MORSA		

I, (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Since the CID Investigation I recall making 3 trips up to Spyer. The first trip was a convey escort, escorting PSC up to Spyer for their logpack run. I do not recall who exactly was in the vehicle with me on that trip. We came up that morning and left that night. On the second trip to Spyer, we came up here for a CID interview. I cannot recall exactly who was riding in the truck along with me. We drove up in the morning and returned to Brassfield that night. On the third trip to Spyer myself, SSG (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) drove up to install "The Duke" which is a type of warlock system for our truck. I do not recall whether there were any other people riding with us that day. We drove up in the morning and returned that night.

Q: SA (b)(6), (b)(7)(C)

A: SPC (b)(6), (b)(7)(C)

Q: WHEN DID THE FIRST TRIP TAKE PLACE?

A: I'm not positive, but I would say sometime in May

Q: CAN YOU BE MORE SPECIFIC?

A: I really can't recall what part of the month it was

Q: WHEN DID THE SECOND TRIP TAKE PLACE?

A: Speculating I would say in June. I do not know what part of the month

Q: WHEN DID THE THIRD TRIP TAKE PLACE?

A: The third trip took place sometime closer to middle or end of July

Q: HOW DO YOU CERTAIN OF THIS?

A: It took place after our company took over BP 3, 5, 9, LRAS towers, and the EOP for FOB Security.

Q: DID (b)(6), (b)(7)(C) EVER RIDE IN YOUR TRUCK?

A: Not that I can recall but it is possible

Q: HAVE YOU EVER HEARD (b)(6), (b)(7)(C) MENTION ANOTHER SOLDIER?

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 3 PAGES
---------	--	-------------------

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



(b)(6), (b)(7)(C)

STATEMENT OF SPC

(b)(6), (b)(7)(C)

TAKEN AT COB SPEICHER, IZ TIKRI DATED 12 AUG 06

CONTINUED

STATEMENT (Continued)

A: No I have not

Q: HAVE YOU EVER HEARD OF (b)(6), (b)(7)(C) THREATENING ANOTHER SOLDIER?

A: I heard from the Defense representative and I believe it may have been in one of the news articles of this allegation

Q: HAS (b)(6), (b)(7)(C) EVER RODE IN YOUR TRUCK?

A: Not that I can recall

Q: HAVE YOU EVER HEARD (b)(6), (b)(7)(C) THREATEN ANYONE?

A: No I have not

Q: HAVE YOU EVER HEARD OF (b)(6), (b)(7)(C) THREATENING ANYONE?

A: No I have not

Q: HAS ANYONE FROM 3RD PLATOON RODE IN YOUR TRUCK?

A: Not that I can think of

Q: IS THERE ANY DOCUMENTATION FOR YOUR TRIPS?

A: We have made trip tickets but I have no knowledge of where they are kept at or if they even are kept

Q: ON THE FIRST TRIP, CAN YOU RECALL ANYONE ELSE THAT WAS IN THE TRUCK WITH YOU?

A: I cannot recall who was in the truck sometimes on Sparker runs we switch out people that away eventually everyone gets to go.

Q: FOR THE TRIP TO THE CID INTERVIEW, CAN YOU BE MORE SPECIFIC ABOUT THE TIME AND WHO WAS IN THE TRUCK?

A: I'm not positive I believe that CID sent a list of names of the people who they needed to talk to, so only the people on that list came. I do not recall who rode along with me.

Q: IS THERE ANYTHING ELSE YOU WISH TO ADD TO THIS STATEMENT?

A: NO ~~END~~ OF STATEMENT!!! (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES





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DEPARTMENT OF THE ARMY  
US ARMY CRIMINAL INVESTIGATION LABORATORY  
4930 N 31<sup>ST</sup> STREET  
FOREST PARK, GA 30297-5205



CILA-DNA

20 July 2006

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, 31TH MILITARY POLICE  
DETACHMENT, 10TH MP (CID) (FWD), COB SPEICHER, TIKRIT, IRAQ,  
APO AE 09393

SUBJECT: DNA Branch - Interim Report  
USACIL Case Number 2006-CID131-1281-A1/A2/A3  
Submitter Case Number 0086-06-CID469-75447

- 3 - Buccal swabs of (b)(6), (b)(7)(C) (Item 1, Doc 0473-06).
- 4 - Control swabs of (b)(6), (b)(7)(C) (Item 2, Doc 0473-06).
- 10(1-6) - Knives and multi-tool from (b)(6), (b)(7)(C) room (Item 1,  
Doc 0490-06).
  - 10(1) - Multi-tool.
  - 10(2) - Knife.
  - 10(3) - Knife.
  - 10(4) - Knife.
  - 10(5) - Knife.
  - 10(6) - Knife.
- 11(1-2) - Knives from (b)(6), (b)(7)(C) room (Item 2, Doc 0491-06).
  - 11(1) - Knife.
  - 11(2) - Knife.
- 12 - Multi-tool from (b)(6), (b)(7)(C) room (Item 3, Doc 0491-06).
- 13 - Knife from (b)(6), (b)(7)(C) room (Item 4, Doc 0491-06).
- 14 - Knife with sheath from (b)(6), (b)(7)(C) room (Item 5, Doc  
0491-06).
- 15 - Bayonet from (b)(6), (b)(7)(C) room (Item 6, Doc 0491-06).
- 16(1-3) - Sheath containing knives from (b)(6), (b)(7)(C) room (Item 7,  
Doc 0491-06).
  - 16(1) - Front knife.
  - 16(2) - Middle knife.
  - 16(3) - Back knife.
- 17 - Knife with sheath from (b)(6), (b)(7)(C) room (Item 8, Doc  
0491-06).

AN ASCLD/LAB ACCREDITED LABORATORY (SINCE 1985)

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1 of 3

ACLU DDII CID ROIS 35390

EXHIBIT 5

001573

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CILA-DNA

SUBJECT: DNA Branch - Interim Report  
 USACIL Case Number 2006-CID131-1281-A1/A2/A3  
 Submitter Case Number 0086-06-CID469-75447

- 18 - Bayonet from (b)(6), (b)(7)(C) room (Item 9, Doc 0491-06).  
 19 - Knife with sheath from (b)(6), (b)(7)(C) room (Item 10, Doc 0491-06).  
 20 - Multi-tool from (b)(6), (b)(7)(C) room (Item 11, Doc 0491-06).  
 21 - Bayonet from (b)(6), (b)(7)(C) room (Item 12, Doc 0491-06).  
 25 - ACU pants of (b)(6), (b)(7)(C) (Item 2, Doc 519-06).  
 26 - ACU shirt of (b)(6), (b)(7)(C) (Item 3, Doc 519-06).  
 27(1-2) - Boots of (b)(6), (b)(7)(C) (Item 4, Doc 519-06).  
     27(1) - Left boot.  
     27(2) - Right boot.

## FINDINGS:

- The possible presence of blood was detected (using chemical analysis) on Exhibits 10(4) (Knife from (b)(6), (b)(7)(C) room), 10(5) (Knife from (b)(6), (b)(7)(C) room), 25 (ACU pants of (b)(6), (b)(7)(C)), 26 (ACU shirt of (b)(6), (b)(7)(C)), and 27 (Boots of (b)(6), (b)(7)(C)). The presence of blood could not be confirmed (using immunological analysis).
- No blood was detected on Exhibits 10(1)-10(3), 10(6), 11-15 (Knives/multi-tool from (b)(6), (b)(7)(C) room), 16-20 (Knives/multi-tool from (b)(6), (b)(7)(C) room) or 21 (Bayonet from (b)(6), (b)(7)(C) room).
- No examinations were performed on Exhibit 4 (Control swabs of (b)(6), (b)(7)(C)).
- The following samples will be submitted for DNA (Deoxyribonucleic acid) testing: 10(4) and 10(5) (Knives from (b)(6), (b)(7)(C) room), 25 (ACU pants of (b)(6), (b)(7)(C)), 26 (ACU shirt of (b)(6), (b)(7)(C)), 27 (Boots of (b)(6), (b)(7)(C)) and 3 (Buccal swab of (b)(6), (b)(7)(C)). The results of this analysis will be the subject of a separate report.
- The above listed Exhibits will be returned to the submitting agency upon the completion of laboratory testing.

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ACLU DDN CID ROIS 35391

EXHIBIT 85

001574

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

CILA-DNA

SUBJECT: DNA Branch - Interim Report  
USACIL Case Number 2006-CID131-1281-A1/A2/A3  
Submitter Case Number 0086-06-CID469-75447

6. 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 Processing Branch, DSN 797-7082/7109/7110, Commercial (404) 469-7082/7109/7110, Fax DSN 797-7112, or Email: usacil@usacil.army.mil.

**(b)(6), (b)(7)(C)**

Forensic DNA Examiner

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**ACLU DDII CID ROIS 35392**EXHIBIT 25

001575



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DEPARTMENT OF THE ARMY  
US ARMY CRIMINAL INVESTIGATION LABORATORY  
4930 N 31<sup>ST</sup> STREET  
FOREST PARK, GA 30297-5205

CILA-DNA

26 July 2006

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, 31TH MILITARY POLICE  
DETACHMENT, 10TH MP (CID) (FWD), COB SPEICHER, TIKRIT, IRAQ,  
APO AE 09393

SUBJECT: DNA Branch - Final Report  
USACIL Case Number 2006-CID131-1281-A1/A2/A3  
Submitter Case Number 0086-06-CID469-75447

- 3 - Buccal swabs of (b)(6), (b)(7)(C) (Item 1, Doc 0473-06).
- 10(4) - Swab from knife of (b)(6), (b)(7)(C) (Item 1, Doc 0490-06).
- 10(5) - Swab from knife of (b)(6), (b)(7)(C) (Item 1, Doc 0490-06).
- 25-1 - Cutting from pants of (b)(6), (b)(7)(C) area 1 (Item 2, Doc 519-06).
- 25-2 - Cutting from pants of (b)(6), (b)(7)(C) area 2 (Item 2, Doc 519-06).
- 26 - Cutting from shirt of (b)(6), (b)(7)(C) (Item 3, Doc 519-06).
- 27(1)-1 - Swab from L. boot of (b)(6), (b)(7)(C) area 1 (Item 4, Doc 519-06).
- 27(1)-2 - Swab from L. boot of (b)(6), (b)(7)(C) area 2 (Item 4, Doc 519-06).
- 27(1)-3 - Swab from L. boot of (b)(6), (b)(7)(C) area 3 (Item 4, Doc 519-06).
- 27(1)-4 - Swab from L. boot of (b)(6), (b)(7)(C) area 4 (Item 4, Doc 519-06).
- 27(1)-5 - Swab from L. boot of (b)(6), (b)(7)(C) area 5 (Item 4, Doc 519-06).
- 27(2) - Swab from R. boot of (b)(6), (b)(7)(C) area 1 (Item 4, Doc 519-06).

AN ASCLD/LAB ACCREDITED LABORATORY (SINCE 1985)

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1 of 3

ACLU DDII CID ROIS 35393

EXHIBIT 001596

CILA-DNA

SUBJECT: DNA Branch - Final Report  
USACIL Case Number 2006-CID131-1281-A1/A2/A3  
Submitter Case Number 0086-06-CID469-75447

FINDINGS:

1. (b)(6), (b)(7)(C) (Exhibit 3) cannot be excluded as the source of the DNA profiles obtained from Exhibits 25-1 (pants of (b)(6), (b)(7)(C) area 1) and 26 (shirt of (b)(6), (b)(7)(C)
2. Unknown Person #1 cannot be excluded as the source of the male DNA profiles obtained from Exhibits 25-2 (pants of (b)(6), (b)(7)(C) area 2) and 27(2) (right boot of (b)(6), (b)(7)(C)
3. Unknown Person #2 cannot be excluded as the source of the male DNA profiles obtained from Exhibits 27-1 and 27-2 (left boot of (b)(6), (b)(7)(C) areas 1 and 2).
4. Unknown Person #3 cannot be excluded as the source of the male DNA profiles obtained from Exhibits 27-3, 27-4 and 27-5 (left boot of (b)(6), (b)(7)(C) areas 3, 4, and 5).
5. Unknown Person #4 cannot be excluded as the source of the male DNA profile obtained from Exhibit 10(4) (knife of (b)(6), (b)(7)(C)
6. The DNA profile obtained from Exhibit 10(5) (knife of (b)(6), (b)(7)(C) does not have enough genetic information for interpretation.
7. Additional standards may be submitted to the laboratory for comparison purposes.
8. DNA (deoxyribonucleic acid) profile(s) were obtained using PCR (polymerase chain reaction) technology on the fifteen STR (short tandem repeat) loci D3S1358, vWA, FGA, D8S1179, D21S11, D18S51, D5S818, D13S317, D7S820, D16S539, TH01, TPOX, CSF1PO, D2S1338, D19S433 and the gender identification locus Amelogenin.
9. 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

CILA-DNA

SUBJECT: DNA Branch - Final Report  
USACIL Case Number 2006-CID131-1281-A1/A2/A3  
Submitter Case Number 0086-06-CID469-75447

Processing Branch, DSN 797-7082/7109/7110, Commercial (404) 469-7082/7109/7110, Fax DSN 797-7112, or Email: usacil@usacil.army.mil.

**(b)(6), (b)(7)(C)**

Forensic DNA Examiner

Exhibit 296  
001578





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DEPARTMENT OF THE ARMY  
US ARMY CRIMINAL INVESTIGATION LABORATORY  
4930 N 31ST STREET  
FOREST PARK, GA 30297-5205

CILA-DE

28 July 2006

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, 31ST MILITARY POLICE  
DETACHMENT, 10TH MP (CID) (FWD), COB SPEICHER, TIKRIT, IRAQ,  
APO AE 09393

SUBJECT: Digital Evidence Branch - Final Report  
USACIL Case Number 2006-CID131-1281/A2/A3  
Submitter Case Number 0086-06-CID469-75447

EXHIBITS

- 1 - Digital Camera (Item 1, Doc 0472-06)
- 2 - Secure Digital (SD) card (Item 2, Doc 0472-06).
- 22 - Laptop (Item 1, Doc 0498-06).
- 23 - AC Adapter (Item 2, Doc 0498-06).
- 28 - Portable Sony Playstation (Item 1, Doc 539-06).
- 30 - Digital Camera (Item 1, Doc 540-06).
- 31 - Ipod (Item 2, Doc 540-06).

FINDINGS:

1. The copy of this report contained on the attached Digital Versatile Disc (DVD), Enclosure 1, is a hyperlinked rich text file (.rtf). By viewing the report in Microsoft (MS) Word from the enclosed DVD, the reader will have the ability to hyperlink to the referenced files.

2. Several of the video files found on Enclosure 1 are in Apple Quicktime format (\*.mov). The Apple Quicktime application is available on Enclosure 1 to assist the reader of this report in viewing the enclosed Apple Quicktime video files. All other video files on Enclosures 1 through 3 should be viewable in Windows Media Player.

3. Examination of Exhibit 1 determined that it was a Kodak CX7530 digital camera, which contained two pictures and one video file. The files can be found on Enclosure 1 at RelevantFiles\Ex1\DCIM\100K7530.

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

1 of 3  
**ACLU DDII CID ROIS 35396**

EXHIBIT 297 001579

CILA-DE

SUBJECT: Digital Evidence Branch - Final Report  
USACIL Case Number 2006-CID131-1281/A2/A3  
Submitter Case Number 0086-06-CID469-75447

4. Examination of Exhibit 2 determined that it was a 512 megabyte (MB) Secure Digital (SD) card containing numerous pictures and video files. The files can be found on Enclosure 1 at RelevantFiles\Exhibit 2\C\DCIM\102K7530.

5. Examination of the hard disk drive (HDD) in Exhibit 22 revealed that it contained the Windows XP Operating System with the registered owner listed as (b)(6), (b)(7)(C). Several pictures of possible interest were found and can be viewed on Enclosure 1 at RelevantFiles\Ex22HDD\C\Documents and Settings\ (b)(6), (b)(7)(C) Desktop\letters to ahley\3sqd; RelevantFiles\Ex22HDD\C\Documents and Settings\ (b)(6), (b)(7)(C) My Documents; RelevantFiles\Ex22HDD\C\ (b)(6), (b)(7)(C) Folder\Pics\Iraq0506; and RelevantFiles\Ex22HDD\C\RECYCLER\S-1-5-21-2280393546-2666895517-2505614238-1006.

6. Further examination of the HDD in Exhibit 22 revealed numerous video files of possible interest. The files can be found on Exhibit 1 at RelevantFiles\Ex22HDD\C\Documents and Settings\ (b)(6), (b)(7)(C) Desktop\letters to (b)(6), (b)(7)(C) RelevantFiles\Ex22HDD\C\Documents and Settings\ (b)(6), (b)(7)(C) My Documents\My Videos; RelevantFiles\Ex22HDD\C\Documents and Settings\ (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) My Documents\3-3; RelevantFiles\Ex22HDD\C\Documents and Settings\ (b)(6), (b)(7)(C) My Documents\mm\random; and RelevantFiles\Ex22HDD\C\RECYCLER\S-1-5-21-2280393546-2666895517-2505614238-1006\Dc90.

7. In addition to the referenced files above an extensive amount of commercial adult pornography was found on the HDD of Exhibit 22 which the reader can view on Enclosures 2 and 3 of this report.

8. Exhibit 23 was used in the examination of Exhibit 22.

9. Examination of Exhibit 28 determined that it contained a 32 MB Sony memory card. Examination of the memory card did not reveal any data pertaining to the offenses under investigation.

10. Examination of Exhibit 30 determined that it was a Panasonic DMC-LC43 digital camera containing a 128MB SD card. Exhibit 30 was not capable of onboard image storage. Examination of the SD card revealed numerous pictures and video

CILA-DE

SUBJECT: Digital Evidence Branch - Final Report  
USACIL Case Number 2006-CID131-1281/A2/A3  
Submitter Case Number 0086-06-CID469-75447

files of possible interest. The files can be found on Enclosure 1 at RelevantFiles\Exhibit 30\C\DCIM.

11. During the examination of Exhibit 31 the internal battery failed terminating the ability to examine it. Prior to the battery failure a preview of the 10 gigabyte HDD revealed that it contained numerous digital audio files and other files of no evidential value to the incident under investigation.

12. Enclosure 1 contains an MS Access 2000 database, 061281DB.mdb, which lists all active and recently deleted files found on Exhibits 2, 22, the memory card of Exhibit 28 and the SD card of Exhibit 30.

13. 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 Processing Branch, DSN 797-7082/7109/7110, Commercial (404) 469-7082/7109/7110, Fax DSN 797-4615, or Email: [usacil@usacil.army.mil](mailto:usacil@usacil.army.mil).

**(b)(6), (b)(7)(C)**

Digital Evidence Examiner

Encl 3 DVDs

(b)(6), (b)(7)(C)  
**SWORN STATEMENT**

(b)(6), (b)(7)(C)

**LOCATION:** Tikrit CID Office  
Contingency Operating Base (COB) Speicher  
Tikrit, Iraq, APO AE 09393

**DATE:** 22 Aug 06 **TIME:** 1036

**NAME:** (b)(6), (b)(7)(C) **SSN:** (b)(6), (b)(7)(C) **GRADE/STATUS:** 1LT/AD

**ORGANIZATION OR ADDRESS:** C Company, 3/187<sup>th</sup> Infantry Regiment, FOB  
Brassfield-Mora, APO AE 09393

(b)(6), (b)(7)(C)

I, (b)(6), (b)(7)(C) **WANT TO MAKE THE FOLLOWING STATEMENT UNDER**

**OATH:**

Q: SA (b)(6), (b)(7)(C)

A: 1LT (b)(6), (b)(7)(C)

Q: Were you part of a convoy that traveled to Speicher on 29 May 06?

A: Yes.

Q: What was your mission or reason for traveling to Speicher?

A: Follow up to a commander's inquiry to speak with a General. When we arrived at Speicher, we found out we were actually going to CID.

Q: What vehicle did you ride in and who rode in that vehicle with you?

A: Vehicle C36 (my vehicle) with I think (b)(6), (b)(7)(C) and I am sure who else.

Q: Who was the convoy commander?

A: I think it was CPT (b)(6), (b)(7)(C) because he was with us or it could have been me. I am not sure.

Q: Who conducted the convoy brief?

A: I am not sure.

Q: Do you know where it was conducted?

A: I am not sure.

Q: Do you know who all traveled to Speicher with that convoy? (personnel)

A: Myself, (b)(6), (b)(7)(C) (assuming), (b)(6), (b)(7)(C) and there were personnel from the headquarters element.

Q: What do you mean the headquarters element?

A: Personnel from headquarters platoon.

Q: Do you know who any of those personnel were?

A: Besides CPT (b)(6), (b)(7)(C) am not sure.

Q: Do you know if anyone from 1<sup>st</sup> Platoon was part of that convoy?

A: I am not sure.

Q: Do you recall if (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C) were part of that convoy?

A: I don't know.

Q: Did you conduct any significant activity while at Speicher during that mission?

A: I just was interviewed by CID. I think it was the red headed CID Agent. (b)(6), (b)(7)(C)

INITIALS OF PERSON  
MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 1 OF 4 PAGES

DA FORM 2823 (Computer Generated)

EXHIBIT 298

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

**ACLU DDII CID ROIS 35399**

CASE#

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB  
SPEICHER, TIKRIT, IRAQ, DATED 22 August, 2006, CONTINUED.

(b)(6), (b)(7)(C)

Q: Do you know how long you were on Speicher?

A: I know we got here in the morning of the 29 May. I think my interview took about 4 or 5 hours. I am not sure if we stayed the night or if we left the same day.

Q: Do you recall who rode in what vehicles?

A: I know (b)(6), (b)(7)(C) had a separate vehicle with members of his squad. I know I was in a vehicle with (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) I think. I know the manifest was made up it had (b)(6), (b)(7)(C) assigned to ride in a vehicle not in our platoon. I am not sure if he rode in another platoon vehicle or not. I know (b)(6), (b)(7)(C) was manifested to ride in the vehicle with (b)(6), (b)(7)(C) I am not sure if he rode in the vehicle with (b)(6), (b)(7)(C)

Q: Were you part of a convoy that took place on 5 Jun 06?

A: I don't know. Monday would have been a log pack run. But I am not sure if I came to Speicher or not.

Q: Do you recall the times you came to Speicher on convoys?

A: I recall coming here more than once. I know I came on the 29<sup>th</sup> of May. I have been here several times since. I flew in for the Article 32. I convoyed with the S4 shop to bring my thumb drive up to CID. I was interviewed by this office in reference to the tomato truck incident; which was before I bought the thumb drive up. I know I was interviewed here also by (b)(6), (b)(7)(C) and the time I was interviewed by the red headed guy and you. Those all were on separate occasions and I rode on a different convoy. I am not sure of the dates, times or who was part of the convoys.

Q: During any of those convoys do recall who the convoy commander was?

A: I am not sure.

Q: Do you know where the convoy briefs were conducted or who conducted them?

A: I am not sure.

Q: Did you conduct any significant activity while here on Speicher during those visits? (Finance or PSB)

A: I think I went to finance the last time I was here for the 32 or the thumb drive or before. It also could have been one of the times I was interviewed for the (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) case. I don't think this took place on the 29<sup>th</sup> of May. It's possible but I doubt it.

Q: On either of these convoys did you ride with (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C)

A: I drove back to Brassfield-Mora with (b)(6), (b)(7)(C) on the 29<sup>th</sup> of May. That was the first time we had to come down for interviews/the General.

Q: Did you have any conversation with (b)(6), (b)(7)(C)

A: I am not sure if we had conversation or not. I really don't remember.

Q: Did you ride with (b)(6), (b)(7)(C) on any of these convoys?

A: I am not sure.

Q: Did (b)(6), (b)(7)(C) ever say anything about being threatened by (b)(6), (b)(7)(C) or

(b)(6), (b)(7)(C)

INITIALS OF PERSON  
MAKING STATEMENT (b)(6), (b)(7)(C)  
DA FORM 2823 (Continued)

PAGE 2 OF 4 PAGES

EXHIBIT 208

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 35400

0086-06 CID469-75447

CASE#

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB  
SPEICHER, TIKRIT, IRAQ, DATED 22 August, 2006, CONTINUED.

(b)(6), (b)(7)(C)

A: No he did not.

Q: How did you hear about the threat?

A: The newspaper.

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

A: There were things I knew at the time when I made previous statements that I can not recall at this time. I am not sure of many of the events of the convoys or conversations I may have had.

Q: Was this statement typed by SA (b)(6), (b)(7)(C) and all answered are provided by you?

A: Yes.

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

A: No.///END OF STATEMENT/// (b)(6), (b)(7)(C)

INITIALS OF PERSON

MAKING STATEMENT (b)(6), (b)(7)(C)

DA FORM 2823 (Computer Generated)

PAGE 3 OF 4 PAGES

EXHIBIT 298

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 35401

001584

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB  
SPEICHER, TIKRIT, IRAQ, DATED 22 August, 2006, CONTINUED.

I, (b)(6), (b)(7)(C) READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C) \_\_\_\_\_  
(Signature)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this Tuesday, August 22, 2006, at Tikrit CID Office COB Speicher, Tikrit, Iraq, APO AE 09393

(b)(6), (b)(7)(C) \_\_\_\_\_  
(Signature of Person Administering Oath)

SA (b)(6), (b)(7)(C) \_\_\_\_\_  
Typed Name of Person Administering Oath  
Article 136 (b) UCMJ  
(Authority to Administer Oath)

\_\_\_\_\_  
\_\_\_\_\_

Witness  
\_\_\_\_\_  
\_\_\_\_\_

INITIALS OF PERSON  
MAKING STATEMENT (b)(6), (b)(7)(C)  
DA FORM 2823 (C \_\_\_\_\_ ed)

PAGE 4 OF 4 PAGES  
EXHIBIT 18

(b)(6), (b)(7)(C)

SWORN STATEMENT

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

LOCATION: Building 708 (CID Office)  
Contingency Operating Base (COB) Speicher  
Tikrit, Iraq, APO AE 09393

DATE: 22 Aug 06 TIME: 1117

NAME: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C) GRADE/STATUS: E-4/SPC

ORGANIZATION OR ADDRESS: C CO, 3-187 Infantry, Forward Operating Base  
(FOB) Brassfield-Mora, Samarra, Iraq, APO AE 09349

(b)(6), (b)(7)(C)

SPC (b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT  
UNDER OATH:

- Q: Were you part of a convoy that traveled to Speicher on 29 May 06?
- A: I can't recall.
- Q: If so, what was your mission?
- A: If it was on a Monday, we escort supplies as a security detail for the convoys. We only go on Mondays.
- Q: What vehicle or who did you ride with?
- A: I have no idea. It changes frequently because it depends on who wants to go and who needs to go.
- Q: Would there have been any first platoon members apart of that convoy or brief?
- A: I can't give any specifics on that day. I don't know.
- Q: Was there a convoy brief conducted and if so, who conducted it?
- A: I know that there are convoy briefs, but it changes on who conducts them. I don't know who conducted it.
- Q: Was (b)(6), (b)(7)(C) present during the convoy brief, in any of the vehicles which you traveled or part of the convoy brief?
- A: I cannot recall if this was on 29 May 06, but I do know that he was in the vehicle with me on a convoy and that he was present for the convoy brief. I cannot recall the date on which this occurred.
- Q: Were you part of a convoy that traveled to Speicher on 5 Jun 06?
- A: I cannot recall.
- Q: What would have been your mission?
- A: The same as it would have been on 29 May 06, if on a Monday.
- Q: What vehicle or who did you ride with?
- A: I can't recall.
- Q: How would you know if it was the 5 Jun 06 convoy?
- A: I couldn't tell you because I can't remember specific dates.
- Q: Were there any third platoon members apart of that convoy brief (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 1 OF 1

DA FORM 2823 (Computer Generated)

EXHIBIT 299

FOR OFFICIAL USE ONLY  
LAW ENFORCEMENT SENSITIVE  
**ACLU/DII CID ROIS 35403**



STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT BLDG 708, COB  
SPEICHER, TIKRIT, IRAQ, DATED 22 AUGUST (b)(6), (b)(7)(C) CONTINUED.

(b)(6), (b)(7)(C)

On those two dates I cannot specify because I don't remember.

Q: Was there a convoy brief conducted and who conducted it?

A: I know there has to be a convoy brief, but I do not know who conducted it.

Q: Did you ride in the vehicle with (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C) on either of these convoys?

A: I do remember (b)(6), (b)(7)(C) in my vehicle on a convoy here to Speicher; however, I cannot remember the date.

Q: Did you conduct any personal or significant transactions while you were here?

A: Negative.

Q: Did you provide the above mentioned information as SA (b)(6), (b)(7)(C) typed it?

A: Yes.

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

A: No///END OF STATEMENT/// (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)  
DA FORM 2823 (Continued)

PAGE 2 OF 3 PAGES

EXHIBIT 299

~~FOR OFFICIAL USE ONLY  
LAW ENFORCEMENT SENSITIVE~~

AGLU DDII CID ROIS 35404

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT BLDG 708, COB  
SPEICHER, TIKRIT, IRAQ, DATED 22 AUGUST, 2006, CONTINUED.

(b)(6), (b)(7)(C)

SPC (b)(6), (b)(7)(C) READ OR HAVE HAD READ TO ME THIS STATEMENT  
WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3 FULLY UNDERSTAND  
THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT  
IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE  
BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS  
STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT  
THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE,  
OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

Subscribed and sworn to before me, a person  
authorized by law to administer oaths, this  
Tuesday, August 22, 2006, at Building 708  
COB Speicher, Tikrit, Iraq, APO AF 09393

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

Special Agent (b)(6), (b)(7)(C), (b)(7)(F)

(Typed Name of Person Administering Oath)

Article 136, UCMJ

(Authority to Administer Oath)

\_\_\_\_\_  
\_\_\_\_\_

Witness

INITIALS OF PERSON (b)(6), (b)(7)(C)

MAKING STATEMENT

DA FORM 2823 (Computer Generated)

PAGE 3 OF 3 PAGES

EXHIBIT 299

~~FOR OFFICIAL USE ONLY  
LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 35405

(b)(6), (b)(7)(C)

SWORN STATEMENT (b)(6), (b)(7)(C)

LOCATION:

Building 708 (CID Office)  
Contingency Operating Base (COB) Speicher  
Tikrit, Iraq, APO AE 09393

DATE: 22 Aug 06

TIME: 1137

(b)(6), (b)(7)(C)

NAME: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C) GRADE/STATUS: E-4/SPC

ORGANIZATION OR ADDRESS: C CO, 3-187 Infantry, Forward Operating Base  
(FOB) Brassfield-Mora, Samarra, Iraq, APO AE 09349

(b)(6), (b)(7)(C)

I, SPC (b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT  
UNDER OATH:

Q: Were you part of a convoy that traveled to Speicher on 29 May 06?

A: I believe so.

Q: If so, what was your mission?

A: I am a Commander's driver, so I drive him wherever he needs to go which was  
to come to Speicher. I don't remember the exact date though.

Q: What vehicle or who did you ride with?

A: Vehicle C6 and I rode here with CPT (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) I am not sure  
who else was in the vehicle.

Q: Would there have been any first platoon members apart of that convoy or  
brief?

A: There could have been, but I don't remember.

Q: Was there a convoy brief conducted and if so, who conducted it?

A: I do not remember.

Q: Was (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C) present during the convoy brief, in any of the  
vehicles which you traveled or part of the convoy brief?

A: I do not remember.

Q: Were you part of a convoy that traveled to Speicher on 5 Jun 06?

A: I am not positive, but if CPT (b)(6), (b)(7)(C) came then I was here. That is the best I can  
say.

Q: What would have been your mission?

A: The same as before, to drive CPT (b)(6), (b)(7)(C) where he needed to go.

Q: What vehicle or who did you ride with?

A: C6, with CPT (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) I am not sure who else, if anyone, was  
in the vehicle.

Q: How would you know if it was the 5 Jun 06 convoy?

A: The only thing I know is that when CPT (b)(6), (b)(7)(C) came here I was here because I  
was his driver. That is the only thing I can say for sure.

Q: Were there any third platoon members apart of that convoy brief or convoy? (b)(6), (b)(7)(C)

INITIALS OF PERSON  
MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 1 OF 3 PAGES

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EXHIBIT 20

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AGLU DDII CID ROIS 35406

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT BLDG 708, COB  
SPEICHER, TIKRIT, IRAQ, DATED 22 AUGUST, 2006, CONTINUED.

(b)(6), (b)(7)(C)

A: I don't remember.

Q: Was there a convoy brief conducted and who conducted it?

A: Probably, but I don't remember.

Q: Did you ride in the vehicle with (b)(6), (b)(7)(C), (b)(6), (b)(7)(C) on either of these convoys?

A: Possibly, but I don't remember.

Q: Did you conduct any personal or significant transactions while you were here?

A: No.

Q: Did you provide the above mentioned information as SA (b)(6), (b)(7)(C) typed it?

A: Yes.

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

A: No///END OF STATEMENT// (b)(6), (b)(7)(C)

INITIALS OF PERSON  
MAKING STATEMENT (b)(6), (b)(7)(C)  
DA FORM 2823 (Computer Generated)

PAGE 2 OF 3 PAGES

EXHIBIT 300

~~FOR OFFICIAL USE ONLY  
LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 35407

001590

(b)(6), (b)(7)(C)

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT BLDG 708, COB  
SPEICHER, TIKRIT, IRAQ, DATED 22 AUGUST, 2006, CONTINUED.

(b)(6), (b)(7)(C)

I, SPC (b)(6), (b)(7)(C) READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this Tuesday, August 22, 2006, at Building 708 COB Speicher, Tikrit, Iraq, APO AE 09393

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

Special Agent (b)(6), (b)(7)(C), (b)(7)(F)  
(Typed Name of Person Administering Oath)  
Article 136, UCMJ  
(Authority to Administer Oath)

Witness

INITIALS OF PERSON  
MAKING STATEMENT (b)(6), (b)(7)(C)  
DA FORM 2823 (Computer Generated)

PAGE 3 OF 3 PAGES

EXHIBIT 300

FOR OFFICIAL USE ONLY  
LAW ENFORCEMENT SENSITIVE

ACLU DDII CID ROIS 35408

(b)(6), (b)(7)(C)  
**SWORN STATEMENT**

**LOCATION:** Tikrit CID Office  
Contingency Operating Base (COB) Speicher  
Tikrit, Iraq, APO AE 09393

**DATE:** 22 Aug 06 **TIME:** 1400

(b)(6), (b)(7)(C)

**NAME:** (b)(6), (b)(7)(C) **SSN:** (b)(6), (b)(7)(C) **GRADE/STATUS:** SPC/AD

**ORGANIZATION OR ADDRESS:** C Company, 3/187<sup>th</sup> Infantry Regiment, FOB  
Brassfield-Mora, APO AE 09393

I, (b)(6), (b)(7)(C) **WANT TO MAKE THE FOLLOWING STATEMENT UNDER**

**OATH:**

Q: Do you recall the first time you convoyed to Speicher?

A: Yes. We came here to drop (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) off at Speicher.

Q: When was this?

A: It was the day there stayed here for pretrial confinement.

Q: Did any of those personnel ride in your vehicle?

A: I don't remember.

Q: Do you remember anyone else in your vehicle that day?

A: Yes, CPT (b)(6), (b)(7)(C) and Spc (b)(6), (b)(7)(C)

Q: How do you know it was that day?

A: We thought they were coming down to see CID. They were but we found out that they were not coming back and that they were being confined because of their possible parts in the deaths of the detainees on OIT.

Q: When you were asked by SA (b)(6), (b)(7)(C) about the times you came to Speicher, why didn't you mention about the confinement?

A: Because he concentrated on 29 May and 5 Jun. I thought those may have been the dates we came up. He did not ask me the reason why we came up.

Q: Do you recall if (b)(6), (b)(7)(C) was in your vehicle any time you have convoyed to Speicher?

A: I do not recall. The first time I came to Speicher is for the confinement. I think I have been here five times including today.

Q: When was the first time you were interviewed by this office?

A: I can not tell you the date but I can tell you I was interviewed by you at the MWR and filled out a sworn statement that series of questioned on it. We stayed here a couple of days and I was re-interviewed by you in your office about the deaths of detainees. We also spoke about the incident with the 7 year old.

Q: Did (b)(6), (b)(7)(C) ride in your vehicle any time you came to Speicher?

A: I don't recall. I know we have empty seats and anyone could have ridden in my vehicle. I have been the commander's driver since I have been deployed. I drive him most places. He could have been driven here by someone else. Spc (b)(6), (b)(7)(C) drove for him while I was on leave. I was on leave in Mid February. It is possible some has

INITIALS OF PERSON  
MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 1 OF 3 PAGES

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EXHIBIT 301

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

**ACLU DDII CID ROIS 35409**

CASE#

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB  
SPEICHER, TIKRIT, IRAQ, DATED 22 August, 2006, CONTINUED.

(b)(6), (b)(7)(C)

driven him and I could not do it because of other commitments. I don't ever recall been in the vehicle with (b)(6), (b)(7)(C) but he could have been. I don't think it was before the confinement because I had not been here before and I know it was not after because he was confined.

Q: Do you recall driving CPT (b)(6), (b)(7)(C) to Speicher to meet with a General?

A: No. I am fairly sure I never drove him here to meet with a General.

Q: Do you recall driving him here to meet with a General and he was instead interviewed by CID?

A: I know he was interviewed by CID and I am not sure of the date. I know he was interviewed. While here SFC (b)(6), (b)(7)(C) got word from Brigade that we were to go back to Brassfield to meet with COL (b)(6), (b)(7)(C). We prepared to do it but it did not happen. We were later told we were staying here. We were here for about 4 or 5 days. When I returned CPT (b)(6), (b)(7)(C) did not return with me. Shortly after that he was relieved of duty.

Q: Was this statement typed by SA (b)(6), (b)(7)(C) and all answers provided by you?

A: Yes.

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

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

(b)(6), (b)(7)(C)

INITIALS OF PERSON  
MAKING STATEMENT (b)(6), (b)(7)(C)

DA FORM 2823 (Computer Generated)

PAGE 2 OF 3 PAGES (b)(6), (b)(7)(C)

EXHIBIT 301

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 35410

CASE#

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB  
SPEICHER, TIKRIT, IRAQ, DATED 22 August, 2006, CONTINUED.

I (b)(6), (b)(7)(C) READ OR HAVE HAD READ TO ME THIS STATEMENT  
WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3 FULLY UNDERSTAND THE  
CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS  
TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE  
BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS  
STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT  
THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE,  
OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person  
authorized by law to administer oaths, this  
Tuesday, August 22, 2006, at Tikrit CID Office  
COB Speicher, Tikrit, Iraq, APO AE 09393

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

SA (b)(6), (b)(7)(C)

Typed Name of Person Administering Oath)

Article 136 (b) UCMJ

(Authority to Administer Oath)

Witness

INITIALS OF PERSON  
MAKING STATEMENT (b)(6), (b)(7)(C)  
DA FORM 2823 (Computer Generated)

PAGE 3 OF 3 PAGES

EXHIBIT 301

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 35411



0086-06-C-0469-75447

SWORN STATEMENT

(b)(6), (b)(7)(C)

LOCATION: Tikrit CID Office  
Contingency Operating Base (COB) Speicher  
Tikrit, Iraq, APO AE 09393

DATE: 22 Aug 06 TIME: 1408

NAME: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C) GRADE/STATUS: SPC/AD  
(b)(6), (b)(7)(C)

ORGANIZATION OR ADDRESS: C Company, 3/187<sup>th</sup> Infantry Regiment, FOB  
Brassfield-Mora, APO AE 09393

(b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: SA (b)(6), (b)(7)(C)

A: SPC (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Were you a part of a convoy to Speicher on 29 May 06?

I think. If it was the time we came here to be interviewed by CID for the first time. I was interviewed by SA (b)(6), (b)(7)(C)

Q: Do you recall why you were coming to Speicher?

A: I think I was told we were getting interviewed by CID.

Q: How many times have you convoyed to Speicher?

A: Today, the day (b)(6), (b)(7)(C) vehicle caught fire, and on the 29<sup>th</sup> of May. I have been here other times by Air or by convoy but I am not sure how many or when. I know the day (b)(6), (b)(7)(C) vehicle caught fire, the 29<sup>th</sup> and today I was interviewed by CID. I know when I came back from R&R I was met at the airfield by you and another agent and I was interviewed by you. I also was interviewed by SA (b)(6), (b)(7)(C)

Q: During any of the convoys were (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C) in your vehicle?

A: I think the on the 29<sup>th</sup> I was in the vehicle with (b)(6), (b)(7)(C) and I am not sure of who else. I don't recall him I have ever ridden with either of them while coming to Speicher.

Q: When did you go on leave?

A: I am not sure. I did not leave Speicher when I came on the 29<sup>th</sup>. I stayed at the PAX terminal for two or three days. I then I went on leave. When I returned I was met at the PAX terminal by you.

Q: Was there a convoy brief conducted on the 29<sup>th</sup> of May.

A: Yes, but I am no sure who conducted it.

Q: Do you know who was at that brief?

A: I am not sure. I remember the commander was there and we towed (b)(6), (b)(7)(C) vehicle to Speicher. We also towed the vehicle another time and it caught fire.

Q: Did anyone ride in (b)(6), (b)(7)(C) vehicle when it was being towed?

A: No.

Q: What was the bumper number of the vehicle that was towed?

A: C36 but on the chicken shield it had C31 or 32. The chick shield is what we call the shield for the turret. (b)(6), (b)(7)(C)

INITIALS OF PERSON  
MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 1 OF 3 PAGES

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EXHIBIT 302

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 35412

001595

0086-06-CID469-75447  
CASE#

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB  
SPEICHER, TIKRIT, IRAQ, DATED 22 August, 2006, CONTINUED.

(b)(6), (b)(7)(C): Do you know if any of the 1<sup>st</sup> platoon personnel were with you during this convoy on the 29<sup>th</sup>.  
A: I am not sure.  
Q: Do you recall if (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C) were part of that convoy?  
A: I am not sure. I know they are in 1<sup>st</sup> Platoon.  
Q: Was this statement typed by SA (b)(6), (b)(7)(C) and answered by you.  
A: Yes.  
Q: Do you have anything else to add to this statement?  
A: No.///END OF STATEMENT// (b)(6), (b)(7)(C)

INITIALS OF PERSON  
MAKING STATEMENT (b)(6), (b)(7)(C)  
DA FORM 2823 (Computer Generated)

PAGE 2 OF 3 PAGES  
EXHIBIT 302

~~FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 35413

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB  
SPEICHER, TIKRIT, IRAQ, DATED 22 August, 2006, CONTINUED.

I, (b)(6), (b)(7)(C) READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3 FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)  
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this Tuesday, August 22, 2006, at Tikrit CID Office COB Speicher, Tikrit, Iraq, APO AE 09393

(b)(6), (b)(7)(C)  
(Signature of Person Administering Oath)

SA (b)(6), (b)(7)(C)  
(Typed Name of Person Administering Oath)  
Article 136 (b) UCMJ  
(Authority to Administer Oath)

\_\_\_\_\_  
\_\_\_\_\_

Witness

\_\_\_\_\_  
\_\_\_\_\_

INITIALS OF PERSON  
MAKING STATEMENT (b)(6), (b)(7)(C)  
DA FORM 2823 (Computer Generated)

PAGE 3 OF 3 PAGES  
EXHIBIT 302

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 35414

**SWORN STATEMENT**

**LOCATION:** Tikrit CID Office  
Contingency Operating Base (COB) Speicher  
Tikrit, Iraq, APO AE 09393

**DATE:** 22 Aug 06 **TIME:** 1601 (b)(6), (b)(7)(C)

**NAME:** (b)(6), (b)(7)(C) **SSN:** (b)(6), (b)(7)(C) **GRADE/STATUS:** CPL/AD

**ORGANIZATION OR ADDRESS:** C Company, 3/187<sup>th</sup> Infantry Regiment, FOB  
Brassfield-Mora, APO AE 09393

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) **WANT TO MAKE THE FOLLOWING STATEMENT UNDER**

**OATH:**

Q: SA (b)(6), (b)(7)(C)

A: CPL (b)(6), (b)(7)(C)

Q: Were you part of a convoy that traveled to Speicher on 29 May 06?

A: Yes. We were told we were going to see the General but when we got to Speicher we were informed we were here to see CID. It was the first sworn statement I filled out for CID.

Q: What vehicle did you ride in and who rode in that vehicle with you?

A: I rode in C36. It was me, (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)

Q: Who was the convoy commander?

A: It was CPT (b)(6), (b)(7)(C) and he conducted the convoy brief and I think it was conducted out by the clearing barrels at Brassfield.

Q: Do you know who all traveled to Speicher with that convoy? (personnel)

A: Myself, (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) and that's all I can remember off hand.

Q: What makes you recall all those names as coming to Speicher on the 29<sup>th</sup>?

A: I just remember sitting in the 3BCT hallway for about four hours waiting to be interviewed by the General and we were told we were getting interviewed by CID instead.

Q: Do you recall what vehicles (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) rode in?

A: I believe (b)(6), (b)(7)(C) was in the Commander's vehicle because I know he was the odd man out. It is also possible he rode in someone else's vehicle.

Q: Who rode in the vehicle with (b)(6), (b)(7)(C)

A: I think (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)

Q: Do you know this for sure?

A: I am not 100% positive about (b)(6), (b)(7)(C) but I am sure that was the manifest for that vehicle. They have been doing it that way for the past year. I can not say for certain they rode in the vehicle that way but those are the usual manifest.

Q: Is the same true for (b)(6), (b)(7)(C) vehicle? Meaning those were the actual occupants or that was the usual manifest (b)(6), (b)(7)(C)

INITIALS OF PERSON (b)(6), (b)(7)(C)  
MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 1 OF 4 PAGES

DA FORM 2823 (Computer Generated)

EXHIBIT 303

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

**ACLU DDII CID ROIS 35415**

CASE#

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB  
SPEICHER, TIKRIT, IRAQ, DATED 22 August, 2006, CONTINUED.

(b)(6), (b)(7)(C)

A: Those were the actual occupants and I had never ridden in that vehicle before.

Q: Did you ride in C36?

A: C36.

Q: Was this the day (b)(6), (b)(7)(C) vehicle was towed to Speicher?

A: I don't think so.

Q: Do you recall any 1<sup>st</sup> Platoon personnel riding with this convoy on 29 May.

A: I don't recall but that does not mean they were not there.

Q: Do you recall if (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C) were part of that 29 May convoy?

A: I can't remember. But they were not over at the 3 BCT.

Q: Do you recall which vehicle you rode in back to Brassfield?

A: C36. I am not sure but I think it was the same ones who rode up and I know there was one seat open but I am not sure who rode there. There were no empty seats in the vehicle.

Q: Did you conduct any significant activity while at Speicher during that mission?

A: No, I just sat at the 3BCT and was interviewed by this office.

Q: Do you know how long you were on Speicher?

A: We got here around 0800 and I think we left like two in the morning.

Q: Were you part of a convoy that took place on 5 Jun 06?

A: Yes. I was here to see CID. I was interviewed by the red head CID Agent.

Q: What vehicle did you ride in and who was in it with you?

A: Charlie C37 with (b)(6), (b)(7)(C) myself, (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Q: What makes you recall this information?

A: I am not sure it was the 5<sup>th</sup> of June. I know I came here shortly there after because there were some complications with people's statements.

Q: Do you recall the personnel that came up on that convoy?

A: No I do not. Just the ones I rode with.

Q: Was anyone from 1<sup>st</sup> Platoon part of that convoy?

A: I can't remember if anyone from 1<sup>st</sup> Platoon was there but they could have been.

Q: Do you know if (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C) were apart of that convoy?

A: I can't remember.

Q: Was there a convoy brief?

A: Yes, I think CPT (b)(6), (b)(7)(C) conducted it. I am not sure if he was on the convoy or not but if he was he would have been the one to give the brief.

Q: Did you conduct any significant activity while here on Speicher during those visits?  
(Finance or PSB)

A: I think I went to Finance and I got a casual pay. This also may not have been on the 5<sup>th</sup> of June.

Q: Do recall if (b)(6), (b)(7)(C) was apart of this convoy (b)(6), (b)(7)(C)

INITIALS OF PERS (b)(6), (b)(7)(C)  
MAKING STATEMENT

DA FORM 2823 (Computer Generated)

PAGE 2 OF 4 PAGES

EXHIBIT 03

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 35416

CASE#

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB  
SPEICHER, TIKRIT, IRAQ, DATED 22 August, 2006, CONTINUED.

(b)(6), (b)(7)(C)

: I do not recall if he was apart of the convoy or if I saw him here on that day. I am not sure again if I was here on the 5<sup>th</sup> of June but I know I came back to be interviewed days after the first interview. I know I was interviewed by the Agent with the long shaped head. That was the second time I was here.

Q: On either of these convoys did you ride with (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C)

A: No.

Q: Did (b)(6), (b)(7)(C) ever say anything about being threatened by (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C)

A: No.

Q: How did you hear about the threat?

A: I read about it in the newspaper.

Q: Was this statement typed by SA (b)(6), (b)(7)(C) but the answered were provided by you.

A: Yes.

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

A: No.//END OF STATEMENT// (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)  
DA FORM 2823 (Computer Generated)

PAGE 3 OF 4 PAGES

EXHIBIT 03

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 35417

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB  
SPEICHER, TIKRIT, IRAQ, DATED 22 August, 2006, CONTINUED.

I, (b)(6), (b)(7)(C) READ OR HAVE HAD READ TO ME THIS STATEMENT  
WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE  
CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS  
TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE  
BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS  
STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT  
THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE,  
OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)  

---

*(Signature of Person Making Statement)*

Subscribed and sworn to before me, a person  
authorized by law to administer oaths, this  
Tuesday, August 22, 2006, at Tikrit CID Office  
COB Speicher, Tikrit, Iraq, APO AE 09393

(b)(6), (b)(7)(C)  

---

*(Signature of Person Administering Oath)*

SA (b)(6), (b)(7)(C)  
*(Typed Name of Person Administering Oath)*  
Article 136 (b) UCMJ  
*(Authority to Administer Oath)*

\_\_\_\_\_  
\_\_\_\_\_

Witness

\_\_\_\_\_  
\_\_\_\_\_

INITIALS OF PERSON (b)(6), (b)(7)(C)  
MAKING STATEMENT  
DA FORM 2823 (Computer Generated)

PAGE 4 OF 4 PAGES  
EXHIBIT 3

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 35418

0086-06-CID469-75447

**SWORN STATEMENT**

**LOCATION:** Tikrit CID Office  
Contingency Operating Base (COB) Speicher  
Tikrit, Iraq, APO AE 09393

**DATE:** 22 Aug 06 **TIME:** 1630

(b)(6), (b)(7)(C)

**NAME:** (b)(6), (b)(7)(C) **SSN:** (b)(6), (b)(7)(C) **GRADE/STATUS:** 1LT/AD

**ORGANIZATION OR ADDRESS:** C Company, 3/187<sup>th</sup> Infantry Regiment, FOB  
Brassfield-Mora, APO AE 09393

(b)(6), (b)(7)(C)

I, (b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER

**OATH:**

Q: SA (b)(6), (b)(7)(C)

A: 1LT (b)(6), (b)(7)(C)

Q: Was your vehicle towed to Speicher on 29 May 06?

A: Yes, because of problems with the air conditioner.

Q: Who towed the vehicle to Speicher?

A: I don't know.

Q: Does that change what vehicles everyone would have rode in?

A: No, it does not.

Q: Was the manifest made before you knew you were towing your vehicle?

A: Yes.

Q: Whose vehicle did you use to drive to Speicher?

A: I don't know.

Q: Do recall sitting over at the 3BCT awaiting to be interviewed?

A: Yes. I think I was over there 15 minutes or so and then I was brought over to CID by a Major.

Q: How long were you on Speicher?

A: I was in this building for about 4 or 5 hours. I then went to the PX and stuff. I think I was the part of the first interviews. I may have gone to Finance. I think we left around 4 am in the morning.

Q: Do you recall any of the 1<sup>st</sup> platoon personnel being here during that time or at the 3BCT?

A: I don't recall if they were here or not.

Q: Was this sworn statement typed by SA (b)(6), (b)(7)(C) and the answered given by you.

A: Yes.

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

A: No.//END OF STATEMENT// (b)(6), (b)(7)(C)

INITIALS OF PERSON

MAKING STATEMENT (b)(6), (b)(7)(C)

DA FORM 2823 (Continued)

PAGE 1 OF 2 PAGES

EXHIBIT 304

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

**ACLU DDII CID ROIS 35419**

001602



0086-06-CID469-75447

CASE#

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB  
SPEICHER, TIKRIT, IRAQ, DATED 22 August, 2006, CONTINUED.

I, (b)(6), (b)(7)(C) READ OR HAVE HAD READ TO ME THIS STATEMENT  
WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE  
CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS  
TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE  
BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS  
STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT  
THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE,  
OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

(*Making Statement*)

Subscribed and sworn to before me, a person  
authorized by law to administer oaths, this  
Tuesday, August 22, 2006, at Tikrit CID Office  
COB Speicher, Tikrit, Iraq, APO AE 09393

(b)(6), (b)(7)(C)

(*Signature of Person Administering Oath*)

SA (b)(6), (b)(7)(C)

(*Typed Name of Person Administering Oath*)

Article 136 (b) UCMJ

(*Authority to Administer Oath*)

Witness

INITIALS OF PERSON  
MAKING STATEMENT (b)(6), (b)(7)(C)  
DA FORM 2823 (C... ted)

PAGE 2 OF 2 PAGES

EXHIBIT 3A

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 35420

001603



CASE#

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB  
SPEICHER, TIKRIT, IRAQ, DATED 22 August, 2006, CONTINUED.

(b)(6), (b)(7)(C)

A: I did not see him.

Q: CPT (b)(6), (b)(7)(C)

A: Was already at Speicher and he did not ride up on the convoy.

Q: (b)(6), (b)(7)(C)

A: I don't remember.

Q: (b)(6), (b)(7)(C)

A: I remember seeing (b)(6), (b)(7)(C) at the convoy brief that was conducted at the clearing barrels on Brassfield.

Q: (b)(6), (b)(7)(C)

A: I don't remember seeing him and was not in my vehicle.

Q: Do you recall a vehicle being towed to Speicher during that convoy?

A: It was an HHC convoy and we provided security for the convoy and a Charlie Company vehicle was being towed by a Charlie Company vehicle but I am not sure whose vehicle or why it was being towed.

Q: Have you been on other convoys that a vehicle was being towed?

A: Not that I remember.

Q: Was there two parts of the convoy that day? Did you come with a lot of vehicles and personnel and left with less.

A: Yes. We left Brassfield Mora around 5 or 6 in the morning and arrived at Speicher around 1000 or around 1200. We left Speicher the same day and it was still light outside. I remember seeing CPT (b)(6), (b)(7)(C) and that the people in third platoon were staying back was providing security on their own.

Q: Did (b)(6), (b)(7)(C) return to Brassfield Mora in your vehicle?

A: I don't remember.

Q: Who was in the vehicle when you returned to Speicher?

A: I know SSG (b)(6), (b)(7)(C) was in the vehicle.

Q: Do you know how many vehicles were part of the convoy?

A: No I do not.

Q: Did you have conversation with (b)(6), (b)(7)(C) on the way to Speicher?

A: Yes, I don't remember specifically what the conversation was about. I remember talking to him during the convoy brief and he said he was going to see CID and I told him to be careful.

Q: Did he tell you he was coming up to see some General?

A: No.

Q: Where did you drop (b)(6), (b)(7)(C) off?

A: We stopped at the place on Speicher where there were convoy vehicle lanes and it was a gravel yard, separated by cement barriers and I think it was about 5 or 6 across. I think he met up with the rest of the platoon and I do not remember seeing him again that day (b)(6), (b)(7)(C)

INITIALS OF PERSON (b)(6), (b)(7)(C)  
MAKING STATEMENT  
DA FORM 2823 (Continued) (Computer generated)

PAGE 2 OF 5

EXHIBIT 305

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 35422

0086-06-C10469-75447

CASE#

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB  
SPEICHER, TIKRIT, IRAQ, DATED 22 August, 2006, CONTINUED.

(b)(6), (b)(7)(C)

Q: What time did (b)(6), (b)(7)(C) say they were not returning to Brassfield?

A: It was late in the evening and but it was still light outside. I am not sure who he was talking to but I was there to hear the conversation.

Q: The convoy you came down with (b)(6), (b)(7)(C) was on a Monday, there was a HMMWV being towed and you think it drove off from the site where you dropped off members of third platoon, you left with less vehicles than what you came with, and (b)(6), (b)(7)(C) was not in your vehicle.

Q: Yes and I do not remember seeing (b)(6), (b)(7)(C)

Q: Did (b)(6), (b)(7)(C) ride in your vehicle all the way from Brassfield to Speicher?

A: Yes he did. He got out at Ramagen and ate breakfast with me and SSG (b)(6), (b)(7)(C) I don't think we ate chow with anyone else in third platoon.

Q: Could this convoy have taken place on 5 Jun, 12, Jun or 19 Jun?

A: It possible. I know it was a Monday.

Q: Could it have happened on another day of the week?

A: I don't know.

Q: When are logistical convoys conducted?

A: On Monday.

Q: Aren't they conducted on Fridays also?

A: No the ones I have been on.

Q: Have you been on pass or R&R leave and when?

A: I left the states on 24 Dec from my R&R leave. I think I left Iraq around 4 Dec 05. I have not been on any passes or emergency leave. That is the only time I have left Iraq.

Q: Have you been on other convoys to Speicher?

A: Yes, several times on logistical convoys to provide security. I also have been interviewed by this office around two or three times and I am not sure if they were on a Monday or not.

Q: The time you came with (b)(6), (b)(7)(C) were you interviewed by this office.

A: No.

Q: Do you know if he was interviewed by this office?

A: He said he was coming here but I don't know if he was interviewed?

Q: Did he say he was going meet with his lawyer?

A: He did not say anything about a lawyer.

Q: How many times did you come to Speicher in May?

A: I don't remember.

Q: How many times had you come to Speicher before this convoy with (b)(6), (b)(7)(C)

A: I could not give you an estimated number?

Q: Was it more than once?

Q: Yes, I would say more than once but less than ten.

Q: Did he ride with you from Ramagen to Speicher? (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

INITIALS OF PER (b)(6), (b)(7)(C)  
MAKING STATEMENT  
DA FORM 2823 (Computer Generated)

PAGE 3 OF 5 PAGES

EXHIBIT 305

FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE

ACLU DDII CID ROIS 35423

001606

0086-06-C10469-75447

CASE#

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB  
SPEICHER, TIKRIT, IRAQ, DATED 22 August, 2006, CONTINUED.

(b)(6), (b)(7)(C)

A: Yes.

Q: Did he return to Brassfield with you in your vehicle from Speicher?

A: I don't remember.

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

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

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT  
DA FORM 2823 (Continued)

PAGE 4 OF 2 PAGES

EXHIBIT 305

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 35424

001607

CASE#

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB  
SPEICHER, TIKRIT, IRAQ, DATED 22 August, 2006, CONTINUED.

(b)(6), (b)(7)(C) READ OR HAVE HAD READ TO ME THIS STATEMENT  
WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 5. I FULLY UNDERSTAND THE  
CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS  
TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE  
BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS  
STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT  
THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE,  
OR UNLAWFUL INDUCEMENT (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Subscribed and sworn to before me, a person  
authorized by law to administer oaths, this  
Tuesday, August 22, 2006, at Tikrit CID Office  
COB Speicher, Tikrit, Iraq, APO AE 09393

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

SA (b)(6), (b)(7)(C)

Typed Name of Person Administering Oath)

Article 136 (b) UCMJ

(Authority to Administer Oath)

Witness

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)  
DA FORM 2823 (Continued)

PAGE 5 OF 5 PAGES

EXHIBIT 305

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 35425

0086-06 CID469-75447

**SWORN STATEMENT**

**LOCATION:** Tikrit CID Office  
Contingency Operating Base (COB) Speicher  
Tikrit, Iraq, APO AE 09393

**DATE:** 22 Aug 06 **TIME:** 1820 (b)(6), (b)(7)(C)

**NAME:** (b)(6), (b)(7)(C) **SSN:** (b)(6), (b)(7)(C) **GRADE/STATUS:** 1LT/AD

**ORGANIZATION OR ADDRESS:** C Company, 3/187<sup>th</sup> Infantry Regiment, FOB  
Brassfield-Mora, APO AE 09393

(b)(6), (b)(7)(C) I, (b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER

**OATH:**

Q: SA (b)(6), (b)(7)(C)

A: 1LT (b)(6), (b)(7)(C)

Q: Do you recall where the convoy dropped you, CPT (b)(6), (b)(7)(C) and members of third platoon when you arrived on Speicher.

A: Yes. We drove directly to 3BCT. It was myself, CPT (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) I was one of the first to be interviewed.

Q: When you got to Speicher what did you and personnel above do?

A: We went straight to 3BCT. I went to get a Gatorade and after that we met with MAJ (b)(6), (b)(7)(C) inside and he escorted myself and a couple other guys to CID and the rest stayed over at the 3BCT inside. When MAJ (b)(6), (b)(7)(C) and I walked over here; I asked him do I need to report to the General? He told me I did not because I was meeting with CID.

Q: Did anyone in the convoy know you were meeting with CID prior to coming to Speicher and meeting MAJ (b)(6), (b)(7)(C)

A: No, we were all were told we were doing a follow up to the 15-6 and we were seeing a General for interviews.

Q: Did CPT (b)(6), (b)(7)(C) ride up with the convoy from Brassfield on 29 May 06?

A: Yes, he did?

Q: How do you know this?

A: I remember he did and I remember he was there with me when we were briefed by MAJ (b)(6), (b)(7)(C)

Q: What happened to your HMMWV that was towed to Speicher?

A: I don't know but I know it was taken to get the AC fixed. I don't know by who or when.

Q: Did the members of third platoon go to the CLP yard prior to reporting to the 3BCT?

A: I don't know.

Q: Did you drive directly to the 3BCT or did you stop somewhere else first? (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)  
DA FORM 2823 (Continued) (Computer Generated)

PAGE 1 OF 3 PAGES

EXHIBIT 306

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

**ACLU DDII CID ROIS 35426**

001609

0086-06-CID469-75447

CASE#

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB  
SPEICHER, TIKRIT, IRAQ, DATED 22 August, 2006, CONTINUED.

(b)(6), (b)(7)(C)

A: I don't remember. I think we split off from the rest of the convoy and came to the 3BCT.

Q: What time did you get to Speicher?

A: Mid to late morning?

Q: What time did you leave Brassfield-Mora?

A: Around 0800 in the morning.

Q: Did you go to Ramegan before coming here?

A: I don't know.

Q: Were you part of a CLP or did you platoon travel here in a convoy?

A: I am not sure.

Q: When did you return to Brassfield-Mora?

A: Late at night or early in the morning the next day.

Q: Was (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) a part of that convoy?

A: Yes. I think when I left Speicher I rode back with (b)(6), (b)(7)(C) in (b)(6), (b)(7)(C) vehicle.

Q: Who was in the vehicle on the way back?

A: Myself, (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) Chaplain Asst).

Q: Why the change?

A: The chaplain and (b)(6), (b)(7)(C) needed a ride back to Brassfield-Mora.

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

Q: Do you know who took responsibility for your HMMWV that had the AC problem?

A: I think it was SGT (b)(6), (b)(7)(C)

Q: Did (b)(6), (b)(7)(C) return to Brassfield-Mora with you?

A: I not sure and I know he did not ride in the same vehicle going back to Brassfield.

Q: Where was the convoy brief conducted?

A: I don't know. It depends on who gave it.

Q: Was it conducted at the Company Pad?

A: I am not sure?

Q: Was it conducted near the clearing barrels?

A: Not sure.

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

A: No.///END OF STATEMENT///(b)(6), (b)(7)(C)

INITIALS OF PERSON  
MAKING STATEMENT (b)(6), (b)(7)(C)  
DA FORM 2823 (Computer Generated)

PAGE 2 OF 3 PAGES

EXHIBIT 306

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 35427

001610



0086-06-C1D469-75447

CASE#

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB  
SPEICHER, TIKRIT, IRAQ, DATED 22 August, 2006, CONTINUED.

I, (b)(6), (b)(7)(C), READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C) \_\_\_\_\_  
(Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this Tuesday, August 22, 2006, at Tikrit CID Office COB Speicher, Tikrit, Iraq, APO AE 09393

(b)(6), (b)(7)(C) \_\_\_\_\_  
(Signature of Person Administering Oath)

SA (b)(6), (b)(7)(C) \_\_\_\_\_  
Typed Name of Person Administering Oath)  
Article 136 (b) UCMJ  
(Authority to Administer Oath)

Witness

INITIALS OF PERSON  
MAKING STATEMENT \_\_\_\_\_  
DA FORM 2823 (Computer Generated)

PAGE 3 OF \_\_\_\_\_ PAGES

EXHIBIT 306

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 35428

001611

SWORN STATEMENT 0086-06-C10469-75447

LOCATION: Tikrit CID Office  
Contingency Operating Base (COB) Speicher  
Tikrit, Iraq, APO AE 09393

DATE: 25 Aug 06 TIME: 1430 (b)(6), (b)(7)(C)

NAME: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C) GRADE/STATUS: SSG/AD

ORGANIZATION OR ADDRESS: C Company, 3/187<sup>th</sup> Infantry Regiment, FOB  
Brassfield-Mora, APO AE 09393

(b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER

OATH:

Q: SA (b)(6), (b)(7)(C)

A: SSG (b)(6), (b)(7)(C)

Q: Were you part of a convoy that traveled to Speicher on 29 May 06?

A: I am not sure. I know it was after we finished up conducting COP cycle. I can't say what the exact date was but during that convoy is when (b)(6), (b)(7)(C) was in my vehicle headed to Speicher. I know once we got here the convoy went directly to the CLP site on the main road on the left side before the traffic circle.

Q: What was your mission or reason for traveling to Speicher?

A: We were the convoy escort for the FSC logistical LOGPAC.

Q: What vehicle did you ride in and who rode in that vehicle with you?

A: I am not sure of the bumper number but I think we were in my vehicle C14.

Q: Who was the convoy commander?

A: I don't remember

Q: Who conducted the convoy brief?

A: I don't remember.

Q: Do you know where it was conducted?

A: I was conducted at the clearing barrels of FBM.

Q: Do you know who all traveled to Speicher with that convoy? (personnel)

A: (b)(6), (b)(7)(C) was my driver and (b)(6), (b)(7)(C) was in my vehicle but I am not sure who else was in the other vehicles.

Q: Did you conduct any significant activity while at Speicher during that mission?

A: I know I went to the PX and ate. I don't remember what else we did for sure.

Q: Do you know how long you were on Speicher?

A: I think we got here in the morning and we left the same day before dark.

Q: Do you know if any third platoon personnel were a part of that convoy other than (b)(6), (b)(7)(C)

A: I am not sure. I know other people in the unit were on that convoy besides 1<sup>st</sup> platoon but I am not sure who they were (b)(6), (b)(7)(C)

INITIALS OF PERSON  
MAKING STATEMENT (b)(6), (b)(7)(C)  
DA FORM 2823 (Computer Generated)

PAGE 1 OF 4 PAGES

EXHIBIT 307

~~FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 35429

001612

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB SPEICHER, TIKRIT, IRAQ, DATED 25 August, 2006, CONTINUED.

(b)(6), (b)(7)(C) Q: Were you part of a convoy that took place on 5 Jun 06?

A: I don't know for sure.

Q: Were these your only trips to Speicher?

A: No, I have been here three times to be interviewed by CID; when we completed the questionnaire across the street, a week an a half ago and today. I have been to Speicher on several occasions at least once a month since I have been deployed here and maybe more in support of Log pack.

Q: On any of these convoys has (b)(6), (b)(7)(C) hidden in your vehicle?

A: Not in a vehicle with me. I don't know who he is.

Q: Did you have any conversation with (b)(6), (b)(7)(C) when he was in your vehicle?

A: We talked about him coming to CID and we told him he better bring some soap and a rope in case you go to jail. That is the reason I remember he was in my vehicle.

Q: Do you know if a vehicle was towed to Speicher during this convoy?

A: I don't remember.

Q: Did (b)(6), (b)(7)(C) mention going to see his lawyer?

A: I don't remember.

Q: Where did you drop (b)(6), (b)(7)(C) off?

A: I am not sure. I don't remember being on this road until I was initially interviewed across the street. So, I don't think we bought him here to this office.

Q: Did (b)(6), (b)(7)(C) ride back to FBM in your vehicle?

A: I don't think he did.

Q: Did you got over to the 3BCT the day of that convoy?

A: I am not sure.

Q: Do you recall if (b)(6), (b)(7)(C) was a part of that convoy?

A: I am not sure.

Q: Lemus?

A: Not sure. I know we were told we were also taking some guys from 3<sup>rd</sup> platoon to Speicher. I don't know how many from third platoon or who they were?

Q: (b)(6), (b)(7)(C)

A: I am not sure.

Q: (b)(6), (b)(7)(C)

A: I don't know.

Q: (b)(6), (b)(7)(C)

A: I don't remember.

Q: (b)(6), (b)(7)(C)

A: I don't remember.

Q: (b)(6), (b)(7)(C)

INITIALS OF PERSON (b)(6), (b)(7)(C) MAKING STATEMENT (b)(6), (b)(7)(C) DA FORM 2823 (Continued)

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB SPEICHER,  
TIKRIT, IRAQ, DATED 25 August, 2006, CONTINUED.

(b)(6), (b)(7)(C) I don't remember.

Q: (b)(6), (b)(7)(C)

A: I don't remember.

Q: Was CPT (b)(6), (b)(7)(C) part of that convoy?

A: I am not sure.

Q: Do you know how many vehicles were a part of that convoy?

A: I know one vehicle was from my platoon. You have to have at least two vehicles for the escort detail but I am not sure how many vehicles were a part of the convoy or if more than one vehicle was from my platoon.

Q: Do you know if you convoyed up to Speicher with more vehicle than you returned to FBM with?

A: I am not sure.

Q: Do you recall speaking with CPT (b)(6), (b)(7)(C) and him stating they were staying behind and would provide their own escort back to FBM?

A: I don't remember.

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

A: I was under the impression it was whoever in third platoons first time to be interviewed by CID. It could have been two people or twenty people from third platoon. I can't really say or remember.

Q: Could the convoy in which (b)(6), (b)(7)(C) was in your vehicle could have taken place in the beginning of June?

A: Yes or at the end of May 06.

Q: Was this statement typed by SA (b)(6), (b)(7)(C) but the answered were provided by you?

A: SA (b)(6), (b)(7)(C) typed this statement but the answered to the questions were provided by me.

Q: Do you know if they were coming here to see a General?

A: I am not sure. No one told me about a General.

A: No.///END OF STATEMENT (b)(6), (b)(7)(C)

INITIALS OF PERSON (b)(6), (b)(7)(C)  
MAKING STATEMENT  
DA FORM 2823 (Computer generated)

PAGE 3 OF 4 PAGES

EXHIBIT 307

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 35431

001614

0086-06-CID469-75447  
CASE#

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB SPEICHER, TIKRIT, IRAQ, DATED 25 August, 2006, CONTINUED.

I, (b)(6), (b)(7)(C) READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4 FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this Friday, August 25, 2006, at Tikrit CID Office COB Speicher, Tikrit, Iraq, APO AE 09393

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

SA (b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)

Article 136 (b) UCMJ

(Authority to Administer Oath)

Witness

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)  
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PAGE 4 OF 4 PAGES

EXHIBIT 307








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ACLU DDII CID ROIS 35432

001615

TRIP TICKETS

0086-06-C-117469-75447








C CO 3-187 IN	
Unit: C CO., 3-187 IN	PATROL LEADER (b) (6) CALL SIGN : CHOPPIN 1-1
Task:	MSR PATROL
Planned Start DTG :	191200JUN06 
Estimated End DTG:	192000JUN06 
Location/Route: (Sketch on back if necessary)	MSR TAMPA
Bumper #, Type Vehicle, Weapon System	
C-1-1 1114 50 CAL. CHOPPIN 1-1 	(b) (6)
C-1-1A 1114 50.CAL CHOPPIN 1-1A 	(b) (6)
C-1-2A 1114 MK-19 CHOPPIN 1-1B 	(b) (6)
C-1-3 1114 CHOPPIN 1-4 	(b) (6)
SNIPERS 	

~~FOUO~~

ACLU DDII CID ROIS 35434

~~Law Enforcement Sensitive~~

EXHIBIT 308-11928  
001616








C CO 3-187 IN	
Unit: C CO., 3-187 IN	PATROL LEADER (b) (6) CALL SIGN : CHOPPIN 1-1
Task:	MSR PATROL
Planned Start DTG :	221200JUN06 
Estimated End DTG:	222000JUN06 
Location/Route: (Sketch on back if necessary)	MSR TAMPA
Bumper #, Type Vehicle, Weapon System	
C-1-1 1114 50 CAL. CHOPPIN 1-1 	(b) (6)
C-1-1A 1114 50.CAL CHOPPIN 1-1A 	(b) (6)
C-1-2A 1114 MK-19 CHOPPIN 1-1B 	(b) (6)
LX 1114 CHOPPIN 1-4 	(b) (6)
SNIPERS 	

~~FOUO~~

ACLU DDII CID ROIS 35435

~~Low Enforcement Sensitive~~

Exh. W.L. 300T617 29 28








C CO 3-187 IN	
Unit: C CO., 3-187 IN	PATROL LEADER (b) (6) CALL SIGN : CHOPPIN 1-1
Task:	MSR PATROL
Planned Start DTG :	201200JUN06 
Estimated End DTG:	202000JUN06 
Location/Route: (Sketch on back if necessary)	MSR TAMPA
Bumper #, Type Vehicle, Weapon System	
C-1-1 1114 50 CAL. CHOPPIN 1-1 	(b) (6)
C-1-1A 1114 50.CAL CHOPPIN 1-1A 	(b) (6)
C-1-1B 1114 50.CAL CHOPPIN 1-1B  <i>C-1-3 1114 M2 50 CAL</i>	(b) (6)
LX 1114 CHOPPIN 1-4 	(b) (6)
SNIPERS 	

ACLU DDII CID ROIS 35436

~~Found Law Enforcement Sensitive~~

Exhibit 308 3928  
001618



<b>C CO 3-187 IN</b>	
Unit: C CO., 3-187 IN	PATROL LEADER (b) (6) CALL SIGN : CHOPPIN 1-1
Task:	MSR PATROL
Planned Start DTG :	211200JUN06 
Estimated End DTG:	212000JUN06 
Location/Route: (Sketch on back if necessary)	MSR TAMPA
Bumper #, Type Vehicle, Weapon System	
C-1-1 1114 50 CAL. CHOPPIN 1-1 	(b) (6)
C-1-1A 1114 50.CAL CHOPPIN 1-1A 	(b) (6)
C-1-2A 1114 MK-19 CHOPPIN 1-1B 	(b) (6)
LX 1114 CHOPPIN 1-4 	(b) (6)
SNIPERS 	

~~FOUO~~  
~~Law Enforcement Sensitive~~  
**ACLU DDII CID ROIS 35437**  
 exhibit 308.4 4028  
 001619











<b>C CO 3-187 IN</b>	
Unit: C CO., 3-187 IN	PATROL LEADER (b) (6) CALL SIGN : CHOPPIN 1-1
Task:	MSR PATROL
Planned Start DTG :	230400JUN06
Estimated End DTG:	231200JUN06
Location/Route: (Sketch on back if necessary)	MSR TAMPA
Bumper #, Type Vehicle, Weapon System	
C-1-1 1114 50 CAL. CHOPPIN 1-1	(b) (6)
C-1-1A 1114 50.CAL CHOPPIN 1-1A	(b) (6)
C-2-1A 1114 M240B CHOPPIN 2-1A	(b) (6)
LX 1114 CHOPPIN 1-4	(b) (6)
SNIPERS	

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ACLU DDII CID ROIS 35438

EXHIBIT 308-5  
sq 28

0086-06-CID469-75447  
 Highlighted names  
 are on AM Patrol

C CO., 3-187TH INF	
Unit: 3RD PLT C CO., 3-187TH IN	PATROL LEADER (b) (6) CALL SIGN CHOPPIN 34
Task:	
	Detect, Destroy IEDs and AIF ALONG ROUTE TAMPA
Planned Start DTG :	280800MAY06 
Estimated End DTG:	300800MAY06 
Location/Route: (Sketch on back if necessary)	MSR TAMPA <del>1/3</del> PAX
Bumper #, Type Vehicle, Weapon System	
C36 M1114 50 CAL	(b) (6)
COP 2 	
C37 M1114 50 CAL	
COP 3 <i>HQ 6</i> 	
C31 M1114 50 CAL	(b) (6)
COP 1 	
C31A M1114 50 CAL	(b) (6)
COP 1 	(b) (6)
C33 M1114 MK19	
COP 2 	(b) (6)
C33A M1114 50 CAL	(b) (6)
COP 2 	
C32 M1114 MK19	(b) (6)
COP 3 	(b) (6)
C32A M1114 M240B	
COP 3 	












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ACLU DDII CID ROIS 35439

EXHIBIT 308-6

001621

*60928*





<b>C CO., 3-187TH INF</b>	
Unit: 3RD PLT C CO., 3-187TH IN	PATROL LEADER (b) (6) CALL SIGN CHOPPIN 36
Task:	
	Detect, Destroy IEDs and AIF ALONG ROUTE TAMPA
Planned Start DTG :	280800MAY06 201600 MAY06 
Estimated End DTG:	300800MAY06 310001 MAY06 
Location/Route: (Sketch on back if necessary)	MSR TAMPA 15 36 PAX
Bumper #, Type Vehicle, Weapon System	<i>Comms on patrol</i>
C36 M1114 50 CAL 	(b) (6)
COP 2 	
C37 M1114 50 CAL	
COP 3 	
C31 M1114 50 CAL	(b) (6)
COP 1 	
C31A M1114 50 CAL	
COP 1 	(b) (6)
C33 M1114 MK19	
COP 2 	(b) (6)
C33A M1114 50 CAL	(b) (6)
COP 2 	
C32 M1114 MK19	(b) (6)
COP 3 	(b) (6)
C32A M1114 M240B	(b) (6)
COP 3 	

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EXHIBIT 308 7  
**ACLU DDII CID ROIS 35440**

*Fg28*

P. M.

C CO., 3-187TH INF	
Unit: 3RD PLT C CO., 3-187TH IN	PATROL LEADER (b) (6) CALL SIGN CHOPPIN 36
Task:	
	Detect, Destroy IEDs and AIF ALONG ROUTE TAMPA
Planned Start DTG :	311600MAY06 
Estimated End DTG:	312400MAY06 
Location/Route: (Sketch on back if necessary)	MSR TAMPA 14 PAX
Bumper #, Type Vehicle, Weapon System	
C36 M1114 50 CAL	(b) (6) 
C37 M1114 50 CAL	(b) (6) 
C33 M1114 MK19	(b) (6)
C33A M1114 50 CAL	(b) (6)

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ACLU DDII CID ROIS 35441

EXHIBIT 308 8

001623 8928

1ST PLATOON: 30 MAY - 1 JUN 06

PAX=28













	10	9	9
	COP1	COP2	COP3
PAX	(b) (6)		
VEHICLE	C13 - M2	C12 - M240, LRAS	C11A - M2
	C13A - MK19, M60	C12A - MK19, 240B	C11 - M2
	LX	C14 - M2	C16 - MK19, M240B

DEADLINED VEHICLES

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EXHIBIT 208 9  
 ACLU DDII CID ROIS 35442

001624 9e28

C CO 3/187TH IN	
Unit: C CO. 3/187TH	PATROL LEADER (b) (6) CALL SIGN: CHOPPIN 1-6
Task:	KILL, DETAIN, AND DETER AIF IN SECTOR
Purpose:	IN ORDER TO PROVIDE FREEDOM OF MANEUVER
Planned Start DTG :	011600JUN2006 
Estimated End DTG:	012400JUN2006 
Location/Route: (Sketch)	MSR TAMPA
Bumper #, Type Vehicle, Weapon System	TOTAL PAX = 12
CHOPPIN 1-4 C14 M2 	(b) (6)
CHOPPIN 1-3 C12A MK 19 	(b) (6)
CHOPPIN 1-3B C13 	(b) (6)
CHOPPIN 1-3A LOANER M240B 	(b) (6)
	
	
	
	
	
	

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EXHIBIT 308-10  
**ACLU DDII CID ROIS 35443**













<b>C CO., 3-187TH INF</b>	
Unit: 3RD PLT C CO., 3-187TH IN	PATROL LEADER (b) (6) CALL SIGN CHOPPIN 36
Task:	
	Detect, Destroy IEDs and AIF ALONG ROUTE TAMPA
Planned Start DTG :	061200JUN06 
Estimated End DTG:	061600JUN06 
Location/Route: (Sketch on back if necessary)	MSR TAMPA 14 PAX
Bumper #, Type Vehicle, Weapon System	
C36 M1114 50 CAL 	(b) (6)
C32 M1114 M240B 	(b) (6)
C33 M1114 MK19	(b) (6)
C33A M1114 50 CAL	

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EXHIBIT 308 11  
**ACLU DDII CID ROIS 35444**

11g 28  
001626



C CO 3/187TH IN	
Unit: C CO. 3/187TH	PATROL LEADER (b) (6) CALL SIGN: CHOPPIN 1-6
Task:	KILL, DETAIN, AND DETER AIF IN SECTOR
Purpose:	IN ORDER TO PROVIDE FREEDOM OF MANEUVER
Planned Start DTG :	011600JUN2006 
Estimated End DTG:	012400JUN2006 
Location/Route: (Sketch)	MSR TAMPA
Bumper #, Type Vehicle, Weapon System	TOTAL PAX = 14
CHOPPIN 1-4 C14 M2 	(b) (6)
CHOPPIN 1-3 C12A MK 19 	(b) (6)
CHOPPIN 1-3B C13 	(b) (6)
CHOPPIN 1-3A C13A 	(b) (6)
	
	
	
	
	
	

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EXHIBIT 308 12  
**ACLU DDII CID ROIS 35445**

12928  
001627

1ST PLATOON: 3 - 5 JUN 06





PAX=25 26

	10	8	8 10
	COP1	COP2	COP3
PAX	(b) (6)		
VEHICLE	C13 - M2	C12 - M240, LRAS	C11A - M2
	<del>C10 - MK19, M240B</del>	C12A - MK19, 240B	C11 - M2
	LX		C14 - MK19, M240B

*c7*  
DEADLINED VEHICLES

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EXHIBIT 30813  
ACLU DDII CID ROIS 35446

<b>C CO., 3-187TH INF</b>	
Unit: 3RD PLT C CO., 3-187TH IN	PATROL LEADER (b) (6) CALL SIGN CHOPPIN 36
Task:	
	Detect, Destroy IEDs and AIF ALONG ROUTE TAMPA
Planned Start DTG :	041200JUN06 
Estimated End DTG:	041600JUN06 
Location/Route: (Sketch on back if necessary)	MSR TAMPA 14 PAX
Bumper #, Type Vehicle, Weapon System	
C36 M1114 50 CAL 	(b) (6)
C32 M1114 M240B 	(b) (6)
C33 M1114 MK19	(b) (6)
C33A M1114 50 CAL	

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~~LAW ENFORCEMENT SENSITIVE~~

EXHIBIT 308-14  
**ACLU DDII CID ROIS 35447**

14928  
 001629













<b>C CO., 3-187TH INF</b>	
<b>Unit:</b> 3RD PLT C CO., 3-187TH IN	PATROL LEADER (b) (6) CALL SIGN CHOPPIN 36
<b>Task:</b>	Detect, Destroy IEDs and AIF ALONG ROUTE TAMPA
<b>Planned Start DTG :</b>	050630JUN06 
<b>Estimated End DTG:</b>	051800JUN06 
<b>Location/Route:</b> (Sketch on back if necessary)	COB SPEICHER 13 PAX
<b>Bumper #, Type Vehicle, Weapon System</b>	
C32 M114 MK19 	(b) (6)
C32A M1114 M240B 	(b) (6)
C33 M1114 MK19	(b) (6)
C33A M1114 50 CAL	(b) (6)

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~~LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 35448

EXHIBIT 308-15













15928  
001630

C CO 3/187TH IN	
Unit: C CO. 3/187TH	PATROL LEADER (b) (6) CALL SIGN: CHOPPIN 1-6
Task:	KILL, DETAIN, AND DETER AIF IN SECTOR
Purpose:	IN ORDER TO PROVIDE FREEDOM OF MANEUVER FOR CF ALONG MSR TAMPA
Planned Start DTG :	051600JUN2006 
Estimated End DTG:	052400JUN2006 
Location/Route: (Sketch)	MSR TAMPA
Bumper #, Type Vehicle, Weapon System	TOTAL PAX = 15
CHOPPIN 1-4 C14 M2 	(b) (6)
CHOPPIN 1-3 C12A MK 19 	(b) (6)
CHOPPIN 1-3B C13 	(b) (6)
CHOPPIN 1-3A LOANER M240B 	(b) (6)
	
	
	
	
	
	

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EXHIBIT 308 16  
**ACLU DDII CID ROIS 35449**

16928  
001631













C CO 3/187TH IN	
Unit: C CO. 3/187TH	PATROL LEADER (b) (6) CALL SIGN: CHOPPIN 1-6
Task:	KILL, DETAIN, AND DETER AIF IN SECTOR
Purpose:	IN ORDER TO PROVIDE FREEDOM OF MANEUVER FOR CF ALONG MSR TAMPA
Planned Start DTG :	061600JUN2006 
Estimated End DTG:	062400JUN2006 
Location/Route: (Sketch)	MSR TAMPA
Bumper #, Type Vehicle, Weapon System	TOTAL PAX = 13
CHOPPIN 1-4 C14 M2 	(b) (6)
CHOPPIN 1-3 C12A MK 19 	(b) (6)
CHOPPIN 1-1 	(b) (6)
CHOPPIN 1-1B 	(b) (6)
	
	
	
	
	
	

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~~LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 35450

EXHIBIT 308-17













001632 

C CO 3/187TH IN	
Unit: C CO. 3/187TH	PATROL LEADER (b) (6) CALL SIGN: CHOPPIN 1-6
Task:	KILL, DETAIN, AND DETER AIF IN SECTOR
Purpose:	IN ORDER TO PROVIDE FREEDOM OF MANEUVER FOR CF ALONG MSR TAMPA
Planned Start DTG :	061600JUN2006 
Estimated End DTG:	062400JUN2006 
Location/Route: (Sketch)	MSR TAMPA
Bumper #, Type Vehicle, Weapon System	TOTAL PAX = 14
CHOPPIN 1-4 C14 M2 	(b) (6)
CHOPPIN 1-3 C12A MK 19 	(b) (6)
CHOPPIN 1-3B C13 	(b) (6)
CHOPPIN 1-3A LOANER M240B 	(b) (6)
	
	
	
	
	
	

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EXHIBIT 208-18  
ACLU DDII CID ROIS 35451

18-028  
001633

C CO 3/187TH IN	
Unit: C CO. 3/187TH	PATROL LEADER (b) (6) CALL SIGN: CHOPPIN 1-6
Task:	SEIZE WEAPONS CACHE
Purpose:	IN ORDER TO PROVIDE FREEDOM OF MANEUVER FOR CF ALONG MSR TAMPA
Planned Start DTG :	101000JUN2006 
Estimated End DTG:	101400JUN2006 
Location/Route: (Sketch)	MSR TAMPA
Bumper #, Type Vehicle, Weapon System	TOTAL PAX = 32
CHOPPIN 1-6 C12 	(b) (6)
CHOPPIN 1-2 C12A MK 19 	(b) (6)
CHOPPIN 1-4 LX M2 	(b) (6)
CHOPPIN 1-1A 	(b) (6)
CHOPPIN 1-1 	(b) (6)
CHOPPIN 1-3A LMTV 	(b) (6)
CHOPPIN 1-3 C13 	(b) (6)
CHOPPIN 1-7 C14 	(b) (6)
	
	

~~FOR OFFICIAL USE ONLY~~

~~LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 35452

EXHIBIT 208-11

19928  
0016347



1ST PLATOON: 13 - 15 JUN 06

PAX=32

	11	10	11
	COP1	COP2	COP3
PAX	(b) (6)		
VEHICLE	C13 - M2	C12 - M240, LRAS	C11A - M2
	C13A - MK19, M60	C12A - MK19, 240B	C11 - M2
	LMTV	C42 - LX	C14 - M2

DEADLINED VEHICLES  
C16

~~FOR OFFICIAL USE ONLY~~  
~~LAW ENFORCEMENT SENSITIVE~~

EXHIBIT 308-20  
**ACLU DDII CID ROIS 35453**

209 28  
001635



~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

11/12/06

Department of the Navy  
Navy Expeditionary Operational Base/Command  
Transfer Field Detachment Facility  
Camp Arifjan, Kuwait  
APO AE 09344

(b) (6), (b) (7)(C)		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465	466	467	468	469	470	471	472	473	474	475	476	477	478	479	480	481	482	483	484	485	486	487	488	489	490	491	492	493	494	495	496	497	498	499	500	501	502	503	504	505	506	507	508	509	510	511	512	513	514	515	516	517	518	519	520	521	522	523	524	525	526	527	528	529	530	531	532	533	534	535	536	537	538	539	540	541	542	543	544	545	546	547	548	549	550	551	552	553	554	555	556	557	558	559	560	561	562	563	564	565	566	567	568	569	570	571	572	573	574	575	576	577	578	579	580	581	582	583	584	585	586	587	588	589	590	591	592	593	594	595	596	597	598	599	600	601	602	603	604	605	606	607	608	609	610	611	612	613	614	615	616	617	618	619	620	621	622	623	624	625	626	627	628	629	630	631	632	633	634	635	636	637	638	639	640	641	642	643	644	645	646	647	648	649	650	651	652	653	654	655	656	657	658	659	660	661	662	663	664	665	666	667	668	669	670	671	672	673	674	675	676	677	678	679	680	681	682	683	684	685	686	687	688	689	690	691	692	693	694	695	696	697	698	699	700	701	702	703	704	705	706	707	708	709	710	711	712	713	714	715	716	717	718	719	720	721	722	723	724	725	726	727	728	729	730	731	732	733	734	735	736	737	738	739	740	741	742	743	744	745	746	747	748	749	750	751	752	753	754	755	756	757	758	759	760	761	762	763	764	765	766	767	768	769	770	771	772	773	774	775	776	777	778	779	780	781	782	783	784	785	786	787	788	789	790	791	792	793	794	795	796	797	798	799	800	801	802	803	804	805	806	807	808	809	810	811	812	813	814	815	816	817	818	819	820	821	822	823	824	825	826	827	828	829	830	831	832	833	834	835	836	837	838	839	840	841	842	843	844	845	846	847	848	849	850	851	852	853	854	855	856	857	858	859	860	861	862	863	864	865	866	867	868	869	870	871	872	873	874	875	876	877	878	879	880	881	882	883	884	885	886	887	888	889	890	891	892	893	894	895	896	897	898	899	900	901	902	903	904	905	906	907	908	909	910	911	912	913	914	915	916	917	918	919	920	921	922	923	924	925	926	927	928	929	930	931	932	933	934	935	936	937	938	939	940	941	942	943	944	945	946	947	948	949	950	951	952	953	954	955	956	957	958	959	960	961	962	963	964	965	966	967	968	969	970	971	972	973	974	975	976	977	978	979	980	981	982	983	984	985	986	987	988	989	990	991	992	993	994	995	996	997	998	999	1000
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~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

EXHIBIT 314



~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

DEPARTMENT OF THE ARMY  
US ARMY CRIMINAL INVESTIGATION LABORATORY  
4930 N 31ST STREET  
FOREST PARK, GA 30297-5205

CILA-DE

3 August 2006

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, 31ST MILITARY POLICE  
DETACHMENT, 10TH MP (CID) (FWD), COB SPEICHER, TIKRIT, IRAQ,  
APO AE 09393

SUBJECT: Digital Evidence Branch - Final Report  
USACIL Case Number 2006-CID131-1281-A2/A3  
Submitter Case Number 0086-06-CID469-75447

## EXHIBITS:

- 9 - Camera (Item 2, Doc 0487-06).
- 29 - Camera (Item 4, Doc 539-06).
- 32 - Camera (Item 1, Doc 538-06).

## FINDINGS:

1. Three rolls of color film were removed from Exhibits 9, 29, and 32 and were processed in Unicolor 2-step C-41 chemistry. The negatives from Exhibits 9, 29, and 32 were examined and did not reveal the presence of any illegal activity.

2. 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 Processing Branch, DSN 797-7082/7109/7110, Commercial (404) 469-7082/7109/7110, Fax DSN 797-4615, or Email: usacil@usacil.army.mil.

**(b)(6), (b)(7)(C)**

Digital Evidence Examiner

**ACLU DDII CID 001636A 35455**

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1 of 1

EXHIBIT 309

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT OFFICIALS~~

CILA-DE

SUBJECT: Digital Evidence Branch - Interim Report  
USACIL Case Number 2006-CID131-1281-A5  
Submitter Case Number 0086-06-CID469-75447

5. 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 Processing Division, DSN 787-7082/7109/7110, Commercial (404) 469-7082/7109/7110, Fax DSN 787-7112, or Email: [deci@usacil.army.mil](mailto:deci@usacil.army.mil).

Encl  
(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Digital Evidence Examiner

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT OFFICIALS~~

2 of 2

EXHIBIT 309

ACLU DDII CID ROIS 35456

001637



~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

DEPARTMENT OF THE ARMY  
US ARMY CRIMINAL INVESTIGATION LABORATORY  
4930 N 31ST STREET  
FOREST PARK, GA 30297-5205

CILA-DNA

24 August 2006

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, 31TH MILITARY POLICE  
DETACHMENT, 10TH MP (CID) (FWD), COB SPEICHER, TIKRIT, IRAQ,  
APO AE 09393

SUBJECT: DNA Branch - Interim Report  
USACIL Case Number 2006-CID131-1281-A4  
Submitter Case Number 0086-06-CID469-75447



EXHIBIT:

36 - Partial shirt from crime scene (Item 4, Doc 0677-06).

## FINDINGS:

1. The possible presence of blood was detected (using chemical analysis) on Exhibit 36 (Partial shirt). The presence of blood was not confirmed (using immunological analysis) in order to preserve the sample for DNA (Deoxyribonucleic acid) testing.
2. A sample from Exhibit 36 (Partial shirt) is being submitted for DNA analysis. The results of this testing will be the subject of a separate report.
3. The above listed Exhibit(s) will be returned to the submitting agency upon the completion of laboratory testing.
4. 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.



AN ASCLD/LAB ACCREDITED LABORATORY (SINCE 1985)

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

1 of 2

ACLU DDII CID ROIS 35457

001637A

EXHIBIT 310

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

CILA-DNA

SUBJECT: DNA Branch - Interim Report  
USACIL Case Number 2006-CID131-1281-A4  
Submitter Case Number 0086-06-CID469-75447

Point of contact is the Evidence Processing Branch, DSN 797-7082/7109/7110, Commercial (404) 469-7082/7109/7110, Fax DSN 797-4615, or Email: usacil@usacil.army.mil.

**(b)(6), (b)(7)(C)**

Forensic DNA Examiner

**001637B**  
**ACLU DDII CID ROIS 35458**~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

2 of 2

Exhibit 310

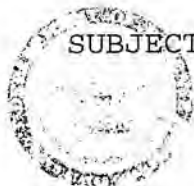
~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

DEPARTMENT OF THE ARMY  
 US ARMY CRIMINAL INVESTIGATION LABORATORY  
 4930 N 31ST STREET  
 FOREST PARK, GA 30297-5205

CILA-DNA

5 September 2006

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, 31TH MILITARY POLICE  
 DETACHMENT, 10TH MP (CID) (FWD), COB SPEICHER, TIKRIT, IRAQ,  
 APO AE 09393



SUBJECT: DNA Branch - Final Report  
 USACIL Case Number 2006-CID131-1281-A4  
 Submitter Case Number 0086-06-CID469-75447

## EXHIBIT:

36 - Cutting from partial shirt from crime scene (Item 4,  
 Doc 0677-06).

## FINDINGS:

1. No DNA results were obtained due to degraded and/or an insufficient amount of human DNA present on Exhibit 36.
2. The above listed exhibit(s) are being returned to the submitting agency upon the completion of laboratory testing.
3. 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 Processing Branch, DSN 797-7082/7109/7110, Commercial

*AN ASCLD/LAB ACCREDITED LABORATORY (SINCE 1985)*

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1 of 2

ACLU DDII CID ROIS 35459

001637C

EXHIBIT 311



~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

CILA-DNA

SUBJECT: DNA Branch - Final Report  
USACIL Case Number 2006-CID131-1281/A4  
Submitter Case Number 0086-06-CID469-75447

(404) 469-7082/7109/7110, Fax DSN 797-4615, or Email:  
usacil@usacil.army.mil.

**(b)(6), (b)(7)(C)**

Forensic DNA Examiner

001637D  
**ACLU DDII CID ROIS 35460**

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

Exhibit 311



~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

DEPARTMENT OF THE ARMY  
US ARMY CRIMINAL INVESTIGATION LABORATORY  
4930 NORTH 31<sup>ST</sup> ST  
FOREST PARK GA 30297-5205

CILA-DE

14 September 2006

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, 31<sup>ST</sup> MP DET (CID) (-) 10<sup>TH</sup>  
MP BN (CID) (FWD), COB SPEICHER, TIKRIT, IRAQ APO AP 09393

SUBJECT: Digital Evidence Branch - Interim Report  
USACIL Case Number 2006-CID131-1281-A5  
Submitter Case Number 0086-06-CID469-75447

## EXHIBITS:

62 - Thumb drive (Item #1, VN 0705-06).

## FINDINGS:

1. The copy of this report contained on the attached Compact Disc (CD), Enclosure 1, is a hyperlinked rich text file (.rtf). By viewing the report in Microsoft (MS) Word from the enclosed CD, the reader will have the ability to hyperlink to the referenced files.
2. Examination of Exhibit 62 revealed one file of interest to the investigation. The file can be found on Enclosure 1 at TripTicket\C\PSGSTUFF\29mayconvoy.xls. The dates associated with this file indicate that it was created on the evening prior to the alleged incident. File dates are determined by the system clock of the computer that created or modified the file. The accuracy of the system clock that created or modified 29mayconvoy.xls cannot be determined from data currently residing on Exhibit 62.
3. All recoverable files from Exhibit 62 can be found on Enclosure 1 at Ex62Contents\Exhibit 62.
4. Enclosure 1 contains an MS Access database, 061281A6DB.mdb, which lists all active and recently deleted files found on Exhibit 62 with their accessed, created and last written dates.

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

1 of 2  
**ACLU DDII CID ROIS 35461**

001637E

EXHIBIT 312

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

CILA-DE

SUBJECT: Digital Evidence Branch - Interim Report  
USACIL Case Number 2006-CID131-1281-A5  
Submitter Case Number 0086-06-CID469-75447

5. 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 Processing Division, DSN 797-7082/7109/7110, Commercial (404) 469-7082/7109/7110, Fax DSN 797-7112, or Email: [usacil@usacil.army.mil](mailto:usacil@usacil.army.mil).

Encl

**(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**

Digital Evidence Examiner

001637F  
**ACLU DDII CID ROIS 33462**

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2 of 2

Exhibit 312

AGENT'S INVESTIGATIVE REPORT OSI Regulation 125-1	NUMBER 0163-06-010609
	PAGE 1 OF 1 PAGES

DETAILS:

About 0900, 23 Oct 06, this office received a Request for Assistance (RFA) from the 31<sup>st</sup> Military Police (MP) Detachment (CID), Tikrit, Iraq, APO AE 09393, requesting the names of the prisoners who were at the Theater Field Detainment Facility (TFDF), (CAKU) from 20 Jun - 07 Aug 2006.

About 1330, 23 Oct 06, SA (b)(6), (b)(7)(C) coordinated with Chief Petty Officer (CPO) (b)(6), (b)(7)(C) Confinement Detachment (Det) B, TFDF, CAKU, to get the names of the prisoners held at the TFDF during the time requested.

About 1322, 24 Oct 24 06, CPO (b)(6), (b)(7)(C) sent SA (b)(6), (b)(7)(C) the information requested via email. The email was forwarded directly to SA (b)(6), (b)(7)(C) of the 31<sup>st</sup> MP Det, Tikrit Resident Agency, Tikrit, Iraq, APO AE 09393. //Last Entry//

TYPE: AGENT'S NAME AND SERVICE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F)	ORGANIZATION 21st Military Police Detachment (CID), Camp Arifjan, Kuwait, APO AE 09366
(b)(6), (b)(7)(C)	DATE 24 Oct 06
	LENGTH 313

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LAW ENFORCEMENT SENSITIVE

AGENT'S INVESTIGATIVE REPORT GPO Regulation 198-J	ROI NUMBER 0163-06-C13809
	PAGE 1 OF 1 PAGES

On 08/27/06, 27 Oct 06, SA (b)(6), (b)(7)(C) interviewed PVT (b)(6), (b)(7)(C) 048-78-1970, B/5-3<sup>rd</sup> Field Artillery, Camp Arifjan, Kuwait, APO AE 09366 (CAKU), who related he had seen (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) while in the Theater Field Detention Facility (TFDF), CAKU, but as they were in isolation, he never had the opportunity to talk to them or have contact with them.

On 08/29/06, 29 Oct 06, SA (b)(6), (b)(7)(C) coordinated with Senior Chief Petty Officer (SCPO) (b)(6), (b)(7)(C) TFDF, CAKU, to obtain point of contact information for soldiers who were Reserve or National Guard and no longer on active duty. SCPO (b)(6), (b)(7)(C) related her office would have to pull the individual files of the prisoners, by hand, to determine either the Home of Record or Next of Kin. //Last Entry//

AGENT NAME, ID NUMBER AND REFERENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F)	ORGANIZATION 21st Military Police Detachment (CID), Camp Arifjan, Kuwait, APO AE 09366	
(b)(6), (b)(7)(C)	DATE 29 Oct 06	NUMBER 315

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<b>AGENT'S INVESTIGATION REPORT</b>		ROI NUMBER	
<i>CID Regulation 195-1</i>		0144-06-CID919	
PAGE 1 OF 1 PAGES			
<p><b>BASIS FOR INVESTIGATION:</b> About 1200, 27 Oct 06, this office received a Request for Assistance (RFA) (0086-06-CID469-75447) from the 31<sup>st</sup> MP Detachment (CID), Contingency Operating Base (COB) Speicher, Tikrit, Iraq APO AE 09393. The RFA requested this office to conduct a witness interview of PFC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) D Company, 134<sup>th</sup> LRS, 1/67<sup>th</sup> RSTA Squadron, Logistical Support Area Anaconda, Balad, Iraq to determine if any comments were made by SPC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) or SSG (b)(6), (b)(7)(C) all of C Company, 3/18<sup>th</sup> Infantry (Inf), 3<sup>rd</sup> Brigade Combat Team (BCT), 101<sup>st</sup> Airborne Division, Forward Operating Base (FOB) Brassfield-Mora, Samara APO AE 09349, while they were in the pre-trial confinement, Camp Arifjan, Kuwait.</p> <p>About 1020, 28 Oct 06, this office interviewed PFC (b)(6), (b)(7)(C) who provided a sworn statement. PFC (b)(6), (b)(7)(C) stated he did not know any of SPC (b)(6), (b)(7)(C), PFC (b)(6), (b)(7)(C) or SSG (b)(6), (b)(7)(C). He stated he had never come in contact with any of them while serving his time at the confinement facility. He also stated there was no one who made comments about the death of detainees or detainee abuse incidents. (See Sworn Statement for details)</p> <p><b>STATUS:</b> This RFA is being closed due to no anticipation of additional investigative assistance of this office. //LAST ENTRY//</p>			
TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6), (b)(7)(C), (b)(7)(F)		90 <sup>th</sup> MP DET (CID), LSA Anaconda Balad, Iraq APO AE 09391	
SIGNATURE (b)(6), (b)(7)(C)		DATE	EXHIBIT
		28 Oct 06	316

CID FORM 94  
1 FEB 77

**ACLU DDII CID ROIS 35467**

001641

SWORN STATEMENT

File Number : 0144-06-CID919  
Location: 99<sup>th</sup> MP DET (CID), LSA Anaconda, Balad, Iraq APO AE 09391  
Date: 28 Oct 06 (b)(6), (b)(7)(C) Time: 11:00 (b)(6), (b)(7)(C)  
Statement of: PFC (b)(6), (b)(7)(C)  
SSN: (b)(6), (b)(7)(C) Grade/Status: E3/ARG  
Org/Address: D Company, 134<sup>th</sup> LRS, 1/67<sup>th</sup> RSTA Squadron, LSAA, Balad, Iraq APO AE 09391

I, PFC (b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH. I have been confined at the Camp Arif-Jan, Kuwait for 10 days, from around 1 Jul 06 to 10 Jul 06. The confinement facility consisted of maximum, medium, and minimum security tents. I was confined at the minimum security tent which was separated from the medium and maximum security tents by concertina wire. The most of the inmates confined in the minimum security tents were serving their time because they were in violation of General Order #1 (i.e., alcohol or drug consumption). I had never had any interaction or contact with those who were confined at the either medium or maximum security tents.

Q. SA (b)(6), (b)(7)(C)

A. PFC (b)(6), (b)(7)(C)

Q. During your 10 day-confinement, have you ever come in contact with anyone who told you about the death of detainees?

A. No.

Q. Do you know SPC (b)(6), (b)(7)(C)

A. No. I do not know who he is.

Q. Do you know PFC (b)(6), (b)(7)(C)

A. No. I do not know the person.

Q. Do you know SSG (b)(6), (b)(7)(C)

A. No. I do not know him.

Q. During your staying at the confinement facility, was there any inmate who told you about detainee abuse incidents or detainee death?

A. No. There was no one.

Q. Do you wish to add anything more to this statement at this time?

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

INITIALS (b)(6), (b)(7)(C)  
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Page 1 of 2

EXHIBIT 317

ACLU DDII CID ROIS 35468

001642

STATEMENT OF: PFC (b)(6), (b)(7)(C) 0144-06-CID919-  
DATE: 28 Oct 06 TIME: 1110  
TAKEN AT: 90<sup>th</sup> MP Detachment (CID), LSA Anaconda, Balad, Iraq APO  
AE 09301

-----AFFIDAVIT-----

(b)(6), (b)(7)(C), PFC (b)(6), (b)(7)(C) HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 day of October, 2006 at the 90<sup>th</sup> MP Detachment (CID), LSA Anaconda, Balad, Iraq APO AE 09301

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

SA (b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)

ARTICLE 136 UCMJ

(Authority to Administer Oath)

WITNESS:

(Typed Name)

(Signature of Witness)

INITIAL (b)(6), (b)(7)(C)

Page 2 of 2

EXHIBIT 317

ACLU DDII CID ROIS 35469

001643



0151-06-CID979

AGENT'S INVESTIGATION REPORT

ROI NUMBER

0151-06-CID979

CiD Regulation 195-1

PAGE 1 OF 1 PAGES

DETAILS

BASIS FOR INVESTIGATION: On 27 Oct 06, this office received a Request For Assistance (RFA) from CW3 (b)(6), (b)(7)(C) 31st Military Police (MP) Detachment (Det) (CID), Contingency Operation Base (COB) Speicher, Tikrit, Iraq, APO AE 09393 to locate and interview PV2 (b)(6), (b)(7)(C) B Company (Co), 1-66 Armor (AR), 1st Brigade Combat Team (1 BCT), 4th Infantry Division (4 ID), Camp Taji, Iraq APO AE 09378 (CTI) (NFI); PV2 (b)(6), (b)(7)(C) B Co, 1-17th Combat Stryker Battalion (CSB), 172nd Stryker Combat Brigade (SCB), CTI; PVT (b)(6), (b)(7)(C) D Co, 1-4 Aviation Regiment Battalion (ARB), Combat Aviation Brigade, 4 ID, CTI; PFC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) D Troop (Trp), 7-10 Cavalry Regiment (7-10 CAV), 4 ID, CTI; (b)(6), (b)(7)(C) E Co, 2-4 General Support Aviation Battalion (GSAB), CAB, 4 ID, CTI (NFI) concerning any conversation they may have had with PFC (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) all of C Co, 3/187th Infantry Regiment (3/187 IR), Forward Operating Base (FOB) Brassfield Mora, Samara, Iraq APO AE 09349 (FBM) while in Pre-Trial Confinement at the Theater Field Detention Facility (TFDF), Camp Arifjan, Kuwait, APO AE 09366.

About 1600, 27 Oct 06, SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) E Co, 2-4 GSAB, CAB, 4 ID, CTI who stated (b)(6), (b)(7)(C) had been chaptered out of the Army. CPT (b)(6), (b)(7)(C) further stated all (b)(6), (b)(7)(C) personal records were in transit to Fort Hood and should arrive in January 2007.

About 1615, 27 Oct 06, SA (b)(6), (b)(7)(C) coordinated with SGT (b)(6), (b)(7)(C) B Co, 1-66 AR, 1 BCT, 4 ID, CTI, who stated PV2 (b)(6), (b)(7)(C) left CTI on 26 Oct 06, to travel back to Fort Hood in order to be chaptered out of the Army.

About 0900, 28 Oct 06, SA (b)(6), (b)(7)(C) interviewed PFC (b)(6), (b)(7)(C) who stated he had no interaction or conversations with SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) or PFC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) further stated soldiers who were at TFDF for Pre-Trial Confinement were segregated and confined to a different area.

About 1020, 30 Oct 06, SA (b)(6), (b)(7)(C) interviewed PFC (b)(6), (b)(7)(C) who stated he had no interaction or conversations with SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) or PFC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) further stated soldiers who were at TFDF for Pre-Trial Confinement were segregated and confined to a different area.

About 1420, 30 Oct 06, SA (b)(6), (b)(7)(C) interviewed PVT (b)(6), (b)(7)(C) who stated he had no interaction or conversations with SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) or PFC (b)(6), (b)(7)(C)

Agent's Comments: PVT (b)(6), (b)(7)(C) 432nd TC, 189th Combat Support Battalion, CTI (NFI), unit redeployed on 19 Sep 06.

\*\*\*\*\*LAST ENTRY\*\*\*\*\*

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6), (b)(7)(C), (b)(7)(F)		Taji Branch Office (CID), Camp Taji, Iraq 09378	
SIGNATURE	(b)(6), (b)(7)(C)	DATE	EXHIBIT
		30 Oct 06	3/8

1 FEB 77

AGENT'S INVESTIGATION REPORT

ROINUMBER

CID Regulation 195-1

0086-06-CID469-75447

0281-06-CID899

Page 1 of 2

BASIS FOR INVESTIGATION: This investigation was initiated based upon receipt of a Request for Assistance (RFA) from the 31<sup>st</sup> Military Police Detachment (CID), US Army Criminal Investigation Command, Contingency Operating Base Speicher, Tikrit, Iraq, APO, AE 09393 (COB Speicher), to locate and interview five Soldiers who were in pretrial confinement in Kuwait, to determine if they have any knowledge pertaining to the death of four Iraqis in COB Speicher's AOR.

About 1200, 30 Oct 06, the request to interview PFC (b)(6), (b)(7)(C) B Company (CO), 1-67<sup>th</sup> Armor (AR) Battalion (BN), Iskandariyah, Iraq, APO, AE 09312, was forwarded to the Forward Operating Base (FOB) Kalsu CID Office, Kalsu, Iraq, APO, AE 09312.

About 1400, 30 Oct 06, Investigative Intern (INT) (b)(6), (b)(7)(C) this office, reviewed case 0078-06-CID899-76947 which revealed (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (former PVT in the United States Army), was separated from the Army under other than honorable conditions on or about 30 Aug 06. Further review determined (b)(6), (b)(7)(C) former PVT in the United States Army, was separated from the Army under other than honorable conditions on or about 11 Sep 06. (See DA Form 4833 and Memorandum for Record for details)

About 1500, 31 Oct 06, INT (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) Commander, 1-4 AR, Combined Arms BN, Taji, Iraq, APO, AE 09378, who related he did not know of a PVT (b)(6), (b)(7)(C) in D CO, but knew of a PVT (b)(6), (b)(7)(C) NFI in C CO. CPT (b)(6), (b)(7)(C) further stated the only Soldier under his command to be sent to confinement was a Soldier with the last name (b)(6), (b)(7)(C) (NFI).

Agent's Comment: It was later determined the incorrect unit was annotated for PVT (b)(6), (b)(7)(C) in the RFA. The correct unit was D CO, 1/12th Infantry (INF), FOB Prosperity, Iraq, APO, AE 09348 (FOB Prosperity).

About 1600, 31 Oct 06, INT (b)(6), (b)(7)(C) coordinated with SFC (b)(6), (b)(7)(C) S-1 NCOIC 4<sup>th</sup> Infantry Division, Special Troops Battalion, Headquarters and Headquarters Command, who related PVT (b)(6), (b)(7)(C) B Battery, 3D BN, 4<sup>th</sup> Air Defense Artillery, Camp Liberty, Iraq, APO, AE 09344, was transferred stateside for confinement. SFC (b)(6), (b)(7)(C) further stated she would locate any information pertaining to PVT (b)(6), (b)(7)(C) transfer and forward it to this office.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

Camp Liberty CID Office  
481<sup>st</sup> MP DET (CID)  
APO AE 09344

Signature

(b)(6), (b)(7)(C)

Date: 02 Nov 06

Exhibit 319

CID Form 101

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1 FEB 77

ACLU DDII CID ROIS 35471

001645

AGENT'S INVESTIGATION REPORT

ROI NUMBER  
0086-06-CID469-75447  
0281-06-CID899  
Page 2 of 2

CID Regulation 195-1

About 2057, 31 Oct 06, INT (b)(6), (b)(7)(C) received Permanent Change of Station (PCS) orders for PVT (b)(6), (b)(7)(C) assigning him to the United States Army Personnel Control Facility, Fort Sill, OK 73503. PVT (b)(6), (b)(7)(C) was scheduled to report to the United States Regional Confinement Facility, Fort Lewis, WA 98433, on 13 Oct 06, to serve a six month sentence. (See PCS Orders for details)

About 1345, 02 Nov 06, INT (b)(6), (b)(7)(C) coordinated with SGT (b)(6), (b)(7)(C) D CO, 1/12 INF, FOB Prosperity, who related PVT (b)(6), (b)(7)(C) was transferred to Fort Hood sometime during the Aug-Sep 06 timeframe. SGT (b)(6), (b)(7)(C) further stated PVT (b)(6), (b)(7)(C) was scheduled to be chaptered out of the Army.

Status: No further activity is anticipated by this office.

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

TYPED AGENT'S NAME AND SERVICE NUMBER  
SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION  
Camp Liberty CID Office  
481<sup>st</sup> MP DET (CID)  
APO AE 09344

Signature (b)(6), (b)(7)(C)

Date: 02 Nov 06 Exhibit 3/9

CID Form 517 FOR OFFICIAL USE ONLY  
1 FEB 77 ~~LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 35472

001646

0086-06-CID469-75447

AGENT'S INVESTIGATION REPORT

ROI Number: 0176-06-CID389-

CID Regulation 195-1

Page 1 of 1 Pages

DETAILS

1 About 0900, 27 Oct 06, this office received a Request for Assistance (RFA), 0086-06-CID469-  
2 75447, from the 31st Military Police Detachment (CID)(-), Contingency Operating Base (COB)  
3 Speicher, Tikrit, Iraq, APO AE 09393, to locate, fully identify and interview PVT (b)(6), (b)(7)(C)  
4 (b)(6), (b)(7)(C), B Company (CO), 296th Base Support Battalion (BSB), regarding  
5 information he might have concerning a conspiracy and murder. PVT (b)(6), (b)(7)(C) was in pre-trial  
6 confinement with PFC (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C)  
7 (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) all assigned to C CO, 3/187th  
8 Infantry Regiment, Forward Operating Base (FOB) Brassfield-Mora, Samara, Iraq, APO AE  
9 09349, who conspired to kill three detainees. The RFA requested this office interview PVT  
10 (b)(6), (b)(7)(C) to determine what, if any, comments or conversations he had with the aforementioned  
11 personnel about the incident. The RFA indicated PVT (b)(6), (b)(7)(C) could currently be located at  
12 Buchring, KU or Endurance.

13  
14 About 1030, 28 Oct 06, SA (b)(6), (b)(7)(C) coordinated with WO1 (b)(6), (b)(7)(C)  
15 (b)(6), (b)(7)(C) CRT, 1/37th Field Artillery (FA), Q-West, IZ, who confirmed PVT (b)(6), (b)(7)(C) was assigned  
16 to his unit, and WO1 (b)(6), (b)(7)(C) was his supervisor. WO1 (b)(6), (b)(7)(C) stated he would schedule a  
17 flight to have PVT (b)(6), (b)(7)(C) fly to this office for an interview on the week of 30 Oct 06 - 3 Nov  
18 06.

19  
20 AGENTS COMMENT: On 31 Oct 06, it was determined personnel from this office would  
21 conduct the interview of PVT (b)(6), (b)(7)(C) on 3 Nov 06, while in Q-West regarding another  
22 investigation.

23  
24 About 0940, 3 Nov 06, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) interviewed PV2 (b)(6), (b)(7)(C) who  
25 provided a sworn statement detailing SPC (b)(6), (b)(7)(C) (NFI) told several personnel at the  
26 confinement facility about an incident where a patrol he was on entered an Iraqi home, and hurt  
27 some Iraqi's pretty bad (NFI). Additionally, PV2 (b)(6), (b)(7)(C) provided a sketch detailing the  
28 various areas of the confinement facility where personnel were housed. (See Sworn Statement  
29 and Sketch for details)

30  
31 About 1055, 3 Nov 06, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) coordinated with WO1 (b)(6), (b)(7)(C) and  
32 briefed him on the status of this investigation. //Last Entry//

TYPED NAME, SEQUENCE NUMBER	(b)(6), (b)(7)(C)	DATE
SA (b)(6), (b)(7)(C), (b)(7)(F)	(b)(6), (b)(7)(C)	3 Nov 06

CID Form 94-E

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EXHIBIT 320

Law Enforcement Sensitive

1 OCT 95

Protective Marking is Excluded from Automatic Termination (para 13, AR 340-16)  
(When Data is Entered)

ACLU DDII CID ROIS 35473

001647

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel

LOCATION Bld. 408, O-WEST	DATE 3 Nov 68 10:45	FILE NUMBER C-76-06-010389
LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS E-2/AD

ORGANIZATION OR ADDRESS  
296th RSB, 137th CRT, O-WEST

(b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On or about July 15-18, the people in the tent of Bravo were having a discussion about "what we had a very person" Sp. (b)(6), (b)(7)(C) was excited by the words of his friends and people he knew since he had so long to also mentioned that one day on a patrol they had to go in a house and that they had some things pretty bad but no one got in trouble but we were... (b)(6), (b)(7)(C)

Q: SA (b)(6), (b)(7)(C)

A: PVZ (b)(6), (b)(7)(C)

Q: How many people were in Tent Bravo with you?

A: 15 (b)(6), (b)(7)(C)

Q: Was Tent Bravo utilized for High or Low risk personnel?

A: Low (b)(6), (b)(7)(C)

Q: Do you know what tent High risk personnel stayed in?

A: Echo tent (b)(6), (b)(7)(C)

Q: What tent did pre-trial personnel stay in?

A: Charlie tent (b)(6), (b)(7)(C)

Q: Did you have any contact or know anyone from Charlie tent?

A: Yes, with tent window (b)(6), (b)(7)(C)

Q: Do you know the names and units of (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)

A: No (b)(6), (b)(7)(C)

Q: Do you recall what they were in the containment facility for?

A: yes, she was in for stabbing someone, he/she was for drug and violation for drugs (b)(6), (b)(7)(C)

Q: Do you know SFC (b)(6), (b)(7)(C) full name and unit?

A: No (b)(6), (b)(7)(C)

EXHIBIT INIT (b)(6), (b)(7)(C) KING STATEMENT

PAGE 1 OF 1 PAGES

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Red 402, 3/11/00 DATED 3/11/00 CONTINUED

A: No (b)(6), (b)(7)(C)

Q: Do you know why SFC (b)(6), (b)(7)(C) was in the confinement facility?

A: Yes, he was not beating up a lawyer (b)(6), (b)(7)(C)

Q: Did he say how they hurt some Iraqis?

A: No (b)(6), (b)(7)(C)

Q: Did he provide any other details, or say where this incident took place?

A: No (b)(6), (b)(7)(C)

Q: When were you in the confinement facility?

A: From July 10, to July 21, 00 (b)(6), (b)(7)(C)

Q: Did you know or speak with PFC (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) or SFC (b)(6), (b)(7)(C)?

A: No (b)(6), (b)(7)(C)

Q: Did anyone talk to you, or did you hear any conversations concerning detainees that were killed?

A: No (b)(6), (b)(7)(C)

Q: Do you have any knowledge of PFC (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) or SFC (b)(6), (b)(7)(C)?

A: No (b)(6), (b)(7)(C)

Q: Do you know who stayed in tents Alpha and Echo?

A: No, they were with the general population (b)(6), (b)(7)(C)

Q: How were personnel in the confinement facility identified?

A: by Red, Yellow, and Green tags (b)(6), (b)(7)(C)

Q: What did the different colors mean?

A: Red mean serious and talkative, Yellow meant nice to talk to, and green mean truly watch out (b)(6), (b)(7)(C)

Q: What tag did you wear?

A: Yellow (b)(6), (b)(7)(C)

Q: How were you treated during this incident?

A: Very bad (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C) ENFORCEMENT (b)(6), (b)(7)(C) OF 4 PAGES EXHIBIT 32

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT [redacted] DATED 3/11/04 CONTINUED

Q: When you offered breaks?

A: Yes (b)(6), (b)(7)(C)

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

A: No (b)(6), (b)(7)(C) // END OF STATEMENT // (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT: [redacted] (b)(6), (b)(7)(C) ENFORCEMENT SENSITIVE

PAGE 7 EXHIBIT 581 (b)(6), (b)(7)(C)

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Bldg 2240 DATED 3/20/02 CONTINUED: FILE NUMBER: 0174-06-10389

STATEMENT (Continued)

(b)(6), (b)(7)(C)

NOT USED

AFFIDAVIT

(b)(6), (b)(7)(C) HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 20<sup>th</sup> day of March, 2002, at Bldg 2240.

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

(b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)

Article 136, 2002

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 4 OF 4

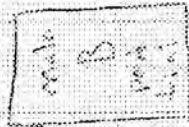
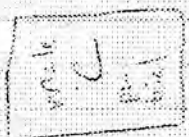
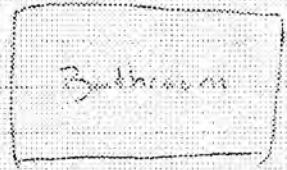
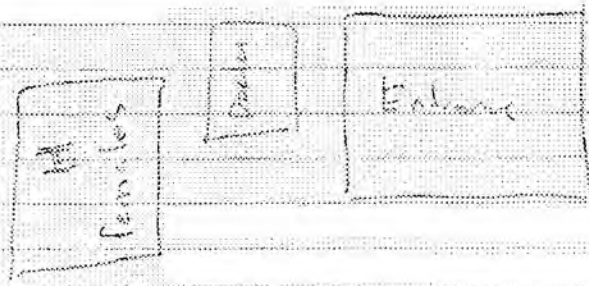
(b)(6), (b)(7)(C)

EXHIBIT 321

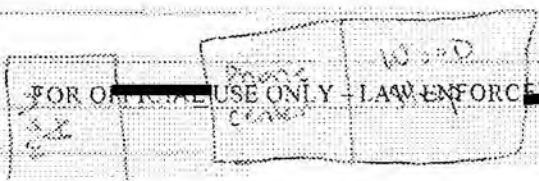


~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

Layout of the confinement compound



(b)(6), (b)(7)(C)



~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

EXHIBIT

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0086-06-CID469-75447

PAGE 1 OF 3 PAGES

## DETAILS

On 6 Oct 06, SA (b)(6), (b)(7)(C) coordinated electronically with LTC (b)(6), (b)(7)(C) Deputy Staff Judge Advocate (SJA), Office of the SJA (OSJA), 101<sup>st</sup> Airborne Division (ABN DIV) (AASLT), Fort Campbell, KY. LTC (b)(6), (b)(7)(C) opined the offense of dereliction of duty was substantiated pertaining to COL (b)(6), (b)(7)(C). He further opined the offenses of Obstruction of Justice and False Statement should be Unfounded.

Agent's Comment: Due to an anticipated disagreement with that opinion, all documents were provided to the 3<sup>rd</sup> Group, SJA (and then to the HQUSACIDC SJA) for an opinion.

About 2025, 25 Oct 06, SA (b)(6), (b)(7)(C) received an email from CPT (b)(6), (b)(7)(C) OSJA, 101<sup>st</sup> ABN DIV, requesting CPT (b)(6), (b)(7)(C) Trial Counsel, OSJA, 101<sup>st</sup> ABN DIV (AASLT), Fort Campbell, KY, subpoena all possible email accounts of the accused (AKO and MySpace).

About 2345, 4 Nov 06, SA (b)(6), (b)(7)(C) received an email from (b)(6), (b)(7)(C) requesting this office submit a search authorization for (b)(6), (b)(7)(C) body for a physical examination by a doctor of his defensive wounds.

About 0325, 6 Nov 06, SA (b)(6), (b)(7)(C) drafted and emailed the completed Affidavit and Authorization for search of (b)(6), (b)(7)(C) body to SA (b)(6), (b)(7)(C) [former Detachment Commander, 31<sup>st</sup> MP DET (CID), Assistant Operations Officer, 1000<sup>th</sup> MP BN (CID), Fort Campbell, KY, for execution.

About 1800, 10 Nov 06, SA (b)(6), (b)(7)(C) completed and forwarded a Request for Assistance to request an agent be made available to execute the search warrant for (b)(6), (b)(7)(C) body to SA (b)(6), (b)(7)(C) Operations Officer, 1000<sup>th</sup> MP BN (CID), Fort Campbell, KY and SA (b)(6), (b)(7)(C)

About 1800, 14 Nov 06, SA (b)(6), (b)(7)(C) discussed this investigation with CW5 (SA) (b)(6), (b)(7)(C) Operations Officer, 10<sup>th</sup> MP BN (CID), Camp Victory, Baghdad, and CW5 (SA) (b)(6), (b)(7)(C) Operations Officer, 3<sup>rd</sup> MP Group (CID), Ft Gillem, GA, wherein SA (b)(6), (b)(7)(C) provided SA (b)(6), (b)(7)(C) with the 3 Oct 06 opinion memorandum of LTC (b)(6), (b)(7)(C) regarding COL (b)(6), (b)(7)(C) LTC (b)(6), (b)(7)(C) provided his rationale for his legal opinion in which he related there was no probable cause to believe that COL (b)(6), (b)(7)(C) committed the offenses of False Official Statement in violation of Article 107, UCMJ or Obstruction of Justice in violation of Article 134, UCMJ. (See Memorandum for details)

About 2100, 14 Nov 06, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C), (b)(7)(F) 10<sup>th</sup> MP BN (CID), Camp Victory, Baghdad, (Home Station: Ft Bragg, NC), discussed with SA (b)(6), (b)(7)(C) the offenses of obstruction of justice and false statement by COL (b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C) related Mr. (b)(6), (b)(7)(C) Acting Deputy Commander, USACIDC, related the offenses should be listed as insufficient evidence. This advice was based on a legal review by LTC (b)(6), (b)(7)(C) SJA, HQUSACIDC, conducted because there was a difference of 'probable cause' opinions between CID supervisors and the supported SJA.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

10<sup>th</sup> MP Bn (CID) (FWD), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station: Ft Bragg, NC)

(b)(6), (b)(7)(C)

DATE

2 Dec 06

EXHIBIT

322

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0086-06-CID469-75447

PAGE 2 OF 3 PAGES

## DETAILS

### Agent's Comment:

CW3 (b)(6), (b)(7)(C) disagreed with the listing of insufficient evidence for the offense of obstruction of justice, but concurred with that characterization for the offense of false statement (based on the refusal of the MNC-I SJA to provide her notes of the interview of COL (b)(6), (b)(7)(C)

Since COL (b)(6), (b)(7)(C) ordered an AR 15-6 investigation, it is reasonable to believe there would be criminal proceedings based on the potential for finding criminality. Otherwise, it would have to be believed that all AR 15-6 investigations were merely a rubber stamp, reflecting "Good Shoot". As an experienced and intelligent commanding officer, it is reasonable to believe he knew, or should have known, that his order to delay reporting a possible LOAC would have impeded a criminal proceeding against the specific Soldiers who shot and killed the detainees.

Further, he should have anticipated that some dereliction of duty had to have occurred for two Soldiers to be guarding three detainees when a squad of Soldiers was available.

Although COL (b)(6), (b)(7)(C) denied he intended to impede an investigation, it is reasonable to conclude otherwise. The deaths of detainees, who were zip tied and blindfolded, should have prompted an experienced senior officer to have notified CID for investigation. Instead, COL (b)(6), (b)(7)(C) did not order CID notification, but instead he ordered subordinates to not notify higher headquarters.

COL (b)(6), (b)(7)(C) explanation of his motive to save the Regiment embarrassment demonstrated intent to influence the investigation in a manner to minimize his culpability regarding the declaration of the objective as hostile and the intent perceived by the Soldiers to kill all "MAM"s (Military Aged Males).

COL (b)(6), (b)(7)(C) admitted in his testimony to the AR 15-6 Investigating Officer (BG (b)(6), (b)(7)(C) with COL (b)(6), (b)(7)(C) Command Judge Advocate (CJA, MAJ (b)(6), (b)(7)(C) present, that he was aware of the SECDEF policy on autopsies of detainees with its requirement to notify CID.

COL (b)(6), (b)(7)(C) orders hindered the CID investigation. CID was unable to conduct timely interviews of witnesses and suspects. Subjects had time to rehearse their false statements during the two inquiries conducted by the unit in a group setting. A timely forensic examination of the remains of the detainees by a pathologist could have determined the number and location of entrance and exit wounds. A timely forensic examination could have determined the presence of gunshot residue to scientifically determine the muzzle-to-target distance. A timely crime scene examination could have corroborated or refuted the statements of the witnesses and subjects; and possibly prevented the loss or theft of the knife allegedly used by the detainees to cut the zip ties.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

10<sup>th</sup> MP Bn (CID) (FWD), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station: Ft Bragg, NC)

(b)(6), (b)(7)(C)

DATE  
2 Dec 06

EXHIBIT

322

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0086-06-CID469-75447

PAGE 3 OF 3 PAGES

## DETAILS

The offense of Obstruction of Justice requires that "by means of ... intimidation ... delaying or preventing communication of information relating to a violation of any criminal statute of the United States to a person authorized by a department, agency, or armed force of the United States to conduct or engage in investigations or prosecutions of such offenses." COL (b)(6), (b)(7)(C) gave a direct order, which is sufficient intimidation for subordinate officers (LTC (b)(6), (b)(7)(C) Deputy Commander, 101<sup>st</sup> ABN DIV (AASLT), and MAJ (b)(6), (b)(7)(C) to comply with for fear of retribution; and resulted in "delay ... communication of ... a violation".

If it were not for PV2 (b)(6), (b)(7)(C) 3-320<sup>th</sup> Field Artillery, Forward Operating Base (FOB), Remagen, Iraq, CID may never have been notified of the murders.

On 2 Dec 06, SA (b)(6), (b)(7)(C) received from SA (b)(6), (b)(7)(C) a copy of LTC (b)(6), (b)(7)(C) memorandum in which she opined COL (b)(6), (b)(7)(C) was properly "titled" or indexed for the offense of Obstruction of Justice and the offense should be listed as insufficient evidence as opposed to unfounded. (See memorandum of LTC (b)(6), (b)(7)(C) for details).

Agent's Comment: SA (b)(6), (b)(7)(C) disagreed with aspects of the memorandum, but after further review of the available data, concurred with listing the offense as "insufficient evidence" in the final CID report.

Law Enforcement Records: A check of the records of the US Army Crime Records Center, Ft Belvoir, VA, disclosed no derogatory information on (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C). It disclosed no record regarding (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C).

(b)(6), (b)(7)(C)

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

10<sup>th</sup> MP Bn (CID) (FWD), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station: Ft Bragg, NC)

(b)(6), (b)(7)(C)

DATE  
2 Dec 06

EXHIBIT

322



DEPARTMENT OF THE ARMY  
OFFICE OF THE STAFF JUDGE ADVOCATE  
101<sup>ST</sup> AIRBORNE DIVISION (AIR ASSAULT)  
127 FORREST ROAD  
FORT CAMPBELL, KENTUCKY 42223-8000

REPLY TO  
ATTENTION OF

AFZB-JA-DSJA

3 October 2006

MEMORANDUM FOR RECORD

SUBJECT: Titling Decision Re: (b) (6) and CID ROI No. 0086-2006-CID469-75447 - 5H1P / 5M3A / 5X5 / 5H3A / 5X1 / 5Y2B7 / 5Y2B9 / 5Y2D2

1. BLUF: There is no probable cause to believe that (b) (6) committed the offenses of False Official Statement in violation of Article 107, UCMJ or Obstruction of Justice in violation of Article 134, UCMJ.

2. DISCUSSION:

a. On 27 September 2006, I was contacted by Special Agent (b) (6) 10th MP BN (ASST), Camp Victory, Baghdad, Iraq, APO AE 09342 for a legal opinion regarding (b) (6) and the abovementioned ROI. I was specifically asked to opine on whether (b) (6) engaged in three specific offenses as they related to Operation Iron Triangle on 9 May 2006 and subsequent investigations thereto. The three specified offenses were as follows: False Official Statement in violation of Article 107, UCMJ; Obstruction of Justice in violation of Article 134, UCMJ; and Dereliction of Duty in violation of Article 92, UCMJ.

b. On 6 October 2006, I responded to (b) (6) via e-mail wherein I stated the following:

(1) The allegation of False Official Statement in violation of Article 107, UCMJ was unfounded;

(2) The allegation of Obstruction of Justice in violation of Article 134, UCMJ was unfounded; and

(3) The allegation of Dereliction of Duty in violation of Article 92, UCMJ was founded.<sup>1</sup>

<sup>1</sup> My 6 October 2006 opinion/e-mail noted that the Dereliction of Duty was based solely on a failure to report a suspected law of war or law of armed conflict violation in a timely manner. I further noted in my e-mail response, however, that (b) (6) should never have been filed for Dereliction of Duty because he, as the commander, had already launched an investigation into the detainee deaths associated with Operation Iron Triangle and in my opinion, CID would never have opened an investigation on Dereliction of Duty alone as it is my experience that CID does not routinely or regularly investigate mere derelictions. Dereliction of duty by failing to submit a SPOT report or SIR in a timely manner is not normally within the purview of CID since Willful Dereliction of Duty in violation of Article 92, UCMJ, the most serious of the derelictions of duty, is only punishable by a bad-conduct discharge and six months confinement, often times characterized as a mere "misdemeanor" and not the typical "felony" type offenses handled by the Criminal Investigation Division of the Army.

AFZB-JA-DSJA

SUBJECT: Titling Decision Re (b) (6) and CID ROI No. 0086-2006-CID469-75447 - 5H1P / 5M3A / 5X5 / 5H3A / 5X1 / 5Y2B7 / 5Y2B9 / 5Y2D2

c. Lack of Probable Cause.

(1) Applying a probable cause analysis to the alleged offense, I find that there is NOT probable cause to believe that (b) (6) committed the offenses of False Official Statement in violation of Article 107, UCMJ or Obstruction of Justice in violation of Article 134, UCMJ. This conclusion is consistent with the finding that the offenses were "unfounded." Probable cause is defined in Blacks Law Dictionary, 5<sup>th</sup> Edition (1979) as:

Reasonable cause; having more evidence for than against. A reasonable ground for belief in the existence of facts warranting the proceedings complained of. An apparent state of facts found to exist upon reasonable inquiry (that is, such inquiry as the given case renders convenient and proper), which would induce a reasonably intelligent and prudent man to believe, in a criminal case, that the accused person had committed the crime charged, or, in a civil case, that a cause of action existed. ... Probable cause is the existence of circumstances which would lead a reasonably prudent person to believe in guilt of arrested party; mere suspicion or belief, unsupported by facts or circumstances, is insufficient.

(2) The elements of False Official Statement in violation of Article 107, UCMJ are as follows:

- (1) That the accused signed a certain official document or made a certain official statement;*
- (2) That the document or statement was false in certain particulars;*
- (3) That the accused knew it to be false at the time of signing it or making it; and*
- (4) That the false document or statement was made with the intent to deceive.*

There was no evidence in any of the statements or case files provided by CID that any statements, written or oral, made by (b) (6) to (b) (6) a 15-6 Investigating Officer, or to any other parties involved in the investigation were knowingly false (element 3 above) or made with the intent to deceive (element 4 above). My repeated requests to the various CID agents handling the case to show me some evidence to establish elements 3 and 4 met with negative results. To date, I have not come across or been presented with any evidence to establish that (b) (6) made any knowingly false statements, written or oral, surrounding Operation Iron Triangle. Assuming arguendo that such statements were made, there has been no showing that they were made with the intent to deceive. In short - there is no evidence whatsoever to support elements 3 and 4 above.

(3) The elements of Obstruction of Justice in violation of Article 134, UCMJ are as follows:

- (1) That the accused wrongfully did a certain act;*

AFZB-JA-DSJA

SUBJECT: Tiling Decision Re: (b) (6) and CID ROI No. 0086-2006-CID469-75447 - 5H1P / 5M3A / 5X5 / 5H3A / 5X1 / 5Y2B7 / 5Y2B9 / 5Y2D2

- (2) That the accused did so in the case of a certain person against whom the accused had reason to believe there were or would be criminal proceedings pending;
- (3) That the act was done with the intent to influence, impede, or otherwise obstruct the due administration of justice; and
- (4) That, under the circumstances, the conduct of the accused was to the prejudice of good order and discipline in the armed forces or was of a nature to bring discredit upon the armed forces.

There was no evidence in any of the statements or case files that support or establish elements 2 and 3 above. If you assume for argument sake that (b) (6) failure to timely report was wrongful, there is no evidence to show that the act was done "in the case of a certain person against whom the accused had reason to believe there were or would be criminal proceedings pending" (element 2 above). Furthermore, and more importantly, there is no evidence to support the conclusion that the failure to report was "done with the intent to influence, impede, or otherwise obstruct the due administration of justice" (element 3 above), a fact belied by the very investigation that (b) (6) himself had initiated into Operation Iron Triangle.

(4) There is not now nor was there ever sufficient evidence to support a tiling decision for False Official Statement in violation of Article 107, UCMJ and Obstruction of Justice in violation of Article 134, UCMJ, a decision that was made without input or advice from any Judge Advocate from either the 101st Airborne Division (Air Assault) [Multinational Division-North] or Multinational Corps-Iraq. Had a Judge Advocate been consulted, the CID agents handling the case would have been advised not to title (b) (6) for the aforementioned offenses, notwithstanding the differing standards of Reasonable Certainty versus Probable Cause. That being said, there is insufficient evidence to establish Probable Cause for the aforementioned offenses.

3. RECOMMENDATION: (b) (6) name should be removed from the tiling block for the offenses of False Official Statement in violation of Article 107, UCMJ and Obstruction of Justice in violation of Article 134, UCMJ.

4. POC for this memorandum is the undersigned at the above letterhead address, via phone at (b) (6)

(b) (6)

LTC, JA  
Deputy Staff Judge Advocate



ACLU DDII CID ROIS 35488

001660





## PHOTOGRAPHIC PACKET



1. **DSCF0136:** Photograph depicting the entrance/ exit (E/E) on the south east corner of the objective leading into the outside room.
2. **DSCF0053:** Photograph depicting north west corner of outside room.
3. **DSCF0054:** Photograph depicting north east corner of outside room.
4. **DSCF0055:** Photograph depicting the western wall of the outside room.
5. **DSCF0056:** Photograph depicting the south west corner of the outside room.
6. **DSCF0057:** Photograph depicting the window in the south wall of the outside room.
7. **DSCF0059:** Photograph depicting the E/E to the outside room as viewed from inside the room.
8. **DSCF0117:** Photograph depicting a cut zip tie located behind the E/E door in the outside room, without scale.
9. **DSCF0119:** Photograph depicting a cut zip tie located behind the E/E door in the outside room, with scale.
10. **DSCF0051:** Photograph depicting a view of two bullet holes located in the window of the outside room; as viewed from outside the building.
11. **DSCF0124:** Photograph depicting a close up of a bullet hole located in the upper portion of the window, with scale.
12. **DSCF0125:** Photograph depicting a close up of a bullet hole located in the lower portion of the window, with scale.
13. **DSCF0126:** Photograph depicting a close up of the bullet hole located in the lower portion of the window, as viewed from a different angle, with scale.
14. **DSCF0092:** Photograph depicting a cut zip tie located outside, in front of the house, with scale.
15. **DSCF0109:** Photograph depicting a torn shirt located outside, in front of the house, with scale.
16. **DSCF0113:** Photograph depicting the torn shirt as seen from a different angle, with scale.

**ACLU DDII CID ROIS 35489**

**EXHIBIT**

**001661**

- 17. DSCF0104:** Photograph depicting a 5.56mm casing located near the torn shirt, without scale.
- 18. DSCF0106:** Photograph depicting a 5.56mm casing located near the torn shirt, with scale.
- 19. DSCF0134:** Photograph depicting a zip tie located in front of the house, without scale.
- 20. DSCF0135:** Photograph depicting a zip tie located in front of the house, with scale.

0086-06-CID469-75447



## PHOTOGRAPHIC PACKET



21. **DSCF0136:** Photograph depicting a 5.56mm casing located on the eastern side of the house, without scale.
22. **DSCF0053:** Photograph depicting a 5.56mm casing located on the eastern side of the house, with scale.
23. **DSCF0054:** Photograph depicting a 5.56mm casing located on the southern side of the house, without scale.
24. **DSCF0055:** Photograph depicting a 5.56mm casing located on the southern side of the house, without scale.
25. **DSCF0056:** Photograph depicting a 5.56mm casing located on the southern side of the house, without scale.
26. **DSCF0057:** Photograph depicting a 5.56mm casing located on the southern side of the house, without scale.

ACLU DDII CID ROIS 35491

EXHIBIT

001663



ACLU DDII CID ROIS 35492

001664

ACLU DDII CID ROIS 35493

001665





ACLU DDII CID ROIS 35494

001666

ACLU DDII CID ROIS 35495

001667



ACLU DDII CID ROIS 35496

001668





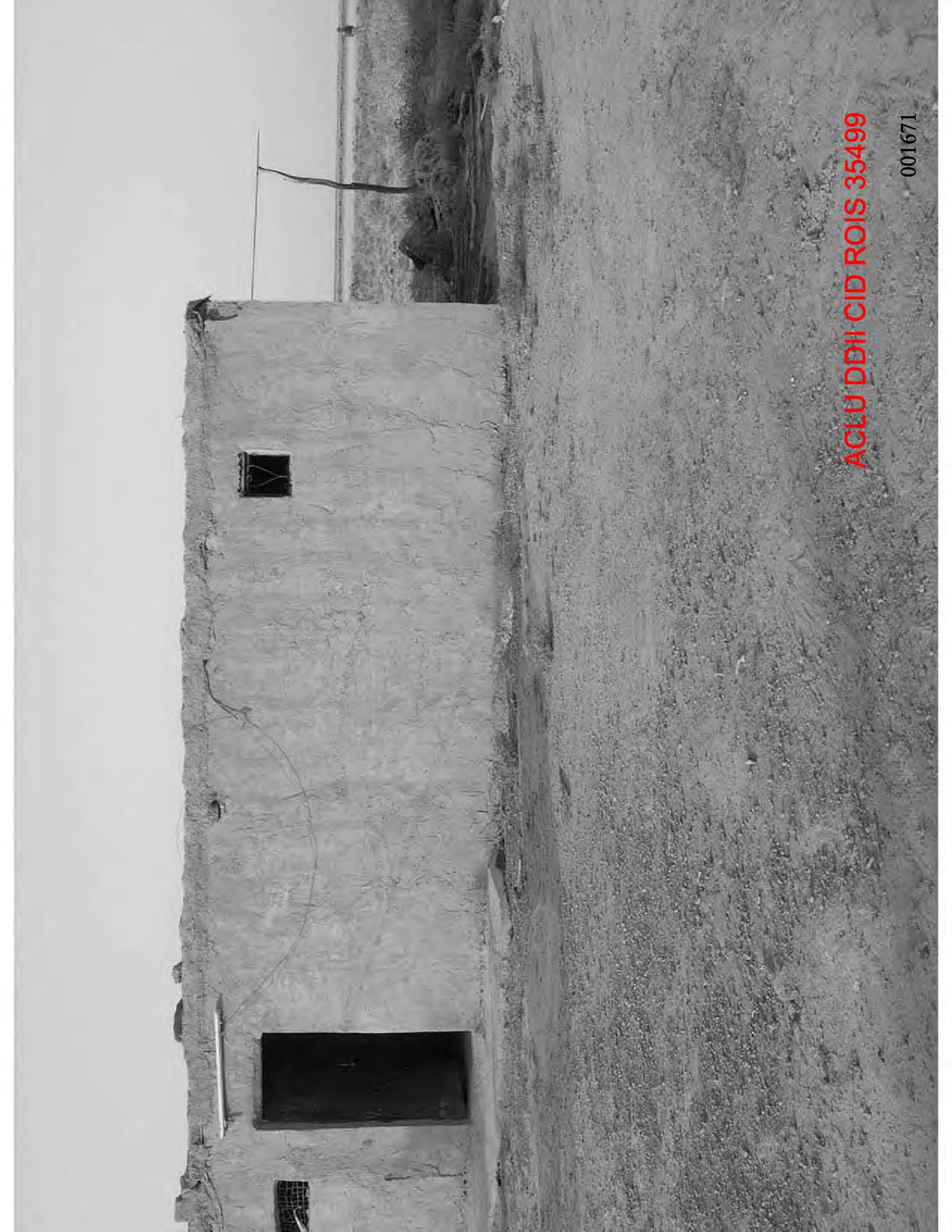
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001669



ACLU DDH CID ROIS 35498

001670



ACLU DDH CID ROIS 35499

001671



ACLU DDII CID ROIS 35500

001672



AGLU DDII CID ROIS 35501

001673



ACLU DDII CID ROIS 35502

001674



ACLU DDII CID-ROIS 35503

001675



ACLU DDII CID ROIS 35504



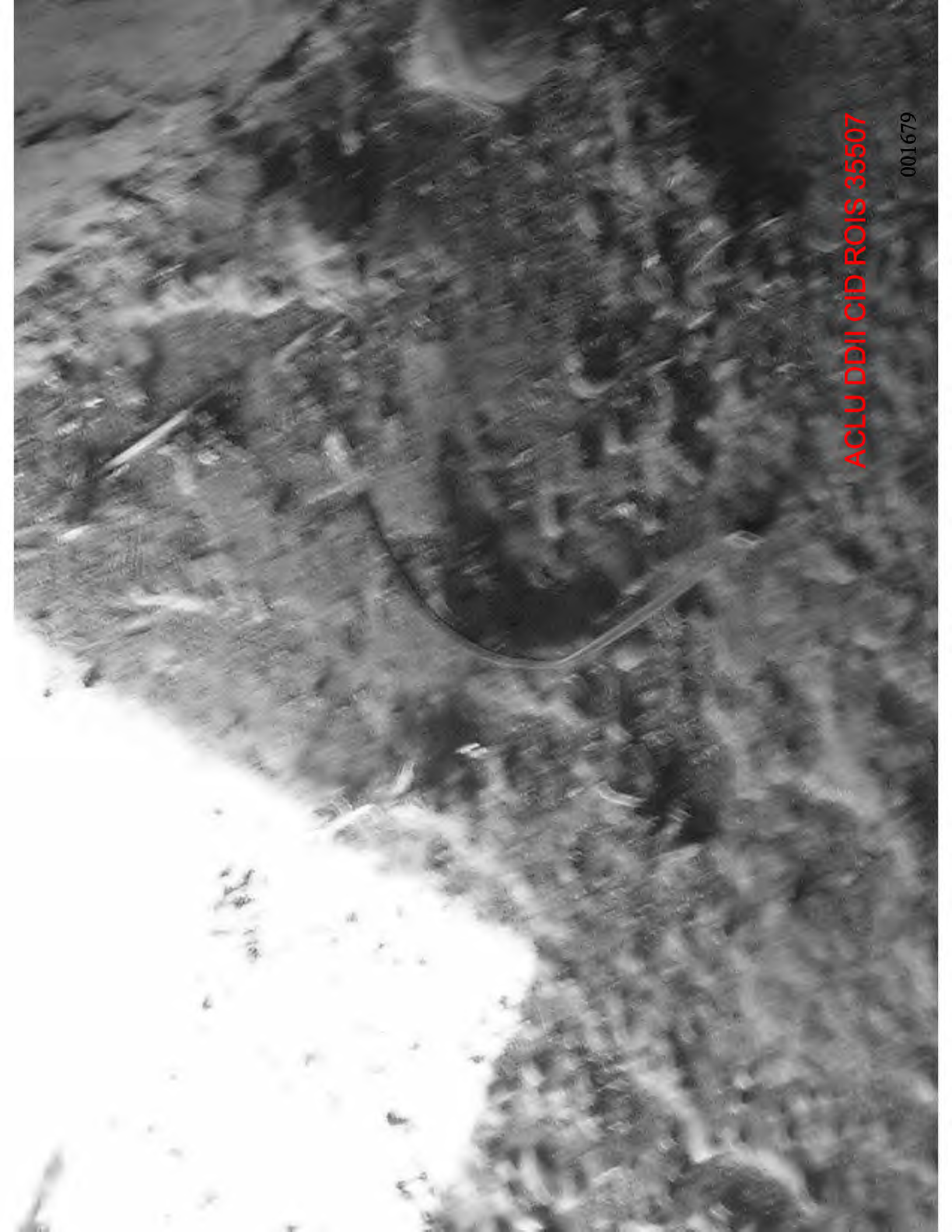
ACLU DDII CID ROIS 35505

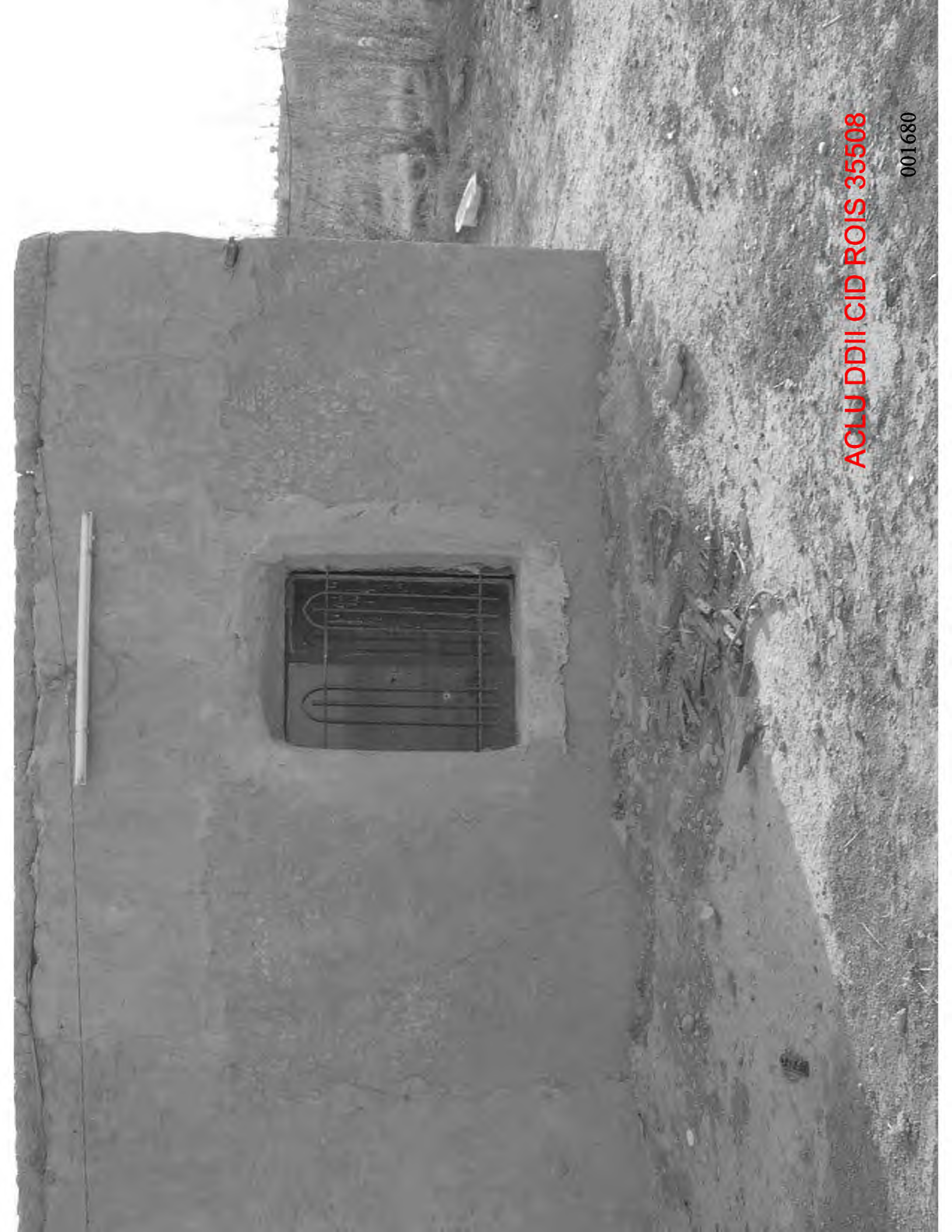
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001678

ACLU DDII CID ROIS 35507

001679





ACLJ DDII CID ROIS 35508

001680

ACLU DDII CID ROIS 35509

001681





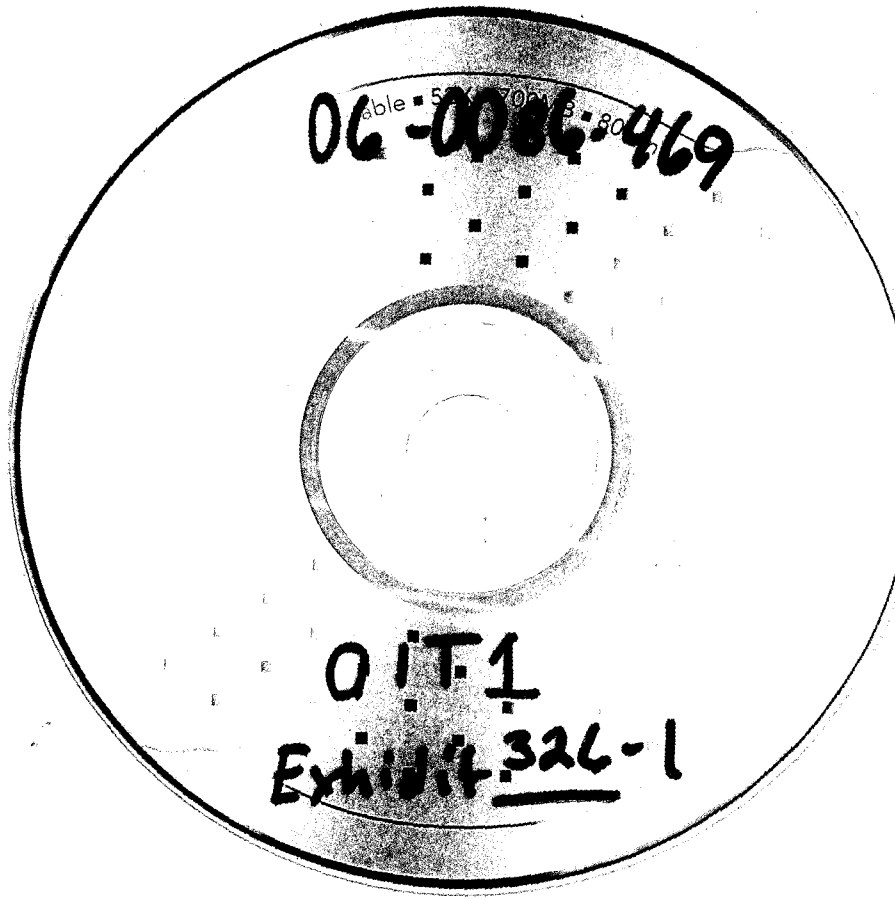
ACLU DDII CID ROIS 35510

001682

Exhibit(s) 326

Pages 1683 thru 2295 referred to:

101st Airborne Division (AASLT)  
ATTN: FOIA Officer  
91 Michigan Avenue  
Fort Campbell, Kentucky 42223-5634



ACLU DDII CID ROIS 35512

001683





ACLU DDII CID ROIS 35513

001684



ACLU DDII CID ROIS 35514



ACLU DDII CID ROIS 35515



ACLU DDII CID ROIS 35516



ACLU DDII CID ROIS 35517



ACLU DDII CID ROIS 35518

001689

(b) (6) (b) (7) (C)

ACLU DDII CID ROIS 35519

001690



ACLU DDII CID ROIS 35520





ACLU DDII CID ROIS 35521



ACLU DDII CID ROIS 35522



ACLU DDII CID ROIS 35523

(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 35524

001695



ACLU DDII CID ROIS 35525



ACLU DDII CID ROIS 35526



ACLU DDII CID ROIS 35527



ACLU DDII CID ROIS 35528





ACLU DDII CID ROIS 35529

001700



ACLU DDII CID ROIS 35530



ACLU DDII CID ROIS 35531

(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 35532



ACLU DDII CID ROIS 35533

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ACLU DDII CID ROIS 35534

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ACLU DDII CID ROIS 35535



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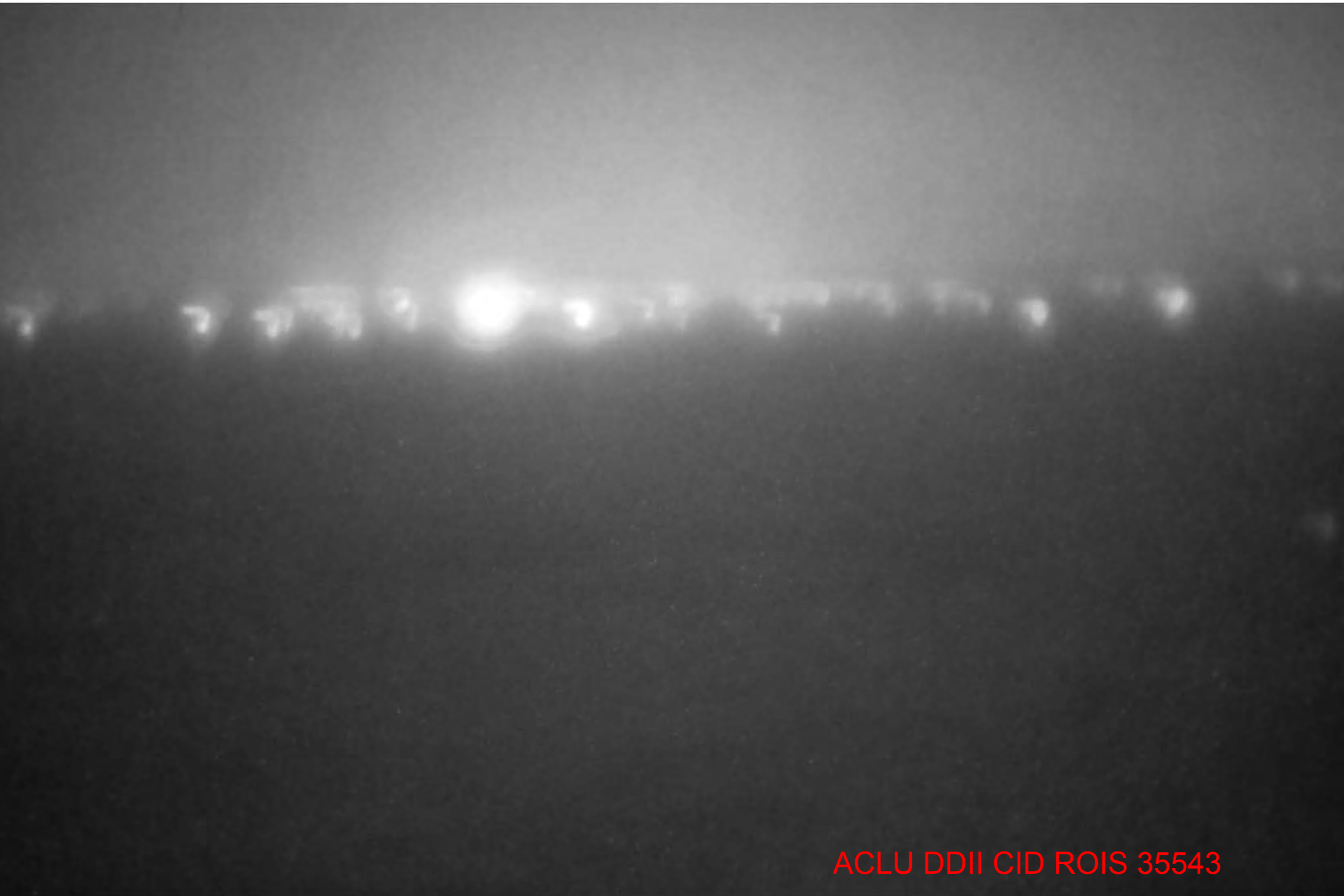
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ACLU DDII CID ROIS 35544

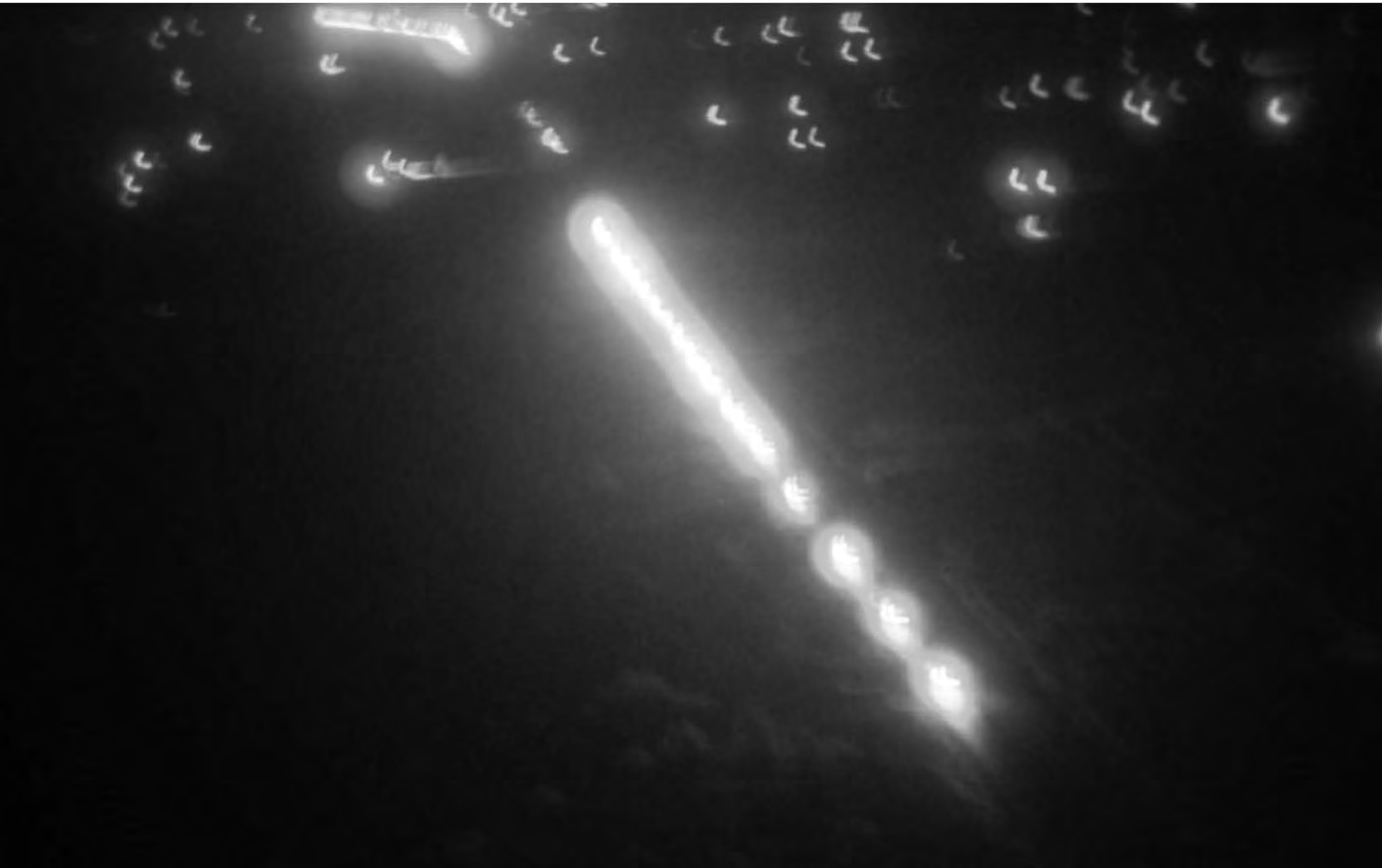


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ACLU DDII CID ROIS 35550



ACLU DDII CID ROIS 35551

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ACLU DDII CID ROIS 35563

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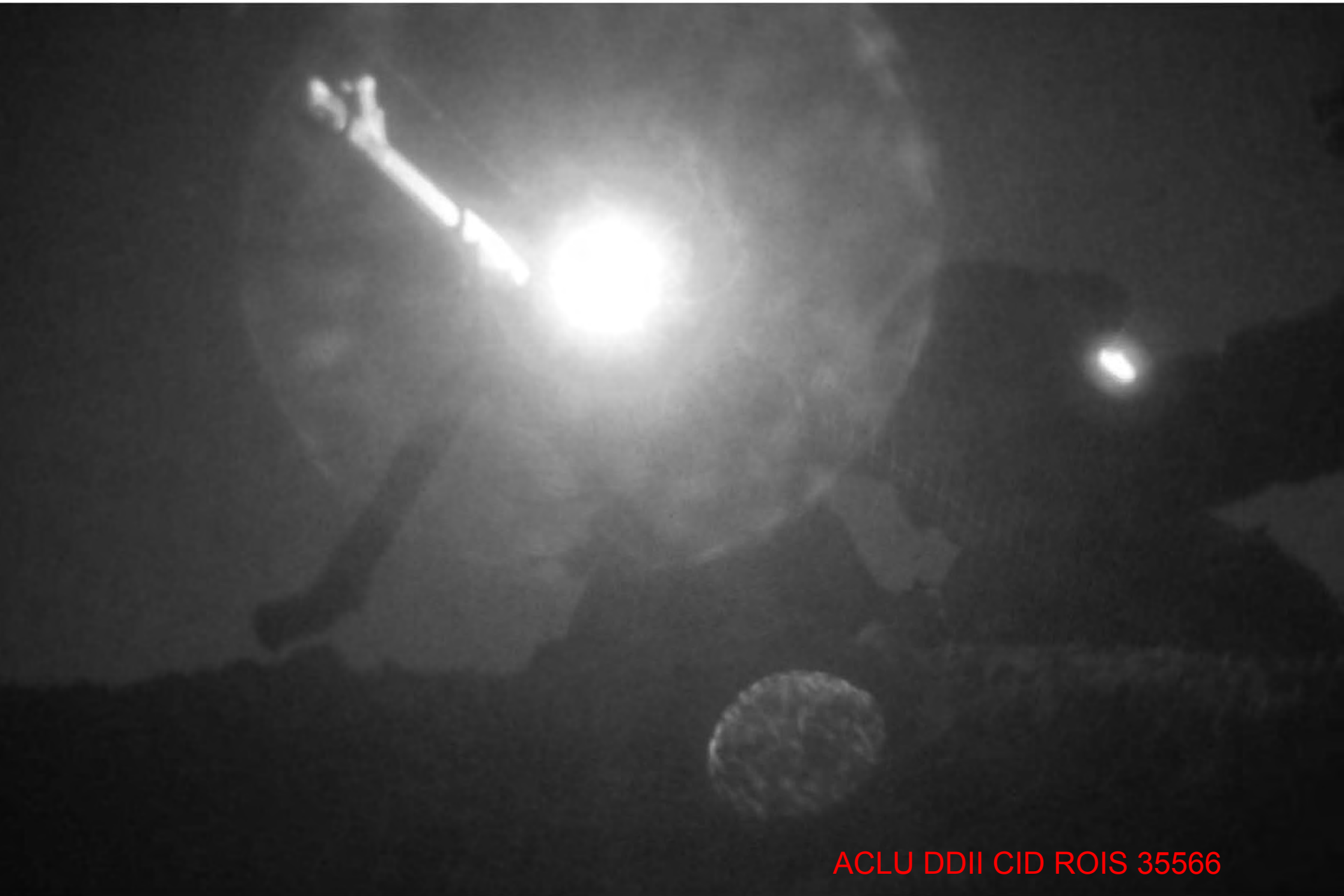
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ACLU DDII CID ROIS 35567

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ACLU DDII CID ROIS 35568



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ACLU DDII CID ROIS 35593

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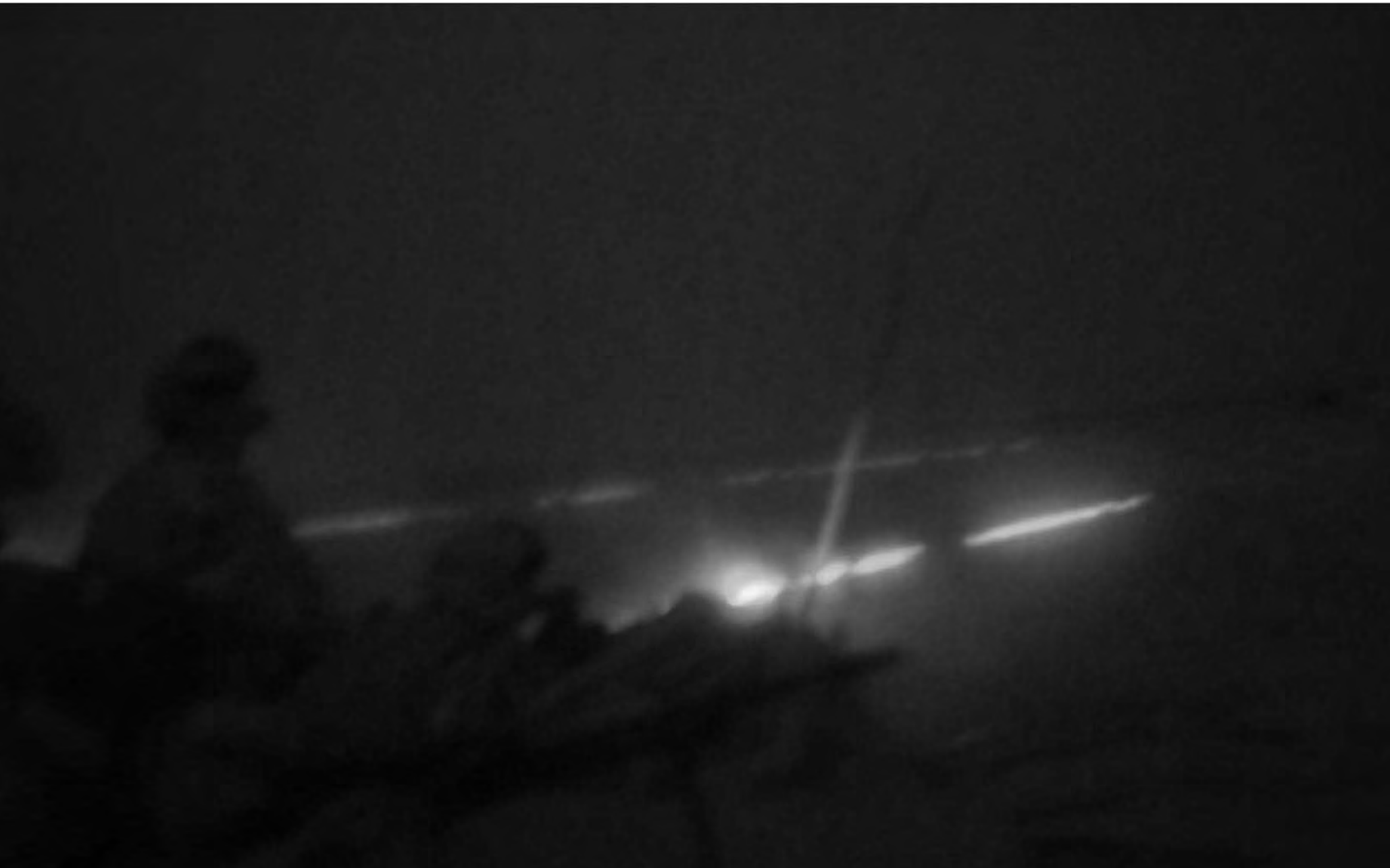
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ACLU DDII CID ROIS 35599

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ACLU DDII CID ROIS 35600

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ACLU DDII CID ROIS 35601



ACLU DDII CID ROIS 35602

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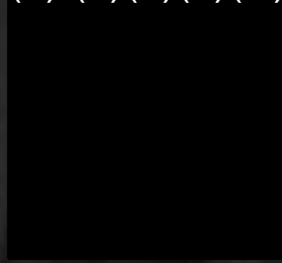
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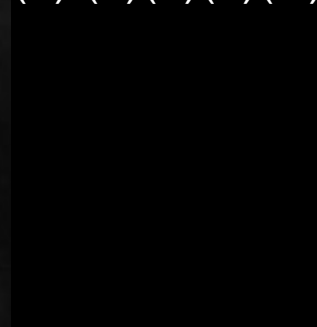
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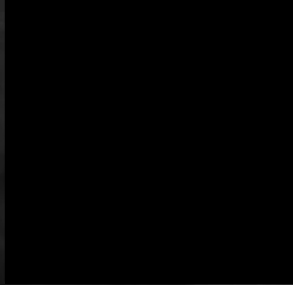
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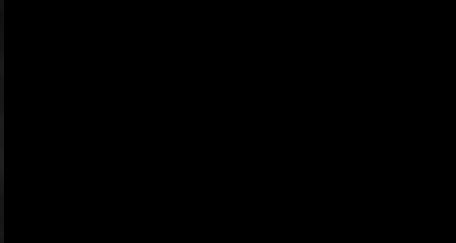
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ACLU DDII CID ROIS 35611

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A solid black rectangular redaction box covering the content below the first text label.

(b) (6)(b)(7)(C)

A solid black rectangular redaction box covering the content below the second text label.

ACLU DDII CID ROIS 35612



ACLU DDII CID ROIS 35613

001784



ACLU DDII CID ROIS 35614



ACLU DDII CID ROIS 35615



ACLU DDII CID ROIS 35616



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ACLU DDII CID ROIS 35619



ACLU DDII CID ROIS 35620



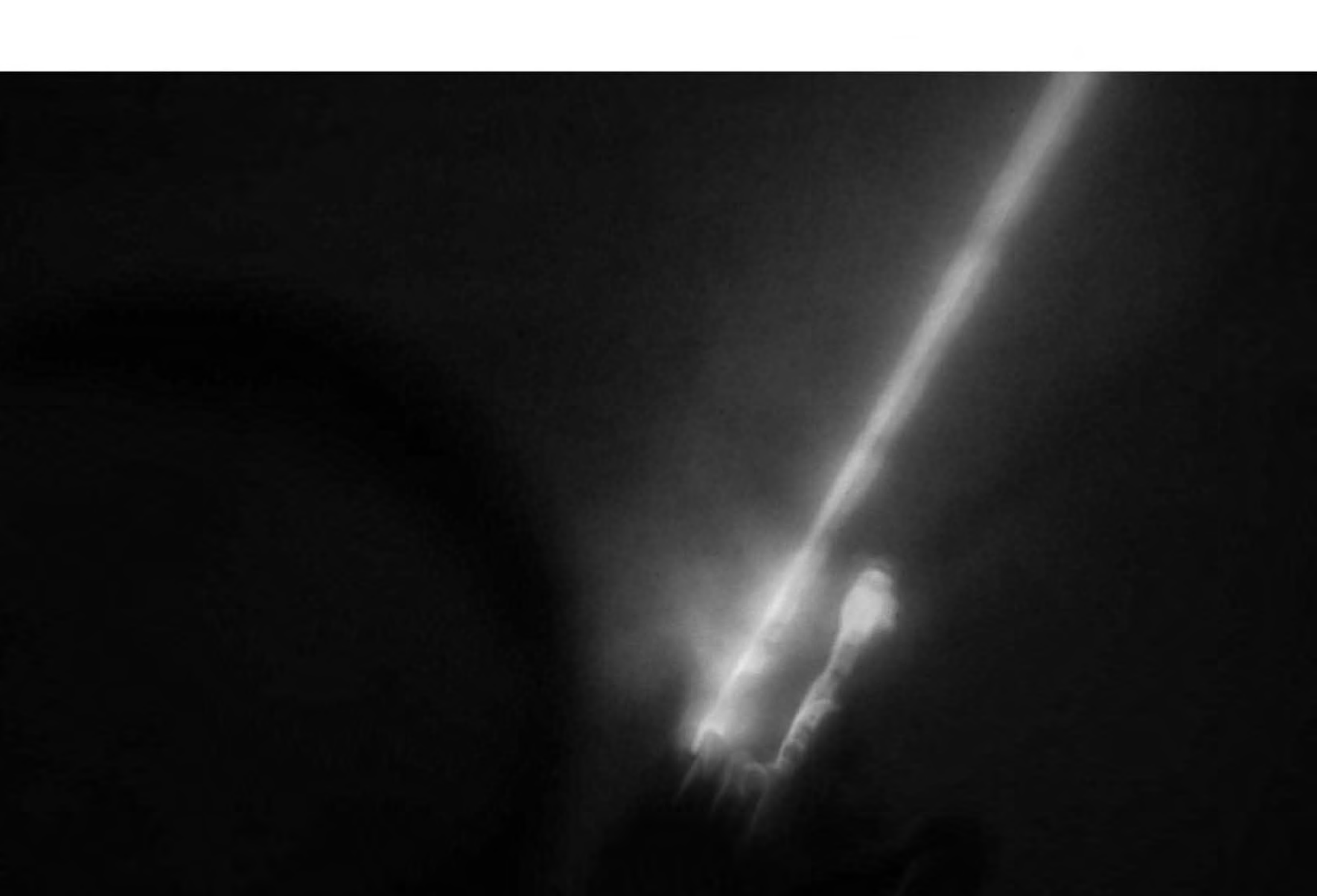
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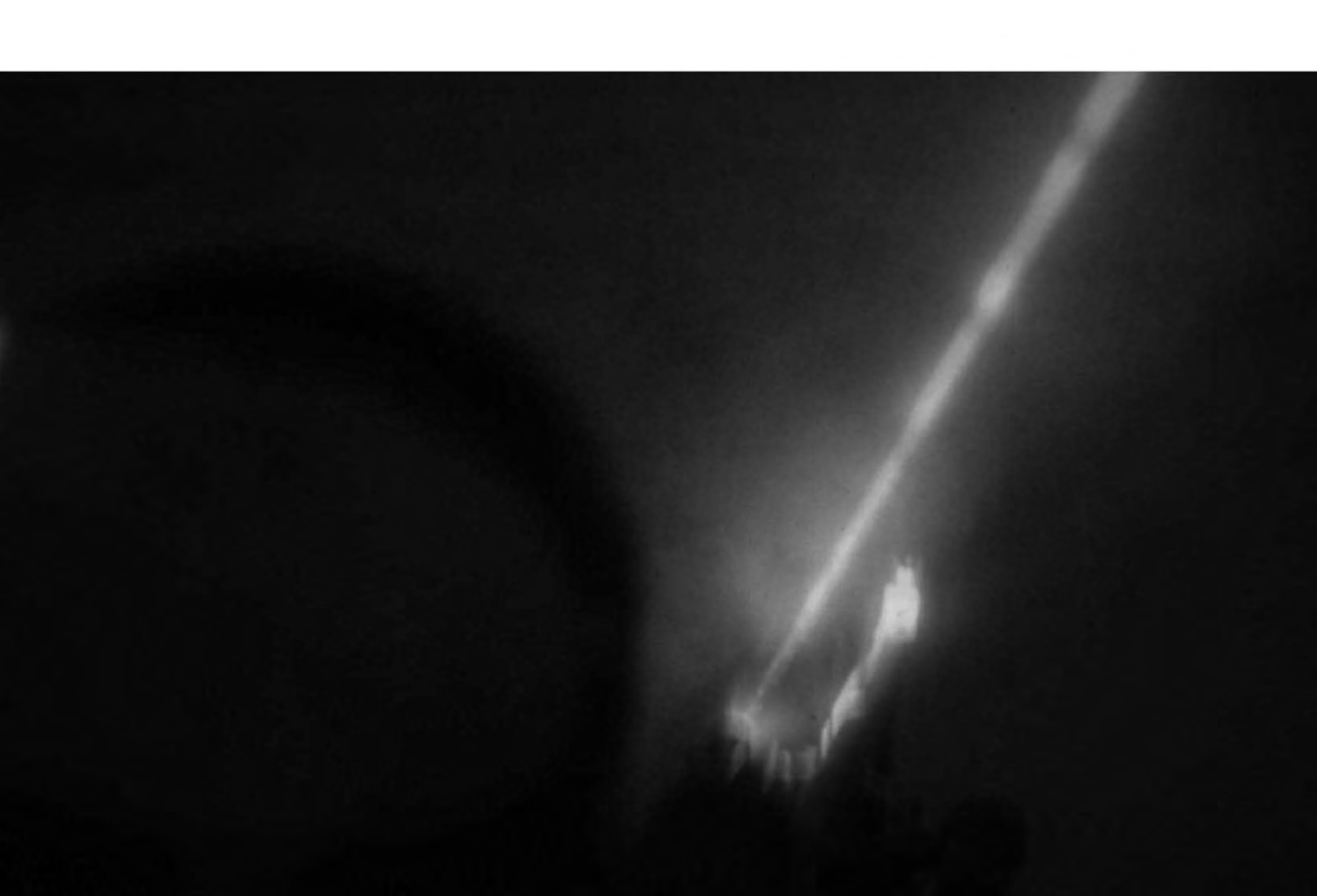
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ACLU DDII CID ROIS 35630

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ACLU DDII CID ROIS 35631



ACLU DDII CID ROIS 35632

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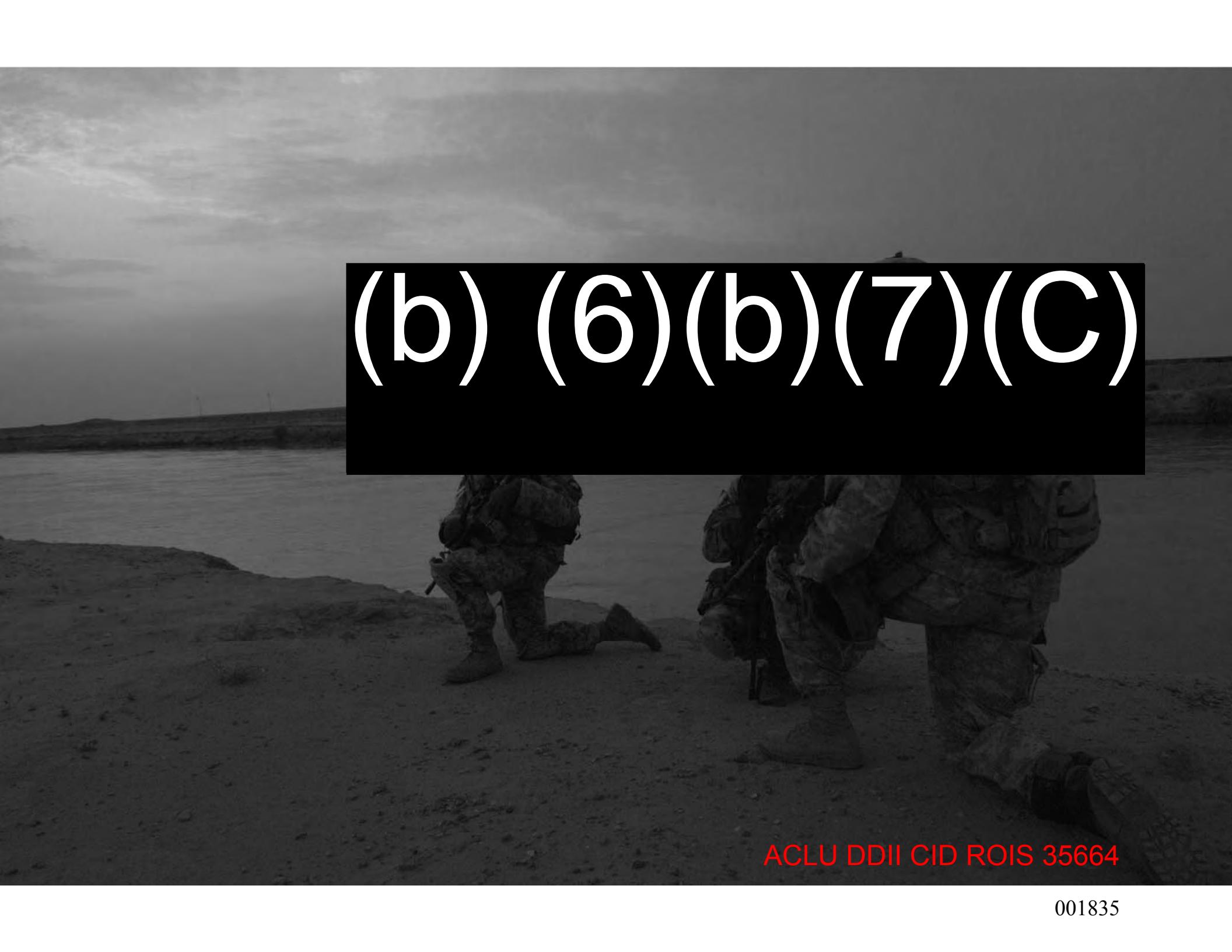
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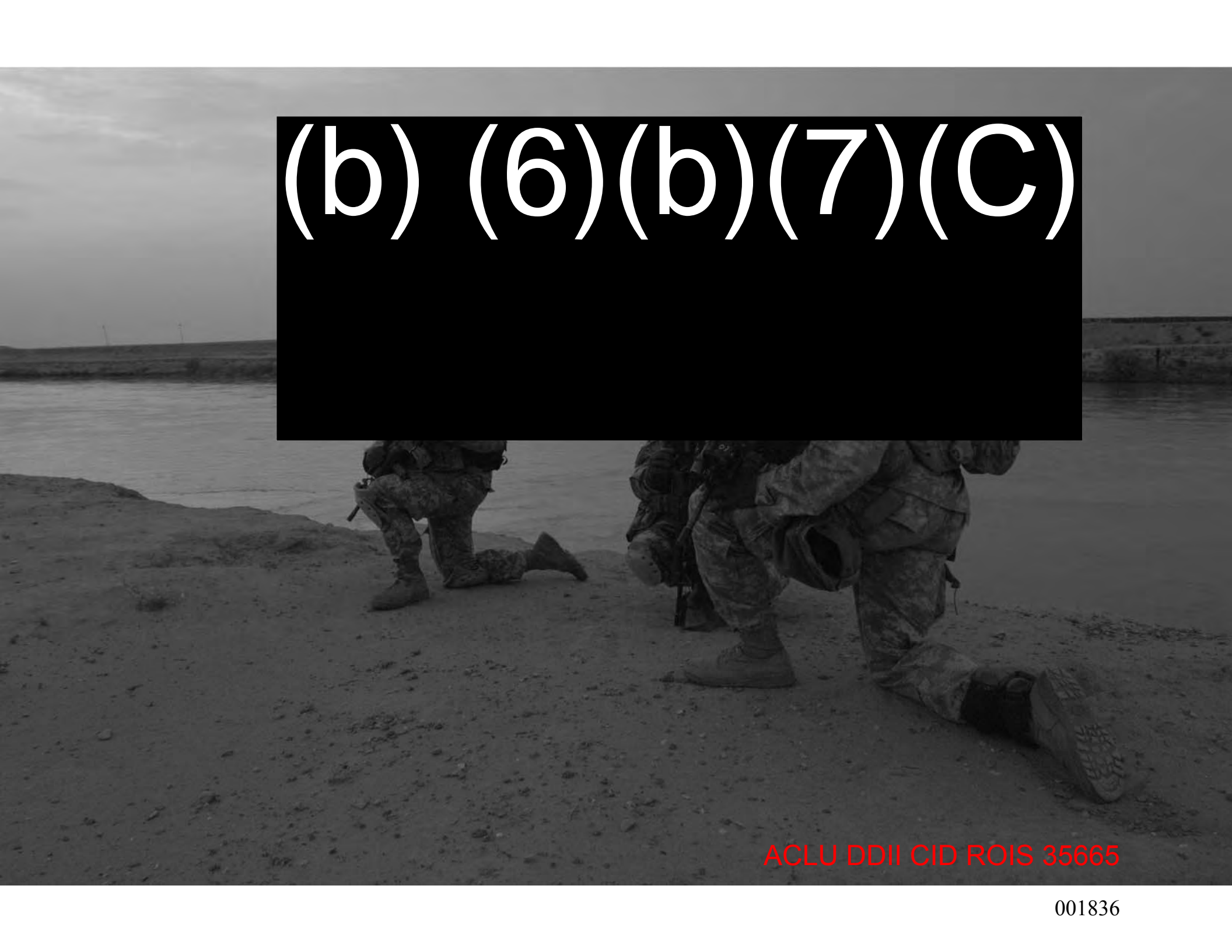
001834

A black and white photograph showing two soldiers in full combat gear kneeling on a sandy or dirt ground. In the background, there is a body of water and a cloudy sky. A large black rectangular redaction box is superimposed over the center of the image, containing the text "(b) (6)(b)(7)(C)" in white. The text is in a large, bold, sans-serif font.

(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 35664

(b) (6)(b)(7)(C)



ACLU DDII CID ROIS 35665

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ACLU DDII CID ROIS 35666

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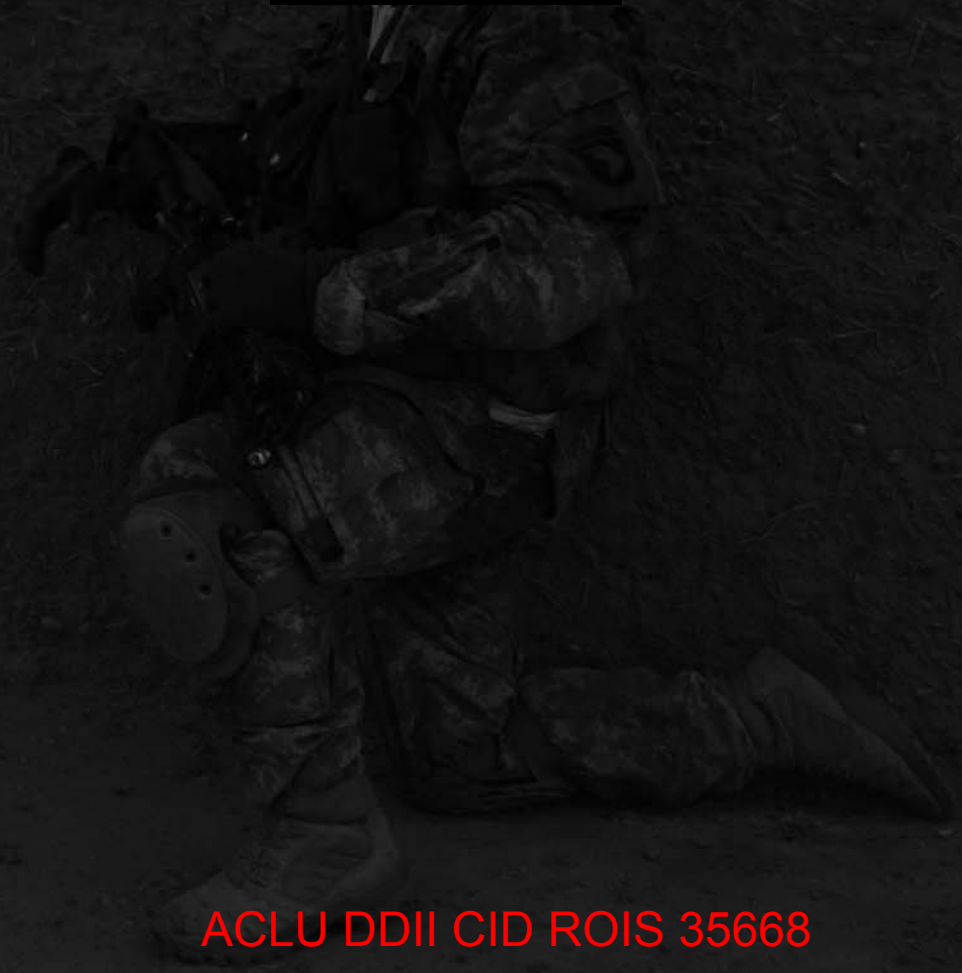


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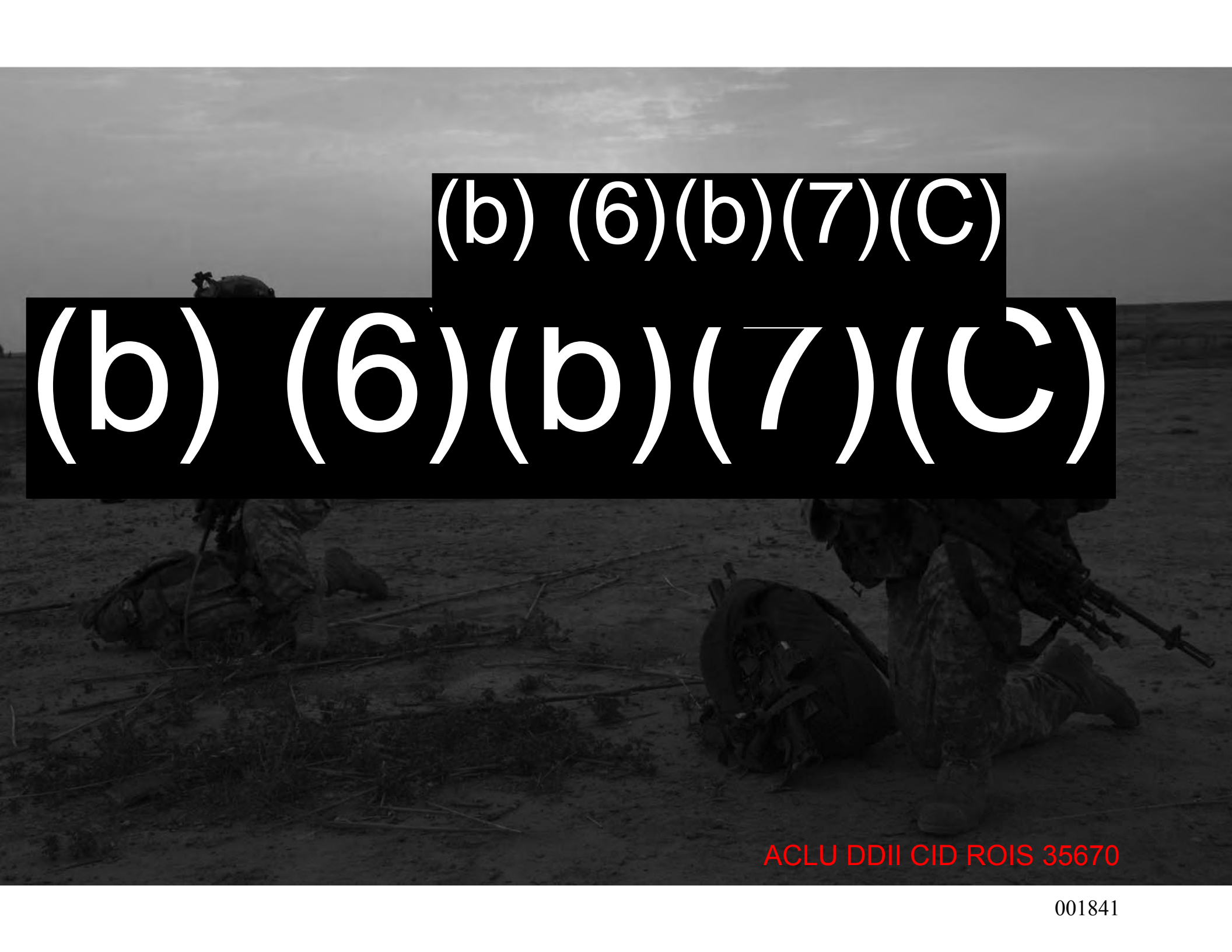
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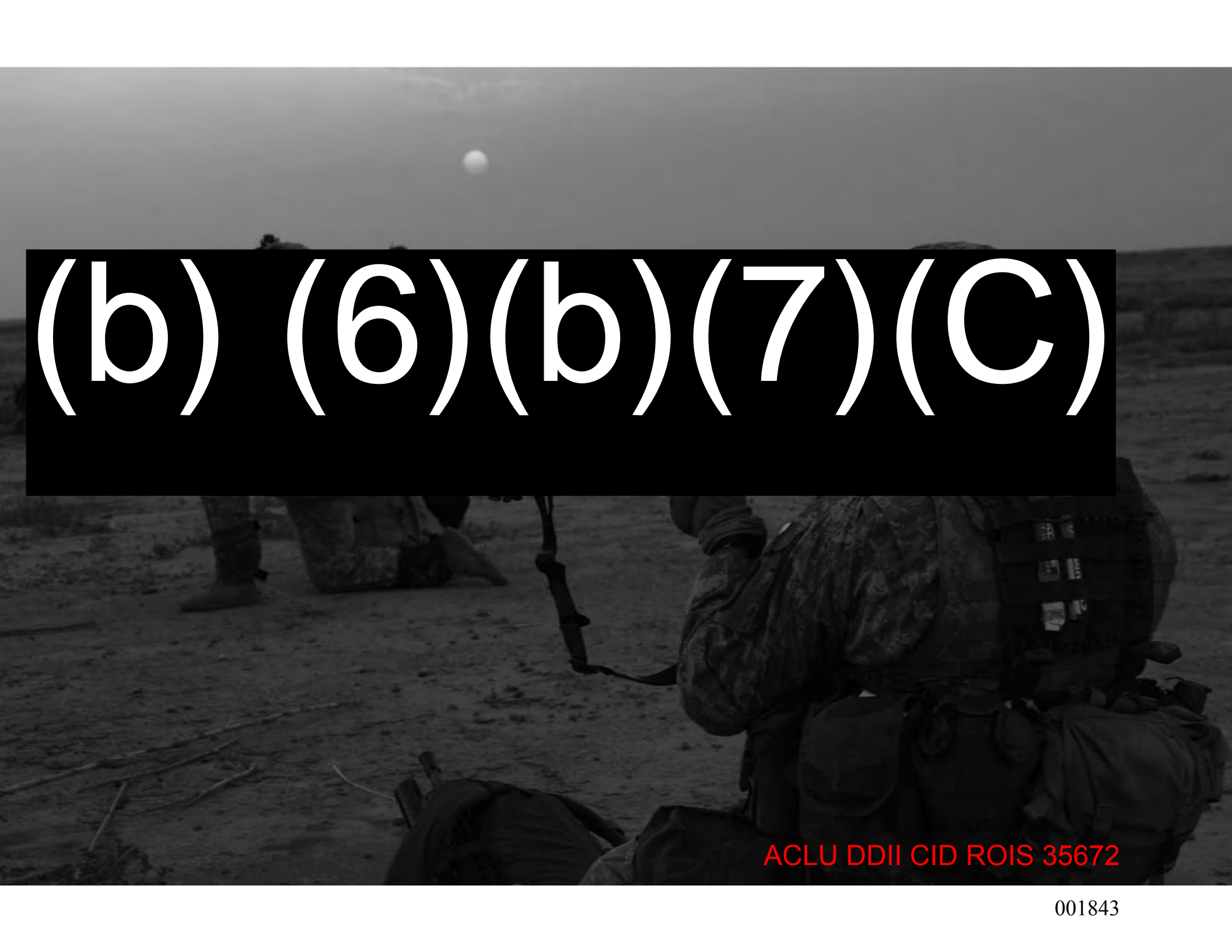
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ACLU DDII CID ROIS 35671



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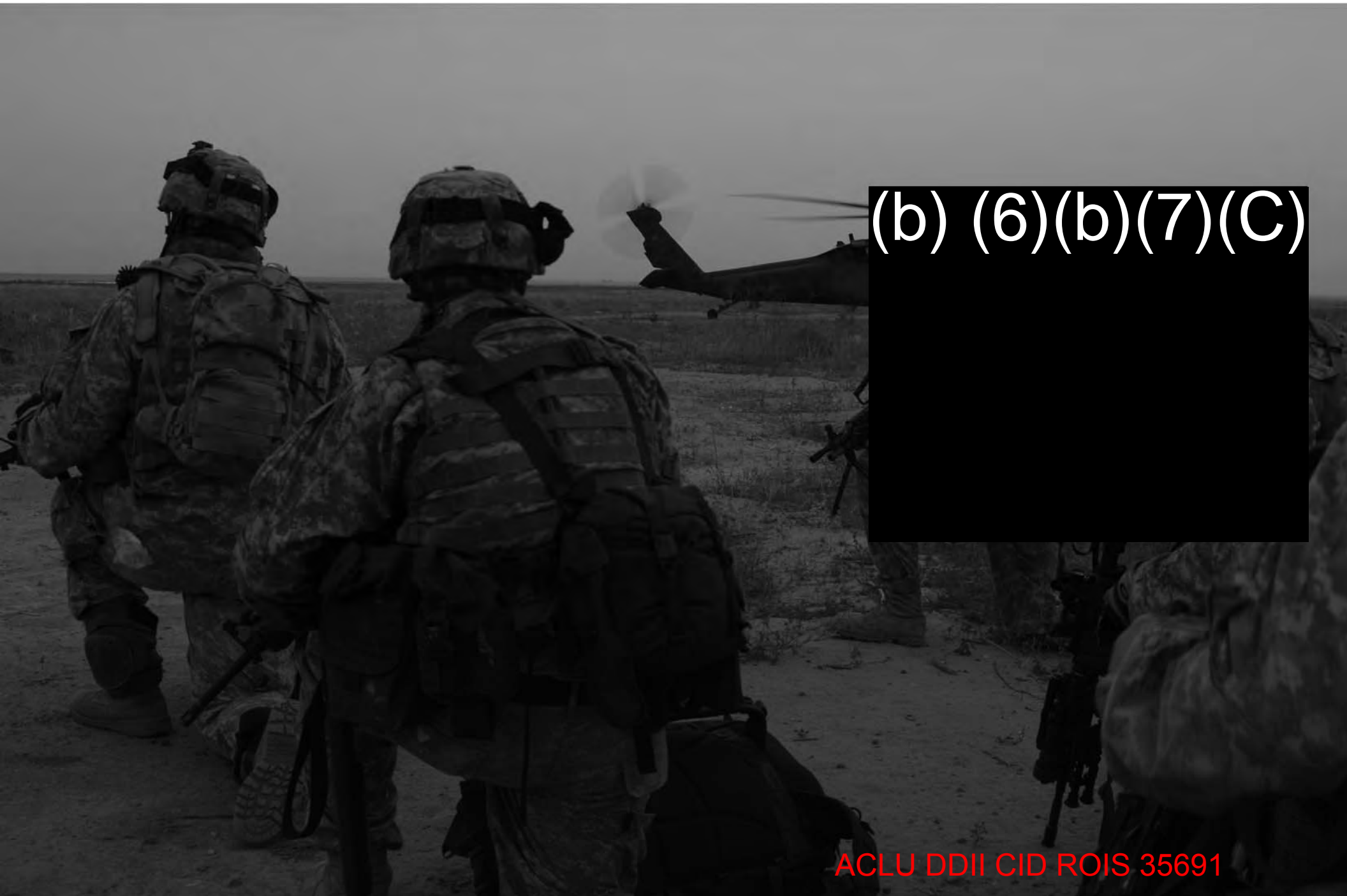
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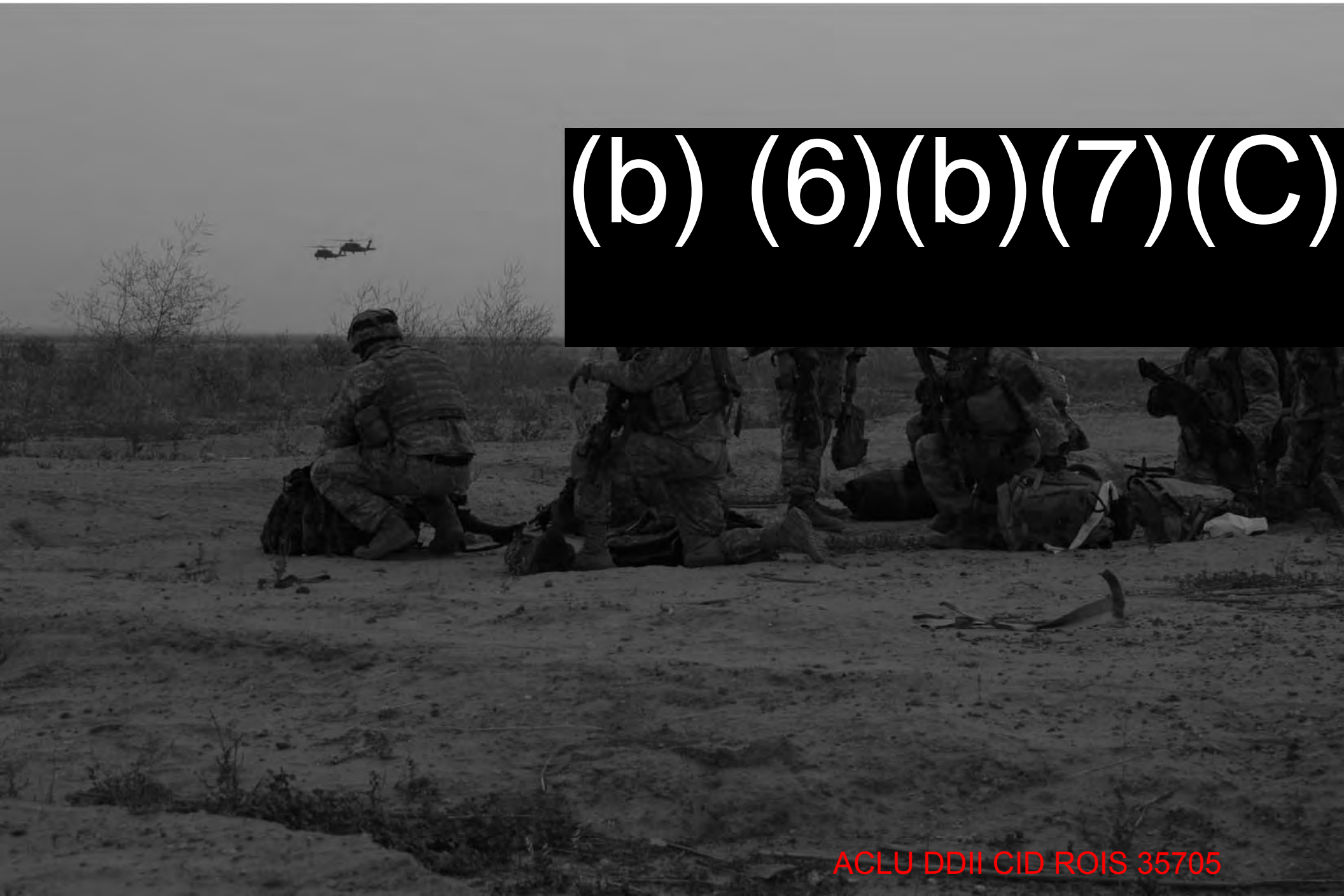


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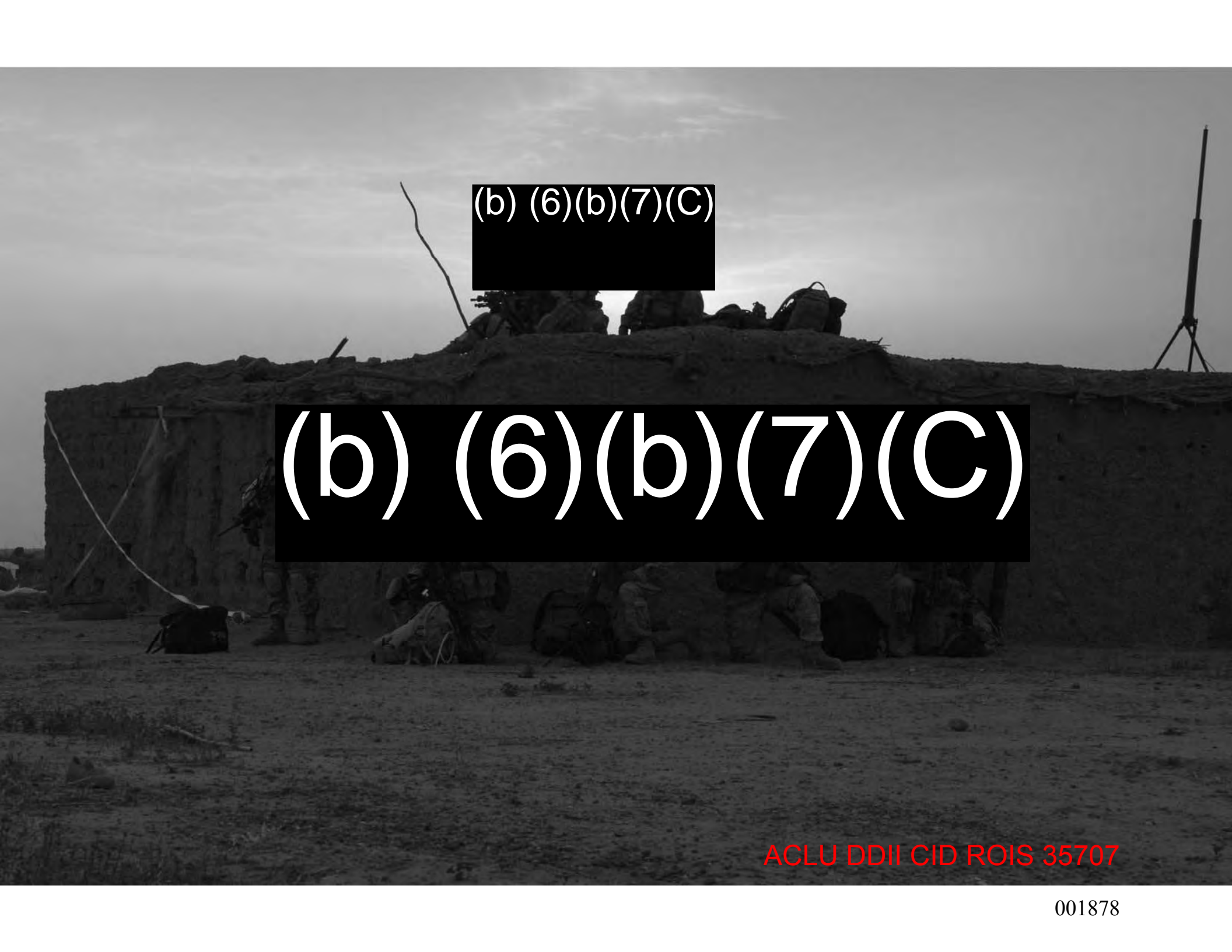


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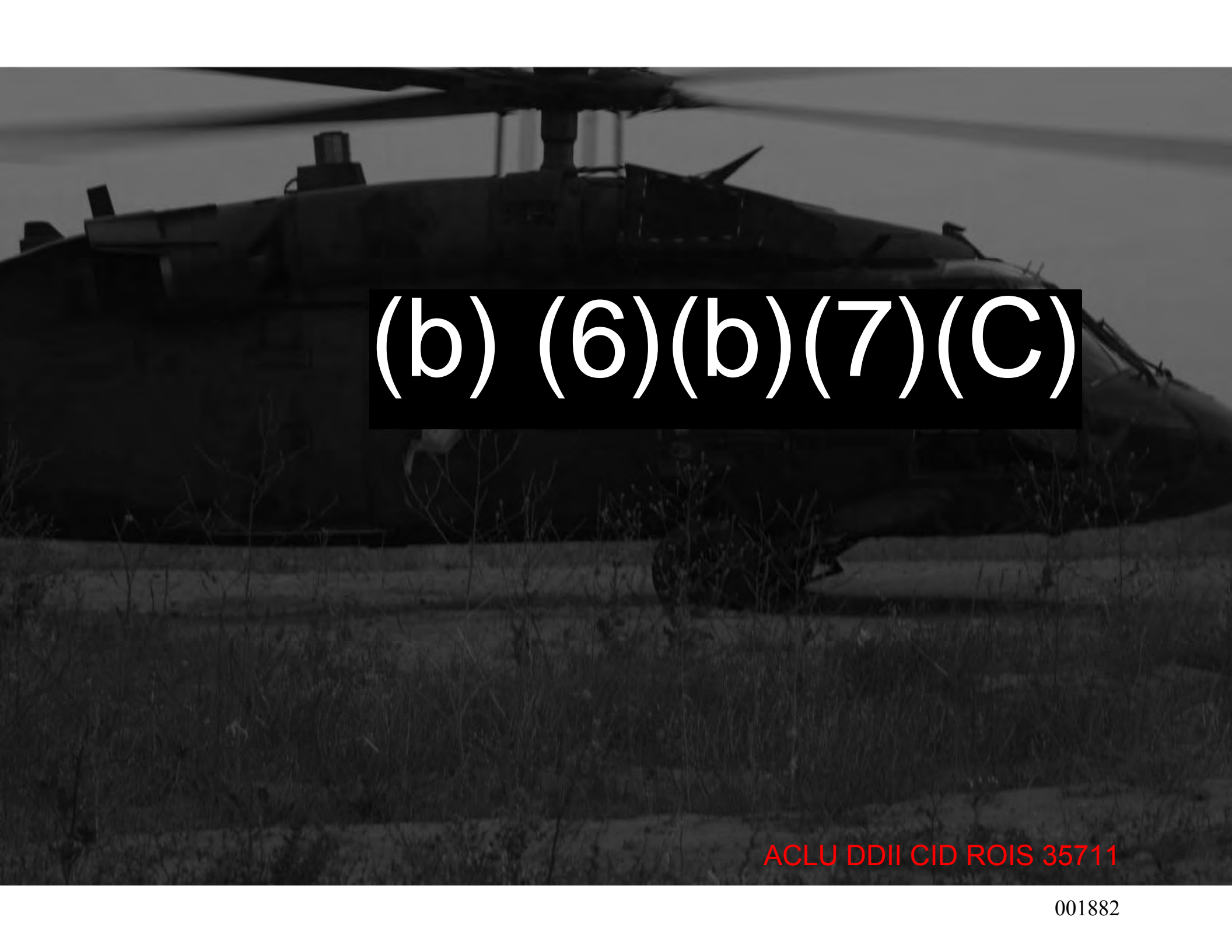


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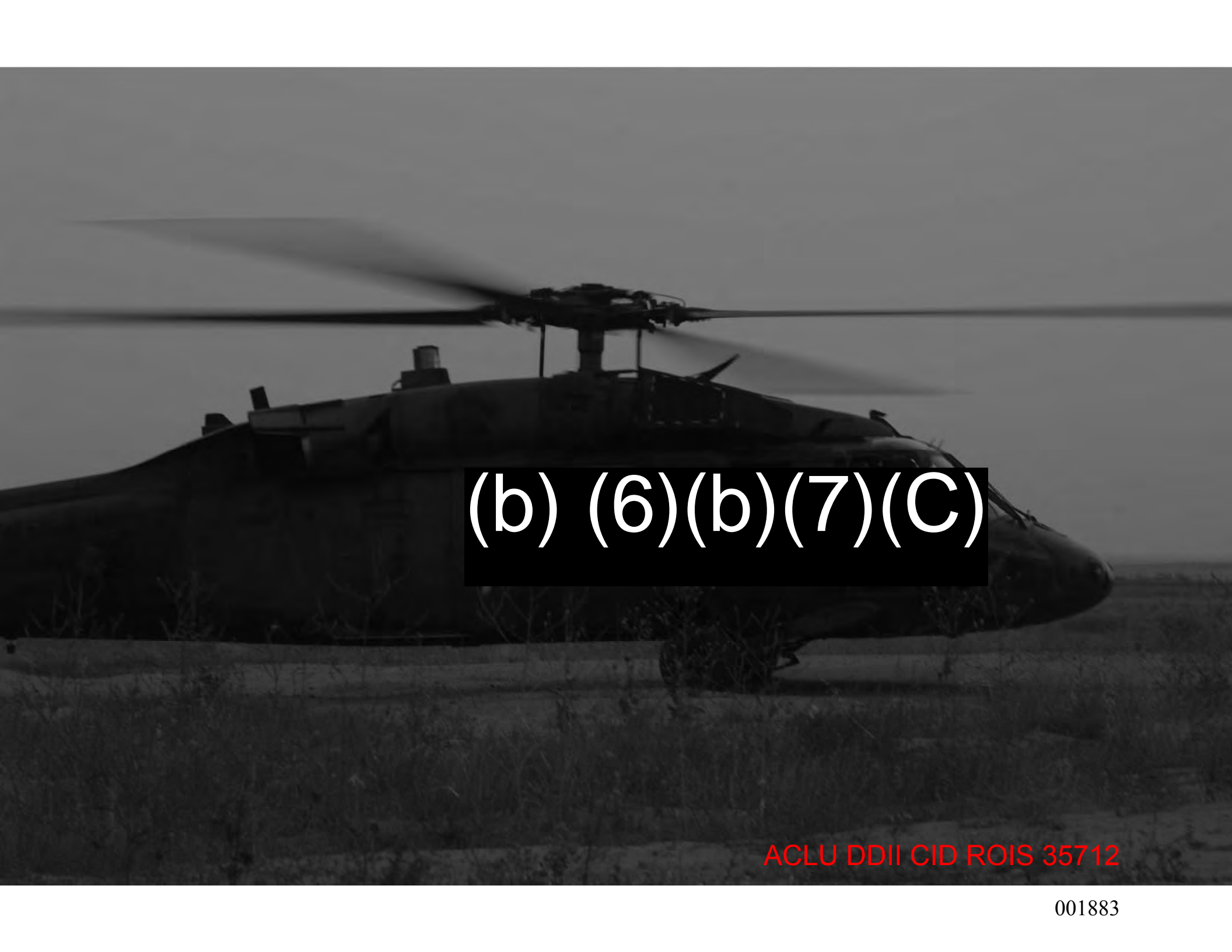
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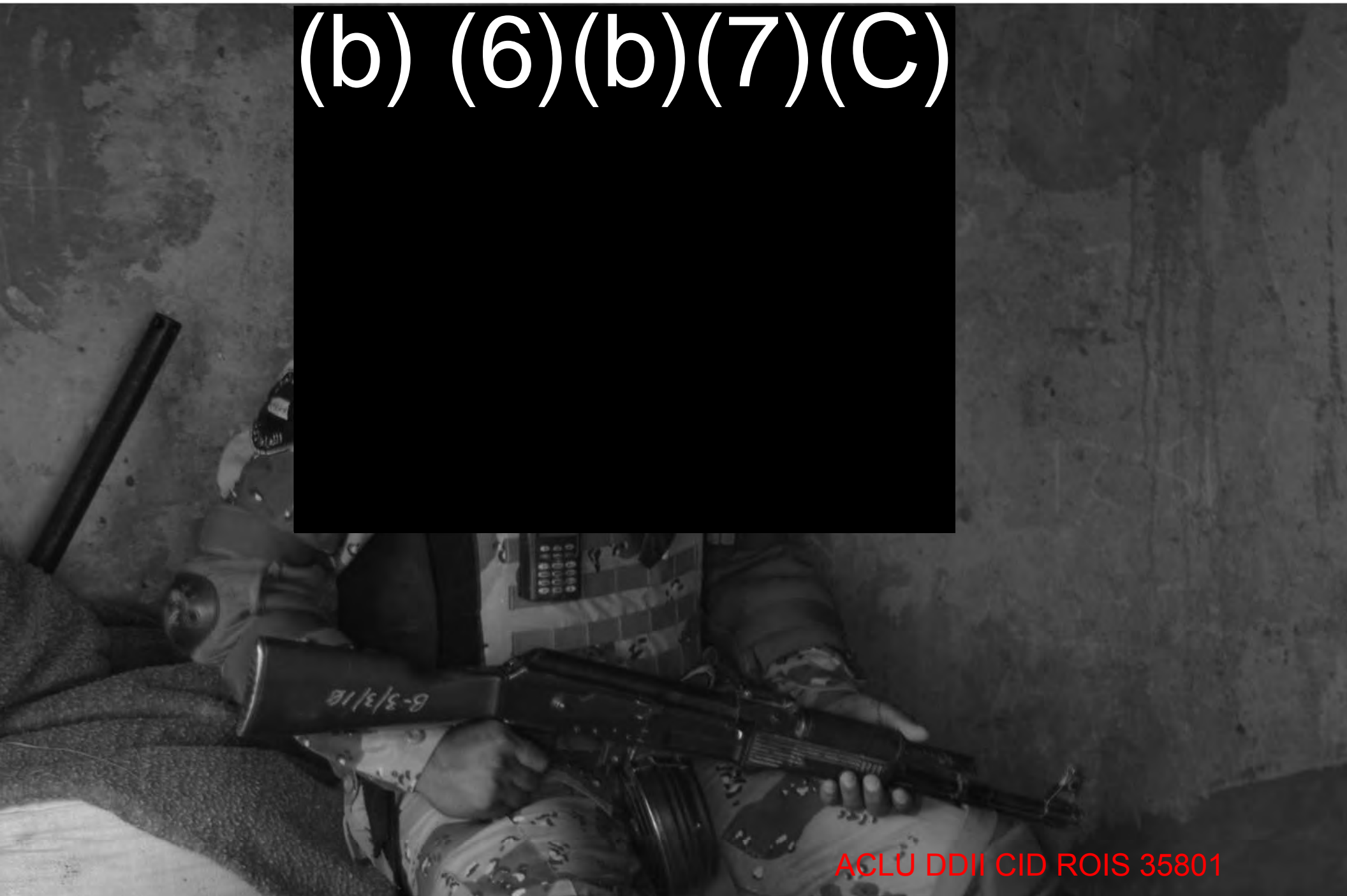
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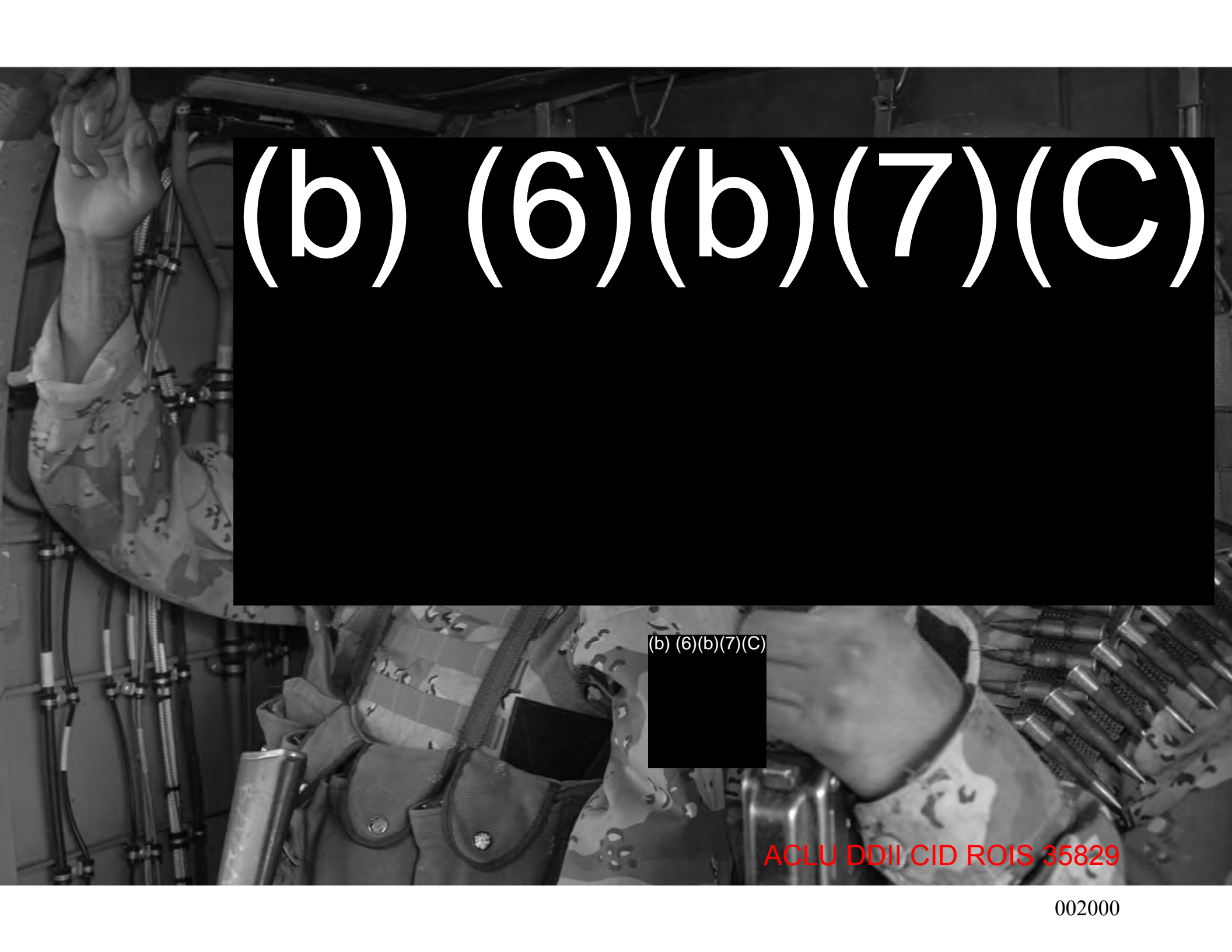


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ACLU DDII CID ROIS 35827

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ACLU DDII CID ROIS 35834

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ACLU DDII CID ROIS 35835

002006



(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 35836



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ACLU DDII CID ROIS 35837




ACLU DDII CID ROIS 35838



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ACLU DDII CID ROIS 35839



A black and white photograph of a military helicopter, likely a UH-60 Black Hawk, parked in a field of tall grass. The helicopter's main rotor blades are blurred, suggesting it is in motion. A person in military gear is visible in the foreground, partially obscured by a large black redaction box. The text "(b) (6)(b)(7)(C)" is written in white on the redaction box. The words "UNITED STATES ARMY" are visible on the side of the helicopter. The background shows a hazy, open landscape with some distant hills.

(b) (6)(b)(7)(C)

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ACLU DDII CID ROIS 35842

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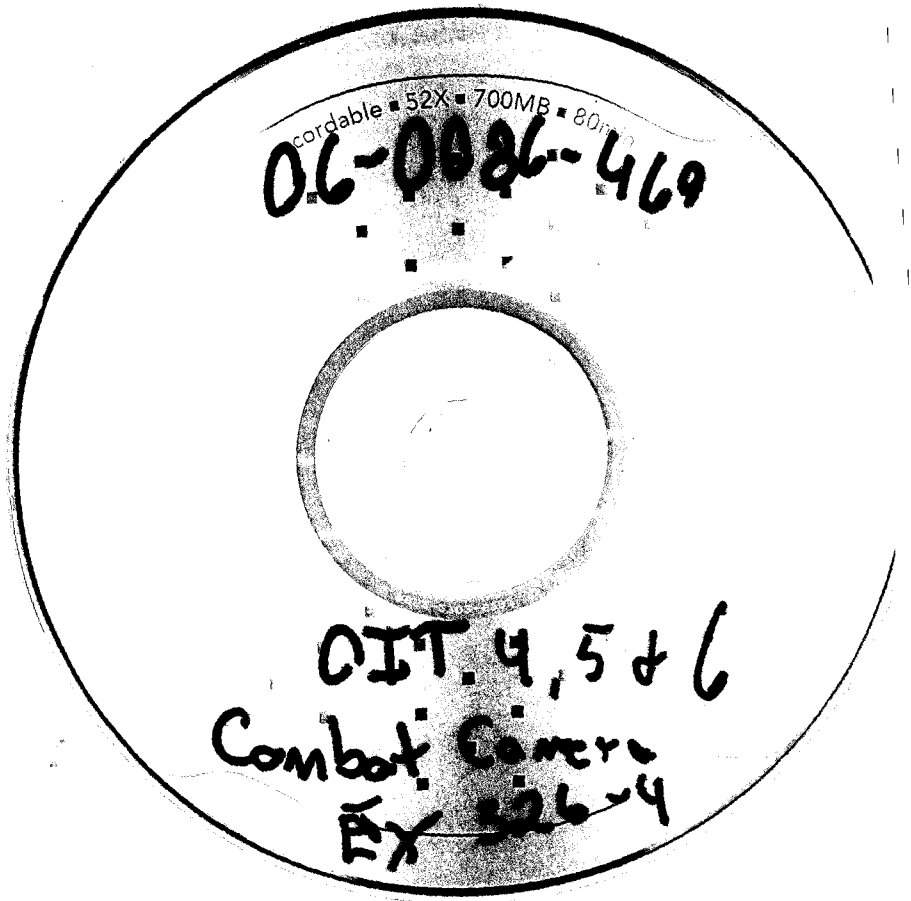


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(b) (6)(b)(7)(C)

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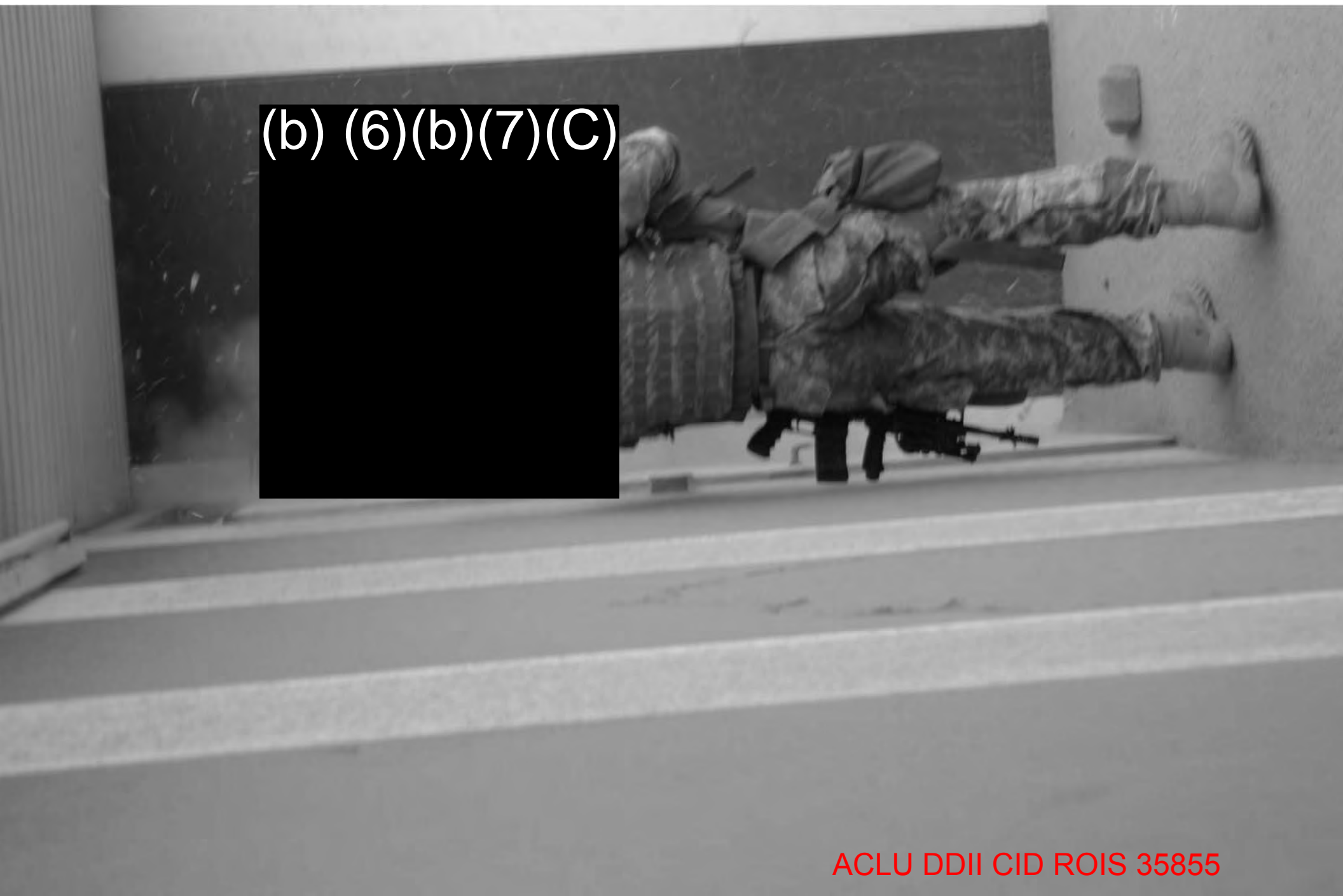


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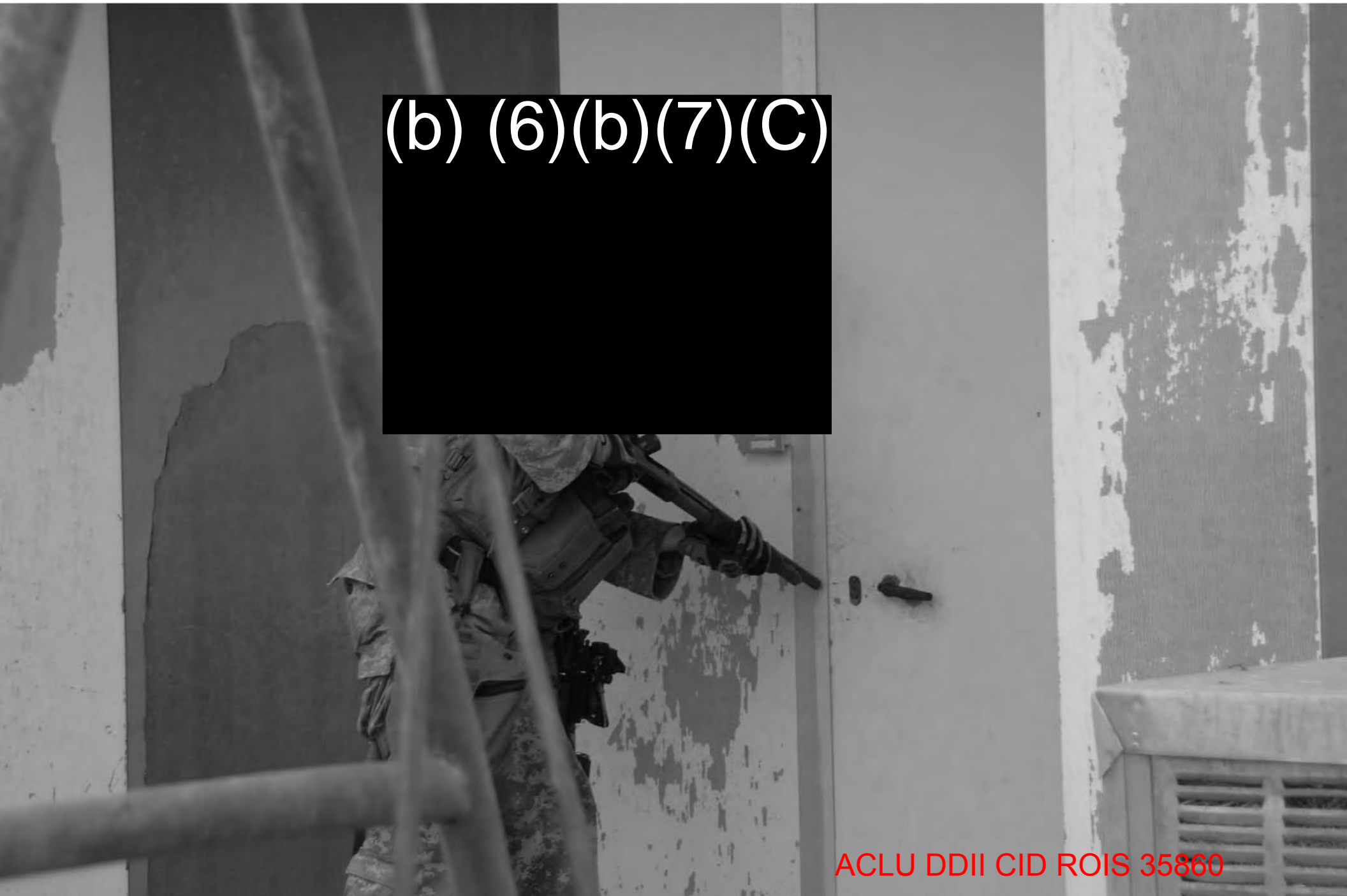
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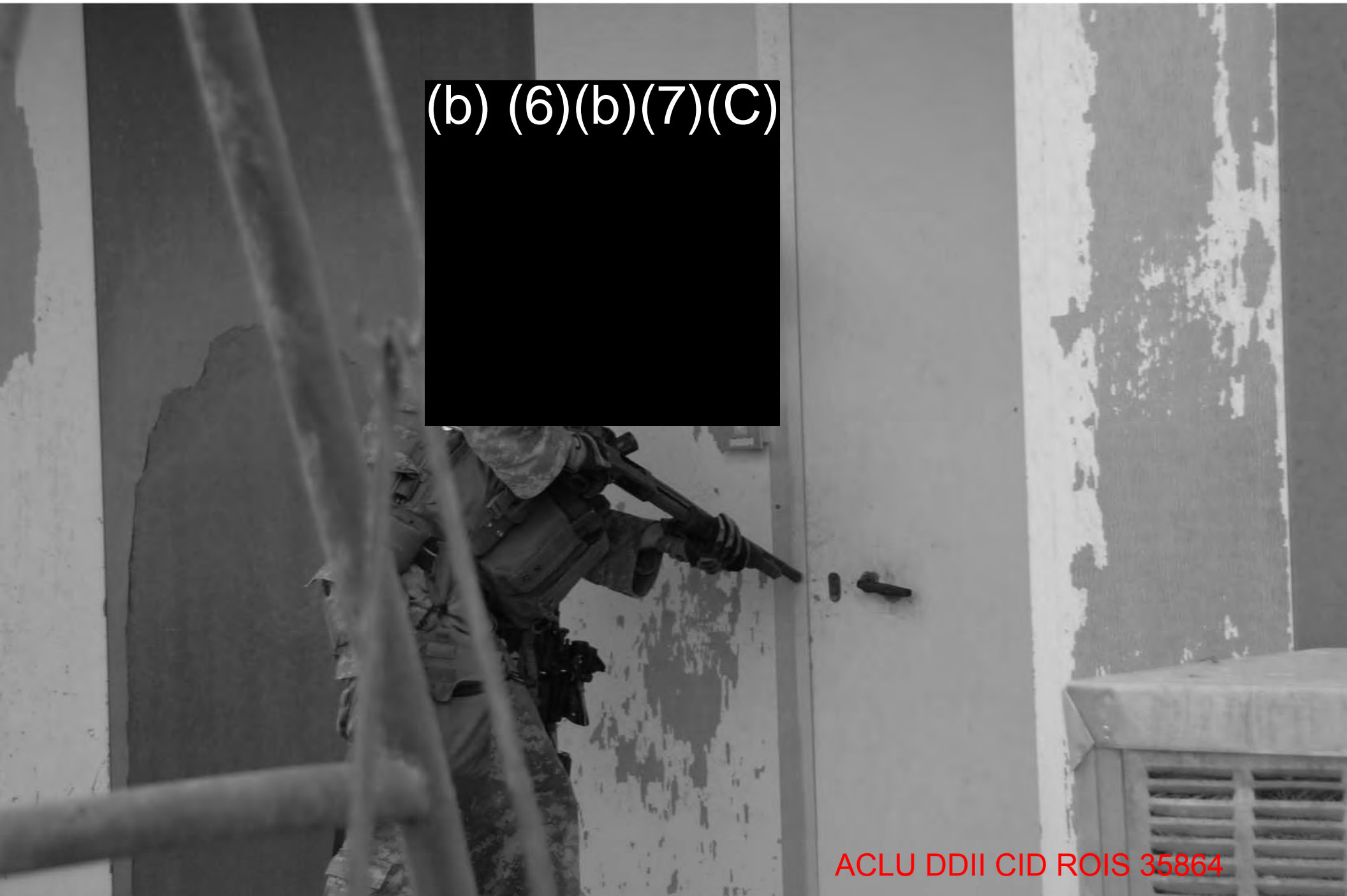
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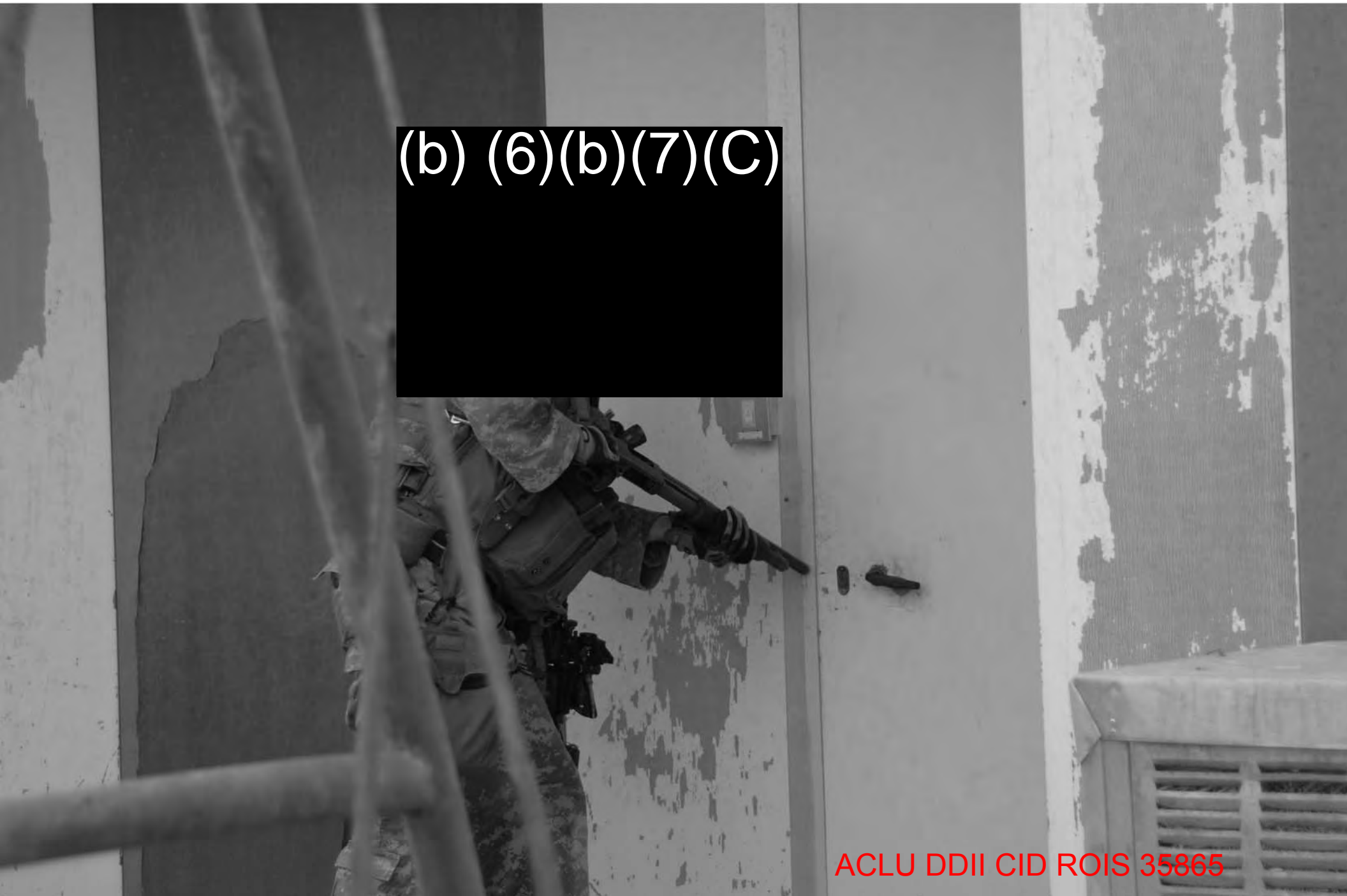


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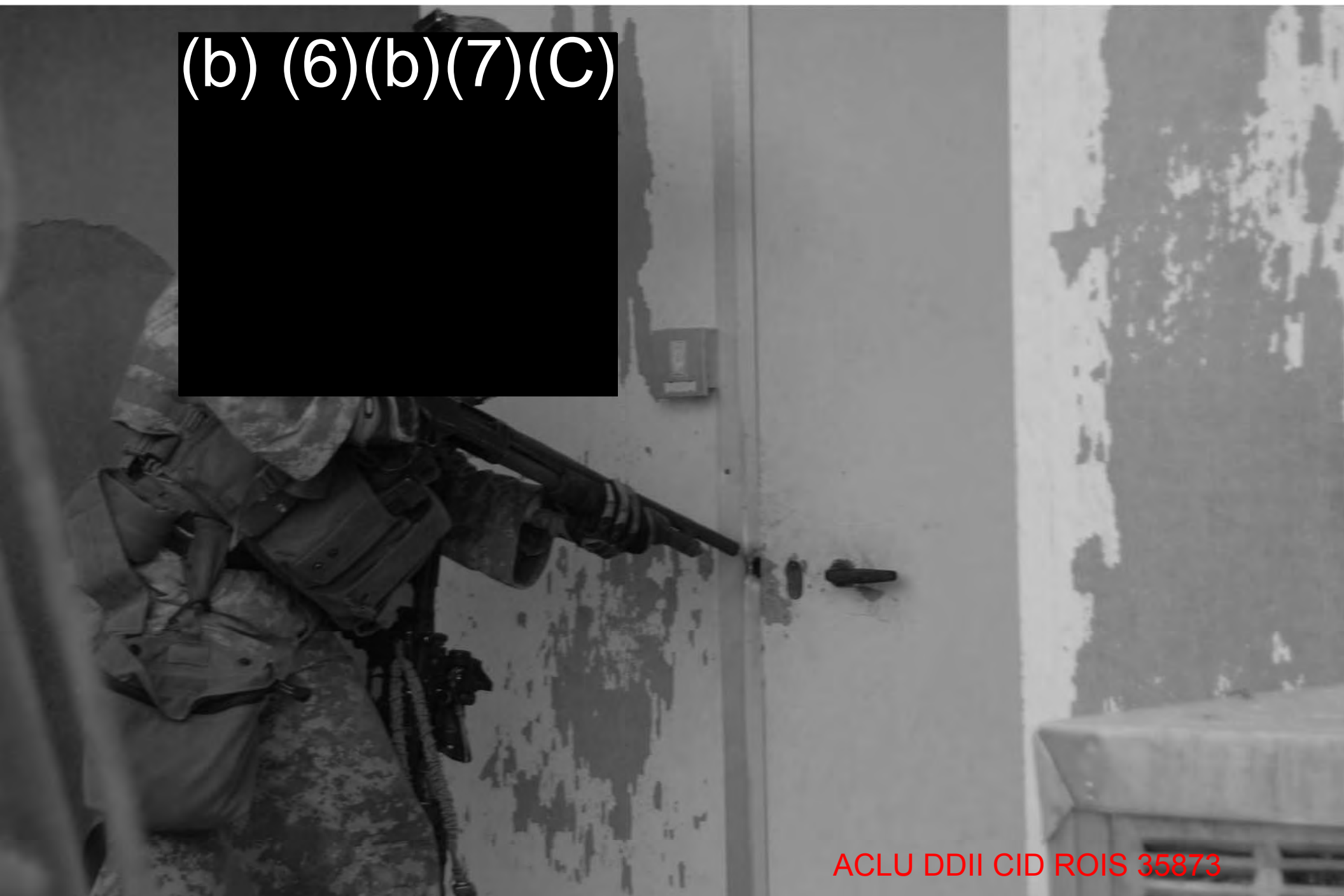


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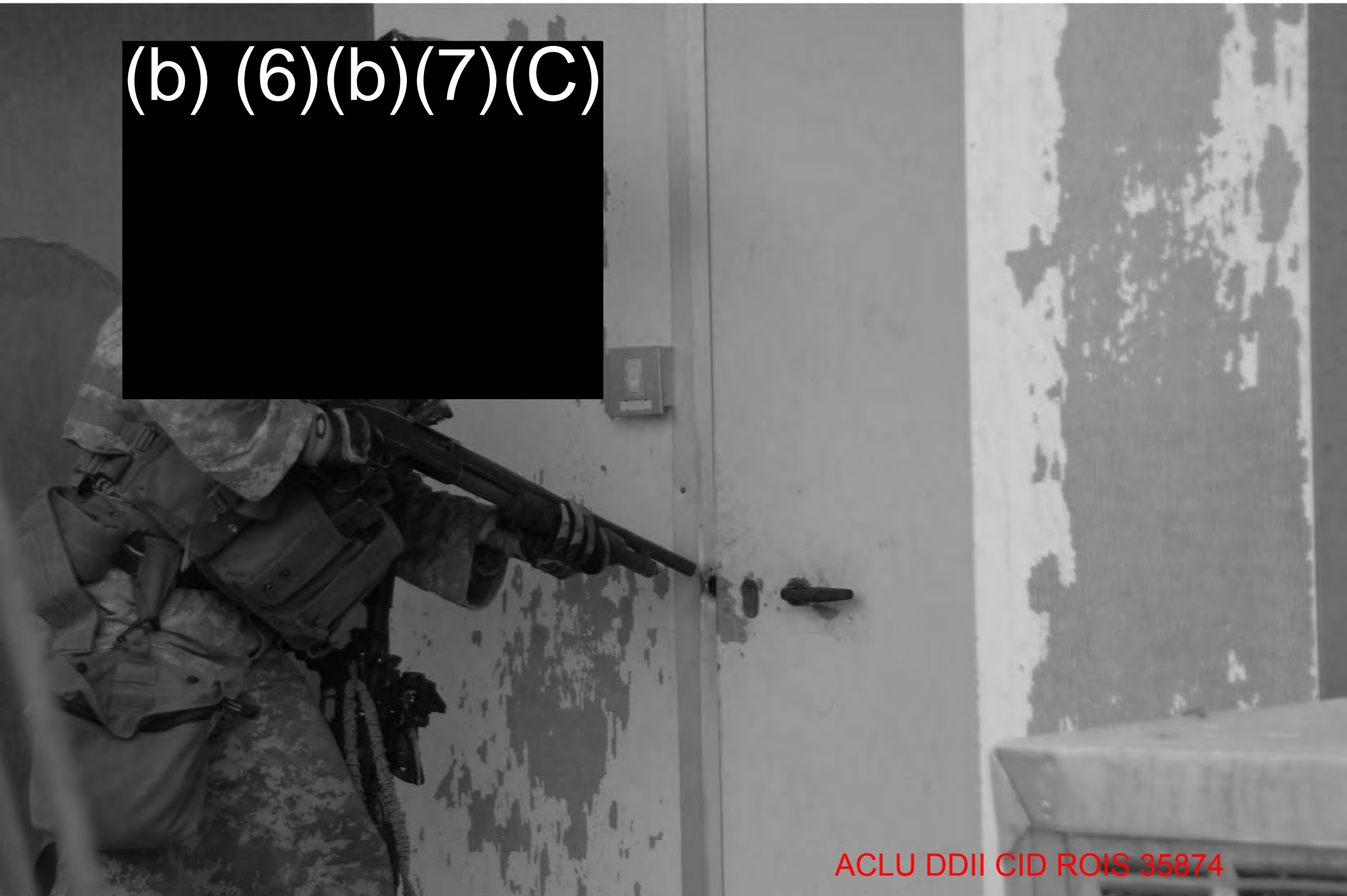
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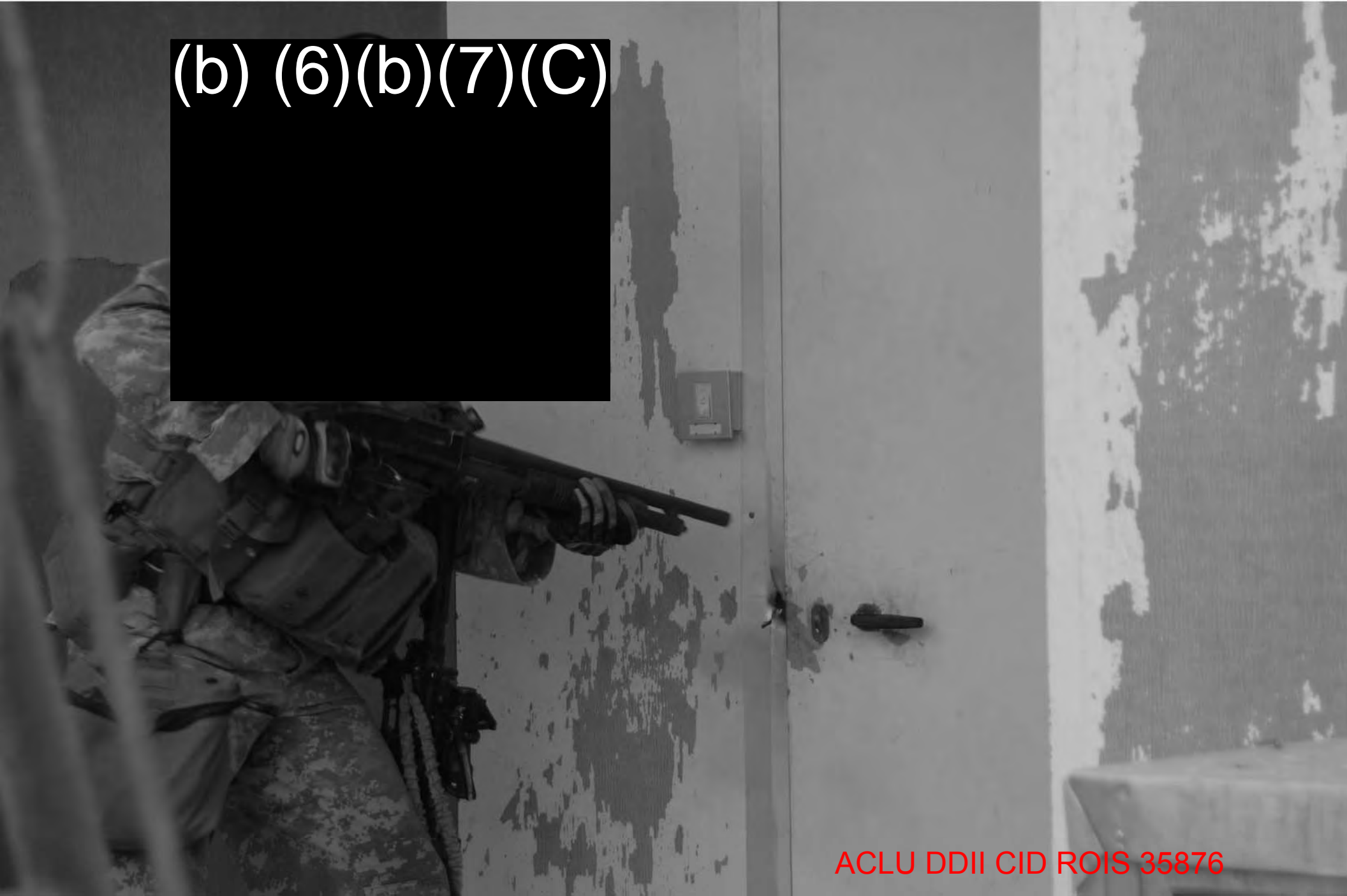
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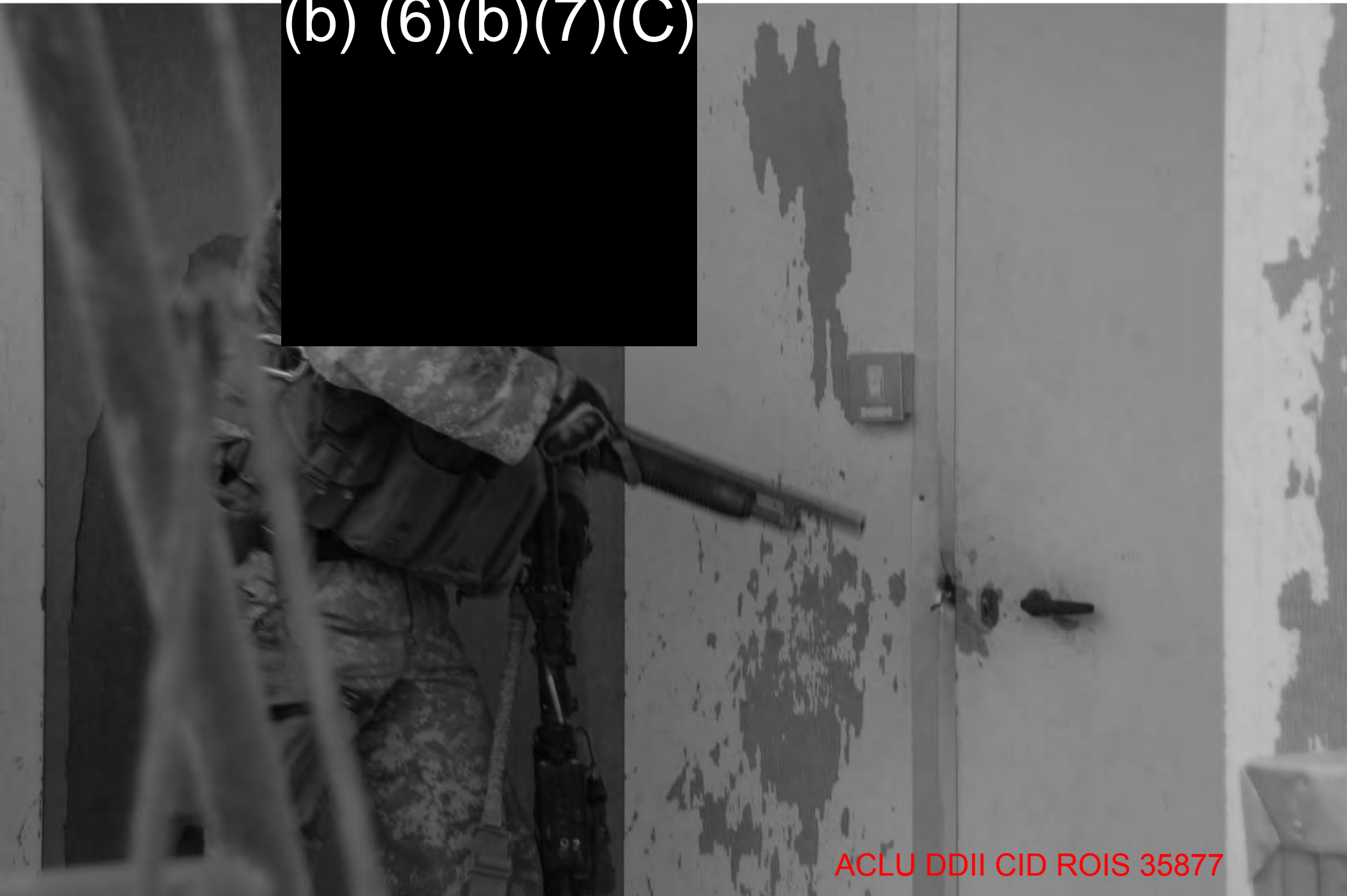
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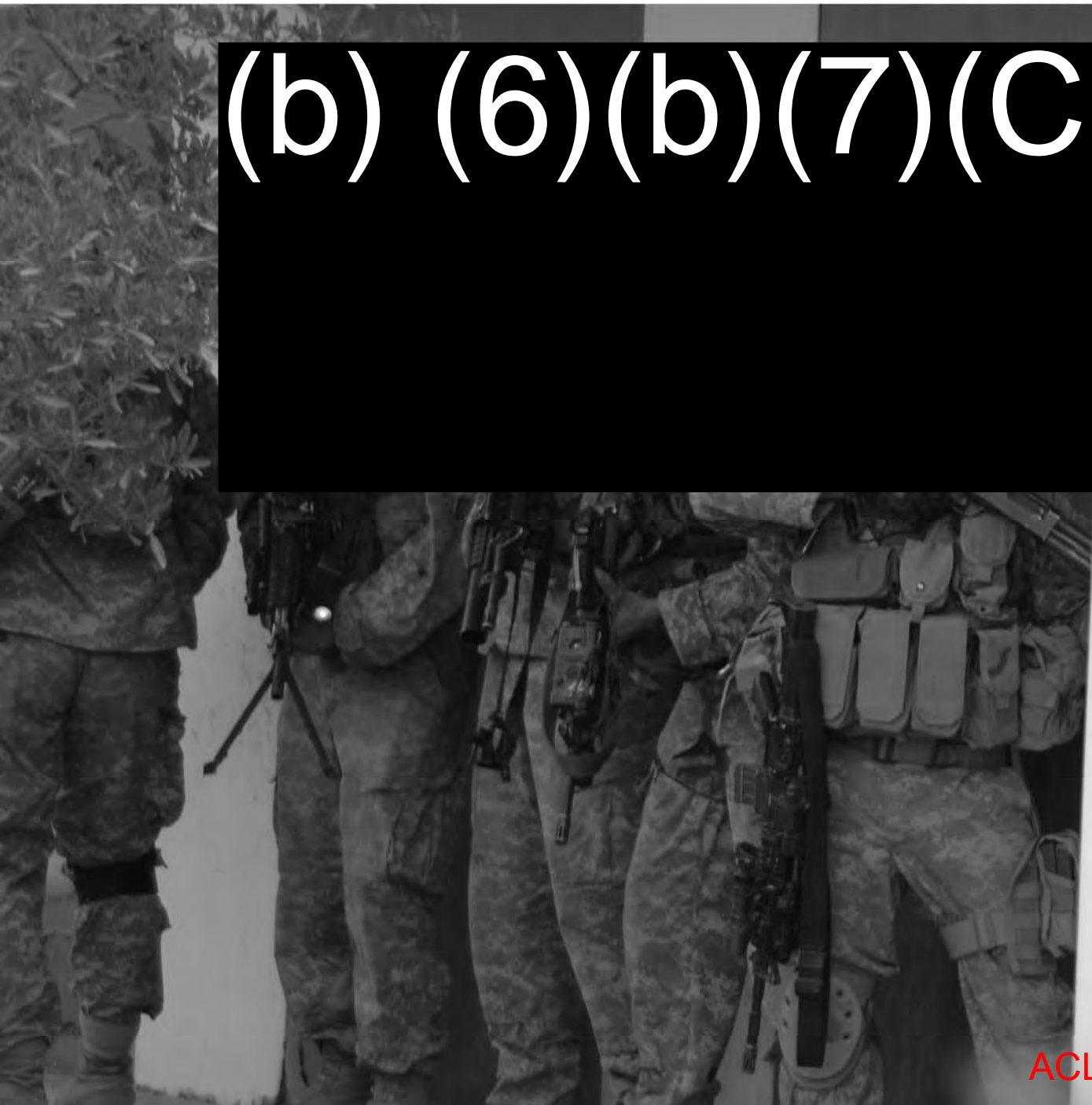
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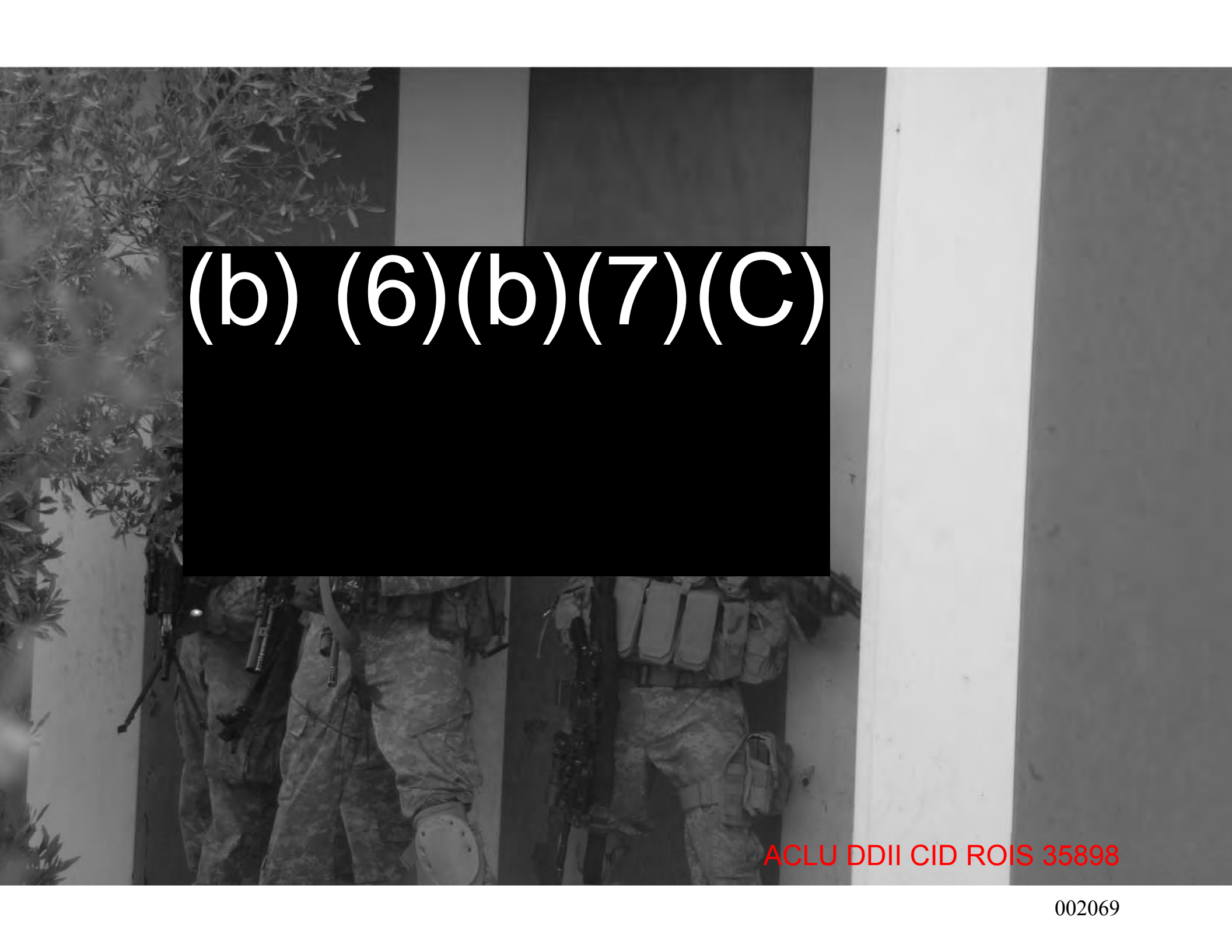


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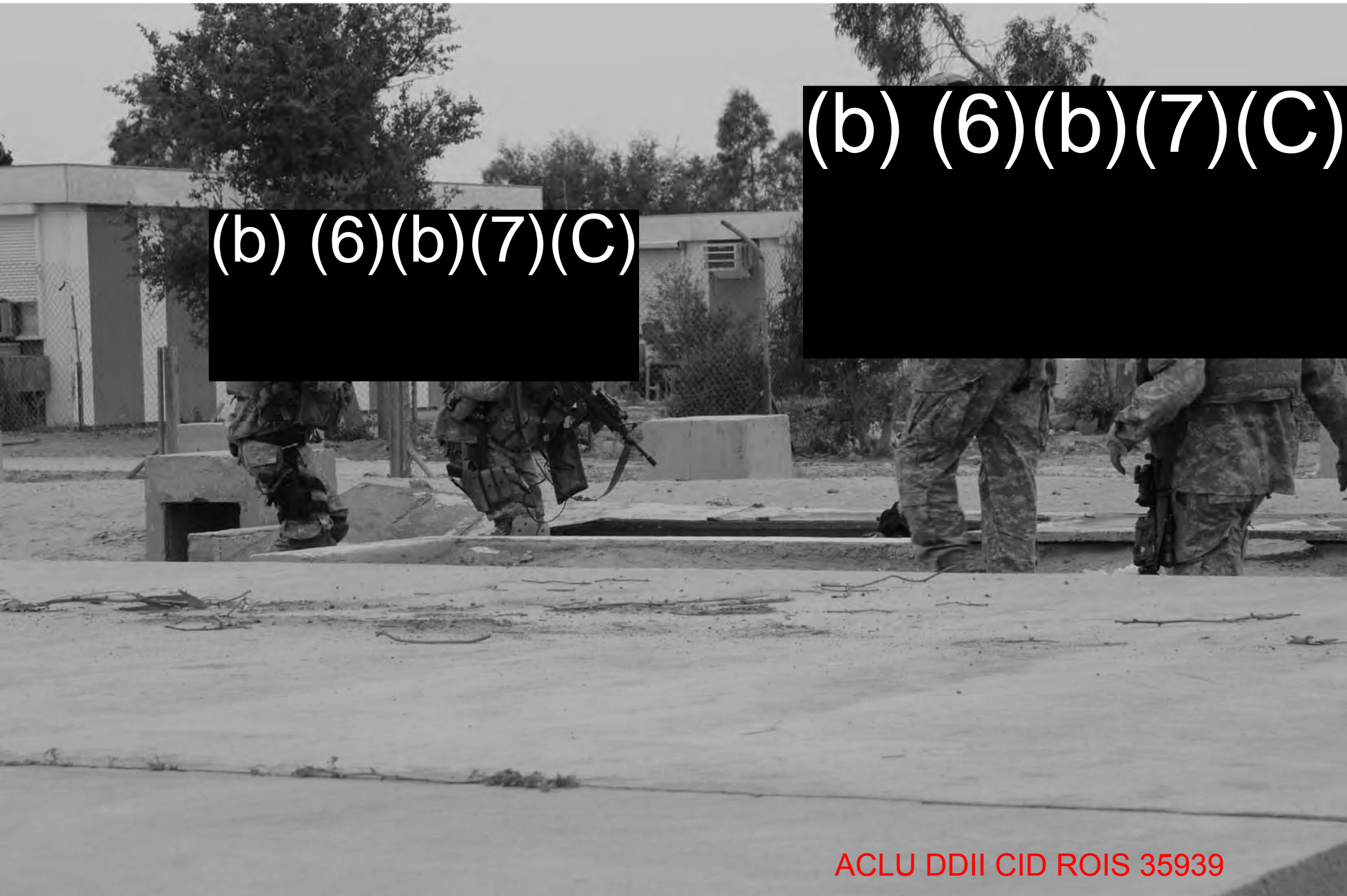
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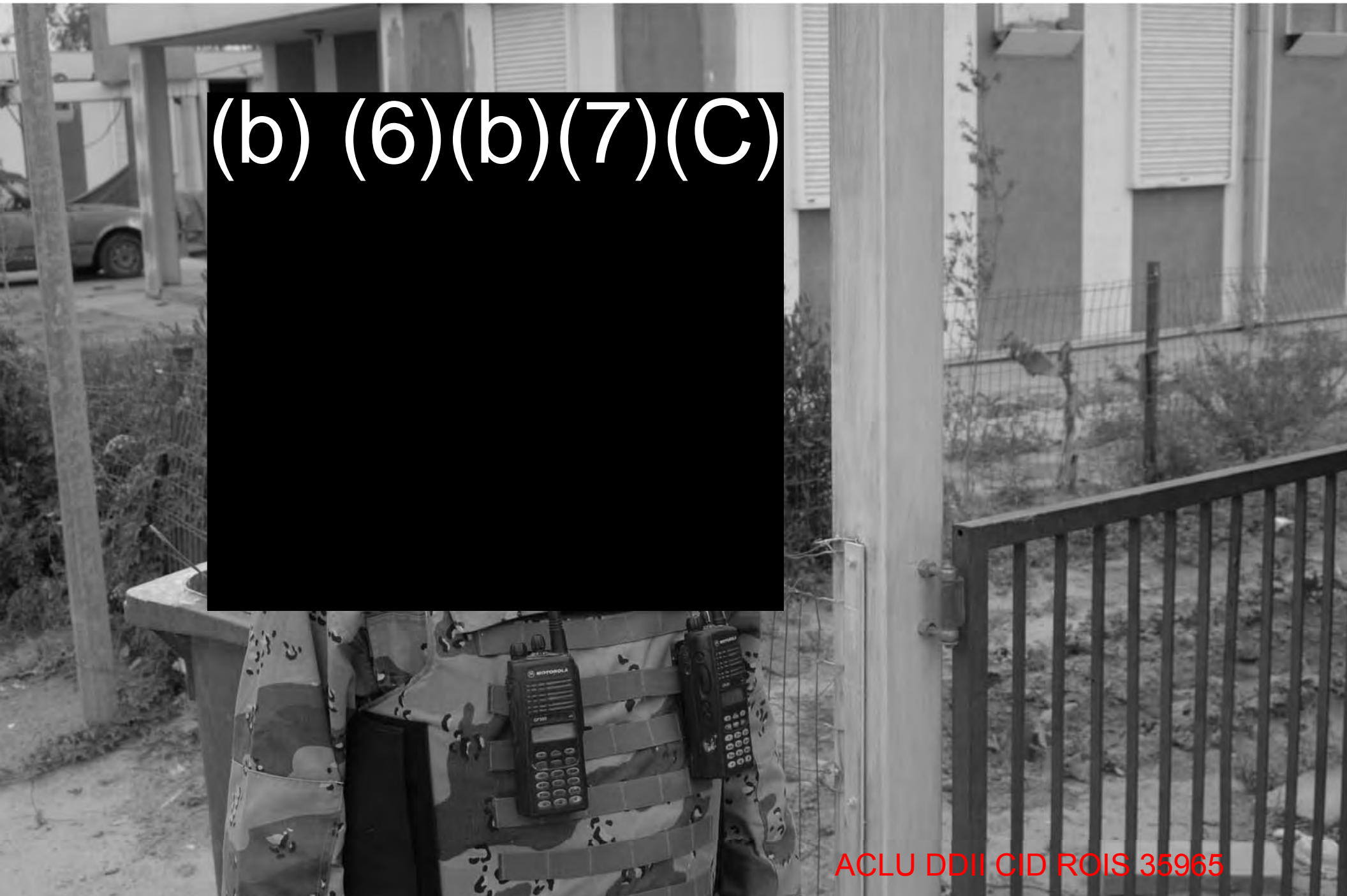
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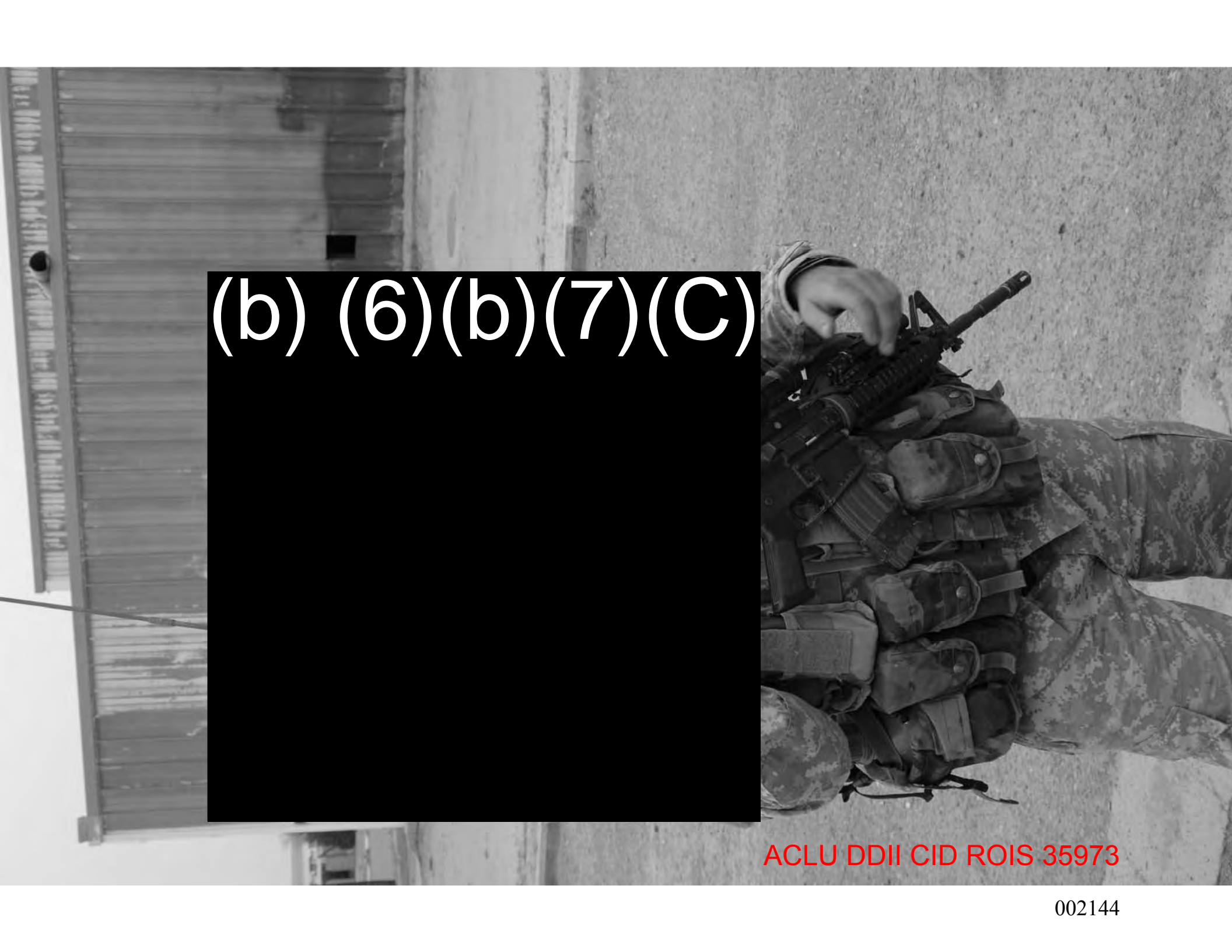


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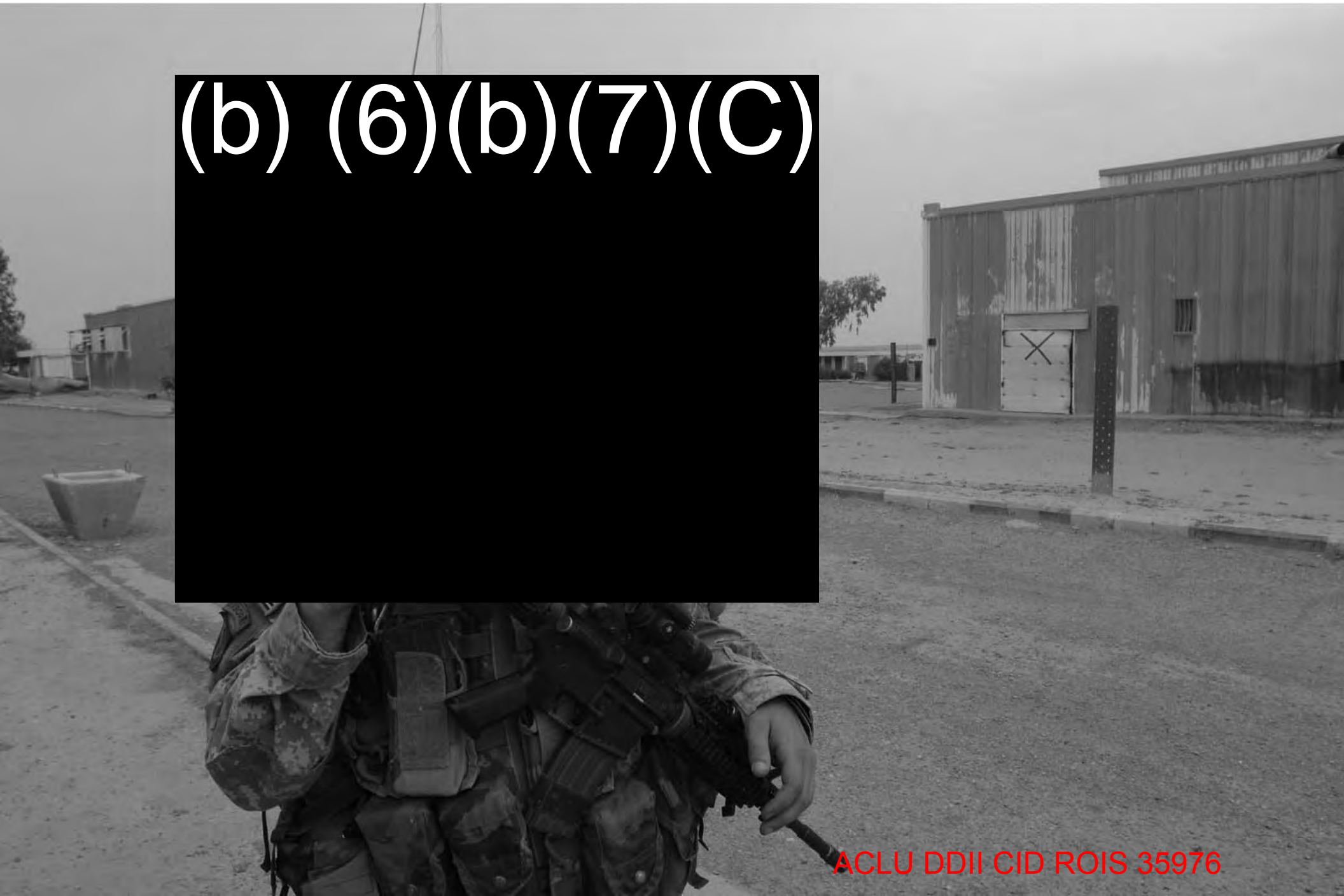
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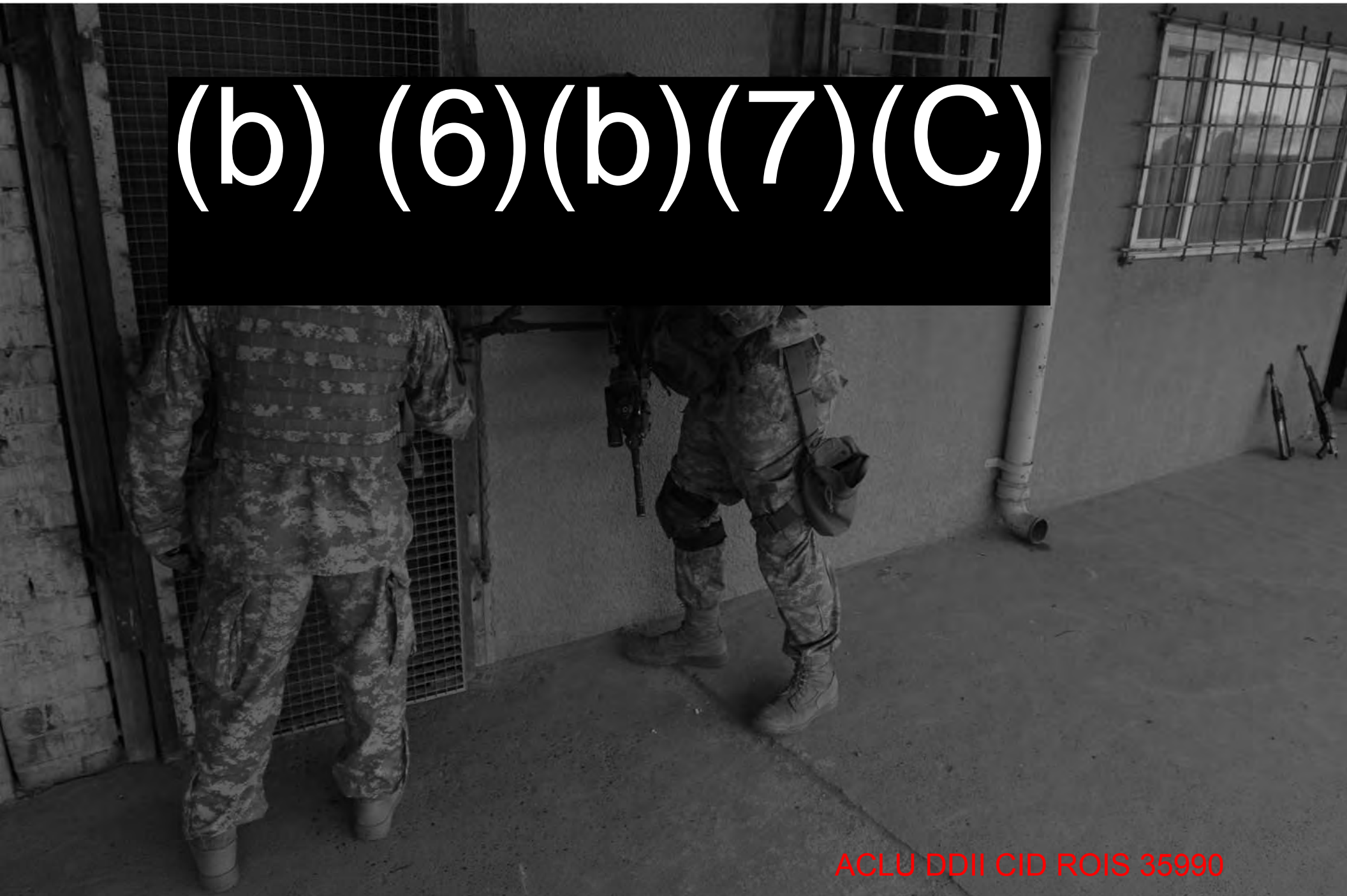
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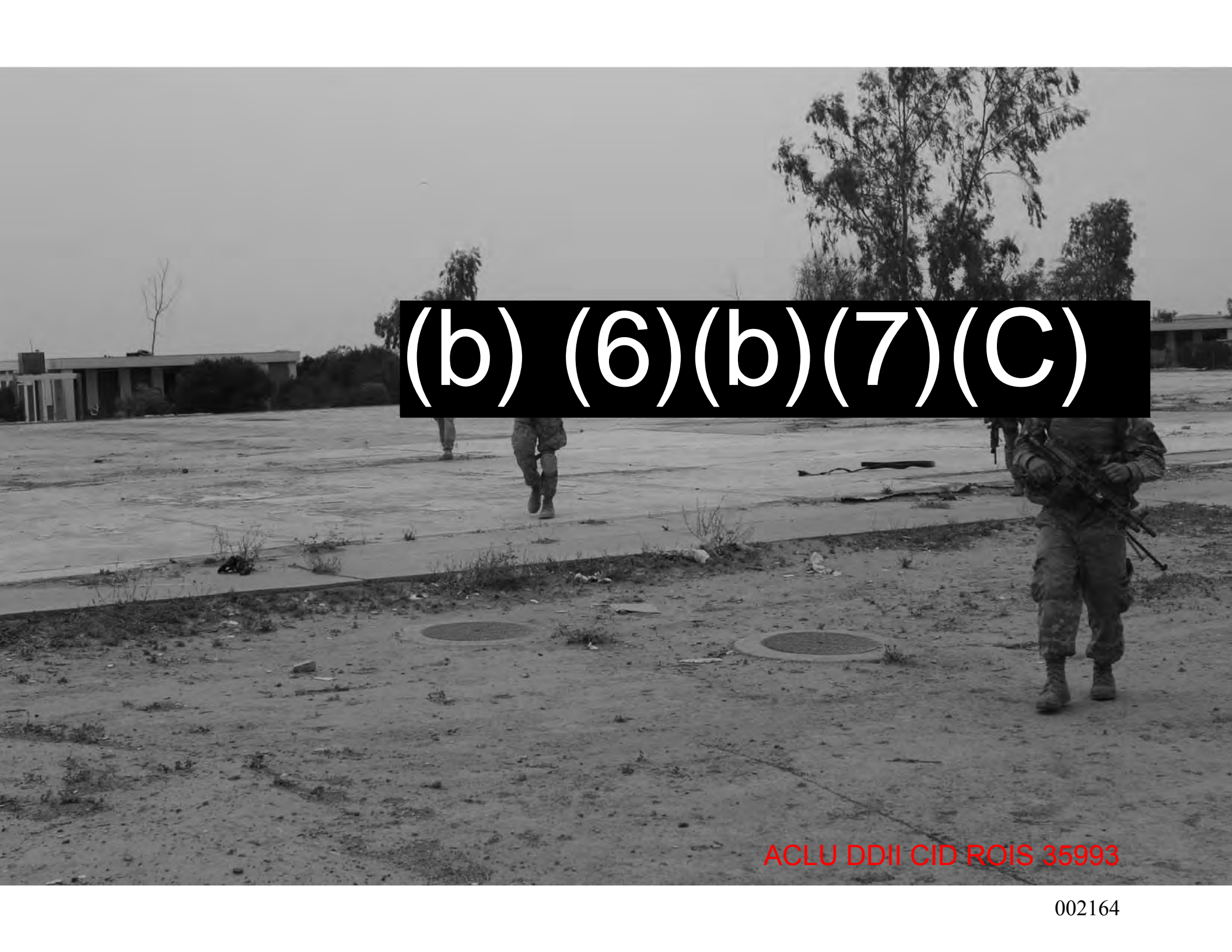
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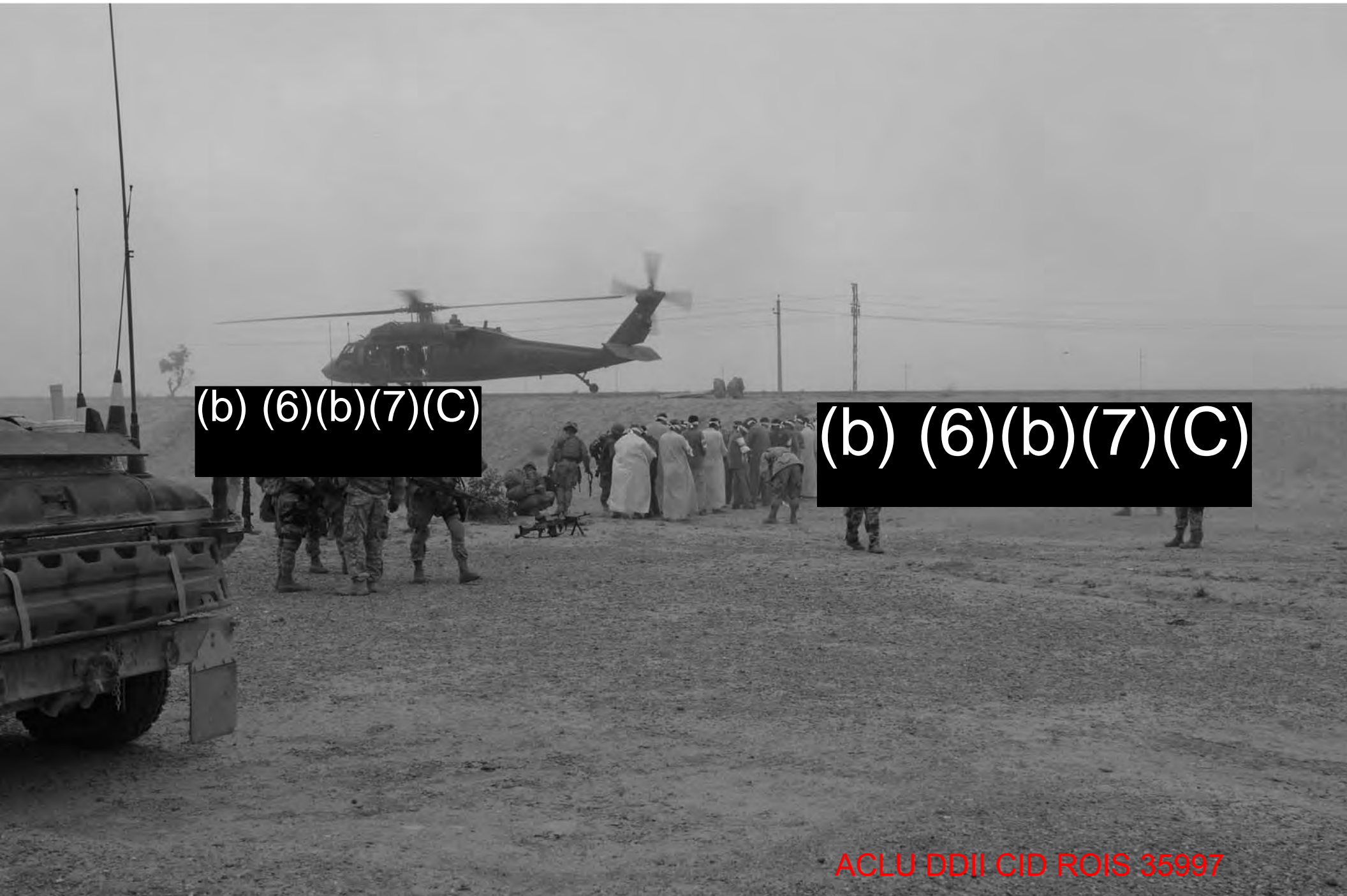


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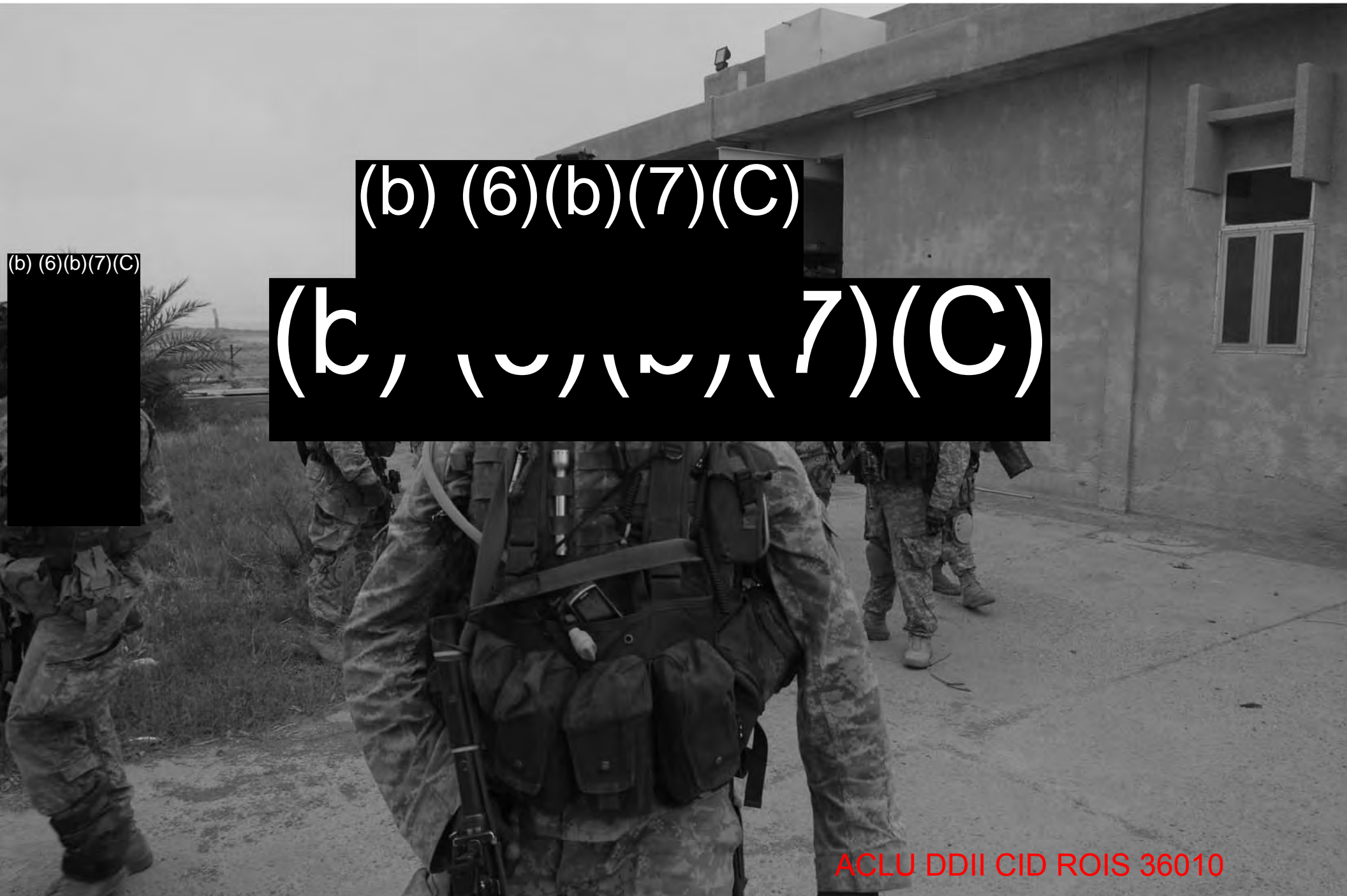
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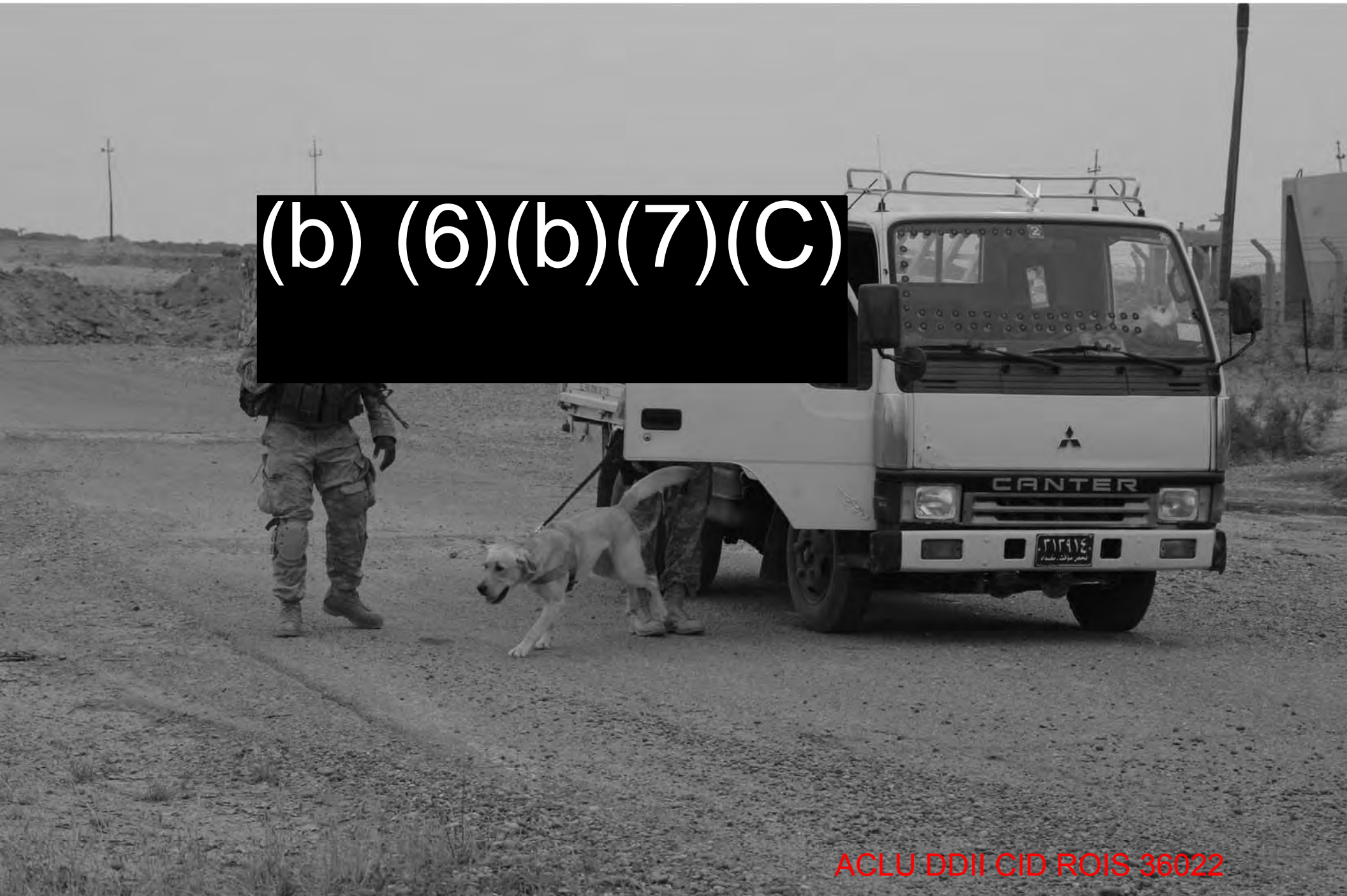
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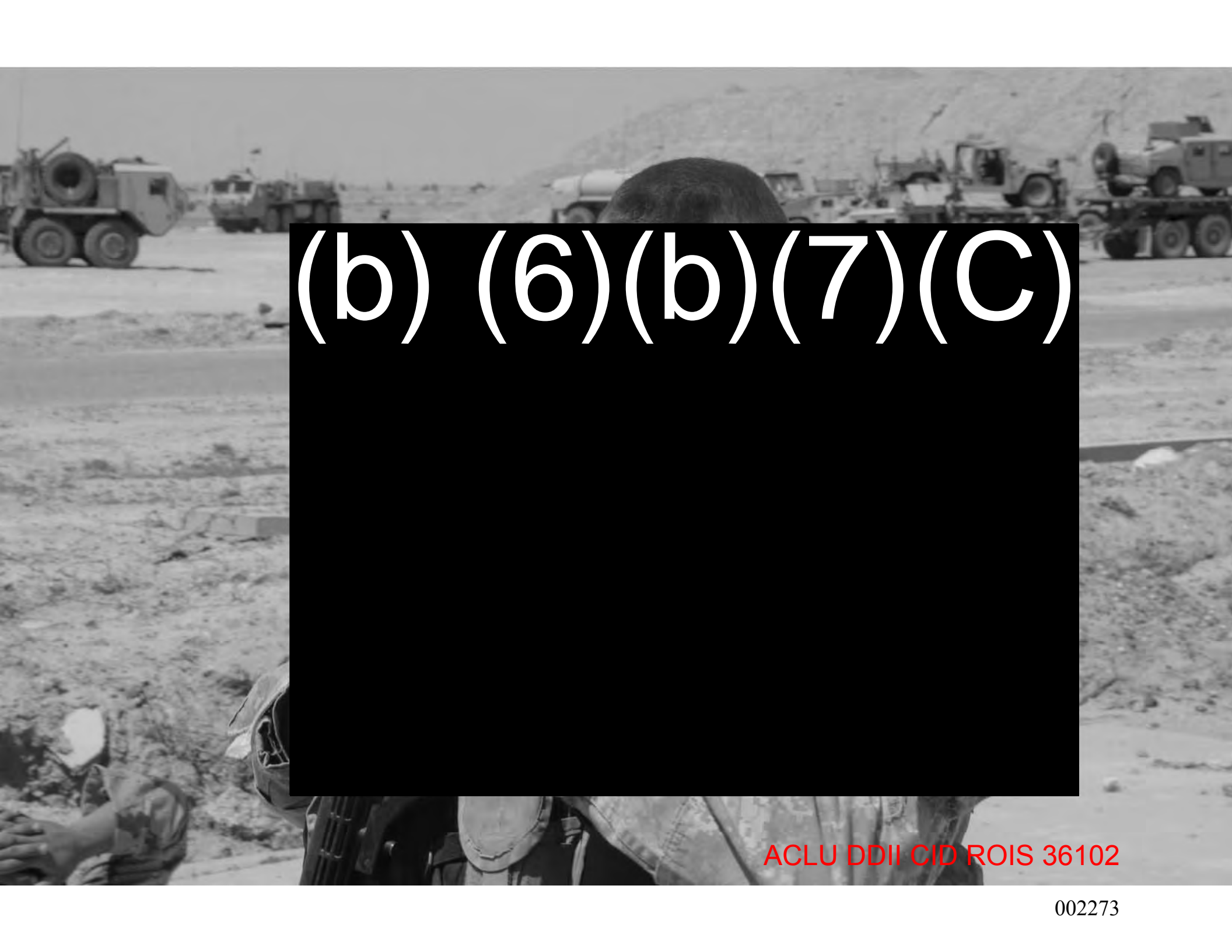
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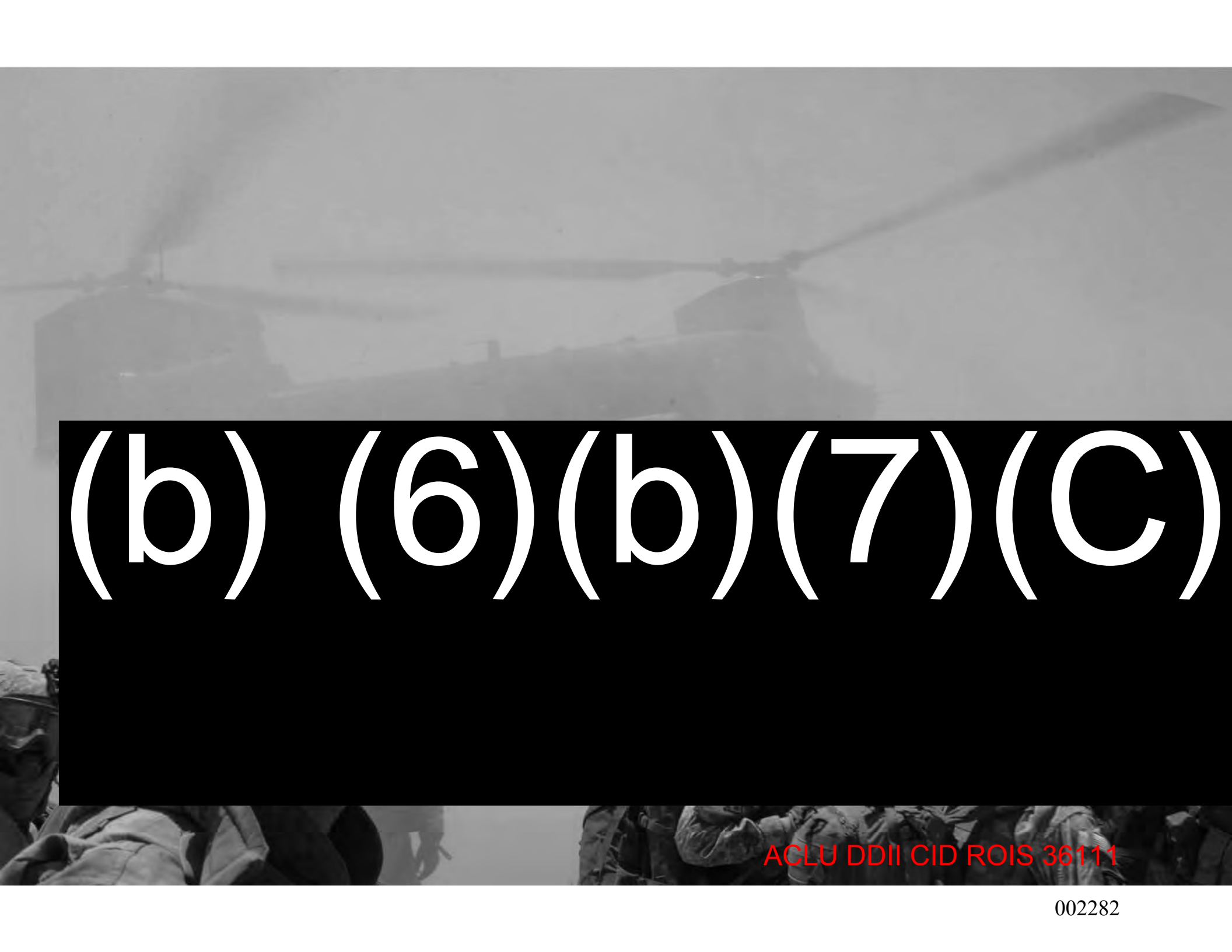
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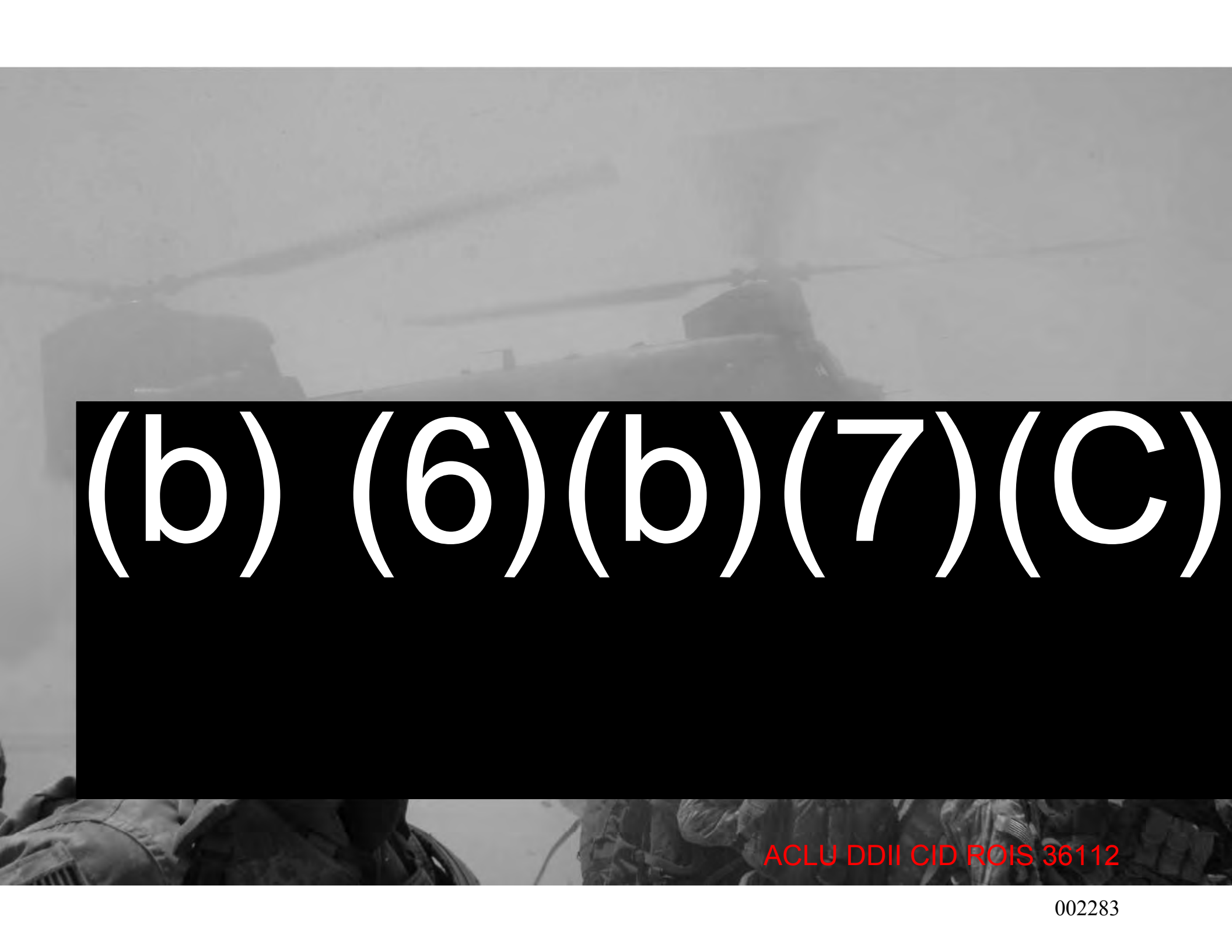
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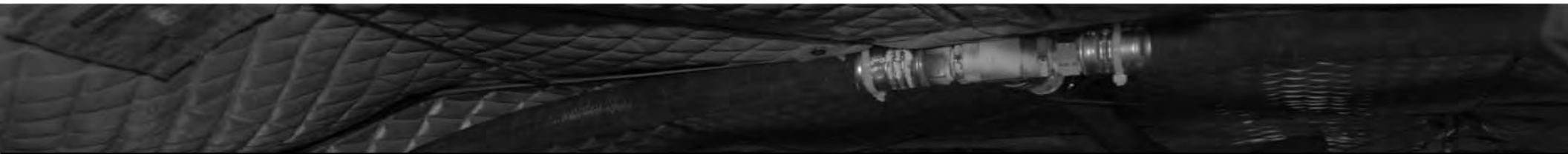


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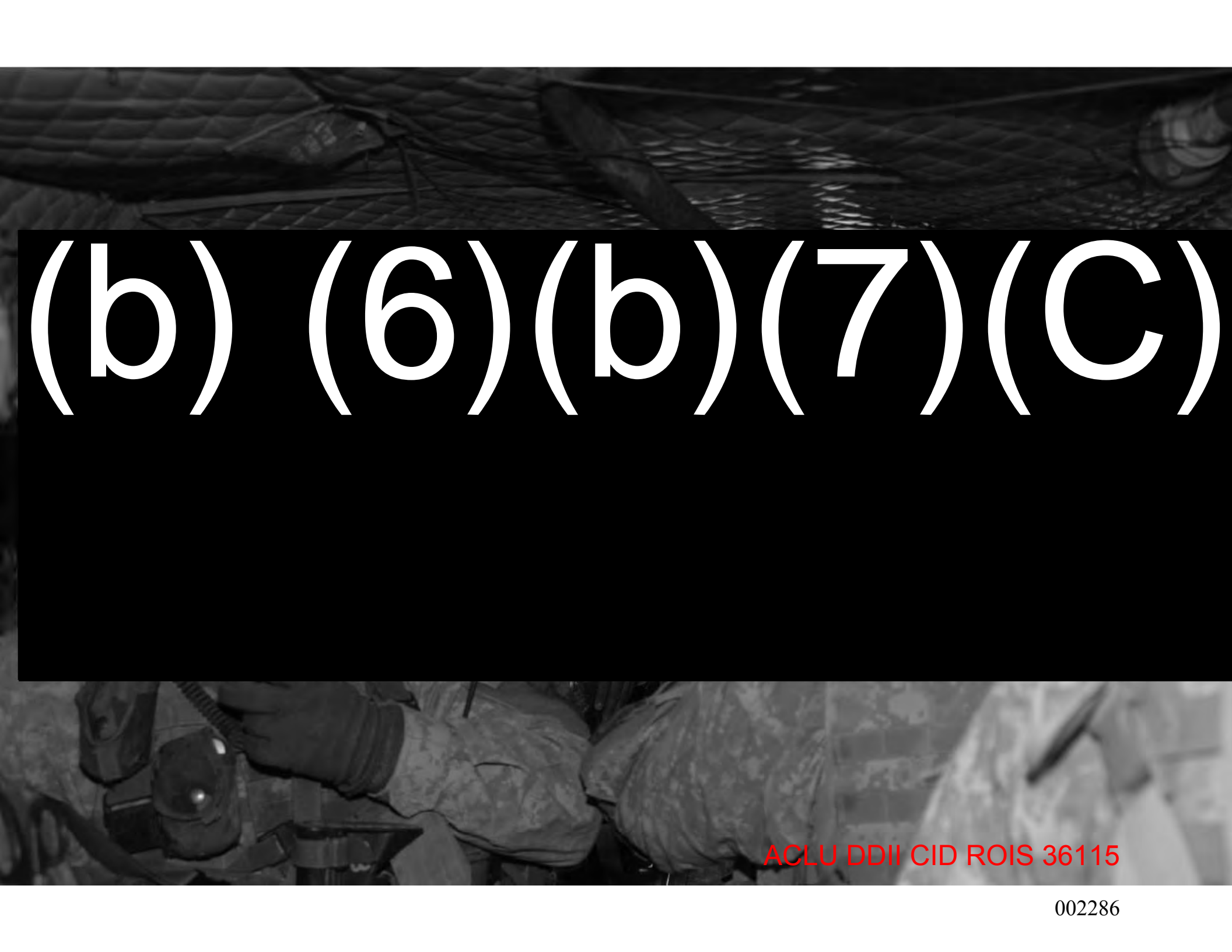
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ACLU DDII CID ROIS 36115

002286

(b) (6) (b) (7) (C)

(b) (6) (b) (7) (C)

ACLU DDII CID ROIS 36117

00288

(b) (6) (b) (7) (C)

ACLU DDII CID ROIS 36118

(b) (6) (b) (7) (C)

ACLU DDII CID ROIS 36119



(b) (6) (b) (7) (C)

ACLU DDII CID ROIS 36120

002291

(b) (6) (b) (7) (C)

ACLU DDII CID ROIS 36121



ACLU DDII CID ROIS 36122



ACLU DDH CID ROIS 36123



ACLU DDII CID ROIS 36124

CRIME LAB EXAMINATION REQUEST		LAB USE ONLY	
For use of this form, see AR 196-5, the component agency is the Provost Marshal General (PMG).		REFERRAL NUMBER	
TO: (Include Zip Code) DIRECTOR US ARMY CRIMINAL INVESTIGATION LABORATORY 1553 N 2d ST FOREST PARK GA 30297-5122	FROM: (Include Zip Code) Special Agent in Charge Task Force Iron Triangle 10th MP Bn (CID) (FWD) APO AE 09142	RECEIVED	RECEIVED
		REGIS MAIL	REGIS MAIL
		RY EXP	RY EXP
		HAND	HAND
		DATE	DATE
ATTN: Digital Imagery (Digital Photograph Recovery)	EMAIL: (b)(6), (b)(7)(C) @ira1.vetcon.mil and (b)(6), (b)(7)(C) @us.army.mil	RECEIVED BY	
		EVIDENCE RECEIPT	
		RECEIVED	INITIATED
1. CONTRIBUTOR CASE NUMBER CG36-06-CID469-75447	2. INVESTIGATOR'S NAME SA (b)(6), (b)(7)(C), (b)(7)(F)	3. AUTOVON AND PHONE NUMBER 318 622-2830 or 2929	
4. SUSPECT(S) (Last, first and middle initials) PFC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C)			
5. VICTIM(S) (Last, first and middle initials) HAMID, Omar HAMID, Zyad Jasim HAMID, Al-Jamh			
6. TYPE OF OFFENSE MURDER	7. ONE COPY OF EVIDENCE RECEIPT INCLUDED WITH EVIDENCE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	8. OTHER EVIDENCE PREVIOUSLY SUBMITTED ON THIS CASE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
9. IF "YES" IN ITEM 8, LIST OTHER SUSPECT(S), DATE SUBMITTED, UNIT CASE AND LABORATORY REFERRAL NUMBERS:			
10. EVIDENCE SUBMITTED			
11. EXHIBIT	12. DESCRIPTION OF EXHIBIT		
	Digital camera (including memory card) property of SA (b)(6), (b)(7)(C) Item #1, Voucher # 402-06		
	REGISTERED MAIL RB 686 084 094 US 12 JUN 2006		

DA FORM 3656, AUG 74

APD 7105

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT ONLY

EXHIBIT 329

ACLU DDII CID ROIS 36173

002342

10. EVIDENCE SUBMITTED (Continued)	
a. EXHIBIT	b. DESCRIPTION OF EXHIBIT
	<p>11. EXAMINATION(S) REQUESTED: <i>(Specify item(s) and any information or instructions that might assist the laboratory in examining, evaluating or restoring evidence and/or report.)</i></p> <p>Synopsis: INVESTIGATION DISCLOSED THAT ON 9 MAY 2006, MEMBERS OF C CO, 3RD BN, 187TH INFANTRY REGIMENT ASSAULTED AN OBJECTIVE. During the assault, HAMID, Gumari; HAMID, Zvad, and HAMI, Al-Jemi, were detained, and then bound with thin zip ties and blindfolded. SSG (b)(6), (b)(7)(C) [REDACTED] SQUAD LEADER, REALIZED ONE OF THE DETAINEE'S ZIP-TIES HAD BROKEN AND INSTRUCTED PFC (b)(6), (b)(7)(C) [REDACTED] (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) [REDACTED] TO REBIND THE DETAINEE WHOSE ZIP-TIE HAD BROKEN AND TO CHANGE THE REMAINING DETAINEES' BINDS, WITH STRONGER PLEXICUFFS, WHICH HE PROVIDED. SSG (b)(6), (b)(7)(C) THEN DEPARTED THE AREA TO CHECK ON ANOTHER SOLDIER, LEAVING PFC (b)(6), (b)(7)(C) AND SPC (b)(6), (b)(7)(C) ALONE WITH THE THREE DETAINEES. PFC (b)(6), (b)(7)(C) AND SPC (b)(6), (b)(7)(C) REPORTED THEY BROUGHT ALL OF THE DETAINEES TO THEIR FEET, WHICH CAUSED ANOTHER DETAINEE'S ZIP-TIE TO BREAK. PFC (b)(6), (b)(7)(C) CUT THE REMAINING DETAINEE'S ZIP-TIE, RESULTING IN ALL THREE DETAINEES BEING UNRESTRAINED WHILE STANDING. WHILE IN THE PROCESS OF APPLYING THE NEW PLEXI CUFFS PFC (b)(6), (b)(7)(C) REPORTED HE WAS PUNCHED IN THE FACE BY ONE OF THE DETAINEES. SPC (b)(6), (b)(7)(C) REPORTED HE WAS SIMULTANEOUSLY ASSAULTED WITH A KNIFE BY ANOTHER DETAINEE, CAUSING TWO SUPERFICIAL CUTS TO BOTH SIDES OF HIS FACE AND A 4 CENTIMETER CUT TO HIS LEFT FOREARM. THE DETAINEES THEN TRIED TO RUN AWAY AND WERE ENGAGED WITH SMALL ARMS BY PFC (b)(6), (b)(7)(C) AND SPC (b)(6), (b)(7)(C) AS THEY FLED. THEY SUBSEQUENTLY DIED OF MULTIPLE GUNSHOT WOUNDS TO THE HEAD AND TORSO. SPC (b)(6), (b)(7)(C) WAS TREATED AND RETURNED TO DUTY FOR HIS WOUNDS AND PFC (b)(6), (b)(7)(C) REQUIRED NO MEDICAL TREATMENT.</p> <p>DIGITAL IMAGERY-Please examine Exhibit 1 and determine if photographs can be retrieved from the memory card, as the owner, SGT (b)(6), (b)(7)(C) has reported that he deleted several photographs exposed during the raid which may have probative value. Please email any recovered images to the TF SAC, and prepare a CD of all images recovered from the camera and the memory card.</p> <p>Evidence above has not been examined by another expert in the same scientific field.</p>
TYPEPRINTED NAME OF REQUESTOR SA (b)(6), (b)(7)(C), (b)(7)(F)	DATE 12 June 2006

DA FORM 3655, AUG 74

AFG 01 01

FORENSIC LABORATORY EXAMINATION REQUEST			
TO: Director United States Army Criminal Investigation Laboratory (USACIL) 4930 N 31st Street Forest Park GA 30297-5205  ATTN: Serology/DNA	FROM: (Include Zip Code) Special Agent in Charge 31st MP DET (CID) (-) 10th MP BN (CID) (FWD) COB Speicher, Tikrit, Iraq APO AE 08383  Return Evidence to: Commander ATTN: Evidence Custodian 10th MP BN (CID) (FWD) APO AE 08342	1. Exam Priority <input type="checkbox"/> Routine <input checked="" type="checkbox"/> Expedite (mark box) <input type="checkbox"/> Trial/Article 32/39A (*) <input type="checkbox"/> High-level interest <input checked="" type="checkbox"/> SUBJ in pre-trial confinement <input type="checkbox"/> Case PCS/sep/reenlist (*) <input type="checkbox"/> Victim moving (*) <input type="checkbox"/> Other (Specify in block 9)	LAB USE ONLY LAB CASE #
		(*) Date 17 Jun 08	METHOD OF RECEIPT  RECEIVED BY/DATE:
2. SUBMITTING AGENCY CASE NUMBER Case No. CID# 26417		3. TYPE OF OFFENSE: Murder, Conspiracy	
4. PREVIOUS EVIDENCE SUBMITTED DATE: 12 JUN 08		MAIL METHOD: Registered	LAB CASE # Pending
5. SUSPECT(S): LAST, FIRST MIDDLE SPC (b)(6), (b)(6)		6. VICTIM(S): LAST, FIRST MIDDLE THREE (3) UNKNOWN IRAQI MALES	
7. BRIEF DESCRIPTION (SYNOPSIS) OF CASE FACTS THAT MIGHT ASSIST THE LABORATORY IN EXAMINING OR EVALUATING THE EVIDENCE, OR ADDITIONAL DOCUMENTATION ATTACHED (e.g., SUMMARY OF INVESTIGATION, CRIME SCENE SKETCHES/PHOTOGRAPHS, STATEMENTS, ETC.) <p>(b)(6), (b)(6), and (b)(6), to release three Iraqi detainees, stage an assault on (b)(6), and (b)(6), instruct the detainees to run away, and then (b)(6), and (b)(6), would shoot and kill the detainees and claim they were justified. SPC (b)(6), subsequently arrived on the scene, and shot one of the detainees in the face as a "mercy killing" at the direction of SSG (b)(6), but was not a part of the conspiracy. Several Soldiers provided false statements. As part of the staged assault, (b)(6), cut (b)(6), on the left arm with a knife.</p>			
8. EVIDENCE SUBMITTED			
EXHIBIT		DESCRIPTION OF EXHIBIT(S)	
3		Buccal Swabs from SPC (b)(6), Item #1, Voucher 0473-03.	
4		Control Swabs, Item #2, Voucher 0473-04.	

REGISTERED MAIL  
RB 686 084 219 VS  
18 JUN 2008

DA FORM 3855

EXHIBIT 330

ACLU DDII CID ROIS 36175

002344



8. EVIDENCE SUBMITTED (Continued)		DESCRIPTION OF EXHIBITS	
EXHIBIT			
<p>9. EXAMINATIONS REQUESTED (FURNISH ANY INFORMATION OR INSTRUCTIONS THAT MIGHT ASSIST THE LABORATORY IN EXAMINING THE EVIDENCE):  <b>SEROCLOGY - Please determine the DNA profile of Exhibit 3. Hold for comparison from materials taken from the suspect's knives (which will be forwarded under separate cover) Exhibit 4 is provided as a control sample)</b></p>			
10. REQUESTOR (Agency/Requestor) AND ALTERNATE POC (Mandatory)		TELEPHONE # (Primary/Alternate)	
SA (b)(6), (b)(7)(C)		NA	
Alternate POC: SA (b)(6), (b)(7)(C)		DSN (Primary/Alternate)	
		FAX #	
		E-MAIL	
		E-MAIL (for Army use)	
11. I CERTIFY EVIDENCE HAS NOT BEEN SUBMITTED TO ANOTHER LABORATORY FOR THE SAME EXAMINATION.			
DATE	REQUESTOR (Signature)	TELEPHONE # (Primary/Alternate)	NA
18 Jun 06	(b)(6), (b)(7)(C)	DSN (Primary/Alternate)	NA
		FAX #	NA
		E-MAIL	(b)(6)(7)(C) for Army use

LAB CASE#

DA FORM 3855 (reverse)

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

EXHIBIT 330

ACLU DDII CID ROIS 36176

002345

FORENSIC LABORATORY EXAMINATION		JEST	
TO: Director United States Army Criminal Investigation Laboratory (USACL) 4930 N 31st Street Forest Park GA 30297- 5225  ATTN: Serology/DNA Firearms, Toolmarks Imaging Tech Support	FROM: (include Zip Code) Special Agent in Charge 31st MP DET (CID) (-) 10th MP BN (CID) (FWD) COB Speicher, Tikrit, Iraq APO AE 09393  Return Evidence to: Commander ATTN: Evidence Custodian 10th MP BN (CID) (FWD) APO AE 09342	1. Exam Priority <input type="checkbox"/> Routine <input checked="" type="checkbox"/> Expedite (mark box) <input type="checkbox"/> Trial/Article 32/39A (*) <input checked="" type="checkbox"/> High-level interest <input checked="" type="checkbox"/> SUBJ in pre-trial confinement <input type="checkbox"/> Case PCG/supraerlist (*) <input type="checkbox"/> Victim moving (*) <input type="checkbox"/> Other (Specify in block 9)  (* ) Date	LAB USE ONLY LAB CASE #  METHOD OF RECEIPT  RECEIVED BY/DATE:
3. SUBMITTING AGENCY CASE NUMBER 0086-06-CID469-75447		5. TYPE OF OFFENSE: Murder, Conspiracy	
4. PREVIOUS EVIDENCE SUBMITTED: DATE 19 JUN 08		MAIL METHOD: Registered	LAB CASE # Pending
6. SUSPECT(S) LAST, FIRST MIDDLE PRC (b)(6),		SUSPECT(S) SPC (b)(6), SSG (b)(6),	
7. BRIEF DESCRIPTION (SYNOPSIS) OF CASE FACTS THAT MIGHT ASSIST THE LABORATORY IN EXAMINING OR EVALUATING THE EVIDENCE, OR ADDITIONAL DOCUMENTATION ATTACHED (e.g., SUMMARY OF INVESTIGATION, CRIME SCENE SKETCHES/PHOTOGRAPHS, STATEMENTS, ETC.)		2. VICTIM(S) LAST, FIRST MIDDLE HAMID GUMAR, FANID, ZYAD, HAMID ALJEMI	
<p>(b)(6), occupied with (b)(6), and (b)(6), a release three Iraqi detainees, stage an assault on (b)(6), and (b)(6), (b) instruct the detainees to run away, and then (b)(6), and (b)(6), would shoot and kill the detainees and claim they were justified. SPC (b)(6), subsequently arrived on the scene, and shot one of the detainees in the face as a "mercy killing" at the direction of SSG (b)(6), but was not a part of the conspiracy. As part of the staged assault, (b)(6), cut (b)(6), on the left arm with a knife.</p>			
8. EVIDENCE SUBMITTED:			
EXHIBIT	DESCRIPTION OF EXHIBIT(S)		
5	Zip ties (20), Item #1, Voucher 0486-06		
6	Zip ties (6), Item #2, Voucher 0486-06		
7	Flex-cuff, Item #3, Voucher 0486-06		
8	Flex-cuff, Item #4, Voucher 0486-06		
9	Disposable camera, Item #2, Voucher 0487-05 (SPC (b)(6), squad member)		
10	Bag, containing knives, Item #1, Voucher 0490-06 (SSG (b)(6), (b))		
11	Knife(2), Item #2, Voucher 0491-06 (SSG (b)(6), (b))		
12	Multi-tool, Item #3, Voucher 0491-06 (SSG (b)(6), (b))		
13	Knife, Item #4, Voucher 0491-06 (SSG (b)(6), (b))		
14	Knife, Item #5, Voucher 0491-06 (SSG (b)(6), (b))		
15	Bayonet, Item #6, Voucher 0491-06 (SSG (b)(6), (b))		
16	Sheath containing 3 knives, Item #7, Voucher 0491-06 (SPC (b)(6), (b))		
17	Knife, item #8, Voucher 0491-06 (SPC (b)(6), (b))		
18	Bayonet, Item #9, Voucher 0491-06 (SPC (b)(6), (b))		
19	Knife, Item #10, Voucher 0491-06 (SPC (b)(6), (b))		
20	Multi-tool, Item #11, Voucher 0491-06 (SPC (b)(6), (b))		
21	Bayonet, Item #12, Voucher 0491-06 (PFC (b)(6), (b))		
22	Laptop, Item #1, Voucher 0498-06 (PFC (b)(6), squad member)		
23	AC Adapter, Item # 2, Voucher 0488-06 (PFC (b)(6), (b))		

REGISTERED MAIL  
RB 686 084 307 US  
21 JUN 2008

DA FORM 3655

OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

original

OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

EXHIBIT 331

8. EVIDENCE SUBMITTED (Continued)		DESCRIPTION OF EXHIBITS	
EXHIBIT			
<p>9. EXAMINATIONS REQUESTED (FURNISH ANY INFORMATION OR INSTRUCTIONS THAT MIGHT ASSIST THE LABORATORY IN EXAMINING THE EVIDENCE.)</p> <p><b>SEROCLOGY</b> - Compare Exhibit 3, of prior evidence submitted from this case, with any DNA obtained from Exhibits 10 - 21.</p> <p><b>TOOL MARKS</b> - Examine Exhibits 5-6 to determine tensile strength</p> <p><b>IMAGING TECH SUPPORT</b> - Examine Exhibit 2 for any media. Analyze hard drive of Exhibit 22 and extract all media, including photographs, videos and text, depicting soldiers and/or Iraqi Nationals; and/or relating to operations in Iraq or training.</p> <p>Conduct any additional examinations deemed appropriate.</p>			
<p>10. INVESTIGATOR (Typed or Printed) AND ALTERNATE POC (Mandatory)</p> <p>SA (b)(6), (b)(7)(C)</p> <p>Alternate POC: SA (b)(6), (b)(7)(C)</p>		<p>TELEPHONE # (Primary/Alternate):</p> <p>DSN (Primary/Alternate):</p> <p>FAX #:</p> <p>EMAIL:</p>	<p>NA</p> <p>313.348.3025</p> <p>NA</p> <p>Jeremy.Wick@icd.af.mil</p>
<p>11. CERTAIN EVIDENCE HAS NOT BEEN SUBMITTED TO THE LABORATORY FOR THE ABOVE EXAMINATIONS.</p> <p>DATE: 20 Jun 08</p> <p>REASON FOR DEFERRED: (b)(6), (b)(7)(C)</p> <p>SIGNATURE: (b)(6), (b)(7)(C)</p>		<p>TELEPHONE # (Primary/Alternate):</p> <p>DSN (Primary/Alternate):</p> <p>FAX #:</p> <p>EMAIL:</p>	<p>NA</p> <p>313.348.3025</p> <p>NA</p> <p>(b)(6)(b)(7)(C) army.mil</p>
		LAB CASE#	

DA FORM 3855 (reverse)

FOI

EXHIBIT 33/

FORENSIC LABORATORY EXAMINATION REQUEST (b)(6), (b)(7)(C)			
<b>TO:</b> Director United States Army Criminal Investigation Laboratory (USACIL) 4930 N 31st Street Forest Park GA 30297-5205  <b>ATTN:</b> Serology/DNA Firearms Toolmarks Imaging Tech Support	<b>FROM: (include Zip Code)</b> Special Agent in Charge 31st MP DET (CID) (-) 10th MP BN (CID) (FWD) COB Speicher, Tikrit, Iraq APO AE 09393  Return Evidence to: Commander ATTN: Evidence Custodian 10th MP BN (CID) (FWD) APO AE 09342	<b>1. Exam Priority</b> <input type="checkbox"/> Routine <input checked="" type="checkbox"/> Expedite (mark box) <input type="checkbox"/> Trial/Article 32/39A (*) <input checked="" type="checkbox"/> High-level interest <input checked="" type="checkbox"/> SUBJ in pre-trial confinement, i.e. 15 Day Rule <input type="checkbox"/> Case PCS/sep/reenlist (*) <input type="checkbox"/> Victim moving (*) <input type="checkbox"/> Other (Specify in block 9)  (*) Date 20 Jun 06 (arrived in Pre-Trial Confinement, Kuwait)	<b>LAB USE ONLY</b> LAB CASE #  METHOD OF RECEIPT  RECEIVED BY/DATE
<b>2. SUBMITTING AGENCY CASE NUMBER</b> 0065-09-CID469-75447		<b>3. TYPE OF OFFENSE</b> Murder, Conspiracy	
<b>4. PREVIOUS EVIDENCE SUBMITTED:</b> DATE: 12 JUN 06 21 Jun 05		<b>MAIL METHOD:</b> Registered	<b>LAB CASE #</b> Pending
<b>SUSPECT(S): LAST, FIRST MIDDLE</b> SPC (b)(6), SSG (b)(6),		<b>5. VICTIM(S): LAST, FIRST MIDDLE</b> HAMID SUMAR, HAMID, ZYADI, HAMID ALJEM	
<b>7. BRIEF DESCRIPTION (SYNOPSIS) OF CASE FACTS THAT MIGHT ASSIST THE LABORATORY IN EXAMINING OR EVALUATING THE EVIDENCE, OR ADDITIONAL DOCUMENTATION ATTACHED (e.g. SUMMARY OF INVESTIGATION, CRIME SCENE SKETCHES/PHOTOGRAPHS, STATEMENTS, ETC.)</b> (b)(6), (b) conspired with (b)(6), and (b)(6), (b) to release three Iraqi detainees, stage an assault on (b)(6), (b) and (b)(6), (b) instruct the detainees to run away, and then (b)(6), and (b)(6), (b) would shoot and kill the detainees and claim they were justified. SPC (b)(6), subsequently arrived on the scene, and shot one of the detainees in the face as a "mercy killing" at the direction of SSG (b)(6), but was not a part of the conspiracy. As part of the staged Assault, (b)(6), (b) cut (b)(6), (b) on the left arm with a knife.			
<b>8. EVIDENCE SUBMITTED</b>			
<b>EXHIBIT</b>	<b>DESCRIPTION OF EXHIBIT(S)</b>		
24	Shell casing, Item #1, Voucher (VO) 519/06		
25	ACU Pants, Item # 2, VO 519/06		
26	ACU Coat, Item # 3, VO 519/06		
27	Boots, Item # 4, VO 519/06		
28	Playstation Portable, Item # 1, VO		
29	Disposable Camera, Item # 4, VO		
30	Digital Camera, Item # 1, VO		
31	Ipad, Item # 2, VO		
32	Disposable Camera, Item # 1, VO		

DA FORM 3655

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

EXHIBIT 332

ACLU DDII CID ROIS 36179

002348

9. EVIDENCE SUBMITTED (Continued)		DESCRIPTION OF EXHIBIT(S)	
EXHIBIT			
<p>10. EXAMINATIONS REQUESTED (PURVISH ANY INFORMATION OR INSTRUCTIONS THAT MIGHT ASSIST THE LABORATORY IN EXAMINING THE EVIDENCE)</p> <p>SEROLOGY - Compare Exhibit 3, of prior evidence submitted from this case, with any DNA obtained from Exhibits 25 - 27.</p> <p>FIREARMS / TOOL MARKS - Analyze Exhibit 24, for possible IBIS/NIBN comparison.</p> <p>IMAGING TECH SUPPORT - Examine Exhibits 29, 30 and 32 for any media. Analyze Exhibits 28 and 31 and extract all media, including photographs, videos and text, depicting soldiers and/or Iraqi Nationals; and/or relating to operations in Iraq or training.</p> <p>Conduct any additional examinations deemed appropriate.</p> <p>A copy of a Consent to Search for Exhibit 22 of prior submitted evidence is included.</p>			
10. INVESTIGATOR (TYPED OR PRINTED) AND ALTERNATE POC (Mandatory)		TELEPHONE # (Primary/Alternate)	
SA (b)(6), (b)(7)(C)		NA	
		DSN (Primary/Alternate)	
		318 546 3025	
		FAX #	
		NA	
Alternate POC. SA (b)(6), (b)(7)(C)		E-MAIL:	
		Jeremy.m.potnick@us.army.mil	
		3mpcollen@us.army.mil	
11. I CERTIFY EVIDENCE HAS NOT BEEN SUBMITTED TO ANOTHER LABORATORY FOR THE SAME EXAMINATION:			
DATE	REQUESTOR SIGNATURE	TELEPHONE # (Primary/Alternate)	NA
28 Jun 06	(b)(6), (b)(7)(C)	DSN (Primary/Alternate)	318 546 3025
		FAX #	NA
		E-MAIL:	(b)(6)(b)(7)(C)@25.army.mil
		LAB CASE#	

DA FORM 3655 (reverse) FOR OFFICIAL USE ONLY. NEW CHANGE OF NAME SENSITIVE TO EXHIBIT 332

ACLU DDII CID ROIS 36180

002349

FOREN LABORATORY EXAMINATION I

JEST

TO: Director, United States Army Criminal Investigation Laboratory (USACIL) 4930 N 31st Street Forest Park GA 30297-5205  ATTN: Serology/DNA Firearms Toolmarks Latent Print	FROM: (include Zip Code) Special Agent in Charge 31st MP DET (CID) (-) 10th MP BN (CID) (FWD) COB Speicher, Tikrit, Iraq APO AE 09393  Return Evidence to: Commander ATTN: Evidence Custodian 10th MP BN (CID) (FWD) APO AE 09342	1. Exam Priority <input type="checkbox"/> Routine <input checked="" type="checkbox"/> Expedite (mark box) <input type="checkbox"/> Trial/Article 32/39A (*) <input checked="" type="checkbox"/> High-level interest <input checked="" type="checkbox"/> SUBJ in pre-trial confinement <input type="checkbox"/> Case PCS/sep/reenlist (*) <input type="checkbox"/> Victim moving (*) <input type="checkbox"/> Other (Specify in block 9)  (*) Date  20 Jun 06 (arrived in Pre-Trial Confinement, Kuwait)	LAB USE ONLY LAB CASE #  METHOD OF RECEIPT  RECEIVED BY/DATE:
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2. AGENCY CASE NUMBER 3. TYPE OF OFFENSE Murder, Conspiracy	4. MAIL METHOD Registered	5. LAB CASE # 2008 CID131-1291A1 A3	6. SUSPECT(S) SPC (b)(6), SSG (b)(6)
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7. VICTIM(S) (LAST, FIRST MIDDLE)  
 (b)(6), MAHMOUD GUMAR, MAHMOUD, ZYAD, MAHMOUD AL-JEM

8. BRIEF DESCRIPTION (SYNOPSIS) OF CASE FACTS THAT MIGHT ASSIST THE LABORATORY IN EXAMINING OR EVALUATING THE EVIDENCE OR ADDITIONAL INFORMATION FORWARDED (e.g. SUMMARY OF INVESTIGATION, CRIME SCENE SKETCHES, PHOTOGRAPHS, STATEMENTS, ETC.)

(b)(6), (b) conspired with (b)(6), and (b)(6), (b) to release three Iraqi detainees, stage an assault on (b)(6), and (b)(6), (b) instruct the detainees to run away and then (b)(6), and (b)(6), (b) would shoot and kill the detainees and claim they were justified. SPC (b)(6), subsequently arrived on the scene, and shot one of the detainees in the face as a "mercy killing" at the direction of SSG (b)(6), but was not a part of the conspiracy. As part of the staged Assault, (b)(6), (b) cut (b)(6), (b) on the left arm with a knife.

9. EVIDENCE SUBMITTED

EXHIBIT	DESCRIPTION OF EXHIBIT(S)
33	Shell casing (20), Item # 1, Voucher (VO) 677-06
34	Partial zip-tie, Item # 2, VO 677-06
35	Partial zip-tie, Item # 3, VO 677-06
36	Partial shirt, Item # 4, VO 677-06
37	Medicine container, Item # 5, VO 677-06
38	Shell casing, Item # 6, VO 677-06
39	Partial zip-tie, Item # 7, VO 677-06
40	Shell casing, Item # 8, VO 677-06
41	Shell casing, Item # 9, VO 677-06
42	Shell casing, Item # 10, VO 677-06
43	Shell casing, Item # 11, VO 677-06
44	Zip-tie, Item # 12, VO 677-06
45	Shell casing (5), Item # 13, VO 677-06
46	M4 Rifle, Item # 1, 0702 06 (b)(6), (b) (7)(C)
47	M4 Rifle, Item # 2, (b)(6), (b) (7)(C)
48	M4 Rifle with M203, Item # 3, 0702 06 (b)(6), (b) (7)(C)
49	M4 Rifle with M203, Item # 4, (b)(6), (b) (7)(C)
50	M249, Item # 5, 0702 06 (b)(6), (b) (7)(C)
51	M249, Item # 6, (b)(6), (b) (7)(C)
52	Major case prints of (b)(6), (b)(7) (C)
53	Major case prints of (C)
54	Major case prints of (C)
55	Major case prints of (C)
56	Major case prints of (C)

REGISTERED MAIL  
 09 AUG 2008  
 Box 1 - RB 686 085 700 42  
 702-06 - Items 1 + 2  
 Box 2 - RB 686 085 675 45  
 702-06 - Items 3 + 4  
 Box 3 - RB 686 085 735 43  
 702-06 - Items 5 + 6  
 677-06 - A11

02-02-0015-1849

EVIDENCE SUBMITTED (Continued)	DESCRIPTION OF EXHIBIT(S)
57 Major case prints of (b)(6), (b)(7)(C)	
58 Major case prints of (b)(6), (b)(7)(C)	
59 Major case prints of (b)(6), (b)(7)(C)	
60 Major case prints of (b)(6), (b)(7)(C)	
61 Pistol, Item # 1, VO 481-06 (b)(6), (b)(7)	

EXAMINATIONS REQUESTED (FURNISH ANY INFORMATION OR INSTRUCTIONS THAT MIGHT ASSIST THE LABORATORY IN EXAMINING THE EVIDENCE)  
 SEROLOGY - Examine Exhibit 56 to determine if DNA is present. If so, compare with Exhibits 3 and 25-27 of previously submitted evidence.

FIREARMS / TOOL MARKS - Analyze Exhibits 33, 38, 40-43 and 45 for possible IBIS/NIBN comparison. Further compare and determine if Exhibit 24 of previously submitted evidence, Exhibits 33, 38, 40-43 or 45 were fired by Exhibits 46-51. Additionally analyze Exhibits 34, 35, 39 and 44 to determine if they were cut or sliced or if they were broken by force and the direction/angle of any cuts.

LATENT PRINT - Examine Exhibit 37 and 61 for the presence of latent prints. If latent prints are discovered compare with Exhibits 52-60.

Conduct any additional examinations deemed appropriate.

SA (b)(6), (b)(7)(C)	TELEPHONE # (Primary/Alternate):	NA
	DSN (Primary/Alternate):	315 349 8025
	FAX #:	NA
Alternate POC: SA (b)(6), (b)(7)(C)	EMAIL:	Jeremy.Kelton@us.army.mil
	by (b)(6), (b)(7)(C)	
PRODUCER (b)(6), (b)(7)(C)	TELEPHONE # (Primary/Alternate):	NA
Signed: (b)(6), (b)(7)(C)	DSN (Primary/Alternate):	315 349 8025
	FAX #:	NA
	EMAIL:	(b)(6)(b)(7)(C)@army.mil

LAB CASE#

EXHIBIT 333

FORENSIC LABORATORY EXAMINATION REQUEST			
TO: Director United States Army Criminal Investigation Laboratory (USACIL) 4930 N 31st Street Forest Park GA 30297- 5205  ATTN: Imaging Tech Support	FROM: (include Zip Code) Special Agent in Charge 31st MP DET (CID) (-) 10th MP BN (CID) (FWD) COB Speicher, Tikrit, Iraq APO AE 09393  Return Evidence to: Commander ATTN: Evidence Custodian 10th MP BN (CID) (FWD) APO AE 09342	1. Exam Priority <input type="checkbox"/> Routine <input checked="" type="checkbox"/> Expedite (mark box) <input type="checkbox"/> Trial/Article 32/39A (*) <input checked="" type="checkbox"/> High-level interest <input checked="" type="checkbox"/> SUBJ in pre-trial confinement <input type="checkbox"/> Case PCS/sep/reenlist (*) <input type="checkbox"/> Victim moving (*) <input type="checkbox"/> Other (Specify in block 9)  (* ) Date 20 Jun 08 (arrived in Pre-Trial Confinement, Kuwait)	LAB USE ONLY LAB CASE #  METHOD OF RECEIPT   RECEIVED BY/DATE:
2. SUBMITTING AGENCY CASE NUMBER: 2006-CID469-75447		3. TYPE OF OFFENSE: Murder Conspiracy	
4. PREVIOUS EVIDENCE SUBMITTED: DATE: 12 Jun 06, 21 Jun 06, 26 Jun 06, 5 Aug 06		MAIL METHOD: Registered	SUSPECT(S): SPC (b)(6), SSG (b)(6),
5. SUSPECT(S) LAST, FIRST, MIDDLE NAME: (b)(6),		6. VICTIM(S) LAST, FIRST, MIDDLE NAME: HAMID GUMAR, HAMID ZYAD, HAMID AL-REMI	
7. BRIEF DESCRIPTION (SYNOPSIS) OF CASE FACTS THAT MIGHT ASSIST THE LABORATORY IN EXAMINING OR EVALUATING THE EVIDENCE, OR ADDITIONAL DOCUMENTATION ATTACHED (e.g., SUMMARY OF INVESTIGATION, CRIME SCENE SKETCHES/PHOTOGRAPHS, STATEMENTS, ETC.): <b>(b)(6), (b)</b> conspired with <b>(b)(6),</b> and <b>(b)(6), (b)</b> to release three Iraqi detainees, stage an assault on <b>(b)(6), (b)</b> and <b>(b)(6), (b)</b> instruct the detainees to run away, and then <b>(b)(6),</b> and <b>(b)(6), (b)</b> would shoot and kill the detainees and claim they were justified. SPC <b>(b)(6),</b> subsequently arrived on the scene, and shot one of the detainees in the face as a "mercy killing" at the direction of SSG <b>(b)(6), (b)</b> but was not a part of the conspiracy. As part of the staged Assault <b>(b)(6), (b)</b> cut <b>(b)(6), (b)</b> on the left arm with a knife.			
8. EVIDENCE SUBMITTED:			
EXHIBIT	DESCRIPTION OF EXHIBIT(S)		
62	Thumb drive, Item # 1,		

REC'D - 15 JUN 08  
 15 JUN 08  
 15 JUN 08  
 EXHIBIT 534



8. EVIDENCE SUBMITTED (Continued)	
EXHIBIT	DESCRIPTION OF EXHIBIT(S)
<p>9. EXAMINATIONS REQUESTED (FURNISH ANY INFORMATION OR INSTRUCTIONS THAT MIGHT ASSIST THE LABORATORY IN EXAMINING THE EVIDENCE):  IMAGING / TECH SUPPORT - Analyze Exhibit 62 and determine the created and modified dates of the file 28mayconvoy.xls; further determine if the dates could have been altered through the creation of the file on a computer with an altered time/date setting. Also examine the Exhibit to determine the date that particular file along with any other files (simultaneously) were copied to the drive. Further, determine if any files and/or photographs may depict misconduct or relevant activity.</p> <p>See attached DA Form 3744-R Affidavit Supporting Request for Authorization to Search and Seize or Apprehend for further information.</p> <p>Conduct any additional examinations deemed appropriate.</p>	
<p>10. INVESTIGATOR (TYPE OR PRINTED) AND ALTERNATE POC (MANDATORY)</p> <p>SA (b)(6), (b)(7)(C)</p> <p>Alternate POC: SA (b)(6), (b)(7)(C)</p>	
<p>TELEPHONE # (Primary/Alternate): NA</p> <p>DSN (Primary/Alternate): 312 843 3625</p> <p>FAX #: NA</p> <p>E-MAIL: Jeremy.mcormick@us.army.mil</p>	
<p>11. I CERTIFY EVIDENCE HAS NOT BEEN SUBMITTED TO ANOTHER LABORATORY FOR THE SAME EXAMINATION</p>	
DATE: 10/12/06	REQUESTER (TYPE OR PRINTED): SA (b)(6), (b)(7)(C)
SIGNATURE: [Signature]	SIGNATURE: SA (b)(6), (b)(7)(C)
<p>TELEPHONE # (Primary/Alternate): NA</p> <p>DSN (Primary/Alternate): 312 843 3625</p> <p>FAX #: NA</p> <p>E-MAIL: (b)(6)(b)(7)(C)@us.army.mil</p>	
LAB CASE#	

DA FORM 3655 (reverse) FC [redacted] EXHIBIT 334

EVIDENCE/PROPERTY CUSTODY DOCUMENT		MILITARY SERVICE NUMBER		
For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command		0086-06-CIN469 CID REPORT/CID RO NUMBER 75447		
RECEIVING ACTIVITY 31ST MP DET (C) (-)	LOCATION COB SPECIAR, TIKOT, LZ	NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input checked="" type="checkbox"/> OWNER (b)(6), (b)(7)(C) C-S <input type="checkbox"/> OTHER		
LOCATION FROM WHERE OBTAINED FROM THE HANDS OF (b)(6), WHILE IN THE MP CHU, FOB BRASSFIELD-MORA, SAMARRA, LZ	REASON OBTAINED EVIDENCE	TIME/DATE OBTAINED 1049-1050 31 MAY 06		
ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES (include model, serial number, condition and unusual marks or scratches)		
1	1	DIGITAL CAMERA, KODAK EASY SHARE CXT530, 5.0 MEGA PIXELS, SERIAL NUMBER 4520434, GRAY IN COLOR, METAL AND PLASTIC TYPE CONSTRUCTION WITH AN AFFIXED LAMPHARD, WHICH IS GRAY IN COLOR, CLOTH TYPE CONSTRUCTION. THE CAMERA IS APPROXIMATELY 3" X 2" X 1" AND IN SCRATCHED CONDITION, MARKED FOR IDENTIFICATION WITH 1049, 31 MAY 06, (b)(6), ON THE SIDE OF THE CAMERA. HANDS OF (b)(6), (b)(6), (b)(6)		
2	1	MEMORY CARD, SAN DISK, 3.2 GB, 312 MB, BLUE AND GOLD IN COLOR, PLASTIC AND METAL TYPE CONSTRUCTION; CARD BEARS A BLUE, RED, AND WHITE LABEL; PAPER TYPE CONSTRUCTION. CARD IS APPROXIMATELY 1" X 1" AND IN SCRATCHED CONDITION. SEE NEXT PAGE		
CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1 AND 2	31 MAY 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	EVIDENCE
1 AND 2	2 JUN 06	(b)(6), (b)(7)(C)	REGISTERED MAIL NAME, GRADE OR TITLE TSB 688 362 388 US	RELEASED TO MAIL
1 and 2	9 Jun 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	RECEIVED BY US ARMY CID EVIDENCE CUSTODIAN
1 and 2	18 Jun 06	(b)(6), (b)(7)(C)	REGISTERED MAIL SIGNATURE RB 688 084 094 US NAME, GRADE OR TITLE SA	FORWARDED TO USAAC FOR EXAMINATION
1 and 2		(b)(6), (b)(7)(C)	REGISTERED MAIL SIGNATURE RB 688 084 094 US NAME, GRADE OR TITLE REGISTERED MAIL	

DA FORM 6137 1 Jul 76 Replaces DA FORM 6137, 1 Aug 74 and DA FORM 6137-R Privacy Act Statement 26 Sep 75 Which are Obsolete. LOCATION \_\_\_\_\_ DOCUMENT NUMBER 0472 06

FOR OFFICIAL USE ONLY - UNCLASSIFIED

EXHIBIT 335-1

ACLU DDII CID ROIS 36185

002354

Case# 0386-06-CID-469  
75447

ITEM# QUANTITY  
2 1

DESCRIPTION OF ARTICLES

THE CARD WAS MARKED FOR IDENTIFY  
WITH 1050, 31 MAY 06, (b)(6) ON THE OPPOSITE  
SIDE OF THE LABEL. (INSIDE CAMERA)

LAST ITEM

Page 2 of 2 Pages

Document Number 0472 1

EXHIBIT 2007

EVIDENCE/PROPERTY CUSTODY DOCUMENT		MPC/DSD SEQUENCE NUMBER 6086-06-CID469		
For use of this form see AR 190-45 and AR 195-5, the proponent agency is US Army Criminal Investigation Command		CID REPORT/CID RO# NUMBER 75449		
RECEIVING ACTIVITY 31 <sup>st</sup> MP Det (CID)(-)	LOCATION COB Speicher, Tikrit, IZ APO AE 09693			
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input checked="" type="checkbox"/> OWNER Scene <input type="checkbox"/> OTHER	ADDRESS (Include Zip Code) N/A			
LOCATION FROM WHICH OBTAINED From the mouth of (b)(6), (b)(7)(C) while at the CID Office, Building 718, COB Speicher, Tikrit, IZ APO AE 09693	REASON OBTAINED Evidence	TIME/DATE OBTAINED 0347-0349/ 30 May 06		
ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <i>(Exclude serial, serial number, condition and unusual marks or scratches)</i>		
1	2	Swab, bucal, MFG: Solon, brown and white in color, wood and cotton type construction, approx. 6" length. Used to swab the mouth of (b)(6). Each swab was allowed to air dry, and placed in a swab carton, white in color, paper type construction, approx. 1/4" L x 3/4" W x 6" H. The carton bears manufacturers name, red in color, "LYNN PEAVEY COMPANY, 300-225-6499 x100." There was a section on the carton where information was to be filled in; SA (b)(6) filled in the following information: Patients Name, (b)(6), (b) Date "30 May 06," Collected By" SA (b)(6), Time 0347, and Swab Specimen type, "Oral." The carton was sealed using red evidence tape and marked for identification (MFID) with 0347, 30 May 06, and placed in a brown paper envelope with an affixed DA Form 4002. (mouth of (b)(6), (b))		
2	2	Swab, bucal, MFG: Solon, brown and white in color, wood and cotton type construction, approx. 6" length. The swabs are unused and provided as a control sample. The swabs are sealed in their original packaging. Swab in packaging was MFID with 0349, 30 May 06, and placed in a brown envelope with an affixed DA Form 4002		
-LAST ITEM-				
CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1 and 2	30 May 06	SIGNATURE N/A NAME, GRADE OR TITLE Crime Scene	(b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C)	Evidence
1 and 2	30 May 06	(b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C)	(b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C)	Transfer of evidence
1 and 2	31 May 06	(b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C)	SIGNATURE REGISTERED MAIL NAME, GRADE OR TITLE RB 688 362 365 US	Released to Mail
1 and 2	9 Jun 06	(b)(6), (b)(7)(C) REGISTERED MAIL	(b)(6), (b)(7)(C) SA	RECEIVED BY US ARMY CID EVIDENCE CUSTODY Item 1 - SCRAM
1 and 2	18 Jun 06	(b)(6), (b)(7)(C) REGISTERED MAIL	(b)(6), (b)(7)(C) SA REGISTERED MAIL	FORWARDED TO USAGM FOR EXAMINATION

DA FORM 4137 1 Jul 76 Replaces DA FORM 4137, 1 Aug 74 and DA FORM 4137-R Privacy Act Statement 26 Sep 75 Which are Obsolete. DOCUMENT NUMBER 0473 06

EVIDENCE/PROPERTY CUSTODY DOCUMENT		EVIDENCE NUMBER		
For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command		0086-016-013769 CID REPORT/CID RO NUMBER 25447		
RECEIVING ACTIVITY SIST MP NET (CIN)		LOCATION OAS SPEICHER, TIKRIT, IZ		
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input type="checkbox"/> OWNER ISG (b)(6), (b)(7)(C)		ADDRESS (include Zip Code) FOB BRASSFIELD-MOEA, C Co, 3-187 SAMARRA, IZ - APO AE 09503		
LOCATION FROM WHERE OBTAINED FROM THE HANDS OF ISG (b)(6), (b)(7)(C) WHILE IN THE VIP CHU FOB BRASSFIELD-MOEA, SAMARRA, IZ.		REASON OBTAINED EVIDENCE	TIME/DATE OBTAINED 0915 / 14 JUN 06	
DESCRIPTION OF ARTICLES (include model, serial number, condition and unusual marks or scratches)				
ITEM NO.	QUANTITY	DESCRIPTION		
1	20	ZIP TIES, BLACK IN COLOR, PLASTIC TYPE CONSTRUCTION, APPROXIMATELY 12 INCHES IN LENGTH, APPROXIMATELY 1/2 INCH WIDE, AND APPROXIMATELY 1/16 INCH THICK. (b)(6), (b)(7)(C)		
2	8	ZIP TIES ARE IN UN-USED CONDITION. ZIP TIES, WHITE IN COLOR, PLASTIC TYPE CONSTRUCTION, APPROXIMATELY (APPROX) 12 INCHES IN LENGTH, APPROX. 1/4 INCH WIDE, AND APPROX. 1/16 INCH THICK. ZIP TIES ARE IN UN-USED CONDITION. (b)(6), (b)(7)(C)		
3	1	FLEX-CUFF, BLACK IN COLOR; PLASTIC TYPE CONSTRUCTION, APPROX 12 INCHES IN LENGTH, APPROX. 1/2 INCH WIDE, AND APPROX. 1/8 INCH THICK. THE ENDS OF THE ZIP TIES ARE INSERTED AND SECURED IN THE LOCKING MECHANISM PORTION. FLEX-CUFF WAS IN DUSTY CONDITION (b)(6), (b)(7)(C)		
SEE NEXT PAGE				
CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1	14 JUN 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	EVIDENCE
4		(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	
4	20 JUN 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Change of Custody
1-4	17 JUN 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	RECEIVED BY US ARMY CID EVIDENCE CUSTODY
4	21 JUN 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	FORWARDED TO USAC FOR EXAMINATION
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

DA FORM 4137  
1 Jul 79

Replaces DA FORM 4137, 1 Aug 74 and  
DA FORM 4137-R, Privacy Act Statement  
26 Sep 75 Which are Obsolete

DOCUMENT NUMBER 0086-016-013769  
Pg 1 of 2  
LOCATION

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EXHIBIT 3

ACLU DDII CID ROIS 36188

002357

Case# \_\_\_\_\_

ITEM# QUANTITY

4 1

DESCRIPTION OF ARTICLES

FLEX-CUFF, WHITE IN COLOR, PLASTIC TYPE CONSTRUCTION, APPROX. 18 INCHES IN LENGTH, APPROX. 1/2 INCH WIDE, APPROX. 1/8 INCH THICK. ONE END OF THE FLEX-CUFF WAS INSERTED AND SECURED IN THE LOCKING MECHANISM POSITION ON THE OTHER END, FLEX-CUFF WAS IN DUSTY CONDITION. (b)(6), (b)(7)(C)

LAST ITEM

NOTE: Items 1-4 were advised with a DA Form 802 which read 0415, 145006, (b)(6), (b)(7)(C)

SA (b)(6), (b)(7)(C), (b)(7)(F)

Page 2 of 2 Pages

Document Number 0415-145006

EXHIBIT 3333



FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE  
 DEPARTMENT OF THE ARMY  
 10TH MILITARY POLICE BATTALION (CID) (ABN)  
 US ARMY CRIMINAL INVESTIGATION COMMAND (CID)  
 CONTINGENCY OPERATING BASE SPEICHER  
 TIKRIT, IRAQ, APO AE 09393

CIRF-ZA-AA

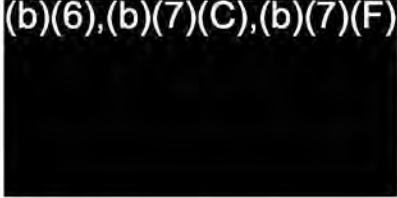
25 Jun 06

MEMORANDUM FOR RECORD 0086-06-CID469-75447 (Murder)

SUBJECT: Evidence Voucher # 0487-06

1. On 25 Jun 06, SA (b)(6), (b)(7)(C) departed COB Speicher, Tikrit, to transport evidence to the evidence depository. SA (b)(6), (b)(7)(C) inadvertently did not obtain a release signature from SA (b)(6), (b)(7)(C) prior to his departure.
2. POC is the undersigned at DSN: 318.822.2830 or email (b)(6), (b)(7)(C)@us.army.mil.

(b)(6), (b)(7)(C), (b)(7)(F)



FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

EXHIBIT

ACLU DDII CID ROIS 36190

002359

EVIDENCE/PROPERTY CUSTODY DOCUMENT		MP/CID SEQUENCE NUMBER 0086-06-CID469		
For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command		CID REPORT/CID RPT NUMBER 75447		
RECEIVING ACTIVITY 31st MP DET (CID), 3d MP GROUP (CID)		LOCATION COB Speicher, Tikrit, Iraq, APO AE 09393		
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED OWNER X SPC (b)(6), (b)(7)(C) OTHER		ADDRESS (Include Zip Code) C CO, 3-187 <sup>th</sup> ENB, 3 BCT FOB Brassfield-Mora, Samarra, IZ APO AE 09393		
LOCATION FROM WHICH OBTAINED From the bags of (b)(6), (b)(7)(C) while in the CID Office, Building 718, COB Speicher, Tikrit, IZ APO AE 09393		REASON OBTAINED Evidence	TIME/DATE OBTAINED 2200-22:00/16 May 06	
ITEM NO	QUANTITY	DESCRIPTION OF ARTICLES <i>(Include model, serial number, condition and unusual marks or scratches)</i>		
1	1	Digital video cassette; bears lettering which reads "JVC Mini DV... VIDEO CASSETTE DV," black and gold in color; plastic type construction. Cassette is approximately (approx.) 2" x 1" x 1/2". Cassette was inscribed with 2200, 16 Jun 06, (b)(6), (b)(7)(C). Cassette is in a container; clear of color, plastic type construction. Container was marked for identification (MPID) with inscribed 2200, 16 Jun 06, (b)(6), (b)(7)(C). Container with cassette was placed in a brown paper bag with an affixed DA Form 4002 that reads 2200, 16 Jun 06, (b)(6), (b)(7)(C). Container and cassette are in used condition. (Main compartment of (b)(6), (b)(7)(C) travel bag)		
2	1	Disposable camera; blue and black in color; plastic type construction. Camera bears a label; silver, black, red, and blue in color with the lettering that reads "Polaroid Fun Shooter Flash." The camera is approx. 4" x 2" x 1." Camera was MPID with inscribed 2200, 16 Jun 06, (b)(6), (b)(7)(C). Camera is used condition. (Main compartment of (b)(6), (b)(7)(C) travel bag)		
3	3	Digital video cassette; bears lettering which reads "JVC Mini DV... VIDEO CASSETTE DV," black and gold in color; plastic type construction. Cassette is See Next Page		
CHAIN OF CUSTODY				
ITEM NO	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
3	16 Jun 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	EVIDENCE
3	20 Jun 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Change of Custody
2	16 Jun 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	RECEIVED BY USARMC US ARMY CID EVIDENCE CUSTODIAN
2 only	21 Jun 06	(b)(6), (b)(7)(C)	SA RB 686 084 307 US	FORWARDED TO USAC FOR EXAMINATION
1 and 3	26 Jun 06	(b)(6), (b)(7)(C)	SA (b)(6), (b)(7)(C)	To Transport To EVIDENCE CUSTODIAN

DA FORM 137-E 1 Jul 76 DA FORM 4137-E Privacy Act of 1976 (1) PREVIOUS EDITIONS ARE OBSOLETE. (2) THIS FORM IS OBSOLETE. (3) THIS FORM IS OBSOLETE. (4) THIS FORM IS OBSOLETE. (5) THIS FORM IS OBSOLETE. (6) THIS FORM IS OBSOLETE. (7) THIS FORM IS OBSOLETE. (8) THIS FORM IS OBSOLETE. (9) THIS FORM IS OBSOLETE. (10) THIS FORM IS OBSOLETE.

ACLU DDII CID ROIS 36191

002360



CHAIN OF CUSTODY (Continued)				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1 and 3	26 Jun 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	RECEIVED BY US ARMY CID EVIDENCE CUSTODIAN
1 and 3	27 Jun 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Released to agent for examination
1 and 3	28 Jun 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	RECEIVED BY US ARMY CID EVIDENCE CUSTODIAN
1 and 3	1 Aug 2006	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Released to case agent
1 and 3	12 Aug 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Change of Custody
1 and 3	22 Aug 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	RECEIVED BY US ARMY CID EVIDENCE CUSTODIAN
1, 2, 3 only	2 SEP 2006	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Committed to TT Campbell for C.I.
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
FINAL DISPOSITION ACTION				
RELEASE TO OWNER OR OTHER (None/Unit) _____				
DESTROY _____				
OTHER (Specify) _____				
FINAL DISPOSITION AUTHORITY				
I (RANK) _____ ON THIS DOCUMENT, PERTAINING TO THE INVESTIGATION INVOLVING _____ (Case)				
(I) (ARE) NO LONGER _____ (Rank) _____ (Organization)				
REQUIRED AS EVIDENCE AND MAY BE DISPOSED OF AS INDICATED ABOVE. (If articles must be retained, do not sign, but explain in separate correspondence.)				
(Typed/Printed Name, Grade, Title)			(Date)	
WITNESS TO DESTRUCTION OF EVIDENCE				
THE ARTICLE(S) LISTED AT ITEM NUMBER(S) _____ (WAS; WERE) DESTROYED BY THE EVIDENCE CUSTODIAN, IN MY PRESENCE, ON THE DATE INDICATED ABOVE				
(Typed/Printed Name)			(Signature)	

EXHIBIT

0086-06-CID469-75447

CONTINUATION OF DESCRIPTION OF ARTICLES:

Item #	Quantity	Description of Articles
3	3	<p>approximately (approx.) 2" x 1" x 1/2". Cassette was inscribed with 2210, 16 Jun 06, (b)(6), (b)(7)(C) Cassette is in a container, clear of color, plastic type construction.</p> <p>Container was marked for identification (MFID) with inscribed 2210, 16 Jun 06, (b)(6), (b)(7)(C) (Each cassette was individually inscribed with 3-1, 3-2, 3-3 and it's corresponding container ) Container with cassette was placed in a brown paper bag with an affixed DA Form 4002 that reads 2210, 16 Jun 06, (b)(6), (b)(7)(C) bag</p>

//////////////////////////////////////LAST ITEM//////////////////////////////////////

Page 2 of 2  
Document Number 0487-06

EXHIBIT 332

EVIDENCE/PRO. ACTY CUSTODY DOCUMENT		MP/PCID SEQUENCE NUMBER 0986-06-CIDM49-		
For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command		CRD-REPORTING ROI NUMBER 75447		
RECEIVING ACTIVITY 31st MP DET (CID), 3d MP GROUP (CID)		LOCATION FOB Speicher, Tikrit, Iraq, APO AE 09393		
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED OWNER SPC (b)(6), (b)(7)(C) OTHER		ADDRESS (includes Zip Code) C 3/187 <sup>th</sup> Infantry Regiment FOB Brassfield-Mora APO AE 09393		
LOCATION FROM WHERE OBTAINED From the hand of SPC (b)(6), (b)(7)(C) in room 718 B, Building 718, COB Speicher, Tikrit Iraq, APO AE 09393		REASON OBTAINED Evidence	TIME/DATE OBTAINED 2241, 16 Jun 06	
ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <i>(include model, serial number, condition and unusual marks or markings)</i>		
1	1	One green and white in color notebook, approximately 6x8 in size, made out of cardboard and paper type construction and affixed with an Under Armor Performance Apparel black and gray sticker, and marked for ID 2241 16 Jun 06 (b)(6), (b)(7)(C) hand of SPC (b)(6), (b)(7)(C)		
		LAST ITEM		
CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1	16 Jun 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Evaluation as Evidence
		NAME SPC (b)(6), (b)(7)(C)	NAME SA (b)(6), (b)(7)(C)	
1	16 Jun 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Change of Custody to CA
		NAME SA (b)(6), (b)(7)(C)	NAME SA (b)(6), (b)(7)(C)	
1	20 JUN 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Change of Custody for transport to Evidence Custodian
		NAME SA (b)(6), (b)(7)(C)	NAME SA (b)(6), (b)(7)(C)	
1	21 JUN 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	RECEIVED BY US ARMY CID EVIDENCE CUSTODIAN
		NAME SA (b)(6), (b)(7)(C)	NAME SA (b)(6), (b)(7)(C)	
1	22 SEP 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Forwarded to Ft Campbell for em.
		SIGNATURE SA (b)(6), (b)(7)(C)	SIGNATURE RB 686 086 546 US REGISTERED MAIL	

DA FORM 4137 1 Jul 76 Replaces DA FORM 4137, 1 Aug 74 and DA FORM 4137-3, Privacy Act Statement 24 Sep 75 Which are Obsolete. LOCATION DOCUMENT NUMBER 0488 06

FOR OFFICIAL USE ONLY ~~CONFIDENTIAL~~ ~~SENSITIVE~~  
ORIGINAL  
 EXHIBIT 06



DEPARTMENT OF THE ARMY  
10TH MILITARY POLICE BATTALION (CID) (ABN)  
US ARMY CRIMINAL INVESTIGATION COMMAND (CID)  
CONTINGENCY OPERATING BASE SPEICHER  
TIKRIT, IRAQ, APO AE 09393

CIRF-ZA-AA

25 Jun 06

MEMORANDUM FOR RECORD 0086-06-CID469-75447 (Murder)

SUBJECT: Evidence *Vo # 489-06*

1. On 24 Jun 06, SA **(b)(6), (b)(7)(C)** departed for R&R leave. The undersigned assumed custody of one video camera, in the temporary evidence depository, along with other items of evidence. The undersigned maintained control of the video camera until releasing it for transport to the evidence custodian, but inadvertently did not obtain a release signature from SA **(b)(6), (b)(7)(C)** prior to his departure.
2. POC is the undersigned at DSN: 318.822.2830 or email: **(b)(6), (b)(7)(C)**@us.army.mil.

**(b)(6), (b)(7)(C), (b)(7)(F)**



FOR OFFICIAL USE ONLY - UNCLASSIFIED  
DEPARTMENT OF THE ARMY  
31ST MILITARY POLICE DETACHMENT (CID) (-)  
US ARMY CRIMINAL INVESTIGATION COMMAND  
CONTINGENCY OPERATING BASE (COB) SPEICHER  
TIKRIT, IRAQ, APO AE 09393

CIRF-ZA-AA

19 Aug 06

MEMORANDUM FOR RECORD

SUBJECT: Evidence Voucher 0489-06, (0086-06-CID469-75447)

1. Item #1 contained an 8mm video cassette, which was requested to be copied to Windows Media Player format by CPT (b)(6), (b)(7)(C) Trial Counsel, 3<sup>rd</sup> BCT, 101<sup>st</sup> ABN DIV (AASLT), COB Speicher, Iraq, APO AE 09393.
2. On 14 Aug 06, while attempting to copy the cassette, it was determined the battery to Item #1 was drained and there were no means available to obtain the cassette. Item #1 was then partially taken apart, which failed to release the cassette, and was unable to be fully reassembled.
3. On 19 Aug 06, a second attempt to disassemble the camcorder failed and the cassette was manually ejected, resulting in damage to the camcorder and cassette.
4. Point of contact is the undersigned at DSN 318-849-3025 or via e-mail at (b)(6), (b)(7)(C)@us.army.mil

(b)(6), (b)(7)(C), (b)(7)(F)

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EXHIBIT

ACLU DDII CID ROIS 36196

002365

EVIDENCE/PROPERTY CUSTODY DOCUMENT		Order No. 210449		
RECEIVING ACTIVITY 31st MP DET (CID), 3d MP GROUP (CID)		LOCATION FOB Speicher, Tikrit, Iraq, APO AE 09393		
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED LTC (b)(6), (b)(7)(C)		ADDRESS (Include Zip Code) HWY, C 51, 87th Infantry 303 Sinsinford - Mon APO AE 09393		
LOCATION FROM WHERE OBTAINED From Records of LTC (b)(6), (b)(7)(C) Building 418, 31st MP Det CID Office APO AE 09393		REASON OBTAINED Evidence		
TIME/DATE OBTAINED 0820, 17 June 76				
ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <small>(Include model, serial number, condition and unusual marks or notations)</small>		
1	1	One Sony Video Camera, Serial # 112991, silver & grey in color, marked for ID (b)(6), (b)(7)(C) quantity 0820 LAST ITEM		
<p>REF, BTD 27 June</p> <p>UPON ASSUMING RESPONSIBILITY OF THE EVIDENCE FOR EXAMINATION, THE VIDEO CAMERA WAS CONTAINING A JVC MINI DV TO DIGITAL VIDEO CASSETTE, MARK WITH (b)(6), (b)(7)(C) AND THE TAPE WAS MARKED FOR ID WITH 1527/27 JUNE (b)(6), (b)(7)(C) THIS PART OF THE CASSETTE:</p> <p style="text-align: right;">TO PROCEED TO NSC, 504 Special Agent, SVK</p>				
CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1	17 June 76	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Requisition to Evidence
1	17 June 76	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	EVIDENCE
1	24 June 76	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Transfer pending movement to Evidence Custodian
1	25 June 76	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	To Transfer to EVIDENCE CUSTODIAN
1	26 June 76	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	RECEIVED BY US ARMY CID EVIDENCE CUSTODIAN

DA FORM 4137 1 Jul 76 Replaces DA FORM 4137, 1 Aug 74 and DA FORM 4137-R, Privacy Act Statement 26 Sep 73 Which are Obsolete. LOCATION \_\_\_\_\_ DOCUMENT NUMBER 0480 06.

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EXHIBIT

CHAIN OF CUSTODY (Continued)				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1	27 Jun 66	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Released to Agent for examination
1	27 Jun 66	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	RECEIVED BY US ARMY CID EVIDENCE CUSTODIAN
1	11 AUG 1966	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Released to case agent
1	12 Aug 66	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Change of custody
1	11/8/66	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	RECEIVED BY US ARMY CID EVIDENCE CUSTODIAN
Copy only from item 1	23 Aug 66	(b)(6), (b)(7)(C)	RR 686 C 86 020 VS REGISTERED MAIL	FORWARDED TO USACI FOR EXAMINATION
Camera from item 1	2 SEP 1966	(b)(6), (b)(7)(C)	RR 686 056 546 US REGISTERED MAIL	Forwarded to Ft Campbell for CM.
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
FINAL DISPOSITION ACTION				
RELEASE TO OWNER OR OTHER (Name/Title) _____				
DESTROY _____				
OTHER (Specify) _____				
FINAL DISPOSITION AUTHORITY				
I HAVE(S) _____ ON THIS DOCUMENT, PERTAINING TO THE INVESTIGATION INVOLVING _____ (Case)				
_____ (Name) _____ (Organization) (S) (AR) NO LONGER				
REQUIRED AS EVIDENCE AND MAY BE DISPOSED OF AS INDICATED ABOVE. If articles are to be removed, do not sign, but explain in separate correspondence.				
_____ (Typed/Printed Name, Grade, Title) _____ (Signature) _____ (Date)				
WITNESS TO DESTRUCTION OF EVIDENCE				
THE ARTICLE(S) LISTED AT ITEM NUMBER(S) _____ (WAS) (WERE) DESTROYED BY THE EVIDENCE CUSTODIAN, IN MY PRESENCE, ON THE DATE INDICATED ABOVE				
FOR OFFICIAL USE ONLY - LAW ENFORCEMENT EVIDENCE				
EXHIBIT				

EVIDENCE/PROPERTY CUSTODY DOCUMENT		MP/CD SEQUENCE NUMBER		
For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command		0086-06-000469 CRD REPORTING RO NUMBER 75447		
RECEIVING ACTIVITY 31st MP DET (CID), 3d MP GROUP (CID)	LOCATION POB Speicher, Tikrit, Iraq, APO AE 09393			
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED OWNER OTHER X	ADDRESS (Include Zip Code) C Company 3/87 Infantry Battalion POB Speicher - Area, Iraq, APO AE 09399			
LOCATION FROM WHERE OBTAINED (Date, (b)(6), (b)(7)(C)) from the hands of SA (b)(6), (b)(7)(C) while at building 718, CoB Speicher, Tikrit, Iraq, APO AE 09393	REASON OBTAINED Evidence	TIME/DATE OBTAINED 1710/17JUN06		
ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <i>(include model, serial number, condition and approval marks or symbols)</i>		
1	1	Bag, Plastic type Construction, Clear or color, approximately 1' x 1'; containing 6 knives of various makes and color. 5 knives appear to be folding type and 1 knife is a Gerber multi-tool and is contained in a black in color nylon type construction carrier holder with the numbers "2002" marked on the flap. The bag is in used condition with a zip top seal which was sealed. The bag was marked with a DA Form 4002, 1710, 17JUN06, (b)(6), (b)(7)(C) LAST		
		MFR: The outside of the bag was marked with (b)(6), (b)(7)(C) knives" and was taken from SA (b)(6), (b)(7)(C) room by SA (b)(6), (b)(7)(C)		
CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1	17 JUN 06	(b)(6), (b)(7)(C) (b)(6), (b)(7)(C) E-7	SA (b)(6), (b)(7)(C)	Evaluation as Evidence
1	Ground 1 17	(b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C)	(b)(6), (b)(7)(C) SA	RECEIVED BY US ARMY CID EVIDENCE CUSTODIAN
1	21 Jun 06	(b)(6), (b)(7)(C) SA	SA R.B. 656 0824 301 US	FORWARDED TO USACI FOR EXAMINATION
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

DA FORM 4137  
1 Jul 76

Replaces DA FORM 4137, 1 Aug 74 and  
DA FORM 4137-R, Privacy Act Statement  
26 Sep 75 which are Obsolete.

LOCATION

DOCUMENT NUMBER 0490-06

CRIMINAL INVESTIGATION COMMAND - LAW ENFORCEMENT SENSITIVE

EXHIBIT

ACLU DDII CID ROIS 36199

002368





06-CID469-75447

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~  
**DEPARTMENT OF THE ARMY**  
 31ST MILITARY POLICE DETACHMENT (CID) (-)  
 US ARMY CRIMINAL INVESTIGATION COMMAND  
 CONTINGENCY OPERATING BASE (COB) SPEICHER  
 TIKRIT, IRAQ, APO AE 09393

CIRF-ZA-AA

4 Aug 06

MEMORANDUM FOR RECORD

SUBJECT: Evidence Voucher 0491-06

1. Item # 1 of Voucher 0491-06 was requested to be viewed at an Article 32 proceeding at COB Speicher, Iraq, APO, AE 09349. On 28 Jul 06, SA (b)(6), (b)(7)(C) signed for the evidence and transported it to COB Speicher from Camp Victory, Iraq, APO AE 09342. The evidence was removed from it's packaging on 31 Jul 06.

2. On 4 Aug 06, SA (b)(6), (b)(7)(C) resealed the evidence in a clean paper bag, which was marked for ID with 1055, 4 Aug 06. (b)(6), (b)(7)(C) The prior packaging was sealed with Item #1 as it will be needed at trial.

3. Point of contact is the undersigned at DSN 318-849-3025 or via e-mail at (b)(6), (b)(7)(C)@us.army.mil

(b)(6), (b)(7)(C), (b)(7)(F)

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~  
~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~ EXHIBIT 2

**ACLU DDII CID ROIS 36200**

002369

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~



DEPARTMENT OF THE ARMY  
10TH MILITARY POLICE BATTALION (ABN) (CID), 3RD MILITARY POLICE GROUP (CID)  
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND  
BAGHDAD, IRAQ APO AE 98342

CIRF-OP

15 Jul 06

MEMORANDUM FOR RECORD

SUBJECT: Evidence Voucher (VO) 0491-06

1. On 15 Jul 06, I was contacted by SA (b)(6), (b)(7)(C) Forensic Science Officer, 10<sup>th</sup> MP Battalion (CID) (ABN), Camp Victory, IZ and requested to unseal the bag on Item #1 of the above voucher, and photograph the pistol. The item was un-sealed, photographed, then re-sealed with tape and MFID the tape and bag with 1100/15 Jul 06 (b)(6), (b)(7)(C)

2. Point of contact for this memorandum is the undersigned, at DSN: 318-822-2705, or e-mail: (b)(6), (b)(7)(C)@s.army.mil

(b)(6), (b)(7)(C)

SFC, USA  
Evidence Custodian

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~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

EXHIBIT

ACLU DDII CID ROIS 36201



Continuation of Description of Articles seized from CPT (b)(6), (b)(7)(C)

ITEM #	QTY	DESCRIPTION OF ARTICLES
4	1	Knife, black and silver in color, metal and plastic type construction, folding type, approximately 4 1/2" long x 1" wide x 1/2" thick when folded. Etched into one side of the blade is "CAKMAK PASLANMAV". The knife was scratched and dirty in condition. Placed in a clean paper bag to protect for prints and marked the bag for ID with 1730, 17 Jun 06 (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) room)
5	1	Knife, black, metal and rubber type construction, approximately 11" long x 1" wide. There were manufacturer markings which read "COLD STEEL CARBON...MADE IN USA" written on the base of the blade, and "SRK" written on the opposite side. The knife was in a scratched and used state with what appeared to be white paint near the tip of the knife. The knife was contained in a black in color, metal and nylon type construction sheath, which was the appropriate size for the knife and had no visible unique markings. The sheath and knife had nylon type construction "550 cord" attached and the sheath was in a dirty and scratched condition. Placed in a clean paper bag to protect for prints and marked the bag for ID with 1730, 17 Jun 06 (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) room)
6	1	Bayonet, brown with silver in color blade; metal and rubber type construction, approximately 1' long x 1 1/2" wide. Manufacturers markings "M9 PHROBIS III U.S.A. PAT PEND" near the base of the blade. The bayonet was scratched and worn in condition, and had a piece of "550 cord" attached. The bayonet was contained in a brown in color sheath, plastic type construction with "122" written in apparent black marker on the base of the sheath. The sheath was the appropriate size to fit the bayonet. Placed in a clean paper bag to protect for prints and marked the bag for ID with 1730, 17 Jun 06 (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) room)
7	1	Sheath containing 3 knives. The sheath was black in color, nylon type construction with the writing "HibbenKnives" written on the front of the sheath, approximately 9" long x 2 1/2" wide. The sheath contained 3 silver in color, metal type construction, throwing style knives that were each identical, aside from scratches and wear and fit the sheath appropriately. The knives had manufacturers writing "Designed by HibbenKnives" and the signature of the designer. The opposite side of the knives read "GH2003 U.S. PAT...CORP STAINLESS TAIWAN". The knives and sheath were in a dirty and worn condition. Placed in a clean paper bag to protect for prints and marked the bag for ID with 1730, 17 Jun 06 (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) room)
8	1	Knife, black and brown, metal and wood type construction, approximately 10 1/2" long x 1 1/2" wide, contained in a black in color metal type construction sheath which was the appropriate size to fit the knife. The tip of the knife was broken off and there were manufacturers marks reading "RANGER'S EDGE H-657" on one side of the blade. The handle of the knife appeared to be wood grain. The knife and sheath were both in a scratched and worn condition. Placed in a clean paper bag to protect for prints and marked the bag for ID with 1730, 17 Jun 06, (b)(6), (b)(7)(C) (SPC (b)(6), (b)(7)(C) room)
9	1	Bayonet, brown with silver in color blade; metal and rubber type construction, approximately 1' long x 1 1/2" wide. Manufacturers markings "M9 PHROBIS III U.S.A. PAT PEND" near the base of the blade. The bayonet was scratched and worn in condition, and had a piece of "550 cord" attached. The bayonet was contained in a brown in color sheath, plastic type construction with a pouch (b)(6), (b)(7)(C)

Continuation of Description of Articles seized from GPT (b)(6), (b)(7)(C)

ITEM #	QTY	DESCRIPTION OF ARTICLES
10	1	attached to it on one side and a belt clip attached to the opposite side. The sheath was the appropriate size to fit the bayonet. The sheath was dirty and worn in condition. Placed in a clean paper bag to protect for prints and marked the bag for ID with 1730, 17 Jun 06 (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) room)
11	1	Knife, black, metal and rubber type construction, approximately 1' 1/2" long x 1 1/2" wide. Manufacturers marking "USA CARBON V" on the base of the blade and on the opposite side of the base "COLD STEEL". There was a piece of "550 cord" attached to the knife. The knife was contained in a black in color leather type construction sheath with numerous pieces of tape wrapped around it. The knife and sheath were both in a dirty and worn condition. The sheath was the appropriate size to fit the knife. Placed in a clean paper bag to protect for prints and marked the bag for ID with 1730, 17 Jun 06 (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) room)
12	1	Multi-tool, Gerber brand, black, metal type construction, approximately 5" x 1" x 1 3/4" when fully closed. The word "GERBER" and a scale are etched by the manufacture onto one side of the tool, with a second scale etched on the opposite side. There are small scratches on the tool and it was in used condition. Placed in a clean paper bag to protect for prints and marked the bag for ID with 1730, 17 Jun 06 (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) room)
		Bayonet, brown with silver in color blade; metal and rubber type construction, approximately 1' long x 1 1/2" wide. Manufactuers markings "M9 PHROBIS III U.S.A. PAT PEND" near the base of the blade. The bayonet was scratched and worn in condition. The bayonet was contained in a brown in color sheath, plastic type construction with a pouch attached to it on one side and a belt clip attached to the opposite side. The sheath was the appropriate size to fit the bayonet. There was gray in color duct tape on the handle of the bayonet which read what appeared to be the word (b)(6), (b)(7)(C). The number 40 was marked on the base of the sheath. The sheath was dirty and worn in condition. Placed in a clean paper bag to protect for prints and marked the bag for ID with 1730, 17 Jun 06 (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) room (b)(6), (b)(7)(C)
		////////////////////////////////////// LAST ITEM //

EVIDENCE/PROPERTY CUSTODY DOCUMENT		INFRACTION SEQUENCE NUMBER		
For use of this form, see AR 196-43 and AR 195-3, the proponent agency is US Army Criminal Investigation Command		75 447 5/77		
REPORTING ACTIVITY SMP Det (CID), USAC:DC		ORD REPORT/CID RO# NUMBER C0886-06-C-0464		
(b)(6), (b)(7)(C)		LOCATION Cob Plank, Iraq, APO SF 08343		
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED OWNER (b)(6), (b)(7)(C) OTHER (b)(6), (b)(7)(C)		ADDRESS C Company 3/187 Infantry FOB Baseline - Muna, Iraq, APO SF 08399		
LOCATION FROM WHERE OBTAINED (b)(6), (b)(7)(C) from the hands of PC while at building 78, COB Spleder, Wilkitt, Iraq, APO SF 08343		REASON OBTAINED Evidence	TIME/DATE OBTAINED 1015-1019/19JUN06	
ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <small>(Include model, serial number, condition and unusual marks or scratches)</small>		
1	1	Laptop, blue, black and silver in color, Toshiba brand, model Satellite, Serial number 3523810514, dirty and scuffed in condition. Placed in a clean paper bag which was marked for ID with 1015, 19JUN06 (b)(6), (b)(7)(C)		
2	1	Power adapter, black in color, approximately 6" x 2 1/2" x 1 1/2", plastic type construction. Model number AP13AD01. The adapter had a rubber type construction cord extending from both sides, with one cord having a velcro piece attached to it. All parts were dirty and scuffed in condition. Placed in a clean paper bag which was marked for ID with 1019, 19JUN06 (b)(6), (b)(7)(C)		
LAST ITEM				
CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1-2	19JUN06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Evaluation as Evidence
1-2	19JUN06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	RECEIVED BY US ARMY CID EVIDENCE CUSTODIAN
1 thru 2	21 Jun 06	(b)(6), (b)(7)(C)	REGISTERED MAIL RB 686084 301 W	FORWARDED TO USACI FOR EXAMINATION
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

DA FORM 4137  
1 Jul 76

Replaces DA FORM 4137, 1 Aug 74 and  
DA FORM 4137-R, Privacy Act Statement  
26 Sep 75 Which are Obsolete.

LOCATION

DOCUMENT NUMBER 0498 06

EXHIBIT

ACLU DDII CID ROIS 36205

002374

FBI / CIA / U.S. DEPARTMENT OF JUSTICE / U.S. ARMY EVIDENCE TAG Use of this form see AR 197-45 and AF 193-5. The proponent agency is U.S. Army Criminal Investigation Command		SEQUENCE NUMBER 3621006-1727 CID REPORT/CID ROIS NUMBER 0086-06-CID 469-1544		
OPERATIONAL ACTIVITY 17 MP DET (CID), Camp Arifjan, Kuwait, APO AE 09366		LOCATION Camp Arifjan, Kuwait, APO AE 09366		
NAME OF OPERATOR (b)(6), (b)(7)(C)		ADDRESS (Include zip Code)		
LOCATION FROM WHERE OBTAINED: from the hands of (b)(6), (b)(7)(C) in the Detention Facility.		REASON OBTAINED Evidence	TIME/DATE OBTAINED 2125-2151, 25 Jun 06	
ITEM NO	QUANTITY	DESCRIPTION OF ARTICLES <small>(include model, serial number, condition and unusual marks or serial nos.)</small>		
1	1	Shell casing, brass in color, metal type construction, manufacturer markings 10, 08, placed in clean brown paper bag sealed marked for ID 2125, 20 Jun 06, (b)(6), (b)(7)(C)		
2	1	Army Combat Uniform (ACU) pants, green and tan in color, cloth type construction, MFG: Median Regulation, (b)(6), (b)(7)(C) marked in the evidence with tag with 2145, 20 Jun 06, (b)(6), (b)(7)(C) attached a completed DA Form 4002 pants contained suspected blood.		
3	1	Acid Top, green and tan in color, cloth type construction, manufacturer markings, (b)(6), (b)(7)(C) suspected blood. MFG: Median Regulation marked back of waist with 2151, 20 Jun 06, (b)(6), (b)(7)(C)		
4	1	Boots, tan in color, leather and rubber type construction, containing suspected blood, MFG: Bataille, (b)(6), (b)(7)(C) one pair, placed in clean brown paper bag and marked for ID 2151, 20 Jun 06, (b)(6), (b)(7)(C) with tags.		
CHAIN OF CUSTODY				
ITEM NO	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1-4	20 Jun 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Evidence
1-4	21 Jun 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Received by Evidence Custodian "SCRON"
1-4	22 Jun 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Received Evidence for transfer "SCRON"
1-4	23 Jun 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	RECEIVED BY US ARMY CID EVIDENCE CUSTODIAN "SCRON"
1-4	26 Jun 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	FORWARDED TO USA FOR EXAMINATION

DA FORM 1387-1, 1 MAR 04  
 75 Sec 75 Which are Omitable  
 LOCATION \_\_\_\_\_ NUMBER \_\_\_\_\_  
 EXHIBIT 0519 06

EVIDENCE REPORT		SEQUENCE NUMBER 0086906-CID469		
For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command		CRD REPORT/CID ROI NUMBER 75447		
RECEIVING ACTIVITY 31st MP DET (CID), 3d MP GROUP (CID)		LOCATION COB Speicher, Tikrit, Iraq, APO AE 09393		
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED OWNER OTHER: SGT (b)(6), (b)(7)(C) Supply Sergeant		ADDRESS (Include Zip Code) C CO, 3-187th INF, 3BCT FOB Brassfield-Mora, IZ		
LOCATION FROM WHERE OBTAINED MOULF sack of PFC (b)(6), (b)(7)(C) while in the CID Office, Building 718, COB Speicher, IZ (Tikrit)		REASON OBTAINED Evidence	TIME/DATE OBTAINED 1045-23 Jun 06	
ITEM NO	QUANTITY	DESCRIPTION OF ARTICLES <i>(Include model, serial number, condition and unusual marks or scratches)</i>		
1	1	Disposable Camera, black in color, plastic type construction; approximately (approx) 4 inches by 2 inches. Camera bears a label; blue in color, paper type construction; with lettering that reads "Konica Minolta Film -in Neo Super." The camera was marked for identification (MFID) with 1045, 23 Jun 06 (b)(6), (b)(7)(C) on the label. Camera is in dusty condition.		
2	1	Army Combat Uniform Coat; medium-regular. Coat bears lettering that reads "MASON 4465" in the inside portion. Coat was MFID with 1045, 23 Jun 06, (b)(6), (b)(7)(C) on the inside portion. The coat was in dirty condition.		
3	1	Common Access Card; standard issue, bearing (b)(6), (b)(7)(C) the U.S. Government." Card was MFID with 1045, 23 Jun 06 (b)(6), (b)(7)(C) on the back.		
4	1	Miscellaneous Items, consisting of one (1) 250 dinar bill, one (1) 50 dinar bill, one (1) 1000 dinar bill, four (4) 25 cent AAFES POGs, and one (1) 10 cent AAFES POG. All items were MFID with 1045, 23 Jun 06 (b)(6), (b)(7)(C). All items were in used condition.		
LAST ITEM				
CHAIN OF CUSTODY				
ITEM NO	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1 thru 4	23 Jun 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C), (b)(7)(F)	Evidence/ Accountability
2 thru 4	23 Jun 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Release to Supply Sergeant
1 ONLY	25 Jun 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C), (b)(7)(F)	To transport to EVIDENCE CUSTODIAN
1 ONLY	26 Jun 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	RECEIVED BY US ARMY CID EVIDENCE CUSTODIAN
1 ONLY	26 Jun 06	(b)(6), (b)(7)(C)	SIGNATURE RB 686 084 514 US NAME, GRADE OR TITLE REGISTERED MAIL	FORWARDED TO USAC FOR EXAMINATION

DA FORM 4127  
1 Jul 76

Replaces DA FORM 4127, 1 Aug 74 and  
FOR OFFICIAL USE ONLY - LAW ENFORCEMENT USE ONLY  
26 Sep 75 Which are Obsolete.

DOCUMENT NUMBER  
0588 06  
EXHIBIT

ACLU DDII CID ROIS 36207

002376



EVIDENCE/PROPERTY CUSTODY DOCUMENT		0086-06-CID459		
For use of this form see AR 190-45 and AR 195-5; this proposal agency is US Army Criminal Investigation Command		RD REPORTING ROOM NUMBER 75447		
RECEIVING ACTIVITY 31st MP DET (CID), 3d MP GROUP (CID)		LOCATION COB Speicher, Tikrit, Iraq, APO AE 09393		
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED OWNER OTHER * SGT (b)(6), (b)(7)(C) Supply Sergeant		ADDRESS (include Zip Code) C CO, 3-187th INF, 3BCT FOB Brassfeld-Murs, IZ		
LOCATION FROM WHERE OBTAINED Personal effects of SMC (b)(6), (b)(7)(C) while in the CID Office, Building 714, COB Speicher, IZ, Tikrit, Iraq		REASON OBTAINED Evidence	TIME/DATE OBTAINED 1140-1155 /23 Jun 06	
ITEM NO	QUANTITY	DESCRIPTION OF ARTICLES <i>(include model, serial number, condition and unusual marks or scratches)</i>		
1	1	Play Station Portable, Sony, serial number PP120072949-RSP1601. Inside the Play Station Portable is a memory card, black and silver in color; plastic type construction. Memory card bears lettering that reads "Sony PSP...MB MagicGate." The Play Station Portable and memory card were marked for identification (MFID) with 1140, 23 Jun 06. Both are in dusty but apparently functional, condition. (bag)		
2	1	Ranger Handbook; green, yellow, and black in color; paper type construction; approximately (approx.) 5 inches by 3 inches. Book bears (b)(6), (b)(7)(C) on the cover and MFID with 1150, 23 Jun 06. (bag)		
3	1	Book, blue and gold in color; paper type construction; approx 4 inches by 3 inches. Book had Arabic script and was suspected to be a Quran. Book MFID with 1150, 23 Jun 06. (b)(6), (b)(7)(C) (bag)		
4	1	Disposable Camera, black in color; plastic type construction. Camera bears a label; blue in color, paper type construction and bears lettering that reads "Konica Minolta Film-Neo Super." Camera was MFID with 1155, 23 Jun 06. (b)(6), (b)(7)(C) (bag)		
- LAST ITEM -				
CHAIN OF CUSTODY				
ITEM NO	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1 thru 4	23 Jun 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C), (b)(7)(F)	Evidence
1 thru 4	25 Jun 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	To transport to Evidence Custodian
1 thru 4	26 Jun 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	RECEIVED BY US ARMY CID EVIDENCE CUSTODIAN
1 and 4 only	26 Jun 06	(b)(6), (b)(7)(C)	SGT RB 686 084 S14 US	FORWARDED TO USAAC FOR EXAMINATION
2 and 3 only	26 Jun 06	(b)(6), (b)(7)(C)	SGT RB 686 086 S16 US	FORWARDED to Ft Campbell for CM

DA FORM 4137 1 Jul 76

Replaces DA FORM 4137, 1 Aug 74 and DA FORM 4137-R, Privacy Act Statement 26 Sep 75 which are obsolete.

DOCUMENT NUMBER 0589 00

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EXHIBIT 33-18



DEPARTMENT OF THE ARMY  
10TH MILITARY POLICE BATTALION (CID) (ARN)  
US ARMY CRIMINAL INVESTIGATION COMMAND (CIB)  
CONTINGENCY OPERATING BASE SPEICHER  
TIKRIT, IRAQ, APO AE 09393

CJRF-ZA-AA

25 Jun 06

MEMORANDUM FOR RECORD 0086-06-CID469-75447 (Murder)

SUBJECT: Evidence Voucher # 0540-06

1. On 25 Jun 06, SA (b)(6), (b)(7)(C) departed COB Speicher, Tikrit, to transport evidence to the evidence depository. SA (b)(6), (b)(7)(C) had obtained secondary packaging for item #5, and inadvertently did not place item #5 into his rucksack before his departure. SA (b)(6), (b)(7)(C) will transport item #5 to the evidence depository on or about 27 Jun 06.
2. Item # 5's description was inadvertently cut off at the bottom of the page. It should have continued with "worn condition, and marked for ID, 1330, 23 Jun 06, (b)(6), (b)(7)(C) on each CID with 1330, 23 Jun 06 (b)(6), (b)(7)(C) 5-1 thru 5-23 (footlocker)."
3. POC is the undersigned at DSN: 318.822.2830 or email (b)(6), (b)(7)(C)@us.army.mil.

(b)(6), (b)(7)(C)

CW3, MP  
Special Agent, 3985, FSO

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~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

EXHIBIT 13-13

EVIDENCE/PROPERTY CUSTODY DOCUMENT		MPF/CI REPORT NUMBER 00RG-06-CID-69		
For use of this form see AR 198-45 and AR 198-5; the proponent agency is US Army Criminal Investigation Command		REPORT/CI NUMBER 75447		
RECEIVING ACTIVITY 31st MP DET (CID), 3d MP GROUP (CID)	LOCATION COB Speicher, Tikrit, Iraq, APO AE 09393			
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED OWNER OTHER x SGT (b)(6), (b)(7)(C) Supply Sergeant	ADDRESS (Including Zip Code) C CO, 3-187 INF, 3BCT POB Brassfield-Mora, Sarbata, IZ Home Station: Fort Campbell, KY			
LOCATION FROM WHICH OBTAINED Personal effects of SSG (b)(6), (b)(7)(C) while in the CIB Office, Building 712, COB Speicher, IZ	REASON OBTAINED Evidence	TIME/DATE OBTAINED 1330-1340 / 23 Jun 06		
ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <i>(Include model, serial number, condition and unusual marks or scratches)</i>		
1	1	Digital camera, Panasonic, DMC-LC43, serial number UA35307730; silver in color, metal type construction; approximately (approx) 4 inches by 2 inches. Camera contained a memory card, Simple Tech brand; blue in color; plastic type construction, 128 MB. The camera and memory card marked for identification (MFID) with 1330, 23 Jun 06 (b)(6), (b)(7)(C) (footlocker)		
2	1	Ipod, Apple, serial number JQ341F91NRR; white and silver in color; plastic and metal type construction; approx 4 inches by 2 inches. MFID with 1330, 23 Jun 06, (b)(6), (b)(7)(C) (footlocker)		
3	1	Book, green in color; paper type construction; approx 6 inches by 5 inches. Book contained the writing "Fuck CID" on the back cover. Book was MFID with 1330, 23 Jun 06 (b)(6), (b)(7)(C) (foot locker)		
4	1	Photograph album; green and white in color; paper type construction; approx 5 inches by 4 inches. The cover has lettering which reads "PAWS IMAGEPOCKET photo album" with an image of a cat. Album was MFID with 1330, 23 Jun 06 (b)(6), (b)(7)(C) (footlocker)		
5	23	Compact Discs; various colors, plastic type construction, standard compact disc size, 16 of the compact discs contained the marking "SSGC"; all compact discs were slightly		
CHAIN OF CUSTODY <i>continued on next page</i>				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1 thru 9	23 Jun 06	(b)(6), (b)(7)(C) (b)(6), (b)(7)(C) SGT	(b)(6), (b)(7)(C), (b)(7)(F)	Evidence
1 thru 9	25 Jun 06	(b)(6), (b)(7)(C), (b)(7)(F)	(b)(6), (b)(7)(C)	To transport to EVIDENCE CUSTODIAN
1 thru 4 6 thru 9 only	26 Jun 06	(b)(6), (b)(7)(C) (b)(6), (b)(7)(C)	(b)(6), (b)(7)(C) SA	RECEIVED BY US ARMY CID EVIDENCE CUSTODIAN
1 and 2 only	26 Jun 06	(b)(6), (b)(7)(C)	DR L86 084 514 US REGISTERED MAIL	FORWARDED TO USACL FOR EXAMINATION
5 only	27 Jun 06	(b)(6), (b)(7)(C) (b)(6), (b)(7)(C), (b)(7)(F)	(b)(6), (b)(7)(C) SA	RECEIVED BY US ARMY CID EVIDENCE CUSTODIAN

DA FORM 4137 1 Jul 76 Replaces DA FORM 4137, 1 Aug 74 and DA FORM 4137-R Privacy Act Statement 6 Sep 75 which are obsolete.

DOCUMENT NUMBER 0540 06

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COPY

EXHIBIT

CONTINUATION OF DESCRIPTION OF ARTICLES:

Item #	Quantity	Description of Articles
6	2	Laminated paper; plastic type construction, approximately 9" x 1", multi-colored. The first paper reads "FOX FAX BIRTHDAY... Toes! Hee-hee!" on one side with no writing on the opposite side. The second paper has a piece of green duct tape across the top and bottom of the page. Both were in a wrinkled condition. MFID with 1330, 23 Jun 06, (b)(6), (b)(7)(C) 5-1, 6-2 (footlocker)
7	2	Magazine; paper type construction, multi-colored, approximately 8 1/2" x 11", the front cover of one magazine reads "100% NASTY ASS... YEARS OF AGE"; the front cover of the second magazine reads "VOTED TWISTED FU@KING... YEARS OF AGE"; both magazines were in wrinkled and used condition. MFID on the cover with 1330, 23 Jun 06, (b)(6), (b)(7)(C) 7-1, 7-2 (footlocker)
8	7	Paper; paper type construction, multi-colored, approximately 8 1/2" x 11", 7 pages, all containing information pertaining to "Operation Iron Triangle" The papers contain fold marks separating the paper into 4 sections. 6 of the papers are bound by a staple. The paper is in used condition. MFID on the back of each paper with 1340, 23 Jun 06, (b)(6), (b)(7)(C) 8-1 thru 8-7. (bag)
9	8	Photograph; paper type construction, multi-colored, approximately 5" x 7", all photographs depict a person suspected to be SSG (b)(6), (b)(7)(C). There is manufacturers' marking "KODAK Paper" written on the back of each photograph. They are in a generally new condition. MFID on the back of each photo with 1340, 23 Jun 06, (b)(6), (b)(7)(C) 9-1 thru 9-8 (bag)

//////////////////////////////////////LAST ITEM//////////////////////////////////////

Page 2 of 2 pages  
Document Number 0540 06

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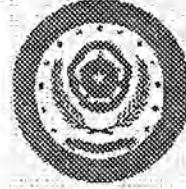
EXHIBIT

ITEM No.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
5 only	22 Jul 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Transfer to [redacted]
5 only	3 Aug 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Transfer to [redacted]
		(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Transfer to [redacted]
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
FINAL DISPOSITION ACTION				
RE: WASH TO OWNER OR OTHER (Name/Unit) _____				
FRIENDLY _____				
OTHER (Example) _____				
FINAL DISPOSITION AUTHORITY				
I HEREBY _____ ON THIS DOCUMENT, PERTAINING TO THE INVESTIGATION INVOLVING _____ (Class is _____)				
(IS) (ARE) NO LONGER _____				
(Name) _____ (Organization) _____				
REQUIRE AS EVIDENCE AND MAY BE DISPOSED OF AS INDICATED ABOVE. (If article(s) must be returned, do not sign, but explain in separate correspondence.)				
(Typed Printed Name, Grade, Title) _____ (Signature) _____ (Date) _____				
WITNESS TO DESTRUCTION OF EVIDENCE				
ONE ARTICLE SELECTED (ITEM NUMBER(S) _____ (WAS) (WERE) DESTROYED BY THIS EVIDENCE.				
CUSTODIAN, IN MY PRESENCE, ON THE DATE INDICATED ABOVE _____				
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FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE EXHIBIT				

ACLU DDII CID ROIS 36212



DEPARTMENT OF THE ARMY  
US ARMY CRIMINAL INVESTIGATION COMMAND  
31<sup>st</sup> Military Police Det (CID)  
3<sup>rd</sup> MILITARY POLICE GROUP (CID)  
LSA Anaconda, Balad, Iraq  
APO AE 09391



CTRF-ZA-AA

26 Jul 06

MEMORANDUM FOR RECORD

SUBJECT: Evidence/Property Custody Document DOC#0677-06

1. On 21 Jul 06, SFC/SA **(b)(6), (b)(7)(C), (b)(7)(F)** completed the DA Form 4137 for document number 0677-06. Item #5 was described as "all medicine holding capsules punched out"; however there appears to be a foreign object or partial pill remaining in one of the exposed capsules. This MFR documents its presence and clarifies the record of its collection.

2. Point of contact for this action is the undersigned @ DSN 318-829-1847 or email to **(b)(6), (b)(7)(C)**@us.army.mil.

**(b)(6), (b)(7)(C)**

SFC, SA  
Detachment Sergeant

DISTRIBUTION  
1- Evidence Custodian  
1- File

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EXHIBIT

ACLU DDII CID ROIS 36213

002382

EVIDENCE PROPERTY CUSTODY DOCUMENT		INVESTIGATING AGENCY NUMBER		
(Applicable to items seized from a crime scene or a vehicle, or items seized from a person or a residence) (Applicable to items seized from a crime scene or a vehicle)		0088406-469		
RECEIVING AGENCY 31st MP DET (CID), 31st FORT INF (CID)		LOCATION 002 Spaulder, TMA, Unit AB1 A2 07303		
OWNER OTHER X CRIME SCENE		MGRS 38SLC 86937 44504		
LOCATION FROM WHERE OBTAINED Vicinity Mud house MGRS 38SLC 86937 44504		REMOTE OBTAINED Evidence	TIME/DATE OBTAINED 21 Jul 06 0740 - 0810	
ITEM NO	QUANTITY	DESCRIPTION OF ARTICLES <i>(include model, serial number, condition and unusual marks or scratches)</i>		
1	20	Shell casing, 5.56 (LC 01), approx 1 3/4 inch long, brass in color and construction, dusty with mud caked on mud. Placed in a clear plastic container and packed with white paper towel, with a DA Form 4002 affixed, marked for ID, 21 Jul 06 (b)(6), (b)(7)(C) 0740. (outside, near the SW corner of the mud house)		
2	1	Partial zip-tie, approx 6 inches long, black in color, plastic type construction, dusty with mud. Placed in a clear plastic bag with a DA Form 4002 affixed, marked for ID, 21 Jul 06 (b)(6), (b)(7)(C) outside, near the SW corner of the mud house)		
3	1	Partial zip-tie, approx 14 inches long, black in color, plastic type construction, dusty with mud. Placed in a clear plastic bag with a DA Form 4002 affixed, marked for ID, 21 Jul 06 (b)(6), (b)(7)(C) 747. (outside, near the SW corner of the mud house)		
4	1	Partial shirt, approx 17 x 16 inches, red in color, cloth type construction, soiled and dusty with mud, with various stains. Placed in a paper bag, and then place again into another paper bag with a DA Form 4002 affixed, marked for ID, 21 Jul 06, 0752. (outside, near the SW corner of the mud house)		
5	1	Medicine container (GLIBESYN), approx 3 x 2 inches, silver in color, plastic and metallic construction, bearing manufactures labeling "Medochemie LTD - CYPRUS"		
CHAIN OF CUSTODY <span style="float: right;">(CONTY PAGE 2)</span>				
ITEM NO	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1-13	21 JUL 06	SIGNATURE N/A	(b)(6), (b)(7)(C)	Evaluation as Evidence
		NAME, GRADE OR TITLE CRIME SCENE	SA (b)(6), (b)(7)(C)	
1-13	22 Jul 06	(b)(6), (b)(7)(C)	SIGNATURE [Signature]	Transfer from [Signature] to [Signature]
		(b)(6), (b)(7)(C)	NAME, GRADE OR TITLE [Name]	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

DA FORM 4137 1 Jul 76 FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE  
 DA FORM 4137 1 Jul 76 FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE  
 DA FORM 4137 1 Jul 76 FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

CONFIDENTIAL

CONTINUATION OF DESCRIPTION OF ARTICLES

Item #	Quantity	Description of Article
5	1	(COCAINE) and "Glibenclamide Bt 5 mg". Dusty with mud in condition, with all medicine holding capsules punched out. Placed in a clear plastic bag with a DA Form 4002 affixed, marked for ID, 21 Jul 06 (b)(6), (b)(7)(C) 0753. (outside, near the SW corner of the mud house)
6	1	Shell casing, 5.56, apprx 1 3/4 inch long, brass in color and construction, dusty with caked on mud. Placed in a clear plastic container and packed with white paper towel, with a DA Form 4002 affixed, marked for ID, 21 Jul 06 (b)(6), (b)(7)(C) 0755. (outside, near the SW corner of the mud house)
7	1	Partial zip-tie, apprx 7 1/2 inches long, black in color, plastic type construction, dusty with mud. Placed in a clear plastic bag with a DA Form 4002 affixed, marked for ID, 21 Jul 06 (b)(6), (b)(7)(C) 0757. (room, NW corner of mud house, behind door)
8	1	Shell casing 5.56, apprx 1 3/4 inch long, brass in color and construction, dusty with caked on mud. Placed in a clear plastic container and packed with white paper towel, with a DA Form 4002 affixed, marked for ID, 21 Jul 06 (b)(6), (b)(7)(C) 0802. (outside, near/along the W side of the mud house)
9	1	Shell casing, 5.56, apprx 1 3/4 inch long, brass in color and construction, dusty with caked on mud. Placed in a clear plastic container and packed with white paper towel, with a DA Form 4002 affixed, marked for ID, 21 Jul 06 (b)(6), (b)(7)(C) 0804. (outside, near/along the W side of the mud house)
10	1	Shell casing, 5.56, apprx 1 3/4 inch long, brass in color and construction, dusty with caked on mud. Placed in a clear plastic container and packed with white paper towel, with a DA Form 4002 affixed, marked for ID, 21 Jul 06 (b)(6), (b)(7)(C) 0807. (outside, near the NW corner of the mud house)
11	1	Shell casing, 5.56, apprx 1 3/4 inch long, brass in color and construction, dusty with caked on mud. Placed in a clear plastic container and packed with white paper towel, with a DA Form 4002 affixed, marked for ID, 21 Jul 06 (b)(6), (b)(7)(C) 0808. (outside, near the NW corner of the mud house)
12	1	Zip-tie, apprx 14 1/2 inches long, black in color, plastic type construction, dusty with mud, appears not to have been used. Placed in a clear plastic bag with a DA Form 4002 affixed, marked for ID, 21 Jul 06 (b)(6), (b)(7)(C) 0809. (outside, near/along the W side of the mud house)
13	5	Shell casing, 5.56 (LC 02 thru 04), apprx 1 3/4 inch long, brass in color and construction, dusty with caked on mud. Placed in a clear plastic container and packed with white paper towel, with a DA Form 4002 affixed, marked for ID, 21 Jul 06 (b)(6), (b)(7)(C) 0810. (outside, near the NW corner of the mud house)

//////////////////////////////////////LAST ITEM//////////////////////////////////////



EVIDENCE/PROPERTY CUSTODY DOCUMENT		MFR/CID SEQUENCE NUMBER 0986-06-CID469		
For use of this form see AR 190-45 and AR 195-5; the proponent agency is (US Army Criminal Investigation Command)		CID REPORT/CID RO NUMBER 75447		
RECEIVING ACTIVITY 31st MP DET (CID), 3d MP GROUP (CID)		LOCATION COB Speicher, Tikrit, Iraq, APO AE 09393		
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED OWNER OTHER <input checked="" type="checkbox"/> CRIME SCENE		ADDRESS (include Zip Code) MGRS 38 SLC 86937 44504		
LOCATION FROM WHERE OBTAINED Camcorder Sony "Digital Handycam" (CID Baisd) serial# 337923, MGRS: 38 SLC 86937 44504		REASON OBTAINED Evidence	TIME/DATE OBTAINED 21 Jul 06 0728	
ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <i>(include model, serial number, condition and unusual marks or scratches)</i>		
1	1	Video cassette, JVC, "8mm Video Cassette", manufacturing markings "451002EA2 2922", black in color, plastic type construction, placed in the manufacturer's cassette case, marked for ID on the provided label with 0728, 21 Jul 06 (b)(6), (b)(7)(C) Camcorder)		
MFR: There was a delay in sending the tape to the evidence depository to allow for the tape to be converted into a MP3/DVD. The evidence was secured during the process at the Baisd CID office, from 21 Jul 06 thru 25 Jul 06, by SA (b)(6), (b)(7)(C)				
CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY SIGNATURE NAME, GRADE OR TITLE	RECEIVED BY SIGNATURE NAME, GRADE OR TITLE	PURPOSE OF CHANGE OF CUSTODY
1	21 Jul 06	N/A CRIME SCENE	(b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C)	Evaluation as evidence
1	25 Jul 06	(b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C)	REGISTERED MAIL PR 446 951 515 US	TRANSFERRED TO 1574 MP DET (CID) EVIDENCE CUSTODIAN
1	28 JUL 2006	(b)(6), (b)(7)(C) PR 446 951 515 US REGISTERED MAIL	(b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C)	RECEIVED BY ARMY CID EVIDENCE CUSTODIAN
1	2 SEP 2006	(b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C)	REGISTERED MAIL PR 446 086 546 US	Forwarded to Ft Campbell for CUI
		SIGNATURE NAME, GRADE OR TITLE	SIGNATURE NAME, GRADE OR TITLE	

DA FORM 4137  
1 Jul 76

Replaces DA FORM 4137, 1 Aug 74 and  
DA FORM 4137-R, Privacy Act Statement  
26 Sep 75 Which are Obsolete.

DOCUMENT NUMBER 0692 06

ORIGINAL

EXHIBIT

ACLU DDII CID ROIS 36216

002385

EVIDENCE RECEIPT		PROPERTY CUSTODY DOCUMENT		SEQUENCE NUMBER
For use of this form see AR 190-4 and AR 198-5, the proponent agency is US Army Criminal Investigation Command			SEN	1636-06-CID469
CRD REPORT/ID RQ# NUMBER			75447	
REQUIRING ACTIVITY		LOCATION		
31st MP DET (CID), 3d MF GROUP (CID)		COB Speicher, Tikrit, Iraq, APO AE 09393		
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED		ADDRESS (Include Zip Code)		
OWNER SGT (b)(6), (b)(7)(C) OTHER: Squad Leader, C Company, 3-187 INF		C Company 3-187 INF Brasfield-Mora, Baiji, IZ APO AE 09349		
LOCATION FROM WHICH OBTAINED		REASON OBTAINED	TIME/DATE OBTAINED	
From SGT (b)(6), (b)(7)(C) in building 718, CID Office, COB Speicher, Tikrit, IZ, APO AE 09393		Evidence	1636/26 Jul 06	
ITEM NO	QUANTITY	DESCRIPTION OF ARTICLES		
<i>(Include model, serial number, condition and unusual marks or scratches)</i>				
1	1	M4 Rifle; Serial Number (SN) W023795; PAC4-C SN 109218B; M68 SN 606155; scratched and chipped, Marked for ID (MFID) with 1636, 26 Jul 06, (b)(6), (b)(7)(C)		
2	1	M4 Rifle; SN W024587; PAC2-C SN 009673A; ACOG 4X SN 090105; Surefire Flashlight; scratched and chipped, MFID with 1636, 26 Jul 06, (b)(6), (b)(7)(C)		
3	1	M4 with M203; M4 SN W023576, M203 SN 309860; PAC4-C SN 091431B; M68 SN 153588; Surefire Flashlight; scratched and chipped; MFID with 1636, 26 Jul 06, (b)(6), (b)(7)(C)		
4	1	M4 with M203; M4 SN W019849, M203 SN 78916; Reflex Sight SN 03102992; scratched and chipped; MFID with 1636, 26 Jul 06, (b)(6), (b)(7)(C)		
5	1	M249; SN 030300; PAC4-C SN 084023B; M68 SN 153669; Surefire Flashlight; scratched and chipped; MFID with 1636, 26 Jul 06, (b)(6), (b)(7)(C)		
6	1	M249; SN 63717; PAC4-C SN 08765B; M145 SN ELC0210093; Surefire Flashlight; scratched and chipped; MFID with 1636, 26 Jul 06, (b)(6), (b)(7)(C)		
---LAST ITEM---				
CHAIN OF CUSTODY				
ITEM NO	DATE	INITIALED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1-6	26 Jul 06	SIGNATURE SGT (b)(6), (b)(7)(C)	(b)(6), (b)(7)(C) SA	Evidence
1-6		(b)(6), (b)(7)(C) SA	(b)(6), (b)(7)(C) SA	Transfer of evidence
1-6		(b)(6), (b)(7)(C) SA	(b)(6), (b)(7)(C) SA	Released for evidence custody
3 and 6	9 Aug 06	(b)(6), (b)(7)(C) SA	RB 686 085 735 US	FORWARDED TO USACI FOR EXAMINATION
3 and 4	9 Aug 06	(b)(6), (b)(7)(C) SA	RB 686 085 695 US	FORWARDED TO USACI FOR EXAMINATION

DA FORM 4137  
1 Jul 96

Replaces DA FORM 4137, 1 Aug 74 and  
DA FORM 4137-R Privacy Act Statement

DOCUMENT NUMBER 0703 00  
EXHIBIT

ACLU DDII CID ROIS 36217

002386

CHAIN OF CUSTODY *(Continued)*

DATE	DATE	FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE	PURPOSE OF CHANGE OF CUSTODY
1 and 2	9 Aug 26	(b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C)	FORWARDED TO USA FOR EXAMINATION
		SIGNATURE	SIGNATURE
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE
		SIGNATURE	SIGNATURE
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE
		SIGNATURE	SIGNATURE
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE
		SIGNATURE	SIGNATURE
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE
		SIGNATURE	SIGNATURE
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE
		SIGNATURE	SIGNATURE
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE
		SIGNATURE	SIGNATURE
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE
		SIGNATURE	SIGNATURE
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE

**FINAL DISPOSITION ACTION**

RELEASE TO OWNER OR OTHER *(Name/Title)* \_\_\_\_\_

RECEIVED BY \_\_\_\_\_

DATE *(Date)* \_\_\_\_\_

**FINAL DISPOSITION AUTHORITY**

REQUESTED BY \_\_\_\_\_ ON THIS DOCUMENT, PERTAINING TO THE INVESTIGATION INVOLVING \_\_\_\_\_

REASON \_\_\_\_\_

IS (ARE) NO LONGER \_\_\_\_\_

REQUIRED AS EVIDENCE, AND MAY BE DISPOSED OF AS INDICATED ABOVE. *(If articles must be retained, do not sign, but explain in separate communication.)*

**WITNESS TO DESTRUCTION OF EVIDENCE**

THE ARTICLES LISTED AT ITEM NUMBER(S) \_\_\_\_\_ (WAS) (WERE) DESTROYED BY THE EVIDENCE CUSTODIAN, IN MY PRESENCE, ON THE DATE INDICATED ABOVE

\_\_\_\_\_  
*(Typed Name, Title, Organization)*

\_\_\_\_\_  
*(Signature)*

EXHIBIT  
902-06

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE  
EVIDENCE SECURITY CUSTODY DOCUMENT

For use of this form see AR 190-45 and AR 195-5, the proponent agency is US Army  
Criminal Investigation Command

WARR ID SEQUENCE NUMBER  
0086-06-020469  
CRD REPORT/CID ROI NUMBER  
25447

RECEIVING ACTIVITY <b>(b)(6), (b)(7)(C)</b> MP Det (CID), USACIDC	LOCATION Camp Liberty, Iraq APO SF 96349 <b>(b)(6), (b)(7)(C)</b>
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input type="checkbox"/> OWNER <input checked="" type="checkbox"/> OTHER <b>(b)(6), (b)(7)(C)</b>	ADDRESS C Company, 3rd Div Ft. Bragg, Ft. Bragg, N.C. 28349
LOCATION FROM WHERE OBTAINED From the hands of 1LT <b>(b)(6), (b)(7)(C)</b> while at holding 719, CoB 3rd Div, Iraq APO SF 96349	REASON OBTAINED Evidence
	TIME/DATE OBTAINED 15 Oct 06 / 17 Oct 06

ITEM NO	QUANTITY	DESCRIPTION OF ARTICLES <i>(Include model, serial number, condition and unusual marks or attachments)</i>
1	1	Thumb drive, silver and black in color, plastic and rubber type construction approximately 2" x 1/4" x 1/8", there are no markings visible on thumb drive or detachable cap, which is of same color/construction and fits the thumb drive. There is a blue in color cloth construction, jangled attached to one end. The drive is scratched and dirty in construction. Marked for ID with 15 Oct 06 7 Aug 06 <b>(b)(6), (b)(7)(C)</b>
		LAST ITEM

CHAIN OF CUSTODY				
ITEM NO	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1	7 Aug 06	<b>(b)(6), (b)(7)(C)</b>	<b>(b)(6), (b)(7)(C)</b>	Evaluation as Evidence
1	7 Aug 06	<b>(b)(6), (b)(7)(C)</b>	<b>(b)(6), (b)(7)(C)</b>	Transportation to Evidence Room
1	9 Aug 06	<b>(b)(6), (b)(7)(C)</b>	<b>(b)(6), (b)(7)(C)</b>	
		<b>(b)(6), (b)(7)(C)</b>	<b>(b)(6), (b)(7)(C)</b>	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

EVIDENCE/PROPERTY CUSTODY DOCUMENT		MP/PCIN SEQUENCE NUMBER 0086-66-CID469		
For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command		CRD REPORTING CONTROL NUMBER 75447		
RECEIVING ACTIVITY 31st MP DET (CID), 3d MP GROUP (CID)		LOCATION COB Speicher, Tikrit, Iraq, APO AE 09393		
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED		ADDRESS (include Zip Code)		
OWNER OTHER X SFC (b)(6), (b)(7)(C)		C Company, 3/187th Infantry FCB Brassfield-Mora, Iraq, APO AE 09349		
LOCATION FROM WHERE OBTAINED		REASON OBTAINED	TIME/DATE OBTAINED	
From the hands of SFC (b)(6), (b)(7)(C) while at Building 718, COB Speicher, Iraq, APO AE 09393		Evidence	0925 / 12 Aug 06	
ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <i>(include model, serial number, condition and unusual marks or scratches)</i>		
1	1	Advanced Combat Helmet, large size, Army Combat Uniform (ACU) pattern camouflaged cover with cloth type construction brown in color helmet band with the marking "A Pos" on the right side. On the right inside portion of the helmet manufacturers markings read "Warrior Helmet by...800-318-7550 www.specialtyd..." There is a unit patch on each side of the helmet and a night vision goggle mount attached to the front. The helmet is soiled and used in condition. Placed in a clean paper bag and marked for ID with 0925, 12 Aug 06, (b)(6), (b)(7)(C)		
		LAST ITEM		
CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OR CHANGE OF CUSTODY
1	12 Aug 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C) SA	Evaluation as evidence
1	28 Aug 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C) SA	RECEIVED BY US ARMY CID EVIDENCE CUSTODIAN
1	22 SEP 2006	(b)(6), (b)(7)(C) SA	(b)(6), (b)(7)(C) SA SIGNATURE RB 686 086 SFC US NAME, GRADE OR TITLE REGISTERED MAIL	Forwarded to RT Captell SA CM
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

DA FORM 4137  
1 Jul 76

Replaces DA FORM 4137, 1 Aug 74 and  
DA FORM 4137-R Privacy Act Statement  
26 Sep 75 Which are Obsolete

DOCUMENT NUMBER 0736 06

ORIGINAL

EXHIBIT

FOR OFFICIAL USE ONLY		EVIDENCE/PROPERTY CUSTODY DOCUMENT		SCN NUMBER 0086-06-CID469
Use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command				CRD REPORT/CID RO NUMBER 75447
REVIEWING AGENCY US MP DET (CID), 3d MP GROUP (CID)		LOCATION COB Speicher, Tikrit, Iraq, APO AE 09393		
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED SFC (b)(6), (b)(7)(C)		ADDRESS (Include Zip Code) C Company, 3/18 <sup>th</sup> Infantry FOB Brassfield-Mora, Iraq, APO AF 09549		
ARTICLE FROM WHERE OBTAINED From the hands of SFC (b)(6), (b)(7)(C) while at Building 718, COB Speicher, Iraq, APO AE 09393		REASON OBTAINED Evidence	TIME/DATE OBTAINED 0925 / 12 Aug 06	
QTY	DESCRIPTION	DESCRIPTION OF ARTICLES (Include model, serial number, condition and unusual marks or markings)		
1		Advanced Combat Helmet, large size, Army Combat Uniform (ACU) pattern camouflaged cover with cloth type construction brown in color helmet band with the marking "A Pos" on the right side. On the right inside portion of the helmet manufacturers markings read "Warrior Helmet by...800-318-7550 www.specialtyd..." There is a unit patch on each side of the helmet and a night vision goggle mount attached to the front. The helmet is soiled and used in condition. Placed in a clean paper bag and marked for ID with 0925, 12 Aug 06, (b)(6), (b)(7)(C)		
		LAST ITEM		
CHAIN OF CUSTODY				
QTY	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
	12 Aug 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C) SA	Evaluation as evidence
	17 Aug 06	(b)(6), (b)(7)(C) SA	(b)(6), (b)(7)(C) SA	RECEIVED BY US ARMY CID EVIDENCE CUSTODIAN
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

DA FORM 4137 Replaces DA FORM 4137, 1 Aug 74 and DA FORM 4137-R, Privacy Act Statement 26 Sep 75 Which are Obsolete. LOCATION \_\_\_\_\_ DOCUMENT NUMBER 0736 06

FOR OFFICIAL USE ONLY EXHIBIT 36221

ACLU DDII CID ROIS 36221

002390



~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~  
DEPARTMENT OF THE ARMY  
31ST MILITARY POLICE DETACHMENT (CID) (-)  
US ARMY CRIMINAL INVESTIGATION COMMAND  
CONTINGENCY OPERATING BASE (COB) SPEICHER  
TIKRIT, IRAQ, APO AE 09393

CIRF-ZA-AA

18 Aug 06

MEMORANDUM FOR RECORD

SUBJECT: Evidence Voucher, 8 Aug 06 (ROI 0086-06-CID469-75447)

1. Item # 1 of DA Form 4137, Evidence Property Custody Document, was collected as evidence on 8 Aug 06, (pursuant to a Search and Seizure Authorization) from MAJ (b)(6), (b)(7)(C) Records Custodian, 212<sup>th</sup> Medical Detachment, COB Speicher, Tikrit, Iraq, APO AE 09393.
2. On 8 Aug 06, Item # 1 was evaluated by SA (b)(6), (b)(7)(C), (b)(7)(F) and the undersigned. Nothing of apparent evidentiary value was discovered.
3. On 16 Aug 06, CPT (b)(6), (b)(7)(C) Chief of Military Justice, 101<sup>st</sup> ABN DIV (AASLT), COB Speicher; verbally authorized the return of item # 1 to MAJ (b)(6), (b)(7)(C) as it had no evidentiary value.
4. On 16 Aug 06, Item # 1 was released back to MAJ (b)(6), (b)(7)(C) without being logged into the 10<sup>th</sup> Military Police Battalion Evidence Depository, Camp Victory, Iraq APO AE 09342.
5. Point of contact is the undersigned at DSN 318-849-3025 or via e-mail at (b)(6), (b)(7)(C)@us.army.mil

(b)(6), (b)(7)(C), (b)(7)(F)

Task Force Commander

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

EXHIBIT

ACLU DDII CID ROIS 36222

002391

EVIDENCE TO BE IN CUSTODY DOCUMENT OR CERTIFICATE		SEQUENCE NUMBER 0086-06-CID-469	
For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command		CID REPORT/CID ROI NUMBER 75447	
RECEIVING ACTIVITY 31st MP DET (CID), 3d MP GROUP (CID)		LOCATION COB Speicher, Tikrit, Iraq, APO AE 09393	
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED OWNER OTHER <input checked="" type="checkbox"/> MAJ (b)(6), (b)(7)(C)		ADDRESS (include Zip Code) 212 <sup>th</sup> Medical Detachment (CSC) COB Speicher, Iraq, APO AE 09393	
LOCATION FROM WHERE OBTAINED From the hands of MAJ (b)(6), (b)(7)(C) while at 212 <sup>th</sup> Medical Detachment, COB Speicher, Iraq, APO AE 09393		REASON OBTAINED Evidence	TIME/DATE OBTAINED 0955 / 8 Aug 06
ITEM NO	QUANTITY	DESCRIPTION OF ARTICLES <i>(include model, serial number, condition and unusual marks or scratches)</i>	
1	1	Folder, red in color, paper type construction containing the original combat stress records of SPC (b)(6), (b)(7)(C) which contained approximately 31, 8 1/2" x 11" documents. The front of the folder was marked with (b)(6), (b)(7)(C) SPC 101 <sup>ST</sup> ABN Div... USED UNTIL EXHAUSTED" and was used in condition. Placed in a clean paper envelope which was marked for ID with 0955, 8 Aug 06 (b)(6), (b)(7)(C)	
LAST ITEM			
CHAIN OF CUSTODY			
ITEM NO	DATE	RELEASED BY	RECEIVED BY
1	8 Aug 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C) SA
		(b)(6), (b)(7)(C) TLE LAST, AC	(b)(6), (b)(7)(C) SA
		(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C) SA
		(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C) SA
		SIGNATURE	SIGNATURE
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE
		SIGNATURE	SIGNATURE
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE
		SIGNATURE	SIGNATURE
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE

DA FORM 4137  
1 Jul 76

Replaces DA FORM 4137, 1 Aug 74 and  
DA FORM 4137-R Privacy Act Statement  
FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

DOCUMENT

EXHIBIT

ACLU DDII CID ROIS 36223

002392



CHAIN OF CUSTODY (Continued)				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

**FINAL DISPOSITION ACTION**

RELEASE TO OWNER OR OTHER (Name/Unit): Ag (b)(6), (b)(7)(C) Wash Medical Det, Fort Bragg, Texas

DESTROY \_\_\_\_\_

OTHER (Specify) \_\_\_\_\_

**FINAL DISPOSITION AUTHORITY**

ITEM(S) 1 ON THIS DOCUMENT, PERTAINING TO THE INVESTIGATION INVOLVING SSA (b)(6), (b)(7)(C)

Ag (b)(6), (b)(7)(C) No (b)(6), (b)(7)(C) C. C. [unclear] FBI, SA [unclear] [unclear] (IS) (ARE) NO LONGER  
 (Name) (Organization)

REQUIRED AS EVIDENCE AND MAY BE DISPOSED OF AS INDICATED ABOVE. (If article(s) must be retained, do not sign, but explain in separate \_\_\_\_\_)

(b)(6), (b)(7)(C) \_\_\_\_\_ TF [unclear] 8 Aug 06  
 (Typed/Printed Name, Grade, Title) (Signature) (Date)

**WITNESS TO DESTRUCTION OF EVIDENCE**

THE ARTICLE(S) LISTED AT ITEM NUMBER(S) \_\_\_\_\_ (WAS) (WERE) DESTROYED BY THE EVIDENCE CUSTODIAN, IN MY PRESENCE, ON THE DATE INDICATED ABOVE

\_\_\_\_\_  
 (Typed/Printed Name, Organization) (Signature)



(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36227

(b) (6) (b) (7) (C)



ACLU DDII CID ROIS 36228



ACLU DDII CID ROIS 36229

002397



ACLU DDII CID ROIS 36230

002398



ACLU DDII CID ROIS 36231

002399



ACLU DDII CID ROIS 36232

(b) (6)(b)(7)(C)



ACLU DDII CID ROIS 36233





(b) (6)(b)(7)(C)

(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36234



(b) (6)(b)(7)(C)

ACLU DDH CID ROIS 36235

(b) (6)(b)(7)(C)



ACLU DDII CID ROIS 36236



**(b) (6)(b)(7)(C)**

ACLU DDII CID ROIS 36237

002405



(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36238

002406

A dark, grainy photograph of a room. The wall is covered in numerous bullet holes. A person is lying on the floor, partially obscured by a large black redaction box. The text "(b) (6)(b)(7)(C)" is written in white on the black box.

**(b) (6)(b)(7)(C)**

**ACLU DDII CID ROIS 36239**



(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36240

(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36241



(b) (6)(b)(7)(C)

(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36242



ACLU DDII CID ROIS 36243



ACLU DDII CID ROIS 36244

(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36245

(b) (6)(b)(7)(C) (b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36246

(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36247

(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36248

(b) (6)(b)(7)(C)



ACLU DDII CID ROIS 36249



(b) (6)(b)(7)(C)

(b) (6) (b) (7) (C)



ACLU DDII CID ROIS 36250



(b) (6)(b)(7)(C)

(b) (6)(b)(7)(C)

(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36251

(b) (6) (b) (7) (C)



(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36252



(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36253



(b) (6)(b)(7)(C)

(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36254

(b) (6)(b)(7)(C)



ACLU DDII CID ROIS 36255

(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36256

002424

(b) (6)(b)(7)(C)

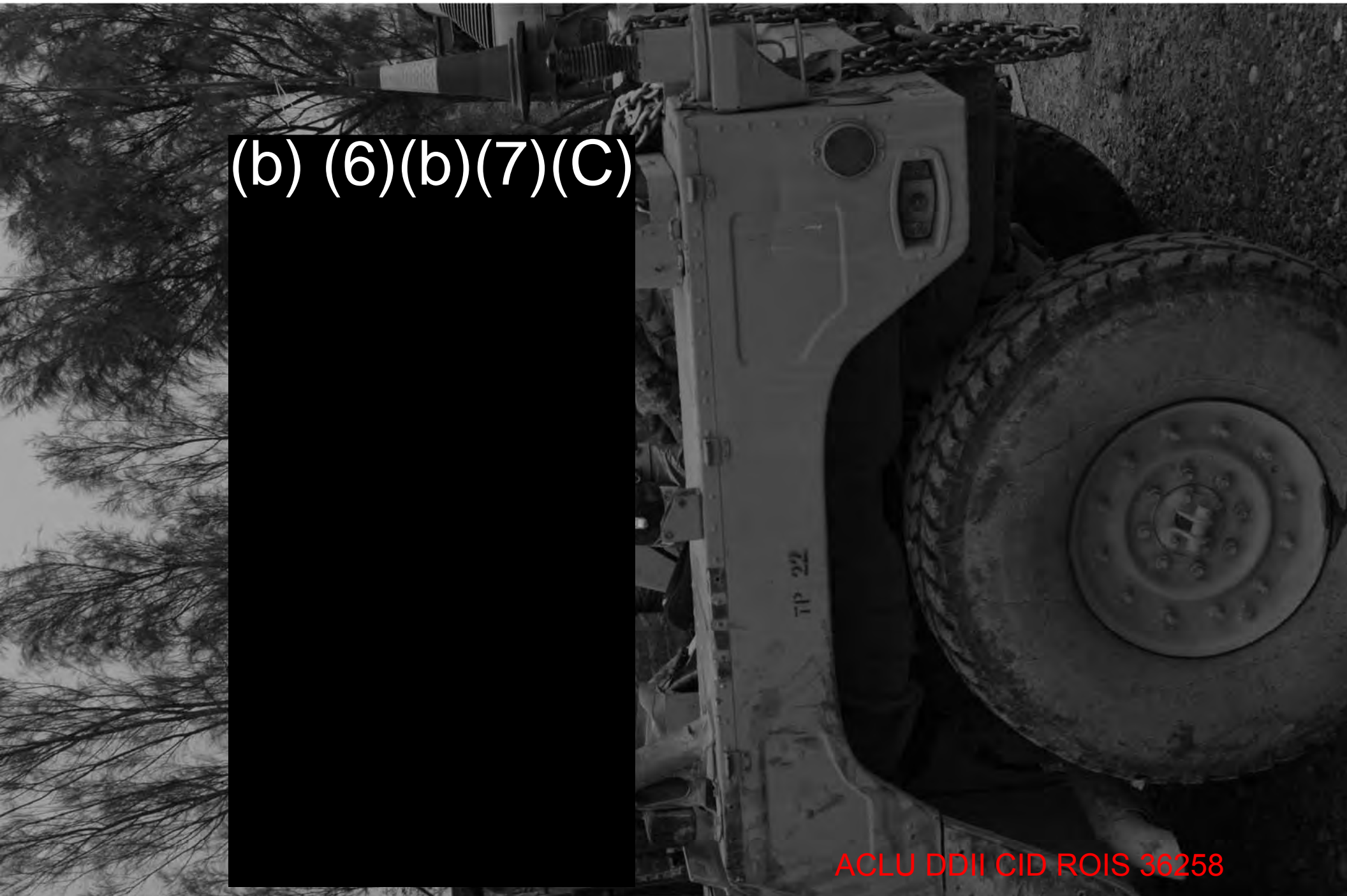
(b) (6)(b)(7)(C)

(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36257



(b) (6)(b)(7)(C)



ACLU DDII CID ROIS 36258



(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36259



(b) (6)(b)(7)(C)

(b) (6)(b)(7)(C)

(b) (6)(b)(7)(C)

(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36260



(b) (6)(b)(7)(C)

(b) (6)(b)(7)(C)

(b) (6)(b)(7)(C)

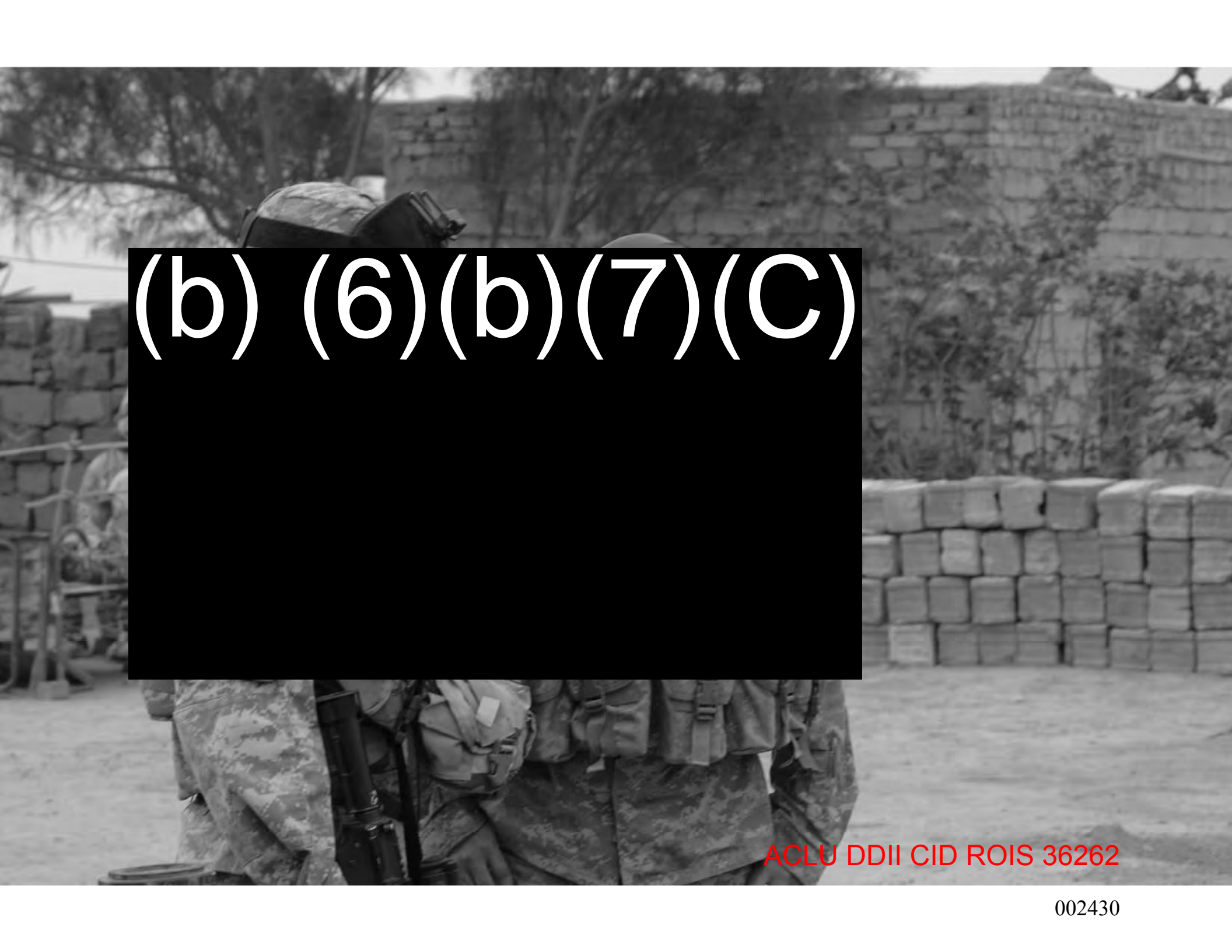
(b) (6)(b)(7)(C)

(b) (6)(b)(7)(C)

(b) (6)(b)(7)(C)

(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36261



(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36262



(b) (6)(b)(7)(C)

(b) (6)(b)(7)(C)

(b) (6)(b)(7)(C)

(b) (6)(b)(7)(C)

(b) (6)(b)(7)(C)

(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36263

(b) (6) (b) (7) (C)

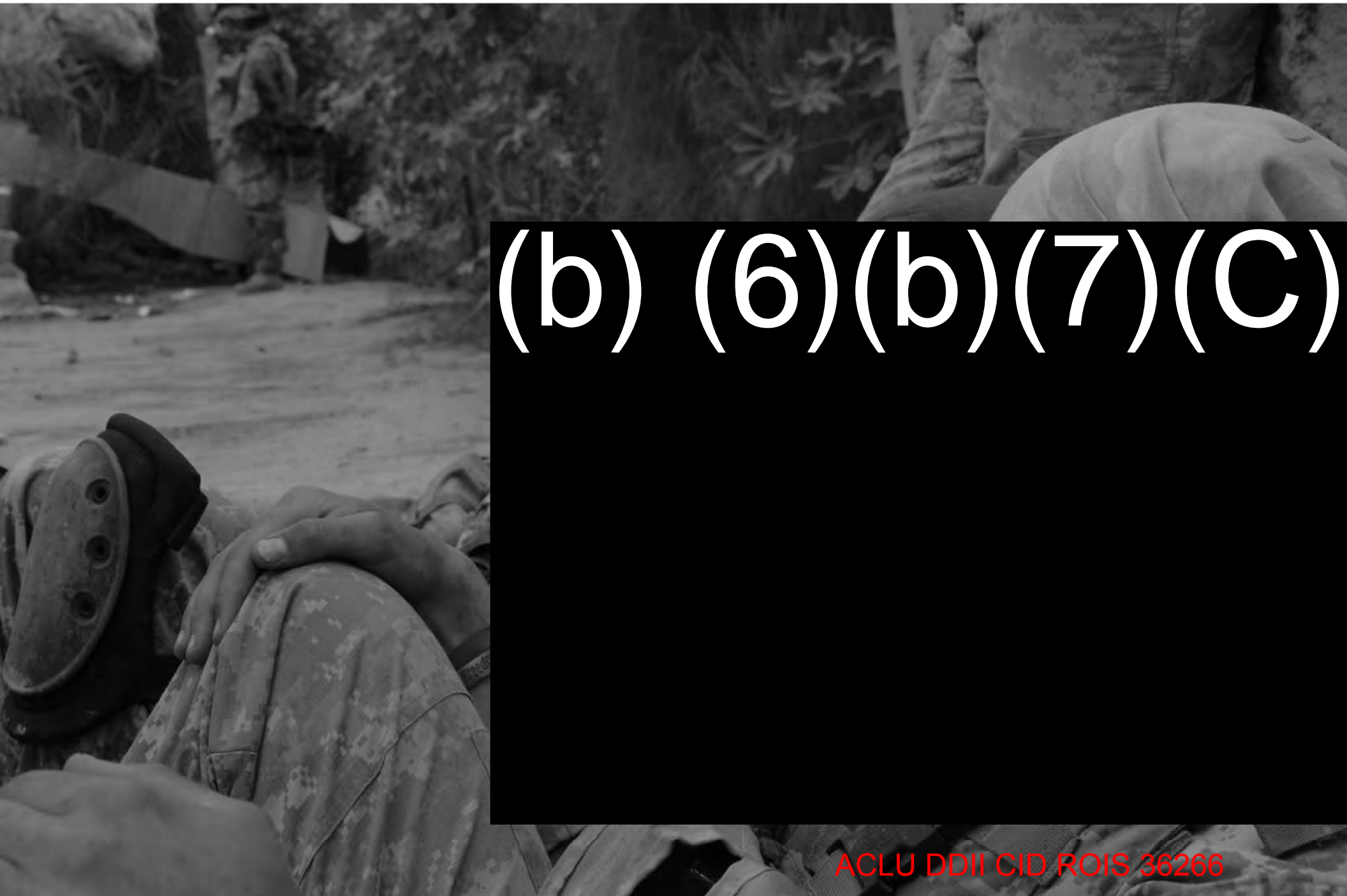
ACLU DDII CID ROIS 36264

002432

(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36265



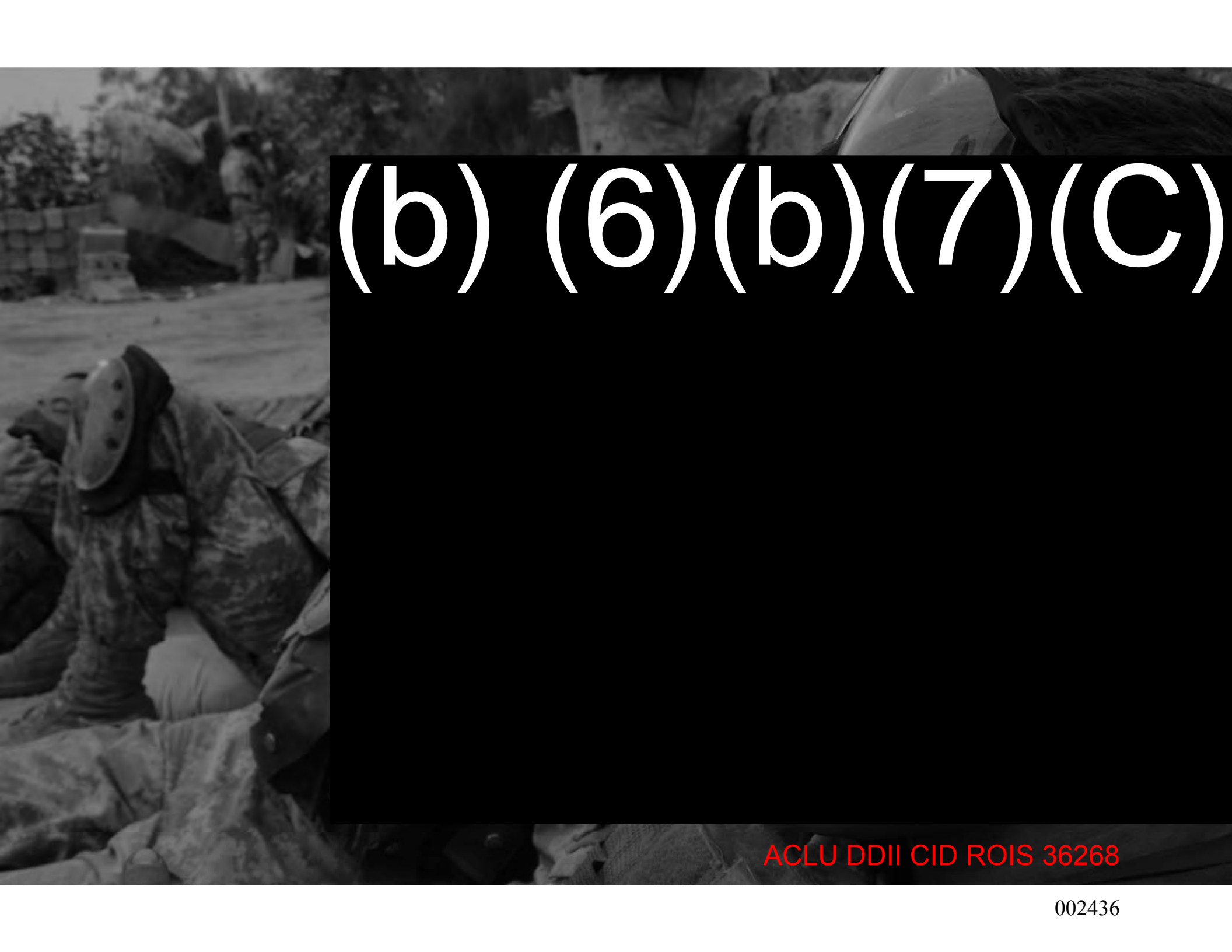


(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36266

(b) (6) (b) (7) (C)

ACLU DDII CID ROIS 36267



(b) (6) (b) (7) (C)

ACLU DDII CID ROIS 36268

(b) (6)(b)(7)(C)

(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36269

(b) (6)(b)(7)(C)



ACLU DDII CID ROIS 36270

(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36271

(b) (6) (b) (7) (C)



ACLU DDII CID ROIS 36272

(b) (6) (b) (7) (C)



ACLU DDII CID ROIS 36273




(b) (6) (b) (7) (C)

(b) (6)(b)(7)(C)

(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36274



(b) (6) (b) (7) (C)

ACLU DDII CID ROIS 36275

(b) (6)(b)(7)(C)

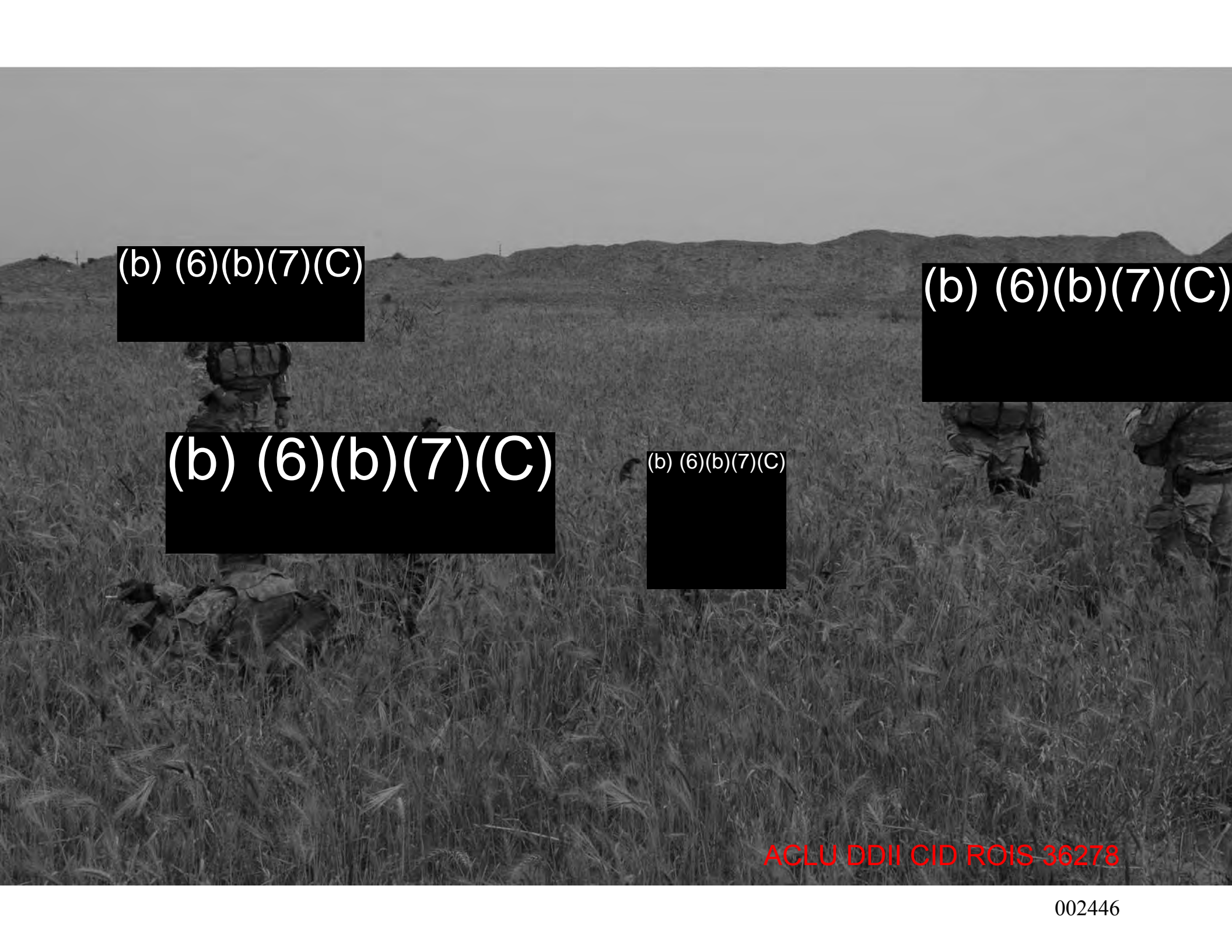


ACLU DDII CID ROIS 36276

(b) (6) (b) (7) (C)

ACLU DDII CID ROIS 36277

002445

A black and white photograph showing several soldiers in a field of tall grass. The soldiers are wearing full combat gear, including helmets and vests. The background consists of rolling hills under a clear sky. Four large black redaction boxes are overlaid on the image, each containing the text "(b) (6)(b)(7)(C)".

(b) (6)(b)(7)(C)

(b) (6)(b)(7)(C)

(b) (6)(b)(7)(C)

(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36278



(b) (6)(b)(7)(C)


(b) (6)(b)(7)(C)

(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36279

(b) (6) (b) (7) (C)

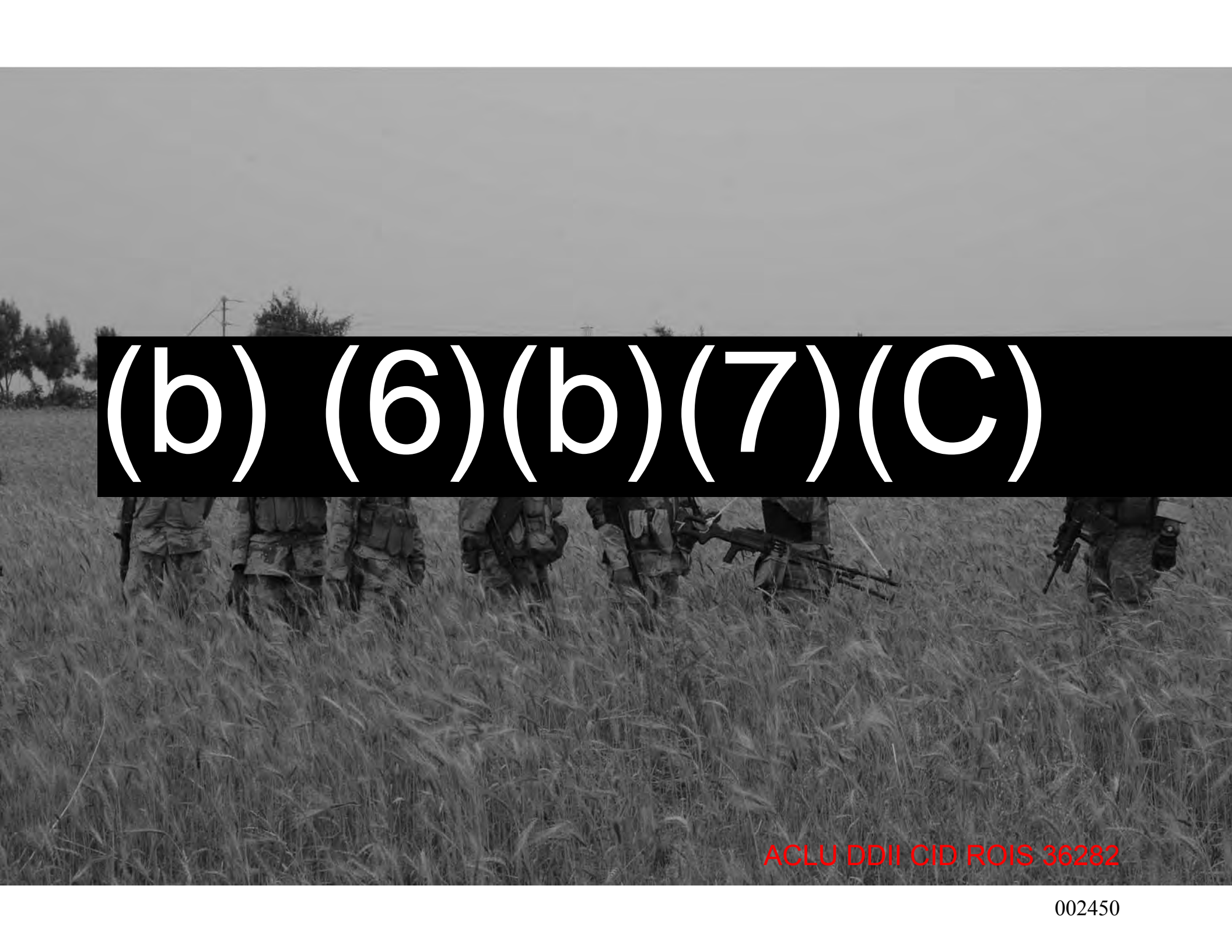
ACLU DDII CID ROIS 36280



(b) (6) (b) (7) (C)

ACLU DDII CID ROIS 36281





(b) (6) (b) (7) (C)

ACLU DDII CID ROIS 36282

(b) (6) (b) (7) (C)

ACLU DDII CID ROIS 36283

002451

(b) (6)(b)(7)(C)



ACLU DDII CID ROIS 36284

(b) (6) (b) (7) (C)

ACLU DDII CID ROIS 36285

002453

(b) (6) (b) (7) (C)

ACLU DDII CID ROIS 36286

(b) (6)(b)(7)(C)



ACLU DDII CID ROIS 36287

(b) (6)(b)(7)(C)



ACLU DDII CID ROIS 36288

(b) (6)(b)(7)(C)

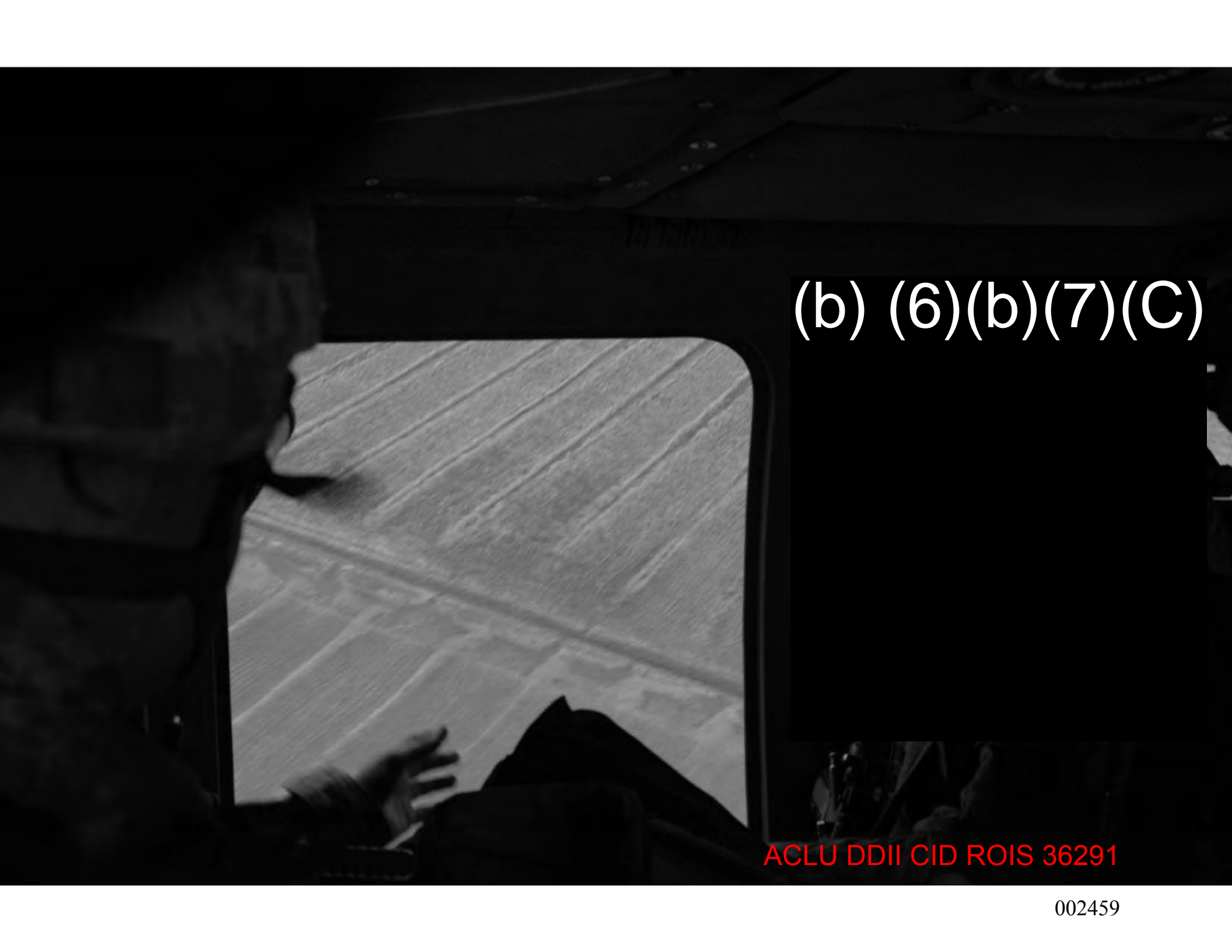
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ACLU DDII CID ROIS 36299

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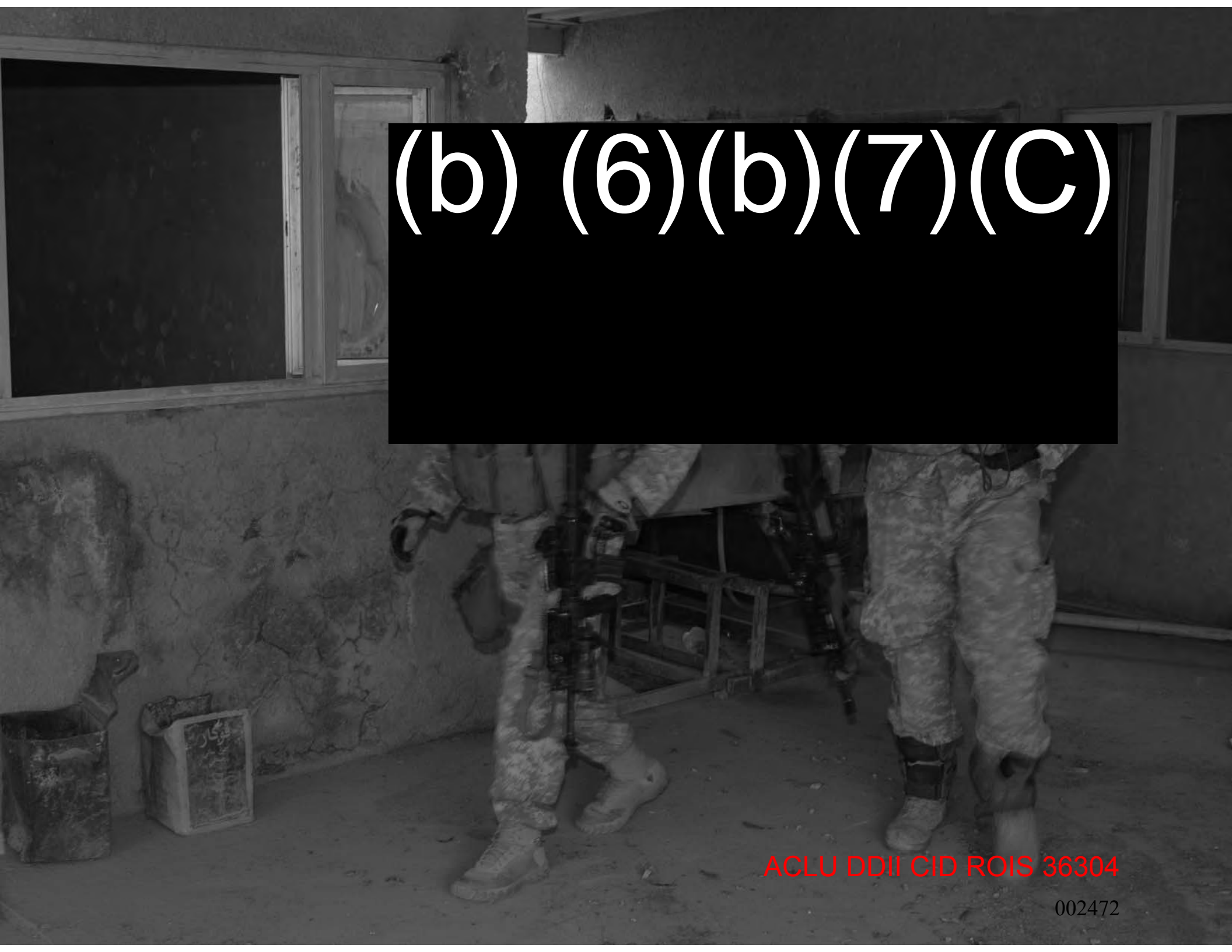
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ACLU DDII CID ROIS 36305



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ACLU DDII GID ROIS 36306

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ACLU DDII CID ROIS 36307

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ACLU DDII CID ROIS 36308

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ACLU DDII CID ROIS 36309

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ACLU DDII CID ROIS 36311

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ACLU DDII CID ROIS 36312

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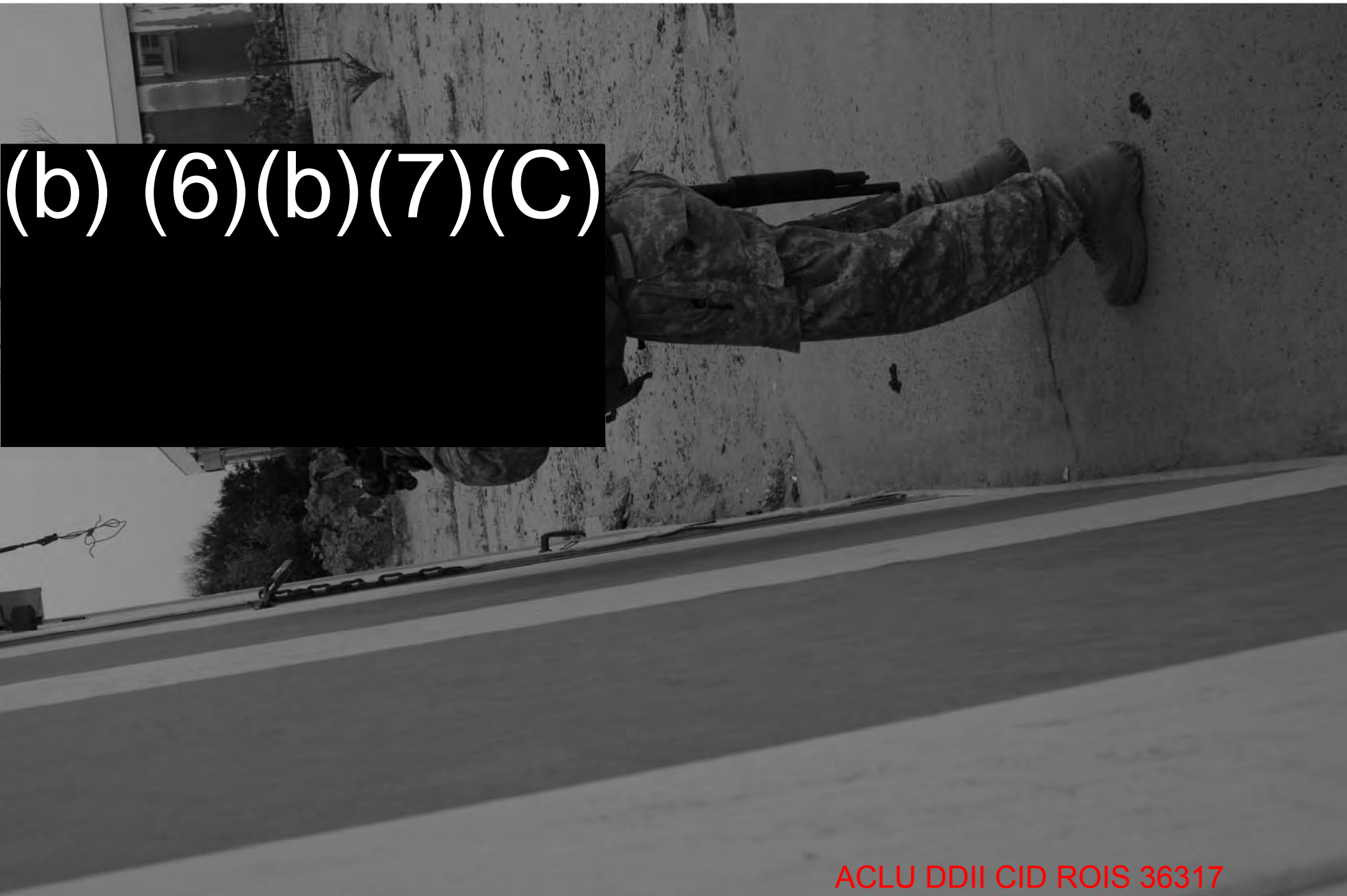


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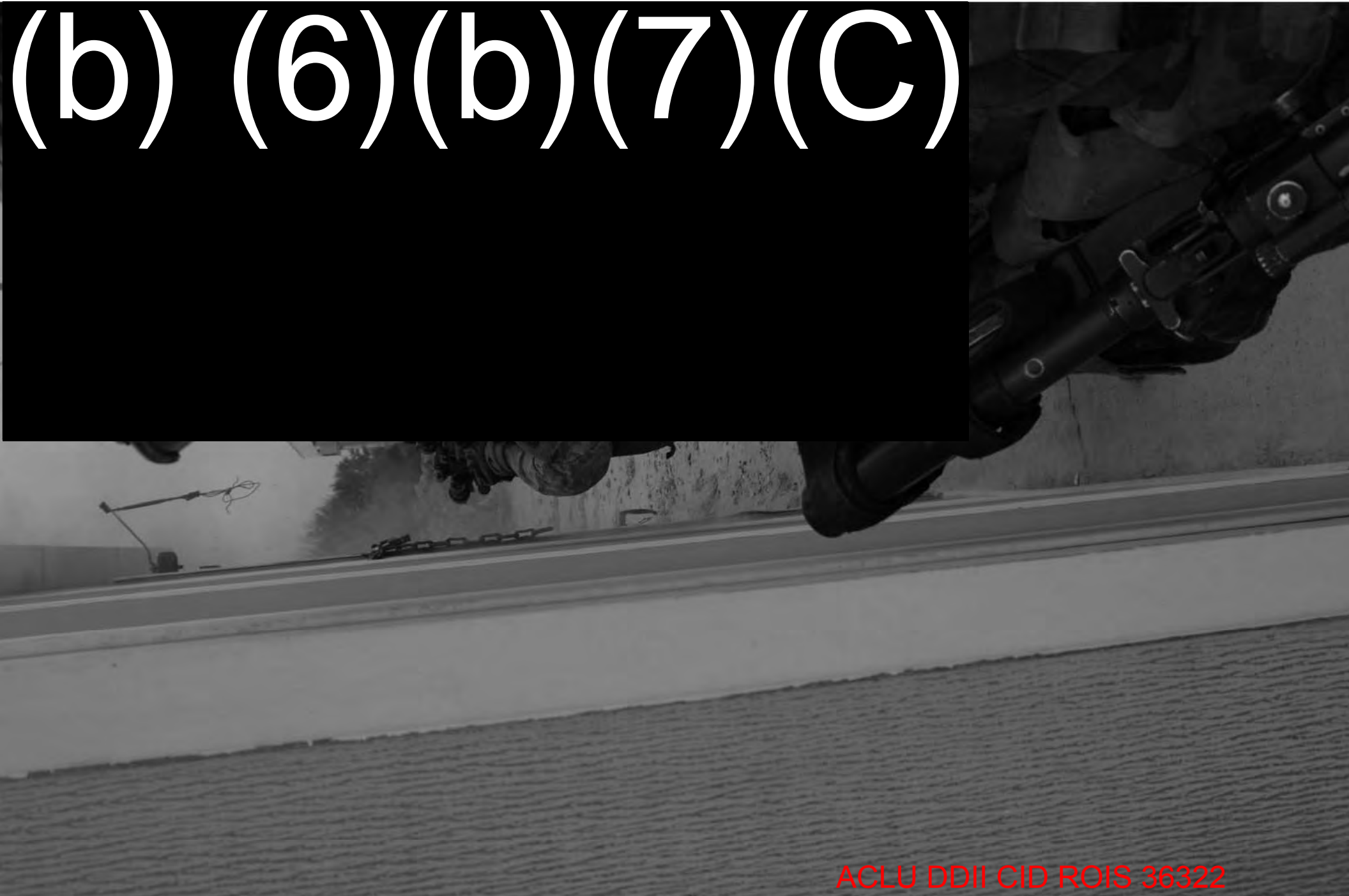
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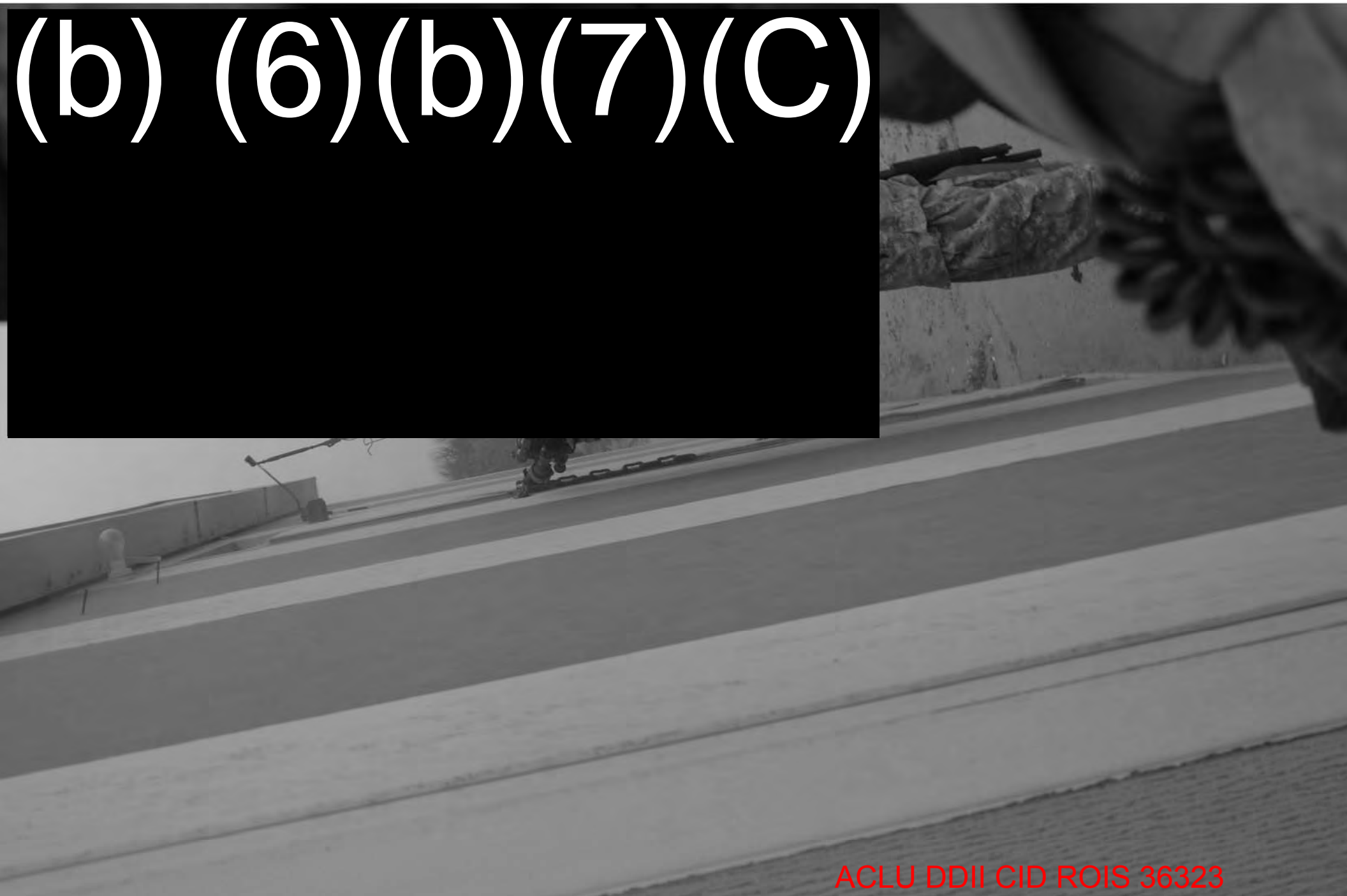


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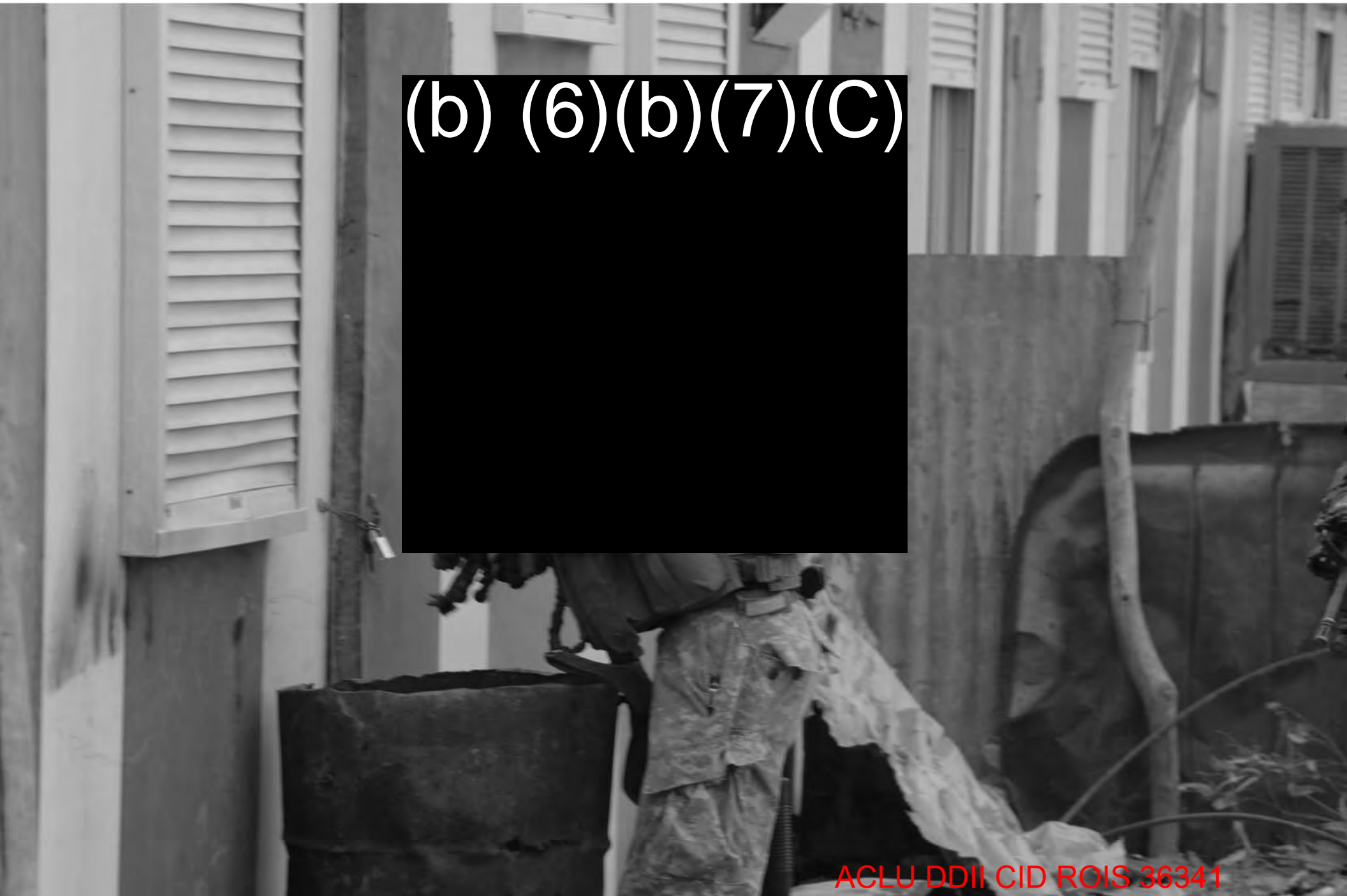
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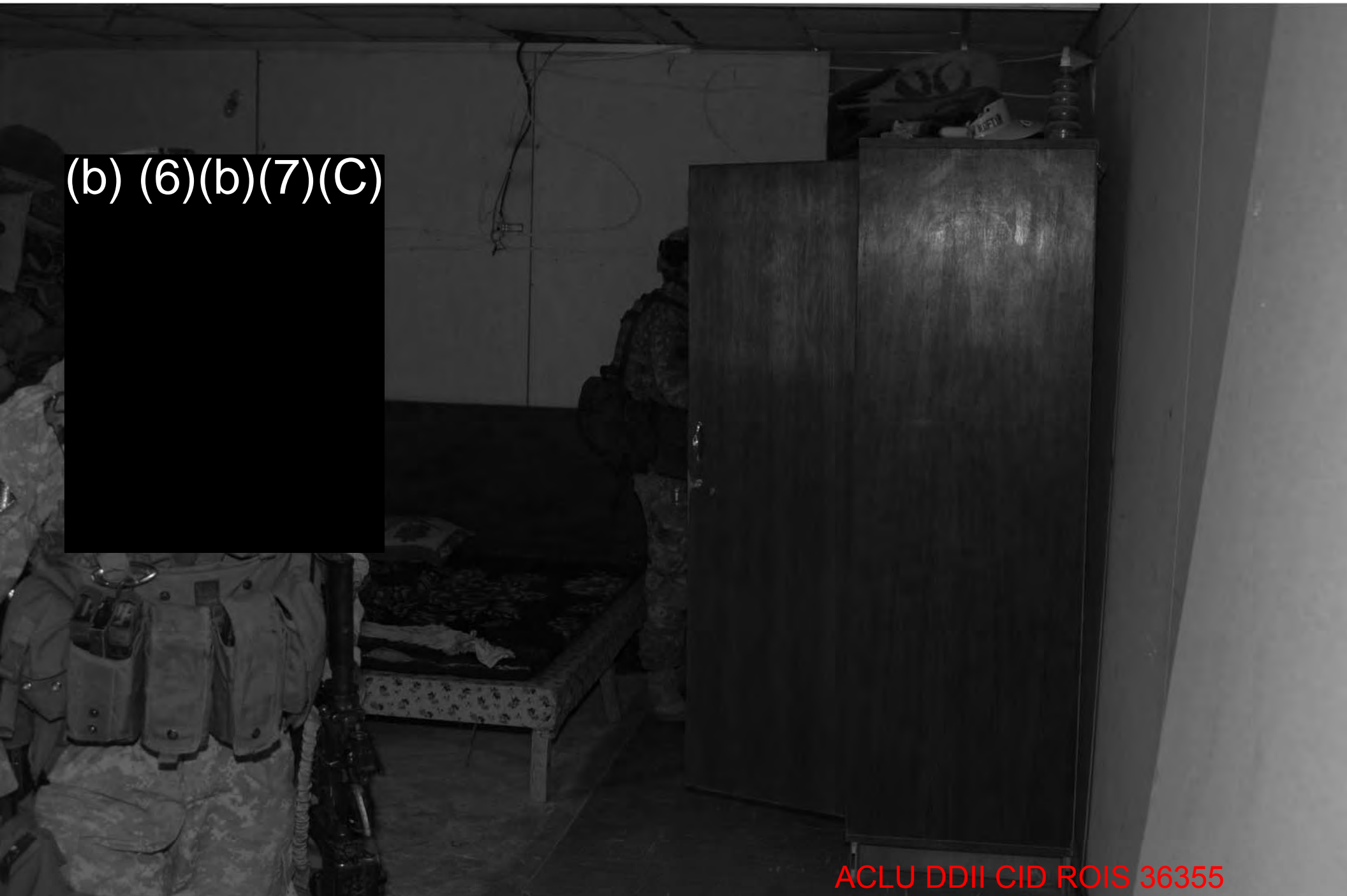
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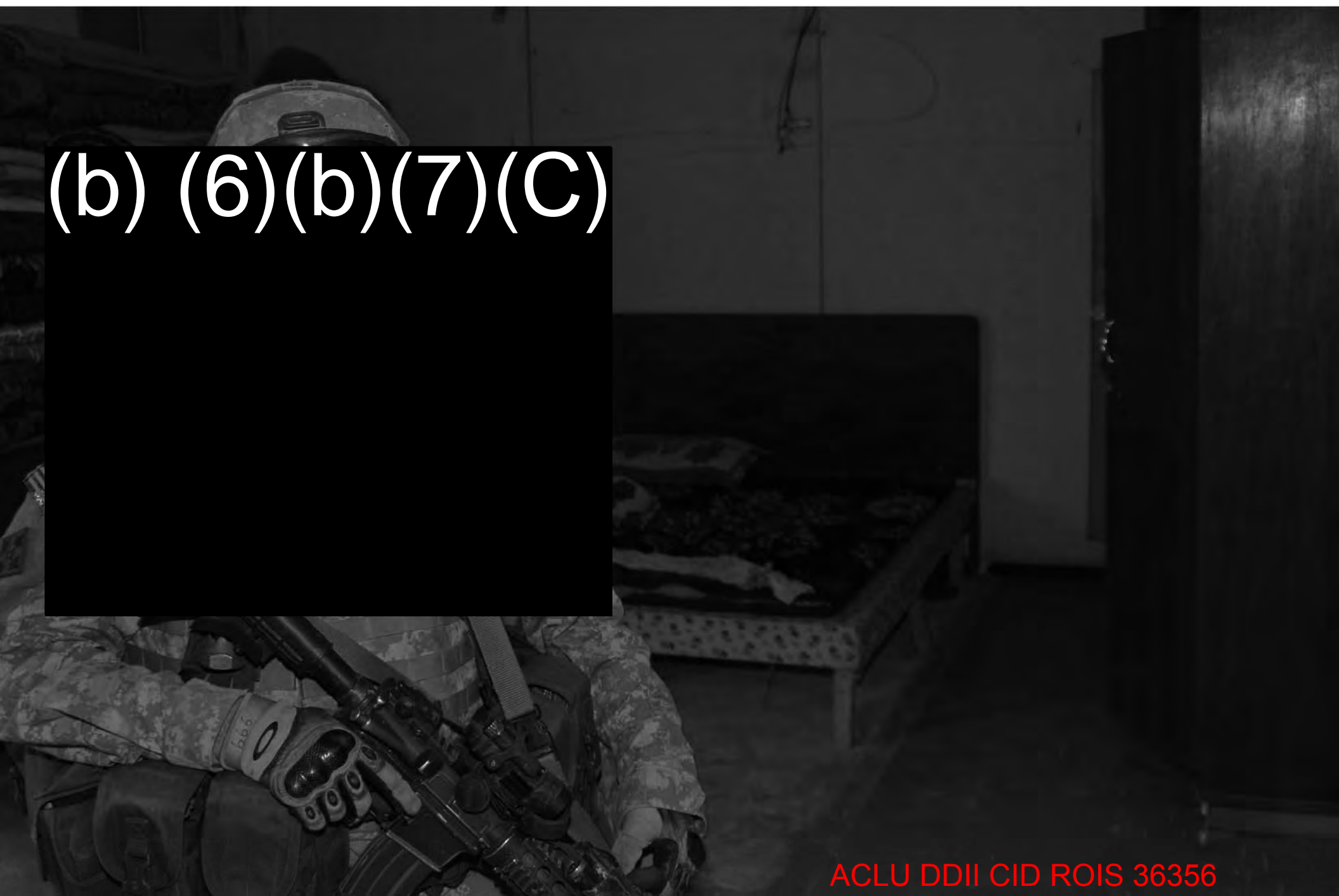
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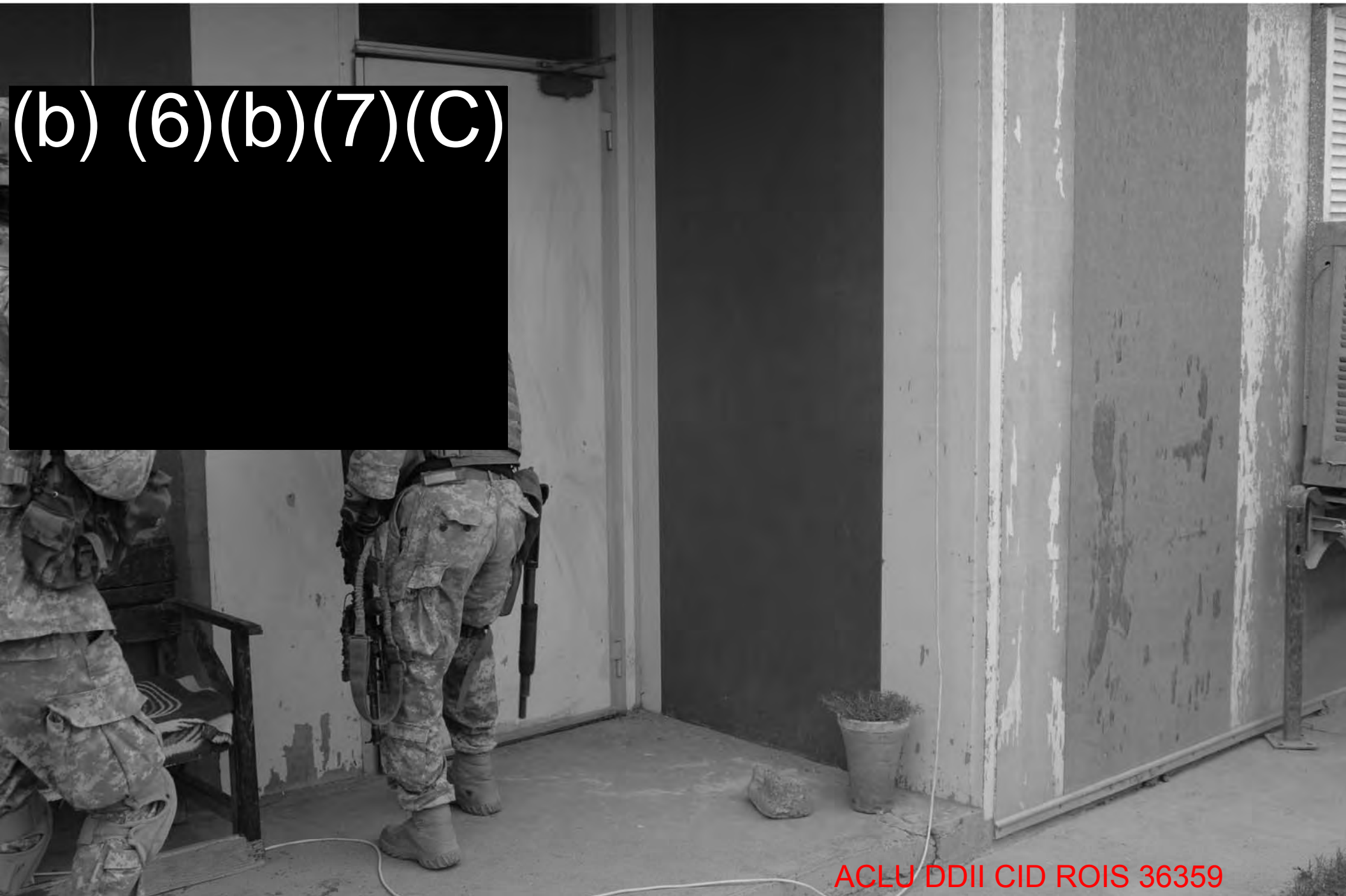




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ACLU DDII CID ROIS 36359

002527

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ACLU DDII CID ROIS 36360

002528

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ACLU DDII CID ROIS 36361



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ACLU DDII CID ROIS 36367

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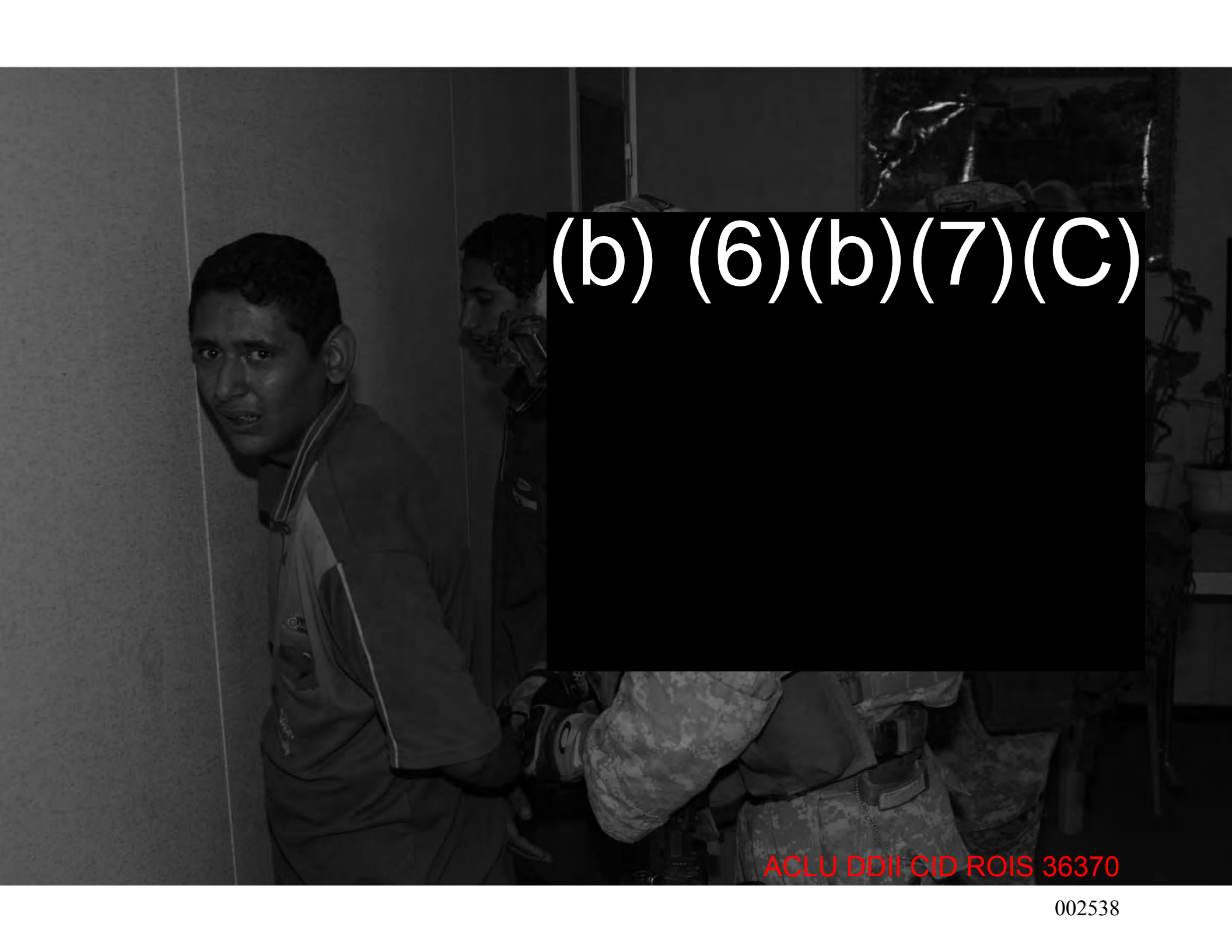
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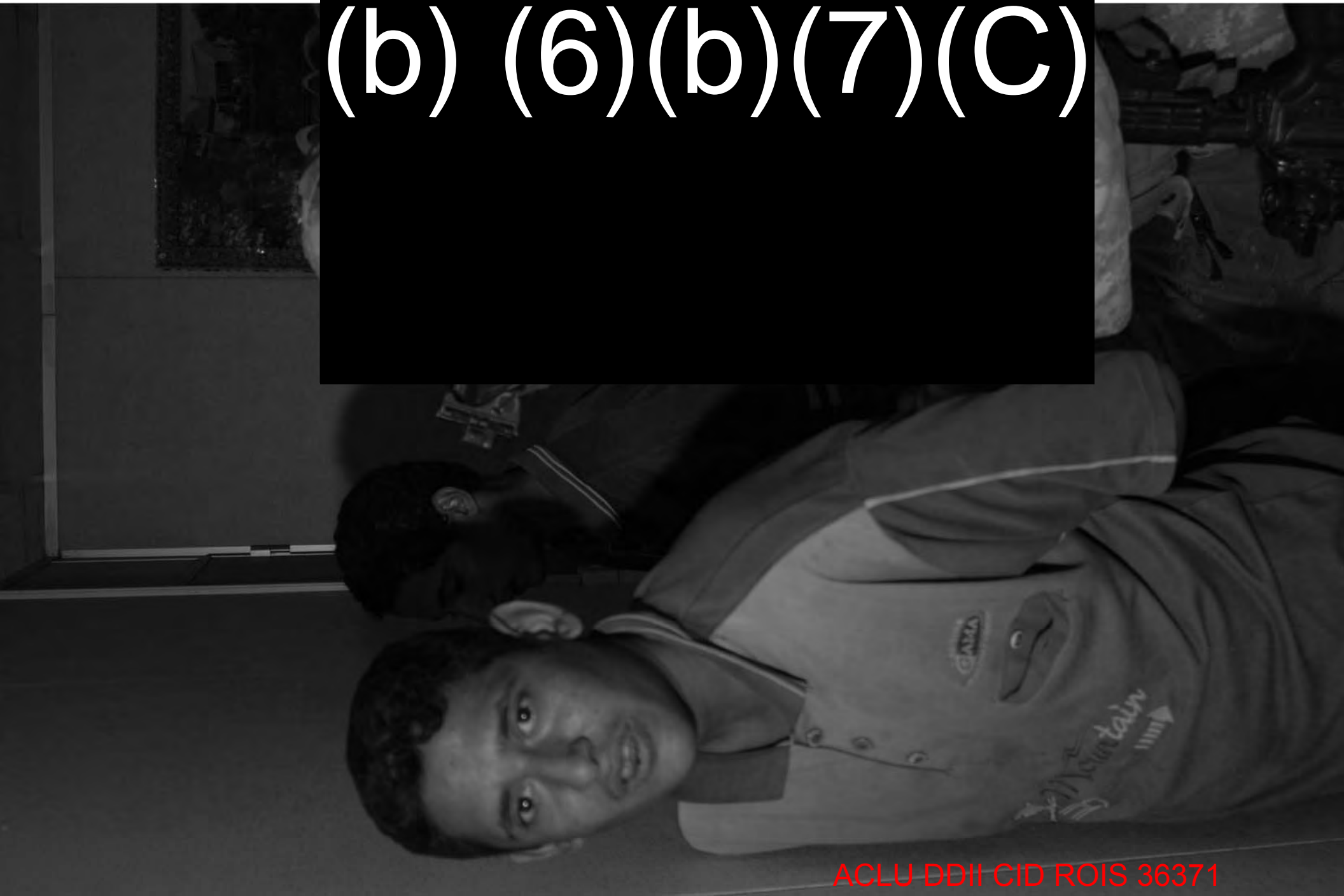




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ACLU DDII CID ROIS 36373

(b) (6)(b)(7)(C)



ACLU DDII CID ROIS 36374



(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36375



(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36376



ACLU DDII CID ROIS 36377



(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36378


002546

A black and white photograph of a military installation. In the foreground, there are several vertical metal posts, likely part of a fence or barrier. In the middle ground, several soldiers in camouflage uniforms are visible, some standing and some moving. The background shows a large, light-colored building with a flat roof and some trees. A large black redaction box is centered over the image, containing the text "(b) (6)(b)(7)(C)".

(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36379


002547

A black and white photograph of a street scene. In the background, several soldiers in military uniforms are walking away from the camera. The street is lined with trees and some structures, including a stone wall and a thatched roof. A large black rectangular redaction box covers the middle of the image, containing the text "(b) (6)(b)(7)(C)".

(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36380


002548



**(b) (6)(b)(7)(C)**

ACLU DDII CID ROIS 36381

002549



(b) (6) (b) (7) (C)

ACLU DDII CID ROIS 36382


002550



(b) (6)(b)(7)(C)

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ACLU DDII CID ROIS 36383



**(b) (6)(b)(7)(C)**

ACLU DDII CID ROIS 36384

002552

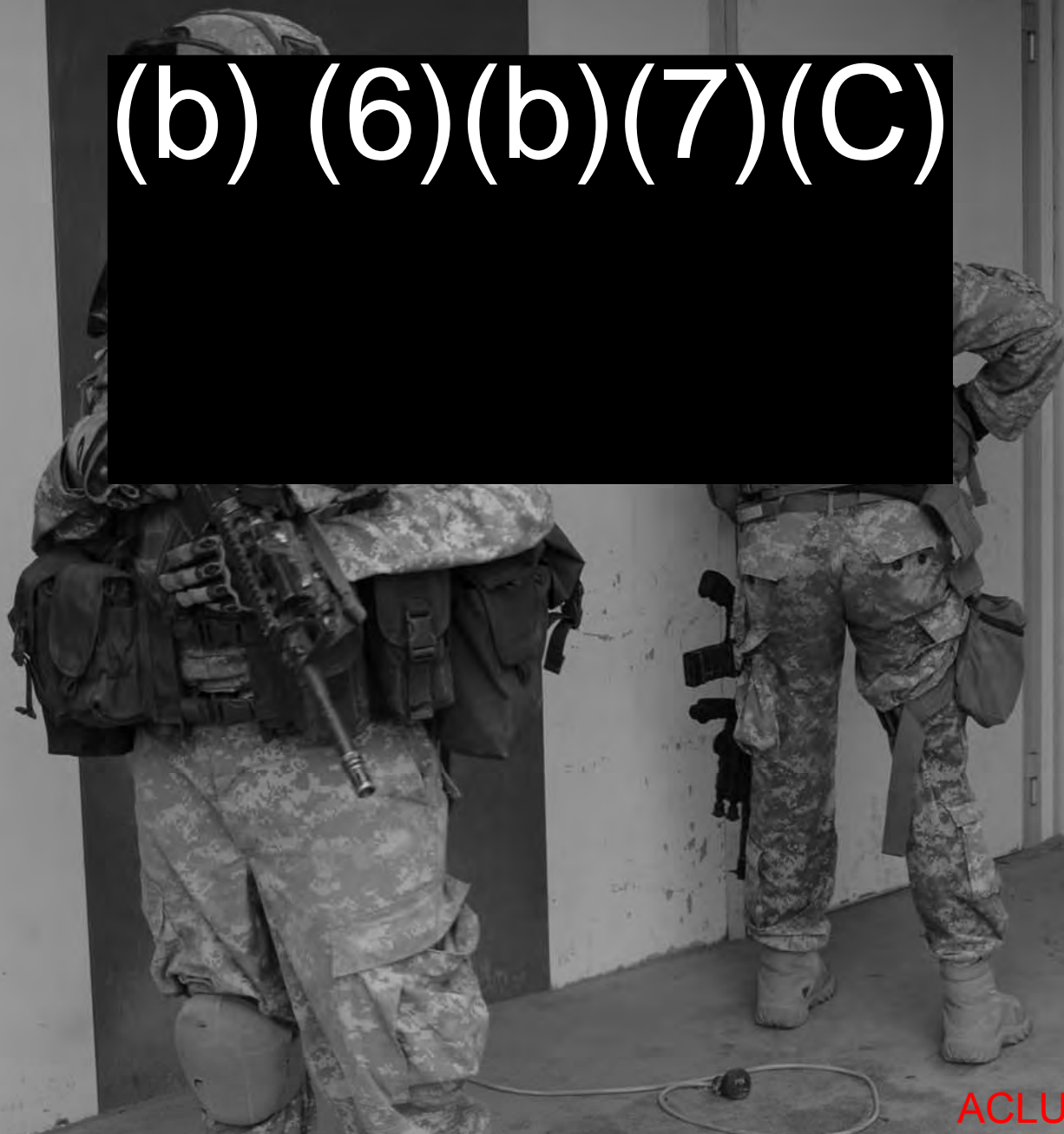
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ACLU DDII CID ROIS 36385



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ACLU DDII CID ROIS 36386

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(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36387

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(b) (6)(b)(7)(C)



ACLU DDII CID ROIS 36388

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ACLU DDII CID ROIS 36389

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ACLU DDII CID ROIS 36390

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ACLU DDII CID ROIS 36391

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ACLU DDII CID ROIS 36392

002560

(b) (6)(b)(7)(C)



ACLU DDII CID ROIS 36393



(b) (6)(b)(7)(C)

ACLU DDII CID ROIS 36394

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(b) (6)(b)(7)(C)



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ACLU DDII CID ROIS 36396

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ACLU DDII CID ROIS 36398

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ACLU DDII CID ROIS 36401

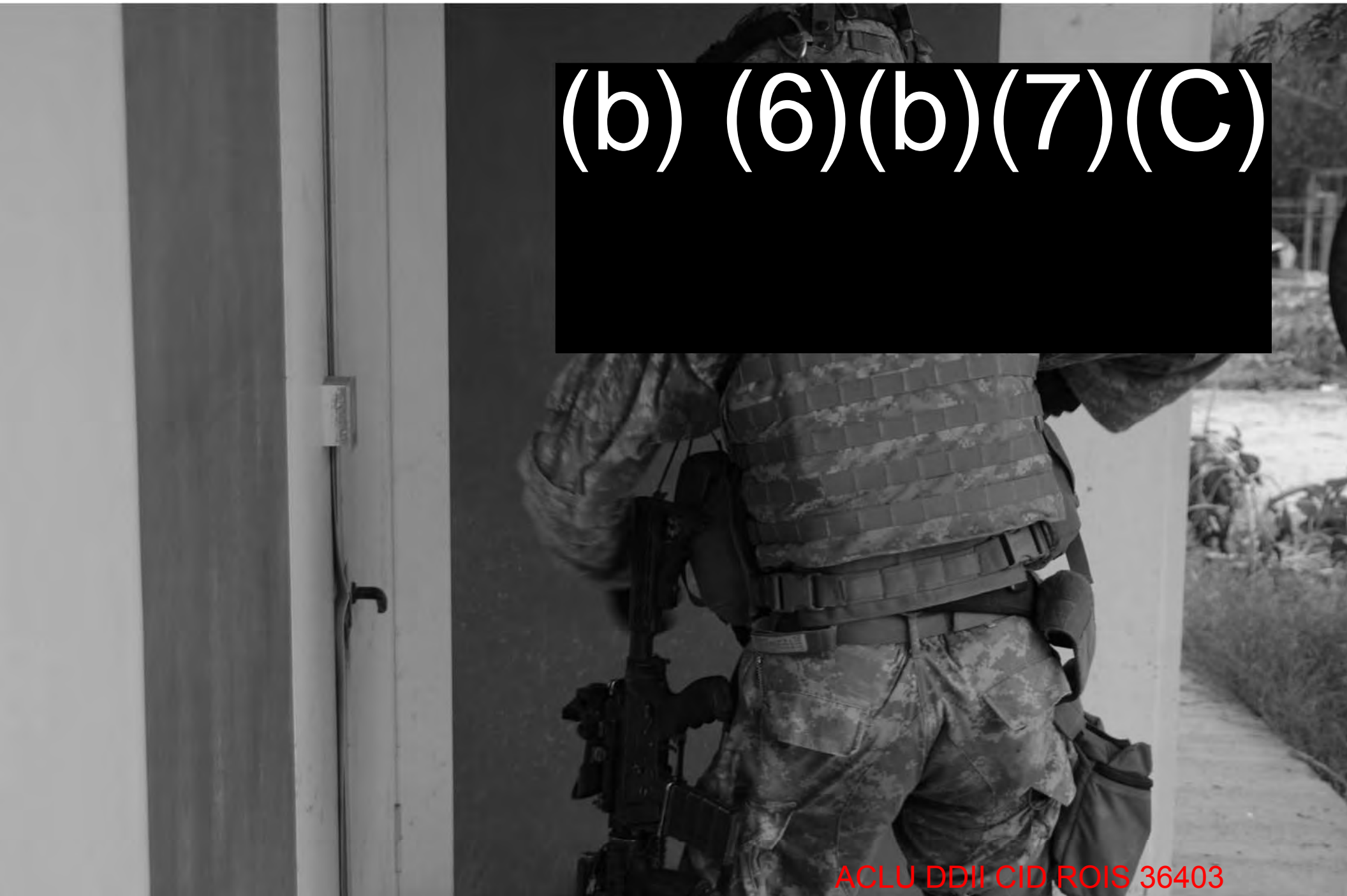


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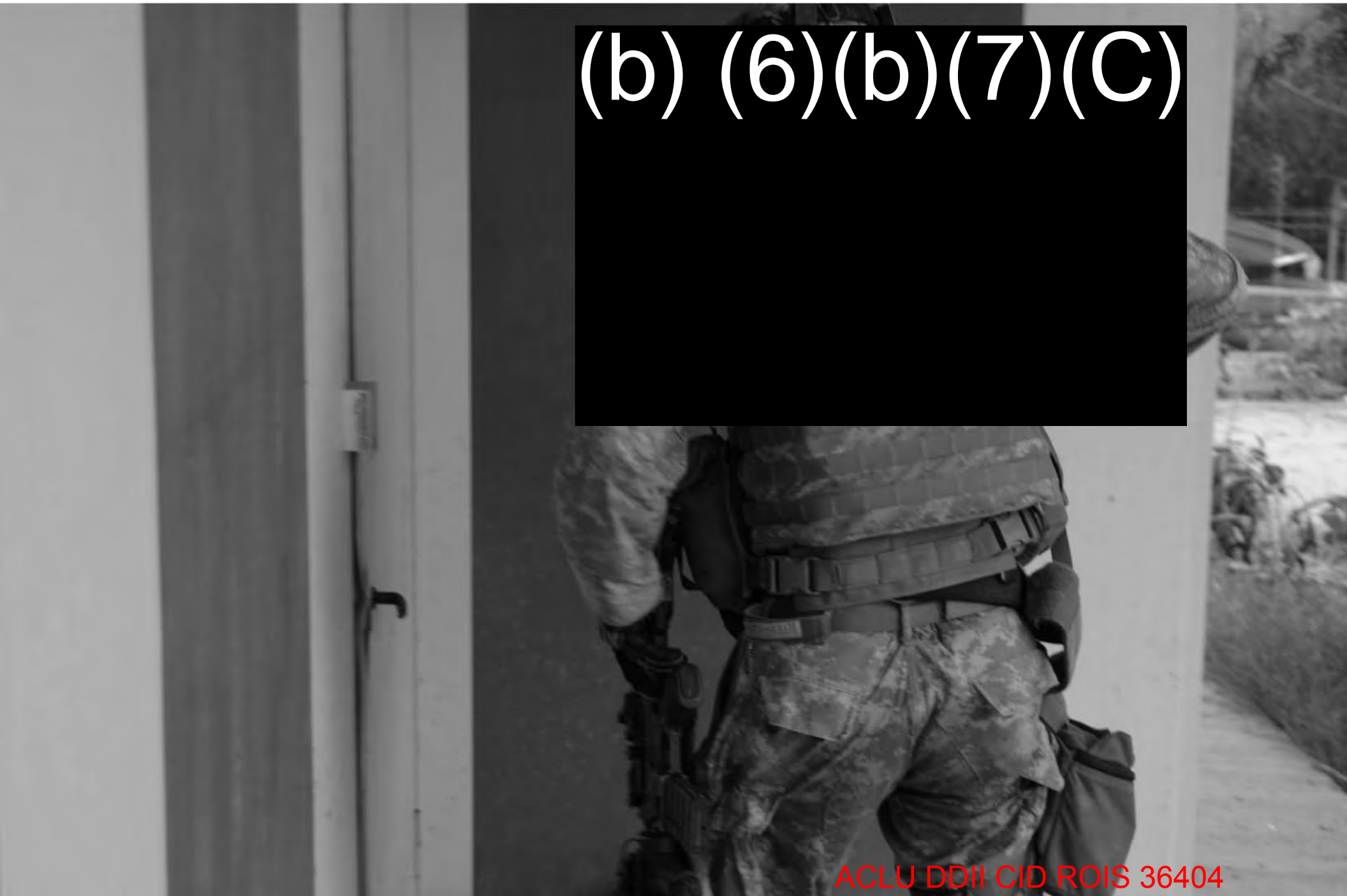
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ACLU DDII CID ROIS 36403

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(b) (6)(b)(7)(C)

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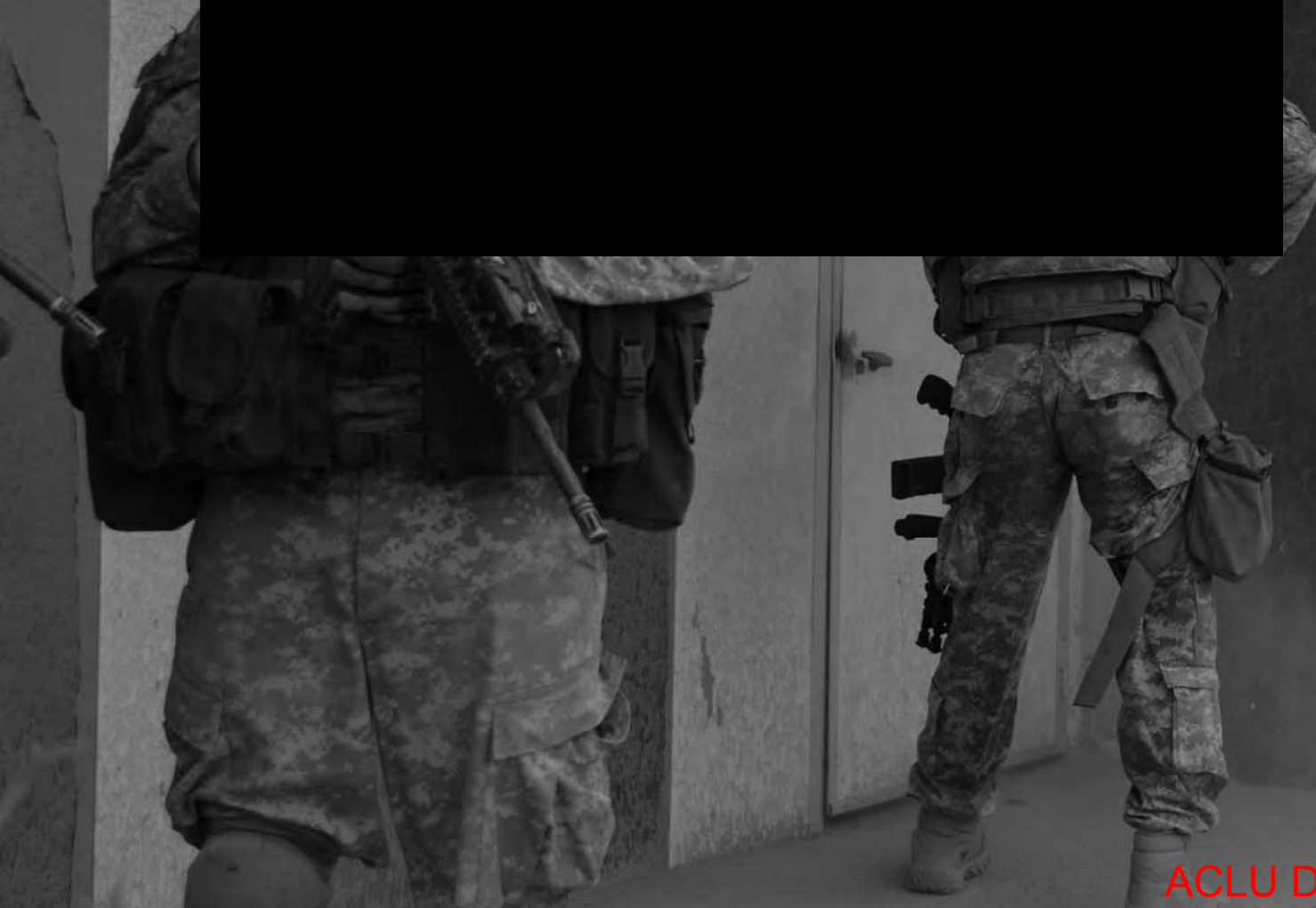
002573

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ACLU DDII CID ROIS 36406

(b) (6)(b)(7)(C)



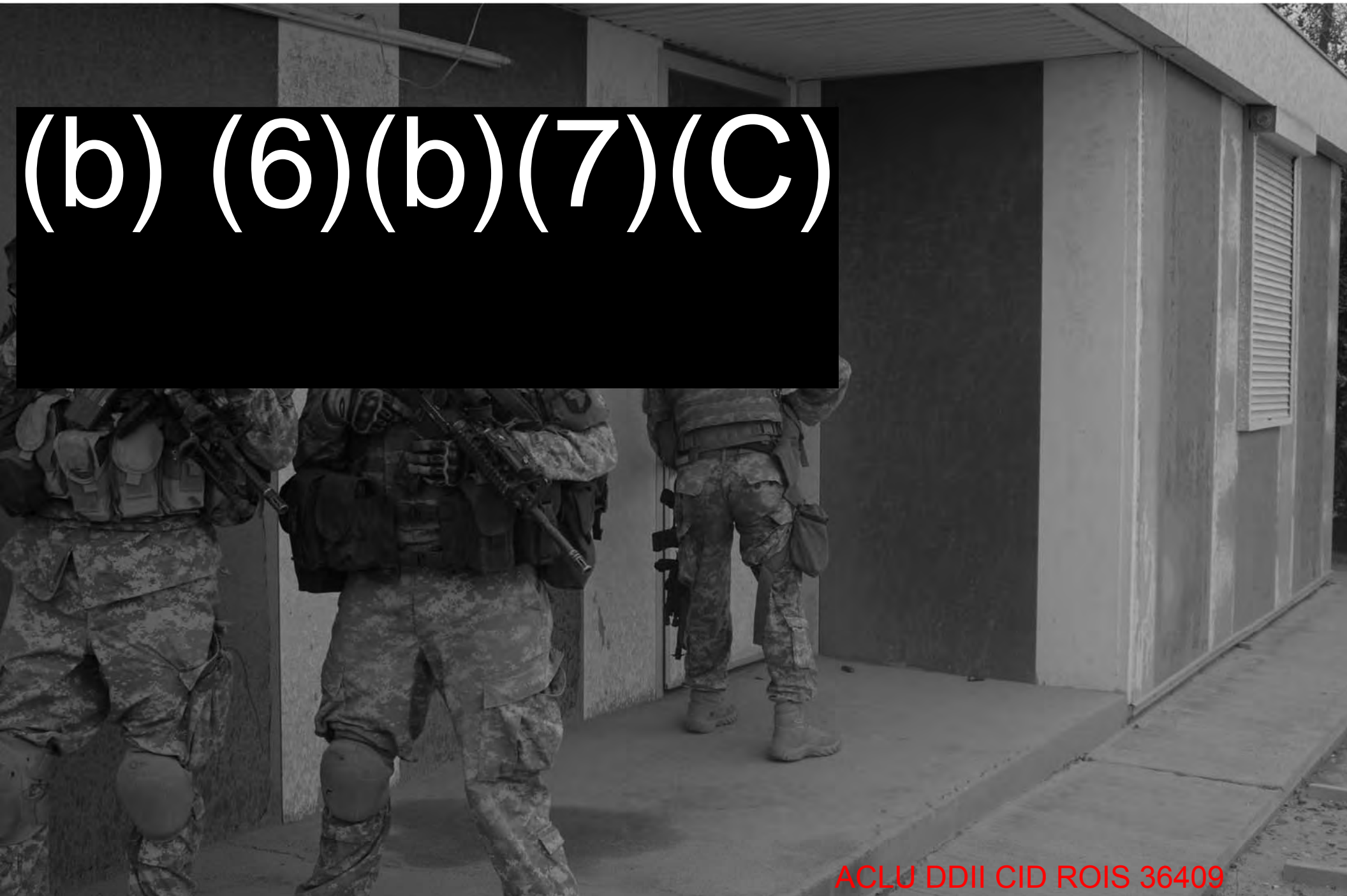
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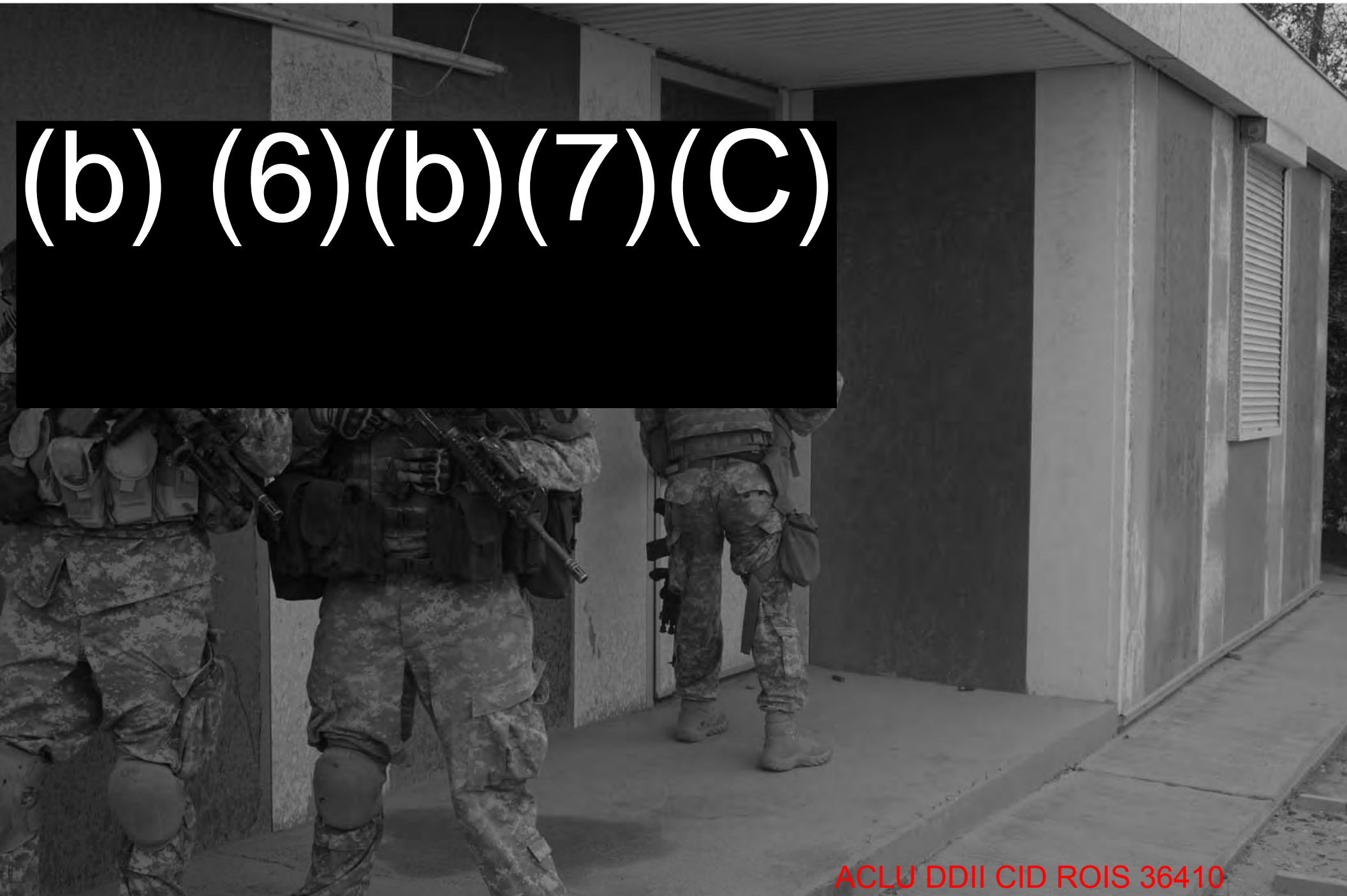
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ACLU DDII CID ROIS 36409



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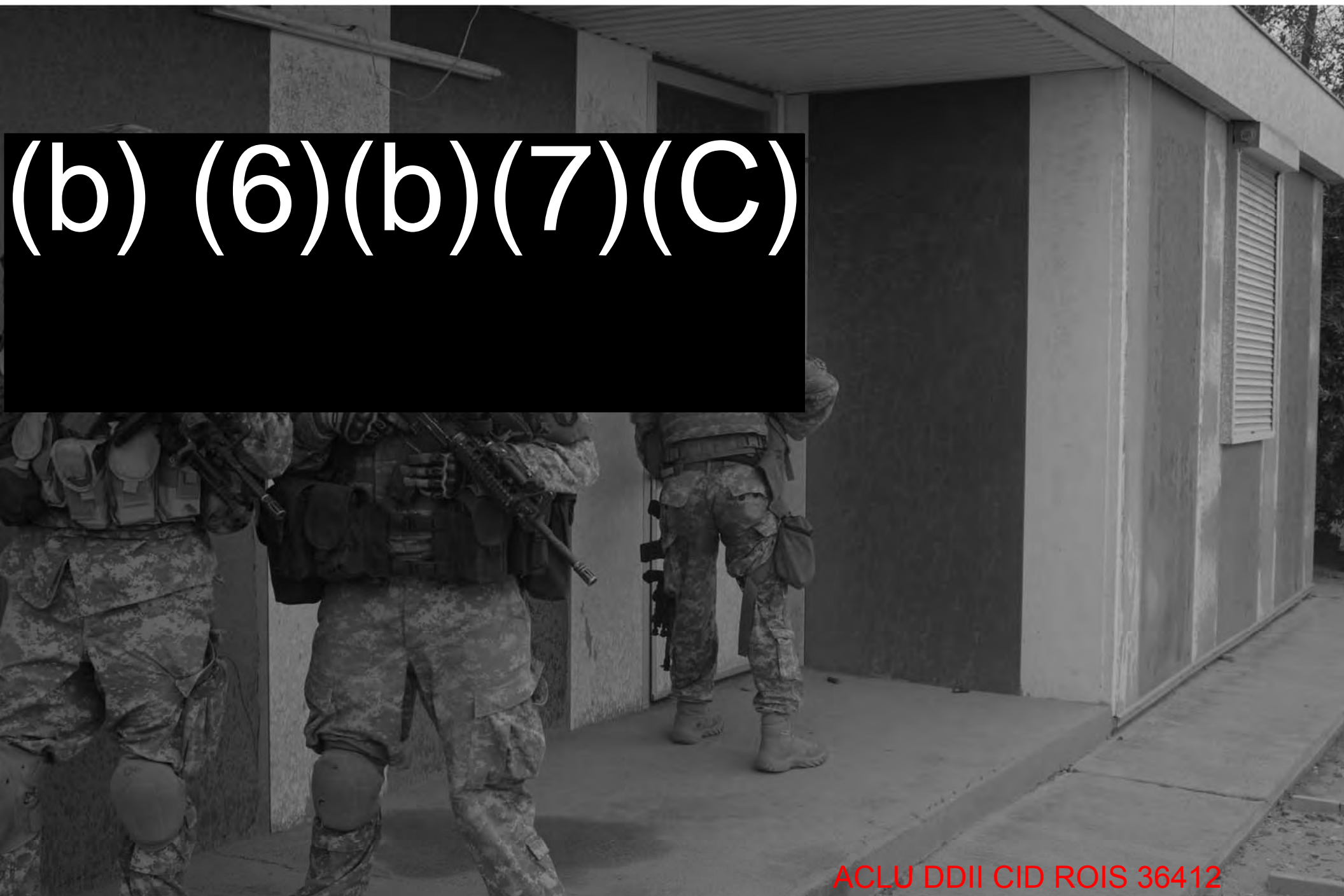
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ACLU DDII CID ROIS 36411

(b) (6)(b)(7)(C)



ACLU DDII CID ROIS 36412

(b) (6)(b)(7)(C)



ACLU DDII CID ROIS 36413

**EXHIBITS 387  
THRU 408  
PHYSICAL  
EVIDENCE**

**ACLU DDII CID ROIS 36414**

002582

0086-06-CID469-75447

AGENT'S INVESTIGATION REPORT

0136-06-CID065

CID Regulation 195-1

Page 1 of 1 Pages

BASIS FOR INVESTIGATION: On 15 Nov 06, SA (b)(6), (b)(7)(C) this office, received a Request for Assistance (RFA), 0086-06-CID469-75447, from the 31<sup>st</sup> Military Police Detachment (CID), Contingency operating Base (COB) Speicher, Tikrit, Iraq, APO AE 09393. The RFA requested this office locate, fully identify and interview PVT (b)(6), (b)(7)(C) D Company (D CO), 128<sup>th</sup> Infantry Battalion (INF BN), 1700 River Drive, Watertown, WI 53094 and PVT (b)(6), (b)(7)(C) A CO, 2/127<sup>th</sup> INF BN, 315 N Grove Street, Waupun, WI 53963 regarding any conversations they may have heard while incarcerated with PFC (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) C CO, 3/178<sup>th</sup> Infantry Regiment (INF RGT) Forward Operating Base (FOB) Brassfield-Mora, Samara, Iraq, APO AE 09349 (FBM), regarding any incident where Iraqi nationals were killed.

About 0900, 28 Nov 06, SA (b)(6), (b)(7)(C) interviewed PVT (b)(6), (b)(7)(C) who related he did not recall any information pertaining to this investigation. PVT (b)(6), (b)(7)(C) related the Camp Arifjan Detention Facility held mainly soldiers accused of drug offenses and other "non-serious" offenses and those accused of rape, murder and other serious offenses were segregated from those incarcerated for less serious offenses. Further PVT (b)(6), (b)(7)(C) related he was not in the same unit as PVT (b)(6), (b)(7)(C) and that PVT (b)(6), (b)(7)(C) was detained in the Camp Arifjan Detention Facility for approximately one week. PVT (b)(6), (b)(7)(C) related he did not recognize the names of SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) or PFC (b)(6), (b)(7)(C)

About 1250, 28 Nov 06, SA (b)(6), (b)(7)(C) interviewed PVT (b)(6), (b)(7)(C) who related he was in the Camp Arifjan Detention Facility for only five days and did not recall any information pertaining to this investigation. PVT (b)(6), (b)(7)(C) related he did not recognize the names of SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) or PFC (b)(6), (b)(7)(C)

STATUS: This RFA is closed within the files of this office. No further investigative activity in anticipated./// LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER: SA (b)(6), (b)(7)(C), (b)(7)(F)  
 ORGANIZATION: Fort McCoy CID Office  
 Fort McCoy, WI 54656

(b)(6), (b)(7)(C) Date: 28 Nov 06

OFFICIAL USE ONLY EXHIBIT: 409  
 LAW ENFORCEMENT SENSITIVE  
 ACLU DDH CID ROIS 36415

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER 0119-06-CID012-RFA  
0086-06-CID469-75447

PAGE 1 OF 1 PAGE

DETAILS

BASIS FOR INVESTIGATION: About 0900, 14 Nov 06, this office received a Request for Assistance from 31<sup>st</sup> Military Police Detachment (CID), US Army Criminal Investigation Command, Contingency Operating Base (COB) Speicher, Tikrit, Iraq, APO AE 09393, to locate, fully identify and interview PVT (b)(6), (b)(7)(C) 243<sup>rd</sup> Engineer Company, Maryland National Guard.

About 1420, 14 Nov 06, SA (b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C) and INV (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) this office, attempted to locate PVT (b)(6), (b)(7)(C) at (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) which met with negative results.

About 0900, 27 Nov 06, SA (b)(6), (b)(7)(C) and INV (b)(6), (b)(7)(C) coordinated with PVT (b)(6), (b)(7)(C) who related that any questions should be directed to his attorney, CPT (b)(6), (b)(7)(C) (NFI).

Between 27 Nov 06 and 5 Dec 06, SA (b)(6), (b)(7)(C) and INV (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) who related PVT (b)(6), (b)(7)(C) had no knowledge of any detainee abuse or killings. CPT (b)(6), (b)(7)(C) further stated he would not allow PVT (b)(6), (b)(7)(C) to speak directly to CID Agents without legal council present.

About 1550, 5 Dec 06, SA (b)(6), (b)(7)(C) sent an Information Report including contact information for CPT (b)(6), (b)(7)(C) to SA (b)(6), (b)(7)(C) requesting office.

No further investigative activity is anticipated by this office.

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

TYPE, AGENCY NAME AND SEQUENCE NUMBER  
SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION  
Fort Meade Resident Agency (CID)  
Ft. Meade, MD 20755

(b)(6), (b)(7)(C)

DATE  
5 Dec 06

EXHIBIT  
6-11-10

ACLU DDII CID ROIS 36416

AGENT'S INVESTIGATION REPORT

0086-06-CID469-75447  
0363-06-CID054

CID Regulation 195-1

Page 1 of 1 Pages

BASIS FOR INVESTIGATION: About 1527, 14 Nov 06, this office received a Request For Assistance (RFA) 0086-06-CID469-75447 from 31st Military Police Detachment (CID) (-), Contingency Operating Base (COB) Speicher, Tikrit, Iraq, APO AE 09393, to locate and conduct a witness interview of Airman (b)(6), (b)(7)(C) 917th Security Forces Squadron, 1000 Davis Avenue E, Barksdale, AFB LA 71110-2286.

About 1544, 15 Nov 06, SA (b)(6), (b)(7)(C), (b)(7)(F) briefed SA (b)(6), (b)(7)(C) United States Air Force Office of Special Investigations Detachment, Barksdale Air Force Base, LA, who agreed to conduct the interview of Airman (b)(6), (b)(7)(C)

About 1036, 29 Nov 06, SA (b)(6), (b)(7)(C) informed this office, Mr (b)(6), (b)(7)(C) had been discharged from the Air Force and was currently residing in Canton, TX.

About 1130, 8 Dec 06, SA (b)(6), (b)(7)(C) interviewed Mr (b)(6), (b)(7)(C) who stated he heard about the incident, but didn't know any details (see Statement of Witness, AF IMT 1168, for details).

About 1550, 27 Dec 06, SA (b)(6), (b)(7)(C) coordinated with SA (b)(6), (b)(7)(C) who stated Mr (b)(6), (b)(7)(C) did not remember any of the other detainees' names and could not describe the person he heard the information from. He did say it was not one of the three accused individuals.

STATUS: All requested investigation activity has been completed and no further activity is anticipated. This action is closed within the files of this office.  
///LAST ENTRY///

SA (b)(6), (b)(7)(C), (b)(7)(F)

Fort Polk CID Office, 90<sup>th</sup> MP DET  
6<sup>th</sup> Military Police Group (CID),  
Fort Polk, Louisiana 71459

Signature (b)(6), (b)(7)(C)

Date: 27 Dec 06

CID Form 94



AIR FORCE OFFICE OF SPECIAL INVESTIGATION  
REPORT OF INVESTIGATIVE ACTIVITY

1. DATE OF INVESTIGATIVE ACTIVITY  
08 Dec 06

2. PLACE  
AFOSI Det 219, 805 Luke Ave., Barksdale AFB, LA 71110

3. ACTIVITY NUMBER  
31382063461415

4. REMARKS

Witness Interview of (b)(6), (b)(7)(C) Male Born: (b)(6), (b)(7)(C) Civ; (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)

Date/Time: 08 Dec 06 at approximately 1130 hours

On 08 Dec 06 (b)(6), (b)(7)(C) provided a signed, sworn statement and the following information: While he was in confinement in Kuwait he did not socialize with anyone in particular. He did not remember any of the other detainees names and stated he only heard that three (3) of the Army detainees were in confinement because they shot Enemy Prisoners of War (EPOW). The three (3) in question allegedly, went out on a mission with a camera crew. When they were out, they captured several EPOW's. The camera crew left the three (3) Army members in question alone for a period of time (NFI) and when they came back the EPOW's were dead. (b)(6), (b)(7)(C) heard the EPOW's tried to escape so the Army members in question shot them. (b)(6), (b)(7)(C) could not recall who he heard this information from and did not have any further information to add.

5. CONDUCTED BY

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

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THIS ACTIVITY HAS NOT BEEN CLASSIFIED  
~~LAW ENFORCEMENT SENSITIVE~~  
~~FOR OFFICIAL USE ONLY~~

AGLU DDII CID ROIS 36418

PAGE 1 OF 1 PAGES  
EXHIBIT 412  
002586

**STATEMENT OF SUSPECT/WITNESS/COMPLAINANT**

SUSPECT

WITNESS/COMPLAINANT

**PRIVACY ACT STATEMENT**

AUTHORITY: 10 U.S.C. 8013; 44 U.S.C. 3101; and EO 9397

PRINCIPAL PURPOSES: Used to record information and details of criminal activity which may require investigative action by commanders, supervisors, security police, AFOSI special agents, etc.; and to provide information to appropriate individuals within DoD organizations who ensure proper legal and administrative action is taken.

ROUTINE USES: Information may be disclosed to local, county, state, and federal law enforcement/investigative authorities for investigation and possible criminal prosecution or civil court action. Information extracted from this form may be used in other related criminal and/or civil proceedings.

DISCLOSURE IS VOLUNTARY: SSN is used to positively identify the individual making the statement.

**I. STATEMENT INFORMATION**

DATE (YYYYMMDD) <i>2006 12 08</i>	TIME <i>1130</i>	LOCATION AND INSTALLATION (Bldg/Room No) <i>McDonald's Carroll TX</i>	UNIT TAKING STATEMENT <i>AFOSI Det 219</i>	REPEAT (If known) OFFENSE COMPLAINT
--------------------------------------	---------------------	--	---	---

**II. PERSONAL IDENTIFICATION (Print or Type)**

NAME (Last, First, Middle Initial) <b>(b)(6), (b)(7)(C)</b>		SSN <b>(b)(6), (b)(7)(C)</b>	STATUS/GRADE <i>Civ</i>	
DATE AND PLACE OF BIRTH (If required) <b>(b)(6), (b)(7)(C)</b>		TELEPHONE HOME DUTY		
PERMANENT ADDRESS OR HOME OF RECORD (Include Zip Code) <i>N/A</i>		MILITARY ORGANIZATION/EMPLOYER <i>N/A</i>		DEROS <i>N/A</i>

**SPONSOR INFORMATION**

NAME (Last, First, Middle Initial) <i>N/A</i>	GRADE <i>N/A</i>	SSN <i>N/A</i>	ORGANIZATION <i>N/A</i>	DUTY PHONE <i>N/A</i>
--	---------------------	-------------------	----------------------------	--------------------------

**III. ACKNOWLEDGEMENT OF OFFENSES AND 5TH AMENDMENT/ARTICLE 31 RIGHTS ADVISEMENT (Suspect Only)**

I have been advised that I am suspected of the following offenses:

ADVISED BY (Full Name and Rank)	INDIVIDUAL IDENTIFIED HIMSELF/HERSELF AS A (SF, special agent, etc.)
---------------------------------	--

SUSPECT INITIALS	<i>and advised me that I have the following rights according to the 5th Amendment of the U.S. Constitution/Article 31 of the Uniform Code of Military Justice.</i>
	I have the right to remain silent - that is to say nothing at all.
	Any statement I make, oral or written, may be used as evidence against me in a trial or in other judicial, non-judicial, or administrative proceedings.
	I have the right to consult with a lawyer.
	I have the right to have a lawyer present during this interview. <i>JSEB</i>
	I may obtain a civilian lawyer of my own choice at no expense to the government.
	I may request a lawyer any time during this interview. <i>JSEB</i>
	If I decide to answer questions with or without a lawyer present, I may stop the questioning at any time.
	MILITARY ONLY: If I want a military lawyer, one will be appointed for me free of charge.
	CIVILIANS ONLY: If I cannot afford a lawyer and want one, a lawyer will be appointed for me by civilian authorities.

SUSPECT INITIALS	<i>I have read my rights as listed above and I fully understand my rights. No promises, threats, or inducements of any kind have been made to me. No pressure or coercion has been used against me. I make the following choice. (Initial One)</i>
	<i>I do not want a lawyer. I am willing to answer questions or make a statement or both, about the offense(s) under investigation.</i>
	<i>I do not want a lawyer and I do not wish to make a statement or answer any questions.</i>
	<i>I want a lawyer. I will not make any statement or answer any questions until I talk to a lawyer.</i>

*I fully understand my rights and that my signature does not constitute an admission of guilt.*

SIGNATURE OF SUSPECT	SIGNATURE OF WITNESS/INTERVIEWER
----------------------	----------------------------------

**LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY**

**EXHIBIT 413**

**LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY**  
**ACT/DJ/CID ROIS 36419**

IV. STATEMENT

See Attached

V. OATH/SIGNATURE

(b)(6), (b)(7)(C)

I hereby voluntarily and of my own free will make this statement without having been subjected to any coercion, unlawful influence, or unlawful inducement. I swear (or affirm) I have read this statement, initialed all pages and corrections, and it is true and correct to the best of my knowledge.

SIGNATURE OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

SIGNATURE OF WITNESS/INTERVIEWER

(b)(6), (b)(7)(C)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 8th day of December, 2006 (year).

(b)(6), (b)(7)(C)

PAGE(S)

Use plain bond paper (both sides optional). At the top right of each page, print or type "(Last name of individual making the Statement) on (Date)." At the bottom of each page, print or type: "Page \_\_\_ of \_\_\_ Pages." The individual must initial the top and bottom entries and sign his/her name at the bottom of each page.

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EXHIBIT 413

(b)(6), (b)(7)(C)

While I was at Arafat The 3 in question came in the way  
former PRKist first class now an EI told me that they went out with a search crew  
The search crew left when they got back The Eper that the search had captured  
were dead he told me that they had said they tried to escape and had to be shot

!!! End statement !!! (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

ACLU DDII CID ROTS 36421  
~~LAW ENFORCEMENT SENSITIVE~~  
~~FOR OFFICIAL USE ONLY~~

EXHIBIT 413  
Page 00389 of 3  
JIC13

(b)(6), (b)(7)(C)

# AGENT'S INVESTIGATIVE REPORT

0670-06-CID016/  
0086-06-CID469-75447

*CID Regulation 195-1*

PAGE 1 OF 2

**DETAILS**

Basis for Investigation: About 1400, 25 Oct 06, this office received Request for Assistance (RFA) from 31<sup>st</sup> Military Police Detachment, Contingency Operating Base (COB) Speicher, Tikrit, Iraq, APO AE 09393 requesting the interviews of PVT (b)(6), (b)(7)(C) PV2 (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) PVT (b)(6), (b)(7)(C) PVT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) PVT (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) PVT (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) PVT (b)(6), (b)(7)(C) PVT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) PVT (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) PVT (b)(6), (b)(7)(C) (NFI), (b)(6), (b)(7)(C) (NFI), (b)(6), (b)(7)(C) (NFI), all Regional Correctional Facility (RFC), Fort Lewis, WA 98433 concerning their interactions with PFC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C), all of C Company 3/187<sup>th</sup> Infantry Regiment, FOB Brassfield-Mora, Samara, Iraq, APO AE 09349.

About 1000, 5 Dec 06, SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) PVT (b)(6), (b)(7)(C) PVT (b)(6), (b)(7)(C) PVT (b)(6), (b)(7)(C) PVT (b)(6), (b)(7)(C) PVT (b)(6), (b)(7)(C) PVT (b)(6), (b)(7)(C) and PVT (b)(6), (b)(7)(C). The only one that had contact was PVT (b)(6), (b)(7)(C) who talked to SSG (b)(6), (b)(7)(C) PVT (b)(6), (b)(7)(C) stated SSG (b)(6), (b)(7)(C) told him about how he was sent into a town to fulfill his mission; however SSG (b)(6), (b)(7)(C) did not provide any more details to him. (See Questionnaires for details)

About 1003, 1 Jan 07, SA (b)(6), (b)(7)(C) conducted a search for PFC (b)(6), (b)(7)(C). A search of the post alpha roster revealed PFC (b)(6), (b)(7)(C) is not assigned to Fort Lewis, WA 98433 (FLWA), a Defense Employee Interactive Data System (DIEDS) shown PFC (b)(6), (b)(7)(C) assigned to Fort Bragg, NC. A search for PVT (b)(6), (b)(7)(C) on the post alpha roster revealed PVT (b)(6), (b)(7)(C) is not assigned to FLWA, DIEDS shown PVT (b)(6), (b)(7)(C) assigned to Fort Sill, OK. A search for PVT (b)(6), (b)(7)(C) on the post alpha roster revealed PVT (b)(6), (b)(7)(C) is not assigned to FLWA, DIEDS shown PVT (b)(6), (b)(7)(C) assigned to Fort Sill, OK. A search for PVT (b)(6), (b)(7)(C) on the post alpha roster revealed PVT (b)(6), (b)(7)(C) is not assigned to FLWA, DIEDS shown PVT (b)(6), (b)(7)(C) assigned to Fort Hood, TX. A search for SGT (b)(6), (b)(7)(C) on the post alpha roster revealed SGT (b)(6), (b)(7)(C) is not assigned to FLWA, DIEDS shown SGT (b)(6), (b)(7)(C) assigned to Fort Campbell, KY. A search for PFC (b)(6), (b)(7)(C) on the post alpha

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F)		ORGANIZATION 44 <sup>th</sup> Military Police Detachment (CID) Fort Lewis, WA 98433	
SIGNATURE (b)(6), (b)(7)(C)		DATE 8 Jan 07	EXHIBIT ACLU DDII CID ROIS 36422

# AGENT'S INVESTIGATIVE REPORT

0670-06-CID016/  
0086-06-CID469-75447

CID Regulation 195-1

PAGE 2 OF 2

DETAILS

roster revealed PFC (b)(6), (b)(7)(C) is not assigned to FLWA, DIEDS shown PFC (b)(6), (b)(7)(C) assigned to Fort Campbell, KY. A search for PVT (b)(6), (b)(7)(C) on the post alpha roster revealed PVT (b)(6), (b)(7)(C) is not assigned to FLWA, DIEDS shown PVT (b)(6), (b)(7)(C) assigned to Fort Drum, NY. A search for PVT (b)(6), (b)(7)(C) on the post alpha roster revealed PVT (b)(6), (b)(7)(C) is not assigned to FLWA, DIEDS shown PVT (b)(6), (b)(7)(C) assigned to Fort Sill, OK. A search for PV2 (b)(6), (b)(7)(C) on the post alpha roster revealed PV2 (b)(6), (b)(7)(C) is not assigned to FLWA, DIEDS shown PV2 (b)(6), (b)(7)(C) assigned to Fort Drum, NY. A search for PVT (b)(6), (b)(7)(C) on the post alpha roster revealed PVT (b)(6), (b)(7)(C) is not assigned to FLWA, DIEDS shown PVT (b)(6), (b)(7)(C) assigned to Fort Hood, TX. A search for PVT (b)(6), (b)(7)(C) on the post alpha roster and DEIDS revealed no information. A search for PVT (b)(6), (b)(7)(C) on the post alpha roster and DEIDS revealed no information. A search of the post alpha roster revealed PFC (b)(6), (b)(7)(C) is assigned to 528<sup>th</sup> QM, FLWA.

About 0454, 8 Jan 07, SA (b)(6), (b)(7)(C) received an email from SA (b)(6), (b)(7)(C) stating they require no further investigative assistance from this office.

Status: This request is closed in the files of this office. No further activity is contemplated.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

44<sup>th</sup> Military Police Detachment (CID)  
Fort Lewis, WA 98433

SIGNATURE

(b)(6), (b)(7)(C)

DATE

8 Jan 07

EXHIBIT

ACLU DDII CID ROIS 36423

Name: (b)(6), (b)(7)(C)

Rank: E1

SSN: (b)(6), (b)(7)(C)

Where you in the Theater Field Detention Facility in Camp Arifjan, Kuwait?

YES

Do you know PFC (b)(6), (b)(7)(C)

NO

Do you know SSG (b)(6), (b)(7)(C)

YES, 2

Do you know SPC (b)(6), (b)(7)(C)

NO

Did you have any interaction with PFC (b)(6), (b)(7)(C)

NO

Did you have any interaction with SSG (b)(6), (b)(7)(C)

YES, IN BETWEEN SEGREGATION. ONLY ON TWO OCCASION.

Did you have any interaction with SPC (b)(6), (b)(7)(C)

NO

Did PFC (b)(6), (b)(7)(C) mention any of the missions he did in Iraq?

NO

Did SSG (b)(6), (b)(7)(C) mention any of the missions he did in Iraq?

YES, ONLY HOW HE WAS SENT ON ORDERS TO GO INTO THE TOWN AND #0 FULFILL HIS MISSION. I DONT KNOW WHAT THE DETAILS ENTAILED.

Did SPC (b)(6), (b)(7)(C) mention any of the missions he did in Iraq?

NO

ACLU DDII CID ROIS 36424

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LAW ENFORCEMENT SENSITIVE

EXHIBIT 415-1

en17

Name: (b)(6), (b)(7)(C)

Rank: E-1

SSN: (b)(6), (b)(7)(C)

Where you in the Theater Field Detention Facility in Camp Arifjan, Kuwait? Yes

Do you know PFC (b)(6), (b)(7)(C) No

Do you know SSG (b)(6), (b)(7)(C) No

Do you know SPC (b)(6), (b)(7)(C) No

Did you have any interaction with PFC (b)(6), (b)(7)(C) No

Did you have any interaction with SSG (b)(6), (b)(7)(C) No

Did you have any interaction with SPC (b)(6), (b)(7)(C) No

Did PFC (b)(6), (b)(7)(C) mention any of the missions he did in Iraq? No

Did SSG (b)(6), (b)(7)(C) mention any of the missions he did in Iraq? No

Did SPC (b)(6), (b)(7)(C) mention any of the missions he did in Iraq? No

ACLU DDII CID ROIS 36425

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LAW ENFORCEMENT~~

EXHIBIT 415-3

encl 3



Name: (b)(6), (b)(7)(C)

Rank: PVT

SSN: (b)(6), (b)(7)(C)

Where you in the Theater Field Detention Facility in Camp Arifjan, Kuwait?

Yes

Do you know PFC (b)(6), (b)(7)(C)

No

Do you know SSG (b)(6), (b)(7)(C)

No

Do you know SPC (b)(6), (b)(7)(C)

No

Did you have any interaction with PFC (b)(6), (b)(7)(C)

No

Did you have any interaction with SSG (b)(6), (b)(7)(C)

No

Did you have any interaction with SPC (b)(6), (b)(7)(C)

No

Did PFC (b)(6), (b)(7)(C) mention any of the missions he did in Iraq?

Never met him

Did SSG (b)(6), (b)(7)(C) mention any of the missions he did in Iraq?

Never met him

Did SPC (b)(6), (b)(7)(C) mention any of the missions he did in Iraq?

Never met him

ACLU DDII CID ROIS 36426 415-3

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LAW ENFORCEMENT & JUSTICE DIVISION

EXHIBIT

Name: (b)(6), (b)(7)(C)

Rank: Pvt

SSN: (b)(6), (b)(7)(C)

Where you in the Theater Field Detention Facility in Camp Arifjan, Kuwait?

Do you know PFC (b)(6), (b)(7)(C)  
No

Do you know SSG (b)(6), (b)(7)(C)  
No

Do you know SPC (b)(6), (b)(7)(C)  
No

Did you have any interaction with PFC (b)(6), (b)(7)(C)  
No

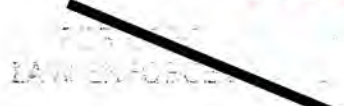
Did you have any interaction with SSG (b)(6), (b)(7)(C)  
No

Did you have any interaction with SPC (b)(6), (b)(7)(C)  
No

Did PFC (b)(6), (b)(7)(C) mention any of the missions he did in Iraq?  
No

Did SSG (b)(6), (b)(7)(C) mention any of the missions he did in Iraq?  
No

Did SPC (b)(6), (b)(7)(C) mention any of the missions he did in Iraq?  
No



Name: **(b)(6), (b)(7)(C)**

Rank: E-5

SSN: **(b)(6), (b)(7)(C)**

Where you in the Theater Field Detention Facility in Camp Arifjan, Kuwait?

yes

Do you know PFC **(b)(6), (b)(7)(C)**

✓

Do you know SSG **(b)(6), (b)(7)(C)**

✓

Do you know SPC **(b)(6), (b)(7)(C)**

✓

Did you have any interaction with PFC **(b)(6), (b)(7)(C)**

✓

Did you have any interaction with SSG **(b)(6), (b)(7)(C)**

✓

Did you have any interaction with SPC **(b)(6), (b)(7)(C)**

✓

Did PFC **(b)(6), (b)(7)(C)** mention any of the missions he did in Iraq?

✓

Did SSG **(b)(6), (b)(7)(C)** mention any of the missions he did in Iraq?

✓

Did SPC **(b)(6), (b)(7)(C)** mention any of the missions he did in Iraq?

✓

ACLU DDII CID ROIS 36428

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415-5  
EXHIBIT

Name: **(b)(6), (b)(7)(C)**

Rank: E-4

SSN: N/A

Where you in the Theater Field Detention Facility in Camp Arifjan, Kuwait?

Y

Do you know PFC **(b)(6), (b)(7)(C)**

N

Do you know SSG **(b)(6), (b)(7)(C)**

N

Do you know SPC **(b)(6), (b)(7)(C)**

N

Did you have any interaction with PFC **(b)(6), (b)(7)(C)**

N

Did you have any interaction with SSG **(b)(6), (b)(7)(C)**

N

Did you have any interaction with SPC **(b)(6), (b)(7)(C)**

N

Did PFC **(b)(6), (b)(7)(C)** mention any of the missions he did in Iraq?

N

Did SSG **(b)(6), (b)(7)(C)** mention any of the missions he did in Iraq?

N

Did SPC **(b)(6), (b)(7)(C)** mention any of the missions he did in Iraq?

ACLU DDII CID ROIS 36429 415-6

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EXHIBIT

Name: **(b)(6), (b)(7)(C)**

Rank: E-1/PV1

SSN: \_\_\_\_\_

Where you in the Theater Field Detention Facility in Camp Arifjan, Kuwait?

yes

Do you know PFC **(b)(6), (b)(7)(C)**

NO

Do you know SSG **(b)(6), (b)(7)(C)**

NO

Do you know SPC **(b)(6), (b)(7)(C)**

NO

Did you have any interaction with PFC **(b)(6), (b)(7)(C)**

NO

Did you have any interaction with SSG **(b)(6), (b)(7)(C)**

NO

Did you have any interaction with SPC **(b)(6), (b)(7)(C)**

NO

Did PFC **(b)(6), (b)(7)(C)** mention any of the missions he did in Iraq?

NO

Did SSG **(b)(6), (b)(7)(C)** mention any of the missions he did in Iraq?

NO

Did SPC **(b)(6), (b)(7)(C)** mention any of the missions he did in Iraq?

NO

ACLU DDII CID ROIS 36430 415-7

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EXHIBIT

Name: **(b)(6), (b)(7)(C)**

Rank: PVT

SSN: **(b)(6), (b)(7)(C)**

Where you in the Theater Field Detention Facility in Camp Arifjan, Kuwait? yes

Do you know PFC **(b)(6), (b)(7)(C)** no

Do you know SSG **(b)(6), (b)(7)(C)** no

Do you know SPC **(b)(6), (b)(7)(C)** no

Did you have any interaction with PFC **(b)(6), (b)(7)(C)** no

Did you have any interaction with SSG **(b)(6), (b)(7)(C)** no

Did you have any interaction with SPC **(b)(6), (b)(7)(C)** no

Did PFC **(b)(6), (b)(7)(C)** mention any of the missions he did in Iraq? no

Did SSG **(b)(6), (b)(7)(C)** mention any of the missions he did in Iraq? no

Did SPC **(b)(6), (b)(7)(C)** mention any of the missions he did in Iraq? no

ACLU DDII CID ROIS 36431415-8

EXHIBIT

Name: **(b)(6), (b)(7)(C)**

Rank: Pvt

SSN: **(b)(6), (b)(7)(C)**

Where you in the Theater Field Detention Facility in Camp Arifjan, Kuwait? yes

Do you know PFC **(b)(6), (b)(7)(C)** No

Do you know SSG **(b)(6), (b)(7)(C)** No

Do you know SPC **(b)(6), (b)(7)(C)** No

Did you have any interaction with PFC **(b)(6), (b)(7)(C)** No

Did you have any interaction with SSG **(b)(6), (b)(7)(C)** No

Did you have any interaction with SPC **(b)(6), (b)(7)(C)**

Did PFC **(b)(6), (b)(7)(C)** mention any of the missions he did in Iraq? No

Did SSG **(b)(6), (b)(7)(C)** mention any of the missions he did in Iraq? No

Did SPC **(b)(6), (b)(7)(C)** mention any of the missions he did in Iraq? No

ACLU DDII CID ROIS 36432 415-9

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002600  
EXHIBIT

0086-06-CID469-75447

<b>AGENT'S INVESTIGATION REPORT</b>  <i>CID Regulation 195-1</i>	ROI NUMBER 0444-06-CID033-
	PAGE 1 OF 1 PAGES

DETAILS

About 0800, 14 Nov 06, SA (b)(6), (b)(7)(C) received a Request for Assistance from 31st Military Police Detachment (CID)(-), USACIDC, Contingency Operating Base Speicher, Tikrit, Iraq, APO AE 09393, to execute a search affidavit and search authorization compelling a medical examination of SPC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) C Company (C CO), 3rd Battalion, 187th Infantry Regiment (3-187 INF REGT), Fort Campbell, KY 42223 (FCKY).

About 1250, 14 Nov 06, SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) Military Magistrate, Office of the Staff Judge Advocate (OSJA), 101st Airborne Division (Air Assault)(101st ABN DIV (ASSLT)), 125 Forrest Road, FCKY, who signed the Search affidavit and search authorization. (See Search Affidavit and Search Authorization for details)

About 1305, 14 Nov 06, SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) OSJA, 101st SBN DIV (ASSLT), FCKY, who related SPC (b)(6), (b)(7)(C) was scheduled to arrive at BACH about 1500, 14 Nov 05 at which time COL (b)(6), (b)(7)(C) Forensic Pathologist, USA Medical Department Activity (MEDDAC), FCKY, would execute the search authorization and document the injuries on SPC (b)(6), (b)(7)(C) face and left arm.

About 1519, 14 Nov 06, SPC (b)(6), (b)(7)(C) was escorted to COL (b)(6), (b)(7)(C) office by SSG (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Military Police Officer, Headquarters and Headquarters Company (HHC), 3rd Support Troops Battalion (3 STB), 3rd Brigade Combat Troop (3 BCT), FCKY.

About 1520, 14 Nov 06, COL (b)(6), (b)(7)(C) executed the search authorization on SPC (b)(6), (b)(7)(C) person.

About 1525, 14 Nov 06, SPC (b)(6), (b)(7)(C) USA MEDDAC, FCKY, exposed photographs of SPC (b)(6), (b)(7)(C) utilizing a Nikon digital camera.

About 1530, 14 Nov 06, SA (b)(6), (b)(7)(C) collected as evidence one compact disk on a DA Form 4137, Evidence/Property Custody Document (EPCD), Document Number (DN) 0259-06.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F)	ORGANIZATION 31st Military Police Detachment (CID) Fort Campbell, KY 42223	
SIGNATURE (b)(6), (b)(7)(C)	DATE 14 Nov 06	EXHIBIT 36433

ENC 002601



**AFFIDAVIT SUPPORTING REQUEST FOR AUTHORIZATION TO SEARCH AND SEIZE OR APPREHEND**

For use of this form, see AR 27-10; the proponent agency is TJAG.

BEFORE COMPLETING THIS FORM, SEE INSTRUCTIONS ON PAGE 2

1. I, Special Agent (b)(6), (b)(7)(C) 31st Military Police Detachment (CID)  
(Name) (Organization or Address)

Fort Campbell, Kentucky, 42223

having been duly sworn, on oath depose and state that:

A CID investigation revealed two Soldiers, SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) conspired with their Squad Leader, SSG (b)(6), (b)(7)(C) all assigned to 3d Squad, 3d Platoon, C Company, 3-187th Infantry, Forward Operating Base (FOB) Brassfield-Mora, Samara, Iraq, to shoot and kill three local national male detainees, who at one time, had been zip tied and blindfolded prior to the shooting. A fourth Soldier, SPC (b)(6), (b)(7)(C) same squad, same unit, subsequently shot one of the wounded detainees in the face, killing him.

2. The affiant further states that:

On 11 May 06, and on 21 May 06, SPC (b)(6), (b)(7)(C) provided sworn statements during unit investigations into the circumstances of the deaths of the detainees. SPC (b)(6), (b)(7)(C) stated that he was assaulted by one of the detainees with a knife, and received wounds to his face and a wound to his left arm.

On 29 May 06, SPC (b)(6), (b)(7)(C) provided a sworn statement to CID. SPC (b)(6), (b)(7)(C) again stated that he was assaulted by one of the detainees with a knife, and received wounds to his face and a wound to his left arm. CID Interviews of other unit members disclosed that they observed apparent wounds to SPC (b)(6), (b)(7)(C) face and left arm after the incident.

On 31 May 06, CID interviewed Doctor (Major) (b)(6), (b)(7)(C) Troop Medical Clinic, FOB Brassfield-Mora, Samara, Iraq, who related he examined SPC (b)(6), (b)(7)(C) on 13 May 06 and observed apparent wounds to SPC (b)(6), (b)(7)(C) face and left arm.

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ASST DIR II CID ROIS 36434

EXHIBIT 417

M TAB TAB 1 TAB TAB

3. In view of the foregoing, the affiant requests that an authorization be issued for a search of SPC (b)(6), (b)(7)(C) person (the person) (and) (the quarters or billets) (and) (the automobile) ( and (seizure) (apprehension) of photographs of any wounds and a medical (items/persons searched for) examination by a forensic pathologist

TYPED NAME AND ORGANIZATION OF AFFIANT Special Agent (b)(6), (b)(7)(C) 31st MP DET CID, Fort Campbell, Kentucky, 42223

SIGNATURE (b)(6), (b)(7)(C)

SWORN TO AND SUBSCRIBED BEFORE ME THIS 14th DAY OF November 2006 AT BLDG 125 FOREST RD, Fort Campbell, Kentucky, 42223

TYPED NAME, ORGANIZATION AND OFFICIAL CAPACITY OF AUTHORITY ADMINISTERING THE OATH CPT (b)(6), (b)(7)(C) CPT (b)(6), (b)(7)(C) Office of the Staff Judge Advocate, 101st ABN DIV (AASLT) Military Magistrate

SIGNATURE OF AUTHORITY ADMINISTERING THE OATH (b)(6), (b)(7)(C)

INSTRUCTIONS FOR

AFFIDAVIT SUPPORTING REQUEST FOR AUTHORIZATION TO SEARCH AND SEIZE OR APPREHEND

- 1. In paragraph 1, set forth a concise, factual statement of the offense that has been committed or the probable cause to believe that it has been committed. Use additional page if necessary.
2. In paragraph 2, set forth facts establishing probable cause for believing that the person, premises, or place to be searched and the property to be seized or the person(s) to be apprehended are connected with the offense mentioned in paragraph 1, plus facts establishing probable cause to believe that the property to be seized or the person(s) to be apprehended are presently located on the person, premises, or place to be searched. Before a person may conclude that probable cause to search exists, he or she must first have a reasonable belief that the person, property or evidence sought is located in the place or on the person to be searched. The facts stated in paragraphs 1 and 2 must be based on either the personal knowledge of the person signing the affidavit or on hearsay information which he/she has plus the underlying circumstances from which he/she has concluded that the hearsay information is trustworthy. If the information is based on personal knowledge, the affidavit should so indicate. If the information is based on hearsay information, paragraph 2 must set forth some of the underlying circumstances from which the person signing the affidavit has concluded that the informant (whose identity need not be disclosed) or his/her information was trustworthy. Use additional pages if necessary.
3. In paragraph 3, the person, premises, or place to be searched and the property to be seized or the person(s) to be apprehended should be described with particularity and in detail. Authorization for a search may issue with respect to a search for fruits or products of an offense, the instrumentality or means of committing the offense, contraband or other property the possession of which is an offense, the person who committed the offense, and under certain circumstances for evidentiary matters.

ACLU DDII CID ROIS 36435 EXHIBIT 1117

FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE

**SEARCH AND SEIZURE AUTHORIZATION**

For use of this form, see AR 27-10; the proponent agency is OTJAG

TO: (Name and Organization of the person to whom authorization is given)

Special Agent (b)(6), (b)(7)(C) 1st MP DET (CID), Fort Campbell, Kentucky 42223, or any CID Special Agent

(An affidavit) ~~(A sworn or unsworn oral statement)~~ having been made before me by

Special Agent (b)(6), (b)(7)(C)

(Name of Affiant)

31st MP DET (CID), Fort Campbell, Kentucky 42223

(Organization or Address of Affiant)

(which affidavit is attached hereto and made a part of this authorization), and as I am satisfied that there is probable cause to believe that the matters mentioned in the affidavit are true and correct, that the offense set forth therein has been committed, and that the property to be seized is located (on the person) ~~(at the place)~~ to be searched, you are hereby ordered to search the (person) (place) known as:

Person of SPC (b)(6), (b)(7)(C)

for the property described Evidence of wounds on his person

bringing this order to the attention of the (person searched) ~~(person in possession, if any person be found at the place or on the premises searched)~~. The search will be made in the (daytime) ~~(nighttime)~~, and if the property is found there, you shall seize it, issue a receipt therefor to the person from whom the property is taken or in whose possession the property is found, deliver the property to:

Evidence Custodian, 31st MP DET (CID), Fort Campbell, Kentucky 42223

(Name and Organization of Authorized Custodian)

and prepare a written inventory of the property. If there is no person at the searched place to whom the receipt may be delivered, the receipt will be left in a conspicuous location at the place or on the premises where the property is found.

Dated this 14 day of November, 2006

TYPED NAME AND GRADE OF AUTHORIZING OFFICIAL

(b)(6), (b)(7)(C) PT  
(b)(6), (b)(7)(C) CPT

DUTY POSITION OF AUTHORIZING OFFICIAL

Military Magistrate

ORGANIZATION OF AUTHORIZING OFFICIAL

Office of the Staff Judge Advocate  
101st ABN DIV (AASLT)  
Fort Campbell, Kentucky 42223

SIGNATURE OF AUTHORIZING OFFICIAL

(b)(6), (b)(7)(C)

418

EXHIBIT

ACLU DDII CID ROIS 36436

EVIDENCE/PROPERTY CUSTODY DOCUMENT

MPR/CID SEQUENCE NUMBER

0444-06-C10033

For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command

CID REPORT/CID ROI NUMBER

0086-06-C10489-75447

RECEIVING ACTIVITY  
31<sup>st</sup> MP DET (CID)

LOCATION  
Fort Campbell, KY 42223

NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED

ADDRESS (Include Zip Code) **RM# 2B417  
BLANCHFIELD ARMY COMMUNITY  
HOSPITAL  
FT CAMPBELL, KY 42223**

OWNER **COL (b)(6), (b)(7)(C)**  
 OTHER **(b)(6), (b)(7)(C)**

LOCATION FROM WHERE OBTAINED  
**FROM THE HANDS OF COL (b)(6), (b)(7)(C)  
WHILE AT BLANCHFIELD ARMY COMMUNITY  
HOSPITAL, FT CAMPBELL, KY 42223**

REASON OBTAINED

Evidence

TIME/DATE OBTAINED

1535/14NOV06

ITEM NO. QUANTITY

DESCRIPTION OF ARTICLES

(Include model, serial number, condition and unusual marks or scratches)

1	1	COMPACT DISK SILVER AND WHITE IN COLOR. <del>RECORDING</del> TYPE CONSTRUCTION WITH THE WORDS "OFFICE DESK... RECORDABLE" IN BLACK AND SILVER LETTERS. LABELED "SPC (b)(6), (b)(7)(C) INJURIES" IN NEW CONDUCTION MARKED FOR ID WITH 1535,14NOV06 (b)(6), (b)(7)(C) <b>LAST ITEM</b>
---	---	---

CHAIN OF CUSTODY

ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1	14NOV06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Evaluation as Evidence
1	14 NOV 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	RELEASED TO EVIDENCE CUSTODIAN
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

**EXHIBIT 419**

909700

CHAIN OF CUSTODY (Continued)

ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

FINAL DISPOSITION ACTION

RELEASE TO OWNER OR OTHER (Name/Unit) \_\_\_\_\_  
 DESTROY \_\_\_\_\_  
 OTHER (Specify) \_\_\_\_\_

FINAL DISPOSITION AUTHORITY

ITEM(S) \_\_\_\_\_ ON THIS DOCUMENT, PERTAINING TO THE INVESTIGATION INVOLVING \_\_\_\_\_ (Grade)  
 \_\_\_\_\_ (IS) (ARE) NO LONGER  
 (Name) (Organization)

REQUIRED AS EVIDENCE AND MAY BE DISPOSED OF AS INDICATED ABOVE. (If article(s) must be retained, do not sign, but explain in separate correspondence.)

\_\_\_\_\_  
 (Typed/Printed Name, Grade, Title) (Signature) (Date)

WITNESS TO DESTRUCTION OF EVIDENCE

THE ARTICLE(S) LISTED AT ITEM NUMBER(S) \_\_\_\_\_ (WAS) (WERE) DESTROYED BY THE EVIDENCE CUSTODIAN, IN MY PRESENCE, ON THE DATE INDICATED ABOVE

\_\_\_\_\_  
 (Typed/Printed Name, Organization) (Signature)

ACLU DDII CID ROIS 36438

FOR OFFICIAL USE ONLY  
LAW ENFORCEMENT SENSITIVE

0086-06-CID409-7514

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0340-06-CID045

PAGE 1 OF 1 PAGE

## DETAIL

On 14 Nov 06, this office received a Request For Assistance (RFA) from the 31<sup>ST</sup> Military Police Detachment (CID), Contingency Operating Base (COB) Speicher, Tikrit, Iraq, APO AE 09393, requesting this office locate, fully identify, and interview Mr. (formerly PVT) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) to determine if he has any knowledge of comments or conversations made by former inmates he was incarcerated with while deployed to Iraq. The conversations were pertaining to alleged shootings by three U.S. soldiers of unarmed Iraq males.

About 1949, 02 Jan 07, SA (b)(6), (b)(7)(C) this office, received Mr (b)(6), (b)(7)(C) National Comprehensive Report, which listed several possible addresses in the Rolla, MO area.

About 0800, 04 Jan 07, SA (b)(6), (b)(7)(C) coordinated with Mr. (b)(6), (b)(7)(C) Postal Inspector, U.S. Postal Inspection Service, PO Box 5201, Springfield, MO 65801, who stated Mr (b)(6), (b)(7)(C) had been receiving his mail at (b)(6), (b)(7)(C)

About 1900, 04 Jan 07, SA (b)(6), (b)(7)(C) interviewed Mr (b)(6), (b)(7)(C) who rendered a sworn statement detailing his knowledge of the incident. (See sworn statement of Mr (b)(6), (b)(7)(C)

About 2012, 04 Jan 07, SA (b)(6), (b)(7)(C) briefed SA (b)(6), (b)(7)(C) who stated nothing further was needed by this office.///////LAST ITEM///////

TYPE AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F)	ORGANIZATION 78 <sup>th</sup> Military Police Det (CID), 6 <sup>th</sup> MP Group (CID) USACIDC, Fort Leonard Wood, MO 65473	
SIG (b)(6), (b)(7)(C)	DATE 04 Jan 07	EXHIBIT 420

ACLU DDII CID ROIS 36439

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

PRIVACY ACT STATEMENT

0086-06-CID469-75447

AUTHORITY:  
PRINCIPAL PURPOSE:  
ROUTINE USES:  
DISCLOSURE:

Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
To provide commanders and law enforcement officials with means by which information may be accurately identified.  
Your social security number is used as an additional / alternate means of identification to facilitate filing and retrieval  
Disclosure of your social security number is voluntary

1. LOCATION

FLW CID OFFICE

2. DATE (b)(6), (b)(7)(C) 3. TIME (b)(6), (b)(7)(C) NUMBER

4 JAN 07 2000

7. GRADE/STATUS

CIV

8. ORGANIZATION OR ADDRESS

EDP FLW MD 65493 / 13200 Christopher Dr, Rolla MO 65401

9. I, (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

(b)(6), (b)(7)(C) I was confined at Camp Arifjan Kuwait June 15/06 to July 9/06 And I was in charge of laundry and seen the following names on the laundry tickets (b)(6), (b)(7)(C) and never had any direct contact with them. The Navy guards in charge had all of them separated so no one had contact with them. (b)(6), (b)(7)(C)

Q. (b)(6), (b)(7)(C)

A. (b)(6), (b)(7)(C)  
Q. you never spoke to the above named individuals?

A. Never (b)(6), (b)(7)(C)

Q. Why were they kept in separate tents?

A. The Navy guards said it was to keep them from talking to each other (b)(6), (b)(7)(C)

Q. Did the guards tell you why they were there?

A. Executing Iraq's (b)(6), (b)(7)(C)

Q. Who was the guard who gave you this information?

A. MAJ NOTAR (b)(6), (b)(7)(C)

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

A. No (b)(6), (b)(7)(C) End of statement ✓

(b)(6), (b)(7)(C)

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 1 OF 2 PAGES

421

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT (b)(6), (b)(7)(C) FOR OFFICIAL USE ONLY ROIS 36440 EXHIBIT

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT Rolla, MO DATED 4 JAN 07

9. STATEMENT (CONTINUED)

**(b)(6), (b)(7)(C)**

END of Statement

**(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**

AFFIDAVIT

I, \_\_\_\_\_, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL

**(b)(6), (b)(7)(C)**

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 04 day of Jan, 2007 at Rolla, MO

ORGANIZATION OR ADDRESS

**(b)(6), (b)(7)(C)**  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

Special Agent **(b)(6), (b)(7)(C)**  
(Typed Name of Person Administering Oath)

Article 136 (b) (4), UCMJ / 5 USC 303  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

**(b)(6), (b)(7)(C)**

~~LAW ENFORCEMENT SENSITIVE~~  
~~FOR OFFICIAL USE ONLY~~

PAGE 2 OF 2 PAGES

ACLU DDII CID ROIS 36441 EXHIBIT #21  
002609



# AGENT'S INVESTIGATION REPORT

ROI NUMBER

0443-06-CID033

CID Regulation 195-1

PAGE 1 OF 1

DETAILS

About 1330, 7 Dec 06, SA (b)(6), (b)(7)(C) interviewed PVT (b)(6), (b)(7)(C) B Company, 101<sup>st</sup> Brigade Troops Battalion, Fort Campbell, KY 42223, regarding his contact with the four soldiers mentioned in the RFA. PVT (b)(6), (b)(7)(C) provided a Sworn Statement and a sketch, wherein he detailed the Pre-Trial Confinement soldiers were housed separate from those in actual confinement, and further described how interaction between groups was limited by alternating work schedules, and monitored by Naval personnel. (See Sworn Statement and Sketch of PVT (b)(6), (b)(7)(C) for details)

///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

31<sup>st</sup> MP DET (CID), FORT CAMPBELL, KY 42223

(b)(6), (b)(7)(C)

DATE

7 Dec 06

EXHIBIT

422

SWORN STATEMENT

For use of this form, see AR 190-45; the pronoun agency is ODCSOPS

LOCATION Building 2745, Fort Campbell, KY 42223	DATE 7 Dec 2006	TIME 14:55	FILE NUMBER (b)(6), (b)(7)(C)
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS PVT/Active	
ORGANIZATION OR ADDRESS B Company, 101 <sup>st</sup> Brigade Troops Battalion, Fort Campbell, KY 42223			

I (b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:  
 On about June 25 of 2006 I was confined to the Ali Al Saleem for committing larceny. I was confined up until about the 17 July of 2006. The daily flow of things where as long as another group of people were out, we are confined to our tents. Post trial would work the day and Pretrial would work the nights and females would work while it was lock down time. We were also broken up in to tents according to our tag, green and yellow are in tent B and C low risk, Red was in A high risk, Blue was in D for Pretrial and females are in tent F no matter the tag and E tent was holding.

Q: Did you type the above portion of this statement?  
 A: Yes

Q: Did you ever have any contact with the soldiers in Pre-Trial Confinement?  
 A: Other than chow, no.

Q: When eating at the Dining Facility, did you sit at the same table as the people in Pre-Trial Confinement?  
 A: In the same DFAC but not at the same table. We were guarded.

Q: Were you allowed to talk during the meals?  
 A: Amongst ourselves, but not to the Pre-Trial.

Q: Were you ever in the Pre-Trial holding facility?  
 A: No.

Q: Did you ever work with the Pre-Trial Confinement during work details?  
 A: No.

Q: Did you ever work in the processing area where you might have had contact with incoming Pre-Trial Confinement personnel?  
 A: Yes, I worked in the processing area issuing supplies and personnel effects, but we were not allowed to talk to the incoming or outgoing personnel. We were guarded by Navy Master of Arms personnel that operating the confinement facility. We would have contact during the duty, but I did not talk with them about anything. The guards would write merits for good behavior, which could be exchanged for an early release. And they would write demerits for bad behavior, which could cause more days of confinement. If a person confined for 30 days was good for 25 days, they would be released on the 25<sup>th</sup> day.

Q: Do you know PFC (b)(6), (b)(7)(C) who was in Pre-Trial Confinement from C Company, 3/187 Infantry Regiment, FOB Brassfield-Mora, Samara, Iraq?  
 A: No.

Q: Do you know SSG (b)(6), (b)(7)(C) who was in Pre-Trial Confinement from C Company, 3/187 Infantry Regiment, FOB Brassfield-Mora, Samara, Iraq?  
 A: No.

Q: Do you know SP4 (b)(6), (b)(7)(C) who was in Pre-Trial Confinement from C Company, 3/187 Infantry Regiment, FOB Brassfield-Mora, Samara, Iraq?

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_ TAKEN AT \_\_\_ DATED \_\_\_ CONTINUED."  
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_ OF \_\_\_ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

STATEMENT (Continued)

A: No.

Q: Do you know SPC (b)(6), (b)(7)(C) who was in Pre-Trial Confinement from C Company, 3/187 Infantry Regiment, FOB Brassfield-Mora, Samara, Iraq?

A: No.

Q: Do you know PVT (b)(6), (b)(7)(C) who was in confinement from A Troop, 2-9 CAV, Fort Campbell, KY?

A: I don't know. There were only two people in the High Risk area while I was there. He could have been in either the B or C tent in the low risk area, depending on how he would have answered questions when he was in-processed.

Q: What tent were you assigned in the low risk area?

A: C

Q: Do you know Mr (b)(6), (b)(7)(C) (formerly PVT (b)(6), (b)(7)(C) who was in confinement from the 655<sup>th</sup> Transportation Company, Chattanooga, TN?

A: Yes, I know him. He has a profile for everything and he talked a lot.

Q: Do you know where to find Mr (b)(6), (b)(7)(C) now?

A: The only person I know is a guy named (b)(6), (b)(7)(C) who was in C tent. (b)(6), (b)(7)(C) is a tall, skinny light skinned black guy with a New York accent. (b)(6), (b)(7)(C) was active Army, but I do not know what unit he was assigned to. (b)(6), (b)(7)(C) may have been a PFC, and he said he was demoted for not coming back from pass.

Q: Do you know if Mr (b)(6), (b)(7)(C) or PFC (b)(6), (b)(7)(C) ever had any contact with the aforementioned Pre-Trial Confinement soldiers?

A: Not that I know of.

Q: Do you know PVT (b)(6), (b)(7)(C) who was in confinement from B Battery, 1-115<sup>th</sup> Field Artillery, Shelbyville, TN?

A: No.

Q: Do you have anything you wish to add to your statement?

A: I'm pretty sure PFC (b)(6), (b)(7)(C) is still in the army.

Q: Do you have anything further to add to your statement?

A: No.//END OF STATEMENT///(b)(6), (b)(7)(C)

-----NOTHING FOLLOWS-----

AFFIDAVIT

I (b)(6), (b)(7)(C) HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFULENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 7th day of December 2006

at Build

(b)(6), (b)(7)(C)

ORGANIZATION OR ADDRESS

SA (b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)

ARTICLE 136 UCMJ

ORGANIZATION OR ADDRESS

~~LAW ENFORCEMENT SENSITIVE~~  
~~FOR OFFICIAL USE ONLY~~  
(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 2 OF 2 PAGES

EXHIBIT

423

ACLU DII CID ROIS 36444

002612 Level 2

MWR

Phone

Tent A

DEAC

Tent B  
Tent C

Restroom

Bus

Pertrial D  
hooking E

Tent E

Processing

CQ

AIDS Slashes

SKETCH OF ALI AL SALHEM CONFINEMENT FACILITY

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

423

SA (b)(6), (b)(7)(C)

ENFORCEMENT SENSITIVE OR OFFICIAL USE ONLY

ACLU DDH, CID ROIS 36445 (b)(6), (b)(7)(C)

EXHIBIT

7 Dec 06

002613 Encl 4

15 February 2007

MEMORANDUM FOR SPECIAL AGENT (b)(6)(b)(7)(C) FORT BRAGG, CID

FROM: (b)(6)(b)(7)(C) COMMAND INVESTIGATOR

SUBJECT: Report of Investigation (Witness Interviews of (D) (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) (P) (b)(6)(b)(7)(C))

**SYNOPSIS:** On 05 FEB07, Investigations received a request via telephone from Special Agent (b)(6)(b)(7)(C) (Command Investigator Fort Bragg), requesting additional assistance in the case of (D) (b)(6)(b)(7)(C) and (D) (b)(6)(b)(7)(C). While detained at NAVCONBRIG CHASN, (D) (b)(6)(b)(7)(C) stated he would receive and pass written/verbal messages to (D) (b)(6)(b)(7)(C) with the assistance of (D) (b)(6)(b)(7)(C) (D) (b)(6)(b)(7)(C) and (P) (b)(6)(b)(7)(C).

**WITNESS INTERVIEW:** (P) (b)(6)(b)(7)(C) was interviewed on 06FEB07. (P) (b)(6)(b)(7)(C) stated that he knew little about (D) (b)(6)(b)(7)(C) and (D) (b)(6)(b)(7)(C) other than the two being housed in the A-2 Housing Unit. (P) (b)(6)(b)(7)(C) stated (D) (b)(6)(b)(7)(C) would discuss his case in general to other detainees and prisoners in the unit. (P) (b)(6)(b)(7)(C) stated (D) (b)(6)(b)(7)(C) talked very little about the case to him. (P) (b)(6)(b)(7)(C) stated he had no knowledge of letters, messages being passed between (D) (b)(6)(b)(7)(C) and (D) (b)(6)(b)(7)(C).

**WITNESS INTERVIEW:** (D) (b)(6)(b)(7)(C) was interviewed on 06FEB07. (D) (b)(6)(b)(7)(C) stated that he knew little about (D) (b)(6)(b)(7)(C) and (D) (b)(6)(b)(7)(C). (D) (b)(6)(b)(7)(C) stated (D) (b)(6)(b)(7)(C) would discuss very little about his case; only what he was being charged with. (D) (b)(6)(b)(7)(C) stated (D) (b)(6)(b)(7)(C) would talk a lot about the mission and their orders to kill military aged males on the island. (D) (b)(6)(b)(7)(C) stated he had no knowledge of letters, messages being passed between (D) (b)(6)(b)(7)(C) and (D) (b)(6)(b)(7)(C).

**WITNESS INTERVIEW:** (D) (b)(6)(b)(7)(C) was interviewed on 06FEB07. (D) (b)(6)(b)(7)(C) stated that he knew little about both detainees other than being housed with them in the A-2 Housing Unit. (D) (b)(6)(b)(7)(C) stated that (D) (b)(6)(b)(7)(C) would only discuss what he was being charged with. (D) (b)(6)(b)(7)(C) stated that (D) (b)(6)(b)(7)(C) stated to him that (D) (b)(6)(b)(7)(C) did kill the people, but did not murder them. (D) (b)(6)(b)(7)(C) stated he had no knowledge of letters, messages being passed between (D) (b)(6)(b)(7)(C) and (D) (b)(6)(b)(7)(C).

**INVESTIGATIONS COMMENTS:** As directed by the Command Duty Officer; at the time of the confinement; (D) (b)(6)(b)(7)(C) and (D) (b)(6)(b)(7)(C) were in fact separated from each other at all times. The A-2 Housing does in fact combine detainees and prisoners together in the unit with direct supervision 24 hours a day 7 days a week. It is possible that correspondence between (D) (b)(6)(b)(7)(C) and (D) (b)(6)(b)(7)(C) could in fact have taken place due to the number of detainees and prisoners

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EXHIBIT 424

002614

housed in the unit. No evidence or admittance to the alleged allegations made by (D) (b)(6)(b)(7)(C) was found. This investigation is closed.

(b)(6)(b)(7)(C)

Command Investigator

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ACLU DDII CID ROIS 36448

426  
EXHIBIT

VOLUNTARY STATEMENT

0086-06-00464-12441

I, (b)(6)(b)(7)(C), make the following free and voluntary statement to (b)(6)(b)(7)(C) whom I know to be COMMAND INVESTIGATOR

I make this statement of my own free will and without any threats or promises extended to me. I fully understand that this statement is given concerning my knowledge of COMMUNICATION BETWEEN DETAINEES IN SPECIAL QUARTERS.

Q: WHAT PERSONAL RELATIONSHIP, IF ANY, DID YOU HAVE WITH DETAINEE (b)(6)(b)(7)(C)?
A: NONE. I JUST KNEW HIM TO BE IN THE UNIT.

Q: WHAT PERSONAL RELATIONSHIP, IF ANY, DID YOU HAVE WITH DETAINEE (b)(6)(b)(7)(C)?
A: NONE. IT WAS JUST A CASUAL CONVERSATION BUT, NOTHING PERTAINING HIS CASE.

Q: AT ANYTIME WERE YOU ASKED BY A PRISONER, FORMER PRISONER, OR DETAINEE TO EXCHANGE ANY LETTERS, NOTES OR ANYTHING OF THAT NATURE TO DETAINEE (b)(6)(b)(7)(C)?
A: NEVER. (b)(6)(b)(7)(C) HAD SAID TO ALL OF THE OTHER DETAINEES THAT HE DID NOT WANT TO COMMUNICATE WITH DETAINEE (b)(6)(b)(7)(C) AT ALL. THEY WERE NOT SUPPOSED TO DISCUSS THE CASE.

Q: AT ANYTIME WERE YOU ASKED BY A PRISONER, FORMER PRISONER, OR DETAINEE TO EXCHANGE ANY LETTERS, NOTES OR ANYTHING OF THAT NATURE TO DETAINEE (b)(6)(b)(7)(C)?
A: NO.

Q: WERE YOU EVER ASKED AT ANYTIME BY DETAINEE GIROUARD TO DELIVER A LETTER, NOTE, OR ANY MESSAGES TO DETAINEE (b)(6)(b)(7)(C)?
A: NO.

Q: WERE YOU EVER ASKED AT ANYTIME BY DETAINEE (b)(6)(b)(7)(C) TO DELIVER A LETTER, NOTE, OR ANY MESSAGES TO DETAINEE (b)(6)(b)(7)(C)?
A: NO.

Q: DID DETAINEE (b)(6)(b)(7)(C) EVER DISCUSS ANYTHING ABOUT HIS CASE TO YOU?
A: YES. NOT TOTALLY IN DETAIL. THEY TALKED TO EVERYBODY IN GENERAL ABOUT THE CASE.

Q: DID DETAINEE (b)(6)(b)(7)(C) EVER DISCUSS ANYTHING ABOUT HIS CASE TO YOU?
A: NO. (b)(6)(b)(7)(C) TALKED VERY LITTLE ABOUT HIS CASE.

Q: DO YOU HAVE ANY KNOWLEDGE OF LETTERS, NOTES, OR MESSAGES BEING PASSED BETWEEN DETAINEE (b)(6)(b)(7)(C) AND DETAINEE (b)(6)(b)(7)(C)?
A: NO.

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425
EXHIBIT
002616

0086-06-CID469-75447

The following questions were asked of me by Investigator (b)(6)(b)(7)(C) and I supplied the answers

Q: Do you have anything further to add to your statement?

A: No. ///End of Statement.///

This statement, consisting of this page and 1 other page(s) was typed for me by MA1 (b)(6)(b)(7)(C) as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief.

(b)(6)(b)(7)(C)

Signature

Date: 07 FEB 07 Time: 1020

Subscribed and sworn to before me this 7th day of FEB in the year 2007 at 1020, in accordance with Article 136(b)(4), UCMJ.

Witnessed:

(b)(6)(b)(7)(C)

Title: SECURITY DEPT LCPO

PAGE 2 OF 2 PAGES/LAST

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ACLU DDII CID ROIS 36450

425  
EXHIBIT

002617



VOLUNTARY STATEMENT

I, (b)(6)(b)(7)(C), make the following

free and voluntary statement to (b)(6)(b)(7)(C)

whom I know to be COMMAND INVESTIGATOR

I make this statement of my own free will and without any threats or promises extended to me. I fully understand that this statement is given concerning my knowledge of COMMUNICATION BETWEEN DETAINEES IN SPECIAL QUARTERS.

Q: WHAT PERSONAL RELATIONSHIP, IF ANY, DID YOU HAVE WITH DETAINEE (b)(6)(b)(7)(C)?  
A: NONE. I KNEW HIM HERE AT THE BRIG

Q: WHAT PERSONAL RELATIONSHIP, IF ANY, DID YOU HAVE WITH DETAINEE (b)(6)(b)(7)(C)?  
A: NONE. I KNEW HIM HERE AS WELL

Q: AT ANYTIME WERE YOU ASKED BY A PRISONER, FORMER PRISONER, OR DETAINEE TO EXCHANGE ANY LETTERS, NOTES OR ANYTHING OF THAT NATURE TO DETAINEE (b)(6)(b)(7)(C)?  
A: NO.

Q: AT ANYTIME WERE YOU ASKED BY A PRISONER, FORMER PRISONER, OR DETAINEE TO EXCHANGE ANY LETTERS, NOTES OR ANYTHING OF THAT NATURE TO DETAINEE (b)(6)(b)(7)(C)?  
A: NO.

Q: WERE YOU EVER ASKED AT ANYTIME BY DETAINEE (b)(6)(b)(7)(C) TO DELIVER A LETTER, NOTE, OR ANY MESSAGES TO DETAINEE (b)(6)(b)(7)(C)?  
A: NO.

Q: WERE YOU EVER ASKED AT ANYTIME BY DETAINEE (b)(6)(b)(7)(C) TO DELIVER A LETTER, NOTE, OR ANY MESSAGES TO DETAINEE (b)(6)(b)(7)(C)?  
A: NO.

Q: DID DETAINEE (b)(6)(b)(7)(C) EVER DISCUSS ANYTHING ABOUT HIS CASE TO YOU?  
A: YES. WHAT? BASICALLY WHAT HE WAS ACCUSED OF.

Q: DID DETAINEE (b)(6)(b)(7)(C) EVER DISCUSS ANYTHING ABOUT HIS CASE TO YOU?  
A: YES. HE WOULD TALK ABOUT IT A LOT. GIVE SOME INSTANCES. HE WOULD TALK ABOUT THE MISSION, AND THEIR ORDERS TO KILL EVERY MILITARY AGED MALE ON THE ISLAND.

Q: DO YOU HAVE ANY KNOWLEDGE OF LETTERS, NOTES, OR MESSAGES BEING PASSED BETWEEN DETAINEE (b)(6)(b)(7)(C) AND DETAINEE (b)(6)(b)(7)(C)?  
A: NO.

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EXHIBIT 426

0086-06-C1D469-75447

The following questions were asked of me by Investigator (b)(6)(b)(7)(C) and I supplied the answers

Q: Do you have anything further to add to your statement?

A: No. ///End of Statement.///

This statement, consisting of this page and 1 other page(s) was typed for me by MA1 (b)(6)(b)(7)(C) as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief.

(b)(6)(b)(7)(C)

Signature: \_\_\_\_\_

Date: 07 FEB 07 Time: 1035

Subscribed and sworn to before me this 7th day of FEB in the year 2007 at 1035/Investigations, in accordance with Article 136(b)(4), UCMJ.

Witnessed: (b)(6)(b)(7)(C) \_\_\_\_\_

Title: Det 3 superintendent A

PAGE 2 OF 2 PAGES/LAST

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EXHIBIT 426

ACLU DDHCD ROIS 36452

VOLUNTARY STATEMENT

1. PLACE INVESTIGATIONS RM# 181

2. DATE 06 FEB07

2086-06-CIN 469-75447

I, (b)(6)(b)(7)(C), make the following

free and voluntary statement to (b)(6)(b)(7)(C),

whom I know to be COMMAND INVESTIGATOR

I make this statement of my own free will and without any threats or promises extended to me. I fully understand that this statement is given concerning my knowledge of COMMUNICATION BETWEEN DETAINEES IN SPECIAL QUARTERS.

Q: WHAT PERSONAL RELATIONSHIP, IF ANY, DID YOU HAVE WITH DETAINEE (b)(6)(b)(7)(C)?

A: I WAS PLACED IN SPECIAL QUARTERS WITH HIM. THAT'S THE ONLY RELATIONSHIP WE EVER HAD.

Q: WHAT PERSONAL RELATIONSHIP, IF ANY, DID YOU HAVE WITH DETAINEE (b)(6)(b)(7)(C)?

A: THE SAME THING. I WAS IN SPECIAL QUARTERS WITH HIM AS WELL.

Q: AT ANYTIME WERE YOU ASKED BY A PRISONER, FORMER PRISONER, OR DETAINEE TO EXCHANGE ANY LETTERS, NOTES OR ANYTHING OF THAT NATURE TO DETAINEE (b)(6)(b)(7)(C)?

A: NO.

Q: AT ANYTIME WERE YOU ASKED BY A PRISONER, FORMER PRISONER, OR DETAINEE TO EXCHANGE ANY LETTERS, NOTES OR ANYTHING OF THAT NATURE TO DETAINEE (b)(6)(b)(7)(C)?

A: NO.

Q: WERE YOU EVER ASKED AT ANYTIME BY DETAINEE (b)(6)(b)(7)(C) TO DELIVER A LETTER, NOTE, OR ANY MESSAGES TO DETAINEE (b)(6)(b)(7)(C)?

A: NO.

Q: WERE YOU EVER ASKED AT ANYTIME BY DETAINEE (b)(6)(b)(7)(C) TO DELIVER A LETTER, NOTE, OR ANY MESSAGES TO DETAINEE (b)(6)(b)(7)(C)?

A: NO.

Q: DID DETAINEE (b)(6)(b)(7)(C) EVER DISCUSS ANYTHING ABOUT HIS CASE TO YOU?

A: YES. HE ONLY TOLD ME WHAT HE WAS CHARGED WITH.

Q: DID DETAINEE (b)(6)(b)(7)(C) EVER DISCUSS ANYTHING ABOUT HIS CASE TO YOU?

A: YES. HE ONLY TOLD ME WHAT HE WAS CHARGED WITH. HE NEVER WENT IN DETAIL. (b)(6)(b)(7)(C) TOLD ME HE DID KILL THE PEOPLE, BUT HE DID NOT MURDER THEM.

Q: DO YOU HAVE ANY KNOWLEDGE OF LETTERS, NOTES, OR MESSAGES BEING PASSED BETWEEN DETAINEE (b)(6)(b)(7)(C) AND DETAINEE (b)(6)(b)(7)(C)?

A: NO.

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EXHIBIT 427

0086-06-CID469-75447

The following questions were asked of me by Investigator (b)(6)(b)(7)(C) and I supplied the answers

Q: Do you have anything further to add to your statement?

A: No. ///End of Statement.///

This statement, consisting of this page and 1 other page(s) was typed for me by MA1 (b)(6)(b)(7)(C) as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief.

Signature: (b)(6)(b)(7)(C)

Date: 15 FEB 07 Time: 0820

Subscribed and sworn to before me this <sup>05<sup>th</sup></sup> day of FEB in the year 2007 at 0820, in accordance with Article 136(b)(4), UCMJ.

Witnessed: (b)(6)(b)(7)(C)

Title: NCOIC CSS / AF Liaison

PAGE 2 OF 2 PAGES/LAST

LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY

EXHIBIT 427

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0086-06-CID469-75447

PAGE 1 OF 4 PAGES

## DETAILS

About 1430, 28 Nov 06, SA (b)(6), (b)(7)(C), (b)(7)(F) CID, Fort Irwin, CA, coordinated with SGT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Army Liaison, NCBM, SDCA, who related PVT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and PVT (b)(6), (b)(7)(C) were both released on appellate leave and no longer confined at the Confinement Facility, Fort Lewis, WA.

About 1430, 19 Dec 06, CPT (b)(6), (b)(7)(C) Trial Counsel, Office of the Staff Judge Advocate (OSJA), 101<sup>st</sup> Airborne Division, Fort Campbell, KY (FCKY), requested photographs of individuals involved in this investigation in order to conduct a photographic lineup.

About 1700, 4 Jan 07, SA (b)(6), (b)(7)(C), (b)(7)(F) CID, Fort Bragg, NC, met with CPT (b)(6), (b)(7)(C) in order to develop a photographic line-up to be presented to PVT (b)(6), (b)(7)(C) Confinement Facility, Fort Leavenworth, KS (NFI).

About 1300, 5 Jan 07, SA (b)(6), (b)(7)(C) met with CPT (b)(6), (b)(7)(C) and provided him with the photographic line up to be reviewed by PVT (b)(6), (b)(7)(C). CPT (b)(6), (b)(7)(C) requested SA (b)(6), (b)(7)(C) provide the instruction sheet and photo lineup to (b)(6), (b)(7)(C) so he could read and provide his response.

Between 1310 and 1330, SA (b)(6), (b)(7)(C) met with (b)(6), (b)(7)(C) to conduct photographic line up:

PVT (b)(6), (b)(7)(C) reviewed individuals of the photographic line-up and provided his name, date and initials to the documents which reflected the following:

### RESULTS OF LINEUP:

LOCATION OF LINEUP: Office of the Staff Judge Advocate, (office of CPT (b)(6), (b)(7)(C), FCKY

CONTROLLING SPECIAL AGENT: SA (b)(6), (b)(7)(C)

COUNSEL PRESENT: CPT (b)(6), (b)(7)(C)

OTHER WITNESS (ES): SSG (b)(6), (b)(7)(C) 3<sup>rd</sup> Brigade Combat Team (BCT), FCKY.

REMARKS: Photographic Line-up of PVT (b)(6), (b)(7)(C) Confinement Facility, Fort Leavenworth, KS

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

(b)(6), (b)(7)(C)

ORGANIZATION

10<sup>th</sup> MP Bn (CID) (ABN)  
Ft Bragg, NC 28310

DATE

26 Apr 07

EXHIBIT

428

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0086-06-CID469-75447

PAGE 2 OF 4 PAGES

## DETAILS

Upon completion of the line up CPT (b)(6), (b)(7)(C) was provided with the Line-up documents and he conducted an interview of (b)(6), (b)(7)(C)

Line up # 1 - (b)(6), (b)(7)(C) placed the numbers 2/4 in the Numbers block. (# 2 was the photographic image of PFC (b)(6), (b)(7)(C) and 4 was the photographic image of SGT (b)(6), (b)(7)(C)

Line up # 2 - (b)(6), (b)(7)(C) placed the number 6 in the Numbers block. (# 6 was the photographic image of SGT (b)(6), (b)(7)(C)

Line up # 3 - (b)(6), (b)(7)(C) placed the numbers 2/4 in the Numbers block. (# 2 was the photographic image of SGT (b)(6), (b)(7)(C) and # 4 was the photographic image of PFC (b)(6), (b)(7)(C) (See Photographic Line-up for details).

About 1000, 18 Jan 07, this office received the United States Criminal Investigation Laboratory (USACIL) Report # 2006-CID131-1281 from the Digital Evidence Branch, 28 Nov 06, detailing the examination of the respliced video cassette did not appear relevant to this investigation; and Latent Print Branch, 28 Dec 06, detailing the examination of the foil and plastic blister package did not reveal any latent prints. (See USACIL Reports for details).

About 1015, 18 Jan 07, this office was contacted by CPT (b)(6), (b)(7)(C) who related during the stipulation of facts SPC (b)(6), (b)(7)(C) related the murders were part of a conspiracy and that SSG (b)(6), (b)(7)(C) had inflicted the wounds to he and PFC (b)(6), (b)(7)(C) He further stated SPC (b)(6), (b)(7)(C) related he and SSG (b)(6), (b)(7)(C) had communicated with each other at the Naval Consolidated Brig, Charleston, SC through inmates (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) NFI, (b)(6), (b)(7)(C) NFI and (b)(6), (b)(7)(C) NFI. CPT (b)(6), (b)(7)(C) requested this office interview the inmates and determine if they were used to pass messages /notes or had any relevant information in regards to this investigation.

On 20 Jan 07, SA (b)(6), (b)(7)(C) received an email from SAC (b)(6), (b)(7)(C) CID, FCKY, which contained an updated Memorandum for Record: Titling Decision Re: COL (b)(6), (b)(7)(C), 3 Nov 06, authored by LTC (b)(6), (b)(7)(C) Deputy Staff Judge Advocate, OSJA, 101st ABN DIV, FCKY. (See Memorandum for details)

On 26 Jan 07, SA (b)(6), (b)(7)(C) was contacted by CPT (b)(6), (b)(7)(C) who requested the knives be photographed and re-examined by Serology.

On 1 Feb 07, SA (b)(6), (b)(7)(C) received an email from CPT (b)(6), (b)(7)(C) containing a memorandum from a member of Trial Defense Services which requested USACIL conduct specific testing on evidence submitted for examination. (See Memorandum for details)

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

10<sup>th</sup> MP Bn (CID) (ABN)  
Ft Bragg, NC 28310

DATE

26 Apr 07

EXHIBIT

428

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0086-06-CID469-75447

PAGE 3 OF 4 PAGES

## DETAILS

About 1315, 6 Feb 07, SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) who related this office could cancel strength testing of the zipties; and modify weapons testing to just SPC (b)(6), (b)(7)(C) weapon as it pertains to the recovered shell casings and to distance determinations.

About 0900, 8 Feb 07, this office received a request from CPT (b)(6), (b)(7)(C) to conduct a latent print examination of the pistol collected from SSG (b)(6), (b)(7)(C) belongings.

About 1000, 9 Feb 07, SA (b)(6), (b)(7)(C) submitted a Crime Laboratory request to Fort Campbell CID to submit to USACIL for examination of the pistol for latent prints.

About 1340, 26 Feb 07, this office received the Results of Trial regarding SPC (b)(6), (b)(7)(C) (11 Jan 07) and PFC (b)(6), (b)(7)(C) (25 Jan 07). (See Results of Trial for details)

About 1100, 27 Feb 07, this office received the Results of Trial regarding SPC (b)(6), (b)(7)(C) (9 Jan 07). (See Results of Trial for details)

About 1500, 26 Feb 07, SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) who requested this office coordinate with the Hawaii CID to ascertain if SSG (b)(6), (b)(7)(C) was ever arrested for domestic violence.

About 1400, 3 Mar 07, SA (b)(6), (b)(7)(C) was contacted by SA (b)(6), (b)(7)(C) CID, Schofield Barracks, HI, who related SSG (b)(6), (b)(7)(C) and his spouse resided on the installation during his tour of duty to Schofield Barracks, HI. He stated a check of the Schofield Barracks Military Police and Hawaii Police Department databases met with negative results on SSG (b)(6), (b)(7)(C)

About 1500, 2 Mar 07, this office coordinated with CPT (b)(6), (b)(7)(C) Trial Counsel, 3<sup>rd</sup> BCT, 101<sup>st</sup> ABN DIV, FCKY, who requested this office attempt to locate former soldier Mr. (b)(6), (b)(7)(C) who was scheduled to provide witness testimony in the trial of SSG (b)(6), (b)(7)(C)

About 1627, 2 Mar 07, SA (b)(6), (b)(7)(C) coordinated with the Transition Point, 18<sup>th</sup> Soldier Support Center, Fort Bragg, NC, which reflected (b)(6), (b)(7)(C) had not completed his transition out of the Army and should be scheduled for an out processing appointment with the Fort Campbell Transition Point in the near future.

About 1500, 6 Mar 07, SA (b)(6), (b)(7)(C) contacted the Orlando, FL, Police Department and requested they contact Mrs. (b)(6), (b)(7)(C) and determine if she had knowledge of Mr. (b)(6), (b)(7)(C) whereabouts.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

10<sup>th</sup> MP Bn (CID) (ABN)  
Ft Bragg, NC 28310

DATE

26 Apr 07

EXHIBIT

428

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0086-06-CID469-75447

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## DETAILS

About 1700, 6 Mar 07, SA (b)(6), (b)(7)(C) was contacted by Mrs. (b)(6), (b)(7)(C) who related she did not know the whereabouts of Mr. (b)(6), (b)(7)(C) and had not had any contact with him since Jan 07.

Agents Comments: This office was subsequently contacted by CPT (b)(6), (b)(7)(C) who related Mr. (b)(6), (b)(7)(C) had contacted his office.

On 11 Mar 07, SA (b)(6), (b)(7)(C) received USACIL Report # 2006-CID131-1281, Firearms Branch, 7 Mar 07, and Latent Print Branch, 8 Mar 07, which reflect the foil, plastic blister package and SSG (b)(6), (b)(7)(C) pistol did not reveal any latent prints and SPC (b)(6), (b)(7)(C) rifle fired two of the casing found at the crime scene. (See USACIL Reports for details)

On 26 Apr 07, this office received the Results of Trial of SSG (b)(6), (b)(7)(C) (See Results of Trial for details)  
///LAST ITEM///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

10<sup>th</sup> MP Bn (CID) (ABN)  
Ft Bragg, NC 28310

(b)(6), (b)(7)(C)

DATE

26 Apr 07

EXHIBIT

428



INSTRUCTION FOR WITNESS - LINEUP 5 JAN 07

1. You will be required to make several viewings while you are in this building.
2. You are to take your time. If you see a person you recognize, or who looks like the person who may have spoken to or had a conversation with, you are to put his on the paper provided to you. Do not feel under any pressure to make identification. The "individual" may or may not be in each viewing of the lineup.
3. If you have any questions while you are viewing the people in the identification lineup, please ask the CID Special Agent and he or she will assist you.
4. Once, you have begun the series of viewings, do not discuss any of the numbers you have placed on your paper with anyone except a CID Special Agent who has been designated to answer your questions.
5. If anyone attempts to discuss these proceedings with your after you leave this building, you should contact this office immediately.

<u>VIEWINGS:</u>	<u>TIME</u>	<u>RECOGNIZED</u>	<u>NUMBERS</u>	
VIEWING 1 -	13:19		2/4	
VIEWING 2 -	13:21		6	
VIEWING 3 -	13:22		2/4	

(b)(6), (b)(7)(C)  
PRINTED NAME OF WITNESS/VICTIM

(b)(6), (b)(7)(C)  
DATE 1-5-07

(b)(6), (b)(7)(C)  
SPECIAL AGENT WITNESS/SIGNATURE

(b)(6), (b)(7)(C)  
SPECIAL AGENT WITNESS

(b)(6), (b)(7)(C)  
OTHER WITNESS

(b)(6), (b)(7)(C)

EXHIBIT 429  
EXHIBIT

ACLU DDII CID ROIS 86459  
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**LINEUP VIEWING CARD**

PERSONNEL IN LINEUP:

	NAME	RANK	SSN	UNIT
A.	(b)(6), (b)(7)(C)	PFC	(b)(6), (b)(7)(C)	C Co, 3/187 <sup>th</sup> INF REG
B.	(b)(6), (b)(7)(C)	SGT	(b)(6), (b)(7)(C)	C Co, 3/187 <sup>th</sup> INF REG
C.	(b)(6), (b)(7)(C)	SGT	(b)(6), (b)(7)(C)	C Co, 3/187 <sup>th</sup> INF REG
D.	(b)(6), (b)(7)(C)	SPC	(b)(6), (b)(7)(C)	C Co, 3/187 <sup>th</sup> INF REG
E.	(b)(6), (b)(7)(C)	SSG	(b)(6), (b)(7)(C)	C Co, 3/187 <sup>th</sup> INF REG
F.	(b)(6), (b)(7)(C)	SGT	(b)(6), (b)(7)(C)	C Co, 3/187 <sup>th</sup> INF REG
G.	(b)(6), (b)(7)(C)	SPC	(b)(6), (b)(7)(C)	C Co, 3/187 <sup>th</sup> INF REG

LOCATION OF LINEUP: Office of the Staff Judge Advocate, (office of CPT (b)(6), (b)(7)(C)) Fort Campbell, KY 42223

CONTROLLING SPECIAL AGENT: SA (b)(6), (b)(7)(C)

COUNSEL PRESENT: CPT (b)(6), (b)(7)(C)

OTHER WITNESS (ES): SSG (b)(6), (b)(7)(C)

REMARKS: Photographic Lineup of PVT (b)(6), (b)(7)(C) Confinement Facility, Fort Leavenworth, KS

Upon completion of the line up CPT (b)(6), (b)(7)(C) was provided with the Line up documents and conducted an interview of (b)(6), (b)(7)(C)

Line up # 1 - (b)(6), (b)(7)(C) placed the numbers 2/4 in the Numbers block. (# 2 was the photographic image of PFC (b)(6), (b)(7)(C) and 4 was the photographic image of SGT (b)(6), (b)(7)(C)

Line up # 2 - (b)(6), (b)(7)(C) placed the number 6 in the Numbers block. (# 6 was the photographic image of SGT (b)(6), (b)(7)(C)

Line up # 3 - (b)(6), (b)(7)(C) placed the numbers 2/4 in the Numbers block. (# 2 was the photographic image of SGT (b)(6), (b)(7)(C) and # 4 was the photographic image of PFC (b)(6), (b)(7)(C)

**ACLU DDICID ROIS 36480**  
**LAW ENFORCEMENT BENEFIT**  
**FOR OFFICIAL USE ONLY**

**EXHIBIT** 1429  
 002627  
 294

00-06-CID469-75447



DEPARTMENT OF THE ARMY  
UNITED STATES ARMY TRIAL DEFENSE SERVICE, REGION V  
FORT LEWIS FIELD OFFICE  
FORT LEWIS, WA 98433

REPLY TO  
ATTENTION OF:

AFZH-JA-TDS

31 January 2007

MEMORANDUM THRU Trial Counsel, 101<sup>st</sup> Airborne Division (Air Assault), Fort Campbell, KY 42223-9500

FOR United States Army Criminal Investigation Laboratory (USACIL), 4930 North 31<sup>st</sup> Street, Forest Park, GA 30297-5205

SUBJECT: USACIL Proximity Testing of Exhibit 48 (M4Rifle with M203- (b)(6) (CID Case Number 0086-06-CID469-75447) in the Matter of United States v (b)(6) (b)(6) (b)(6)

1. This memorandum is made pursuant to the order of the military judge, (b)(6) concerning USACIL's order to conduct proximity testing of a weapon in the matter of United States v (b)(6) (CID Case Number 0086-06-CID469-75447). Pursuant to (b)(6) order the Defense expert assistant, Mr. (b)(6), requests that USACIL conduct a proximity test by firing Exhibit 48 ((b)(6) M4 rifle with M203) in the manner described below. The applicable DA Form 3655 page showing Exhibit 48 is attached as an Enclosure.

2. The Defense requests that the proximity testing be conducted as follows:

a. The Defense requests that Exhibit 48 (M4 Rifle with M203- (b)(6)) be test fired.

b. That the test fire described below be conducted on a white naugahyde or vinyl material on panels measuring eighteen (18) by eighteen (18) inches wide (18" x 18"). The purpose of using this material is to ensure that no debris exiting the barrel passes through the panel. Based on the below requirements a total of twenty-four (24) panels will be required (one shot per panel).

c. The Defense requests that the test fired be conducted from the following distances (as measured from the muzzle to the panel):

- 1 inch
- 1 foot
- 2 feet
- 3 feet
- 4 feet
- 5 feet

AFZH-JA-TDS

SUBJECT: USACIL Proximity Testing of Exhibit 48 (M4Rifle with M203- (b)(6) ) (CID  
Case Number 0086-06-CID469-75447) in the Matter of United States v. (b)(6)  
(b)(6)

0086-06-CID469-75447

d. That each of the distances listed above in paragraph b. be fired at the following four angles to the ground (as measured from the angle of the barrel): horizontal to the ground; at a 45 degree angle to the ground; 60 degree angle to the ground; and a 90 degree angle to the ground.

e. After the twenty-four (24) shots have been fired as described above, each panel should be sprayed with a clear adhesive to ensure that all particles and debris on the panel remain in place during shipment.

f. Once the clear adhesive has dried, the panels should be placed in a flat box (e.g., clean pizza box) and the panel tacked out flat inside the box for shipment.

g. One unfired cartridge of the same or similar type to those used in the test fire should be sent for analysis. This is to verify the type of propellant used in each of the test fired rounds.

h. Ammunition in following order should be used to conduct the proximity testing. First, any ammunition recovered from SPC (b)(6) personal equipment. If there is ammunition available from SPC (b)(6) equipment, please provide the manufacturer of that ammunition and a lot reference number that may be referenced at a later date. Second, ammunition from the same lot number as the type of ammunition used by SPC (b)(6) on 9 May 2006 should be used. Third, any available 5.56mm ammunition that is similar to that used on 9 May 2006 (this should include contacting the manufacturer to determine the powder type so that the test fires are conducted with ammunition that approximates the type used on 9 May 2006 as closely as possible).

i. The Defense requests that the test firing be video recorded for review by Mr. (b) A measuring device should be used that makes the distances visible on the video.

2. As soon as the testing data and materials (i.e., the panels and unspent cartridge) are ready for shipping, it should be sent to Mr. (b) at:

(b)(6)

3. Should any clarification on the testing requirements be needed, Mr. (b) can be contacted at (b)(6). Any deviations from these requirements or additional testing factors used by USACIL not included in this request should be noted and explained.

AFZH-JA-TDS

SUBJECT: USACIL Proximity Testing of Exhibit 48 (M4Rifle with M203 (b)(6) (CID

Case Number 0086-06-CID469-75447) in the Matter of United States v. (b)(6)

(b)(6)

086-06-CID469-75447

4. The POC is the undersigned at (b)(6) or by email at (b)(6)@us.army.mil.

(b)(6)

Encl

DA Form 3655, Exhibit 48

Defense Counsel

ACLU DDII CID ROIS 36470

~~LAW ENFORCEMENT SENSITIVE~~  
~~FOR OFFICIAL USE ONLY~~

EXHIBIT 431  
002635



DEPARTMENT OF THE ARMY  
US ARMY CRIMINAL INVESTIGATION LABORATORY 0086-06-CID469-75447  
4930 N 31ST STREET  
FOREST PARK, GA 30297-5205

(b)(6), (b)(7)(C)

CILA-EP

28 November 2006

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, 31TH MILITARY POLICE  
DETACHMENT, 10TH MP (CID) (FWD), COB SPEICHER, TIKRIT, IRAQ,  
APO AE 09393

SUBJECT: Forensic Branch Report(s)  
USACIL Case Number 2006-CID131-1281-A6  
Submitter Case Number 0086-06-CID469-75447

1. Enclosed are the Interim Laboratory Exhibit List (Encl 1) and the Final Branch Report for the Digital Evidence (Encl 2) Branch. The Latent Print and Firearms Branch Reports are pending.
2. 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. One 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.
4. 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.
5. Point of contact is the Evidence Processing Branch, DSN 797-7082/7109/7110/4612/4613/4614, Commercial (404) 469-7082/7109/7110/4612/4613/4614, Fax DSN 797-4615, or Email: usacil@conus.army.mil.

(b)(6), (b)(7)(C)

Deputy Records Custodian

2 Encls



AN ASCLD/LAB ACCREDITED LABORATORY (SINCE 1985)

ACLU DDII CID ROIS 36471

EXHIBIT 432

CILA-EP

SUBJECT: Forensic Branch Report(s)  
USACIL Case Number 2006-CID131-1281-A6  
Submitter Case Number 0086-06-CID469-75447

RETURN ORIGINAL REPORTS TO: COMMANDER, 10TH MILITARY POLICE  
BATTALION (CID), ATTN: EVIDENCE CUSTODIAN, APO AE 09342

RETURN EVIDENCE AND COPY OF REPORTS TO: SPECIAL AGENT IN CHARGE,  
31ST MILITARY POLICE DETACHMENT (CID), 3D MILITARY POLICE GROUP  
(CID), USACIDC, 2745 KENTUCKY AVENUE, FORT CAMPBELL, KY 42223-  
5638

EXHIBIT 432

ACLU DDII CID ROIS 36472

28 November 2006

INTERIM LABORATORY EXHIBIT LISTING

SUBJECT: USACIL Case Number 2006-CID131-1281/A1 thru A7  
Submitter Case Number 0086-06-CID469-75447

EXHIBITS:

- 1 - Digital Camera (Item 1, Doc 0472-06)
- 2 - Secure Digital (SD) card (Item 2, Doc 0472-06).
- 3 - Buccal swabs of (b)(6), (b)(7)(C) (Item 1, Doc 0473-06).
- 4 - Control swabs (Item 2, Doc 0473-06).
- 5 - Zip ties (Item 1, Doc 0486-06).
- 6 - Zip ties (Item 2, Doc 0486-06).
- 7 - Flex cuff (Item 3, Doc 0486-06).
- 8 - Flex cuff (Item 4, Doc 0486-06).
- 9 - Camera (Item 2, Doc 0487-06).
- 10 - Knives (Item 1, Doc 0490-06).
- 11 - Knives (Item 2, Doc 0491-06).
- 12 - Multi-tool (Item 3, Doc 0491-06).
- 13 - Knife (Item 4, Doc 0491-06).
- 14 - Knife (Item 5, Doc 0491-06).
- 15 - Bayonet (Item 6, Doc 0491-06).
- 16 - Sheath containing knives (Item 7, Doc 0491-06).
- 17 - Knife (Item 8, Doc 0491-06).
- 18 - Bayonet (Item 9, Doc 0491-06).
- 19 - Knife (Item 10, Doc 0491-06).
- 20 - Multi-tool (Item 11, Doc 0491-06).
- 21 - Bayonet (Item 12, Doc 0491-06).
- 22 - Laptop (Item 1, Doc 0498-06).
- 23 - AC Adapter (Item 2, Doc 0498-06).
- 24 - Cartridge (Item 1, Doc 519-06).
- 25 - Pants (Item 2, Doc 519-06).
- 26 - Coat (Item 3, Doc 519-06).
- 27 - Boots (Item 4, Doc 519-06).
- 28 - Playstation (Item 1, Doc 539-06).
- 29 - Camera (Item 4, Doc 539-06).
- 30(1) - Digital Camera and SD Card (Item 1, Doc 540-06).
- 31 - Ipod (Item 2, Doc 540-06).
- 32 - Camera (Item 1, Doc 538-060).
- 33 - Cartridges (Item 1, Doc 0677-06).
- 34 - Zip-tie (Item 2, Doc 0677-06).
- 35 - Zip-tie (Item 3, Doc 0677-06).

ACLU DDII CID ROIS 36473

EXHIBIT 432



SUBJECT: USACIL Case Number 2006-CID131-1281/A1 thru A7  
Submitter Case Number 0086-06-CID469-75447

- 36 - Shirt (Item 4, Doc 0677-06).
- 37 - Container (Item 5, Doc 0677-06).
- 38 - Cartridge (Item 6, Doc 0677-06).
- 39 - Zip-tie (Item 7, Doc 0677-06).
- 40 - Cartridge (Item 8, Doc 0677-06).
- 41 - Cartridge (Item 9, Doc 0677-06).
- 42 - Cartridge (Item 10, Doc 0677-06).
- 43 - Cartridge (Item 11, Doc 0677-06).
- 44 - Zip-tie (Item 12, Doc 0677-06).
- 45 - Cartridges (Item 13, Doc 0677-06).
- 46 - Rifle (Item 1, Doc 0702-06).
- 47 - Rifle (Item 2, Doc 0702-06).
- 48 - Rifle (Item 3, Doc 0702-06).
- 49 - Rifle (Item 4, Doc 0702-06).
- 50 - Rifle (Item 5, Doc 0702-06).
- 51 - Rifle (Item 6, Doc 0702-06).
- 52 - Record finger and palm prints of (b)(6), (b)(7)(C)
- 53 - Record finger and palm prints of
- 54 - Record finger and palm prints of
- 55 - Record finger and palm prints of
- 56 - Record finger and palm prints of
- 57 - Record finger and palm prints of
- 58 - Record finger and palm prints of
- 59 - Record finger and palm prints of
- 60 - Record finger and palm prints of
- 61 - Pistol (Item 1, Doc 492-06).
- 62 - Thumb drive (Item 1, Doc 0705-06).
- 63 - Video Cassette tape (Item 1, Doc 0489-06).



EXHIBIT

432

ACLU DDII CID ROIS 36474



~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

008 6-CID469-75447

DEPARTMENT OF THE ARMY  
US ARMY CRIMINAL INVESTIGATION LABORATORY  
4930 N 31<sup>ST</sup> STREET  
FOREST PARK, GA 30297-5205

CILA-DE

22 November 2006

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, 31ST MILITARY POLICE  
DETACHMENT, 10TH MP (CID) (FWD), COB SPEICHER, TIKRIT, IRAQ,  
APO AE 09393

SUBJECT: Digital Evidence Branch - Final Report  
USACIL Case Number 2006-CID131-1281-A6  
Submitter Case Number 0086-06-CID469-75447

EXHIBIT:

63 - Video Cassette tape (Item 1, Doc 0489-06).

FINDINGS:

1. Examination of Exhibit 63 revealed it to be a Mini DV video cassette containing a color NTSC digital video recording. The video tape was damaged and broken.
2. The tape was re-spliced and played back successfully. A direct copy of approximately the first 12 minutes of the tape was captured up until the break point and is provided on the enclosed CD/DVD. This first 12 minutes of the recording does not appear relevant to the matter under investigation.
3. No video was recovered after the damaged/broken portion of the recording.
4. It is recommended that the video clip(s) be copied from the disc to a folder on your computer hard drive for viewing as most DVD/CD drives cannot stream video clips with sufficient speed. All digital video clips found on the enclosed DVD will open in Windows Media Player 9.0 or higher.
5. 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.

ACLU DDII CID ROIS 36475

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

EXHIBIT

1 of 2

002640

432  
2-0-7

CILA-DE

SUBJECT: Digital Evidence Branch - Final Report  
USACIL Case Number 2006-CID131-1281-A6  
Submitter Case Number 0086-06-CID469-75447

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 Processing Branch, DSN 797-7082/7109/7110/4612/4613/4614, Commercial (404) 469-7082/7109/7110/4612/4613/4614, Fax DSN 797-4615, or Email: usacil@usacil.army.mil.

Encl  
As

(b)(6), (b)(7)(C)

Forensic Video Examiner

(b)(6), (b)(7)(C)

Forensic Video Intern

ACLU DDII CID ROIS 36476

EXHIBIT 432



~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

36-06-CID469-75447

DEPARTMENT OF THE ARMY  
US ARMY CRIMINAL INVESTIGATION LABORATORY  
4930 N 31ST STREET  
FOREST PARK, GA 30297-5205

CILA-EP

28 December 2006

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, 31TH MILITARY POLICE  
DETACHMENT, 10TH MP (CID) (FWD), COB SPEICHER, TIKRIT, IRAQ,  
APO AE 09393

SUBJECT: Forensic Branch Report(s)  
USACIL Case Number 2006-CID131-1281-A4  
Submitter Case Number 0086-06-CID469-75447

1. Enclosed are the Interim Laboratory Exhibit List (Encl 1) and the Final Branch Report for the Latent Print (Encl 2) Branch. The Firearms Branch Report is pending.
2. 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. One 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.
4. 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.
5. Point of contact is the Evidence Processing Branch, DSN 797-7082/7109/7110/4612/4613/4614, Commercial (404) 469-7082/7109/7110/4612/4613/4614, Fax DSN 797-4615, or Email: usacil@usacil.army.mil.

(b)(6), (b)(7)(C)

2 Encls

Deputy Records Custodian



AN ASCLD/LAB ACCREDITED LABORATORY (SINCE 1985)

EXHIBIT 433

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

06-06-CID469-75447

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

CILA-EP

SUBJECT: Forensic Branch Report(s)  
USACIL Case Number 2006-CID131-1281-A4  
Submitter Case Number 0086-06-CID469-75447

RETURN ORIGINAL REPORTS TO: COMMANDER, 10TH MILITARY POLICE  
BATTALION (CID), ATTN: EVIDENCE CUSTODIAN, APO AE 09342

RETURN EVIDENCE AND COPY OF REPORTS TO: SPECIAL AGENT IN CHARGE,  
31ST MILITARY POLICE DETACHMENT (CID), 3D MILITARY POLICE GROUP  
(CID), USACIDC, 2745 KENTUCKY AVENUE, FORT CAMPBELL, KY 42223-  
5638

EXHIBIT

433

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~ AGU DDII CID POIS 36478

002643

21 December 2006

INTERIM LABORATORY EXHIBIT LISTING

SUBJECT: USACIL Case Number 2006-CID131-1281/A1 thru A7  
 Submitter Case Number 0086-06-CID469-75447

## EXHIBITS:

- 1 - Digital Camera (Item 1, Doc 0472-06)
- 2 - Secure Digital (SD) card (Item 2, Doc 0472-06).
- 3 - Buccal swabs of (b)(6), (b)(7)(C) (Item 1, Doc 0473-06).
- 4 - Control swabs (Item 2, Doc 0473-06).
- 5 - Zip ties (Item 1, Doc 0486-06).
- 6 - Zip ties (Item 2, Doc 0486-06).
- 7 - Flex cuff (Item 3, Doc 0486-06).
- 8 - Flex cuff (Item 4, Doc 0486-06).
- 9 - Camera (Item 2, Doc 0487-06).
- 10 - Knives (Item 1, Doc 0490-06).
- 11 - Knives (Item 2, Doc 0491-06).
- 12 - Multi-tool (Item 3, Doc 0491-06).
- 13 - Knife (Item 4, Doc 0491-06).
- 14 - Knife (Item 5, Doc 0491-06).
- 15 - Bayonet (Item 6, Doc 0491-06).
- 16 - Sheath containing knives (Item 7, Doc 0491-06).
- 17 - Knife (Item 8, Doc 0491-06).
- 18 - Bayonet (Item 9, Doc 0491-06).
- 19 - Knife (Item 10, Doc 0491-06).
- 20 - Multi-tool (Item 11, Doc 0491-06).
- 21 - Bayonet (Item 12, Doc 0491-06).
- 22 - Laptop (Item 1, Doc 0498-06).
- 23 - AC Adapter (Item 2, Doc 0498-06).
- 24 - Cartridge (Item 1, Doc 519-06).
- 25 - Pants (Item 2, Doc 519-06).
- ~~26 - Coat (Item 3, Doc 519-06).~~
- 27 - Boots (Item 4, Doc 519-06).
- 28 - Playstation (Item 1, Doc 539-06).
- 29 - Camera (Item 4, Doc 539-06).
- 30(1) - Digital Camera and SD Card (Item 1, Doc 540-06).
- 31 - Ipod (Item 2, Doc 540-06).
- 32 - Camera (Item 1, Doc 538-060).
- 33 - Cartridges (Item 1, Doc 0677-06).
- 34 - Zip-tie (Item 2, Doc 0677-06).
- 35 - Zip-tie (Item 3, Doc 0677-06).

EXHIBIT

433

Encl 602644

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

SUBJECT: USACIL Case Number 2006-CID131-1281/A1 thru A7  
 Submitter Case Number 0086-06-CID469-75447

- 36 - Shirt (Item 4, Doc 0677-06).
- 37 - Foil and plastic pill blister package (Item 5, Doc 0677-06).
- 38 - Cartridge (Item 6, Doc 0677-06).
- 39 - Zip-tie (Item 7, Doc 0677-06).
- 40 - Cartridge (Item 8, Doc 0677-06).
- 41 - Cartridge (Item 9, Doc 0677-06).
- 42 - Cartridge (Item 10, Doc 0677-06).
- 43 - Cartridge (Item 11, Doc 0677-06).
- 44 - Zip-tie (Item 12, Doc 0677-06).
- 45 - Cartridges (Item 13, Doc 0677-06).
- 46 - Rifle (Item 1, Doc 0702-06).
- 47 - Rifle (Item 2, Doc 0702-06).
- 48 - Rifle (Item 3, Doc 0702-06).
- 49 - Rifle (Item 4, Doc 0702-06).
- 50 - Rifle (Item 5, Doc 0702-06).
- 51 - Rifle (Item 6, Doc 0702-06).
- 52 - Record finger and palm prints of (b)(6), (b)(7)(C)
- 53 - Record finger and palm prints of
- 54 - Record finger and palm prints of
- 55 - Record finger and palm prints of
- 56 - Record finger and palm prints of
- 57 - Record finger and palm prints of
- 58 - Record finger and palm prints of
- 59 - Record finger and palm prints of
- 60 - Record finger and palm prints of
- 61 - Pistol (Item 1, Doc 492-06).
- 62 - Thumb drive (Item 1, Doc 0705-06).
- 63 - Video Cassette tape (Item 1, Doc 0489-06).

EXHIBIT

433

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 38480

002645



~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

0086-06-CID469-75447

DEPARTMENT OF THE ARMY  
US ARMY CRIMINAL INVESTIGATION LABORATORY  
4930 N 31<sup>ST</sup> STREET  
FOREST PARK, GA 30297-5205

CILA-LP

21 December 2006

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, 31TH MILITARY POLICE  
DETACHMENT, 10TH MP (CID) (FWD), COB SPEICHER, TIKRIT, IRAQ,  
APO AE 09393

SUBJECT: Latent Print Branch - Final Report  
USACIL Case Number 2006-CID131-1281-A4  
Submitter Case Number 0086-06-CID469-75447

EXHIBITS:

- 37 - Foil and plastic pill blister package (Item 5, Doc 0677-06).
- 52 -60 - Record finger and palm prints of (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)
- 61 - Pistol (Item 1, Doc 491-06). (NOT SUBMITTED-NOT PROCESSED)

FINDINGS:

1. Examination of Exhibit 37 did not reveal any latent prints.
2. 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.

AN ASCLD/LAB ACCREDITED LABORATORY (SINCE 1985)

EXHIBIT 433

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~ of 2

ACLU DDII CID ROIS 36481

002646



086-06-CID469-75447

CILA-LP

SUBJECT: Latent Print Branch - Final Report  
USACIL Case Number 2006-CID131-1281-A4  
Submitter Case Number 0086-06-CID469-75447

Point of contact is the Evidence Processing Branch, DSN 797-7082/7109/7110/4612/4613/4614, Commercial (404) 469-7082/7109/7110/4612/4613/4614, Fax DSN 797-4615, or Email: usacil@usacil.army.mil.

(b)(6), (b)(7)(C)

Latent Print Examiner

EXHIBIT

433

ACLU DDII CID ROIS 36482

0086-06-0469-7 15 MAR 07 75447 1100 MRB

7 March 2007

INTERIM LABORATORY EXHIBIT LISTING

SUBJECT: USACIL Case Number 2006-CID131-1281/A1 thru A8  
Submitter Case Number 0086-06-CID469-75447

EXHIBITS:

- 1 - Digital Camera (Item 1, Doc 0472-06)
- 2 - Secure Digital (SD) card (Item 2, Doc 0472-06).
- 3 - Buccal swabs of (b)(6), (b)(7)(C) (Item 1, Doc 0473-06).
- 4 - Control swabs (Item 2, Doc 0473-06).
- 5 - Zip ties (Item 1, Doc 0486-06).
- 6 - Zip ties (Item 2, Doc 0486-06).
- 7 - Flex cuff (Item 3, Doc 0486-06).
- 8 - Flex cuff (Item 4, Doc 0486-06).
- 9 - Camera (Item 2, Doc 0487-06).
- 10 - Knives (Item 1, Doc 0490-06).
- 11 - Knives (Item 2, Doc 0491-06).
- 12 - Multi-tool (Item 3, Doc 0491-06).
- 13 - Knife (Item 4, Doc 0491-06).
- 14 - Knife (Item 5, Doc 0491-06).
- 15 - Bayonet (Item 6, Doc 0491-06).
- 16 - Sheath containing knives (Item 7, Doc 0491-06).
- 17 - Knife (Item 8, Doc 0491-06).
- 18 - Bayonet (Item 9, Doc 0491-06).
- 19 - Knife (Item 10, Doc 0491-06).
- 20 - Multi-tool (Item 11, Doc 0491-06).
- 21 - Bayonet (Item 12, Doc 0491-06).
- 22 - Laptop (Item 1, Doc 0498-06).
- 23 - AC Adapter (Item 2, Doc 0498-06).
- 24 - Cartridge (Item 1, Doc 519-06).
- 25 - Pants (Item 2, Doc 519-06).
- 26 - Coat (Item 3, Doc 519-06).
- 27 - Boots (Item 4, Doc 519-06).
- 28 - Playstation (Item 1, Doc 539-06).
- 29 - Camera (Item 4, Doc 539-06).
- 30(1) - Digital Camera and SD Card (Item 1, Doc 540-06).
- 31 - Ipod (Item 2, Doc 540-06).
- 32 - Camera (Item 1, Doc 538-060).
- 33 - Cartridges (Item 1, Doc 0677-06).
- 34 - Zip-tie (Item 2, Doc 0677-06).
- 35 - Zip-tie (Item 3, Doc 0677-06).

ACLU DDII CID ROIS 36483

EXHIBIT 1434

SUBJECT: USACIL Case Number 2006-CID131-1281/A1 thru A8  
Submitter Case Number 0086-06-CID469-75447

- 36 - Shirt (Item 4, Doc 0677-06).
- 37 - Foil and plastic pill blister package (Item 5, Doc 0677-06).
- 38 - Cartridge (Item 6, Doc 0677-06).
- 39 - Zip-tie (Item 7, Doc 0677-06).
- 40 - Cartridge (Item 8, Doc 0677-06).
- 41 - Cartridge (Item 9, Doc 0677-06).
- 42 - Cartridge (Item 10, Doc 0677-06).
- 43 - Cartridge (Item 11, Doc 0677-06).
- 44 - Zip-tie (Item 12, Doc 0677-06).
- 45 - Cartridges (Item 13, Doc 0677-06).
- 46 - Rifle (Item 1, Doc 0702-06).
- 47 - Rifle (Item 2, Doc 0702-06).
- 48 - Rifle (Item 3, Doc 0702-06).
- 49 - Rifle (Item 4, Doc 0702-06).
- 50 - Rifle (Item 5, Doc 0702-06).
- 51 - Rifle (Item 6, Doc 0702-06).
- 52 - Record finger and palm prints of (b)(6), (b)(7)(C)
- 53 - Record finger and palm prints of
- 54 - Record finger and palm prints of
- 55 - Record finger and palm prints of
- 56 - Record finger and palm prints of
- 57 - Record finger and palm prints of
- 58 - Record finger and palm prints of
- 59 - Record finger and palm prints of
- 60 - Record finger and palm prints of
- 61 - Pistol (Item 1, Doc 492-06).
- 62 - Thumb drive (Item 1, Doc 0705-06).
- 63 - Video Cassette tape (Item 1, Doc 0489-06).
- 64 - Pistol (Item 1, Doc 0214-06A).
- 65 - Magazine (Item 2, Doc 0214-06A).



0086-06-CID469-75447

DEPARTMENT OF THE ARMY  
US ARMY CRIMINAL INVESTIGATION LABORATORY  
4930 N 31ST STREET  
FOREST PARK, GA 30297-5205

CILA-FA

6 March 2007

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, 31TH MILITARY POLICE  
DETACHMENT, 10TH MP (CID) (FWD), COB SPEICHER, TIKRIT, IRAQ,  
APO AE 09393

SUBJECT: Firearms Branch - Final Report  
USACIL Case Number 2006-CID131-1281-A3/A4/A7  
Submitter Case Number 0086-06-CID469-75447

EXHIBITS:

- 24 - Cartridge case, fired 7,62X39 marketed by Tula or Norinco (Item 1, Doc 519-06).
- 33 (1-20) - Cartridge cases, fired 5.56mm marketed by Lake City (Item 1, Doc 0677-06).
- 38 - Cartridge case, fired 5.56mm marketed by Lake City (Item 6, Doc 0677-06).
- 40 - Cartridge case, fired 5.56mm marketed by Lake City (Item 8, Doc 0677-06).
- 41 - Cartridge case, fired 5.56mm marketed by Lake City (Item 9, Doc 0677-06).
- 42 - Cartridge case, fired 5.56mm marketed by Lake City (Item 10, Doc 0677-06).
- 43 - Cartridge fired 7,62X39 of unknown manufacture (Item 11, Doc 0677-06).
- 45 (1-5) - Cartridges case, fired 5.56mm marketed by Lake City (Item 13, Doc 0677-06).
- 48 - Rifle, M4 carbine 5.56mm SN W023576 with M203 (Item 3, Doc 0702-06).



AN ASCLD/LAB ACCREDITED LABORATORY (SINCE 1985)

ACLU DDII CID ROIS 36485



434

0086-06-CID469-75447

CILA-FA

SUBJECT: Firearms Branch - Final Report  
USACIL Case Number 2006-CID131-1281-A3/A4/A7  
Submitter Case Number 0086-06-CID469-75447

FINDINGS:

1. Examination of Exhibit 48 (Rifle) disclosed that it is operational with its incorporated safety features working properly. The trigger pull in semi-automatic is approximately 9 pounds, and the trigger pull in burst is approximately 12 pounds. Exhibit 48 was test fired, and the test fired bullets and casings retained for comparison purposes.
2. Examination of Exhibit 24 (Cartridge case) disclosed that it is a fired 7.62x39mm casing and was not fired in Exhibit 48.
3. Examination of Exhibits 33 (1-20) (Cartridge cases), Exhibit 38 (Cartridge case), Exhibit 40 (Cartridge case), Exhibit 41 (Cartridge case), Exhibit 42 (Cartridge case), and Exhibit 45 (1-5) (Cartridge cases) were microscopically inter-compared to the test casings from Exhibit 48. Exhibits 33 (1-5), Exhibits 33 (7-20), Exhibit 38, Exhibit 40, Exhibit 41, and Exhibits 45 (1-4) were not fired in Exhibit 48. Exhibit 33 (6) and Exhibit 45 (5) were fired in Exhibit 48.
4. Examination of Exhibit 43 (Cartridge case) disclosed that it is a fired 7.62x39mm casing and was not fired in Exhibit 48.
5. Exhibit 48 was test fired indoors and at an outdoor range, and at various distances as requested by (b)(6)(b)(7)(C) (defense), who then retained the test targets. No evidence gunshot residue pattern has been submitted for comparison to known target distances. Exhibit 48 stops reproducing an interpretable pattern of gunshot residues at approximately 24 to 36 inches. The M4 carbine and similar M16 series rifles with this ammunition combination normally stops depositing gunshot residues at approximately 5 feet.
6. 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 Processing Branch, DSN 797-7082/7109/7110, Commercial (404) 469-

EXHIBIT 434

ACLU DDII CID ROIS 36486

0086-06-CID469-75447

CILA-FA

SUBJECT: Firearms Branch - Final Report  
USACIL Case Number 2006-CID131-1281-A3/A4/A7  
Submitter Case Number 0086-06-CID469-75447

7082/7109/7110, Fax DSN 797-4615, or Email:  
usacil@usacil.army.mil.

(b)(6), (b)(7)(C)

Forensic Firearms Examiner

ACLU DDII CID ROIS 36487

EXHIBIT

434

8 March 2007

FINAL LABORATORY EXHIBIT LISTING

SUBJECT: USACIL Case Number 2006-CID131-1281/A1 thru A8  
Submitter Case Number 0086-06-CID469-75447

EXHIBITS:

- 1 - Digital Camera (Item 1, Doc 0472-06)
- 2 - Secure Digital (SD) card (Item 2, Doc 0472-06).
- 3 - Buccal swabs of (b)(6), (b)(7)(C) (Item 1, Doc 0473-06).
- 4 - Control swabs (Item 2, Doc 0473-06).
- 5 - Zip ties (Item 1, Doc 0486-06).
- 6 - Zip ties (Item 2, Doc 0486-06).
- 7 - Flex cuff (Item 3, Doc 0486-06).
- 8 - Flex cuff (Item 4, Doc 0486-06).
- 9 - Camera (Item 2, Doc 0487-06).
- 10 - Knives (Item 1, Doc 0490-06).
- 11 - Knives (Item 2, Doc 0491-06).
- 12 - Multi-tool (Item 3, Doc 0491-06).
- 13 - Knife (Item 4, Doc 0491-06).
- 14 - Knife (Item 5, Doc 0491-06).
- 15 - Bayonet (Item 6, Doc 0491-06).
- 16 - Sheath containing knives (Item 7, Doc 0491-06).
- 17 - Knife (Item 8, Doc 0491-06).
- 18 - Bayonet (Item 9, Doc 0491-06).
- 19 - Knife (Item 10, Doc 0491-06).
- 20 - Multi-tool (Item 11, Doc 0491-06).
- 21 - Bayonet (Item 12, Doc 0491-06).
- 22 - Laptop (Item 1, Doc 0498-06).
- 23 - AC Adapter (Item 2, Doc 0498-06).
- 24 - Cartridge (Item 1, Doc 519-06).
- 25 - Pants (Item 2, Doc 519-06).
- 26 - Coat (Item 3, Doc 519-06).
- 27 - Boots (Item 4, Doc 519-06).
- 28 - Playstation (Item 1, Doc 539-06).
- 29 - Camera (Item 4, Doc 539-06).
- 30(1) - Digital Camera and SD Card (Item 1, Doc 540-06).
- 31 - Ipod (Item 2, Doc 540-06).
- 32 - Camera (Item 1, Doc 538-060).
- 33 - Cartridges (Item 1, Doc 0677-06).
- 34 - Zip-tie (Item 2, Doc 0677-06).
- 35 - Zip-tie (Item 3, Doc 0677-06).

ACLU DDII CID ROIS 36488

SUBJECT: USACIL Case Number 2006-CID131-1281/A1 thru A8  
Submitter Case Number 0086-06-CID469-75447

- 36 - Shirt (Item 4, Doc 0677-06).
- 37 - Foil and plastic pill blister package (Item 5, Doc 0677-06).
- 38 - Cartridge (Item 6, Doc 0677-06).
- 39 - Zip-tie (Item 7, Doc 0677-06).
- 40 - Cartridge (Item 8, Doc 0677-06).
- 41 - Cartridge (Item 9, Doc 0677-06).
- 42 - Cartridge (Item 10, Doc 0677-06).
- 43 - Cartridge (Item 11, Doc 0677-06).
- 44 - Zip-tie (Item 12, Doc 0677-06).
- 45 - Cartridges (Item 13, Doc 0677-06).
- 46 - Rifle (Item 1, Doc 0702-06).
- 47 - Rifle (Item 2, Doc 0702-06).
- 48 - Rifle (Item 3, Doc 0702-06).
- 49 - Rifle (Item 4, Doc 0702-06).
- 50 - Rifle (Item 5, Doc 0702-06).
- 51 - Rifle (Item 6, Doc 0702-06).
- 52 - Record finger and palm prints of (b)(6), (b)(7)(C)
- 53 - Record finger and palm prints of
- 54 - Record finger and palm prints of
- 55 - Record finger and palm prints of
- 56 - Record finger and palm prints of
- 57 - Record finger and palm prints of
- 58 - Record finger and palm prints of
- 59 - Record finger and palm prints of
- 60 - Record finger and palm prints of
- 61 - Pistol (Item 1, Doc 492-06).
- 62 - Thumb drive (Item 1, Doc 0705-06).
- 63 - Video Cassette tape (Item 1, Doc 0489-06).
- 64 - Pistol SN: 91357 with holster (Item 64, Doc 0214-06A).
- 65 - Magazine with fourteen cartridges (Item 65, Doc 0214-06A).

ACLU DDII CID ROIS 36489





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0086-06-CID469-75447

DEPARTMENT OF THE ARMY  
US ARMY CRIMINAL INVESTIGATION LABORATORY  
4930 N 31ST STREET  
FOREST PARK, GA 30297-5205

CILA-LP

8 March 2007

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, 31TH MILITARY POLICE  
DETACHMENT, 10TH MP (CID) (FWD), COB SPEICHER, TIKRIT, IRAQ,  
APO AE 09393

SUBJECT: Latent Print Branch - Final Report  
USACIL Case Number 2006-CID131-1281-A8  
Submitter Case Number 0086-06-CID469-75447

EXHIBITS:

- 64(1-2) - Pistol SN: 91357 with holster (Item 64, Doc 0214-06A).
- 65(1-15) - Magazine with fourteen cartridges (Item 65, Doc 0214-06A).

FINDINGS:

1. Examination of Exhibits 64(1-2) and 65(1-15) did not reveal any latent prints suitable for identification.
2. 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 Processing Branch, DSN 797-7082/7109/7110/4612/4613/4614, Commercial (404) 469-7082/7109/7110, Fax DSN 797-4615, or Email: usacil@conus.army.mil.

(b)(6), (b)(7)(C)

Latent Print Examiner



AN ASCLD/LAB ACCREDITED LABORATORY (SINCE 1985)

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

1 of 1

ACLU DDII CID ROIS 36490

EXHIBIT 1435  
002655

0086-06-CID 469-75447

DEPARTMENT OF THE ARMY REPORT OF RESULT OF TRIAL

For use of this form, see AR 27-10; the proponent agency is OTJAG

TO: Commander 101<sup>st</sup> Airborne Division (Air Assault), Fort Campbell, KY 42223

1. Notification under R.C.M. 1101 and AR 27-10, paragraph 5-30 is hereby given in the case of the United States v \_\_\_\_\_

(b) (6), (b) (6), HHC, 3d BCT, 101<sup>st</sup> ABN Div (AASLT), Fort Campbell, KY 42223

2. Trial by General court-martial on 9 January, 2007 at Fort Campbell, KY 42223

convened by: CMCO Number 1 HQ, 101<sup>st</sup> ABN DIV (Air Assault), dated 2 December 2005

3. Summary of offenses, pleas, and findings:

CH	ART UCMJ	SPEC	BRIEF DESCRIPTION OF OFFENSE(S)	PLEA	FINDING
1	80	THE	A/o Muthana Chemical Complex, Iraq, o/a 9 May 06, attempt to murder a unknown Middle-Eastern male, by shooting him with a firearm (See Continuation Sheet)	NG*	D*

4. SENTENCE:

The accused was sentenced to: Reduction to the grade of E1; forfeiture of all pay and allowances per month for 6 months; and to be confined for 9 months. (The military judge recommended the Convening Authority grant 3 months confinement credit toward the sentence to confinement if the accused cooperates fully in the below listed companion cases.)

5. Date sentence adjudged and effective date of any forfeiture or reduction in grade (YYYYMMDD): 20070109 /20070123 (See UCMJ Articles 57-58b and R.C.M. 1101)

6. Contents of pretrial agreement concerning sentence, if any: The Convening Authority agreed to disapprove any confinement in excess of 9 months. Any other lawfully adjudged punishment may be approved.

7. Number of days of presentence confinement, if any: None

8. Number of days of judge-ordered administrative credit for presentence confinement or restriction found tantamount to confinement, if any: None

9. Total presentence confinement credit toward post-trial confinement: None

10. Name(s) and SSN(s) of companion accused or co-accused, if any: (b) (6), (b) (6), (b) (6), (b) (6); (b) (6), (b) (6), (b) (6)

11. DNA processing IAW 10 U.S.C. § 1565  is  is not required.

12. Conviction(s)  does  does not require sex offender registration IAW 42 U.S.C. § 14071.

CF:

Confinement Facility; FAO; PSB (Adverse Actions); CDR, 626 BSB; CDR, 3BCT; CID

TYPED NAME

(b) (6)

SIGNATURE

(b) (6)

RANK

MAJ

BRANCH OF SERVICE

US ARMY

LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY

ACLU DDIF CID ROIS 36492

EXHIBIT 436 002656

008606-CID469-75447

CONTINUATION SHEET, DA FORM 4430, PERTAINING TO U.S. v. SPC (b)(6), (b)(6), U.S. Army, Headquarters and Headquarters Company, 3<sup>rd</sup> Brigade Combat Team, 101<sup>st</sup> Airborne Division (Air Assault), Fort Campbell, Kentucky 42223

Item 3 Continued:

CH	ART, UCMJ SPEC	BRIEF DESCRIPTION OF OFFENSE	PLEA	FINDING
II	81	THE A/o near Muthana Chemical Complex, Iraq, o/a 9 May 06, conspire w/ (b)(6), to commit premeditated murder of a male of Middle-Eastern descent who is unknown	NG*	D*
III	118	THE A/o near Muthana Chemical Complex, Iraq, o/a 9 May 06, with premeditation, murder a male of Middle-Eastern descent who is unknown, by shooting him with a firearm	NG**	G*

\*Dismissed upon motion of trial counsel and in accordance with the Offer to Plead Guilty

\*\* Not Guilty, but Guilty to the lesser included offense of UCMJ Article 128: Aggravated Assault with a Dangerous Weapon, Means, or Force

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ACQUITTALS ROIS 36493

EXHIBIT  
002657

436

0086-2... 469-75447  
0122-06-010469-75462

**DEPARTMENT OF THE ARMY REPORT OF RESULT OF TRIAL**  
For use of this form, see AR 27-10; the proponent agency is OTJAG

TO: **Commander 101<sup>st</sup> Airborne Division (Air Assault), Fort Campbell, KY 42223**

1. Notification under R.C.M. 1101 and AR 27-10, paragraph 5-30 is hereby given in the case of the United States v \_\_\_\_\_

(b) (6) (b) (6) (b) (6) C Co, 3d BN, 187 IN Regt, 3d BCT, 101<sup>st</sup> ABN Div (AASLT), Fort Campbell, KY 42223

2. Trial by General court-martial on 11 January, 2007 at Fort Campbell, KY 42223

convened by: CMCO Number 1 HQ, 101<sup>st</sup> ABN DIV (Air Assault), dated 2 December 2005

3. Summary of offenses, pleas, and findings:

CH	ART UCMJ	SPEC	BRIEF DESCRIPTION OF OFFENSE(S)	PLEA	FINDING
I	80	THE	A/o near Muthana Chemical Complex, Iraq, o/a 9 May 06, attempt to murder a unknown Middle-Eastern male, by shooting him with a firearm (See Continuation Sheet)	G	G

4. SENTENCE:

Reduction to the grade of Private (E1); forfeiture of all pay and allowances; to be confined for life with the possibility of parole; and to be discharged from the service with a dishonorable discharge

5. Date sentence adjudged and effective date of any forfeiture or reduction in grade (YYYYMMDD): 20070111/20070125  
(See UCMJ Articles 57-58b and R.C.M. 1101)

6. Contents of pretrial agreement concerning sentence, if any:

The Convening Authority agrees to disapprove any confinement in excess of 18 years. The Convening Authority may approve any other lawful punishments adjudged.

7. Number of days of presentence confinement, if any: 210 days

8. Number of days of judge-ordered administrative credit for presentence confinement or restriction found tantamount to confinement, if any: 158

9. Total presentence confinement credit toward post-trial confinement: 368

10. Name(s) and SSN(s) of companion accused or co-accused, if any: (b) (6) (b) (6) (b) (6)  
(b) (6) (b) (6) (b) (6)

11. DNA processing IAW 10 U.S.C. § 1565  is  is not required.

12. Conviction(s)  does  does not require sex offender registration IAW 42 U.S.C. § 14071.

CF:

Confinement Facility; FAO; PSB (Adverse Actions); CDR, 3 BN, 187 IN Regt; CDR, 3BCT; CID

TYPED NAME (b) (6)	SIGNATURE (b) (6)
RANK MAJ	BRANCH OF SERVICE US ARMY

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USAPA V1-00ES  
**EXHIBIT**  
002658

437

CONTINUATION SHEET 1, DA FORM 4430, PERTAINING TO U.S. v (b) (6) (b) (6)  
 (b) (6), (b) (6), U.S. Army, Charlie Company, 3d Battalion, 187th Infantry Regiment,  
 3d Brigade Combat Team, 101<sup>st</sup> Airborne Division (Air Assault), Fort Campbell, Kentucky  
 42223

## Item 3 Continued:

CH	ART, UCMJ SPEC	BRIEF DESCRIPTION OF OFFENSE	PLEA	FINDING
II	81	THE A/o near Muthana Chemical Complex, Iraq, o/a 9 May 06, conspire w/ (b) (6) and (b) (6) to commit premeditated murder of a male of Middle-Eastern descent whose name is unknown	G	G
III	118	1 A/o near Muthana Chemical Complex, Iraq, o/a 9 May 06, with premeditation, murder a male of Middle-Eastern descent whose name is unknown, by shooting him with a firearm	G	G
		2 A/o near Muthana Chemical Complex, Iraq, o/a 9 May 06, with premeditation, murder a male of Middle-Eastern descent whose name is unknown, by shooting him with a firearm	G	G
IV	134	1 A/o near Muthana Chemical Complex, Iraq, between o/a 10 May 06-15 Jun 06, wrongfully communicate to (b) (6) a threat, to wit: "I will kill you if you tell anyone" or words to that effect	NG	*D
		2 A/o near Muthana Chemical Complex, Iraq, between o/a 10 May 06-15 Jun 06, wrongfully communicate to (b) (6) a threat, to wit: "Don't tell anyone because if I got to jail I will kill you" or words to that effect	NG	*D

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CONTINUATION SHEET 2, DA FORM 4430, PERTAINING TO U.S. v. (b) (6) (b) (6)  
 (b) (6), (b) (6), U.S. Army, Charlie Company, 3d Battalion, 187th Infantry Regiment,  
 3d Brigade Combat Team, 101<sup>st</sup> Airborne Division (Air Assault), Fort Campbell, Kentucky  
 42223

Item 3 Continued:

CH ART, UCMJ SPEC BRIEF DESCRIPTION OF OFFENSE PLEA FINDING

Additional Charges

I	81	THE	A/o near Muthana Chemical Complex, Iraq, o/a 9 May 06, conspire with (b) (6) to obstruct justice regarding the investigation into the shooting of three male detainees of apparent Middle-Eastern descent	G	G
II	134	1	A/o near Muthana Chemical Complex, Iraq, between o/a 10 May 06, wrongfully endeavor to influence the testimony of (b) (6) by communicating to (b) (6) "I will kill you if you tell anyone"	NG	*D
	134	2	A/o near Muthana Chemical Complex, Iraq, between o/a 10 May 06 – 15 Jun 06, wrongfully endeavor to influence the testimony (b) (6) by communicating to (b) (6) "Don't tell anyone, because if I go to jail I will kill you"	NG	*D
III	134	THE	A/o near Muthana Chemical Complex, Iraq, o/a 09 May 06, wrongfully endeavor to impede an investigation into the shooting of three male detainees of apparent Middle-Eastern descent whose name is unknown, by staging the murder scene so as to appear that the aforementioned detainees attacked (b) (6)	G	G

\*Dismissed upon motion of trial counsel and in accordance with the Offer to Plead Guilty

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0086-06-CID 469-75447

DEPARTMENT OF THE ARMY REPORT OF RESULT OF TRIAL  
For use of this form, see AR 27-10; the proponent agency is OTJAG

TO: Commander 101st Airborne Division (Air Assault), Fort Campbell, KY 42223

1. Notification under R.C.M. 1101 and AR 27-10, paragraph 5-30 is hereby given in the case of the United States v (b) (6) C Co, 3d BN, 187 IN Regt, 3d BCT, 101st ABN Div (AASLT), Fort Campbell, KY 42223

2. Trial by General court-martial on 25 January, 2007 at Fort Campbell, KY 42223

convened by: CMCO Number 1 HQ, 101st ABN DIV (Air Assault), dated 2 December 2005

3. Summary of offenses, pleas, and findings:

CH	ART UCMJ	SPEC	BRIEF DESCRIPTION OF OFFENSE(S) (See Continuation Sheet)	PLEA	FINDING
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4. SENTENCE:

Reduction to the grade of Private (E1); forfeiture of all pay and allowances; to be confined for life with the possibility of parole; and to be discharged from the service with a dishonorable discharge

5. Date sentence adjudged and effective date of any forfeiture or reduction in grade (YYYYMMDD): 20070125 / 20070209  
(See UCMJ Articles 57-58b and R.C.M. 1101)

6. Contents of pretrial agreement concerning sentence, if any:  
The Convening Authority agrees to disapprove any confinement in excess of 18 years. The Convening Authority may approve any other lawful punishments adjudged.

7. Number of days of presentence confinement, if any: 224

8. Number of days of judge-ordered administrative credit for presentence confinement or restriction found tantamount to confinement, if any: 95

9. Total presentence confinement credit toward post-trial confinement: 319

10. Name(s) and SSN(s) of companion accused or co-accused, if any: (b) (6); (b) (6); (b) (6); (b) (6); (b) (6); (b) (6)

11. DNA processing IAW 10 U.S.C. § 1565  is  is not required.

12. Conviction(s)  does  does not require sex offender registration IAW 42 U.S.C. § 14071.

CF: Confinement Facility; FAO; PSB (Adverse Actions); CDR, 3 BN, 187 IN Regt; CDR, 3BCT; CID

TYPED NAME (b) (6)	SIGN (b) (6)
RANK MAJ	BRANCH OF SERVICE US ARMY

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EXHIBIT  
002661

438

CONTINUATION SHEET, DA FORM 4430, PERTAINING TO U.S. v. (b) (6),  
 (b) (6), U.S. Army, Charlie Company, 3d Battalion, 187th Infantry Regiment, 3d Brigade  
 Combat Team, 101<sup>st</sup> Airborne Division (Air Assault), Fort Campbell, Kentucky 42223

Item 3 Continued:

Charges	Article, UCMJ	Spec	Gist of Offenses	Plea	Findings
I	80	The	A/o near Muthana Chemical Complex, Iraq, o/a 9 May 06, attempt with premeditation to murder a male detainee of apparent Middle-Eastern descent whose name is unknown by means of shooting him with a firearm	G	G
II	81	The	A/o near Muthana Chemical Complex, Iraq, o/a 9 May 06, conspire with (b) (6) (b) (6) and (b) (6) to commit premeditated murder of three male detainees of apparent Middle-Eastern descent whose names are unknown, and in order to effect the object of the conspiracy, the said (b) (6) and (b) (6) did shoot at the detainees	G	G
III	118	1	A/o near Muthana Chemical Complex, Iraq, o/a 9 May 06, with premeditation, murder a male detainee of apparent Middle-Eastern descent whose name is unknown by means of shooting him with a firearm	G	G
		2	A/o near Muthana Chemical Complex, Iraq, o/a 9 May 06, with premeditation, murder a male detainee of apparent Middle-Eastern descent whose name is unknown by means of shooting him with a firearm	G	G
IV	134	The	While traveling in a vehicle between Forward Operating Base Brassfield-Mora, Iraq and the U.S. Army CID office at Contingency Operating Base Speicher, Iraq, o/a 29 May 06, wrongfully communicate to (b) (6) a threat, to wit: (b) (6) will not have to kill you because I will kill you if you say anything," or words to that effect	NG	D*

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 Page 2 of 4  
~~LAW ENFORCEMENT SENSITIVE~~  
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ACLU DDII CID ROIS 36498

EXHIBIT  
 002662

438



CONTINUATION SHEET, DA FORM 4430, PERTAINING TO U.S. v. PFC (b)(6),  
 (b)(6), U.S. Army, Charlie Company, 3d Battalion, 187th Infantry Regiment, 3d Brigade  
 Combat Team, 101<sup>st</sup> Airborne Division (Air Assault), Fort Campbell, Kentucky 42223

Charges	Article, UCMJ	Spec	Gist of Offenses	Plea	Findings
ADD I	81	The	A/o near Muthana Chemical Complex, Iraq, o/a 9 May 06, conspire with SSG (b)(6) and SPC (b)(6) to obstruct justice in the investigation of the shooting of three male detainees of apparent Middle-Eastern descent whose names are unknown and, in order to effect the object of the conspiracy, staged the murder scene so as to appear that the said PFC (b)(6), and SPC (b)(6) were attacked during an escape attempt	G	G
ADD II	134	The	While traveling in a vehicle between Forward Operating Base Brassfield-Mora, Iraq and the U.S. CID office at Contingency Operating Base Speicher, Iraq, o/a 29 May 2006, wrongfully endeavor to influence the testimony of PFC (b)(6) as a witness in the case of the said PFC (b)(6), SSG (b)(6), and PFC (b)(6) regarding the investigation of the shooting of three male detainees of apparent Middle-Eastern descent whose names are unknown, by communicating to PFC (b)(6) a threat, to wit: "SSG (b) will not have to kill you because I will kill you if you say anything," or words to that effect	NG	D*
ADD III	91	The	A/o near Camp Arifjan, Kuwait Theater Field Detention Facility, o/a 21 Jul 06, was disrespectful in language and deportment toward Damage Control First Class (b), a petty officer, then known by the accused to be a superior petty officer, who was then in the execution of his office, by saying to him "My lawyer will fuck you up," or words to that effect, by saying to him "I don't give a fuck about rank," or words to that effect, and by refusing to go to parade rest	NG	D*

CONTINUATION SHEET, DA FORM 4430, PERTAINING TO U.S. v. PFC (b)(6), (b)(6), U.S. Army, Charlie Company, 3d Battalion, 187th Infantry Regiment, 3d Brigade Combat Team, 101<sup>st</sup> Airborne Division (Air Assault), Fort Campbell, Kentucky 42223

<u>Charges</u>	<u>Article, UCMJ</u>	<u>Spec</u>	<u>Gist of Offenses</u>	<u>Plea</u>	<u>Findings</u>
ADD IV	91	The	A/o near Camp Arifjan, Kuwait Theater Field Detention Facility, o/a 22 Jul 06, treat with contempt Master at Arms Second Class (b)(6), a petty officer, then known by the accused to be a superior petty officer, who was then in the execution of her office, by saying to her "I can do anything in this facility and can't be charged with it," or words to that effect	NG	D*
ADD V	134	The	A/o near Muthana Chemical Complex, Iraq, o/a 9 May 06, wrongfully endeavor to impede the investigation of the shooting of three male detainees of apparent Middle-Eastern descent whose names are unknown by means of staging the murder scene so as to appear that the said PFC (b)(6) and SPC (b)(6) were attacked during an escape attempt	G	G

\*Dismissed upon motion of trial counsel and in accordance with the Offer to Plead Guilty

DEPARTMENT OF THE ARMY REPORT OF RESULT OF TRIAL  
For use of this form, see AR 27-10; the proponent agency is OTJAG

TO: Commander 101st Airborne Division (Air Assault), Fort Campbell, KY 42223

1. Notification under R.C.M. 1101 and AR 27-10, paragraph 5-30 is hereby given in the case of the United States v \_\_\_\_\_

(b)(6), C Co, 3-187<sup>th</sup> Inf Regt, 3<sup>rd</sup> BCT, 101<sup>st</sup> ABN DIV (AASLT), Fort Campbell, KY 42223

2. Trial by General court-martial on 13 March, 2007 at Fort Campbell, KY 42223

convened by: CMCO Number 1 HQ, 101<sup>st</sup> ABN DIV (AASLT), dated 2 December 2005, as amended by CMCO # 2,

HQ, 101<sup>st</sup> ABN DIV (AASLT), dated 27 February 2007, amended by CMCO # 3, HQ, 101<sup>st</sup> ABN DIV (AASLT), dated 9 March 2007

3. Summary of offenses, pleas, and findings:

CH	ART UCMJ	SPEC	BRIEF DESCRIPTION OF OFFENSE(S) (See Continuation Sheet)	PLEA	FINDING
----	----------	------	---	------	---------

4. SENTENCE:

Reduction to the grade of Private (E1); forfeiture of all pay and allowances; to be confined for ten years; and to be discharged from the service with a dishonorable discharge.

5. Date sentence adjudged and effective date of any forfeiture or reduction in grade (YYYYMMDD): 20070319/20070402  
(See UCMJ Articles 57-58b and R.C.M. 1101)

6. Contents of pretrial agreement concerning sentence, if any: N/A.

7. Number of days of presentence confinement, if any: 277

8. Number of days of judge-ordered administrative credit for presentence confinement or restriction found tantamount to confinement, if any: 91

9. Total presentence confinement credit toward post-trial confinement: 368

10. Name(s) and SSN(s) of companion accused or co-accused, if any: (b)(6) (b)(6) (b)(6)  
(b)(6) (b)(6) (b)(6)

11. DNA processing IAW 10 U.S.C. § 1565  is  is not required.

12. Conviction(s)  does  does not require sex offender registration IAW 42 U.S.C. § 14071.

CF:

Confinement Facility; FAO; PSB (Adverse Actions); CDR, C Co, 3-187<sup>th</sup> Inf Regt; CDR, 3-187<sup>th</sup> Inf Regt; CDR, 3<sup>rd</sup> BCT; CID

TYPED NAME (b)(6)	SIGNATURE (b)(6)
RANK CPT	BRANCH US ARMY

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**FOR OFFICIAL USE ONLY**

EXHIBIT  
002065

439

CONTINUATION SHEET, DA FORM 4430, PERTAINING TO U.S. v. (b)(6) (C)  
 (b)(6), (b)(6), U.S. Army, C Company, 3<sup>rd</sup> Battalion, 187<sup>th</sup> Infantry Regiment, 3<sup>rd</sup>  
 Brigade Combat Team, 101<sup>st</sup> Airborne Division (Air Assault), Fort Campbell, Kentucky 42223

Item 3 Continued:

Charges	Article, UCMJ	Spec	Gist of Offenses	Plea	Findings
I	80	The	A/o near Muthana Chemical Complex, Iraq, o/a 9 May 06, attempt with premeditation to murder a male detainee of apparent Middle-Eastern descent whose name is unknown by means of shooting him with a firearm	NG	D*
II	81	The	A/o near Muthana Chemical Complex, Iraq, o/a 9 May 06, conspire with SPC (b)(6), and PFC (b)(6) to commit premeditated murder of three male detainees of apparent Middle-Eastern descent whose names are unknown, and in order to effect the object of the conspiracy, the said PFC (b)(6) and SPC (b)(6) did shoot at the detainees	NG	NG
III	118	1	A/o near Muthana Chemical Complex, Iraq, o/a 9 May 06, with premeditation, murder a male detainee of apparent Middle-Eastern descent whose name is unknown by means of shooting him with a firearm	NG	NG**
		2	A/o near Muthana Chemical Complex, Iraq, o/a 9 May 06, with premeditation, murder a male detainee of apparent Middle-Eastern descent whose name is unknown by means of shooting him with a firearm	NG	NG**
		3	A/o near Muthana Chemical Complex, Iraq, o/a 9 May 06, with premeditation, murder a male detainee of apparent Middle-Eastern descent whose name is unknown by means of shooting him with a firearm	NG	NG**
IV	134	1	A/o near Muthana Chemical Complex, Iraq, o/a 10 May 06, wrongfully communicate to PFC (b)(6) a threat, to wit: "I will kill you if you tell anyone," or words to that effect	NE***	NE***

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ACLU DDII CID ROIS 36502

EXHIBIT  
002666

439

CONTINUATION SHEET, DA FORM 4430, PERTAINING TO U.S. v. SSG (b)(6) (C).  
 (b)(6), (b)(6) U.S. Army, C Company, 3<sup>rd</sup> Battalion, 187<sup>th</sup> Infantry Regiment, 3<sup>rd</sup>  
 Brigade Combat Team, 101<sup>st</sup> Airborne Division (Air Assault), Fort Campbell, Kentucky 42223

		2	A/o near Forward Operating Base Brassfield-Mora, Iraq, between o/a 10 May 06 and o/a 29 May 2006, wrongfully communicate to PFC (b)(6) a threat, to wit: "You better not talk or I will kill you," or words to that effect	NE***	NE***
		3	While traveling in vehicle between Forward Operating Base Brassfield-Mora, Iraq and the U.S. CID office at Contingency Operating Base Speicher, Iraq, o/a 29 May 2006, wrongfully communicate to PFC (b)(6), a threat, to wit: "You better not say anything or I swear I will kill you," or words to that effect	NE***	NE***
ADD I	81	The	A/o near Muthana Chemical Complex, Iraq, o/a 9 May 06 conspire with SPC (b)(6) and PFC (b)(6) to endeavor to impede an investigation in the case of SSG (b)(6), SPC (b)(6), and PFC (b)(6) regarding the shooting of three male detainees of apparent Middle-Easter descent o/a 9 May 06 by staging the murder scene so as to appear that the detainees attacked them.	NG	G
ADD II	92	The	A/o near FOB Brassfield-Mora, Iraq, o/a 15 Jun 06 violate 101st ABN DIV GO #1 dated 11 May 06 by wrongfully possessing a personally owned firearm	NG	G
ADD III	134	1	A/o near Muthana Chemical Complex, Iraq, o/a 10 May 06, wrongfully endeavor to influence the testimony of PFC (b)(6) as a witness in the case of the said SSG (b)(6), SPC (b)(6), and PFC (b)(6) regarding the investigation of the shooting of three male detainees of apparent Middle-Eastern descent whose names are unknown, by communicating to PFC (b)(6) a threat, to wit: "I will kill you if you tell anyone," or words to that effect	NE***	NE***

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 EXCEPT WHERE SHOWN  
 OTHERWISE

EXHIBIT 439

002667

CONTINUATION SHEET, DA FORM 4430, PERTAINING TO U.S. v. SSG (b)(6) (b)(6) (b)(6) U.S. Army, C Company, 3<sup>rd</sup> Battalion, 187<sup>th</sup> Infantry Regiment, 3<sup>rd</sup> Brigade Combat Team, 101<sup>st</sup> Airborne Division (Air Assault), Fort Campbell, Kentucky 42223

		2	A/o near Forward Operating Base Brassfield-Mora, Iraq, between o/a 10 May 06 and o/a 29 May 2006, wrongfully endeavor to influence the testimony of PFC (b)(6), as a witness in the case of the said SSG (b)(6), (b)(6) (b)(6), and PFC (b)(6) regarding the investigation of the shooting of three male detainees of apparent Middle-Eastern descent whose names are unknown, by communicating to PFC (b)(6) a threat, to wit: "You better not talk, or I will kill you," or words to that effect	NE***	NE***
		3	While traveling in a vehicle between Forward Operating Base Brassfield-Mora, Iraq and the U.S. Army CID office at Contingency Operating Base Speicher, Iraq, o/a 29 May 2006, wrongfully endeavor to influence the testimony of PFC (b)(6), as a witness in the case of the said SSG (b)(6), SPC (b)(6), and PFC (b)(6) regarding the investigation of the shooting of three male detainees of apparent Middle-Eastern descent whose names are unknown, by communicating to PFC (b)(6) a threat, to wit: "You better not say anything, or I swear I will kill you," or words to that effect	NE***	NE***
ADD IV	121	The	A/o near Muthana Chemical Complex, Iraq, o/a 9 May 06, steal a firearm of a value of less than \$500, the property of another	NG	D****
ADD V	134	The	A/o near Muthana Chemical Complex, Iraq, wrongfully endeavor to impede an investigation in the case of SSG (b)(6), SPC (b)(6), and PFC (b)(6) regarding the shooting of three male detainees of apparent Middle-Easter descent o/a 9 May 06 by staging the murder scene so as to appear that the detainees attacked them	NG	G

CONTINUATION SHEET, DA FORM 4430, PERTAINING TO U.S. v. SSG (b)(6) (b)(6), (b)(6), U.S. Army, C Company, 3<sup>rd</sup> Battalion, 187<sup>th</sup> Infantry Regiment, 3<sup>rd</sup> Brigade Combat Team, 101<sup>st</sup> Airborne Division (Air Assault), Fort Campbell, Kentucky 42223

\* Dismissed by the Military Judge because it is a lesser included offense of Charge III, Specification 3.

\*\* Not guilty, but guilty of the lesser included offense of negligent homicide in violation of UCMJ Article 134.

\*\*\* No Plea entered, dismissed prior to pleas and findings.

\*\*\*\* Dismissed by Military Judge upon defense motion for finding of not guilty pursuant to R.C.M. 917.

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ACLU DOJ CID ROIS 36505

EXHIBIT

439

FORENSIC LABORATORY EXAMINATION REQUEST

<b>1. TO:</b> <input checked="" type="checkbox"/> Director USACIL 4930 N. 31st Street Forest Park, GA 30297-5205  <input type="checkbox"/> Other (Specify): ATTN: Latent Prints	<b>2. FROM:</b> Task Force Commander 10th MP BN (CID) Ft Bragg, NC 28310	<b>4. EXAM PRIORITY</b>  <input type="radio"/> ROUTINE <input checked="" type="radio"/> EXPEDITE  <input checked="" type="checkbox"/> Trial/Article 32/39A (*) <input checked="" type="checkbox"/> Subject in pre-trial confinement <input type="checkbox"/> Subject pending PCS/ Separation/Reenlist (*) <input checked="" type="checkbox"/> Other (Specify in Block 13)  *Date 2007-02-13	<b>5. LAB USE ONLY</b> a. LAB CASE #
	<b>3. RETURN EVIDENCE TO:</b> Commander ATTN: Evidence Custodian 31st MP Det (CID) Ft Campbell, KY 42223		b. METHOD OF RECEIPT  c. RECEIVED BY/DATE

<b>6. SUBMITTING AGENCY CASE NUMBER</b> 0086-06-CID469-75447	<b>7. TYPE OF OFFENSE</b> Murder, Conspiracy
---	---

<b>8. PREVIOUS EVIDENCE SUBMITTED</b> DATE: 12 Jun 06, 21 Jun 06, 26 Jun 06, MAIL METHOD: Registered	LAB CASE #: 2006-CID131-1281/A1-A5	SUSPECT(S): SPC (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C)
--	------------------------------------	---

<b>9. SUSPECT(S) [Last, first and middle name(s)]</b> PFC (b)(6), (b)(7)(C)	<b>10. VICTIM(S) [Last, first and middle name(s)]</b> HAMID GUMAR; HAMID, ZYAD; HAMID AL-JEMI
--	--

**11. BRIEF DESCRIPTION (SYNOPSIS) OF CASE FACTS THAT MIGHT ASSIST THE LABORATORY IN EXAMINING OR EVALUATING THE EVIDENCE OR ADDITIONAL DOCUMENTATION ATTACHED (e.g., Summary of investigation, crime scene sketches/photographs, statements)**

(b)(6), (b)(7)(C) conspired with (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) to release three Iraqi detainees, stage an assault on (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) instruct the detainees to run away, and then (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) would shoot and kill the detainees and claim they were justified. SPC (b)(6), (b)(7)(C) subsequently arrived on the scene, and shot one of the detainees in the face as a "mercy killing" at the direction of SSG (b)(6), (b)(7)(C) but was not a part of the conspiracy. As part of the staged Assault, (b)(6), (b)(7)(C) cut (b)(6), (b)(7)(C) on the left arm with a knife. SSG (b)(6), (b)(7)(C) stole a pistol from the home of the detainees, which he surrendered to unit personnel.

12. EVIDENCE SUBMITTED

a. EXHIBIT	b. DESCRIPTION OF EXHIBIT
64	Pistol, Item #1, Voucher 0491-06

EXHIBIT 440



12. EVIDENCE SUBMITTED (Continued)

a. EXHIBIT	b. DESCRIPTION OF EXHIBIT

13. EXAMINATION(S) REQUESTED (Briefly furnish any information or instructions that might assist the laboratory in examining the evidence)

LATENT PRINTS: Please examine exhibit 64 and determine if identifiable latent prints are present. If so, compare with known prints of SSG (b)(6), (b)(7)(C) and other known prints submitted previously.

Conduct any additional examinations deemed appropriate.

14.a. INVESTIGATOR AND ALTERNATE POC (Typed or Printed) (Mandatory Information) SA (b)(6), (b)(7)(C) Alternate POC: SA (b)(6), (b)(7)(C)	b. TELEPHONE (Primary/Alt): 910 396-8777/1912 c. DSN (Primary/Alt): 312.236.1912 d. Fax: 910 396 8595 e. E-Mail: (b)(6)(b)(7)(C)@us.army.mil or (b)(6)(b)(7)(C)@us.army.mil
---	--

15. I CERTIFY EVIDENCE HAS NOT BEEN SUBMITTED TO ANOTHER LABORATORY FOR THE SAME EXAMINATION

a. DATE  2007-02-09	b. TYPED/PRINTED NAME OF REQUESTOR (b)(6), (b)(7)(C)	d. TELEPHONE (Primary/Alt): _____
	c. SIGNATURE (b)(6), (b)(7)(C)	e. DSN (Primary/Alt): _____
		f. Fax: _____
		g. E-Mail: _____

	16. LAB USE ONLY
	LAB CASE #

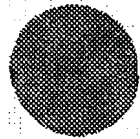
~~LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY~~

AGLU DDII CID ROIS 36507

EXHIBIT  
00267

440

~~SECRET//REL TO USA AND NSPT~~



REPLY TO  
ATTENTION OF

**HEADQUARTERS**  
MULTI-NATIONAL CORPS-IRAQ  
BAGHDAD, IRAQ  
APO AE 08342

FICI-IA-AL

~~SECRET~~

MEMORANDUM FOR BG Thomas Maffey, ADCM, 4ID

SUBJECT: Appointment of AR 15-6 Investigating Officer

1. You are appointed as an investigating officer to conduct an informal investigation IAW AR 15-6 into all of the facts and circumstances surrounding the conduct of <sup>(b)(3) U.S.C. Code 130b (b)(6)</sup> Commander, 3d BDE, 101<sup>st</sup> AA, on or about 10 May 06 with regard to persons detained during Operation Iron Triangle. In addition to the general facts and circumstances, you will specifically determine the following:

- a. Did <sup>(b)(3) U.S.C. Code 130b</sup> pose for pictures with dead detainees?
- b. Did <sup>(b)(3) U.S.C. Code 130b</sup> maltreat dead bodies?
- c. Did <sup>(b)(3) U.S.C. Code 130</sup> cut the blindfold and zip tie off of a dead detainee and state, "I guess we'll have to say these guys tried to escape" or words to that effect?
- d. Did <sup>(b)(3) U.S.C. Code 130</sup> compliment, endorse or encourage the mistreatment of detainees by saying "good job but we need more bodies" or words to that effect?
- e. Did <sup>(b)(3) U.S.C. Code 130</sup> have knowledge of the death of detainees on or about 10 May 06 and fail to report to higher headquarters?

2. There is a concurrent CID criminal investigation into the circumstances surrounding the deaths of the detainees. You will coordinate with CID to avoid duplication of investigative effort.

3. Your duties as an investigating officer will take priority over other duties. You will use the informal investigation procedures detailed in AR 15-6. You will make specific findings of fact that are supported directly by the documented evidence or reasonably based upon circumstantial evidence. Based upon all factual findings and conclusions, you will make recommendations on all relevant issues you identify in the course of your investigation.

~~SECRET//REL TO USA AND NSPT~~

~~SECRET//REL TO USA AND MCFI~~

FICI-JA-AL

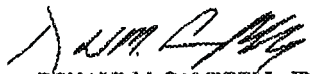
SUBJECT: Appointment of AR 15-6 Investigating Officer

4. If during your investigation you suspect the person you intend to interview may have violated any provision of the Uniform Code of Military Justice (UCMJ) or any other criminal law, you must advise them of their rights under Article 31, UCMJ. Rights warnings and waivers will be documented on DA Form 3881. If during an interview, you begin to suspect criminal conduct on the part of a witness, you must stop the interview and advise the individual of his rights under Article 31, UCMJ.

5. Whenever possible, witness statements will be sworn and recorded on DA Form 2823. All persons must complete a Privacy Act statement. If you conduct any witness interviews telephonically, you will prepare a memorandum of record memorializing the interview. You will use DA Form 1574 to prepare your report. Include with your report documentary evidence, sworn statements, and other information or evidence you considered as a basis for your findings and recommendations. Submit the original report to me no later than 21 days after your receipt of this memorandum. Any requests for extension must be in writing.

6. Before proceeding with the investigation, and as necessary during the course of the investigation, you will coordinate with (b)(3) U.S.C. Code 130b (b)(6) (b)(7C)

FOR THE COMMANDER:

  
DONALD M. CAMPBELL, JR.  
Brigadier General, USA  
Chief of Staff

~~SECRET//REL TO USA AND MCFI~~


~~SECRET//REL TO USA AND MCTI~~

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- I. DA Form 1574
- II. Appointment Letter
- III. Investigation Chronology
- IV. Index of Exhibits

~~SECRET//REL TO USA AND MCTI~~

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~  
~~SECRET//NOFORN~~

EXHIBIT 

~~SECRET//NOFORN~~

**REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS**

For use of this form, see AR 15-6; the proponent agency is OTJAG.

IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS

**SECTION I - APPOINTMENT**

Appointed by Commander, MNC-I (Appointing authority)

on 26 May 2006 (Date) (Attach inclosure 1. Letter of appointment or summary of oral appointment data; (See para 3-15, AR 15-6.)

**SECTION II - SESSIONS**

The (investigation) (board) commenced at HQ, 41D, Camp Victory, Iraq (Place) at 1500 hours (Time)

on 26 May 2006 (Date) (If a formal board over for more than one session, check here  Indicate in an inclosure the time each session began and ended, the place, persons present and absent, and explanation of absences, if any.) The following persons (numbers, respondents, counsel) were present: (After each name, indicate capacity, e.g., President, Recorder, Member, Legal Advisor.)

The following persons (members, respondents, counsel) were absent: (Include brief explanation of each absence.) (See paras 3-3 and 3-5a, AR 15-6.)

The (investigating officer) (board) finished gathering/hearing evidence at 1700 hours (Time) on 3 June 2006 (Date)

and completed findings and recommendations at \_\_\_\_\_ (Time) on \_\_\_\_\_ (Date)

**SECTION III - CHECKLIST FOR PROCEEDINGS**

A. COMPLETE IN ALL CASES		YES	NO	NA
1	Inclosures (para 3-15, AR 15-6)			
	Are the following included and numbered consecutively with Roman numerals: (Attached in order listed)			
a.	The letter of appointment or a summary of oral appointment data?	X		
b.	Copy of notice to respondent, if any? (See item 9, below)			X
c.	Other correspondence with respondent or counsel, if any?			X
d.	All other written communications to or from the appointing authority?			X
e.	Privacy Act Statements (Certificate, if statement provided orally)?	X		
f.	Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?			X
g.	Information as to sessions of a formal board not included on page 1 of this report?			X
h.	Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?			X

FOOTNOTES: *If except, all negative answers on an attached sheet.*  
*If Use of the NA column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.*

DA FORM 1574, MAR 83

EDITION OF NOV 77 IS OBSOLETE.

Page 1 of 4 pages

USAPA V1.20

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~~SECRET//NOFORN~~

EXHIBIT

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		YES	NO	NA
2	Exhibits (para 5-16, AR 15-6)			
a	Are all items offered (whether or not received) or considered as evidence individually numbered or lettered as exhibits and attached to this report?	X		
b	Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?	X		
c	Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?	X		
d	Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?	X		
e	Are descriptions or diagrams included of locations visited by the investigating officer or board (para 5-6b, AR 15-6)?	X		
f	Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim record?	X		
g	If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit (para 5-16d, AR 15-6)?			X
3	Was a quorum present when the board voted on findings and recommendations (paras 4-1 and 5-2b, AR 15-6)?			X
<b>B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)</b>				
4	At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment (para 5-3b, AR 15-6)?			
5	Was a quorum present at every session of the board (para 5-2b, AR 15-6)?			
6	Was each absence of any member properly excused (para 5-2a, AR 15-6)?			
7	Were members, witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?			
8	If any members who voted on findings or recommendations were not present when the board received some evidence, does the inquirer describe how they familiarized themselves with that evidence (para 5-2d, AR 15-6)?			
<b>C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)</b>				
9	Notice to respondents (para 5-5, AR 15-6):			
a	Is the mailed and date of delivery to the respondent indicated on each letter of notification?			
b	Was the date of delivery at least five working days prior to the first session of the board?			
c	Does each letter of notification indicate --			
(1)	the date, hour, and place of the first session of the board concerning that respondent?			
(2)	the matter to be investigated, including specific allegations against the respondent, if any?			
(3)	the respondent's rights with regard to counsel?			
(4)	the name and address of each witness expected to be called by the recorder?			
(5)	the respondent's rights to be present, present evidence, and call witnesses?			
d	Was the respondent provided a copy of all unclassified documents in the case file?			
e	If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?			
10	If any respondent was designated after the proceedings began (or otherwise was absent during part of the proceedings):			
a	Was he properly notified (para 5-5, AR 15-6)?			
b	Was record of proceedings and evidence received in his absence made available for examination by him and his counsel (para 5-4c, AR 15-6)?			
11	Counsel (para 5-6, AR 15-6):			
a	Was each respondent represented by counsel?			
Name and business address of counsel:				
(If counsel is a lawyer, check here <input type="checkbox"/> )				
b	Was respondent's counsel present at all open sessions of the board relating to that respondent?			
c	If military counsel was requested but not made available, is a copy (or, if oral, a summary) of the request and the action taken on it included in the report (para 5-6b, AR 15-6)?			
12	If the respondent challenged the legal advisor or any voting member for lack of impartiality (para 5-7, AR 15-6):			
a	Was the challenge properly denied and by the appropriate officer?			
b	Did each member successfully challenged cease to participate in the proceedings?			
13	Was the respondent given an opportunity to (para 5-8a, AR 15-6):			
a	Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent?			
b	Examine and object to the introduction of real and documentary evidence, including written statements?			
c	Object to the testimony of witnesses and cross-examine witnesses other than his own?			
d	Call witnesses and otherwise introduce evidence?			
e	Testify as a witness?			
f	Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)?			
14	If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in arranging for the presence of witnesses (para 5-8b, AR 15-6)?			
15	Are all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an inclosure or exhibit to it (para 5-11, AR 15-6)?			

**FOOTNOTES:** If explanation negative answers are an attached item.  
 \* Use of the NIA column indicates a positive responsibility that the circumstances identified in the question did not occur in this investigation or board.

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~~SECURITY DATA~~

EXHIBIT

SECTION IV - FINDINGS (para 3-10, AR 13-6)

The (investigating officer) (board), having carefully considered the evidence, finds:

See attached findings.

SECTION V - RECOMMENDATIONS (para 3-11, AR 13-6)

In view of the above findings, the (investigating officer) (board) recommends:

See attached recommendations.

**SECTION VI - AUTHENTICATION** (para 3-17, AR 15-6)

THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE. (If any voting member or the recorder fails to sign here or in Section VII below indicate the reason in the space where his signature should appear.)

(b)(3) U.S.C. Code 130b (b)(6) (b)(7C)

*SJW/06*

\_\_\_\_\_  
(Recorder)

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(Member)

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**SECTION VII - MINORITY REPORT** (para 3-13, AR 15-6)

To the extent indicated in Inclosure \_\_\_\_\_, the undersigned do(es) not concur in the findings and recommendations of the board. (In the inclosure, identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur. State the reasons for disagreement. Additional/substitute findings and/or recommendations may be included in the inclosure.)

\_\_\_\_\_  
(Member)

\_\_\_\_\_  
(Member)

**SECTION VIII - ACTION BY APPOINTING AUTHORITY** (para 2-3, AR 15-6)

The findings and recommendations of the (investigating officer) (board) are (approved) (disapproved) (approved with following exceptions/substitutions). (If the appointing authority returns the proceedings to the investigating officer or board for further proceedings or corrective action, attach that correspondence (or a summary, if oral) as a numbered inclosure.)



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SECTION IV. FINDINGS:**Summary:**

COL (b)(3), (b)(6) did not condone or attempt to cover up detainee deaths that occurred during Operation Iron Triangle. The facts and circumstances surrounding the deaths of three detainees, who were reported to have broken their restraints and assaulted their guards, continues to be the subject of an on-going criminal investigation.<sup>1</sup>

The allegation that on or about 9 May 2006 COL (b)(3), (b)(6) posed for pictures with dead detainees; maltreated dead bodies; cut the blindfold and zip tie off of a dead detainee, and stated, "I guess we'll have to say these guys tried to escape" or words to that effect; complimented, endorsed or encouraged the mistreatment of detainees by saying "good job but we need more bodies" or words to that effect; and failed to report the death of detainees to higher headquarters, has been thoroughly investigated.

The bulk of the allegation has proven to be completely false. It is true that COL (b)(3), (b)(6) supervised the photographing of four bodies, and did cut a blindfold from one body. This, however, was done in order to take official photographs for use in positively identifying the bodies.<sup>2</sup> COL (b)(3), (b)(6) did intentionally delay reporting the deaths, but his intent was to gather facts from eye witnesses prior to notifying his higher headquarters. COL (b)(3), (b)(6) intent is clearly documented by the fact that a commander's inquiry was initiated almost immediately and was followed, within 48 hours, by an AR 15-6 investigation initiated by COL (b)(3), (b)(6)

**Background:**

On 9-11 May 2006, units from 3d Brigade Combat Team, 101st Airborne Division (3-187 IN, 3-320 FA, 2-9 IN) and 4th Iraqi Army Division participated in Operation Iron Triangle in the vicinity of Muthana, Iraq.<sup>4</sup>

On the first day of the operation seven Iraqis were killed. Three individuals in a boat in vicinity of OBJ Murray were engaged by fires from a helicopter. Their bodies fell into fast moving water and were not recovered. SSG (b)(3), (b)(6) a Charlie Company, 3-187 IN, shot and killed a man through a window on objective Murray. CPL (b)(3), (b)(6) and PFC (b)(3), (b)(6) members of SSG (b)(3), (b)(6) squad, shot and killed three detainees on objective Murray. These four bodies were collected and transported to the 3-320 FA TAC.<sup>5</sup>

<sup>1</sup> See exhibit 24.

<sup>2</sup> See exhibit 17, 22 and 25.

<sup>3</sup> See exhibit 4, 21, 23 and 25.

<sup>4</sup> See exhibit 2.

<sup>5</sup> See exhibit 23.

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At dawn on 9 May 2006, the 3d Brigade Commander, COL (b)(3), (b)(6) was with Charlie Company 3-187 IN as it moved into objective Murray. Objective Murray is an island and consisted of multiple small objectives. COL (b)(3), (b)(6) was on the southern most objective, while SSG (b)(3), (b)(6) CPL (b)(3), (b)(6) and PFC (b)(3), (b)(6) were at the northern objective. At about 0730 hours, COL (b)(3), (b)(6) and members of his Brigade staff moved by Blackhawk helicopter to the 3-320 FA TAC. While there they learned of the enemy KIA and saw the first of four dead bodies. At the direction of COL (b)(3), (b)(6) MAJ (b)(3), (b)(6) took three photos of the man shot through the window. About 45 minutes later three more bodies were delivered to the TAC. COL (b)(3), (b)(6) noticed the blindfolds. Other witnesses report that these later three bodies all had blindfolds and zip ties on them. At the direction of COL (b)(3), (b)(6) MAJ (b)(3), (b)(6) took four photos of the bodies.<sup>6</sup>

On 9 May 2006, the Commander of C Company, 3-187 IN, CP (b)(3), (b)(6) initiated a commander's inquiry into the deaths of the three detainees killed on OBJ Murray. CPT (b)(3), (b)(6) completed his inquiry on 11 May 2006 and concluded that his two Soldiers, CPL (b)(3), (b)(6) and PFC (b)(3), (b)(6) shot and killed the three detainees after being attacked by them. The facts and circumstances surrounding the deaths of these three men is the subject of an on-going CID investigation.<sup>8</sup>

The 3d Brigade Commander, COL (b)(3), (b)(6) was aware of the preliminary commander's inquiry that CP (b)(3), (b)(6) conducted at the direction of LTC (b)(3), (b)(6) on 11 May 2006, COL (b)(3), (b)(6) appointed MAJ (b)(3), (b)(6) the XO of 3-320 FA, to conduct an AR 15-6 investigation into the deaths of the three men. MAJ (b)(3), (b)(6) gave sworn testimony and has provided his completed report to this investigation. COL (b)(3), (b)(6) went on previously scheduled environmental leave after reviewing MAJ (b)(3), (b)(6) preliminary findings and determining that it did not appear that a LOAC violation had occurred. COL (b)(3), (b)(6) told his staff that the investigation was to remain in-house until he returned from leave on or about 1 June 2006.<sup>10</sup> COL (b)(3), (b)(6) directive to his staff was based on his intention to personally brief his division commander once back from leave.<sup>11</sup>

On 15 May 05, PVT (b)(3), (b)(6) a medic assigned to HHB, 3-320 FA, sent an email to his recruiter, SFC (b)(3), (b)(6) in CONUS. PVT (b)(3), (b)(6) alleged that during Operation Iron Triangle:

- Unknown soldiers from 3-187 Infantry shot four detainees while blindfolded and zip-tied.
- PVT (b)(3), (b)(6) was told to cut off the zip ties and say the detainees had been killed as they tried to escape.

<sup>6</sup> See exhibit 17, 22 and 25.  
<sup>7</sup> See exhibit 23.  
<sup>8</sup> See exhibit 24.  
<sup>9</sup> See exhibit 4.  
<sup>10</sup> See exhibit 4, 21 and 25.  
<sup>11</sup> See exhibit 25.

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- PVT (b)(3), (b)(6) indicated that this was the second time this has happened with same infantry company.<sup>12</sup>

On 16 May 2006, SFC (b)(3), (b)(6) went to CID at Fort Riley and gave a sworn statement.<sup>13</sup> CID at Fort Riley contacted CID in Baghdad. On 22 May 05, PVT (b)(3), (b)(6) gave a more detailed statement to CID agents at FOB Remagen, alleging the following:

- PVT (b)(3), (b)(6) worked during the operation at a jump aid station in the TAC providing care to about 100 detainees. He claimed that during the operation six bodies were brought into the area by Blackhawk. He said he saw only two bodies outside the bags; they were blind-folded with engineer tape and had their hands zippered behind their backs. One body had two gunshot wounds to the chest and one to the head; the other had a severe head wound.

- PVT (b)(3), (b)(6) alleged that the 3d Brigade Commander, COL (b)(3), (b)(6) lifted the head of one dead body, dropped it, cut off one of the blind-folds and flex cuffs, put his boot on the head and posed for a picture saying words to the effect of "I guess we'll have to say these guys tried to escape." PVT (b)(3), (b)(6) stated that 2 to 3 photos were taken. About 10 people were standing around the bodies at the time. The bodies were then placed in a hole near the TAC.

- PVT (b)(3), (b)(6) says he tried to talk to several soldiers and NCOs about whether the detainees were shot after being detained and was told in so many words not to worry about it. The next day the battalion XO, MAJ (b)(3), (b)(6) came to the aid station looking for the photos. PVT (b)(3), (b)(6) said this happened after he heard something about a CID investigation being started.<sup>14</sup>

Unaware of the commander's inquiry and 15-6 investigation initiated within 3BCT, on 26 May 2006 MNC-I directed an informal AR 15-6 investigation into the facts and circumstances surrounding the conduct of COL (b)(3), (b)(6) with regard to persons detained during Operation Iron Triangle.

From 26 May - 03 June 2006, the investigating officer, BG Thomas Maffey, personally interviewed 18 witnesses and reviewed the sworn statements taken during the initial commander's inquiry and Brigade level AR 15-6 investigation. BG Maffey also reviewed documentary evidence to include operation orders, after action reviews, applicable rules of engagement and orders, and digital photos. Overwhelmingly, the investigation exonerated COL (b)(3), (b)(6). COL (b)(3), (b)(6) testimony was corroborated by documentary evidence and other witnesses' sworn testimony. PVT (b)(3), (b)(6) testimony was not credible; it was not only uncorroborated,<sup>15</sup> it was largely contradicted.<sup>16</sup> From

<sup>12</sup> See exhibit 13a.

<sup>13</sup> See exhibit 14.

<sup>14</sup> See exhibit 13b.

<sup>15</sup> PVT (b)(3), (b)(6) was the only witness to claim that COL (b)(3), (b)(6) said, "I guess we'll have to say these guys tried to escape" or "good job but we need more bodies." He was also the only witness to claim that COL (b)(3), (b)(6) zipped on and disrespected the bodies. No other witness described heavy duty zip ties, or hands bound behind the detainees' backs.

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his original allegations in e-mail to SFC (b)(3), (b)(6) to his sworn statement to CID,<sup>18</sup> to his sworn testimony to this investigation,<sup>19</sup> PVT (b)(3), (b)(6) story did not remain consistent.<sup>20</sup>

Specifically, the AR 15-6 investigation was directed to answer the following questions that are highlighted in bold:

**a. Did COI (b)(3), (b)(6) pose for pictures with dead detainees?**

COI (b)(3), (b)(6) did not pose for pictures with dead detainees. Based primarily on the testimony of MAJ (b)(3), (b)(6) and MAJ (b)(3), (b)(6) this investigation is confident that it has acquired all photographs taken of the bodies while COI (b)(3), (b)(6) was present. COI (b)(3), (b)(6) did lift the head of the man shot through the window so that MAJ (b)(3), (b)(6) could get a clear head and shoulder picture for use by the S-2 to positively identify the remains. MAJ (b)(3), (b)(6) did use his boot to keep the body bags down while MAJ (b)(3), (b)(6) photographed two of the detainee bodies. In one of these photos, MAJ (b)(3), (b)(6) used his foot to keep the head facing the camera. There is no doubt that these photos were head and shoulder shots taken to use in positively identifying the remains.

**b. Did COI (b)(3), (b)(6) maltreat dead bodies?**

COI (b)(3), (b)(6) did not maltreat dead bodies. The only witness who claimed that COI (b)(3), (b)(6) stepped on bodies is PVT (b)(3), (b)(6) it is noteworthy that in his initial e-mail message to SFC (b)(3), (b)(6) PVT (b)(3), (b)(6) claimed that he was ordered to remove the blindfolds and zip ties.<sup>22</sup> In his sworn statement to CID he claimed that he witnessed COI (b)(3), (b)(6) cut blindfolds and zip ties.<sup>23</sup> In his sworn testimony he backed off his claim that he saw four blindfolded and restrained bodies, and admitted that he personally only saw one.<sup>24</sup>

**c. Did COI (b)(3), (b)(6) put the blindfold and zip tie off a dead detainee and state, "I guess we'll have to say these guys tried to escape" or words to that effect?**

<sup>16</sup> PVT (b)(3), (b)(6) claims the bodies came in on the second day of the operation (they came in on the first), that four bodies came on a single helicopter (they came on two helicopters 45 minutes apart), that the bodies were wrapped in white cloth (they were in black body bags), that their hands were bound behind (most witnesses did not see bound hands, but if bound they were most likely bound in front), that the PSD took pictures (the S-2 and S-3 took the pictures), and that two more dead detainees arrived for a total of six (there were only three dead detainees, the fourth KIA was not detained prior to his death),

<sup>17</sup> See exhibit 13a.

<sup>18</sup> See exhibit 13b.

<sup>19</sup> See exhibit 13c.

<sup>20</sup> E.g. In his e-mail PVT (b)(3), (b)(6) claims that he was ordered to cut off the blindfolds and zip ties. In his sworn statement he claims he saw COI (b)(3), (b)(6) cut off four sets of blindfolds and zip ties. In his sworn testimony he says he only saw COI (b)(3), (b)(6) cut the blindfold and zip ties from one body.

<sup>21</sup> See exhibit 17 and 22.

<sup>22</sup> See exhibit 13a.

<sup>23</sup> See exhibit 13b.

<sup>24</sup> See exhibit 13c.

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COL (b)(3), (b)(6) did cut the blindfold from the face of one detainee, but did not cut zip ties from any dead detainees.<sup>25</sup> The cut blindfold was photographed with the remains and was not removed from the body bag. COL (b)(3), (b)(6) did not state, "I guess we'll have to say these guys tried to escape" or words to that effect. Again, the only witness who claims that COL (b)(3), (b)(6) cut zip ties is PVT (b)(3), (b)(6) MAJ (b)(3), (b)(6) MAJ (b)(3), (b)(6) and CSM (b)(3), (b)(6) and others were in the vicinity of COL (b)(3), (b)(6) while the body bags were open.<sup>26</sup> COL (b)(3), (b)(6) did cut one blindfold and used the same knife to lower the blindfolds from the other bodies so that MAJ (b)(3), (b)(6) could get photos that could be used by the S-2 to identify the bodies.<sup>27</sup> It is likely that PVT (b)(3), (b)(6) saw this from a distance and combined the portion he saw with rumors he heard. He then wrote to SFC (b)(3), (b)(6) and embellished his story by claiming that he was ordered to cut blindfolds and zip ties from the dead.

**d. Did COL (b)(3), (b)(6) compliment, endorse or encourage the mistreatment of detainees by saying "good job but we need more bodies" or words to that effect?**

On 9 May 2006 in the TAC area, COL (b)(3), (b)(6) did not compliment, endorse or encourage the mistreatment of detainees by saying "good job but we need more bodies" or words to that effect. There is evidence that confusion about the applicable ROE was a contributing factor in the deaths of the three individuals in the boat and the man in the window. The uncontradicted testimony is that none of these individuals demonstrated hostile acts or intent prior to being engaged.<sup>28</sup> In his sworn statement to CPT (b)(3), (b)(6) LT (b)(3), (b)(6) states that the, "ROE given by our chain of command was to kill every military aged male on the objective."<sup>29</sup> This understanding of the ROE is consistent with other witness statements.<sup>30</sup> In his sworn testimony CPT (b)(3), (b)(6) explained that this ROE was articulated by COL (b)(3), (b)(6) at the mission rehearsal.<sup>31</sup>

**e. Did COL (b)(3), (b)(6) have knowledge of the death of detainees on or about 10 May 06 and fail to report to higher headquarters?**

COL (b)(3), (b)(6) knew of CPT (b)(3), (b)(6) Commander's inquiry and appointed MAJ (b)(3), (b)(6) to conduct an AR 15-6 investigation, but made the conscious decision to keep the investigations into the deaths at his level until after he returned from leave and was briefed on the final findings and recommendations.<sup>32</sup> This decision demonstrated poor judgment and violated MNC-I CCIR guidance, FRAGO 248, FRAGO 212 and SECDEF Policy Memo 9, dtd 9 June 2004.<sup>33</sup> These documents lay out the requirement to report suspected LOAC violations and refer detainee deaths to CID for investigation.

**f. Was there misinterpretation/miscommunication of the ROE?**

<sup>25</sup> See primarily exhibit 25.  
<sup>26</sup> See exhibit 11, 17 and 22.  
<sup>27</sup> All photos taken in the presence of COL (b)(3), (b)(6) are at exhibit 17a and 22b.  
<sup>28</sup> See exhibit 23.  
<sup>29</sup> See exhibit 23b.  
<sup>30</sup> See exhibit 23c - 1.  
<sup>31</sup> See exhibit 23.  
<sup>32</sup> See exhibit 4, 21 and 25.  
<sup>33</sup> See exhibit 28 a - c.

While outside the scope of this investigation, there is evidence that there was misinterpretation and miscommunication of the ROE. In the days leading up to Operation Iron Triangle, COI (b)(3), (b)(6) directed his staff to put together a kinetic strike package of pre-assault indirect fires.<sup>34</sup> This request was intelligence driven. COI (b)(3), (b)(6) and his staff believed the request was being supported as it was forwarded to the SECDEF. As a late change, the request was modified from an area package that included a chemical facility, to individual targets that omitted the chemical facility. As such, the division commander became the approval authority. The night before the operation, the Commanding General denied the indirect fires. Nevertheless, COI (b)(3), (b)(6) and his staff believed the initial support by Division and Corps validated their belief that they would be attacking a hostile target.<sup>35</sup>

The brigade command judge advocate and commander both assert that the on scene commander has the authority to target individuals, "with direct fire weapons systems based solely on their status [as members of designated terrorist organizations]."<sup>36</sup> While this appears to be a technically correct interpretation of theater specific ROE, taken to the extreme it raises serious issues about the manner in which PID is established.

COI (b)(3), (b)(6) verbally designated all persons on Objective Murray as members of Al Qaeda, based on his assessment of the intelligence available, and previous operations at that location.<sup>37</sup> This verbal designation was not crystal clear in that some, including COI (b)(3), (b)(6) referred to Objective Murray being declared hostile.<sup>38</sup> Although garbled, this designation clearly allowed Soldiers to engage individuals on Objective Murray who did not commit hostile acts or demonstrate hostile intent. Afterwards, several Soldiers describe the "new ROE" as an order to kill all military aged males on Objective Murray.<sup>39</sup> This "new ROE" interpretation of COI (b)(3), (b)(6) designation contributed to the deaths of four military aged males on Objective Murray.<sup>40</sup> Neither the man in the window killed on Objective Murray, nor the three men in the boat displayed hostile acts or intent.<sup>41</sup> Two issues are apparent - PID was not properly established and the designation was not clearly communicated.

This investigation finds that COI (b)(3), (b)(6) honestly and reasonably believed he had the authority to designate all persons on Objective Murray as members of a terrorist organization. The problem was that by designating all personnel on Objective Murray as hostile, COI (b)(3), (b)(6) in effect eliminated the requirement to PID each individual as a member of Al Qaeda. The record is clear; the Soldiers on the objective demonstrated restraint in the application of force, which they were not required to, given the

<sup>34</sup> See exhibit 21, 22 and 25.

<sup>35</sup> See exhibit 21, 22 and 25.

<sup>36</sup> See exhibit 25 and 27a.

<sup>37</sup> See exhibit 21, 23, 25 and 27a.

<sup>38</sup> See exhibit 25.

<sup>39</sup> See exhibit 23a - 1.

<sup>40</sup> See exhibit 23a - 1.

<sup>41</sup> See exhibit 23.

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designation of OBJ Murray as containing members of a declared hostile force by COL  
(b)(3), (b)(6)

This investigation finds that there was miscommunication of the ROE. At brigade level, not all members of the staff understood the designation of Objective Murray as hostile.<sup>42</sup> At battalion level, the leadership of 3-320 FA were not aware that individuals on Objective Murray had been declared hostile.<sup>43</sup> At company level, the members of C/3-187 were aware of the designation, but mischaracterized it as an order to, "kill all MAM on the objective."<sup>44</sup> There was also confusion between designating individuals versus a place hostile. A person cannot be targeted on status simply by being present on an objective deemed hostile by an on scene commander. Although the Soldiers limited the designation to MAM on the objective, it was beyond their capability to limit the designation to members of Al Qaeda on the objective.

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<sup>42</sup> See exhibit 15 and 17.

<sup>43</sup> See exhibit 4, 11 and 12.

<sup>44</sup> See exhibit 23a-1.

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~~SECRET - REL TO USA AND MCFI~~SECTION V. RECOMMENDATIONS:

## a. Posing for Pictures or Maltreating Casualties

The allegation that CO (b)(3), (b)(6) posed for unofficial photos and maltreated bodies is entirely without merit. There is no need for any further action regarding this issue.

## b. Endorsing or Encouraging the Mistreatment of Detainees

The allegation that CO (b)(3), (b)(6) endorsed or encouraged the mistreatment of detainees is entirely without merit. CO (b)(3), (b)(6) did not say, "I guess we'll have to say these guys tried to escape" or "good job but we need more bodies." There is no need for any further action.

## c. Failure to Immediately Report Suspected Detainee Deaths

CO (b)(3), (b)(6) should be admonished for his failure to report suspected detainee deaths to his chain of command and law enforcement officials in a timely manner. While his decision to fully investigate was sound, his decision to not inform his chain of command and CID immediately demonstrated poor judgment.

## d. Misinterpretation and Miscommunication of the ROE

The 3 BCT should retrain commanders, staffs and soldiers on the application of the designation of declared hostile force, and should establish procedures for the communication of this decision to the lowest level of the command. The designation does not eliminate the necessity of PID and distinction. Declarations using location-based analysis are inherently defective given that Soldiers cannot know who is on the objective until it is taken.

The differences between analyzing a request for pre-assault fires and declaring a force hostile should be reinforced. Pre-assault fires utilize area weapons and require at least division level approval. Declaring a force hostile, and engaging the force with direct fire weapons, can be approved by the on scene commander, but does not relieve Soldiers from the requirement for PID and distinction of each individual targeted.

MNC-I should re-examine its ROE to determine if modifications are required to clarify the application of positive identification, and issue clarification on the continuing requirement to PID after an on scene commander declares a force hostile.

## e. On-Going Criminal Investigation

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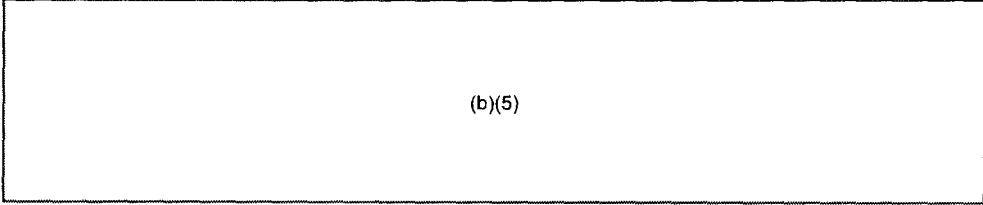
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~~SECRET - REL TO USA AND MCFI~~SUPPLEMENTAL FINDINGS:**Background:**

On 9 June 2006, I briefed the Commanding General, MNC-I, on the findings and recommendations of this report. On 10 June 2006, the Commanding General directed me to investigate the ROE issues in more detail.<sup>45</sup> I was directed to determine if there were:

- problems with the 3/101 Commander's interpretation of the ROE, and
- facts or circumstances that should have caused 3/101 commander to reconsider his original ROE guidance.

The IO contacted the Commanding General, 101st Airborne Division (Air Assault), and the Commander, 3/101, to follow these new lines of inquiry. Both provided responses in writing.<sup>46</sup>

**Analysis:**

The additional information provided by MG Turner and COL (b)(3), (b)(6) did not impact the original findings made at paragraph e, above. In brief, there are three main issues:

- Did COL (b)(3), (b)(6) properly declare all personnel on Objective Murray as members of a designated terrorist group?
- Did COL (b)(3), (b)(6) adequately communicate his decision?
- Were the Soldiers of 3BCT required to PID individuals on Objective Murray prior to engaging them?

Under the applicable ROE, COL (b)(3), (b)(6) did properly declare all personnel on Objective Murray as members of a designated terrorist group. The evidence is clear that COL (b)(3), (b)(6) honestly believed he had the authority and sufficient intelligence to designate all persons on Objective Murray as members of a terrorist organization. This belief is echoed by MG Turner and supported by their analysis of the ROE. Given his testimony, demeanor and the legal interpretation provided to COL (b)(3), (b)(6) by his command judge advocate, I find that COL (b)(3), (b)(6) belief was reasonable.

COL (b)(3), (b)(6) did not inform his higher headquarters about his decision to declare all persons on Objective Murray as terrorists; although there is currently no requirement to do so. COL (b)(3), (b)(6) did not adequately communicate his decision to commanders and Soldiers executing the mission. MG Turner was aware of the mission and the

<sup>45</sup> See exhibit 29.

<sup>46</sup> See exhibit 30 and 31.

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intelligence assessment that supported COL (b)(3), (b)(6) request for a KSP. MG Turner was not aware of COL (b)(3), (b)(6) decision to declare all personnel on Objective Murray as members of a designated terrorist group. At battalion level, the commander and executive officer of 3-320 FA were not aware that individuals on Objective Murray had been declared hostile.<sup>48</sup> At company level, the members of C/3-187 were aware of the designation, but mischaracterized it as an order to, "kill all MAM on the objective."<sup>49</sup> There was also confusion between designating individuals versus a place hostile. This confusion arose from using the terms groups, cells, facilities, objective, and targets interchangeably. The first three terms are used interchangeably in the ROE itself. According to his testimony, this was the first time COL (b)(3), (b)(6) applied his authority to declare a force hostile. Given this, he should have clearly articulated how this declaration was to be applied by his subordinate commanders and Soldiers.

The Soldiers of 3BCT were required, under the LOW, to distinguish between combatants and non-combatants. Their mistaken belief that they were lawfully allowed to engage all military aged males on Objective Murray resulted from COL (b)(3), (b)(6) designation of all personnel on the Objective as terrorists. This misinterpretation and miscommunication of the ROE caused the members of 3BCT to falsely believe the requirement to individually PID each individual as a member of a terrorist group had been suspended with regard to individuals found on Objective Murray.

**Specific Findings:**

**a. The 3/101 Commander's Interpretation of the ROE.**

The language of the ROE contributes to the problem of minimizing the law of war requirement of distinction—the duty to distinguish non-combatants from combatants. Paragraph 3.B.3.B.4. of the TF Band of Brothers ROE, is titled "Designated Terrorists and Terrorist Groups/Cells/Facilities." The paragraph states that all are authorized *objects* of attack. By designating all personnel on Objective Murray as hostile, did COL (b)(3), (b)(6) eliminate the requirement to PID each individual as a member of Al Qaeda? In other words, did he relieve his Soldiers of the duty to distinguish combatants from non-combatants?

Under the law of war, COL (b)(3), (b)(6) did not possess the legal authority to suspend distinction. This should be explicit in the ROE, but is not. When engaging a person, terrorist or otherwise, with direct fires, Soldiers must positively identify that individual as a lawful target. Designating a facility (or objective) as hostile does not entitle Soldiers using direct fire weapons to lawfully target everyone in the facility (or objective) simply because they are present.

To re-emphasize the point previously made, the Soldiers on Objective Murray demonstrated restraint in the application of direct fires. They did not kill women and

<sup>48</sup> See exhibit 4, 11 and 12.

<sup>49</sup> See exhibit 23a-1.

children. They did allow men to surrender, but they did engage and kill at least one and possibly four men on the objective who did not display a hostile act or intent. They targeted these four men in accordance with their understanding of the ROE as it had been briefed to them.

**b. Reconsideration of Original ROE Guidance.**

During the course of the initial investigation, members of the brigade staff discussed the intelligence regarding the objective that motivated COL (b)(3), (b)(6) request a pre-assault indirect fires package. This request was ultimately denied by MG Turner less than five hours before the operation was to begin. According to COL (b)(3), (b)(6)

We went from executing a planned Kinetic Strike against a deliberate target in the designated terrorist/facilities category that requires a formal CDE for air delivered or precision guided surface to surface ballistic missiles to a more general area of the ROE that deals with the underlying PID and LOAC requirements. In NO CDE areas, the Commander, 101<sup>st</sup> ABN DIV (AASLT) has delegated the authority to strike Designated Terrorists and groups/cells/facilities to the OSC level. When the KSP was denied we went back and reevaluated the ROE to ensure that we were still operating within the bounds of the ROE. The denial of the KSP did not alter the status of the personnel on the objective and their hostile designation still applied. The intelligence on the objective area convinced me beyond any reasonable certainty that the personnel located on OBJ MURRAY were hostile forces affiliated with AQ/FF.

COL (b)(3), (b)(6) understanding of the situation was in line with MG Turner's understanding. MG Turner wrote, "I am aware that the BDE CDR and the BN CDR considered the target to be a terrorist facility. I was briefed on the intel the BCT had that led to that conclusion and I agreed with them. ... I denied pre assault fires because I was concerned about collateral damage. This site contains chemical shells. Although well documented as to location, I was not willing to risk an errant strike."

**Conclusion:**

COL (b)(3), (b)(6) believed that his decision to declare the personnel on Objective Murray as hostile had been ratified by higher headquarters' initial concurrence with the KSP. Since the division commander denied the KSP on the basis of potential collateral damage from chemical rounds, the division commander's denial did nothing to affect COL (b)(3), (b)(6) perception that everyone on the objective was hostile, and that he had properly declared them as hostile.

Objective Murray was assaulted using this premise; however, the assault force attacked with individual and crew served weapons. These types of weapons can be employed in a manner that allows Soldiers to distinguish and engage individual targets. Dropping a bomb or firing missiles does not permit this type of individual distinction.

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Apparently, COI (b)(3), (b)(6) and his Soldiers thought that if Objective Murray could be engaged with bombs and missiles, it could be engaged in the same manner using individual and crew served weapons. MG Turner's denial of the KSP was not based on a change in intelligence. Consequently, COI (b)(3), (b)(6) believed he properly exercised his authority as an OSC. While there is no requirement for an OSC to notify higher headquarters, this would have been a reasonable course of action.

#### SUPPLEMENTAL RECOMMENDATIONS:

MNC-I should re-examine the ROE to clarify the application of positive identification. The ROE should reinforce that fact that declarations using location-based analysis are likely defective in the current MNC-I AOR, because Soldiers cannot know who is on the objective until after it is taken. MNC-I should issue clarification on the continuing requirement to PID after an on scene commander declares a force hostile.

MNC-I should consider if there is a continuing need to allow on scene commanders to, "strike designated terrorists and groups/cells/facilities." If the authority continues to exist, there should be a requirement to clearly communicate this decision to the lowest level of the command. In communicating the designation, it should be stressed that the designation never eliminates the necessity of PID and distinction of individual persons when employing direct fire weapons. MNC-I should consider if "reasonable certainty" is adequate for PID of individual persons. On scene commanders should be required to notify their next higher headquarters each time they exercise their authority to target based on status rather than hostile act or hostile intent. When planning to attack a deliberate target, this notification should happen in advance.

The differences between engaging the enemy with area weapons and direct fire weapons require clarification in the ROE. Use of area weapons requires a CDE and division commander level approval. Declaring a force hostile, and engaging the force with direct fire weapons, can be approved by the on scene commander, but does not relieve Soldiers from the requirement for PID and distinction of each individual targeted.

Training materials which draw this distinction should be prepared immediately. 3BCT should retrain commanders and staffs on the application and communication of the designation of declared hostile force. 3BCT Soldiers should be trained on the requirement for distinction of each individual targeted.

In light of his honest belief in the correctness of the mission ROE, as re-enforced by his interaction with division on the KSP, I recommend that COI (b)(3), (b)(6) admonishment, previously recommended, be expanded to include his failure to anticipate and communicate the consequences of his declaration of hostile force on Objective Murray. Given the findings of this investigation, I do not recommend any UCMJ or additional adverse administrative actions.

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DRAFT OPERATION IRON TRIANGLE AR 15-6 REPORT

INVESTIGATION CHRONOLOGY

26 May 2006: Received appointment letter. Met with the CID commander, LTC (b)(3), (b)(6) the legal advisor, LTC (b)(3), (b)(6) for an initial briefing. Reviewed background materials and began planning investigation.

27 May 2006: Met with SA (b)(3), (b)(6) and LTC (b)(3), (b)(6) to compile a list of witnesses and questions.

27 May 2006: Requested that 101 AA coordinate the interviews of 3-320 FA witnesses at FOB Remagen. Requested information on Operation Iron Triangle from 101 AA and 3-320 FA. Moved to FOB Remagen with PSD, SA (b)(3), (b)(6) LTC (b)(3), (b)(6) and SSG (b)(3), (b)(6) (court reporter).

27 May 2006: Given a copy of an on-going AR 15-6 investigation being conducted by the 3-320 FA XO, MAJ (b)(3), (b)(6) The focus of MAJ (b)(3), (b)(6) inquiry was the death of three detainees during Operation Iron Triangle.

28 May 2006: Interviewed and took sworn testimony from MAJ (b)(3), (b)(6) SPC (b)(3), (b)(6) 1LT (b)(3), (b)(6) PFC (b)(3), (b)(6) SFC (b)(3), (b)(6) 1SG (b)(3), (b)(6) SGT (b)(3), (b)(6) 3SM (b)(3), (b)(6) LTC (b)(3), (b)(6) and PVT (b)(3), (b)(6) These interviews were documented as verbatim transcripts.

28 May 2006: Requested that 101 AA coordinate the interviews of 3rd Brigade witnesses at Speicher. Moved to Speicher with investigative team.

29 May 2006: Interviewed and took sworn testimony from MAJ (b)(3), (b)(6) TSG (b)(3), (b)(6) MAJ (b)(3), (b)(6) CW3 (b)(3), (b)(6) PFC (b)(3), (b)(6) CPT (b)(3), (b)(6) MAJ (b)(3), (b)(6) MAJ (b)(3), (b)(6) and CPT (b)(3), (b)(6) These interviews were documented as verbatim transcripts.

29 May 2006: Moved to Victory Base Complex with PSD, LTC (b)(3), (b)(6) and SSG (b)(3), (b)(6) Left CID agents at Speicher to continue with their independent criminal investigation into the deaths of Iraqis during Operation Iron Triangle.

31 May 2006: Met with LTC (b)(3), (b)(6) to review interview transcripts, consider calling additional witnesses and draft questions for CO1 (b)(3), (b)(6)

31 May 2006: Received a Legal Opinion from MAJ (b)(3), (b)(6) def. theatre-specific ROE for status based kill/capture determinations for designated terrorist organizations.

01 June 2006: Received a copy of the completed 3BCT 15-6, dtd 21 May 2006, and legal review of the 15-6, dtd 01 June 2006 from MAJ (b)(3), (b)(6)

03 June 2006: Moved to FOB Speicher. Interviewed and took sworn testimony from CO1 (b)(3), (b)(6)

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- 05 June 2006: Met with LTC Huestis to draft findings and recommendations.
- 08 June 2006: Met with LTC Huestis and the 4ID SJA, LTC Issaco, to discuss ROE and PID issues.
- 08 June 2006: Met with LTC Huestis and the CID Commander, LTC Upshaw, to finalize the 15-6 report of investigation and coordinate the presentation to LTG Chiarelli.
- 09 June 2006: Completed findings and recommendations presented to LTG Chiarelli.
- 10 June 2006: Received instructions to expand the investigation to focus on the ROE and the decision to declare all persons on Objective Murray as terrorists.
- 11 June 2006: Contacted MG Turner and COL Steele via e-mail to ask for written responses to specific questions about the ROE for Operation Iron Triangle.
- 13 June 2006: Received a written response from MG Turner via e-mail.
- 14 June 2006: Received a written response from COL Steele via e-mail.
- 15 June 2006: Met with LTC Huestis to finalize the supplemental findings and recommendations.
- 16 June 2006: Completed supplemental findings and recommendations presented to LTG Chiarelli.

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DRAFT OPERATION IRON TRIANGLE AR 15-6 REPORT

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  - 3rd Brigade 15-6 Appointment Orders, dtd 11 May 2006
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  - SPC (b)(3), (b)(6) Rights Waiver, dtd 21 May 2006
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- 20. CP (b)(3), (b)(6) Testimony
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- 24. SA (b)(3), (b)(6) CID Case Update
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- 26. 101 AA GO-1, dtd 11 May 2006
- 27. 101 AA ROE
- 28. SJA Investigative Matrix

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- 31. B(6) e-mail response, dtd 14 June 2006
- 32. B(6) Sworn Statement, dtd 17 June 2006
  - a- Sworn Statement, dtd 14 June 2006
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EXHIBIT 224

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**REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS**  
For use of this form, see AR 15-6; the proponent agency is OTJAG.  
IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS

**SECTION I - APPOINTMENT**

Appointed by Commander, MNC-I (Appointing authority)  
on 26 May 2006 (Date) (Attach inclosure 1, Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6.)

**SECTION II - SESSIONS**

The (investigation) (board) commenced at HQ, 4ID, Camp Victory, Iraq (Place) at 1530 hours (Time)  
on 26 May 2006 (Date) (If a formal board met for more than one session, check here  Indicate in an Inclosure the time each session began and ended, the place, persons present and absent, and explanation of absences, if any.) The following persons (members, respondents, counsel) were present: (After each name, indicate capacity, e.g., President, Recorder, Member, Legal Advisor.)

The following persons (members, respondents, counsel) were absent: (Include brief explanation of each absence.) (See para 3-2 and 5-8a, AR 15-6.)

The (investigating officer) (board) finished gathering/hearing evidence at 1700 hours (Time) on 3 June 2006 (Date)  
and completed findings and recommendations at \_\_\_\_\_ (Time) on \_\_\_\_\_ (Date)

**SECTION III - CHECKLIST FOR PROCEEDINGS**

A. COMPLETE IN ALL CASES		YES	NO	N/A
1. Inclosures (para 3-15, AR 15-6)				
Are the following inclosed and numbered consecutively with Roman numerals: (Attached in order listed)				
a.	The letter of appointment or a summary of oral appointment data?	X		
b.	Copy of notice to respondent, if any? (See item 9, below)			X
c.	Other correspondence with respondent or counsel, if any?			X
d.	All other written communications to or from the appointing authority?			X
e.	Privacy Act Statements (Certify, if statement provided orally)?	X		
f.	Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?			X
g.	Information as to sessions of a formal board not included on page 1 of this report?			X
h.	Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?			X

FOOTNOTES: 1) If explain all negative answers on an attached sheet.  
2) Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

		YES	NO	NA
2	Exhibits (para 3-16, AR 15-6)			
a.	Are all items offered (whether or not received) or considered as evidence individually numbered or lettered as exhibits and attached to this report?	X		
b.	Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?	X		
c.	Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?	X		
d.	Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?	X		
e.	Are descriptions or diagrams included of locations visited by the investigating officer or board (para 3-66, AR 15-6)?	X		
f.	Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim record?	X		
g.	If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit (para 3-16d, AR 15-6)?			X
3	Was a quorum present when the board voted on findings and recommendations (paras 4-1 and 5-26, AR 15-6)?			X
<b>B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)</b>				
4	At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment (para 5-38, AR 15-6)?			
5	Was a quorum present at every session of the board (para 5-26, AR 15-6)?			
6	Was each absence of any member properly excused (para 5-2a, AR 15-6)?			
7	Were members, witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?			
8	If any members who voted on findings or recommendations were not present when the board received some evidence, does the inclosure describe how they familiarized themselves with that evidence (para 5-2d, AR 15-6)?			
<b>C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)</b>				
9	Notice to respondents (para 5-5, AR 15-6):			
a.	Is the method and date of delivery to the respondent indicated on each letter of notification?			
b.	Was the date of delivery at least five working days prior to the first session of the board?			
c.	Does each letter of notification include:			
(1)	the date, hour, and place of the first session of the board concerning that respondent?			
(2)	the matter to be investigated, including specific allegations against the respondent, if any?			
(3)	the respondent's rights with regard to counsel?			
(4)	the names and address of each witness expected to be called by the recorder?			
(5)	the respondent's rights to be present, present evidence, and call witnesses?			
d.	Was the respondent provided a copy of all unclassified documents in the case file?			
e.	If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?			
10	If any respondent was designated after the proceedings began (or otherwise was absent during part of the proceedings):			
a.	Was he properly notified (para 5-5, AR 15-6)?			
b.	Was record of proceedings and evidence received in his absence made available for examination by him and his counsel (para 5-1c, AR 15-6)?			
<b>Counsel (para 5-6, AR 15-6):</b>				
a.	Was each respondent represented by counsel?			
Name and business address of counsel:				
(If counsel is a lawyer, check here <input type="checkbox"/> )				
a.	Was respondent's counsel present at all open sessions of the board relating to that respondent?			
b.	If military counsel was requested but not made available, is a copy (or, if oral, a summary) of the request and the action taken on it included in the report (para 5-6b, AR 15-6)?			
12	If the respondent challenged the legal advisor or any voting member for lack of impartiality (para 5-7, AR 15-6):			
a.	Was the challenge properly denied and by the appropriate officer?			
b.	Did each member successfully challenged cease to participate in the proceedings?			
13	Was the respondent given an opportunity to (para 5-3a, AR 15-6):			
a.	Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent?			
b.	Examine and object to the introduction of real and documentary evidence, including written statements?			
c.	Object to the testimony of witnesses and cross-examine witnesses other than his own?			
d.	Call witnesses and otherwise introduce evidence?			
e.	Testify as a witness?			
f.	Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)?			
14	If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in arranging for the presence of witnesses (para 5-2b, AR 15-6)?			
15	Are all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an inclosure or exhibit to it (para 5-11, AR 15-6)?			

FOOTNOTES: 1. Explain all negative answers on an attached sheet.  
2. One of the NA columns constitutes a positive representation that the circumstances described in the question did not occur in this investigation or hearing.

**SECTION IV - FINDINGS** (para 3-10, AR 15-6)

The (investigating officer) (board), having carefully considered the evidence, finds:

See attached findings.

**SECTION V - RECOMMENDATIONS** (para 3-11, AR 15-6)

In view of the above findings, the (investigating officer) (board) recommends:

See attached recommendations.

SECTION VI - AUTHENTICATION (para 3-17, AR 15-6)

THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE. (If any voting member or the recorder fails to sign here or in Section VII below indicate the reason in the space where his signature should appear.)

\_\_\_\_\_  
(Recorder)



\_\_\_\_\_  
(Member)

\_\_\_\_\_  
(Member)

\_\_\_\_\_  
(Member)

\_\_\_\_\_  
(Member)

SECTION VII - MINORITY REPORT (para 3-13, AR 15-6)

To the extent indicated in Inclosure \_\_\_\_\_, the undersigned do(es) not concur in the findings and recommendations of the board. (In the inclosure, identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur. State the reasons for disagreement. Additional/substitute findings and/or recommendations may be included in the inclosure.)

\_\_\_\_\_  
(Member)

\_\_\_\_\_  
(Member)

SECTION VIII - ACTION BY APPOINTING AUTHORITY (para 2-1, AR 15-6)

The findings and recommendations of the (investigating officer) (board) are (approved) (disapproved) (approved with following exceptions/ substitutions). (If the appointing authority returns the proceedings to the investigating officer or board for further proceedings or corrective action, attach that correspondence (or a summary, if oral) as a numbered inclosure.)

\_\_\_\_\_

SECTION IV, FINDINGS:**Summary:**

COL (b)(3), (b)(6) did not condone or attempt to cover up detainee deaths that occurred during Operation Iron Triangle. The facts and circumstances surrounding the deaths of three detainees, who were reported to have broken their restraints and assaulted their guards, continues to be the subject of an on-going criminal investigation.<sup>1</sup>

The allegation that on or about 9 May 2006 COL (b)(3), (b)(6) posed for pictures with dead detainees; maltreated dead bodies; cut the blindfold and zip tie off of a dead detainee, and stated, "I guess we'll have to say these guys tried to escape" or words to that effect; complimented, endorsed or encouraged the mistreatment of detainees by saying "good job but we need more bodies" or words to that effect; and failed to report the death of detainees to higher headquarters, has been thoroughly investigated.

The bulk of the allegation has proven to be completely false. It is true that COL (b)(3), (b)(6) supervised the photographing of four bodies, and did cut a blindfold from one body. This, however, was done in order to take official photographs for use in positively identifying the bodies.<sup>2</sup> COL (b)(3), (b)(6) did intentionally delay reporting the deaths, but his intent was to gather facts from eye witnesses prior to notifying his higher headquarters. COL (b)(3), (b)(6) intent is clearly documented by the fact that a commander's inquiry was initiated almost immediately and was followed, within 48 hours, by an AR 15-6 investigation initiated by COL (b)(3), (b)(6).

**Background:**

On 9-11 May 2006, units from 3d Brigade Combat Team, 101st Airborne Division (3-187 IN, 3-320 FA, 2-9 IN) and 4th Iraqi Army Division participated in Operation Iron Triangle in the vicinity of Muthana, Iraq.<sup>4</sup>

On the first day of the operation seven Iraqis were killed. Three individuals in a boat in vicinity of OBJ Murray were engaged by fires from a helicopter. Their bodies fell into fast moving water and were not recovered. SSG (b)(3), (b)(6) Charlie Company, 3-187 IN, shot and killed a man through a window on objective Murray. CPL (b)(3), (b)(6) and PFC (b)(3), (b)(6) members of SSG (b)(3), (b)(6) squad, shot and killed three detainees on objective Murray. These four bodies were collected and transported to the 3-320 FA TAC.<sup>5</sup>

<sup>1</sup> See exhibit 24.

<sup>2</sup> See exhibit 17, 22 and 25.

<sup>3</sup> See exhibit 4, 21, 23 and 25.

<sup>4</sup> See exhibit 2.

<sup>5</sup> See exhibit 23.

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At dawn on 9 May 2006, the 3d Brigade Commander, COL (b)(3), (b)(6) was with Charlie Company 3-187 IN as it moved into objective Murray. Objective Murray is an island and consisted of multiple small objectives. COL (b)(3), (b)(6) was on the southern most objective, while SSG (b)(3), (b)(6) CPL (b)(3), (b)(6) and PFC (b)(3), (b)(6) were at the northern objective. At about 0730 hours, COL (b)(3), (b)(6) and members of his Brigade staff moved by Blackhawk helicopter to the 3-320 FA TAC. While there they learned of the enemy KIA and saw the first of four dead bodies. At the direction of COL (b)(3), (b)(6) MAJ (b)(3), (b)(6) took three photos of the man shot through the window. About 45 minutes later three more bodies were delivered to the TAC. COL (b)(3), (b)(6) noticed the blindfolds. Other witnesses report that these later three bodies all had blindfolds and zip ties on them. At the direction of COL (b)(3), (b)(6) MAJ (b)(3), (b)(6) took four photos of the bodies.<sup>6</sup>

On 9 May 2006, the Commander of C Company, 3-187 IN, CP (b)(3), (b)(6) initiated a commander's inquiry into the deaths of the three detainees killed on OBJ Murray. CPT (b)(3), (b)(6) completed his inquiry on 11 May 2006 and concluded that his two Soldiers, CPL (b)(3), (b)(6) and PFC (b)(3), (b)(6) shot and killed the three detainees after being attacked by them. The facts and circumstances surrounding the deaths of these three men is the subject of an on-going CID investigation.<sup>8</sup>

The 3d Brigade Commander, COL (b)(3), (b)(6) was aware of the preliminary commander's inquiry that CP (b)(3), (b)(6) conducted at the direction of LTC (b)(3), (b)(6) On 11 May 2006, COL (b)(3), (b)(6) appointed MAJ (b)(3), (b)(6) the XO of 3-320 FA, to conduct an AR 15-6 investigation into the deaths of the three men. MAJ (b)(3), (b)(6) gave sworn testimony and has provided his completed report to this investigation. COL (b)(3), (b)(6) went on previously scheduled environmental leave after reviewing MAJ (b)(3), (b)(6) preliminary findings and determining that it did not appear that a LOAC violation had occurred. COL (b)(3), (b)(6) told his staff that the investigation was to remain in-house until he returned from leave on or about 1 June 2006.<sup>10</sup> COL (b)(3), (b)(6) directive to his staff was based on his intention to personally brief his division commander once back from leave.<sup>11</sup>

On 15 May 05, PVT (b)(3), (b)(6) a medic assigned to HHB, 3-320 FA, sent an email to his recruiter, SFC (b)(3), (b)(6) in CONUS. PVT (b)(3), (b)(6) alleged that during Operation Iron Triangle:

- Unknown soldiers from 3-187 Infantry shot four detainees while blindfolded and zip-tied.
- PVT (b)(3), (b)(6) was told to cut off the zip ties and say the detainees had been killed as they tried to escape.

<sup>6</sup> See exhibit 17, 22 and 25.

<sup>7</sup> See exhibit 23.

<sup>8</sup> See exhibit 24.

<sup>9</sup> See exhibit 4.

<sup>10</sup> See exhibit 4, 21 and 25.

<sup>11</sup> See exhibit 25.

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- PVT (b)(3), (b)(6) indicated that this was the second time this has happened with same infantry company.<sup>12</sup>

On 16 May 2006, SFC (b)(3), (b)(6) went to CID at Fort Riley and gave a sworn statement.<sup>13</sup> CID at Fort Riley contacted CID in Baghdad. On 22 May 05, PVT (b)(3), (b)(6) gave a more detailed statement to CID agents at FOB Remagen, alleging the following:

- PVT (b)(3), (b)(6) worked during the operation at a jump aid station in the TAC providing care to about 100 detainees. He claimed that during the operation six bodies were brought into the area by Blackhawk. He said he saw only two bodies outside the bags; they were blind-folded with engineer tape and had their hands zippered behind their backs. One body had two gunshot wounds to the chest and one to the head; the other had a severe head wound.

- PVT (b)(3), (b)(6) alleged that the 3d Brigade Commander, COL (b)(3), (b)(6) lifted the head of one dead body, dropped it, cut off one of the blind-folds and flex cuffs, put his boot on the head and posed for a picture saying words to the effect of "I guess we'll have to say these guys tried to escape." PVT (b)(3), (b)(6) stated that 2 to 3 photos were taken. About 10 people were standing around the bodies at the time. The bodies were then placed in a hole near the TAC.

- PVT (b)(3), (b)(6) says he tried to talk to several soldiers and NCOs about whether the detainees were shot after being detained and was told in so many words not to worry about it. The next day the battalion XO, MAJ (b)(3), (b)(6) came to the aid station looking for the photos. PVT (b)(3), (b)(6) said this happened after he heard something about a CID investigation being started.<sup>14</sup>

Unaware of the commander's inquiry and 15-6 investigation initiated within 3BCT, on 26 May 2006 MNC-1 directed an informal AR 15-6 investigation into the facts and circumstances surrounding the conduct of COL (b)(3), (b)(6) with regard to persons detained during Operation Iron Triangle.

From 26 May - 03 June 2006, the investigating officer, BG Thomas Maffey, personally interviewed 18 witnesses and reviewed the sworn statements taken during the initial commander's inquiry and Brigade level AR 15-6 investigation. BG Maffey also reviewed documentary evidence to include operation orders, after action reviews, applicable rules of engagement and orders, and digital photos. Overwhelmingly, the investigation exonerated COL (b)(3), (b)(6). COL (b)(3), (b)(6) testimony was corroborated by documentary evidence and other witnesses' sworn testimony. PVT (b)(3), (b)(6) testimony was not credible; it was not only uncorroborated,<sup>15</sup> it was largely contradicted.<sup>16</sup> From

<sup>12</sup> See exhibit 13a.

<sup>13</sup> See exhibit 14.

<sup>14</sup> See exhibit 13b.

<sup>15</sup> PVT (b)(3), (b)(6) was the only witness to claim that COL (b)(3), (b)(6) said, "I guess we'll have to say these guys tried to escape" or "good job but we need more bodies." He was also the only witness to claim that COL (b)(3), (b)(6) stepped on and disrespected the bodies. No other witness described heavy duty zip ties, or hands bound behind the detainees' backs.

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his original allegations in e-mail to SFC (b)(3), (b)(6) to his sworn statement to CID,<sup>18</sup> to his sworn testimony to this investigation,<sup>19</sup> PVT (b)(3), (b)(6) story did not remain consistent.<sup>20</sup>

Specifically, the AR 15-6 investigation was directed to answer the following questions that are highlighted in bold:

**a. Did COL (b)(3), (b)(6) pose for pictures with dead detainees?**

COL (b)(3), (b)(6) did not pose for pictures with dead detainees. Based primarily on the testimony of MAJ (b)(3), (b)(6) and MAJ (b)(3), (b)(6) this investigation is confident that it has acquired all photographs taken of the bodies while COL (b)(3), (b)(6) was present. COL (b)(3), (b)(6) did lift the head of the man shot through the window so that MAJ (b)(3), (b)(6) could get a clear head and shoulder picture for use by the S-2 to positively identify the remains. MAJ (b)(3), (b)(6) did use his boot to keep the body bags down while MAJ (b)(3), (b)(6) photographed two of the detainee bodies. In one of these photos, MAJ (b)(3), (b)(6) used his foot to keep the head facing the camera. There is no doubt that these photos were head and shoulder shots taken to use in positively identifying the remains.

**b. Did COL (b)(3), (b)(6) maltreat dead bodies?**

COL (b)(3), (b)(6) did not maltreat dead bodies. The only witness who claimed that COL (b)(3), (b)(6) stepped on bodies is PVT (b)(3), (b)(6) it is noteworthy that in his initial e-mail message to SFC (b)(3), (b)(6) PVT (b)(3), (b)(6) claimed that he was ordered to remove the blindfolds and zip ties.<sup>22</sup> In his sworn statement to CID he claimed that he witnessed COL (b)(3), (b)(6) cut blindfolds and zip ties.<sup>23</sup> In his sworn testimony he backed off his claim that he saw four blindfolded and restrained bodies, and admitted that he personally only saw one.<sup>24</sup>

**c. Did COL (b)(3), (b)(6) put the blindfold and zip tie off a dead detainee and state, "I guess we'll have to say these guys tried to escape" or words to that effect?**

<sup>16</sup> PVT (b)(3), (b)(6) claims the bodies came in on the second day of the operation (they came in on the first), that four bodies came on a single helicopter (they came on two helicopters 45 minutes apart), that the bodies were wrapped in white cloth (they were in black body bags), that their hands were bound behind (most witnesses did not see bound hands, but if bound they were most likely bound in front), that the PSD took pictures (the S-2 and S-3 took the pictures), and that two more dead detainees arrived for a total of six (there were only three dead detainees, the fourth KIA was not detained prior to his death),

<sup>17</sup> See exhibit 13a.

<sup>18</sup> See exhibit 13b.

<sup>19</sup> See exhibit 13c.

<sup>20</sup> E.g. In his e-mail PVT (b)(3), (b)(6) claims that he was ordered to cut off the blindfolds and zip ties. In his sworn statement he claims he saw COL (b)(3), (b)(6) cut off four sets of blindfolds and zip ties. In his sworn testimony he says he only saw COL (b)(3), (b)(6) cut the blindfold and zip ties from one body.

<sup>21</sup> See exhibit 17 and 22.

<sup>22</sup> See exhibit 13a.

<sup>23</sup> See exhibit 13b.

<sup>24</sup> See exhibit 13c.

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COI (b)(3), (b)(6) did cut the blindfold from the face of one detainee, but did not cut zip ties from any dead detainees.<sup>25</sup> The cut blindfold was photographed with the remains and was not removed from the body bag. COI (b)(3), (b)(6) did not state, "I guess we'll have to say these guys tried to escape" or words to that effect. Again, the only witness who claims that COI (b)(3), (b)(6) cut zip ties is PVT (b)(3), (b)(6) MAJ (b)(3), (b)(6) MAJ (b)(3), (b)(6) and CSM (b)(3), (b)(6) and others were in the vicinity of COI (b)(3), (b)(6) while the body bags were open.<sup>26</sup> COL (b)(3), (b)(6) did cut one blindfold and used the same knife to lower the blindfolds from the other bodies so that MAJ (b)(3), (b)(6) could get photos that could be used by the S-2 to identify the bodies.<sup>27</sup> It is likely that PVT (b)(3), (b)(6) saw this from a distance and combined the portion he saw with rumors he heard. He then wrote to SFC (b)(3), (b)(6) and embellished his story by claiming that he was ordered to cut blindfolds and zip ties from the dead.

**d. Did COI (b)(3), (b)(6) compliment, endorse or encourage the mistreatment of detainees by saying "good job but we need more bodies" or words to that effect?**

On 9 May 2006 in the TAC area, COI (b)(3), (b)(6) did not compliment, endorse or encourage the mistreatment of detainees by saying "good job but we need more bodies" or words to that effect. There is evidence that confusion about the applicable ROE was a contributing factor in the deaths of the three individuals in the boat and the man in the window. The uncontradicted testimony is that none of these individuals demonstrated hostile acts or intent prior to being engaged.<sup>28</sup> In his sworn statement to CP7 (b)(3), (b)(6) LT (b)(3), (b)(6) states that the, "ROE given by our chain of command was to kill every military aged male on the objective."<sup>29</sup> This understanding of the ROE is consistent with other witness statements.<sup>30</sup> In his sworn testimony CP6 (b)(3), (b)(6) explained that this ROE was articulated by COI (b)(3), (b)(6) at the mission rehearsal.<sup>31</sup>

**e. Did COI (b)(3), (b)(6) have knowledge of the death of detainees on or about 10 May 06 and fail to report to higher headquarters?**

COI (b)(3), (b)(6) knew of CPT (b)(3), (b)(6) commander's inquiry and appointed MAJ (b)(3), (b)(6) to conduct an AR 15-6 investigation, but made the conscious decision to keep the investigations into the deaths at his level until after he returned from leave and was briefed on the final findings and recommendations.<sup>32</sup> This decision demonstrated poor judgment and violated MNC-I CCIR guidance, FRAGO 248, FRAGO 212 and SECDEF Policy Memo 9, did 9 June 2004.<sup>33</sup> These documents lay out the requirement to report suspected LOAC violations and refer detainee deaths to CID for investigation.

**f. Was there misinterpretation/miscommunication of the ROE?**

<sup>25</sup> See primarily exhibit 25.

<sup>26</sup> See exhibit 11, 17 and 22.

<sup>27</sup> All photos taken in the presence of COI (b)(3), (b)(6) are at exhibit 17a and 22b.

<sup>28</sup> See exhibit 23.

<sup>29</sup> See exhibit 23b.

<sup>30</sup> See exhibit 23c - 1.

<sup>31</sup> See exhibit 23.

<sup>32</sup> See exhibit 4, 21 and 25.

<sup>33</sup> See exhibit 28 a - c.

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While outside the scope of this investigation, there is evidence that there was misinterpretation and miscommunication of the ROE. In the days leading up to Operation Iron Triangle, COL (b)(3), (b)(6) directed his staff to put together a kinetic strike package of pre-assault indirect fires.<sup>34</sup> This request was intelligence driven. COL (b)(3), (b)(6) and his staff believed the request was being supported as it was forwarded to the SECDEF. As a late change, the request was modified from an area package that included a chemical facility, to individual targets that omitted the chemical facility. As such, the division commander became the approval authority. The night before the operation, the Commanding General denied the indirect fires. Nevertheless, COL (b)(3), (b)(6) and his staff believed the initial support by Division and Corps validated their belief that they would be attacking a hostile target.<sup>35</sup>

The brigade command judge advocate and commander both assert that the on scene commander has the authority to target individuals, "with direct fire weapons systems based solely on their status [as members of designated terrorist organizations]."<sup>36</sup> While this appears to be a technically correct interpretation of theater specific ROE, taken to the extreme it raises serious issues about the manner in which PID is established.

COL (b)(3), (b)(6) verbally designated all persons on Objective Murray as members of Al Qaeda, based on his assessment of the intelligence available, and previous operations at that location.<sup>37</sup> This verbal designation was not crystal clear in that some, including COL (b)(3), (b)(6) referred to Objective Murray being declared hostile.<sup>38</sup> Although garbled, this designation clearly allowed Soldiers to engage individuals on Objective Murray who did not commit hostile acts or demonstrate hostile intent. Afterwards, several Soldiers describe the "new ROE" as an order to kill all military aged males on Objective Murray.<sup>39</sup> This "new ROE" interpretation of COL (b)(3), (b)(6) designation contributed to the deaths of four military aged males on Objective Murray.<sup>40</sup> Neither the man in the window killed on Objective Murray, nor the three men in the boat displayed hostile acts or intent.<sup>41</sup> Two issues are apparent – PID was not properly established and the designation was not clearly communicated.

This investigation finds that COL (b)(3), (b)(6) honestly and reasonably believed he had the authority to designate all persons on Objective Murray as members of a terrorist organization. The problem was that by designating all personnel on Objective Murray as hostile, COL (b)(3), (b)(6) in effect eliminated the requirement to PID each individual as a member of Al Qaeda. The record is clear; the Soldiers on the objective demonstrated restraint in the application of force, which they were not required to, given the

<sup>34</sup> See exhibit 21, 22 and 25.

<sup>35</sup> See exhibit 21, 22 and 25.

<sup>36</sup> See exhibit 25 and 27a.

<sup>37</sup> See exhibit 21, 23, 25 and 27a.

<sup>38</sup> See exhibit 25.

<sup>39</sup> See exhibit 23a – 1.

<sup>40</sup> See exhibit 23a – 1.

<sup>41</sup> See exhibit 23.

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designation of OBJ Murray as containing members of a declared hostile force by COL  
(b)(3), (b)(6)

This investigation finds that there was miscommunication of the ROE. At the brigade level not all members of the staff understood the designation of Objective Murray as hostile.<sup>42</sup> At the battalion level the leadership of 3-320 FA were not aware that individuals on Objective Murray had been declared hostile.<sup>43</sup> At the company level the Soldiers in C/3-187 were aware of the designation, but mischaracterized it as an order to, "kill all MAM on the objective."<sup>44</sup> There was also confusion between designating individuals versus a place hostile. A person cannot be targeted on status simply by being present on an objective deemed hostile by an on scene commander. Although the Soldiers limited the designation to MAM on the objective, it was beyond their capability to limit the designation to members of Al Qaeda on the objective.

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<sup>42</sup> See exhibit 15 and 17.

<sup>43</sup> See exhibit 4, 11 and 12.

<sup>44</sup> See exhibit 23a-1.

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SECTION V. RECOMMENDATIONS:

a. Posing for Pictures or Maltreating Casualties

The allegation that COL (b)(3), (b)(6) posed for unofficial photos and maltreated bodies is entirely without merit. There is no need for any further action regarding this issue.

b. Endorsing or Encouraging the Mistreatment of Detainees

The allegation that COL (b)(3), (b)(6) endorsed or encouraged the mistreatment of detainees is entirely without merit. COL (b)(3), (b)(6) did not say, "I guess we'll have to say these guys tried to escape" or "good job but we need more bodies." There is no need for any further action.

c. Failure to Immediately Report Suspected Detainee Deaths

COL (b)(3), (b)(6) should be admonished for his failure to report suspected detainee deaths to his chain of command and law enforcement officials in a timely manner. While his decision to fully investigate was sound, his decision to not inform his chain of command and CID immediately demonstrated poor judgment.

d. Misinterpretation and Miscommunication of the ROE

The 3 BCT should retrain commanders, staffs and soldiers on the application of the designation of declared hostile force, and should establish procedures for the communication of this decision to the lowest level of the command. The designation does not eliminate the necessity of PID and distinction. Declarations using location-based analysis are inherently defective given that Soldiers cannot know who is on the objective until it is taken.

The differences between analyzing a request for pre-assault fires and declaring a force hostile should be reinforced. Pre-assault fires utilize area weapons and require at least division level approval. Declaring a force hostile, and engaging the force with direct fire weapons, can be approved by the on scene commander, but does not relieve Soldiers from the requirement for PID and distinction of each individual targeted.

MNC-I should re-examine its ROE to determine if modifications are required to clarify the application of positive identification, and issue clarification on the continuing requirement to PID after an on scene commander declares a force hostile.

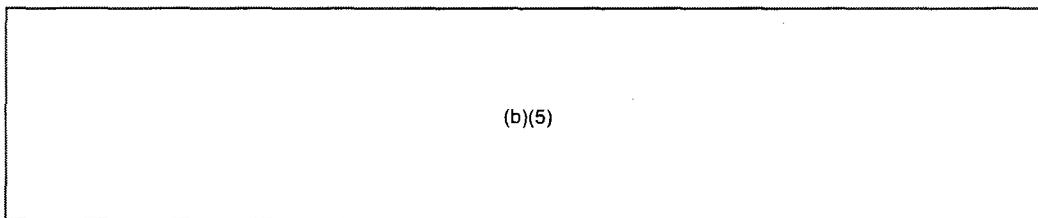
e. On-Going Criminal Investigation

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~~SECRET / REL TO USA AND MCFI~~SUPPLEMENTAL FINDINGS:**Background:**

On 9 June 2006, I briefed the Commanding General, MNC-I, on the findings and recommendations of this report. On 10 June 2006, the Commanding General directed me to investigate the ROE issues in more detail.<sup>45</sup> I was directed to determine if there were:

- problems with the 3/101 Commander's interpretation of the ROE, and
- facts or circumstances that should have caused 3/101 commander to reconsider his original ROE guidance.

The IO contacted the Commanding General, 101st Airborne Division (Air Assault), and the Commander, 3/101, to follow these new lines of inquiry. Both provided responses in writing.<sup>46</sup>

**Analysis:**

The additional information provided by MG Turner and CO (b)(3), (b)(6) did not impact the original findings made at paragraph e, above. In brief, there are three main issues:

- Did CO (b)(3), (b)(6) properly declare all personnel on Objective Murray as members of a designated terrorist group?
- Did CO (b)(3), (b)(6) adequately communicate his decision?
- Were the Soldiers of 3BCT required to PID individuals on Objective Murray prior to engaging them?

Under the applicable ROE, CO (b)(3), (b)(6) did properly declare all personnel on Objective Murray as members of a designated terrorist group. The evidence is clear that CO (b)(3), (b)(6) honestly believed he had the authority and sufficient intelligence to designate all persons on Objective Murray as members of a terrorist organization. This belief is echoed by MG Turner and supported by their analysis of the ROE. Given his testimony, demeanor and the legal interpretation provided to CO (b)(3), (b)(6) by his command judge advocate, I find that CO (b)(3), (b)(6) belief was reasonable.

CO (b)(3), (b)(6) did not inform his higher headquarters about his decision to declare all persons on Objective Murray as terrorists; although there is currently no requirement to do so. CO (b)(3), (b)(6) did not adequately communicate his decision to commanders and Soldiers executing the mission. MG Turner was aware of the mission and the

<sup>45</sup> See exhibit 29.

<sup>46</sup> See exhibit 30 and 31.

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intelligence assessment that supported COL (b)(3), (b)(6) request for a KSP. MG Turner was not aware of COL (b)(3), (b)(6) decision to declare all personnel on Objective Murray as members of a designated terrorist group. At battalion level, the commander and executive officer of 3-320 FA were not aware that individuals on Objective Murray had been declared hostile.<sup>48</sup> At company level, the members of C/3-187 were aware of the designation, but mischaracterized it as an order to, "kill all MAM on the objective."<sup>49</sup> There was also confusion between designating individuals versus a place hostile. This confusion arose from using the terms groups, cells, facilities, objective, and targets interchangeably. The first three terms are used interchangeably in the ROE itself. According to his testimony, this was the first time COL (b)(3), (b)(6) applied his authority to declare a force hostile. Given this, he should have clearly articulated how this declaration was to be applied by his subordinate commanders and Soldiers.

The Soldiers of 3BCT were required, under the LOW, to distinguish between combatants and non-combatants. Their mistaken belief that they were lawfully allowed to engage all military aged males on Objective Murray resulted from COL (b)(3), (b)(6) designation of all personnel on the Objective as terrorists. This misinterpretation and miscommunication of the ROE caused the members of 3BCT to falsely believe the requirement to individually PID each individual as a member of a terrorist group had been suspended with regard to individuals found on Objective Murray.

#### Specific Findings:

##### a. The 3/101 Commander's Interpretation of the ROE.

The language of the ROE contributes to the problem of minimizing the law of war requirement of distinction – the duty to distinguish non-combatants from combatants. Paragraph 3.B.3.B.4. of the TF Band of Brothers ROE, is titled "Designated Terrorists and Terrorist Groups/Cells/Facilities." The paragraph states that all are authorized *objects* of attack. By designating all personnel on Objective Murray as hostile, did COL (b)(3), (b)(6) eliminate the requirement to PID each individual as a member of Al Qaeda? In other words, did he relieve his Soldiers of the duty to distinguish combatants from non-combatants?

Under the law of war, COL (b)(3), (b)(6) did not possess the legal authority to suspend distinction. This should be explicit in the ROE, but is not. When engaging a person, terrorist or otherwise, with direct fires, Soldiers must positively identify that individual as a lawful target. Designating a facility (or objective) as hostile does not entitle Soldiers using direct fire weapons to lawfully target everyone in the facility (or objective) simply because they are present.

To re-emphasize the point previously made, the Soldiers on Objective Murray demonstrated restraint in the application of direct fires. They did not kill women and

<sup>48</sup> See exhibit 4, 11 and 12.

<sup>49</sup> See exhibit 23a-1.

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children. They did allow men to surrender, but they did engage and kill at least one and possibly four men on the objective who did not display a hostile act or intent. They targeted these four men in accordance with their understanding of the ROE as it had been briefed to them.

#### b. Reconsideration of Original ROE Guidance.

During the course of the initial investigation, members of the brigade staff discussed the intelligence regarding the objective that motivated COL (b)(3), (b)(6) request a pre-assault indirect fires package. This request was ultimately denied by MG Turner less than five hours before the operation was to begin. According to COL (b)(3), (b)(6)

We went from executing a planned Kinetic Strike against a deliberate target in the designated terrorist/facilities category that requires a formal CDE for air delivered or precision guided surface to surface ballistic missiles to a more general area of the ROE that deals with the underlying PID and LOAC requirements. In NO CDE areas, the Commander, 101<sup>st</sup> ABN DIV (AASLT) has delegated the authority to strike Designated Terrorists and groups/cells/facilities to the OSC level. When the KSP was denied we went back and reevaluated the ROE to ensure that we were still operating within the bounds of the ROE. The denial of the KSP did not alter the status of the personnel on the objective and their hostile designation still applied. The intelligence on the objective area convinced me beyond any reasonable certainty that the personnel located on OBJ MURRAY were hostile forces affiliated with AQI/FF.

COL (b)(3), (b)(6) understanding of the situation was in line with MG Turner's understanding. MG Turner wrote, "I am aware that the BDE CDR and the BN CDR considered the target to be a terrorist facility. I was briefed on the intel the BCT had that led to that conclusion and I agreed with them. ... I denied pre assault fires because I was concerned about collateral damage. This site contains chemical shells. Although well documented as to location, I was not willing to risk an errant strike."

#### Conclusion:

COL (b)(3), (b)(6) believed that his decision to declare the personnel on Objective Murray as hostile had been ratified by higher headquarters' initial concurrence with the KSP. Since the division commander denied the KSP on the basis of potential collateral damage from chemical rounds, the division commander's denial did nothing to affect COL (b)(3), (b)(6) perception that everyone on the objective was hostile, and that he had properly declared them as hostile.

Objective Murray was assaulted using this premise; however, the assault force attacked with individual and crew served weapons. These types of weapons can be employed in a manner that allows Soldiers to distinguish and engage individual targets. Dropping a bomb or firing missiles does not permit this type of individual distinction.

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Apparently, COI (b)(3), (b)(6) and his Soldiers thought that if Objective Murray could be engaged with bombs and missiles, it could be engaged in the same manner using individual and crew served weapons. MG Turner's denial of the KSP was not based on a change in intelligence. Consequently, COI (b)(3), (b)(6) believed he properly exercised his authority as an OSC. While there is no requirement for an OSC to notify higher headquarters, this would have been a reasonable course of action.

#### SUPPLEMENTAL RECOMMENDATIONS:

MNC-I should re-examine the ROE to clarify the application of positive identification. The ROE should reinforce that fact that declarations using location-based analysis are likely defective in the current MNC-I AOR, because Soldiers cannot know who is on the objective until after it is taken. MNC-I should issue clarification on the continuing requirement to PID after an on scene commander declares a force hostile.

MNC-I should consider if there is a continuing need to allow on scene commanders to, "strike designated terrorists and groups/cells/facilities." If the authority continues to exist, there should be a requirement to clearly communicate this decision to the lowest level of the command. In communicating the designation, it should be stressed that the designation never eliminates the necessity of PID and distinction of individual persons when employing direct fire weapons. MNC-I should consider if "reasonable certainty" is adequate for PID of individual persons. On scene commanders should be required to notify their next higher headquarters each time they exercise their authority to target based on status rather than hostile act or hostile intent. When planning to attack a deliberate target, this notification should happen in advance.

The differences between engaging the enemy with area weapons and direct fire weapons require clarification in the ROE. Use of area weapons requires a CDE and division commander level approval. Declaring a force hostile, and engaging the force with direct fire weapons, can be approved by the on scene commander, but does not relieve Soldiers from the requirement for PID and distinction of each individual targeted.

Training materials which draw this distinction should be prepared immediately. 3BCT should retrain commanders and staffs on the application and communication of the designation of declared hostile force. 3BCT Soldiers should be trained on the requirement for distinction of each individual targeted.

In light of his honest belief in the correctness of the mission ROE, as re-enforced by his interaction with division on the KSP, I recommend that COI (b)(3), (b)(6) admonishment, previously recommended, be expanded to include his failure to anticipate and communicate the consequences of his declaration of hostile force on Objective Murray. Given the findings of this investigation, I do not recommend any UCMJ or additional adverse administrative actions.

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DRAFT OPERATION IRON TRIANGLE AR 15-6 REPORT

INVESTIGATION CHRONOLOGY

26 May 2006: Received appointment letter. Met with the CID commander, LTC (b)(3), (b)(6) the legal advisor, LTC (b)(3), (b)(6) for an initial briefing. Reviewed background materials and began planning investigation.

27 May 2006: Met with SA (b)(3), (b)(6) and LTC (b)(3), (b)(6) to compile a list of witnesses and questions.

27 May 2006: Requested that 101 AA coordinate the interviews of 3-320 FA witnesses at FOB Remagen. Requested information on Operation Iron Triangle from 101 AA and 3-320 FA. Moved to FOB Remagen with PSD, SA (b)(3), (b)(6) LTC (b)(3), (b)(6) and SSG (b)(3), (b)(6) (court reporter).

27 May 2006: Given a copy of an on-going AR 15-6 investigation being conducted by the 3-320 FA XO, MAJ (b)(3), (b)(6). The focus of MAJ (b)(3), (b)(6) inquiry was the death of three detainees during Operation Iron Triangle.

28 May 2006: Interviewed and took sworn testimony from MAJ (b)(3), (b)(6) SPC (b)(3), (b)(6) 1LT (b)(3), (b)(6) PFC (b)(3), (b)(6) SFC (b)(3), (b)(6) 1SG (b)(3), (b)(6) SGT (b)(3), (b)(6) 1SM (b)(3), (b)(6) LT (b)(3), (b)(6) and PVT (b)(3), (b)(6). These interviews were documented as verbatim transcripts.

28 May 2006: Requested that 101 AA coordinate the interviews of 3rd Brigade witnesses at Speicher. Moved to Speicher with investigative team.

29 May 2006: Interviewed and took sworn testimony from MAJ (b)(3), (b)(6) TSG (b)(3), (b)(6) MAJ (b)(3), (b)(6) CW3 (b)(3), (b)(6) PFC (b)(3), (b)(6) CPT (b)(3), (b)(6) MAJ (b)(3), (b)(6) MAJ (b)(3), (b)(6) and CPT (b)(3), (b)(6). These interviews were documented as verbatim transcripts.

29 May 2006: Moved to Victory Base Complex with PSD, LTC (b)(3), (b)(6) and SSG (b)(3), (b)(6). Left CID agents at Speicher to continue with their independent criminal investigation into the deaths of Iraqis during Operation Iron Triangle.

31 May 2006: Met with LTC (b)(3), (b)(6) to review interview transcripts, consider calling additional witnesses and draft questions for COI (b)(3), (b)(6).

31 May 2006: Received a Legal Opinion from MAJ (b)(3), (b)(6) ref. theatre-specific ROE for status based kill/capture determinations for designated terrorist organizations.

01 June 2006: Received a copy of the completed 3BCT 15-6, dtd 21 May 2006, and legal review of the 15-6, dtd 01 June 2006 from MAJ (b)(3), (b)(6).

03 June 2006: Moved to FOB Speicher. Interviewed and took sworn testimony from COI (b)(3), (b)(6).

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- 05 June 2006: Met with LTC Huestis to draft findings and recommendations.
- 08 June 2006: Met with LTC Huestis and the 4ID SJA, LTC Issaco, to discuss ROE and PID issues.
- 08 June 2006: Met with LTC Huestis and the CID Commander, LTC Upshaw, to finalize the 15-6 report of investigation and coordinate the presentation to LTG Chiarelli.
- 09 June 2006: Completed findings and recommendations presented to LTG Chiarelli.
- 10 June 2006: Received instructions to expand the investigation to focus on the ROE and the decision to declare all persons on Objective Murray as terrorists.
- 11 June 2006: Contacted MG Turner and COL Steele via e-mail to ask for written responses to specific questions about the ROE for Operation Iron Triangle.
- 13 June 2006: Received a written response from MG Turner via e-mail.
- 14 June 2006: Received a written response from COL Steele via e-mail.
- 15 June 2006: Met with LTC Huestis to finalize the supplemental findings and recommendations.
- 16 June 2006: Completed supplemental findings and recommendations presented to LTG Chiarelli.

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DRAFT OPERATION IRON TRIANGLE AR 15-6 REPORT

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  - 3rd Brigade 15-6 Appointment Orders, dtd 11 May 2006
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- 20. CPT (b)(3), (b)(6) Testimony
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- 31. B(6) e-mail response, dtd 14 June 2006
- 32. B(6) Sworn Statement, dtd 17 June 2006
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