

LAW ENFORCEMENT SENSITIVE  
FOR OFFICIAL USE ONLY

FILE NUMBER:

STATEMENT OF

TAKEN AT

DATED

CONTINUED:

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

FOS SPEIKER, I2

29 MAY 06

Q - Did anyone talk to you about the ROE after the mission?

A - Yes, CPT (b)(6), (b)(7)(C) He Reclarated that the ROE for the island (BST Murray) was to eliminate all military-aged males due to the intel that was recovered about the island.

Q - WHO ENGAGED THE MALE ON THE WINDOW?

A - SSG (b)(6), (b)(7)(C), SGT (b)(6), (b)(7)(C) I'm not sure if (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C) did or not.

I, myself, also engaged the male in the window.

Q - WHO WALKED THE DETAINEES OUT OF THE FIRST HOUSE?

A - SSG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) did too I believe.

Q - WERE THE DETAINEES ZIP-TIED AND BLINDFOLDED AT THIS TIME?

A - No.

Q - WHEN WERE THEY ZIP-TIED AND BLINDFOLDED?

A - They were zip-tied upon completion of searching them. They were blindfolded once the paperwork was started on them after escorting detainee # 4 from House # 2.

Q - WHO SEGREGATED THE FEMALES FROM HOUSE #1?

A - I believe we instructed one of the IA soldiers to escort them to the HE room. (b)(6), (b)(7)(C)

Q - WHO ZIP-TIED AND BLINDFOLDED THE DETAINEES?

A - I think (b)(6), (b)(7)(C) zip-tied them I'm not sure who blindfolded the detainees.

Q - WHO TOOK THE SHOT MALE OUT OF HOUSE #1?

A - SSG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) dragged him out.

Q - DID YOU HEAR SOMEBODY SHOUT BEFORE THE GUNSHOTS?

A - No. Although, other people on the LZ/PZ told me they heard someone shout, "oh shit!"

Q - WHERE WERE THE 3 DEAD DETAINEES AT?

A - Approximately 10-15 meters N of the E side of the house. 2 of them were close together, and 1 was approximately 10ft behind the other 2.

Q - DID YOU SEE THE KNIFE USED TO ATTACK (b)(6), (b)(7)(C)?

A - Yes it was laying on the ground about 5ft N of the house behind the dead man. It had an orange handle and was about 6-9 inches in length.

Q - WHERE IS IT NOW?

A - No. I believe 2nd PLT lost it when they took the bodies.

Q - WAS (b)(6), (b)(7)(C) INJURED?

A - He had a little swelling in the face and a bit reddish. (b)(6), (b)(7)(C)

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

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EXHIBIT 53

000490

ACLU DDH ROI 34290

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

~~LAW ENFORCEMENT SENSITIVE  
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FILE NUMBER:

STATEMENT OF

TAKEN AT

DATED

CONTINUED:

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

FOB SPEICHER

29 MAY 06

Q - WHO TOOK PICTURES OF THE DETAINEES?

A - Some of us did, but I'm not sure who exactly.

Q - HOW DID THE DETAINEES GET LOOSE?

A - SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) informed me one of the detainee's flex-cuffs broke, so they cut the other 2 detainee's flex-cuffs to replace them with thicker flex-cuffs.

Q - WHERE IS THE FOURTH DETAINEE?

A - The Battalion Holding Area for Detainees. Not sure on exact location.

Q - WHERE WERE THE 4 BODIES TRANSPORTED AT THE SAME TIME?

A - No, the 1st body left with the PL, and the last 3 were taken with 2nd PLT

Q - DID ANYONE TELL YOU WHAT TO WRITE IN YOUR FIRST STATEMENT?

A - Nobody told me what exactly to write, only what I saw, and witnessed. The hood-times, grids, locations, and detainee names were written on a board.

Q - IS THERE ANYTHING ELSE YOU WANT TO ADD TO YOUR STATEMENT?

A - No. /// END OF STATEMENT ///

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

ACLU DDII FOI 34291

INITIALS OF PERSON MAKING STATEMENT:

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

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~~LAW ENFORCEMENT SENSITIVE  
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EXHIBIT 53

000491

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

FILE NUMBER:  
TAKEN AT ~~FBI SPEICHER~~ DATED ~~29~~ MAY 19 ~~06~~ CONTINUED:

[Redacted statement area with diagonal line and handwritten "NOT USED" and "(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 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)  
[Signature]

(Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29 day of MAY, 20 06 at FBI SPEICHER/12 Am A 79393

ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C)  
[Signature]

(Oath)

ORGANIZATION OR ADDRESS

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

Art 136, UCMJ  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

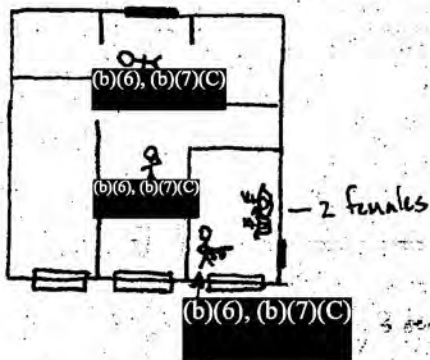
ACLU DD (b)(6), (b)(7)(C) 64992  
PAGE 3 OF 5 PAGES

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Katze



LZ/PZ

VERIFIED BY:

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

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

SKETCHED BY:

ACLU DDII ROI SP4 (b)(6), (b)(7)(C)

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

OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

EXHIBIT 5

1960 29M000493

**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

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

**DATA REQUIRED BY THE PRIVACY ACT**

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

1. LOCATION (b)(6), (b)(7)(C)	2. DATE 29 MAY 86	3. TIME 1931	FILE NUMBER (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)	4. ORGANIZATION OR ADDRESS C 3187th JOB Greenfield-Mora APO AE 09393		
5. GRADE/STATUS E6(AO)			

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**SECTION A. Rights**

The investigator (b)(6), (b)(7)(C) appears below told me that he/she is with the United States Army Criminal Investigation Command and wanted to question me about the following offense(s) of which I am

suspected/accused: Voluntary Homicide

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

1. I do not have to answer any questions or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me or both.

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have the right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

**5. COMMENTS (Continue on reverse side)**

Have you been advised of your legal rights within last 30 days? No

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

**SECTION B. Waiver**

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

WITNESSES (if available)		(b)(6), (b)(7)(C)
1a. NAME (Type or Print)		
b. ORGANIZATION OR ADDRESS AND PHONE		
2a. NAME (Type or Print)		3. TYPE NAME OF INVESTIGATOR SA (b)(6), (b)(7)(C)
b. ORGANIZATION OR ADDRESS AND PHONE		4. ORGANIZATION OF INVESTIGATOR 31ST MP DET (CIV)(E), CDB Spawna APO AE 09393

**SECTION C. Non-waiver**

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

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

DA FORM 3881, NOV 89 (AUTOMATED)

EDITION OF NOV 84 IS OBSOLETE

ACLU DDII ROI 34294

**PART II - RIGHTS WARNING PROCEDURE**

**THE WARNING**

1. **WARNING** - Inform the suspect/accused of
  - a. Your official position.
  - b. Nature of the offense(s)
  - c. The fact that he/she is a suspect/accused.
2. **RIGHTS** - Advise the suspect/accused of his/her rights as follows:
 

"Before I ask you any questions, you must under your rights."

  - a. "You do not have to answer my questions or say anything."
  - b. "Anything you say or do can be used as evidence against you in a criminal trial."
  - c. (For personnel subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer

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

-or-

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

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

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

**THE WAIVER**

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

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

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

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

**SPECIAL INSTRUCTIONS**

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

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

**PRIOR INCRIMINATING STATEMENTS:**  
1. If the suspect/accused has made spontaneous incriminating statements before being properly advised of his/her rights he/she should be told that such statements do not obligate him/her to answer further questions.

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

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

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

COMMENTS (Continued)

*[Faint, mostly illegible handwritten notes in the comments section.]*

*[Faint, mostly illegible handwritten notes in the comments section.]*

REVERSE OF DA FORM 3881

ACLU DDII ROI 34295

**SWORN STATEMENT**

**LOCATION:** Tikrit CID Office  
Contingency Operating Base (COB) Speicher  
Tikrit, Iraq, APO AE 09393

**DATE:** 29 May 06

**TIME:** 2358

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

**NAME:** (b)(6), (b)(7)(C)  
**GRADE/STATUS:** E6/AD

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

**ORGANIZATION OR ADDRESS:** C Company 3/187<sup>th</sup> Infantry, FOB Brassfield-Mora,  
Tikrit, Iraq, APO AE 09393

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

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

Operation Iron Triangle. Charlie Company 3<sup>rd</sup> plt 3<sup>rd</sup> squad air assaults into objective Murray to kill AIF foreign fighters in order to end alqueda operations in sector. The ROE was to kill all military age males on objective Murray, objective Murray was a training camp for alqueda, special operations forces have been in previously to capture and or kill AIF fighters on obj Murray, special operations forces have taken fire and casualties in the past on objective Murray.

Recent intel updates of Obj Murray 24 hours before hit time said 20 AIF males were on obj Murray. I got my operations order in the Choppin Charlie tactical operations center, within 24 hours of hit time. It was plane and simple, we would SP from our fob by ground assault convoy and stop at fob Remagen to train with the Iraqi Army and get the latest intel update of the Obj. Then air assault to obj Murray, go in hot. Hit the first target house, kill all military age males, hit any secondary target houses, then standby for follow on missions. When complete air assault back to fob Remagen for AAR and debriefing. Get our one day of refit and continue missions in Choppin's sector. I got my mission statement in the Choppin Charlie Tactical Operations Center, the ROE was to kill all military age males on Obj Murray. We left fob Brassfield-Mora by ground assault convoy to fob 7 to pick up our Iraqi Army counterparts, then we left fob 7 by ground assault convoy to stop at fob Remagen, when we got there we searched the Iraqi Army soldiers for cell phones and when that was complete we started training with them. I led the rehearsal training for my squad and the Iraqi Army squad which consisted of cold load training for the air assault, hitting the 1<sup>st</sup> target house, enter and clearing a multiple room house and exfil procedures. Then we went to chow. After chow I had to attend a squad leader meeting (which is squad leader and above) which consisted of a sand table of the objective, a walk through and talk through of actions on the objective, where the squad leaders, platoon sergeants and platoon leaders talk through the whole mission. During the meeting the Company Commander CPT. (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)  
DA FORM 2823 (Computer Generated)

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EXHIBIT

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ACLU DDH ROI 34296

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

EXHIBIT

54

000496

CASE# - CID469

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office,, COB SPEICHER, TIKRIT, IRAQ, DATED 29 May, 2006, CONTINUED.

(b)(6), (b)(7)(C) were on Obj Murray, (b)(6), (b)(7)(C), (b)(7)(D)

(b)(6), (b)(7)(C), (b)(7)(D) Kill all military age males on the island. Everyone understood the ROE. So after the meeting was over I briefed my squad of the mission, the latest intel update, the ROE, and a talk through. I instructed my team leaders to conduct pre combat checks and pre combat inspections, on our soldiers. Then I did my final walk through of inspecting my soldiers and went to give my platoon sergeant SFC (b)(6), (b)(7)(C) an up. Then after waiting a while Rock 6 COL (b)(6), (b)(7)(C) gave us a brief, a motivational speech, and reinstated the ROE. He stated for us to kill all military age males on the island. We got some sleep after that and then staged for pick-up zone posture, aircraft inbound so we loaded the black hawks and took off for Obj Murray. I was monitoring the dog bone (headset) the pilots said one of the birds (black hawks) took fire from the island. I also could see the tracer fire pass in front of the bird. Then we touched down on Obj Murray I was the first man off the bird (Blackhawk) hit the ground and opened suppressive fire on the 1st target house, stacked on the first door, I then threw a flash-bang (Stun-Grenade) into the first door and cleared the first room, it was empty, then to the next room, it was empty, then to the 3rd room and it was empty. I then called up to choppin 36 Lt (b)(6), (b)(7)(C) and told him the 1st house was clear, at that time the weapons squad got set up on top of the roof and used searching fire to clear the field of any military age males. He conducted the searching by fire but no one was hit and 1SG (b)(6), (b)(7)(C) called a cease fire. Choppin 36 then told me to get my squad on line and push west across the island and clear it looking for any military age males, I said roger and got my squad on line with the help of my team leaders SGT (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) we pushed to the west and found nothing. So I called choppin 36 and told him I had nothing but water in front of me, he said roger bring your squad back and get in pick-up zone posture for a follow on to the next obj on the northern part of the island, I got a face to face with choppin 36 Lt (b)(6), (b)(7)(C) and asked him if the ROE was the same he said yes because the next house was still on the island, so I passed the word to my soldiers the ROE was still to kill all military age males on the island, they said roger. Then the birds (black hawks) landed and picked up my squad, 2nd squad and 1 gun team, with 3 or 4 Iraqi Army soldiers. The birds landed and I was the first man on the ground I led my squad to the house I started engaging using suppressive fire, then I positively identified 1 military age male in the window and fire at him. SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) also engaged in route to the house. I then went along the eastern most wall of the house and came around the front and into the front door with SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) right behind me. When I rushed in the 1st door I saw 2 women and 3 military age males hiding behind them, the 3 military age males were using the women as shields (an Alqueda technique), SGT (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) proceeded in clearing the house and SGT (b)(6), (b)(7)(C) shouted to me 1 military age male WIA, I said roger bring him out front, at that time I pushed the (b)(6), (b)(7)(C)

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

FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE **ACLU DDII ROI 34297**

FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE EXHIBIT 54



CASE#-CID469

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID  
Office,, COB SPEICHER, TIKRIT, IRAQ, DATED 29 May, 2006, CONTINUED.

(b)(6), (b)(7)(C) 3 military age males out side to SPC (b)(6), (b)(7)(C) Pfc (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) called up (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) to check out the causality (b)(6), (b)(7)(C) said he was dead so I reported it to Choppin 36 LT (b)(6), (b)(7)(C) I then had SGT (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) escort the women to the back of the house and to cover their faces so they wouldn't see the 1 KIA. I then sent PFC (b)(6), (b)(7)(C) to the top of a hill in front of the house to the north, and the gun team went right behind him to do an area recon and set up security. I then instructed PFC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) to start to fill out the detainee packets and search further in the house for any weapons or caches. Then PFC (b)(6), (b)(7)(C) yelled down to me that he had eyes on a military age male in a house, so I immediately ran to the top of the hill and got eyes on for myself, and sure enough saw another house that became our 2<sup>nd</sup> obj on the northern part of the island. So I then told the gun team CPL (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) to lay down suppressive fire over the top of the house and into the berm, not engaging any personnel, on my command. I then called choppin 36 LT (b)(6), (b)(7)(C) to get approval he got eyes on and said roger. I then told them when I get to the far right of the cow in front of the house to lift fire off the berm. First I then assaulted the house with SPC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) I got to the far right of the cow and the gun team lifted fire, I then saw 1 military age male step out of the front of the house with a little approximately 2 year old baby girl in holding it in front of his face and then in front of his chest, so I could not engage him, I then took the baby from him and he was detained by SPC (b)(6), (b)(7)(C) we searched that house and moved back to the last house with the detainee to link up with the other detainees and the rest of our element. At that time we called up 1 KIA and 4 detainees I then linked up with LT (b)(6), (b)(7)(C) and he said he was going to take 2<sup>nd</sup> squad and the Iraqi Army soldiers with the KIA to the next Obj VIA Black hawks, he then instructed me to finish the detainee packets and move the rest of my element to the pick-up zone with the detainees he said the black hawks were going to be here in 4 to 5 minutes to pick us up and fly us to the next obj to link-up with him. At that time the black hawks came and picked the LT and his chalk up. Leaving on the ground SSG (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C), PFC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) the gun team SGT (b)(6), (b)(7)(C) and CPL (b)(6), (b)(7)(C) and the RTO SPC (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) I then told SGT (b)(6), (b)(7)(C) to push to the pick-up zone and set up security with the gun team CPL (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) the RTO, along with (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) Leaving PFC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) and myself with the detainees and PFC (b)(6), (b)(7)(C) in the back of the house with the women. I then picked up the detainee from the second house and noticed he had zip ties on him and not zip cuffs so I said to SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) to change the zip ties out and replace them with zip cuffs, and they said roger SGT ours have already broke, I said roger back to them and moved my detainee the pick-up zone and yelled to CPL (b)(6), (b)(7)(C) half way there to meet me in the middle and take my detainee from me and take him to the pick-up zone. So CPL (b)(6), (b)(7)(C) met me half way and took the detainee from me, I then turned (b)(6), (b)(7)(C)

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

54

000498

CASE# - CID469

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID  
Office,, COB SPEICHER, TIKRIT, IRAQ, DATED 29 May, 2006, CONTINUED.

(b)(6), (b)(7)(C) around and headed for the back of the house to check on PFC (b)(6), (b)(7)(C) and the women, I got a face to face with PFC (b)(6), (b)(7)(C) and all of the sudden I heard "oh shit" and then some gun fire so I immediately ran around the back of the house so if the gun team had to they could lay down suppressive fire in case of a counter attack, that's when I ran into SPC (b)(6), (b)(7)(C) he ran from the pick-up zone to link up with me and ran around the front of the house with me and that's when I saw PFC (b)(6), (b)(7)(C) holding his jaw and SPC (b)(6), (b)(7)(C) crawling into the house along with 3 KIA's. I started asking what happened and started to asses the situation with SPC (b)(6), (b)(7)(C) and noticed he had been cut along the left side of his face and the right side as well, and his left forearm had been cut as well so I immediately called for (b)(6), (b)(7)(C) to aid SPC (b)(6), (b)(7)(C) and check out PFC (b)(6), (b)(7)(C) I then called for SPC (b)(6), (b)(7)(C) the RTO to come to my position so I could up a situation report to choppin 36, while this was going on I looked over the bodies of the KIA's and noticed that the zip ties were broke and their blind folds were moved down their faces there bodies layed in positions as if they were running and a knife was lying on the ground next to them. The knife had an orange handle and a pretty large blade, the handle was held onto the blade by a string like wire. SGT (b)(6), (b)(7)(C) took pictures of the bodies and SPC (b)(6), (b)(7)(C) and myself along with CPL (b)(6), (b)(7)(C) bagged the bodies. Then a 2<sup>nd</sup> platoon element LT (b)(6), (b)(7)(C) and 2 of his squads linked up with us and I briefed him on what happened, he said he would take the knife and the weapons along with the KIA'a to the pick-up zone. I said roger. And told my guys to get to the pick-up zone. Then LT (b)(6), (b)(7)(C) and his 2 squads, black hawks landed and flew them out. Leaving SSG (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) CPL (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) on the pick-up zone to wait for black hawks to fly us to our next mission.

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

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

Q: What was the mission at Iron Triangle?

A: Go in on the island and kill all military age males because they were Al Qaidea operatives.

Q: Who gave this order?

A: CPT (b)(6), (b)(7)(C) LT (b)(6), (b)(7)(C) and COL (b)(6), (b)(7)(C)

Q: Do you think killing the male in the window was wrong?

A: Negative, because he was a military age male and that's what I was told to do.

Q: Were you ever given that type of order before?

A: I have been given ROE's similar to that. OIF2 we were told if any vehicles stop or if anyone gets out of their vehicle between the hours of 2300 and 0400, we were to engage to kill. Because there was curfew and a lot of IED activity on the MSR.

Q: When you engaged the military age male in the window; did you think at the time you may have been killing a person who was not armed? (b)(6), (b)(7)(C)

INITIALS OF PERSON  
MAKING STATEMENT (b)(6), (b)(7)(C)  
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PAGE 4 OF 7 PAGES

EXHIBIT

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EXHIBIT

54

000499

CASE# -CID469

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office,, COB SPEICHER, TIKRIT, IRAQ, DATED 29 May, 2006, CONTINUED.

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

A: It did not matter if he was armed or not, he was a military aged male and we were told to kill all military aged males?

Q: Why didn't you kill the guy with the baby?

A: I could not properly engage him because as I moved my weapon he moved the baby and put the baby in front, so I could not engage him.

Q: Why didn't you shoot him after the baby was taken away?

A: Because he did not have a weapon, he was detained and I am human. I did not see the threat anymore. I could have shot him and everyone would have thought that was Hooah, but there was not threat.

Q: Why didn't they engage the military age males in the house?

A: Because they were using the women as shields. I know I could have but they were not a threat and I would have to live with what I had done.

Q: Do you think the guy in the window was a threat?

A: Yes, because it was the first contact with a male and the ROE said to kill a military age males. I don't know if he has anything or not. I didn't take the chance.

Q: What did you expect when you got on the island?

A: I thought we were going into a hot LZ and take a lot of fire. I was seriously thinking there were 20 bad dudes there.

Q: Did your mind change after going through the objective?

A: Yes, because we didn't take fire, there were women and children there. I didn't know if family was living there or if it was an Al Qaeda cover up. I expected no women and no children. The Intell said 20 AIF (Anti Iraqi Forces) there. But it did not seem right. It seems the women did not like the men. When we completed the mission they did not seem upset the men were dead. They were more concerned with (b)(6), (b)(7)(C) injuries.

I think they were using the women to cook for them and sex. Usually the women scream and call us names. These women were smiling.

Q: Did any of the women communicate this to you?

A: Once we got back in the house they were trying to care for (b)(6), (b)(7)(C) They said things like I Love You and calm down my love (this was said in Arabic) but understand phrases.

Q: What were you told about the killing of the three guys who were zip tied?

A: I understand that they were changing the zip ties like I told them. One guy came up with a knife and slashed (b)(6), (b)(7)(C) and one punched (b)(6), (b)(7)(C) I should have stayed and supervised but I was told we had to push to the objective. When I picked up my detainee his zip ties were the small ones and they are no strong enough. I told them to change them out. They both said Roger SGT and I handed the stronger zip ties. One of them said that one had already broken. I think they are telling the truth. If it would have happened another way they would have told me and the story has been the same the whole time (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)  
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PAGE 5 OF 7 PAGES

EXHIBIT

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000500

CASE#-CID469

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office,, COB SPEICHER, TIKRIT, IRAQ, DATED 29 May, 2006, CONTINUED.

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

Q: Have there been problems with the smaller zip ties before?  
 A: Not before this incident but after this incident. A week or so later while out on a mission, we picked up some detainee and the small zip ties broke. We told the platoon they brake and sure enough they broke.  
 Q: Where was the knife located?  
 A: The head of the bodies was facing away from the house. The knife was in between the third and middle body but to the rear.  
 Q: What type of knife was it?  
 A: Looked like a kitchen knife, 8 to 12 inch blade, orange handle which was held on with a black wire like string.  
 Q: What happened to the knife?  
 A: It was put in the zip lock bag, labeled C 3/187, grid and then put into a white burlap sack with two AK 47s and put into the helicopter. It was then given to LT (b)(6), (b)(7)(C) It went to the brigade TAC.  
 Q: What happened to the evidence and the bodies once they made it to the Brigade TAC.  
 A: I heard the bodies were re-zipped. People are treating us like crap and don't like us. I think it has to do with someone OER. It politics. We got the most the successful raids and the most enemy kills. We have been in the most fire fights. Q: Based on what you know now; do you think the ROE for that night was the right thing to do?  
 A: If I an ROE from a superior officer and I am going to do and believe what he says. Because he is going to have some good Intell and do his homework before he sends us out there to complete a mission.  
 Q: Do you feel anything you did that night was wrong?  
 A: No, besides not having the right flexicuffs.  
 Q: Were you informed by your soldiers about the flexicuffs prior to this mission?  
 A: No, but it was common knowledge/common sense those should not be used they are too thin, that's is why I told them to change them out and I gave them the correct one to use.  
 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)  
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PAGE 6 OF 7 PAGES

EXHIBIT

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ACU I DDIL ROI 34301

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EXHIBIT

54

000501

CASE#-CID469

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office,, COB SPEICHER, TIKRIT, IRAQ, DATED 29 May, 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 7. 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 Monday, May 29, 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 7 OF 11 PAGES

EXHIBIT

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ACLU DDH ROI 34302

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EXHIBIT 54

**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

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

**DATA REQUIRED BY THE PRIVACY ACT**

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

1. LOCATION COB Speicher, Tikrit, IZ		2. DATE 29 May 06	3. FILE NUMBER [REDACTED]
5. Name (Last First MI) (b)(6), (b)(7)(C)		8. ORGANIZATION OR ADDRESS C Co, 3-187 <sup>th</sup> INF, 3 BCT FOB Brassfield-Mora, Samarra, IZ APO AE 09393	
6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS E-4/AD		

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**SECTION A. Rights**

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command and wanted to question me about the following offense(s) of which I am suspected/accused: Murder

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

1. I do not have to answer any questions or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me or both.

-or-

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have the right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

**SECTION B. Waiver**

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

**WITNESSES (if available)**

1a. NAME (Type or Print)	(b)(6), (b)(7)(C)
b. ORGANIZATION OR ADDRESS AND PHONE	
2a. NAME (Type or Print)	SA (b)(6), (b)(7)(C)
b. ORGANIZATION OR ADDRESS AND PHONE	

**SECTION C. Non-waiver**

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

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

AGLU DDII ROI 34303

**THE WARNING**

1. **WARNING** - Inform the suspect/accused of
  - a. Your official position.
  - b. Nature of the offense(s)
  - c. The fact that he/she is a suspect/accused.
2. **RIGHTS** - Advise the suspect/accused of his/her rights as follows:
 

"Before I ask you any questions, you must understand your rights."

  - a. "You do not have to answer my questions or say anything."
  - b. "Anything you say or do can be used as evidence against you in a criminal trial."
  - c. (For personnel subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer

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

-or-

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

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

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

**THE WAIVER**

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

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

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

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

**SPECIAL INSTRUCTIONS**

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

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

**PRIOR INCRIMINATING STATEMENTS:**

1. If the suspect/accused has made spontaneous incriminating statements before being properly advised of his/her rights he/she should be told that such statements do not obligate him/her to answer further questions.

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

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

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

**COMMENTS (Continued)**

REVERSE OF DA FORM 3881

ACLU DDII ROI 34304

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EXHIBIT

55

000504

**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 <b>COB SPEICHER</b>	DATE <b>30 MAY 06</b> TIME <b>10323</b>	FILE NUMBER
LAST NAME FIRST NAME MIDDLE NAME <b>(b)(6), (b)(7)(C)</b>	SOCIAL SECURITY NUMBER <b>(b)(6), (b)(7)(C)</b>	GRADE/STATUS <b>E-4 / AD</b>
<b>C Co, 3-187 INF, SGT FOB BRASSFIELD - MORA, SAMARRA, IZ</b>		

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

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On a day in early May myself and the rest of C Co 3-187 was conducting a raid on a large obj known as Obj Murray. This obj was a known Al-Qaeda hot spot and we were given the R.O.E the day prior to our mission by our Brigade Commander to **(b)(6), (b)(7)(C)** eliminate any military age males on the island.

So at 0500 hrs we left Ramagan in Blackhawks and arrived at Obj Murray at approx 0545 hrs and cleared the first obj. After searching the area and found nothing we backed back on the birds and flew over to Obj 2 at approx 0800. Immediately after exiting the birds myself SGT **(b)(6), (b)(7)(C)** and SPC **(b)(6), (b)(7)(C)** ran towards the house. As we ran upon the house SGT **(b)(6), (b)(7)(C)** who was in the lead, opened up with suppressive fire on the house once we had got right upon the house SGT **(b)(6), (b)(7)(C)** seeing a military age male through the front windows, opened fire on the individual and as I ran by I too opened fire on the individual. After that we ran around to the north side of the building and entered to the front door. Being one of the first individuals through the door I immediately saw 3 military age males having behind 2 females using them as human shields. SGT **(b)(6), (b)(7)(C)** and other members of the squad took 3 males outside while at the same time myself and SGT **(b)(6), (b)(7)(C)** broke off to the room on the right and we immediately saw an older gentleman who were from his late 30's to his early 40's laying on the ground wounded. Myself and SGT **(b)(6), (b)(7)(C)** then tried to move the wounded individual outside but it was heavy and cumbersome, but right then some IAF soldiers came into the house and assisted moving him outside for so that **(b)(6), (b)(7)(C)** could provide medical care. **(b)(6), (b)(7)(C)** the individuals wounds were too severe and he died despite **(b)(6), (b)(7)(C)** efforts. By this time the 3 other males were already face down on the ground and zip-tied, and the 2 females were still inside the main part of the house so then we and SGT **(b)(6), (b)(7)(C)** went inside the house and put wales over their faces so that they couldn't be panicked by the sight of the first KIA outside the house when we moved them to a room on the South East corner of the house. **(b)(6), (b)(7)(C)**

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT <b>(b)(6), (b)(7)(C)</b>	PAGE 1 OF <u>13</u> 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 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

ACLU DOJ #01 34395



FILE NUMBER

STATEMENT OF

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

TAKEN AT

SP6 C1515R

DATED

29 May 06

CONTINUED

STATEMENT (Continued)

Just a moment after that PFC (b)(6), (b)(7)(C) whom after eating the bird had positioned himself in an overwatch position on a 20ft burn approx 50-75 meters north of the house saw a military age male run inside a house that was just north of his position just on the other side of the burn. Upon seeing this individual and the house PFC (b)(6), (b)(7)(C) yelled down to SFC (b)(6), (b)(7)(C) and the rest of us about what he had just seen. Then SFC (b)(6), (b)(7)(C) took the gun team who consisted of CPL (b)(6), (b)(7)(C) and Sgt (b)(6), (b)(7)(C) and posted them just a few meters east of PFC (b)(6), (b)(7)(C) position. OSG (b)(6), (b)(7)(C) then told the gun team that when he said so to lay down suppressive fire above the house so as to cover us as we maneuvered to the house and also not to shoot the house directly for we did not know who was in the house and we didn't want anyone that was innocent getting hurt. So after the gun team opened fire myself, SFC (b)(6), (b)(7)(C) Sgt (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) maneuvered on the house coming down off the burn from the south west side of the house. ~~Once we~~ arrived at the south west corner of the house a male individual came out holding a baby girl, <sup>(b)(6), (b)(7)(C) around</sup> between the age of 2 or 3 yrs; as a human shield and the individual was actively moving the child up and down between his head and chest. So SFC (b)(6), (b)(7)(C) and I put the individual on the ground and took the child from him. I then moved this individual to a courtyard like area between his main living quarters and the sheep pen/utility shed where he was zip-cuffed by Sgt (b)(6), (b)(7)(C). Then the rest of this individual's family which consisted of about 5 young boys, 3 young girls and 2 older women were segregated and moved to the east side of the sheep pen where they were watched by PFC (b)(6), (b)(7)(C). Now in the meantime myself and Sgt (b)(6), (b)(7)(C) were searching the house and Sgt (b)(6), (b)(7)(C) found an AK-47 and a magazine w/ rounds. ~~I~~ While all of this was happening the Lt and SFC (b)(6), (b)(7)(C) had come down to assess the situation and to see what was happening. Some I.M. also came down with him as well, but they didn't really do anything except <sup>(b)(6), (b)(7)(C)</sup> maybe search what we have already searched and try talking to that detainee for what ever reason I have no idea. So <sup>(b)(6), (b)(7)(C)</sup> after finishing up the detainee packet that Lt. (b)(6), (b)(7)(C) showed me how to do, we picked up and moved this detainee from House 2 back to House 1. Once arriving back at House 1 we put the detainee down away from the other detainees <sup>(b)(6), (b)(7)(C)</sup> ~~at House 1~~.

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

PAGE 2 OF 17 PAGES

ACLU DDH ROI 34306

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EXHIBIT 55

000506

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

TAKEN AT SPECISER

DATED 29 MAR 06

CONTINUED

STATEMENT (Continued)

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

While the rest of us were manuevering on the second house SPC (b)(6), (b)(7)(C), PFC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) were searching House 1 and found 2 AK-47s, about 4-5 magazines, AK-47 rounds and assorted AK-47 parts in the house. After the rest of us had completed w/ the second house and came back to ~~House 1~~ House 1 w/ the detainees from House 2 I noticed the 3 male detainees were laying outside on the North side of the house face down w/ their hands zipped tied behind their back, and they were not blind folded at this time. Also everything that the men that were left behind had found was gathered up and laying at the North western corner of the house and the KIA was in a body bag. Once we all had get back to House 1 myself and four others started to search a little more around the area ~~in case anything was missed~~, PFC (b)(6), (b)(7)(C) went to mark on detainee pockets, and CPL (b)(6), (b)(7)(C) along w/ (b)(6), (b)(7)(C) started photographing the detainees w/ what ever was found in their house using SGT (b)(6), (b)(7)(C) camera. While I was searching around the area I would periodically stop and check on the females because the I.A. soldier who was told to watch them would leave his post and would wander around and talk to the detainees and come in and out of the house along w/ 2 other I.A. soldiers and were actively being told by myself and a few others to stop talking to the detainees and get back to their posts. Between 0840 & 0850 LT (b)(6), (b)(7)(C) left to go get into PZ posture in which he took the first KIA w/ him along w/ second ~~sq~~ squad whom had flown into the same obj as us, but on a second bird and after ~~arriving~~ arriving on the obj had gone and stationed themselves on a lawn to the south of House 1. So after the LT left on the first lift along w/ second ~~sq~~ sq from Obj 2 that only left SSG (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) CPL (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) PFC (b)(6), (b)(7)(C) MYSELF and a handful of I.A behind on the obj. Very soon after the LT left every body except myself PFC (b)(6), (b)(7)(C) whom had stayed in the South east corner to watch the females after the I.A soldier was told to leave. PFC (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) had moved to PZ posture while we stayed at House 1 to move the detainees. At which point myself and PFC (b)(6), (b)(7)(C) went to collect the 3 male detainees from House 1 while SSG (b)(6), (b)(7)(C) went to go move the detainee from House 2

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

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

PAGE 3 OF 13 PAGES

FOR OFFICIAL USE ONLY Law Enforcement Security **ACLU DDII ROI 34307** EXHIBIT 5

STATEMENT OF

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

TAKEN AT

SPRINGER

DATED

29 MAY 06

CONTINUED

STATEMENT (Continued)

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

P2 posture. He went over to pick up the first detainee, whom was wearing a green man-dress, SSG (b)(6), (b)(7)(C) who was moving the detainees from the second house, yelled back and said something along the lines of the zipp ties not being any good, for they were too thin and weak. And about the same time ~~he~~ he was saying that I noticed too much give in the detainees arm as I was picking him up and when I looked to see what was the matter I noticed the zipp ties were broken and almost immediately replied "Roger these are broken" and also heard PFC (b)(6), (b)(7)(C) say something along similar lines as he was picking one of the other detainees up. So I then went over to SSG (b)(6), (b)(7)(C) real quick and took some of the wide, thick heavy duty zipp-ties that he had laced on the back of his IBA and put them in my right pocket (Now whether the zipp-ties were broken before or after I picked my detainee I do not know), but then we and PFC (b)(6), (b)(7)(C) gathered up the 3 male detainees real quick and we had them about 5-10ft from the house on the North side so we can change the zipp ties real quick. We had the detainees standing almost shoulder to shoulder directly in front of us. The order the detainees were positioned standing in front of us going from right to left was the man in green, the man in blue, and the man in ~~white~~ white they are all still blind folded at this time which was done after their pictures were taken.

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

Once we had them all in position PFC (b)(6), (b)(7)(C) took out his leather man pocket tool to cut off the one remaining zipp tie that had not broken which was being worn by the man in white. Once (b)(6), (b)(7)(C) cut the last remaining zipp-tie I pulled a new zipp tie out of my pocket and I was looking over at (b)(6), (b)(7)(C) talking when I noticed out of the corner of my eye a quick and sudden movement of the hands by the man in green who was standing directly in front of me. As I started to look directly at him he had spun around and I had noticed his blind fold was kinda half way up were could at least see one of his eyes which I believe was his left. At the same time I noticed in his right hand was a sharp slung object which also happened to be swinging at me in a frantic manner. So in defense I rose my ~~left~~ left arm in front of my face and quickly backed away while at the same reaching ~~to~~ for my M4 carbine that was slung

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 4 OF 13 PAGES

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ACLU DDII ROI 34308

EXHIBIT 53

000508

STATEMENT OF

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

TAKEN AT

Special

DATED

29 May 06

CONTINUED

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

at my side. As soon as I did that my assistant the man in green started to run and as soon as I saw him running I saw the man in blue and the man in white running. At that moment I felt a pain in my left ~~chest~~ <sup>(b)(6), (b)(7)(C)</sup> cheek and I took a split second to look over at dagger to see if he was ok and noticed he was staggered and acted kinda bewildered like he had been punched or had a life struggle. So not knowing how bad my cheek had been cut I covered it w/ my left hand and rose my weapon w/ my right and from the hip I shot the first 2 initial rounds at the target then a split second after that I rose my rifle to my ~~chest~~ <sup>(b)(6), (b)(7)(C)</sup> shoulder and while stepping forward at the same time continued to fire at the man in green and at the other 2 individuals by shooting from right to left until all the individuals had fallen to the ground dead. Now right after I opened fire w/ the first 2 shots ~~FF~~ <sup>(b)(6), (b)(7)(C)</sup> also opened fire with his M-219 SAW and he fired until the individuals had fallen to the ground dead. Now immediately after it had all stopped I started calling on my team for assistance but SSC <sup>(b)(6), (b)(7)(C)</sup> showed up w/ in seconds of it ending. By the time SSC <sup>(b)(6), (b)(7)(C)</sup> showed up I had already went inside the house and layed down because I felt dizzy and shocked by what just happened and that's when I noticed a deep cut on my left forearm and after SSC <sup>(b)(6), (b)(7)(C)</sup> showed up he noticed to minor cuts on my face, ~~a~~ <sup>a</sup> long one running down at an angle on the left side of my face going from left to right and a smaller one on the right side of my face going seemingly right to left. Upon seeing this SSC <sup>(b)(6), (b)(7)(C)</sup> called <sup>(b)(6), (b)(7)(C)</sup> over to clean me up. Later <sup>(b)(6), (b)(7)(C)</sup> went to go check on <sup>(b)(6), (b)(7)(C)</sup> who had remained outside, he had suffered a punch to the face and had a pretty red mark and slight welt forming on the left side of his ~~around~~ <sup>(b)(6), (b)(7)(C)</sup> his cheek / eye area. A few minutes after it was all over ~~every one~~ <sup>(b)(6), (b)(7)(C)</sup> started putting the ~~bodies~~ <sup>(b)(6), (b)(7)(C)</sup> except me, started putting the bodies in the bodybags bodybags. The reason I didn't help was because SSC <sup>(b)(6), (b)(7)(C)</sup> told me to sit down and take it easy because of what just happened. While I was standing there watching them when some one rolled over the man in green to put him in the body bag the sharp object that was used to cut me was found it turned out to be a home made knife of some sort were some had taken a blade from another knife and secured it to an orange plastic looking handle w/ either black tape or rope of some sort. <sup>(b)(6), (b)(7)(C)</sup>

INITIALS OF PERSON MAKING STATEMENT <sup>(b)(6), (b)(7)(C)</sup>

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ACLU DDH ROI 34309

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EXHIBIT 55

000509

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

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

TAKEN AT SPEICHER

DATED 2a mma

CONTINUED

STATEMENT (Continued)

Soon after all of this 2nd PHT lead by LT **(b)(6), (b)(7)(C)** came walking in from the south. They had an objective just a little ways south of ours and when they heard all of the shooting that came to make sure everything was all OK. Once they arrived on the scene they assisted in bagging up the boxes and took the knife that was used to cut me and put it in a plastic bag and put it in **(b)(6), (b)(7)(C)** what appeared to be a white grain sack w/ the other weapons that were taken from Obj 2. Then some of the men from my squad helped 2nd PHT move the 3 KIA to PZ posture for 2nd PHT. At approx 0915 left on their birds w/ the weapons from the Obj and the 3 KIA. Then me and the rest of my squad, **(b)(6), (b)(7)(C)** the gun team, and a hand full of I.A. waited in PZ posture until approx 1300 when our birds landed and took us to where LT **(b)(6), (b)(7)(C)** was currently occupied. **(b)(6), (b)(7)(C)** Upon arriving at our next location we briefed LT **(b)(6), (b)(7)(C)** on what had happened after he left and pictures were taken of my minor wounds by SGT **(b)(6), (b)(7)(C)** whom had also taken pictures of the scene after it had happened.

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

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

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

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ACLU DDII ROI 34310 EXHIBIT 58

FOR OFFICIAL USE ONLY - Law Enforcement Sensitive

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

STATEMENT OF **(b)(6), (b)(7)(C)**TAKEN AT SPEICHERDATED 29 MAY 06

CONTINUED

STATEMENT (Continued)

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

A: \_\_\_\_\_

Q: DID ANYONE COACH YOU HOW TO WRITE YOUR STATEMENT YOU PROVIDED ON 11 MAY 06?

A: NO

Q: DID ANYONE INFLUENCE YOU TO PROVIDE FALSE INFORMATION OR OMISSION OF ANY INFORMATION?

A: NO

Q: OTHER THE PEOPLE YOU IDENTIFIED IN YOUR STATEMENT, WHO ELSE WAS PRESENT DURING THE OBS MURKIN?

A: There was an interpreter and a Combat Photographer there, but they left w/ the L.T. on the first lift from the 2nd Obj on Obj Murray. I do not know there names at this time.

Q: WERE THE FIRST DETAINEES YOU FOUND IN THE FIRST HOUSE, ZIP-TIED OR FLEXI CUFFED?

A: The detainees were zip-tied and the zip-ties were very thin and colored black.

Q: WOULD PUT THE ZIP-TIES ON THEM?

A: I don't know

Q: WHO SEARCHED THEM?

A: I don't know

Q: UP UNTIL YOU WERE ATTACKED, WERE ANY OF THE DETAINEES NONCOMPLIANT?

A: No they were not

Q: DID YOU ASSUME ALL THREE DETAINEES WERE SEARCHED?

A: Yes, I assumed because when I returned from the second house they were all lying face down on the ground zip-tied. For it is our SOP to search as they have been zip-tied and had trusted my fellow soldiers to do so without being told because this is a procedure we have done hundreds of times.

Q: DID YOU HAVE ANY REASON TO BELIEVE THAT ANY OF THEM HAD CONCEALED WEAPONS?

A: No, because I trusted that they have been already searched and couldn't

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

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ACLU DDII ROI 34311

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EXHIBIT 55

000511

STATEMENT OF

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

TAKEN AT

SPSICLIVE

DATED

29 March

CONTINUED

STATEMENT (Continued)

see how they could have obtained one unless it was given to them -  
 Q: WERE ALL THREE DETAINEES FACING AWAY FROM YOU, WHEN YOU AND **(b)(6), (b)(7)(C)** ATTEMPTED TO RE-ZIP TIE THEM,

A: Yes

Q: DID THE DETAINEE STRIKE YOU WITH HIS LEFT OR RIGHT HAND?

A: Right Hand

Q: HOW MANY TIMES DID HE STRIKE YOU WITH THE KNIFE?

A: Unknown because the man was frantically swinging the knife and I don't know if he got my left side of face and left arm at one time or he if he struck me more than twice for I didn't know of ~~it~~ at least 2 wounds until it was over.

Q: HOW MUCH TIME ELAPSED BETWEEN WHEN **(b)(6), (b)(7)(C)** FIRST STRUCK YOU AND WHEN YOU FIRED YOUR FIRST SHOT?

A: A few seconds

Q: DESCRIBE WHERE **(b)(6), (b)(7)(C)** WAS IN RELATION TO WHERE YOU WERE STAND RIGHT BEFORE YOU WERE ATTACKED?

A: Just a couple of feet to my left, either between the man in white and the man in blue or right behind the man in white.

Q: DID YOU SEE **(b)(6), (b)(7)(C)** GET STRUCK BY A DETAINEE?

A: No

Q: HOW FAR AWAY WERE YOU FIRED YOUR FIRST SHOT, HOW FAR WERE THE DETAINEES FROM YOUR POSITION?

A: The first detainee that I fired at, which was the man in green, was approx 5-10 ft in front of me and the number 2 & 3 men, which was the man in blue then the man in white going from right to left were approx 8-10 ft in front of me.

Q: DESCRIBE THE KNIFE HE ATTACKED TO WITH?

A: It was an odd looking knife w/ a triangular shape blade that looked as if it was fitted in to a handle that wasn't meant for the blade because it sat at a weird angle and the handle appeared to be orange plastic and either black tape or rope of some kind was holding it together.

Q: DID YOU NOTICE THE DESCRIPTION OF THE KNIFE AS YOU WERE

INITIALS OF PERSON MAKING STATEMENT

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

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ACLU DDH ROI 34312

EXHIBIT 55

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

TAKEN AT SFEIGNER

DATED 29 MAY 06

CONTINUED

STATEMENT (Continued)

BEING ATTACKED?

A: No, I did not notice the description of the knife until later when we found it under his body.

Q: SO OTHER THAN FINDING A KNIFE NEAR HIS BODY, CAN YOU POSITIVELY IDENTIFY THAT KNIFE AS THE ONE USED TO ATTACK YOU?

A: No, I did not see that much of the knife as he was swinging at me.

Q: WHEN HE ATTACKED YOU WITH A KNIFE, WHY DIDN'T YOU USE YOUR M-4 TO BUTT STROKE OR SPEAR HIM?

A: The individual attacked me with deadly force so I felt it necessary to use deadly force against him to save my life and to protect my comrades.

Q: WHY DIDN'T YOU SHOOT HIM AS HE WAS ATTACKING YOU AS OPPOSE TO SHOOTING HIM AFTER HE WAS FLEEING AWAY, RUNNING WITH HIS BACK TO YOU?

A: Because my first instinct was to protect myself w/ my free hand and reach for my weapon w/ my other hand and by the time I had taken a step back to grab my weapon he was already running.

Q: SO AT THAT POINT, DID YOU FEEL HE WAS AN IMMEDIATE THREAT IF HE IS RUNNING AWAY FROM YOU WITH HIS BACK TO YOU?

A: I did not know where he was running <sup>(b)(6), (b)(7)(C)</sup> so for all I knew he could have been running for a hidden weapon some wear that we could have <sup>(b)(6), (b)(7)(C)</sup> miss it.

Q: WHY DID YOU SHOOT THE OTHER TWO DETAINEES?

A: Because they were running w/ the first one and I didn't know <sup>(b)(6), (b)(7)(C)</sup> exactly what they had done to PFC <sup>(b)(6), (b)(7)(C)</sup> but it was obvious that had attacked him also.

Q: DID YOU SHOOT THEM BECAUSE YOU THOUGHT THEY ATTACKED <sup>(b)(6), (b)(7)(C)</sup>

A: Yes, because from what I saw in that mere second it was obvious that had done something and so I did what I thought was necessary to protect his life and mine.

Q: YOU DID WHAT YOU THOUGHT WAS NECESSARY TO PROTECT

INITIALS OF PERSON MAKING STATEMENT <sup>(b)(6), (b)(7)(C)</sup>

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ACLU DDII ROI 34313

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EXHIBIT 55



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

STATEMENT OF

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

TAKEN AT

SPENCER

DATED

29 MAR 06

CONTINUED

STATEMENT (Continued)

BY  
 HIS LIFE AND YOURS ~~BY~~ SHOOTING THEM AS THEY WERE  
 RUNNING AWAY AND NO LONGER AN IMMEDIATE THREAT?

A: Like I said I did not know where they were running ~~to~~ they could  
 have been running for hidden weapons or explosives for all we know. **(b)(6), (b)(7)(C)**

Q: DID THEY POSE AN IMMEDIATE THREAT TO YOU AS THEY  
 WERE RUNNING AWAY, DID YOU FEEL YOUR LIFE OR **(b)(6), (b)(7)(C)**  
 LIFE WAS IN IMMEDIATE DANGER WHEN YOU FIRED YOUR  
 FIRST SHOT?

A: These individuals attacked myself and PFC **(b)(6), (b)(7)(C)** w/ deadly force  
 so I felt it necessary, but to use deadly force in turn for they attacked  
 us first with a weapon which made them a hostile threat ~~to~~ and also  
 to prevent any future acts of violence upon us. I felt it necessary to  
 use deadly force. Because according to our D.O.F all military age males  
 were to be eliminated on this obj<sup>t</sup> but because these individuals used  
 women ~~to~~ **(b)(6), (b)(7)(C)** human shields we could not actively engage them at that time,  
 but at the moment they attacked us that made them a hostile target. So  
 I felt it necessary to use deadly force whether or not they imposed an  
 immediate ~~to~~ **(b)(6), (b)(7)(C)** threat to myself and PFC **(b)(6), (b)(7)(C)** as they were running away.

Q: DID YOU SHOOT THE DETAINEES BECAUSE ~~OF~~ OUT OF ANGER  
 BECAUSE ~~ONE~~ **(b)(6), (b)(7)(C)** OF THEM ATTACKED YOU?

A: Because they attacked us is why we shot them not because they made  
 me angry. I felt it necessary to protect our lives.

Q: IF THEY RAN AWAY WITHOUT ATTACKING YOU FIRST, WOULD YOU  
 STILL HAVE SHOT THEM?

A: No I would have not shot them because running away is not a  
 hostile act. If they would have just started running with out attacking  
 myself or PFC **(b)(6), (b)(7)(C)** they most definitely ~~would~~ **(b)(6), (b)(7)(C)** not have been shot.

Q: DID YOU FEEL THIS WAY BEFORE OR AFTER DURING THE  
 SHOOTING OR AFTERWARDS?

A: At the time of the shooting they had just attacked us ~~with~~ **(b)(6), (b)(7)(C)** with deadly  
 force so at the time I felt it necessary to fight back out of natural reaction  
 and after the shooting when my head was more clear I came to the  
 conclusion that they could have been running for a hidden cache.

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

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ACLU DDII ROI 34314

EXHIBIT 33

000514

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

STATEMENT OF

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

TAKEN AT

SPICHER

DATED

29 MAR 06

CONTINUED

STATEMENT (Continued)

Q: DID YOU SHOOT THE DETAINEES **(b)(6), (b)(7)(C)** SOLEM SOLEM BECAUSE ONE OF THEM ATTACKED YOU?

A: YES

Q: AT THE TIME YOU FIRED THE FIRST SHOT, WERE YOU CONSCIOUS OF WHERE THEY WERE **(b)(6), (b)(7)(C)** RUNNING TO?

A: NO

Q: WERE THE DETAINEES **(b)(6), (b)(7)(C)** WRIST BOUND WHEN THEY WERE RUNNING?

A: NO

Q: WERE THEY BLIND FOLDED WHEN THEY WERE RUNNING?

A: One individual had his hand up, one had seemed to pull his completely off, and **(b)(6), (b)(7)(C)** another had one going down towards his neck.

Q: RIGHT BEFORE YOU FIRED YOUR FIRST ~~SHOT~~ **(b)(6), (b)(7)(C)** SHOT, DID YOU FEEL ANY OF THE DETAINEES POSED AS AN IMMEDIATE THREAT?

A: NO

Q: WERE ANY OF THE DETAINEES FACING YOU AT ANY POINT WHEN THE SHOTS WERE FIRED?

A: NO

Q: WHY DO YOU THINK **(b)(6), (b)(7)(C)** SHOT AT THE DETAINEES?

A: Probably for the same reason I did

Q: HOW MANY SHOTS DID YOU FIRE?

A: Unknown

Q: HOW MANY SHOTS DID **(b)(6), (b)(7)(C)** FIRE?

A: Unknown

Q: DID YOU OR **(b)(6), (b)(7)(C)** FIRE ANY SHOTS ~~WHILE THE~~ **(b)(6), (b)(7)(C)** DETAINEES WERE AFTER THE DETAINEES FELL TO THE GROUND?

A: When we started shooting we kept shooting them until they fell to the ground. And after they hit the ground they were shot a couple more times before we realized we had to stop.

Q: HOW MANY SHOTS DID YOU FIRE BEFORE **(b)(6), (b)(7)(C)** BELAKI TO SHOOT?

INITIALS OF PERSON MAKING STATEMENT:

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

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ACLU DDII ROI 34315

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EXHIBIT 55

000515

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

STATEMENT OF

TAKEN AT SPELCHER

DATED 29 MAR 84

CONTINUED

STATEMENT (Continued)

A: No more than 1 or 2

Q: WAS HE STILL FIRING AFTER YOU CEASED FIRING?

A: NO

Q: WERE YOU FIRING AFTER HE CEASED FIRING?

A: NO, because we stopped around the same time.

Q: FROM RIGHT TO LEFT, HOW MANY TIMES DID YOU FIRE AT EACH DETAINEE?

A: man in green 4 times (b)(6), (b)(7)(C) man in blue 3-4 times man in white 5-6 times

Q: BESIDES (b)(6), (b)(7)(C) WHO ELSE WAS PRESENT THAT COULD HAVE WITNESSED THE SHOOTING?

A: No one.

Q: WHERE WAS SSG (b)(6), (b)(7)(C) DURING THE INCIDENT?

A: Taking the detainee from House 2 to the P2

Q: IF YOU WERE NOT GIVEN THE ORDER TO SHOOT ALL MILITARY AGE MALES, WOULD YOU HAVE STILL SHOT THE THREE DETAINEES?

A: Yes

Q: WOULD YOU HAVE SHOT THE DETAINEES IF THEY WERE NOT SHIELDED BY THE WOMEN AND CHILD?

A: Yes, according to the R.O.E we were given

Q: IS THERE ANYTHING YOU WANT TO ADD TO THIS STATEMENT?

A: NO

Q: DID YOU SEE THE KNIFE GET COLLECTED WITH THE REST OF THE WEAPONS?

A: Yes I saw their knife get put into a glad-lock zipper bag and placed into a larger bag that appeared to be a white feed sack w/ the other weapons that were taken from the obj - w/ 2nd PLT whose h.t. (b)(6), (b)(7)(C) took on the Blackhawk w/ him.

Q: HOW WERE YOU TREATED DURING THIS INTERVIEW?

A: No I was treated fairly. // END OF STATEMENT // (b)(6), (b)(7)(C)

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

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

STATEMENT (Continued)

NOT USED

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

AFFIDAVIT

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

WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 13. 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 30 day of MAY, 2006 at

ORGANIZATION OR ADDRESS

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

ORGANIZATION OR ADDRESS

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

(Typed Name of Person Administering Oath)

AFFIDAVIT

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

INITIALS OF PERSON MAKING STATEMENT

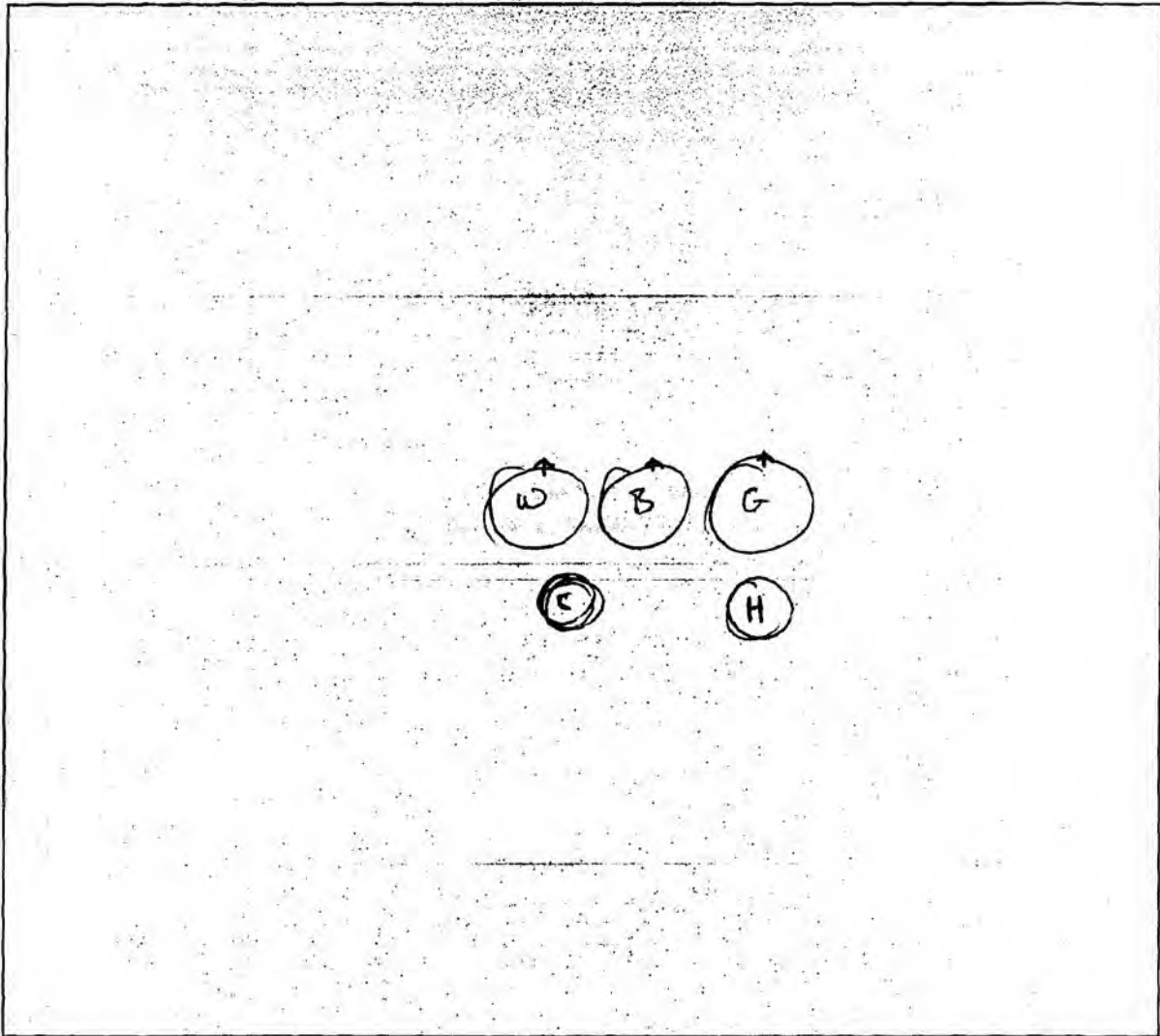
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ACLU DDII ROI 34317

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EXHIBIT 55

Rough Crime Scene Sketch  
0086-06-CID469-75447



**LEGEND**

- W = man in white
- B = Blue
- G = Green
- C = (b)(6), (b)(7)(C)
- H = [REDACTED]
- ↑ = facing direction

**TITLE BLOCK**

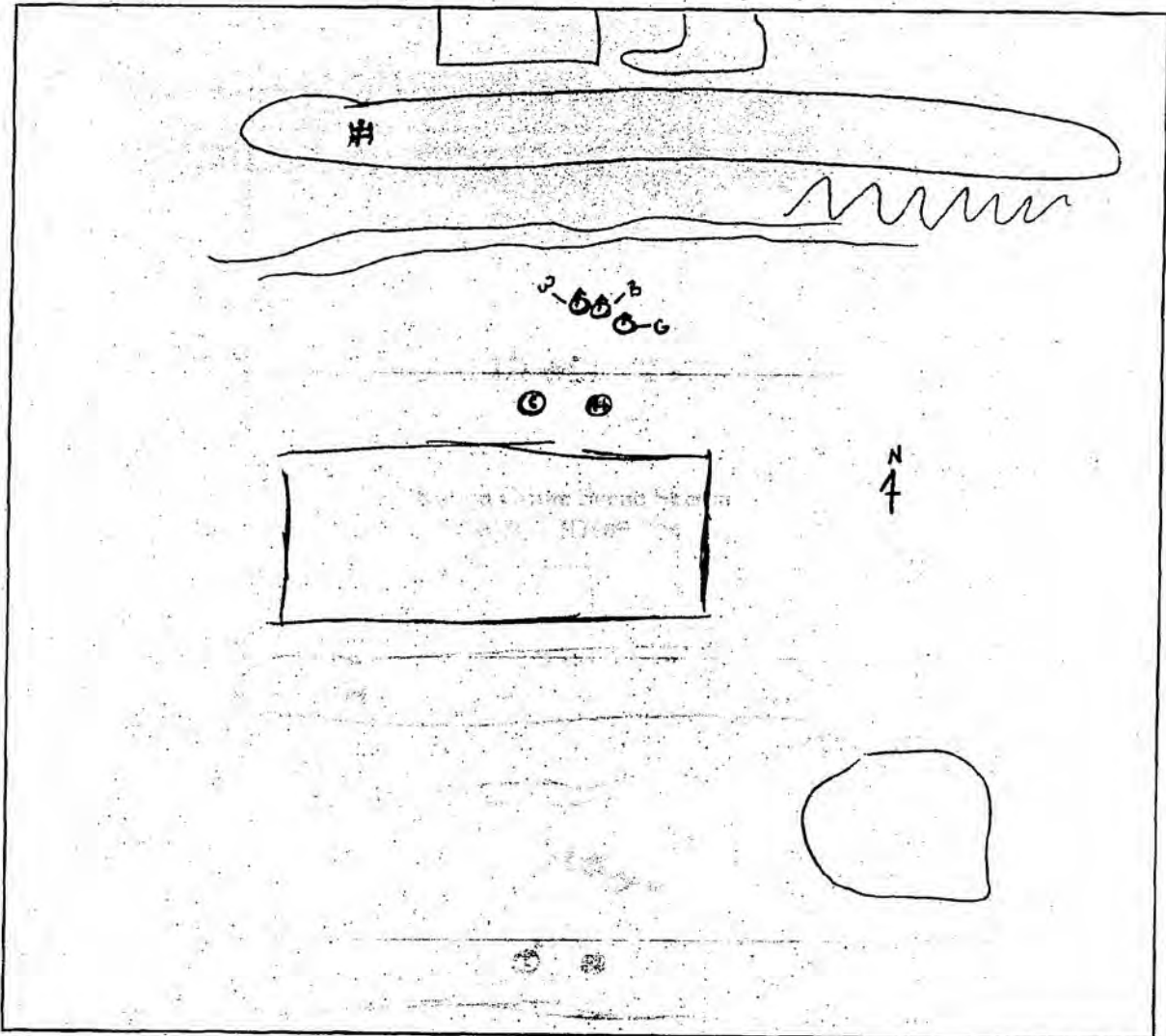
Case Number: 0086-06-CID469-75447  
 Offense: *murder*  
 Scene Portrayed:  
 Location:  
 Victim:  
 Subject:  
 Time and Date: *0317 30 MAY 06*  
 Sketched By: (b)(6), (b)(7)(C)  
 Verified By: SA (b)(6), (b)(7)(C)



Not To Scale

(b)(6), (b)(7)(C)  
**ACLU DDII ROI 34318**

Rough Crime Scene Sketch  
0086-06-CID469-75447



LEGEND

TITLE BLOCK

Case Number: 0086-06-CID469-75447

Offense: MURDER

Scene Portrayed: OBJ MURDER

Location: House # 1

Victim:

Subject:

Time and Date: 0310 30MAY 1966

Sketched By: (b)(6), (b)(7)(C)

Verified By: SA (b)(6), (b)(7)(C)

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

Not To Scale

ACLU DDII ROI 34319

USACIDC Supplement 1 to AR 190-

Date: 30 MAY 06		<b>Consent To Search</b> (USACIDC Supplement 1 to AR 190-22)		Time: 0321	
1. Name of person consenting to the search: <b>(b)(6), (b)(7)(C)</b>			2. Organization and location: C.C., 3-187 INF, FOB BRASSFIELD-MORA		
3. I have been informed by the undersigned USACIDC Special Agent that an inquiry is being conducted in connection with the following possible violation(s) of law: MURDER					
4. I have been requested by the undersigned USACIDC Special Agent to give my consent to a search of my person, premises, or property as indicated below. I have been advised of my right to refuse a search of my person, premises, or property. (If you <u>do not</u> give your consent, do not sign this form.)					
5. I hereby authorize the undersigned USACIDC Special Agent and/or other Authorized Law Enforcement Officials assisting the undersigned USACIDC Special Agent to conduct a search of: <i>(Initial and sign applicable blocks)</i>					
a.	My Person	Initials	Signature		
b.	My Quarters	Initials	Signature		
Located At:					
c.	My Vehicle	Initials	Signature		
Located At:					
Described As:					
d.	Other	<b>(b)(6), (b)(7)(C)</b>			
Located At: COLLECT SALIVA SAMPLE FOR DNA COMPARISON					
Described As:					
I am authorizing the above search(s) for the following general types of property which may be removed by the authorized law enforcement personnel and retained as evidence under the provisions of Army Regulation 195-5, or other applicable laws or regulations: COLLECT SALIVA SAMPLE FOR DNA COMPARISON					
6. This written permission is given to the undersigned USACIDC Special Agent freely, voluntarily and without threats or promises of any kind: <b>(b)(6), (b)(7)(C)</b>					
<b>(b)(6), (b)(7)(C)</b>			Signature of Person Granting Consent		
<b>(b)(6), (b)(7)(C)</b>			Signature of Witness (If Available)		

CID Form 87-R-E  
1 Jan 00

PREVIOUS EDITIONS OF THIS FORM ARE OBSOLETE

ACLU DDII ROI 34320

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

EXHIBIT 56

**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

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

**DATA REQUIRED BY THE PRIVACY ACT**

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

1. LOCATION FOB SPEICHER, I2 APO AE 09393	2. DATE 29 MAY 80	3. TIME 1957	4. FILE NUMBER (b)(6), (b)(7)(C)
5. Name (Last First MI) (b)(6), (b)(7)(C)	6. ORGANIZATION OR ADDRESS C Co, 3/187 Infantry FOB BRASSFIELD MORA, I2 APO AE 09349		
6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS E-3/PEC		

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**SECTION A. Rights**

(b)(6), (b)(7)(C)  
 The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command As a Social Agent (b)(6), (b)(7)(C) and wanted to question me about the following offense(s) of which I am suspect (b)(6), (b)(7)(C) MURDER III (b)(6), (b)(7)(C)

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

1. I do not have to answer any questions or say anything (b)(6), (b)(7)(C)
2. Anything I say or do can be used as evidence against me in a criminal trial (b)(6), (b)(7)(C)
3. (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me or both (b)(6), (b)(7)(C)

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have the right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below (b)(6), (b)(7)(C)

5. COMMENTS (Continue on reverse side)

**SECTION B. Waiver**

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

WITNESSES (if available)		3. SIGNATURE OF INTERVIEWEE (b)(6), (b)(7)(C)
1a. NAME (Type or Print)		
b. ORGANIZATION OR ADDRESS AND PHONE		
2a. NAME (Type or Print)		4. SIGNATURE OF INVESTIGATOR SA (b)(6), (b)(7)(C)
b. ORGANIZATION OR ADDRESS AND PHONE		5. ORGANIZATION OF INVESTIGATOR 76th MP Det (CID) CAMP SLAYER, I2 APO AE 09342

**SECTION C. Non-waiver**

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

2. SIGNATURE OF INTERVIEWEE

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

DA FORM 3881, NOV 89 (AUTOMATED) EDITION OF NOV 84 IS OBSOLETE

ACLU DDII ROI 34321

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE EXHIBIT 57



**SWORN STATEMENT**

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

DATE	(b)(6), (b)(7)(C)	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME	29 MAY 2001 2301	GRADE/STATUS
(b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER	E-3/AD
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	
ORGANIZATION OR ADDRESS		
CCO 7187th INF, FOB Brassfield-Mora, IZ APO AE 09349		

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On MAY 07 we had an Op order about a known al Qaeda/AIF location. And that we were going to do a raid on that location on the 9th of May during the Op Order the POC that was put out and was passed down through chain of command was that to kill any military aged male on the Island. They said we were landing in a hot LZ. After the brief was over we left to Ramegan to stay the night till about 0100 on the 9th of May. Once the time came we flew to our first obj and when we landing and we got out of the UH-60 my Ammo on my M249 (saw) came undone I fixed the problem. When all was done the obj was hit with nobody home. So we proceeded to our second obj. when we landed it was dusk, and when we got out my ammo again became undone at that point I heard gunfire so I took a knee and reloaded the weapon. Once done I ran around the first house and SSG (b)(6), (b)(7)(C) told me to do a recon of the area on top of this berm that was in front of house #1 I went to that location and spotted one male look at me and back in the house I signaled to SSG (b)(6), (b)(7)(C) One male in a house over berm when Col (b)(6), (b)(7)(C) and Sgt (b)(6), (b)(7)(C) came to my location. SSG (b)(6), (b)(7)(C) called me to do a recon with him to raid the house. (The order of movement was SSG (b)(6), (b)(7)(C) myself, Sgt (b)(6), (b)(7)(C) when we approach the house a man came out shielding a baby in front of his face. SSG (b)(6), (b)(7)(C) took the baby and (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) took control of the guy while I pulled security. SSG (b)(6), (b)(7)(C) then told me to pull security on the women around side of a sheep pen I was there with the combat camera man about 10 to 15 mins went by and SSG (b)(6), (b)(7)(C) call me back to him and when I came back I saw the detainees lying on their stomachs facing outside the house. Sgt (b)(6), (b)(7)(C) and Spr (b)(6), (b)(7)(C) and myself we

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF (0) 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.

ACLU DDH RO 134322

LAW ENFORCEMENT SENSITIVE  
FOR OFFICIAL USE ONLY

FILE NUMBER:

STATEMENT OF

TAKEN AT

DATED

CONTINUED:

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

FOB SPEICHER I2 29 MAY 06

(b)(6), (b)(7)(C) to check out the river to see if anyone had been hiding over there we didnt see anything so when we were coming back I saw an IA Guy kneeling by the detainees lower body the guy further to the right, and I told him to get the fuck away "Yella" so he looked at me and left. At that point the Lt. Lt. (b)(6), (b)(7)(C) took the Kia and 2<sup>nd</sup> Squad to get on the UH-60. He was about to leave when he yelled ("hurry with the detainees you have five mins") So he left and SS (b)(6), (b)(7)(C) called someone to move the detainee to the pz, and then he left. So me and (b)(6), (b)(7)(C) were going to move the detainees when the guy he had his tip tires brace then I lifted my guy up and his did as well I told SS (b)(6), (b)(7)(C) and he said reflex them with thicker axes. So I stood the guy to the left (b)(6), (b)(7)(C) and cut his off. Me and (b)(6), (b)(7)(C) were standing close to each other with the detainees backs towards us, and we were trying to reflex while we were joking around and the next thing I got hit on the <sup>left side</sup> right side of my face (when I was hit my vision became impaired briefly) while getting hit I spun to my right all the way around saw to two males running so I shot them (I believe I shot first) the reason I shot them was one reason they struck me and second they were running toward something I dont know what but the area wasnt cleared so there was still a threat. after I shot the two males I dropped my stuff (helmet) (weapon) checked on (b)(6), (b)(7)(C) He was lying in the house and I saw he had been cut then I heard SS (b)(6), (b)(7)(C) say what the fuck happened and I explained what happened (b)(6), (b)(7)(C)

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

A.- PFC (b)(6), (b)(7)(C)

Q.- WHO BRIEFED YOU ON THE ROE FOR OBL. MURRAY?

A.- Captain (b)(6), (b)(7)(C) and Lt. (b)(6), (b)(7)(C)

Q.- WAS YOUR SQUAD ENGAGED WITH ENEMY FIRE?

A.- NO

Q.- DID COL (b)(6), (b)(7)(C) BRIEF YOU ON THE ROE? (b)(6), (b)(7)(C)

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

ACLU DDII (b)(6), (b)(7)(C) 04323

PAGE 2 OF 6 PAGES

LAW ENFORCEMENT SENSITIVE  
FOR OFFICIAL USE ONLYEXHIBIT 57  
000523

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

TAKEN AT FOG SPEICHER, IZ

DATED 29 MAY 06

CONTINUED

STATEMENT (Continued)

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

A - he briefed 3<sup>rd</sup> Squad that the OBI was hot and ROE was to kill any military aged male but I wasn't there

Q - DURING THE SECOND OBJECTIVE IN MURRAY, WHO SHOT AND WHY?

A - SSG (b)(6), (b)(7)(C) Sgt (b)(6), (b)(7)(C) Spr (b)(6), (b)(7)(C) shot and because I was told they saw him in window and shot cause ROE kill any military aged male, cause the whole Island was a threat

Q - WHO DID THEY SEE?

A - they saw a military aged male in window

Q - WHEN YOU ARRIVED AT THE 1<sup>st</sup> HOUSE, WHERE DETAINEES ALREADY WERE AND BLINDFOLDED?

A - yes but not blind folded

Q - WHO CUFFED THEM?

A - NO I ~~don't~~ I don't know

Q - AFTER YOU WENT TO THE SECOND HOME AND CAME BACK, WHERE WERE THE DETAINEES?

A - they were laying on stomach with their chins on the ground about 10ft from house and zip tied with hands behind their back

Q - DO YOU KNOW THE NAME OR RANK OF THE IA SOLDIER YOU SAW NEXT TO THE DETAINEES?

A - NO

Q - WAS THERE ANYONE INSIDE THE HOUSE WHEN YOU AND (b)(6), (b)(7)(C) STARTED TO CHANGE THE GUTS?

A - PFC (b)(6), (b)(7)(C) was guarding the two women.

Q - WHICH GUY HAD HIS GUTS BROKEN?

A - (b)(6), (b)(7)(C) the three detainees were facing away from (b)(6), (b)(7)(C) and myself and the one in front of (b)(6), (b)(7)(C) had broken zip ties and when I lifted the middle guy up his broke as well

Q - HOW WERE YOU AND (b)(6), (b)(7)(C) POSITIONED?

A - (b)(6), (b)(7)(C) and myself were staggered between detainees with our bodies at a forty-five degree angle towards the guy on right

Q - WHICH DETAINEE HIT YOU?

A - while I was trying to cuff middle detainee guy on left hit me

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

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

ACLU DDII ROI 84324

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EXHIBIT

EXHIBIT 57

000524

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

TAKEN AT FOB SPEICHER, IZ

DATED 29 MAY 00

CONTINUED

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

Q. - HOW MANY SHOTS DID YOU FIRE?

A. - I don't know

Q. - WHERE WERE THE DETAINEES RUNNING TO?

A. - after I spun I noticed the detainee wearing white that was on the left now had crossed paths with the guy in the middle and they ran towards the house by the berm. They got about 10 + 15 feet away and I shot them from right to left, left to right and the guy wearing white spun and died on his back and the other guy died lying face down

Q. - WHERE DID THE THIRD DETAINEE GO?

A. - the third detainee was lying face down about 5 ft from the others

Q. - WHERE WAS (b)(6), (b)(7)(C)

A. - (b)(6), (b)(7)(C) after it was over was backing inside the house hunched up on a barrel

Q. - WHERE WAS HE CUT?

A. - left cheek and left arm

Q. - WHAT WAS HE CUT WITH?

A. - a sharp shiny orange handle knife with blade <sup>(b)(6), (b)(7)(C)</sup> attached to handle by black cord that knife looked to be seven inches long overall length

Q. - WHERE WAS THE KNIFE AFTER THE SHOOTING?

A. - about three feet behind the attacking detainee

Q. - WHERE DID THE KNIFE COME FROM?

A. - I don't know we suspect that IA (guy)

Q. - WHAT HAPPENED TO THE KNIFE?

A. - we put it in the evidence bag and 2<sup>nd</sup> plt Lt <sup>(b)(6), (b)(7)(C)</sup> took it. I don't know who put it in the bag.

Q. - WHAT HAPPENED TO THE DETAINEE FROM THE SECOND HOME?

A. - 2<sup>nd</sup> plt took him on their UH-60

Q. - WHAT HAPPENED AFTER THAT? THE SHOOTING OCCURRED?

A. - SS <sup>(b)(6), (b)(7)(C)</sup> asked what happened and I explained and after that <sup>(b)(6), (b)(7)(C)</sup> and myself stayed in the room while the remaining troops <sup>(b)(6), (b)(7)(C)</sup>

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

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

ACLU DDH ROI 34325

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EXHIBIT 57

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

TAKEN AT FOB Speicher, Iz

DATED 29 MAY 06

CONTINUED

STATEMENT (Continued)

(b) bagged the bodies and I dont know what else happened

Q - How did you hit the male whose Flexicuzas broke?

A - By his lower forearm (left one)

Q - Is that what cause them to break?

A - Yes

Q - What were the detainees wearing?

A - from Right to left Right guy Green, Middle guy Green, left guy white as seen standing behind them

Q - Is there anything you wish to add to your statement?

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

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

ACLU DOJ ROI 34326 PAGES

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EXHIBIT 511

STATEMENT OF  
STATEMENT (Continued)

TAKEN AT

FILE NUMBER:  
DATED

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 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 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 29 day of May, 2006 at FOG SQUAD

ORGANIZATION OR ADDRESS

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

ORGANIZATION OR ADDRESS

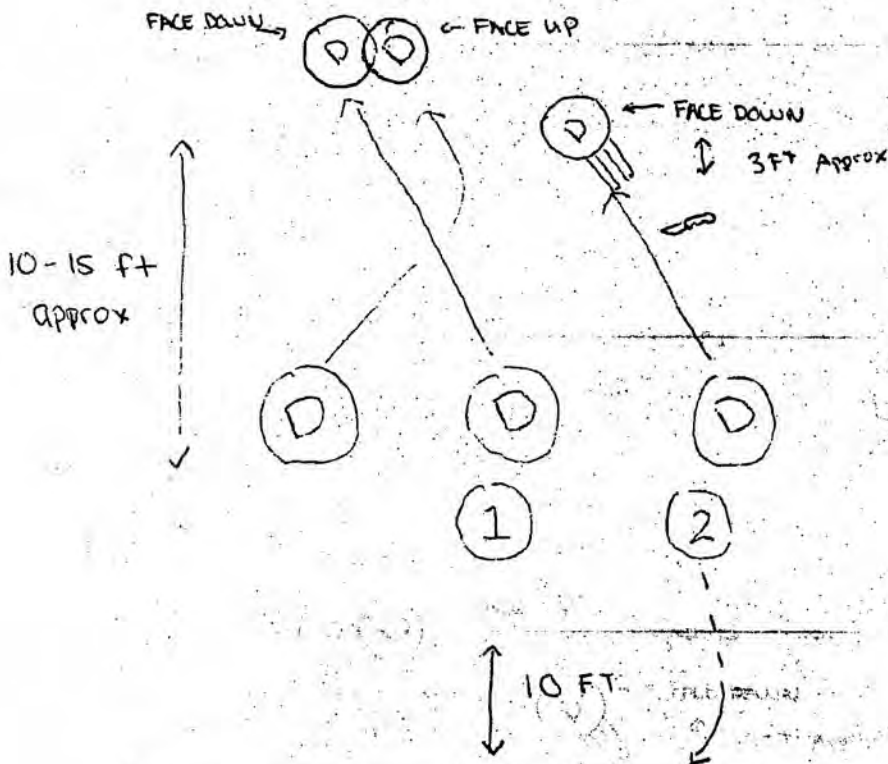
SA (b)(6), (b)(7)(C)  
(Typed Name of Person Administering Oath)

Ant 136, UCMS.  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

- 1. - PFC (b)(6), (b)(7)(C)
- 2. SPC (b)(6), (b)(7)(C)
- D. Detainee
- L. Lady
- M. PFC (b)(6), (b)(7)(C)



Sketched by:  
PFC (b)(6), (b)(7)(C)

2250, 29 MAY 00  
(b)(6), (b)(7)(C)

Verified by:  
SA (b)(6), (b)(7)(C)

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

ACLU DDII ROI 34328

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, Tilt, I3, APO AE 09393	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 GRADE/STATUS (b)(6), (b)(7)(C) E-4/AD
ORGANIZATION OR ADDRESS C Company, 3/187th INF BN, FOB Brassfield-Mora, Samarra, APO AE 09349	

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

On the date of 9 May at 0640 hrs we arrived to the 2nd obj on the island we got off the bird I was the last one off cause I'm the 240 gunner, me & my AG Sgt (b)(6), (b)(7)(C) sat & waited for the house to be cleared I saw a man in the window, he was engaged by SSG (b)(6), (b)(7)(C) because of the roe (Every military age male declared hostile on island). The gave me the call, some & Sgt (b)(6), (b)(7)(C) moved up to the left side of the southern most house. I was told there was another house to the north by SSG (b)(6), (b)(7)(C) to move on top of the hill where Pvt (b)(6), (b)(7)(C) was located. I set my gun up on the hill while (b)(6), (b)(7)(C) went back to help with detainees, etc. Shortley after SSG (b)(6), (b)(7)(C) & 1lt (b)(6), (b)(7)(C) met with me asked me any details of personnel in house, I responded I didnt see any so they told me to use grazing fire over the house so I began to fire while they moved to the house. 1 male holding a baby in front of him as a shield came out of the house by the time SSG (b)(6), (b)(7)(C) reached the house the man dropped the baby SSG (b)(6), (b)(7)(C) grabbed the male & restrained him on the ground. They proceeded into the house in which I was told when they went in the males were hiding behind the women like cowards. They detained the males and took every one outside and searched the house & surrounding grounds we then moved all the detainees to the southern most house for pictures, etc. I sat up on the left sid and covered the field where the birds where to land. When the (b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 6 (b)(6), (b)(7)(C) 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 A MODIFIED COPY OF THIS FORM.



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

TAKEN AT COB Speicher, Tikrit I3, APO AE 09353 DATED 29 May 06 (b)(6), (b)(7)(C) CONTINUED

STATEMENT (Continued)

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

Birds landed the PI & 2nd sq moved out to another ob. with 2 IA, myself, SGT (b)(6), (b)(7)(C), SGT (b)(6), (b)(7)(C), & SPC (b)(6), (b)(7)(C) went to secure the LZ. (b)(6), (b)(7)(C) began to tape the body bags to prepare to move, I heard SSG (b)(6), (b)(7)(C) yell to SPC (b)(6), (b)(7)(C) + PIT (b)(6), (b)(7)(C) who were all still located at the house with the detainees to change the flex cuffs because some of the detainees had already broken. SSG (b)(6), (b)(7)(C) was walking the 1 detainee from the 2nd house to us I then got up told SGT (b)(6), (b)(7)(C) to stay with the gun & I received the detainee and took him by us & SGT (b)(6), (b)(7)(C) watched the 1 detainee. At that time I heard pop pop pop turned around and the 3 detainees from house 1 were running full speed from the house the front 2 had blind (b)(6), (b)(7)(C) down the third was in the process of pulling his down. I took myself & SGT (b)(6), (b)(7)(C) went back to the house, the saw opened up and all 3 detainees fell to the ground, I then took myself & SGT (b)(6), (b)(7)(C) we moved to the house I went to the door SPC (b)(6), (b)(7)(C) was lying on the ground with a cut across his face and hand and PIT (b)(6), (b)(7)(C) was kneeling down I asked them if they were OK (b)(6), (b)(7)(C) said he needed doc he had been cut and (b)(6), (b)(7)(C) was hit I checked out the bodies the body closest to the house had a knife with an orange handle lying next to him (b)(6), (b)(7)(C) said that all three were dead. We then called for (b)(6), (b)(7)(C) to come over with the body bags leaving SGT (b)(6), (b)(7)(C) with the detainees SSG (b)(6), (b)(7)(C) + SPC (b)(6), (b)(7)(C) loaded the bodies in the bags. We then got contact with 2 PIT and they met us at the house, taking the bodies + the 1 detainee back to the tac, on the birds that flew in shortly after. 2 PIT left we sat & waited at the house for about 1 hr till the next birds arrived, we then moved out to meet with the PI (b)(6), (b)(7)(C)

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

PAGE 2 OF 2 PAGES

ACLU DDII ROI 34330 EXHIBIT 58

STATEMENT OF

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

TAKEN AT ChB Speicher, Tikrit, Iraq, APO AE 09393

DATED 29 Nov 86

CONTINUED

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

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

nd spc (b)(6), (b)(7)(C) d. Rf (b)(6), (b)(7)(C) were sent together  
checked out.

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

A: CPI

Q: who is SSG (b)(6), (b)(7)(C)

A: 3rd sq squad leader

Q: who is PVT (b)(6), (b)(7)(C)?

A: Rifleman in 3rd sq took sawgunner position for spc (b)(6), (b)(7)(C)  
on mission

Q: who is 1LT (b)(6), (b)(7)(C)?

A: 3platoon Platoon leader

Q: what does "2IA" stand for?

A: 2 personal from the Iraqi army

Q: what does "LZ" stand for?

A: Landing Zone

Q: who is SGT (b)(6), (b)(7)(C)

A: Alpha team leader in 3rd sq

Q: who is SPC (b)(6), (b)(7)(C)?

A: 203 rifleman in 3rd sq

Q: who is (b)(6), (b)(7)(C)

A: Rifleman in 3rd sq

Q: Was there a company formation held prior to this mission? If so, who spoke?

A: Kind of we just gathered around and col. Steele spoke and told us that they flew out on a chopper with (b)(6), (b)(7)(C), (b)(7)(D)

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

military age males" and for us to kill them son of a bitches  
Col. (b)(6), (b)(7)(C) is our Brigade commander

Q: who placed the zip ties on the detainees?

A: not really sure when they first hit the house (b)(6), (b)(7)(C)

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

PAGE

ACLU DDH ROI 34331

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EXHIBIT 58

STATEMENT OF

**(b)(6), (b)(7)(C)**TAKEN AT COB Speicher, Tikrit, Iraq, APO AE 09553 DATED 26 Nov 06

CONTINUED

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

STATEMENT (Continued)

Q: Were you aware of the zip ties being weak?

A: I know the ones they gave us before the mission were real small &amp; cheap

Q: Who photographed the detainees and mission?

A: SGT **(b)(6), (b)(7)(C)** and I don't know the name of the combat cameraQ: Did you ever overhear CPT **(b)(6), (b)(7)(C)** or anyone else directly tell someone to delete any photographs?A: No most definitely not Cpt **(b)(6), (b)(7)(C)** is as straight laced as they come by the book all the time. And I never heard anyone else say something like that.

Q: What do you mean by "birds?"

A: helicopters, Blackhawks, UH-60s

Q: Why would a Soldier attempt to change the flex cuffs on all 3 detainees at once?

A: No clue

Q: Approximately how many rounds were fired at the detainees?

A: M-4 probably around 10-12 saw probably 30-40

Q: Were the detainees inside or outside when they were photographed and during the change of flex cuffs?

A: Outside the house for photos and I believe outside by the doorway for the changing of the cuffs not certain

Q: Did you witness any unhelpful engagement of the enemy during this mission?

A: negative

Q: Was it strange for the ROE to be changed as it was?

A: No it's changed many times before for certain missions

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

Q: Did you ever take any photographs?

A: no I didn't bring my camera **(b)(6), (b)(7)(C)****(b)(6), (b)(7)(C)**INITIALS OF PERSON MAKING STATEMENT **(b)(6), (b)(7)(C)**PAGE 1 OF 2 PAGES  
ACLU DDII ROI 34332

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EXHIBIT 58

STATEMENT OF

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

TAKEN AT CB Speicher, Tikrit, IZ, AFDAE 01393DATED 24 May 06

CONTINUED

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

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

Q: How did the detainees fall once they were shot?

A: The first one out front fell face down the second kinda spun and landed on his back on top of the first one and the third fell face down and I remember his legs came up like he tripped

Q: Where is the knife now?

A: No clue LZ I guess it was bagged and labeled and given to 2nd Plts Pl and I guess he gave it to some one else but I know it didnt get taken by my gun team or 3rd sq.

Q: Were you aware of any shots fired at the first objective?

A: Well there was a lot 3 sq cleared the 1st house they shot at it when they got off the 2nd house was cleared myself &amp; 2 other gun teams 1 IA gun team and wptrs squad leader climbed on the roof there was 3 houses to the south that I cleared by fire while 1st squad advanced to the houses

Q: Was there anyone present?

A: No

Q: Did you physically see who engaged the 3 detainees when they fled?

A: No

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 6 PAGES

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

ACLU DDII ROI 34333

EXHIBIT 56

000533

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

STATEMENT (Continued)

Not used

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

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

DAVIT

HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE \_\_\_\_\_ AND ENDS ON PAGE \_\_\_\_\_. 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 THE FEAR 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 26<sup>th</sup> day of May, 2006 at COB Smedley JEV-4 12 APR 06 05763

ORGANIZATION OR ADDRESS

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

ORGANIZATION OR ADDRESS

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

UCMJ: Article 136 / 10 USC 936

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

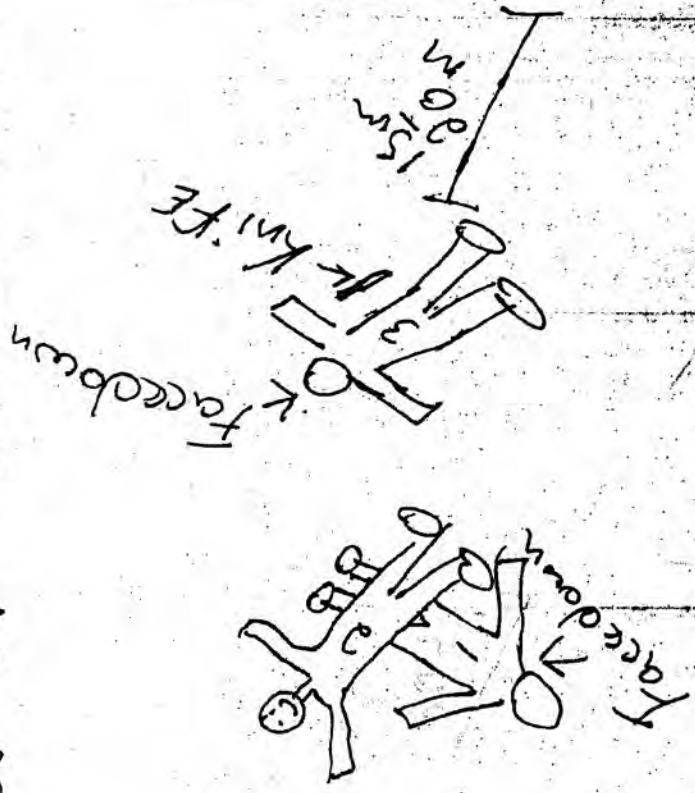
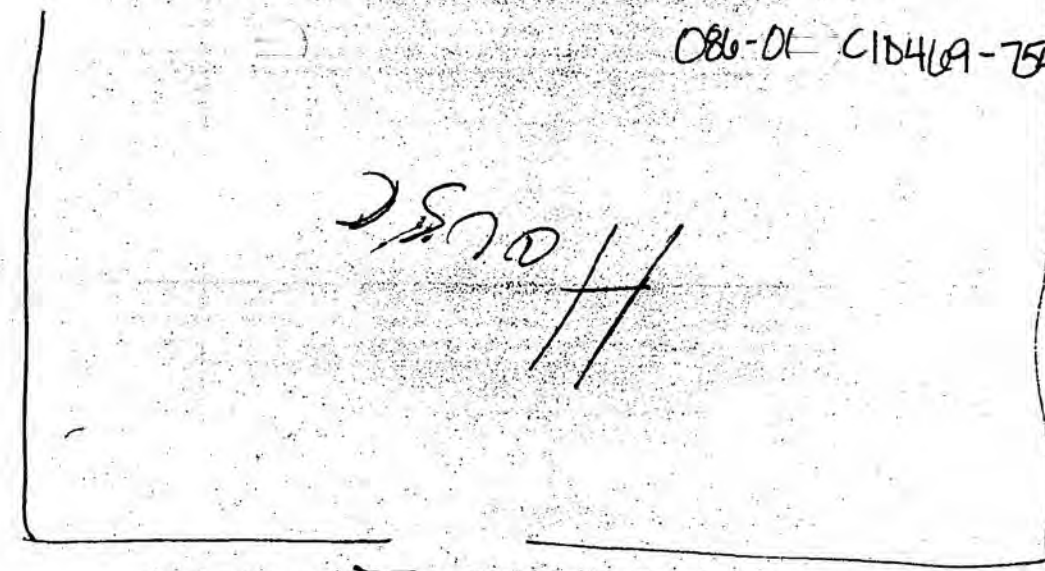
(b)(6), (b)(7)(C)

PAGE 6

ACLU DDII ROI 34334

EXHIBIT 58

Rough sketch of Dead detainees



Body's seen  
Thaw

086-01- C10469-75

witnessed by: SA  
BIR [unclear]  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)

~~FOUO~~  
LAW ENFORCEMENT OFFICIALS

Prepared By: (b)(6), (b)(7)(C)  
2018-29 May 06  
(b)(6), (b)(7)(C)  
000535

ACLU DDII ROI 34335

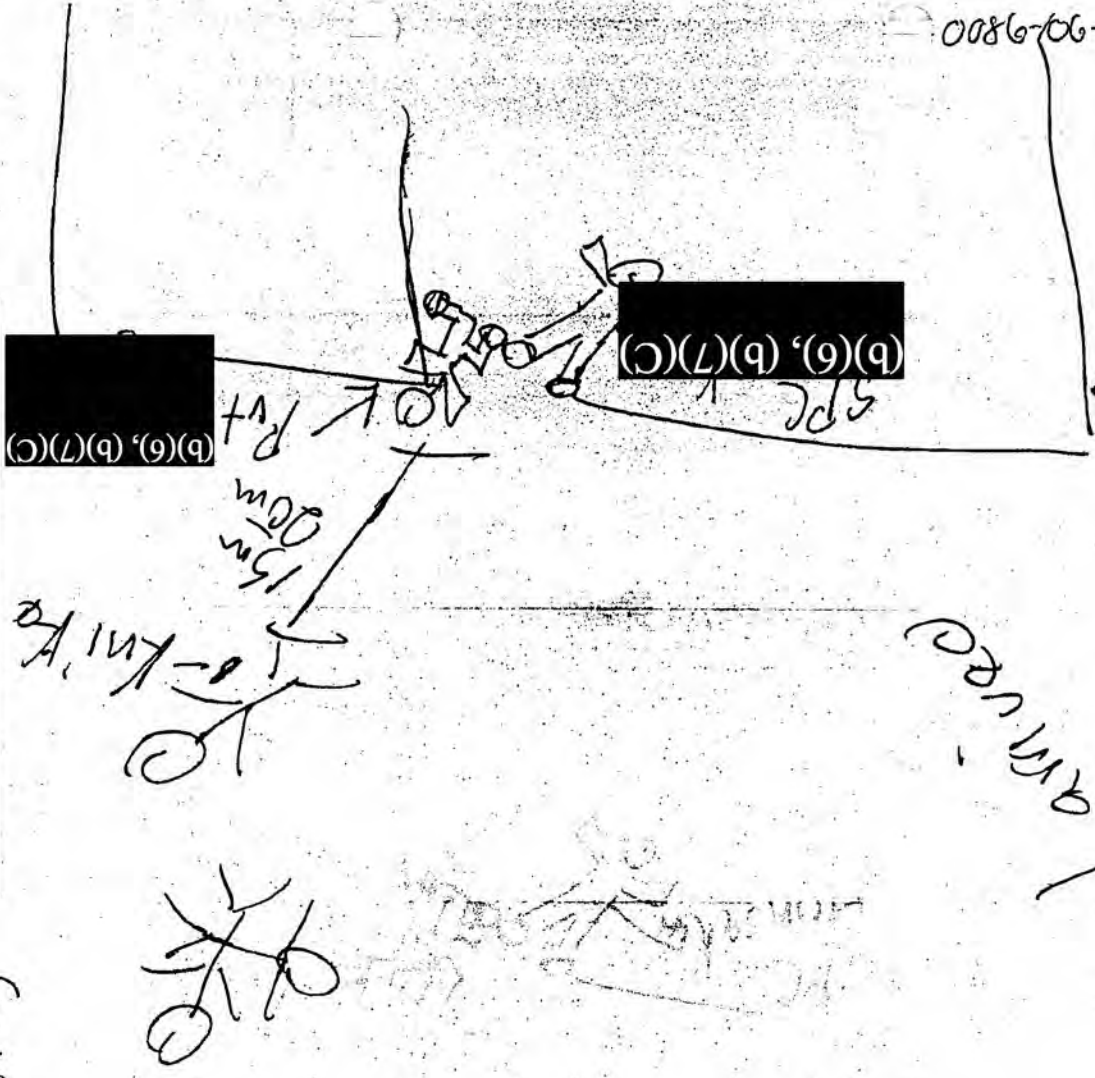
Exhibit 5P

Rough sketch depicting

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

location

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

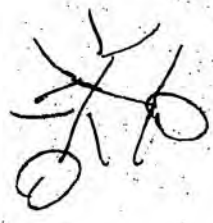


0086-06-0

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

Witnessed by: SA [redacted] 2019 / January 04

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



arrived / Dis

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

Prepared by - CPI [redacted] 2019 - 29 May 04

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

~~FOUO~~

LAW ENFORCEMENT SERVICE

AGLU DDII ROI 34336

exhibit 58

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 Spiecher, Tikrit APO AE 09393	DATE: (b)(6), (b)(7)(C) 29 May 2006 2026	FILE NUMBER Seq #
LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS SPC/AD
ORGANIZATION OR ADDRESS C Company 3-187 IN BN, Brassfield Mora, Iraq (Fort Campbell, KY)		

I, (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:  
 After supper chow we were sitting around our humvees when Colonel (b)(6), (b)(7)(C) started making rounds. He would stop and talk to groups of soldiers, shake hands, and just shoot the shit for a little while. Before he left the parking area he gave a pep talk. He told us how proud he is of us and how we are doing a good job. Then he started talking about the mission, he said that a couple objectives were going to be hot LZs. Later my squad had a meeting, and we were told that apachies were going to light the objectives up. An hour or so later word got around that we didn't have AWT for the objective that we were going to. We were later told that all military aged males were to be considered hostile. On 9 May 06, we left for objective Murray. On the first objective we found an empty house and sheep pen. At the second objective we landed maybe 150 to 100 meters a way from a house. Most of third squad formed a line and started at the house, I was the last person in that line. By the time some of the squad cleared the house I was told that an Iraqi had been shot. He was brought outside and I started to work on him. He had two bullet wounds to the lower chest. He died about two minutes after the first shots were fired. There were three military aged males and two adult females. Someone detained the males and stayed to guard them. SSG (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) and I ran to the berm where SGT (b)(6), (b)(7)(C) and CPL (b)(6), (b)(7)(C) had an m240 placed for overwatch. SSG (b)(6), (b)(7)(C) told CPL (b)(6), (b)(7)(C) to provide grazing fire into the berm on the other side of the second house. He was told to not stop firing until we got to a feeding trench next to the house. We started running down the berm towards the house and rounded a corner of a fence and a military aged male came out into the open holding a small child in front of his head and chest. Someone took the child from him and gave it to one of the females. The house was cleared and we found an AK 47 and several mags. We moved the detainee back to the first house and started the detainee packets. While a couple of soldiers were working on the detainee packages someone else started putting the KIA into a body bag. SPC (b)(6), (b)(7)(C) and myself started searching the house and found some AK 47 parts and several mags. SPC (b)(6), (b)(7)(C) found a 9 mm pistol in a woman's purse. We finished our search of the house and started taking pictures of the weapons and detainees. About this time second squad and Lt (b)(6), (b)(7)(C) went to secure the PZ. An UH60 came and took them to the next objective. After they left we were suppose to have an UH60 come back in a few minutes to pick us up. So Sgt (b)(6), (b)(7)(C) Cpl (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) Sgt (b)(6), (b)(7)(C) and the detainee, and myself went into PZ posture. After a few minutes I heard gunshots back at the house, I got up and grabbed my aid bag and ran back to the house. As I rounded the corner I saw the detainees lying on the ground about 20 to 30 feet away from the house. I saw PFC (b)(6), (b)(7)(C) standing up in the yard by the doorway. He didn't seem to have any obvious life threatening injuries so I went to the detainees I did a quick assessment and two were dead right there and the third was having agnail breathing. Before I could do anything he had stop agnail breathing and I called him in dead. About that time I went check on SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) and I saw SPC (b)(6), (b)(7)(C) arm was bleeding to where I applied a pressure dressing and I clean up his wounds on his face. I then went to PFC (b)(6), (b)(7)(C) and he told me he had been hit so I check for fractures in his face and found no fractures. I gave him a Tylenol for a headache. After that we started taking pictures of what was left of the detainees and pictures of the wounds. About that time 2<sup>nd</sup> PLT walked up and SSG (b)(6), (b)(7)(C) and Lt (b)(6), (b)(7)(C) had a conversation, but I didn't hear it. Then 2<sup>nd</sup> PLT took the remaining detainee and KIAs on UH60s. They put all of the KIAs and detainee on the same bird and left. We sat in PZ posture for three to four and a half hours before the next helicopter came for us. We went to a different objective, but I don't remember the name of it. This all that happened on OBJ Murry that I can recall.

- (b)(6), (b)(7)(C)
- A
- Q: Did you type the above narrative?  
 A: Yes, except for the last few lines. (b)(6), (b)(7)(C)
- Q: Why did SA (b)(6), (b)(7)(C) type the last few lines?  
 A: Cause the computer went haywire (b)(6), (b)(7)(C)
- Q: Did you hear COL (b)(6), (b)(7)(C) say the ROE was to kill all military age males on OBJ Murry?  
 A: No (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.



Seq #

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT COB Speicher, Tikrit APO AE 09393 DATED 29 May 2006 CONTINUED

Q: Who told you what the ROE was as far as OBJ Murray?

A: I pretty sure it was my squad leader, SSG (b)(6), (b)(7)(C)

Q: What unit is SSG (b)(6), (b)(7)(C) in?

A: 3 PLT C CO 3-187 IN (b)(6), (b)(7)(C)

Q: What was the ROE on OBJ Murray?

A: To my knowledge all military age males were consider hostile. (b)(6), (b)(7)(C)

Q: As to your ROE answer, what does this consideration mean to you?

A: Military age males were to be shot on site. (b)(6), (b)(7)(C)

Q: What is an AWT?

A: Aerial weapons teams, apache, attack helicopters, anything like that. (b)(6), (b)(7)(C)

Q: Did this new ROE seem strange to you?

A: Not really we have seen them before. (b)(6), (b)(7)(C)

Q: What cases or incidents did you have blanket shot on sight authority before?

A: There have been a couple of missions where if we saw a certain guy we could take him out. (b)(6), (b)(7)(C)

Q: Did the ROE (such as describe above) ever cover an entire objective?

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

Q: Did you see the knife that allegedly struck/cut SPC (b)(6), (b)(7)(C)

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

Q: Can you describe the knife as stated above?

A: Orange handle, probably 10" long (b)(6), (b)(7)(C)

Q: Do you know happen to the knife?

A: I believe it was passed off to 2<sup>nd</sup> platoon, but not sure. LT (b)(6), (b)(7)(C) was asking what happened to the knife, but no one knows. I thought it was in the body bag. (b)(6), (b)(7)(C)

Q: Did you see the knife while treating SPC (b)(6), (b)(7)(C)

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

Q: Did you received fire when entering by helicopter onto OBJ Murray?

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

Q: Did you see any hostile action towards US Forces or Iraqi Forces (friendly) while on OBJ Murray?

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

Q: Did you see the 3 detainees get shot?

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

Q: Did you hear shooting, that you now believe was the shooting of the detainees?

A: Yes, I heard the shots. (b)(6), (b)(7)(C)

Q: How many shots did hear?

A: It was a barrage, I couldn't count it was too fast. (b)(6), (b)(7)(C)

Q: Was it all M249 SAW weapons fire?

A: I guess it was a combination of both, M4 and M249. (b)(6), (b)(7)(C)

Q: Did you see the 3 detainees running or attempting escape?

A: From where I was at I could not see them. (b)(6), (b)(7)(C)

Q: Who told you what happened to the detainees?

A: As I was wrapping SPC (b)(6), (b)(7)(C) arm up, he started explaining it to everyone who ran over there. (b)(6), (b)(7)(C)

Q: Where did you find SPC (b)(6), (b)(7)(C) after the shooting?

A: Sitting inside the doorway. (b)(6), (b)(7)(C)

Q: What room was beyond the threshold of the doorway?

A: Living/cooking/whatever else. There was a couch made out car seats. It was an all purpose room. (b)(6), (b)(7)(C)

Q: Was there a kitchen or kitchen like area in room?

A: Yes, it was at the south end of the room. (b)(6), (b)(7)(C)

Q: Who took the photos at the OBJ Murray?

A: It was either CPL (b)(6), (b)(7)(C) or SGT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

Q: Was there a combat cameraman?

A: Yes, but he left with the LT and 2<sup>nd</sup> SQD before the shooting happened. His name was SPC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

Q: Who applied the flexi cuffs to the 3 detainees?

A: I don't know. (b)(6), (b)(7)(C)

Q: When you treated the 3 detainees, did you see flexi cuffs?

A: Reminisce; ring around one hand, but not the other. They were not flexi cuffs they were zip ties. (b)(6), (b)(7)(C)

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

ACLU DDH ROI 34338

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EXHIBIT 59

Seq #

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT COB Speicher, Tikrit APO AE 09393 DATED 29 May 2006 CONTINUED

Q: Did the zip ties look broken?

A: I didn't pay attention to them. (b)(6), (b)(7)(C)

Q: Describe the wounds to SPC (b)(6), (b)(7)(C)

A: The cut on his arm was deep enough to need stitches, but due to our location we went with out. The wounds to his face were superficial (b)(6), (b)(7)(C)

Q: Describe the wounds to the 3 detainees that were shot?

A: Bullet wounds were everywhere. (b)(6), (b)(7)(C)

Q: Where they shot in the front or in back of there bodies?

A: Just all over (b)(6), (b)(7)(C)

Q: What was the reaction of the women after the shooting of the 3 detainees?

A: It didn't change, they were calm. (b)(6), (b)(7)(C)

Q: What was the reaction of the woman after the shooting of the 1<sup>st</sup> person, the older man?

A: They were crying, freaking out. (b)(6), (b)(7)(C)

Q: Did anyone tell you what to write in your initial statement given to LT (b)(6), (b)(7)(C)

A: They didn't say write "this", but they did say make it clear (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) did this in self defense. (b)(6), (b)(7)(C)

Q: Who are you referring to as they in the above answer?

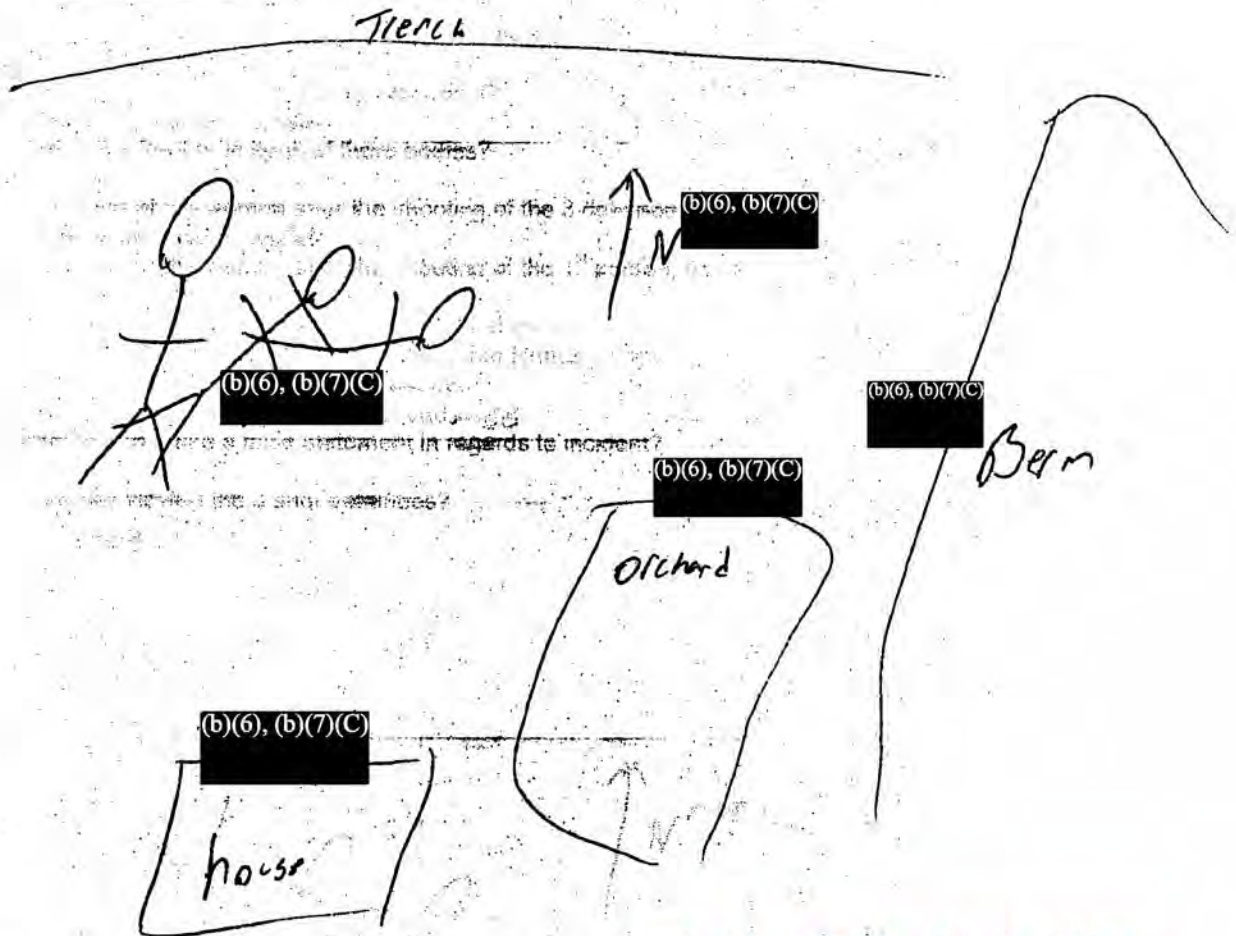
A: Pretty much everyone there, members of the squad (b)(6), (b)(7)(C)

Q: Did anyone order you to make a false statement in regards to incident?

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

Q: Draw how you initially viewed the 3 shot detainees? Speicher, Tikrit APO

A: see below (b)(6), (b)(7)(C)



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

ACLU DDII ROI 34339

PAGE 3 OF 4 PAGES

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EXHIBIT 59

000539

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

Seq #

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT COB Speicher, Tikrit APO AE 09393 DATED 29 May 2006

CONTINUED:

STATEMENT (Continued)

Q: Do you have anything you wish to add to your statement?

A: Nothing else I can think of.///End of Statement/// (b)(6), (b)(7)(C)

(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 29th day of May, 2006 at COB Speicher, Tikrit APO AE 09393

ORGANIZATION OR ADDRESS

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

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

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Art 136, UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

ACLU DDII ROI 34340 PAGE 4 OF 4 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 Fob Brassfield-Mora, Samarra	DATE (b)(6), (b)(7)(C) 11/4 (b)(6), (b)(7)(C) JMBER 31/12/06 1050
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)
ORGANIZATION OR ADDRESS HAC, 3-187th Inf,	GRADE/STATUS E-7 / AD

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

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 9 May 06 at about 1400, I was informed that some bodies had arrived here for the morgue. The bodies were brought to me at the morgue in the back of a Mercedes. I did not recognize any of the personnel bringing them so I asked who the civilian were around the truck and bodies. One of the NCOs assumed that they were instructed to bring the bodies here to Brassfield-Mora. I began to look the bodies over with the help of PFC (b)(6), (b)(7)(C) 2LT (b)(6), (b)(7)(C) and Sgt. Debus. I always take the first photo of the body as it comes out of the body bag and look for any obvious wound or anything unusual. The first thing I noticed on these bodies were zip-ties on one wrist of several of the bodies and engineer tape loosely around the neck. The next thing after the arrival photo is to cut away the clothing and examine the body for wounds and any unusual markings such as tattoos. I take photos of the wounds and tattoos mainly for positive identification. I also note on my photos the location, type of injury or type of marking that I find on the bodies. I do not probe wounds or disturb the integrity of the body in any way. After the bodies were examined, the zip-ties and engineer tape was removed from the bodies. I then marked the body bags with the number #1, 2, 3 & 4 and noted the date & time on each bag before it was placed in the refrigerated rail-car.

Q. How were the zip ties removed?

A. The zip-ties were removed with trauma shears by 2LT (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 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

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

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

TAKEN AT Samarra, Iraq

DATED 31 May 06

CONTINUED

STATEMENT (Continued)

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

Q. Were any bullets removed? If so what was done with them?

A. Yes, there was a bullet lying in an open wound. The bullets that falls from the wounds such as this one was discarded. The bullet was lying in an open wound to the shoulder of #3.

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

A. Some of the wounds that I discovered on these bodies were unusual and I cannot explain them.

Q. Which wounds?

A. The linear series of elliptical wounds on the left side of body #4.

Q. Do you have anything else to add?

A. To (b)(6), (b)(7)(C) // end of statement //

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

WITNESSES:

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 31st day of May, 2006 at Samarra, Iraq

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)

(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 2 OF 2 PAGES  
ACLU DDH ROI 34342

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EXHIBIT 60

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 Brassfield-Mora	DATE 31 May 06	TIM 1113	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 E-03 / PFC

3-187<sup>th</sup> Aid Station

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

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was working in the aid station when I heard that there was some bodies coming in. SFC (b)(6), (b)(7)(C) told me to go out to the area where we examine bodies. I went out there and I saw SFC (b)(6), (b)(7)(C) and 1LT (b)(6), (b)(7)(C) out there. As well as the guys that brought the bodies in. One body was already on the table with the body bag opened up. And I saw 3 additional body bags waiting to be examined. This was my first time going out to help with bodies. I assume the SFC (b)(6), (b)(7)(C) took pictures of the body before it was touched because he normally does this. But I was not there when they first started examining the body. The KIA's hands were in front of him. They were cutting off the zip ties. I think there was one on each wrist. I am not sure if the KIA's hands were tied together because they were cutting them off when I arrived. There was also a blindfold around the KIA's neck. His clothes was bloody but I do not recall what he was wearing. I believe but not sure he had light facial hair. I do not remember what injuries he had. I was there when they cut his clothes off. But right after that SFC (b)(6), (b)(7)(C) came and got me because we had to do some medical screening on some detainees that were just brought in. Then I left so I was only there for the first KIA. And they done the additional 3 bodies while I was gone.

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

A:

Q: DID YOU SEE THE BODIES INSIDE THE OTHER BODY BAGS?

A: NO

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 DDJ FOI 34343

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

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

TAKEN AT FOB Brassfield-Mord

DATED 31 May 06

CONTINUED

STATEMENT (Continued)

Q: WHO IS SPC **(b)(6), (b)(7)(C)**

A: He is a medic that works at the aid station.

Q: IS THERE ANYTHING YOU WANT TO ADD TO THIS STATEMENT?

A: SPC: **(b)(6), (b)(7)(C)** never was out there examining the bodies.

Q: IS THERE ANYTHING ELSE 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)**

ACLU DDJ ROI 34344 PAGE 2 OF 2 PAGES

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EXHIBIT 61

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

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

TAKEN AT FOB Brassfield-Mira

DATED 31 May 06

CONTINUED

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 31 day of May, 2006 at BRASSFIELD-MIRA

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)**

PAGE 2 OF 2 PAGES

ACLU DDII ROI 34345

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EXHIBIT 61



## 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 FOB BRASS-FIELD MORA,	DATE 31 MAY 06	FILE NUMBER 1145	-06-CID469.
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS O-4 / AD	
ORGANIZATION OR ADDRESS HHC, 3-187TH INF, FOB BRASSFIELD - MORA, SAMARPA, LZ			

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

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 9 May, 2006, four bodies were brought into FOB Brassfield-Mora. SFC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) and myself went to help S4 process the bodies. Of note, at least 3 of the bodies had zip ties on one wrist and engineering tape around their necks. SFC (b)(6), (b)(7)(C) documented the wound photographically. Using these photos to refresh my memory, the following wounds were noted:

Body #1 - head wound, likely frontal entry due to large posterior wound; (C) back entry; (R) flank wound with bullet in place; mid-chest exit wound. There was tape around neck and zip tie on (R) wrist. (R) buttock entry wound as well.

Body #2 - large abrasion (R) abdomen/chest; (R) arm entry + exit; (R) flank wound that appears to be from same bullet as arm wound.

Body #3 - 2 mid-back wounds and one chest and one epigastric wound. It is not possible for me to say for sure if these are entry or exit wounds. There is another (R) chest wound that is clearly an entry wound. A (C) wrist wound is present associated with a large exit wound on the shoulder. A zip tie is on the (C) wrist + engineering tape is present around the neck.

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 3 WILL BE 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, 1 JAN 68, WHICH WILL BE USED.

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EXHIBIT 62  
000546

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

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

TAKEN AT

BRASSFIELD - MOBILE

DATED

31 MAY 61

CONTINUED

STATEMENT (Continued)

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

Body #4 - Entry wound below (L) eye = (R) occiput exit wound; (R) flank wound with bullet in place; (L) olecranon exit wound; (R) posterior shoulder grazing bullet wound; (R) medial calf wound; (L) axillary wound; a series of elliptical wounds is present along the (L) anterior of the body from flank to leg. These wounds are mostly superficial and do not look like any ballistic wounds I have seen before. I do not know what to call these wounds. A zip tie is present on the (R) wrist and tape is present around the neck.

Q. Regarding the bodies, what items of clothing were noted on each?

A. #1 gray "man-dress"

#2 - all white

#3 - blue-gray "man-dress"

#4 - white shirt, green & blue shorts

Q. (b)(6), (b)(7)(C) Were there abrasions present on the wrists which did not have zip ties?

A. No.

Q. Where were the bodies taken?

A. The 54 handles this. I do not know about these particular bodies.

Q. What kind of tape would you describe as on "Body #1247"?

A. Engineering tape.

Q. Do you recall any other signs of trauma?

A. No.

Q. Do you have anything 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)

ACLU DDII ROI 34347

PAGE 2 OF 3 PAGES

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EXHIBIT 62

000547

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

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

STATEMENT OF \_\_\_\_\_

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

CLASSIFIED AREA

DATED 31 MAY 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)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 31st day of May, 20 06 at Samarra, Iraq

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)

(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 2 OF 3 PAGES  
**ACLU DDH ROI 34348**

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EXHIBIT 62

**SWORN STATEMENT**

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

FOB Brassfield, Iraq		DATE	TIME	GRADE NUMBER
(b)(6), (b)(7)(C)		31 May 06	1230	
ORGANIZATION OR ADDRESS		SOCIAL SECURITY NUMBER	GRADE/STATUS	
(b)(6), (b)(7)(C)		(b)(6), (b)(7)(C)	O-1/AS	

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

On 08 MAY 2006, I was at FOB Remington doing planning for Operation Iron TRIANGLE. Our BOE, AS DESCRIBED BY COL (b)(6), (b)(7)(C) AND Reported by CPT (b)(6), (b)(7)(C) WAS TO consider all males on OBJ MURRAY AS ENEMY. They were to be engaged unless they were "actively surrendering".

On 09 MAY 2006, AT APPROX 0600hrs, we did the air assault and did NOT encounter any males on our initial OBJ. We then pushed North dismounted approx 2 kilometers where we assaulted a group of buildings. Three males exited the house when we were approaching and they were shielding themselves by holding kids in front of them. We later found out that this is an enemy technique that was used on many objectives in the area. My Platoon took 3 detainees from these houses, then 3rd Plt Air Assaulted some buildings 300meters North of us. They killed one enemy on the initial clearing of the house. After about 20 minutes, LT (b)(6), (b)(7)(C) got picked up by 2 blackhanks and left a small element back to guard the detainees. After he left, about five minutes later, I heard gunfire from their objective. I moved my element to their location to see if I could help. There I linked up with SSG (b)(6), (b)(7)(C) and his element and asked him what happened. He told me that he had one casualty that he was treating for knife wounds to the face and arm, and I then went to where the casualty was.

The casualty was being treated in the same area as three dead bodies were. I asked him (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) what happened, and he pointed to the knife on the ground and said that one of the detainees stabbed his guy with it.

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 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Brassfield DATED 31 May 06

STATEMENT (Continued)

(b)(6), (b)(7)(C) He talked about how to get the bodies and all the evidence back, and I decided that I would help him by transporting the bodies and the evidence. I gave SSG (b)(6), (b)(7)(C) a zip-lock bag to put the knife in, and then told my guys to hurry, bag everything up, and move everything to the Loading Zone to be picked up by the helicopters in about 3 minutes. We were in an extreme rush to have everything ready when the choppers came back. SSG (b)(6), (b)(7)(C) gave me the white feed sack full of AK's and magazines, and I later found out that the knife was also in the white feed sack. I transported the bag myself to the Battalion Tactical Operating Center along with the three dead bodies. There, I told SPC (b)(6), (b)(7)(C) to take the detainees and bag of evidence to the building and to hand everything over to them.

When he came back, he said that he gave everything to a Master Sergeant. SPC (b)(6), (b)(7)(C) also told me that the knife was in the bag and that he had emptied out the bag and tied everything up against a wall.

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

A.

Q. What unit are you assigned to?

A. 2nd PLT. C Co 3-187 INF 101st

Q. Did you see the three dead detainees get shot?

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

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 4 PAGES

PAGE 2 DA FORM 2823 DEC 1998

ACLU DDII ROI 94352

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FDB Brassfield DATED 31 May 04

## 9. STATEMENT (Continued)

Q: Describe the knife and where you initially saw it?

A: The knife had a bright orange handle with a silver blade. It was approx. 10 inches long, with a blade that was 5 inches of its total length. It was a thick knife with a blade about 1 1/2 inches in width. I initially saw the knife laying by the feet of one of the dead enemy. (b)(6), (b)(7)(C)

Q: Did anyone take a picture of the knife?

A: I don't know, NONE of my guys did. (b)(6), (b)(7)(C)

Q: What unit does SPC (b)(6), (b)(7)(C) belong to?

A: 2nd Sqd, 2nd FLT, C Co 3-187 INF 101st (b)(6), (b)(7)(C)

Q: What unit was responsible for the location you took the bodies and knife?

A: 3-320 FA (b)(6), (b)(7)(C)

Q: Did you see the Master Sergeant SPC (b)(6), (b)(7)(C) give the weapons, (including the knife)?

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

Q: Did you take hostile fire on Obi Murray?

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

Q: Did the ROE change seem strange to you for Obi Murray?

A: No, NOT STRANGE. IT WAS A BIG CHANGE FROM PREVIOUS MISSIONS such as Operation Swarmer. BUT (b)(6), (b)(7)(C) wanted to have a kinetic strike (missiles and 30mm fire from Apaches) before we air assaulted, so our intel on OBT Murray was good. (b)(6), (b)(7)(C)

Q: Did the three dead detainees have flexi cuffs on them when you initially viewed them?

A: I did NOT see any flex cuffs, but they were in the process of being put in body bags and I didn't see them very well. (b)(6), (b)(7)(C)

Q: Did you put flexi cuffs on the dead detainees?

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

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 DA FORM 2823 DEC 1998

PAGE 3 OF 4 PAGES

ACLU DDII ROI 34353

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

STATEMENT OF

FILE NUMBER:

TAKEN AT FOB Basfield DATED 31 May 06 CONTINUED:

STATEMENT (Continued) ✓

Q: What happened to the three detainees you took?

A: We dropped them off with 300 PLT's detainee at the Battalion Tactical Operations Center 3-320 FA (b)(6), (b)(7)(C)

Q: Can you identify any of the Iraqi army that were with you?

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

Q: Do you have anything you wish to add to your statement?

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

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)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 31 day of May, 2006 at FOB Basfield, Iraq

ORGANIZATION OR ADDRESS

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

ORGANIZATION OR ADDRESS

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

(Typed Name of Person Administering Oath)

Art 136

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

ACLU DDILROI 24354

PAGE 7 OF 7 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 FOB/SCASSFIELD MORA IRAQ (Samarra)	DATE 31 MAY 06	FILE NUMBER 1445-1551	0086-06-CID469
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS E-4/SPC /ACTIVE	(b)(6), (b)(7)(C)
2 <sup>ND</sup> PLT C CO. 3/187 INF. REGT. (b)(6), (b)(7)(C)			

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

ON 09 MAY 2006 AT APPROXIMATELY SUNRISE, DURING OPERATION TRIANGLE MY ELEMENT LEADED BY CHOPPIN' 26 MOVED FROM OUR FIRST OBJECTIVE TO OUR SECOND OBJECTIVE ABOUT 3 KILOMETERS ON FOOT STOPPING TO CLEAR ANYTHING THAT LOOKED POSSIBLE TO HOLD WEAPONS CACHES OR AIF. WE MADE IT TO OUR SECOND OBJECTIVE WHERE WE DETAINED 3 MILITARY AGE MALES WHO LIVED IN MUD HUTS SURROUNDED BY FARMLAND AND SHEEP PENS, ABOUT 15 MINUTES LATER, 2 UH-60'S ARE ASSAULTED INTO AN OBJECTIVE ON THE OTHER SIDE OF A HILL ABOUT 50-60 METERS AWAY FROM OUR POSITIONS. I HEARD NUMEROUS AMOUNTS OF GUNFIRE AND THEN SILENCE. I WAS PULLING SECURITY TO THE OPPOSITE DIRECTION OF THE GUNFIRE. IT WAS STATED THAT IT WAS 3<sup>RD</sup> PLATOONS OBJECTIVE. FOR ABOUT 30 MINUTES I HAD NO VISUAL OR AUDIO OF THE EVENTS AT THAT OBJECTIVE DUE TO THE FACT THAT I WAS PULLING SECURITY AT THE BOTTOM OF THE HILL. ONCE 30 MINUTES HAD GONE BY, ME AND THE REST OF MY ELEMENT WERE CALLED TO THE OBJECTIVE TO POLICE UP THE BODY BAGS AND TAKE THEM TO THE LZ. THERE WERE 3 BODY BAGS AND 1 DETAINEE FROM THIS OBJECTIVE. MOST OF THE THIRD PLATOON ELEMENT EXFIED FROM THE OBJECTIVE EXCEPT ABOUT 1 FIRETEAM AND A COUPLE OF IA. WE ARE ASSAULTED TO THE TAL WITH 3 BODYBAGS AND 1 DETAINEE ABOUT 15 MINUTES LATER. UPON ARRIVING AT THE TAL WE DROPPED THE BODY BAGS RIGHT OUTSIDE THE CHOPPER. COL (b)(6), (b)(7)(C) APPROACHED US AND ASKED US IF WE KILLED THE KIA, WE STATED NO WE MOVED WITH OUR GEAR TO A SECURE LOCATION WHERE WE COULD RELAX WHEN I WAS INFORMED THERE WAS A BAG OF WEAPONS THAT WAS CONFISCATED FROM THE OBJECTIVE AND THAT I WOULD BE THE SOLDIER TO DELIVER THEM TO THE TAL. I (b)(6), (b)(7)(C) WALKED INTO THE TAL AND WAS DIRECTED TO A WHITE CHUBBY MASTER SERGEANT WITH A MUSTACHE AND CIVILIAN GLASSES

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 4 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 BOTTOM 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)**

(Samana)  
TAKEN AT

BRASSFIELD MORA, JCARO 1445

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

DATED 31 MAY 06

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

CONTINUED

STATEMENT (Continued)

THAT DIRECTED ME TO PUT THEM IN THE WEAPONS ROOM AND LINE THEM UP AGAINST THE WALL. IM NOT CERTAIN I KNOW ALL OF WHAT WAS IN THE BAG BUT WHAT I REMEMBER WAS 2 AK-47'S, 3 MAGAZINES AND A KNIFE THAT HAD AN ORANGE HANDLE AND WAS 9-12 INCHES IN TOTAL LENGTH THAT WAS INSIDE A PLASTIC ZIPLOC BAG. THAT WAS THE END OF MY MISSION. **(b)(6), (b)(7)(C)**

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

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

STATEMENT

CONTINUED AT REQUEST OF CEN **(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)**

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

ACLU DDJ ROI 34356

PAGE 2 OF 2 PAGES

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

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EXHIBIT 65

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

STATEMENT OF (b)(6), (b)(7)(C)TAKEN AT Brassfield Mora, SamarraDATED 31 May 06

CONTINUED

STATEMENT (Continued)

(b)(6), (b)(7)(C) Q. What color were the body bags?

A. BLACK

Q. Could you identify the I/A or 31 Plt members in the area of the bags?

A. NEGATIVE

Q. Did you observe the remains in the bags?

A. NOT REALLY, JUST FROM A FAR DISTANCE. COL (b)(6), (b)(7)(C) OPENED THE BAGS TO EXAMINE THE AREA AND WOUNDS. I WASN'T CLOSE ENOUGH TO IDENTIFY ANY SPECIFICS.Q. Did you observe col (b)(6), (b)(7)(C) use his knife around the remains or place his boot(s) on the remains?A. COL (b)(6), (b)(7)(C) WAS STRICTLY PROFESSIONAL. HE USED HIS KNIFE TO POINT AT ANY BULLET WOUNDS. HE NEVER STEPPED ON OR DID ANYTHING TO THE REMAINS OF DISRESPECT.Q. Did col (b)(6), (b)(7)(C) make any other statements around the remains other than asking if you killed them?

A. NEGATIVE. HE WAS SHORT AND DISCREET. THAT WAS HIS ONLY STATEMENT.

Q. Are you aware of what the MSG did with the knife?

A. NEGATIVE

Q. Did you observe any blood or other fluid on the knife?

A. NEGATIVE. ALTHOUGH THE KNIFE LOOKED AGED, IT MIGHT HAVE HAD BLOOD OR RUST ON THE EDGES, BUT I DIDN'T SPEND ANY TIME EXAMINING IT.

Q. Did you ever remove the knife from the plastic bag or see others remove it?

A. NEGATIVE

Q. Has anyone discussed the circumstances of the deaths with you?

A. NEGATIVE

Q. Are you aware of anyone having photos of the remains other than Bde?

A. NEGATIVE

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

A. NEGATIVE

Q. Describe how you were treated during your interview by CID today?

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

ACLU DDJ ROI 84357

PAGE 1 OF 1 PAGES

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EXHIBIT 65

000556

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

TAKEN AT Samarra, Iraq FILE NUMBER: DATED 31 May 06 CONTINUED:

STATEMENT (Continued)

A. I THINK THAT THE OVERALL INTERVIEW WAS CONDUCTED WELL, I NEVER FELT DISRESPECTED, THE ONE AND ONLY THING THAT BOTHERED ME WAS GETTING PULLED FROM MY MISSION AND PLATOON TO COME GET QUESTIONED ABOUT THINGS I WAS NOT INVOLVED IN. I DO FEEL THAT ANY INFORMATION THAT I CAN GIVE TO HELP MY FELLOW SOLDIERS OUT IN TIME OF NEED IS A MUST, SO I ANSWERED EVERY QUESTION TO THE FULLEST AND TO THE BEST OF MY KNOWLEDGE.

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

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

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

AVIT

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 20 day of May at Samarra, Iraq

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)  
(Typed Name of Person Administering Oath)

Art 136, UCMJ  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

ACLU DDII ROI 34358

PAGE 4 OF 4 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.

Job Brassfield Mora, Iraq		DATE 31 May 06	TIME 15:22	FILE NUMBER (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)		SOCIAL SECURITY NUMBER E (b)(6), (b)(7)(C)	GRADE/STATUS #203/Interpreter	

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

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

When got out with mission I was with Lt (b)(6), (b)(7)(C)  
 that was at first day of mission they detained  
 three men and killed three men I didn't see  
 when the ~~the~~ Americans killed three men  
 just hearing you  
 (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)

- Q. Did you see the flexi cuffs on the three dead men?  
 A. No (b)(6), (b)(7)(C)
- Q. Do you know the names of the Iraqi soldiers?  
 A. No (b)(6), (b)(7)(C)
- Q. Did you see a knife on the ground near the dead men?  
 A. No (b)(6), (b)(7)(C)
- Q. Did you see any one take photos?  
 A. No (b)(6), (b)(7)(C)
- Q. Did anyone on the island fire at the IA or Americans?  
 A. No (b)(6), (b)(7)(C)
- Q. Did Mr (b)(6), (b)(7)(C) ask you the above questions in Arabic as well as English?  
 A. Yes (b)(6), (b)(7)(C)
- Q. Do you wish to add to your statement?  
 A. No (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 MUST BE  
 LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

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

Samara FILE NUMBER:  
TAKEN AT Fox Brookfield DATED 31 May 86 CONTINUED:  
Moir

STATEMENT OF  
STATEMENT (Continued)

Lined area for the statement, mostly blank with a diagonal line and some faint markings.

*Not used*  
(b)(6), (b)(7)(C)

AFFIDAVIT

I, N/A 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)

WITNESSE

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 31 day of May, 2086 at Fox Brookfield, Mass.

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

ORGANIZATION OR ADDRESS

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

ORGANIZATION OR ADDRESS

Art 136, UCMJ  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

ACLU DDII ROI 34360

PAGE \_\_\_ OF \_\_\_ 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 Spiecher, APO AE 09393	DATE (b)(6), (b)(7)(C) 1 Jun 2006	FILE NUMBER 1705 0086-06 CID469
LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS SPC/AD
ORGANIZATION OR ADDRESS 55 <sup>th</sup> Combat Camera, COB Spiecher, APO AE 09393 (FORT Meade, MD)		

I, (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:  
 On the evening of Monday 08 May, 2006; I (SPC (b)(6), (b)(7)(C)) confirmed my participation in Operation Iron Triangle. The Command informed me that I was assigned to work with C Company 3<sup>rd</sup> Battalion-187<sup>th</sup> Infantry Regiment. I flew from COB SPEICHER to FOB REMAGEN around 0200 hrs of Tuesday 9 May, 2006. At the ground in Remagen I meet with CPT (b)(6), (b)(7)(C) Commander of C Company 3/187<sup>th</sup>. I went out to the Operation with 2 different squads, SSG (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) squads. We hit four different locations. The first location was an empty house. The entire company set up a fighting position and started shooting to two other targets. These targets ended being dry holes. They were empty houses. Follow up, 2 UH60 Helicopters landed in our position and we moved to location #2. At location #2, SSG (b)(6), (b)(7)(C) squad got off the first Helicopter ran into a house and started to shoot. I was in the second helicopter with SSG (b)(6), (b)(7)(C) squad. They said a man was hidden behind the window. I was so far I couldn't see him. When I went around the house, soldiers pull out an agonizing Iraqi old man. He was bleeding from a wound in the chest cavity. The squad calls the medic but it was too late, the old man died in front of his house. There were three other males and two females in that house. They moved the females to the rear of the house, while all the other males were zip tied, with their hands placed in the lower back. SSG (b)(6), (b)(7)(C) brought a body bag and with the medic SPC (b)(6), (b)(7)(C) picked up the body. SSG (b)(6), (b)(7)(C) squad decided to pull rear security on top of a hill while SSG (b)(6), (b)(7)(C) squad moved on the offensive to the next house. I was taking photos of one detainee when I heard gun shots. Me and the Lieutenant in charge ran into the gun shots direction. We ran across a hill and saw soldiers getting closer to a house. Outside the house was an Iraqi man holding a baby in his hands. I took photos of the incident and walked towards the house. SSG (b)(6), (b)(7)(C) soldiers pulled outside all the residents. There were kids amount them. The squad placed the kids and the females behind the house while the only adult male remained in the front. Soldiers zip tight this detainee and confiscated an AK-47 with a couple of magazines. Minutes later the Lieutenant requested the helicopters for evacuation. The UH60 arrived within 30 minutes, but divided the air lift in two parts. SSG (b)(6), (b)(7)(C) squad decided to go first and carry the body bag while SSG (b)(6), (b)(7)(C) squad agreed to stay in the ground and guard the detainees. Iraqi soldiers and SSG (b)(6), (b)(7)(C) squad (including myself) uploaded the UH60 and moved to location #3. Before landing at location #3 the helicopters stop at the Tactical operations center and we drop off the body bag. At location #3 we secured the area and set up a fighting position. SSG (b)(6), (b)(7)(C) squad showed up within 45 minutes later saying they shot the other 3 detainees. Apparently the detainees decided to unzip their zip ties, pulled a knife and cut one the US soldiers. The soldiers reacted and killed all of them with the SAW M249B machine. We continued to provide security at location #3 until 2300hrs when the rest of the company showed up. We spent the night at location #3. Next day the target was the Muthana Chemical Compound(location #4). The entire company raided the compound. We found I.E.D. placing material. The company calls for EOD. EOD showed up to the site and blew the building and a car bomb park outside. Later the company moved to the tactical operation center and wait till the next day for evacuation back to FOB Remagen. (b)(6), (b)(7)(C)

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

A:

Q: Did you see the 3 detainees found in the same house as the old man who got shot?

A: I didn't see them get shot. (b)(6), (b)(7)(C)

Q: What was the name of the OBJ were the old man got shot?

A: I can tell you the name, but it was the island. (b)(6), (b)(7)(C)

Q: Did you see a knife of any sorts while you were on the island?

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

Q: Were you briefed on the ROE for the island?

A: They (C CO 3<sup>rd</sup> BN, 187 IN REG) mentioned it after the fact that they were allowed to shoot any male. (b)(6), (b)(7)(C)

Q: Did anyone tell you to delete your photos of the operation?

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

Q: Did you delete any of your photos from the operation?

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."  
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DA FORM 2823

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

1 JUL 72

OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

EXHIBIT 67

000560

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT COB Spiecher, APO AE 09393 DATED 1 June 2006  
CONTINUED: 0086-06 CID469

STATEMENT (Continued)

A: Negative **(b)(6), (b)(7)(C)**

Q: Did you see the zip ties on all detainees, as describe above?

A: Roger, yes. **(b)(6), (b)(7)(C)**

Q: Did you photograph any detainee with broken zip ties?

A: Negative **(b)(6), (b)(7)(C)**

Q: Did any US Soldiers take hostile fire on initial entry on the island?

A: Negative **(b)(6), (b)(7)(C)**

Q: Did any US Soldiers take hostile fire while operating on the island?

A: Not the people I was with **(b)(6), (b)(7)(C)**

Q: Can you provide the photos for operation iron triangle?

A: Yes. **(b)(6), (b)(7)(C)**

Q: Who is the LT as describe above?

A: LT **(b)(6), (b)(7)(C)**

Q: How did you get assigned to C CO 3-187<sup>th</sup>?

A: I was assigned 320<sup>th</sup>, who (S-2) assigned me to C CO 3-187 for this mission. **(b)(6), (b)(7)(C)**

Q: Do you have anything you wish to add to your statement?

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

**(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 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 1st day of June, 2006 at COB Spiecher, 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)

Art 136, UCMJ  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

ACLU DDII ROI 34362

PAGE 2 OF 2 PAGES

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) 31st MP DET CID (-), Contingency Operating Base (COB) Speicher, IZ, APO AE 09393

(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 (-), COB Speicher, Tikrit IZ, APO AE 09393

(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

SGT (b)(6), (b)(7)(C) (person)

for the property described as Kodak Easy Share CX7530 digital camera, serial number 45209434

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 2 day of June, 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

SIGNATURE OF AUTHORIZING OFFICIAL

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

ACLU DDH ROI 34363



M

TAB

TAB

T

TAB

TAB

3. In view of the foregoing, the affiant requests that an authorization be issued for a search of (b)(6), (b)(7)(C) person  
*(the person) (and)*

*(the quarters or billets) (and)*

*(the automobile)* and (seizure) (apprehension) of his digital camera  
*(items/persons searched for)*

TYPED NAME AND ORGANIZATION OF AFFIANT  
Special Agent (b)(6), (b)(7)(C)  
31st MP DET CID (-), COB Speicher, IZ, Tikrit, IZ

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

SWORN TO AND SUBSCRIBED BEFORE ME THIS

2

DAY OF

June 2006

AT

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

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 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.

**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

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

**DATA REQUIRED BY THE PRIVACY ACT**

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

1. LOCATION COB Speicher, Tikrit, IZ		2. DATE 9 Jun 06	3. TIME 1011	4. FILE NUMBER
5. Name (Last First MI) (b)(6), (b)(7)(C)		8. ORGANIZATION OR ADDRESS HHB, 3-320 <sup>th</sup> FA, 3 BCT FOB Remagen, Tikrit, IZ APO AE 09393		
6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS E-5/AD			

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**SECTION A. Rights**

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command and wanted to question me about the following offense(s) of which I am suspected/accused: False Official Statement

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

1. I do not have to answer any questions or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me or both.

-or-

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have the right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

**SECTION B. Waiver**

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

**WITNESSES (if available)**

1a. NAME (Type or Print)	(b)(6), (b)(7)(C)
b. ORGANIZATION OR ADDRESS AND PHONE	
2a. NAME (Type or Print)	SA (b)(6), (b)(7)(C)
b. ORGANIZATION OR ADDRESS AND PHONE	

6. ORGANIZATION OF INVESTIGATOR  
31<sup>st</sup> MP DET CID (-)  
COB Speicher, Tikrit, IZ APO AE 09393

**SECTION C. Non-waiver**

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

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

## 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, TIKIT	DATE (b)(6), (b)(7)(C) 9 JUN 06	TIME (b)(6), (b)(7)(C) 1245	FILE NUMBER
LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS E-5/AD	
ORGANIZATION OR ADDRESS H&B, 3-320 FA, SGT, FOB REMAGEN, TIKIT, 12			

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

When myself, CSM (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) walk up to the first body the bag was unzipped but not open to where you can see the body. At that time CSM (b)(6), (b)(7)(C) open the bag to see who was in the bag. Once he open the bag, I turn away because I can't take looking at a person like that. Then CSM (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) began to zip the bag close. That's when I turned back around and was ready to carry the body. CSM called for a 4th person to come over and help but do not recall who that person was. We pick the body up and carried it to the S-2 area. After that I went back into the TAC to continue RTO duties. I receive a call over the radio that a bird was inbound with 3 KIA. I logged it in and CSM (b)(6), (b)(7)(C) ask me to help out with the three KIA. Myself and CSM walk over to where the three bodies were drop off. Col (b)(6), (b)(7)(C) and his personnel were already there. When I and CSM arrived, SPC (b)(6), (b)(7)(C) was there also. Col (b)(6), (b)(7)(C) was standing over the first body and was unzipping the bag. As he was doing that CSM (b)(6), (b)(7)(C) was unzipping the second and third bag. At that time there pictures being taken and that's when I turned away because I couldn't take seeing anything like that. I was about ten feet away from the body. I heard Col. (b)(6), (b)(7)(C) make a statement that they are starting to smell bad already. At that time they were done taking pictures and the IA medics

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 5 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 WILL BE 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, 1 JAN 68, WHICH WILL BE USED.

FOR OFFICIAL USE ONLY - Law Enforcement Sensitive

EXHIBIT 70

000566

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

STATEMENT OF **(b)(6), (b)(7)(C)**TAKEN AT COB SpeicherDATED 9 JUN 06

CONTINUED

STATEMENT (Continued)

were arriving with the truck to take the dead bodies to the S-2 area. At that time I turned back around as they were zipping the bags. Myself, CSM **(b)(6), (b)(7)(C)**, and SPC **(b)(6), (b)(7)(C)** help the IA **(b)(6), (b)(7)(C)** load the bodies onto the truck. I had seen a lot of blood leaking from the bags and after we were done loading them I ask SPC **(b)(6), (b)(7)(C)** how did they look and he said that they looked bad and that he didn't understand if they were KIA why were they **(b)(6), (b)(7)(C)** blindfolded. I said to him that I don't know but something's not right about that.

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

A:

Q: DID YOU SEE ZIP-TIES ON THE WRISTS OF ANY OF THE DEAD BODIES?

A: On the first body but not on the second or third one. On the one that Col **(b)(6), (b)(7)(C)** was standing over.

Q: WHY DID YOU STATE THAT YOU DID NOT SEE ANY OF THE DEAD BODIES, DURING THE FIRST INTERVIEW WITH THE CID AGENT AND MSG **(b)(6), (b)(7)(C)** TSG **(b)(6), (b)(7)(C)**

A: I was very nervous about this whole investigation and I didn't know what was going to happen. I didn't know if we had did something wrong by opening the bag or what. I've been told so many times about people dealing with war crimes and I thought we committed one. I've never had to deal with CTD before about anything.

Q: DID YOU KNOWINGLY PROVIDE FALSE INFORMATION DURING YOUR INTERVIEW 28 MAY 06, WITH SA **(b)(6), (b)(7)(C)** AND TSG **(b)(6), (b)(7)(C)**

A: Yes in a way because I didn't know if we had did something wrong or what. I never been through an investigation for anything in this matter.

Q: OTHER THAN PROVIDING FALSE INFORMATION ABOUT NOT

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

ACLU DDJ ROI 34369

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EXHIBIT 70

000567

FILE NUMBER

STATEMENT OF

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

TAKEN AT

COB Speicher

DATED 9 JUN 06

CONTINUED

STATEMENT (Continued)

**(b)(6), (b)(7)(C)**  
 SEEING THE DEAD BODIES, ~~NO ONE~~ AND THAT NO ONE TOOK PICTURES OF THE DEAD BODIES AND THAT NO ONE OPENED THE BODY BAGS PRIOR TO YOU DROPPING THEM OFF AT S-2; DID YOU PROVIDE ANY OTHER FALSE INFORMATION?

A: Negative. Not at all. Everything that I written down happen.

Q: DID YOU SEE ANY OF THE DEAD BODIES' WRISTS BOUND TOGETHER?

A: The only one I saw like that was the one Col. **(b)(6), (b)(7)(C)** was standing over. They were tied together and in front of them. I'm not quite sure what color the man dress was but I think it was black but not exactly sure.

Q: ~~ARE YOU~~ **(b)(6), (b)(7)(C)** ARE YOU ABSOLUTELY SURE YOU SAW ONE OF THE DEAD BODIES' WRISTS TIED TOGETHER?

A: Yes.

Q: WHO CUT THE ~~ZIP TIES~~ **(b)(6), (b)(7)(C)** WRISTS APART?

A: I don't know who did but I saw them tied but not cut.

Q: WHEN YOU TOOK THE BODIES TO THE S-2 AREA, WAS THE DEAD DETAINEE'S WRIST STILL TIED TOGETHER?

A: yes as far as I know. They might have been cut later on but not before we took them to the S-2 area.

Q: WHO DID YOU DROP THE BODIES OFF TO AT S-2?

A: TO PFC **(b)(6), (b)(7)(C)** at the time. His chief SSG **(b)(6), (b)(7)(C)** came to the area about 3 to 5 minutes after.

Q: DID YOU WITNESS ANY OF THEM CUT THE WRISTS APART?

A: No not at all.

Q: DID ANYONE **(b)(6), (b)(7)(C)** DIRECT OR COERCE YOU TO PROVIDE FALSE INFORMATION PRIOR TO YOUR INTERVIEW ON 28 MAR 06?

A: No not at all.

INITIALS OF PERSON MAKING STATEMENT: **(b)(6), (b)(7)(C)**PAGE 3 OF 3 PAGES  
ACLU BDA ROI 34870

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EXHIBIT 70

000568

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

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

TAKEN AT COB Speicher

DATED 9 JUN 06

CONTINUED

STATEMENT (Continued)

Q: DESCRIBE IN DETAIL THE PLACEMENT OF THE ZIP-TIES ON THE WRISTS AND THE POSITION OF HIS WRISTS.

A: I saw the wrists on top of one another. I could see the zip-tie on the top wrists but not on the bottom wrists. The end of the zip-tie was coming from the bottom wrists but I couldn't tell if the bottom wrists was zip-tied.

Q: ~~IS THERE~~ <sup>(b)(6), (b)(7)(C)</sup> COULD YOU SEE IF BOTH ZIP-TIES WERE INTER-LOCKED ~~ENABLING~~ <sup>(b)(6), (b)(7)(C)</sup> THAT WOULD SECURE BOTH WRISTS TOGETHER?

A: Negative

Q: ~~DOES~~ <sup>(b)(6), (b)(7)(C)</sup> DOES ALL OF YOUR "NEGATIVE" ANSWERS MEAN NO?

A: Yes

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 4 OF 8 PAGES

ACLU DDH ROI 34371

FOR OFFICIAL USE ONLY - Law Enforcement Sensitive

EXHIBIT 70

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

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

TAKEN AT COB Speicher

DATED 9 JUN 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 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)**

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 9 day of JUN, 20 06 at COB SPEICHER

ORGANIZATION OR ADDRESS

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

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

SA

(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  
**ACLU DDH RO 34372**

FOR OFFICIAL USE ONLY - Law Enforcement Sensitive

EXHIBIT 70

**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

For use of this form, see AR 196-30; the proponent agency is ODCSOPS

**DATA REQUIRED BY THE PRIVACY ACT****AUTHORITY:**  
**PRINCIPAL PURPOSE:**  
**ROUTINE USES:**  
**DISCLOSURE:**Title 10, United States Code, Section 3012(g)  
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 COB Speicher, Tikrit, IZ		2. DATE (b)(6), (b)(7)(C) 9 Jun 06	4. FILE NUMBER 1313
3. Name (Last First MI) (b)(6), (b)(7)(C)		8. ORGANIZATION OR ADDRESS HHB, 3-320 <sup>th</sup> FA, 3 BCT FOB Remagen, Tikrit, IZ APO AE 09393	
6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS E-3/AD		

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE****SECTION A. Rights**

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command and wanted to question me about the following offense(s) of which I am suspected/accused: False Official Statement  
Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

1. I do not have to answer any questions or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me or both.

-or-

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have the right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

**SECTION B. Waiver**

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

**WITNESSES (if available)**

1a. NAME (Type or Print)	(b)(6), (b)(7)(C)
b. ORGANIZATION OR ADDRESS AND PHONE	(b)(6), (b)(7)(C)
2a. NAME (Type or Print)	SA (b)(6), (b)(7)(C)
b. ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR 31 <sup>st</sup> MP DET CID (-) COB Speicher, Tikrit, IZ APO AE 09393

**SECTION C. Non-waiver**

1. I do not want to give up my rights :  
 I want a lawyer  I do not want to be questioned or say anything
2. SIGNATURE OF INTERVIEWEE

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

DA FORM 3881, NOV 89 (AUTOMATED)

EDITION OF NOV 84 IS OBSOLETE

**PART II - RIGHTS WARNING PROCEDURE****ACLU DDII ROI 34373**~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

EXHIBIT 71

000571



## THE WARNING

1. **WARNING** - Inform the suspect/accused of
  - a. Your official position.
  - b. Nature of the offense(s)
  - c. The fact that he/she is a suspect/accused.
2. **RIGHTS** - Advise the suspect/accused of his/her rights as follows:
 

"Before I ask you any questions, you must understand your rights."

  - a. "You do not have to answer my questions or say anything."
  - b. "Anything you say or do can be used as evidence against you in a criminal trial."
  - c. (For personnel subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer

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

-or-

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

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

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

## THE WAIVER

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

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

"Do you want a lawyer at this time?"

(If the suspect/accused says "yes," stop the questioning until he/she has a lawyer. If the suspect/accused says "no," ask him/her the following question.)

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

## SPECIAL INSTRUCTIONS

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

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

Notes should be kept on the circumstances.

**PRIOR INCRIMINATING STATEMENTS:**

1. If the suspect/accused has made spontaneous incriminating statements before being properly advised of his/her rights he/she should be told that such statements do not obligate him/her to answer further questions.

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

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

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

COMMENTS (Continued)

REVERSE OF DA FORM 3881

ACLU DDII ROI 34374

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE EXHIBIT

71

000572

## 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	DATE (b)(6), (b)(7)(C) 21 JUN 06 1521	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS E5/AD
ORGANIZATION OR ADDRESS HHS, 3-320TH FA, FOR DEMAGEN, TIKIT, IZ		

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

I was the BATS Operator at the operations of Iron triangle. I first body that I enrolled was an elderly gentleman with false teeth. This gentleman had a wound on the side of the body, unsure if it was an entrance wound or exit wound. This individuals hand were not zip tied together, weather only one wrist was zip tied I am unsure. About half an hour to an hour later more ~~many~~ bodies came in off of a black hawk along with two detainees. We moved the bodies closer to the site, and I told the JP's that were handling the bodies to unload the bodies onto the ground off of a truck so I can start enrolling them into the BATS system. I open the first body bag and started setting up to enroll the bodies. I then noticed I was getting a crowd so I closed the body bag over the bodies and told them to leave. ~~They then told me to get~~ One of the medics to us to not to enroll them next the medic station in case of a <sup>you need</sup> soldier comes in he would not want to see dead bodies. So I zipped the unzipped body bag up and had the JP's to put the bodies back onto the truck and bring them to an area where the elder gentleman was kept. ~~It~~ I then switched assistants because Spc (b)(6), (b)(7)(C) could not handle seeing the bodies. So I ask him to get SSG (b)(6), (b)(7)(C) to assist me in enrolling the bodies. SSG (b)(6), (b)(7)(C) then started to assist me by typing in the information into the database and take the picture of the dead bodies face while I ~~put~~ scanned their finger prints into the system.

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 MUST BE 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, 1 JAN 68, WHICH WILL BE USED.

FOR OFFICIAL USE ONLY - Law Enforcement Sensitive

EXHIBIT 71  
000573

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

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

TAKEN AT CDB SpeicherDATED 04 Jun 06

CONTINUED

STATEMENT (Continued)

I started to enroll the bodies into the database this individual was in the mid early twenties to mid twenties. ~~He was shot, ~~where~~ I do not know where he was shot~~ ~~(b)(6), (b)(7)(C)~~ ~~(b)(6), (b)(7)(C)~~ ~~(b)(6), (b)(7)(C)~~

I do not know where this individual was shot, all I saw were some blood spot on his clothing, hands, and face. I don't know this persons hands were not zip-tied together, but I am unsure if the person as a zip-tie on one wrist. When I was done enrolling this individual, I move to start enrolling another person. This person was also in his twenties and ~~his~~ was shot in the head, because I saw white ~~pieces of~~ stuff that I assume is brain fragments. ~~(b)(6), (b)(7)(C)~~ ~~(b)(6), (b)(7)(C)~~

I am know that this persons vands were not zip-tied together, but I am not sure if there was a zip-tie on one of ~~these~~ his wrists. When I was done scanning his fingerprints, I move to the next bodies. I am not sure what kind of wounds this person received. There was one of these ~~people~~ ~~(b)(6), (b)(7)(C)~~ ~~(b)(6), (b)(7)(C)~~ that recieved a gun shot wound to the left wrist. I know that all of the dead bodies hands were not zip-tied together. However I am not sure if there was a zip-tie on one of there wrist.

As for the first sworn statement I wrote, I was sure that the for bodies did not have zip-ties. But now I am not sure if they had a zip-tie on ~~there~~ ~~(b)(6), (b)(7)(C)~~ wrist. I do not remember some details because, I was trying to get it over with as soon as possible.

Q: ARE YOU STATING THAT YOU ARE UNSURE IF YOU SAW ZIP-TIES AROUND THE WRISTS OF ANY OF THE DEAD BODIES?

A: Yes, I'm unsure.

Q: WHY ARE YOU UNSURE?

A: Because I do not remember I was trying to finish enrolling them as soon as possible.

Q: DID YOU ~~(b)(6), (b)(7)(C)~~ PROCESS 4 OR 5 DEAD BODIES?

A: I was told that there were 5 dead bodies so I

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

ACLU DDJ ROI 84376 PAGE 2 OF 4 PAGES

FOR OFFICIAL USE ONLY

EXHIBIT 71

000574

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

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

TAKEN AT COB Speicher

DATED 09 June 06

CONTINUED

STATEMENT (Continued)

assumed that how many I enrolled but, when I was enrolling the last person FA The IA came over and started moving the bodies onto a truck. First they asked which bodies I ~~was~~ <sup>(b)(6), (b)(7)(C)</sup> was finish with. I am unsure how many bodies I enrolled

Q: IF YOU ARE UNSURE OF HOW MANY BODIES YOU ENROLLED AND UNSURE IF THE DEAD BODIES WRISTS HAD ZIP-TIES AROUND THEM, THEN WHY DID YOU PROVIDE A SWORN STATEMENT ON 28 MAY 06, THAT YOU PROCESSED 5 BODIES AND THAT NONE OF THEM HAD ZIP-TIES ON THEIR WRISTS?

A: Because at that time I thought the sworn statement I provided was true. Now that you have evidence that proves that I am wrong, I don't know if they have zipties on there wrist or not.

Q: IS THERE ANYTHING YOU WANT TO ADD TO THIS STATEMENT?

A: It is the first time I have seen ~~a~~ <sup>(b)(6), (b)(7)(C)</sup> dead ~~and~~ <sup>(b)(6), (b)(7)(C)</sup> bodies in person, and I had to touch them. I guess I am still a little traumatized, I am sorry for the inconvenience

Q: IS THERE ANYTHING ELSE 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)**

ACLU DDH ROI 84377 PAGE 11 OF 11 PAGES

FOR OFFICIAL USE ONLY - Law Enforcement Sensitive

EXHIBIT 71

000575

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

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

TAKEN AT COB Speicher

DATED 04 Jun 06

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 9 day of Jun, 20 06 at COB SPEICHER

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)**

PAGE 11 OF 11 PAGES

**ACLU DDH ROI 34378**

FOR OFFICIAL USE ONLY - Law Enforcement Sensitive

EXHIBIT 71

**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

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

**DATA REQUIRED BY THE PRIVACY ACT**

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

1. LOCATION COB Speicher, Tikrit, IZ		2. DATE 13 June 29 May 06		3. FILE NUMBER (b)(6), (b)(7)(C) ME (b)(6), (b)(7)(C)	
5. Name (Last First MI) (b)(6), (b)(7)(C)		8. ORGANIZATION OR ADDRESS HQB, 3-320 <sup>th</sup> FA, 3 BCT FOB Remagen, Tikrit, IZ APO AE 09393			
6. SSN (b)(6), (b)(7)(C)		7. GRADE/STATUS E-3/AD			

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**SECTION A. Rights**

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command and wanted to question me about the following offense(s) of which I am suspected/accused: False Official Statement

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

1. I do not have to answer any questions or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me or both.

-or-

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have the right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

**SECTION B. Waiver**

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

**WITNESSES (if available)**

1a. NAME (Type or Print)

b. ORGANIZATION OR ADDRESS AND PHONE

2a. NAME (Type or Print)

b. ORGANIZATION OR ADDRESS AND PHONE

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

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

6. ORGANIZATION OF INVESTIGATOR  
31<sup>st</sup> MP DET CID (-)  
COB Speicher, Tikrit, IZ APO AE 09393

**SECTION C. Non-waiver**

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

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

AGLU DDII ROI 34379

THE WARNING

0086-06-CID469-75447

- 1. WARNING - Inform the suspect/accused of
  - a. Your official position.
  - b. Nature of the offense(s)
  - c. The fact that he/she is a suspect/accused.
- 2. RIGHTS - Advise the suspect/accused of his/her rights as follows:
 

"Before I ask you any questions, you must understand your rights."

  - a. "You do not have to answer my questions or say anything."
  - b. "Anything you say or do can be used as evidence against you in a criminal trial."
  - c. (For personnel subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer

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

-or-

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

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

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

THE WAIVER

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

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

"Do you want a lawyer at this time?"

(If the suspect/accused says "yes," stop the questioning until he/she has a lawyer. If the suspect/accused says "no," ask him/her the following question.)

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

SPECIAL INSTRUCTIONS

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

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

PRIOR INCRIMINATING STATEMENTS:

- 1. If the suspect/accused has made spontaneous incriminating statements before being properly advised of his/her rights he/she should be told that such statements do not obligate him/her to answer further questions.

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

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

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

COMMENTS (Continued)

REVERSE OF DA FORM 3881

ACLU DDII ROI 34380

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is (b)(6), (b)(7)(C) Deputy C (b)(6), (b)(7)(C) Personnel.

LOCATION

COB Speicher

DATE

11/13/08

FILE NUMBER

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

SOCIAL SECURITY NUMBER

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

GRADE/STATUS

E3/AD

ORGANIZATION OR ADDRESS

HAB 31320th FA 101st ARN DIV

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

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

After my third meeting with CID under less stressful conditions I feel I fully understand my obligation now as to what I am 100% sure what happened and what I perceived as happening. I can say 100% that there were 4 bodies brought in at first. I cannot say for sure if it was at the same time because I did not see all four unloaded only two and I assumed they were all dropped off at once which may not be accurate. I remember seeing a white cloth on and around the 4 bodies. I cannot say 100% for sure they weren't in black body bags at first or I just didn't notice the body bags in the short time I saw the bodies. I am not 100% sure all the bodies were blind folded and zip tied. I only heard they were and didn't see all four with my own eyes. I am only 100% sure Colonel (b)(6), (b)(7)(C) cut off one blindfold, I would only be speculating if I said he cut anything else because I didn't see the cut zip ties. I was not 100% sure how many individual gun shots there were I just took a guess from memory not realizing every detail must be 100% verified. I can't say for sure the Garber was 6 inches long it may have been shorter. I also am not 100% for sure the position of the dead body in which Colonel (b)(6), (b)(7)(C) put his boot on or exactly which foot it was I assumed the right but I can't say I'm 100% sure. I would also like to

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." 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

COB Speicher

DATED

6/13/06

CONTINUED

STATEMENT (Continued)

recant my quotes of Colonel **(b)(6), (b)(7)(C)** talking about the dead bodies because I am not 100% sure word for word what he said. I did not make my statements at first in order to deceive or mislead the investigation. I did not want this investigation my recruiter made it happen from an email I sent him that he read out of context or that I wanted to make him believe I was in danger. I feel this **(b)(6), (b)(7)(C)** incident should be investigated but I was going to let my battalion do it. I was in a hurry during my first sworn statement and did not ~~lie~~ I just put in a couple details that were sketchy in my mind so I picked whatever I believed the answer was which may not have been accurate. My second recorded statement I was extremely nervous in front of a General, LT Colonel, Agent, and recording device. I was not forced in any way to give answers but I felt it necessary to have an answer everytime even if I couldn't remember 100%. Anything I didn't mention I feel to be 100% on and I stand behind my account of the events.

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

A:

Q: ARE YOU ABSOLUTELY SURE YOU SAW COL **(b)(6), (b)(7)(C)** PUT HIS BOOT ON OF THE DEAD DETAINEES' HEAD.

A: Yes and so is Specialist **(b)(6), (b)(7)(C)** because we talked about it afterwards. I don't remember what was said exactly but these conversations took place at Operation Iron Triangle and after the initial investigation at FOB Remagen.

Q: DID YOU SEE ANY ~~AGENTS~~ **(b)(6), (b)(7)(C)** OF DEAD BODIES' WRISTS TIED TOGETHER WITH ZIP-TIES?

INITIALS OF PERSON MAKING STATEMENT:

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

ACLU DDH ROI 34382

PAGE 2 OF 4 PAGES

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EXHIBIT

EXHIBIT

000580

FILE NUMBER

STATEMENT OF

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

TAKEN AT

C613 Speicher

DATED

6/13/06

CONTINUED

STATEMENT (Continued)

A: I saw zip ties on the wrists I cannot say the hands were interlocked by the zip ties 100%. The hands were placed together leading me to assume the hands were together. I cannot 100% identify which body it was I saw in this position.

Q: DID YOU ABSOLUTELY SEE COL **(b)(6), (b)(7)(C)** CUT BLINDFOLD AND ZIPTIES OFF A DETAINEES?

A: I did see him 100% cut the blindfold off one detainee but I did not 100% see him cut the zipties off I only assumed he did.

Q: WERE THE BODIES' WRIST BOUND TO THE FRONT OR BEHIND THEM?

A: I can't say 100% cause the bodies were mangled but it appeared to be, Specialist **(b)(6), (b)(7)(C)** told me he saw the other bodies zip tied.

Q: DID YOU PROVIDE ANY FALSE INFORMATION DURING YOUR FIRST INTERVIEW WITH CID **(b)(6), (b)(7)(C)** AND/OR DURING YOUR TESTIMONY WITH BG **(b)(6), (b)(7)(C)**

A: I provided information I wasn't 100% sure about.

Q: DID YOU KNOWINGLY PROVIDE FALSE INFORMATION?

A: No. I feel I was not intentionally lying I feel I was guessing to the best of my memory. I was being asked about every little detail some of which I could not remember so I said what I thought I saw without being 100% sure. After answering I don't exactly remember to some questions I was asked to elaborate and I mistook that as it being okay to not be 100% sure on every detail. I felt at the time I was under pressure to answer every question. I do not feel that way now.

Q: IS THERE ANYTHING YOU WANT TO ADD TO THIS STATEMENT?

A: No. ||| END OF STATEMENT |||

INITIALS OF PERSON MAKING STATEMENT

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

ACLU FBI ROI 34380 PAGES

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EXHIBIT 72

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EXHIBIT

000581

STATEMENT OF **(b)(6), (b)(7)(C)** FILE NUMBER \_\_\_\_\_  
TAKEN AT COB Speicher DATED 6/13/06 CONTINUED

STATEMENT (Continued)

*[Redacted area with handwritten "NOT USED" and "(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 **(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 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 13 day of JUN, 20 06 at COB Speicher

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)**

ACLU DEIR 34384 PAGE 1 OF 1 PAGES

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EXHIBIT 72  
EXHIBIT

**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 Brassfield-Mora, Iraq	2. DATE (YYYYMMDD) 2006/06/13	3. TIME 2353	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C)	6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS O-3/ACTIVE	
8. ORGANIZATION OR ADDRESS C/3-187 IN, 101 ABN (AASLT), FOB BRASSFIELD-MORA, IRAQ APO AE 09349			

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

On 09 May 2006 I was involved with Operation Iron Triangle. Our company mission was to conduct an air assault to clear OBJ Murray in order to kill or capture AQIZ. My job is the executive officer. I air assaulted with 1SG (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) and elements of 3rd Platoon on the lift 1, chalk 7 of the air assault. After clearing the initial objective and seizing the building there as a foothold/support by fire position, I helped direct 3rd Platoon onto the southern part of the island. Once we they cleared the southern part of the island, we consolidated 3rd Platoon and our three man element at the initial support by fire position. 3rd Platoon then received a follow-on air assault mission to the northern part of the island. Elements of 3rd Platoon boarded UH-60s and headed north, leaving behind elements of Weapons Squad, their PSG, and my three man element. 1SG (b)(6), (b)(7)(C) and I took turns monitoring the radio throughout the mission. I don't remember what time I called 1LT (b)(6), (b)(7)(C) or if he called me first. When I called him I asked for a situation report. 1LT (b)(6), (b)(7)(C) RTO, SPC (b)(6), (b)(7)(C) replied that they had 4 detainees and were moving to PZ posture to be picked up. I relayed the information to 1SG (b)(6), (b)(7)(C) and their platoon sergeant, SFC (b)(6), (b)(7)(C). A few minutes later, I received a message from SSG (b)(6), (b)(7)(C) that they only had 1 detainee and 3 AIF KIA. I asked SSG (b)(6), (b)(7)(C) why they killed the detainees and he replied that they tried to attack SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C). I then asked if everyone was "OK". SSG (b)(6), (b)(7)(C) replied that SPC (b)(6), (b)(7)(C) was cut on his face and arm and that PFC (b)(6), (b)(7)(C) was punched in the face. I then asked if they needed a MEDEVAC. He replied, "No, we can wait until we finish here." I didn't speak to SPC (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) or any elements from that sub-objective in person until the following day. I did speak to SPC (b)(6), (b)(7)(C) later that day on the ASIP attempting to get them lifted off of the island.

Specific incidents that I noticed that are inconsistent with C/3-187 IN company operations:

- Normally when entering PZ posture we do not leave 2 or 3 man elements with 3 detainees while the rest of the element enters PZ posture.
- Untying flex cuffs of three detainees at once is not considered safe or common practice. This is especially true when the number of detainees is greater than the number of Soldiers guarding them.

I do not know if the surviving detainee was sent to the PZ before or after the other three detainees were killed. I also do not know who escorted the detainee to the PZ.

~~NOTHING FOLLOWS~~

(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)

10. EXHIBIT	11. INITIAL (b)(6), (b)(7)(C) KING STATEMENT	PAGE 1 OF 2
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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.

ACLU DDII ROI 34385

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT 2353 (b)(6), (b)(7)(C) DATED 2006/06/13 (b)(6), (b)(7)(C)

9. STATEMENT (Continued)

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

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

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

(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 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...

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

WITNESSES:

(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
HR-3-187  
ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
HR-3-187  
ORGANIZATION OR ADDRESS

Subject: (b)(6), (b)(7)(C) authorized by law to administer oaths, this 14 day of June, 2006

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

(b)(6), (b)(7)(C)  
(Typed Name of Person Administering Oath)  
Article 156 (3)(b)  
(Authority To Administer Oaths)

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

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

ACLU DDH ROI 34386

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 BRASSFIELD-MOZA	DATE 14 JUN 06 0331	FILE NUMBER
LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS E-S / AD
ORGANIZATION OR ADDRESS C Co 3-187 INF, FOB BRASSFIELD-MOZA, SAMARRA, IZ		

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

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON THE MORNING OF 9 MAY 2006 AROUND 0345, MYSELF AND SFC (b)(6), (b)(7)(C) WERE ATTACHED TO SSG (b)(6), (b)(7)(C) SQUAD FOR THE ASSAULT FOR OPERATION IRON TRIANGLE. WE LOADED THE BLACKHAWK AND FLEW TO THE FIRST OBJECTIVE WHICH WAS THE ISLAND. OUR ROE WAS, "ALL MILITARY AGE MALES ON THE OBJECTIVE WERE CONSIDERED HOSTILE AND WOULD BE SHOT UNLESS ACTIVELY SURRENDERING." WE LANDED AROUND 0430 HRS ON THE ISLAND AND CAUGHT NO ACTION. NO ONE WAS ON THE ISLAND. ALL THREE GUN TEAMS; GUN 5: CPL (b)(6), (b)(7)(C) AND PFC (b)(6), (b)(7)(C) GUN 6: CPL (b)(6), (b)(7)(C) AND SGT (b)(6), (b)(7)(C) GUN 7: MYSELF AND SFC (b)(6), (b)(7)(C) WERE ON THREE CORNERS OF THE ROOF PROVIDING OVERWATCH FOR THE COMPANY COLLECTION POINT. AROUND 0800-0900 HRS SSG (b)(6), (b)(7)(C) RECEIVED THE CALL FROM 1LT (b)(6), (b)(7)(C) TO LOAD THE INCOMING BLACKHAWK WITH SFC (b)(6), (b)(7)(C) AND SGT (b)(6), (b)(7)(C) TO MOVE TO A DIFFERENT OBJECTIVE. NOT MORE THAN 20 MINUTES OR SO LATER SSG (b)(6), (b)(7)(C) GAVE THE INITIAL REPORT TO 1LT (b)(6), (b)(7)(C) SAYING THERE WAS ONE KIA AND 3 DETAINEES. 1SG (b)(6), (b)(7)(C) CAME OVER THE NET (COMPANY) AND SAID, "YOU ARE BRINGING ME ALL THESE DETAINEES WHEN THEY SHOULD BE DEAD. GET THEM ON THE BIRD AND BRING THEM HERE TO THE CCP FOR THT QUESTIONING. HE WAS TALKING TO 1LT (b)(6), (b)(7)(C) SO HE COULD RELAY TO SSG (b)(6), (b)(7)(C) MEANWHILE ON THE ROOF, ME AND SSG (b)(6), (b)(7)(C) ARE LISTENING TO ALL TRAFFIC COMING IN ON HIS IMSTR RADIO AS BEST WE COULD. NOT MORE THAN 10 MINUTES LATER SSG (b)(6), (b)(7)(C) CAME OVER THE COMPANY NET AND MADE A NEW REPORT, "3 KIA, 1 WIA," MINUTES AFTER THAT "4 KIA." I LOOKED AT (b)(6), (b)(7)(C) AND HE LOOKED AT ME, AND I SAID THIS AINT GOOD, IF OUR PLATON DIDNT HAVE ANY CID INVESTIGATIONS WE DEFINETALEY DID NOW. 1SG (b)(6), (b)(7)(C) RESPONDED WITH "WHAT HAPPENED TO THE DETAINEES?" SSG (b)(6), (b)(7)(C) WITH A SHAKY VOICE RESPONDED, THEY BROKE OUT IF THEIR FLEX CUFFS ONE GRABBED A KNIFE AND CUT SFC (b)(6), (b)(7)(C) 3x TIMES AND THE OTHER ONE PUNCHED PFC (b)(6), (b)(7)(C) IN THE FACE, THEN THEY RAN SO WE SHOT. IN THE BACK OF MY MIND I WAS THINKING TO MYSELF THAT IT WASNT ADDING UP. AN IRAQI LOCAL NATIONAL WAS TO BE PRETTY STRONG TO BREAK OUT OF FLEX CUFFS

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 1 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 MUST BE 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, 1 JAN 68, WHICH WILL BE USED.

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EXHIBIT 74

000585

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

STATEMENT OF

TAKEN AT FOB BRASSFIELD MORA

DATED 14 JUN 86

CONTINUED

STATEMENT (Continued)

AND I HAVEN'T REALLY MET ANY THAT ARE STRONG AT ALL. BUT WE MOVED ON TO THE NEXT OBJ AROUND 1100 HRS OR SO. WE DIDN'T REALLY SEE SSG (b)(6), (b)(7)(C) AND HIS SQUAD TILL ABOUT 2300 HRS OR LATER WHEN WE FINALLY CONDUCTED A LINK UP WITH 1LT (b)(6), (b)(7)(C) SOMEWHERE NORTH OF WHERE WE HAD STARTED. SO SAME OLD DRILL; WE (WEAPON SQUAD) MOVED TO THE ROOF AND SET UP FOR REST PLAN AND OVERWATCH FOR THE WHOLE COMPANY PLUS THE GAC PERSONNEL. WHILE WE WERE SETTING UP OUR TRIPODS I OVERHEARD SSG (b)(6), (b)(7)(C) TELL HIS SQUAD THAT TODAY IS GOING TO PUT A REAL TEST ON THE BROTHERHOOD. BY THAT I TOOK IT AS THOUGH SOMETHING HAPPENED. WHEN I SAW HIM THE NEXT MORNING HE WAS PALED THAN NORMAL AND HOSTILE TOWARD THE INTERPRETER (b)(6), (b)(7)(C) AND SOME IRAQI ARMY SOLDIERS TELLING HIM STUFF LIKE ALLA AHKBAR AND MY GOD IS THE DEVIL AND SO ON. APPARENTLY (b)(6), (b)(7)(C) TOOK IT PERSONAL AND REPORTED HIS ACTIONS TO CPT (b)(6), (b)(7)(C) WHEN APPROACHED BY CPT (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) DENIED EVERYTHING SAYING THOSE THINGS TO (b)(6), (b)(7)(C) AND REPLIED THAT (b)(6), (b)(7)(C) WAS TRYING TO GET INTO HIS RACK. HE LIED TO THE COMPANY COMMANDER RIGHT IN FRONT OF ME. THATS WHEN I KNEW SOMETHING WAS WRONG. ON THE 21ST OF MAY OF 2006 AROUND 2200 HRS. I GOT WITH SGT (b)(6), (b)(7)(C) TO GIVE ME A HAIRCUT. AFTER THE HAIRCUT WE SAT AND TALKED ABOUT GOING HOME ON LEAVE AND THINGS THAT WE WERE GOING TO DO. AND THEN TASKED HIM ABOUT WHAT HAPPENED THAT FIRST DAY OF OPERATION IRON TRIANGLE. WE WENT OUTSIDE TO SMOKE A CIGARETTE SO WE COULD BE IN THE DARK HE ASKED ME WHAT IT WAS THAT I KNEW. I RESPONDED WITH I ONLY KNOW WHAT WAS SAID OVER THE RADIO. THE DETAINEES BROKE FREE ONE GRABBED A KNIFE AND CUT (b)(6), (b)(7)(C) AND THE OTHER ONE PUNCHED (b)(6), (b)(7)(C) IN THE FACE. THEN THEY RAN AW (b)(6), (b)(7)(C) AND (b)(6), (b)(7)(C) OPENED UP ON THEM HE TOLD ME THAT WHAT HE WAS ABOUT TO TELL ME WAS NOT TO GET REPEATED. SO I PROMISED HIM HE TOLD ME THAT AFTER 1LT (b)(6), (b)(7)(C) LEFT, ABOUT 5 MINUTES BEFORE THE 1SG CAME OVER THE RADIO THE FIRST TIME, SSG (b)(6), (b)(7)(C) PULLED HIS SQUAD IN THE HOUSE WHICH CONSISTED OF SGT (b)(6), (b)(7)(C) 1PC (b)(6), (b)(7)(C), P1 (b)(6), (b)(7)(C), SPC (b)(6), (b)(7)(C) AND PFC (b)(6), (b)(7)(C) AND TOLD THEM (b)(6), (b)(7)(C) WHAT WAS GOING TO HAPPEN. (b)(6), (b)(7)(C) SAID THAT THEY WERE GOING TO CUT THE FLEX CUFFS OFF TELL THEM TO RUN AND THEY WERE GOING TO START. SGT (b)(6), (b)(7)(C) SAID HE WANTED NOTHING TO DO WITH IT SO HE WALKED OUTSIDE TO THE P2 POSTURE. MOMENTS LATER PFC (b)(6), (b)(7)(C) FOLLOWED HIM. I ASKED HIM WHERE

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

ACLU DDII FOI 34388

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EXHIBIT 74 EXHIBIT 000586

STATEMENT OF

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

TAKEN AT

FOB BRASFIELD MOBA

DATED

14 JUN 86

CONTINUED

STATEMENT (Continued)

THE GUN TEAM (b)(6), (b)(7)(C) AND (b)(6), (b)(7)(C) WERE AT. HE SAID THAT THEY ALONG WITH SP4 (b)(6), (b)(7)(C) AND (b)(6), (b)(7)(C) WERE AT PZ PASTURE. AFTER THE GUNSHOTS WENT OFF (b)(6), (b)(7)(C) SAID THAT HE WALKED BACK IN THE HOUSE TO FIND (b)(6), (b)(7)(C) TENDING TO WOUNDS ON (b)(6), (b)(7)(C) ON THE FLOOR, WHO RECEIVED THREE KNIFE CUTS; TWO TO THE FACE AND ONE TO THE WRIST. (b)(6), (b)(7)(C) WAS ON THE GROUND HOLDING HIS FACE. IT WASN'T TILL LATER THAT (b)(6), (b)(7)(C) FOUND OUT THAT (b)(6), (b)(7)(C) HAD AGREED TO GET CUT BY THE KNIFE AND (b)(6), (b)(7)(C) HAD ALSO AGREED TO GET PUNCHED IN THE FACE BY (b)(6), (b)(7)(C) AND (b)(6), (b)(7)(C) FOR THE COVER UP. (b)(6), (b)(7)(C) CALLED (b)(6), (b)(7)(C) INTO THE HOUSE AND TOLD HIM TO CHECK THE ONE THAT WAS STILL BREATHING. BY THE TIME (b)(6), (b)(7)(C) ARRIVED TO THE WOUNDERS LOCAL NATIONAL HE WAS DEAD. LEMUS SAID HE WALKED OUT TO LINK UP WITH (b)(6), (b)(7)(C) AND (b)(6), (b)(7)(C) AND (b)(6), (b)(7)(C) AT THE PZ PASTURE. THIS IS ALL THAT (b)(6), (b)(7)(C) TOLD ME THAT NIGHT AND WE NEVER TALKED ABOUT IT AGAIN. (b)(6), (b)(7)(C) SAID THAT HE HEARD HOW THEY WERE GOING TO COVER IT UP BY (b)(6), (b)(7)(C) SOMETIME IN REMAGEN WHEN THEY WERE DOING THEIR STATEMENTS AFTER THE MISSION ON THE 11TH OF MAY. SOMETIME AROUND MID MAY (b)(6), (b)(7)(C) AND (b)(6), (b)(7)(C) BOTH APPROACHED ME ASKING ME QUESTIONS ABOUT THE PURPLE HEART MEDAL. (b)(6), (b)(7)(C) SEEMED A LOT MORE INTERESTED THAN (b)(6), (b)(7)(C) THOUGH (b)(6), (b)(7)(C) ASKED ME IF I THOUGHT HE WAS IN LINE TO GET A PURPLE HEART MEDAL FOR GETTING HIT IN THE FACE. I RESPONDED WITH PROBABLY NOT SINCE IT WASN'T A WOUND OF ANY SORT. THEN (b)(6), (b)(7)(C) SAID WHAT ABOUT ME. I TOLD HIM HE WOULD GET ONE FOR HIS CUTS FROM THE KNIFE SINCE THEY WERE PRETTY DEEP. HE ASKED ME IF I KNEW THE BENEFITS. I TOLD HIM, FREE COLLEGE FOR YOUR KIDS AND FREE FOOD AT DENNY'S. THAT WAS PRETTY MUCH THE END OF THE CONVERSATION. IN SOME REALITY THOUGHT, (b)(6), (b)(7)(C) KIND OF GAVE OFF THAT SOMETHING HAPPENED WHEN HE KEPT BOASTING ABOUT IT, SAYING HOW HE MOWED THAT DUDE DOWN OFF OF PURE REFLEX AFTER GETTING HIT IN THE FACE. HE SAID HE SPRAYED AND PRAYED, FREELY PULLED THE TRIGGER TO HIS SAW FROM LEFT TO RIGHT. ALL OF THESE COMMENTS BY (b)(6), (b)(7)(C) WERE DONE AT THE BEGINNING OF JUNE DURING GUP COMBAT OUTPOST ROTATION. SGT (b)(6), (b)(7)(C) TOLD ME THAT (b)(6), (b)(7)(C) SAID (b)(6), (b)(7)(C) WAS ONE WHO CAME UP WITH THE IDEA FOR THE COVER UP. IN REF. TO (b)(6), (b)(7)(C) GETTING CUT AND (b)(6), (b)(7)(C) GETTING PUNCHED IN THE FACE. AROUND 1500 HRS ON 15 JUNE 2004 ME AND SGT (b)(6), (b)(7)(C) WERE IN HIS ROOM TALKING ABOUT THE INCIDENT OF 9 MAY 2004 WITH (b)(6), (b)(7)(C) AND

INITIALS OF PERSON MAKING STATEMENT:

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

PAGE 3 OF 7 PAGES  
ACLU DDH ROI 34389

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EXHIBIT 74

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EXHIBIT

000587



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

TAKEN AT FBI BRASSFIELD MORA

DATED 14 JUN 86

CONTINUED

STATEMENT (Continued)

(b)(6), (b)(7)(C) HE TOLD ME PRETTY MUCH THAT HE HAD KNOWN THE SAME THING THAT I KNEW ABOUT THE INCIDENT. HE SAID HE HEARD IT FROM (b)(6), (b)(7)(C), I TOLD HIM THAT I HEARD IT FROM (b)(6), (b)(7)(C) WE DIDNT REALLY COMPARE STORIES. OUR BIGGEST CONCERN WAS THAT WE HAD WIVES AND KIDS AT HOME. WE TOLD EACH OTHER THAT KNOWING THIS INFORMATION ISNT WORTH GOING TO JAIL OVER IF OUR NAMES GOT DROPPED DOWN THE LINE SAYING WE KNEW ABOUT THE INCIDENT OR HAD INFORMATION CONCERNING THE INCIDENT. ABOUT 1515, 13 JUNE 86, I TOLD SSG (b)(6), (b)(7)(C) THAT I WANTED TO TALK TO ISG REGARDING THE INCIDENT.

SO I TOLD THE ISG EVERYTHING I HAD TOLD ME, HE TOLD ME I WAS DOING A GOOD THING. ABOUT 1830 HRS WE RETURNED FROM OUR PATROLLING OF THE MSP TO PICK UP CHOW FROM THE CHOW HALL I SAW ISG (b)(6), (b)(7)(C) THERE HE TOLD ME HE WANTED TO SEE ME AND (b)(6), (b)(7)(C) AT 1845 HRS SGT (b)(6), (b)(7)(C) AND I WENT TO TALK TO ISG. HE INFORMED US THAT HE CONTACTED THE NECESSARY PEOPLE AND THAT CID WAS COMING TO TALK TO US. THATS WHEN I TOLD THE ISG THAT IF (b)(6), (b)(7)(C) OR ANYONE FROM HIS SQUAD FOUND OUT THAT WE SWITCHED WE WERE GOING TO HAVE TO BE CAUTIOUS. I TOLD HIM THAT (b)(6), (b)(7)(C) HAD ALREADY MADE THREATS SAYING THAT IF HE FOUND OUT ANYONE SAID ANYTHING HE WOULD SHOOT THEM HIMSELF. HE SAID THIS AROUND THE END OF MAY, COMING BACK FROM SPEICHER. THE THING IS IS THAT (b)(6), (b)(7)(C) HAD HIS SQUAD PRETTY TIGHT. EVERYONE IN HIS SQUAD IS INFLUENCED BY HIS LEADERSHIP, AND WILL GO DOWN WITH A FIGHT. MORE SO (b)(6), (b)(7)(C) AND (b)(6), (b)(7)(C) THE ISG TOLD ME AND (b)(6), (b)(7)(C) NOT TO WORRY HE D TAKE CARE OF THAT PART. WHEN I HEARD (b)(6), (b)(7)(C) MAKE THE THREATING STATEMENT HE WAS ALREADY HERE AT FBI BRASSFIELD MORA. WE WERE BEHIND THE A9 PAD GETTING OUR TRUCKS READY TO GO ON PATROL.

AROUND THAT AREA WERE (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) MYSELF AND (b)(6), (b)(7)(C) THESE ARE THE PEOPLE THAT WERE AROUND THE AREA. I WAS GETTING MY TRUCK READY AND OVERHEARD HIM SAY IT. SOMEONE ASKED HIM WHAT THE WHOLE SPEICHER TRIP WAS ABOUT. HE SAID, CID INVESTIGATION. THEN HE MADE THE STATEMENT.

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

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

Q: WHAT IS "GAC PERSONNEL"

A: GROUND ASSAULT CONVOY PERSONNEL OIC: 1LT (b)(6), (b)(7)(C) C Co 3-187 PSO/AFPC Support OFFICERS

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

PAGE 11 OF 11 PAGES  
ACLU DDH ROI 34390

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

TAKEN AT FUS BRASSFIELD MORA

DATED 14 JUN 04

CONTINUED

STATEMENT (Continued)

Q: WHO IS SPC (b)(6), (b)(7)(C)

A: AN M240B MACHINE GUNNER FOR C Co 3RD PLATOON

Q: WHO IS SSG (b)(6), (b)(7)(C)

A: SSG (b)(6), (b)(7)(C) IS 1ST SQUAD LEADER FOR 3RD PLATOON C Co

Q: IDENTIFY ALL MEMBERS OF SSG (b)(6), (b)(7)(C) SQUAD?

A: SGT (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) PFC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C)

Q: WHO IS CPL (b)(6), (b)(7)(C)

A: M240B MACHINE GUNNER FOR 3RD PLATOON C Co

Q: ARE "GUM S, 6, 7" ALL PART OF C Co 3-187 INF?

A: YES FOR 3RD PLATOON C Co 3-187

Q: WHAT DOES "KIA" MEAN?

A: KILLED IN ACTION

Q: WHAT DOES "WIA" MEAN?

A: WOUNDED IN ACTION

Q: DID (b)(6), (b)(7)(C) OR ANYONE ELSE TELL YOU THE CIRCUMSTANCES OF HOW THE FIRST KIA WAS KILLED?

A: THE FIRST KIA REPORT CAME OVER THE RADIO. LT (b)(6), (b)(7)(C) RELAYED FOR SSG (b)(6), (b)(7)(C) HE SAID HE WAS MILITARY AGED WHILE COMING OUT OF HIS HOUSE.

Q: DID (b)(6), (b)(7)(C) OR ANYONE ELSE TELL YOU WHERE THE 4TH DETAINEE WAS IN RELATION TO WHEN THE FIRST 3 DETAINEES WERE KILLED AND WHY WAS HE NOT KILLED?

A: NO. I DIDN'T HAVE KNOWLEDGE OF A 4TH DETAINEE

Q: WHO DID (b)(6), (b)(7)(C) TELL YOU CUT (b)(6), (b)(7)(C)

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

Q: DID (b)(6), (b)(7)(C) TELL YOU WHO'S KNIFE WAS USED?

A: HE SAID THEY USED THE LOCAL NATIONALS KNIFE WHICH WAS TURNED INTO EVIDENCE. THE KNIFE CAME FROM THE HOUSE WHERE THE THREE DETAINEES WERE KILLED

Q: WHEN DID (b)(6), (b)(7)(C) AND (b)(6), (b)(7)(C) ASK YOU ABOUT THE PUZZLE HEART?

A: DURING ONE OF OUR COMBAT OUTPOST ROTATIONS IN MID TO LATE MAY.

Q: DID (b)(6), (b)(7)(C) TELL YOU WHO WITNESSED (b)(6), (b)(7)(C) HIT (b)(6), (b)(7)(C) AND CUT (b)(6), (b)(7)(C)

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

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EXHIBIT

000589

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

TAKEN AT FOIS BRASSFIELD MOIRA

DATED 14 JUN 06

CONTINUED

STATEMENT (Continued)

A: (b)(6), (b)(7)(C) TOLD ME THAT (b)(6), (b)(7)(C) AND (b)(6), (b)(7)(C) WERE THE ONLY ONES IN THE ROOM

Q: WHAT ROOM?

A: THE ROOM WHERE THE THREE DETAINEES GOT SHOT (b)(6), (b)(7)(C) TOLD ME THAT (b)(6), (b)(7)(C) AND (b)(6), (b)(7)(C) SHOT THE GUYS INSIDE THE HOUSE

Q: DID (b)(6), (b)(7)(C) TELL YOU WHO DRUG THE THREE DEAD BODIES OUTSIDE THE HOUSE?

A: NO

Q: DID (b)(6), (b)(7)(C) TELL YOU IF ANYONE TOOK PICTURES OF THE THREE IRAGIS BEFORE AND AFTER THE SHOOTING, WHILE IN THE HOUSE?

A: HE NEVER TOLD ME ANYTHING ABOUT ANYONE TAKING PICTURES BEFORE OR AFTER (b)(6), (b)(7)(C)

Q: WHAT PROMPTED YOU TO SPEAK WITH YOUR ISG ON 13 JUN 06?

A: THE KNOWLEDGE OF CID CALLING IN RANDOM PEOPLE IF MY NAME GOT DROPPED AS TO KNOWING ANYTHING, I WANTED THE ISG TO KNOW WHAT I KNEW.

Q: WHY DIDN'T YOU NOTIFY SOMEONE IN YOUR CHAIN OF COMMAND WHEN YOU WERE FIRST INFORMED OF THE INCIDENT FROM (b)(6), (b)(7)(C)

A: I DIDN'T KNOW WHETHER TO GO FORTH WITH THE INFORMATION. IT WAS ALL STILL KIND OF SKETCHY. I WAS TRYING TO GRAB MORE THAN ONE SHOT. SEEING IF (b)(6), (b)(7)(C) STORY IF HE SAID ANYTHING, MATCHED (b)(6), (b)(7)(C)

Q: DURING THIS ENTIRE DEPLOYMENT, HAVE YOU EVER WITNESSED OR HEARD OF (b)(6), (b)(7)(C) OR ANY MEMBERS OF HIS SQUAD VIOLATE THE RULES OF ENGAGEMENT, GENEVA CONVENTION, OR UCMJ, DURING ANY OPERATION; OTHER THAN THIS INCIDENT?

A: NO

Q: IS THERE ANYTHING YOU WANT TO ADD TO THIS STATEMENT?

A: NO (b)(6), (b)(7)(C) OF STAFF

Q: ARE YOU SURE THAT (b)(6), (b)(7)(C) TOLD YOU THE DETAINEES WERE KILLED INSIDE THE HOUSE?

A: (b)(6), (b)(7)(C) SPECIFIED THE DETAINEES WERE SHOT IN THE HOUSE. BUT HE DIDN'T SPECIFY WHETHER THEY WERE IN OR OUTSIDE THE HOUSE WHEN HE RETURNED.

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

ACLU DDH ROI 34392

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EXHIBIT 14 EXHIBIT

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

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

STATEMENT OF \_\_\_\_\_

TAKEN AT FORT BRASSFIELD MORA

DATED 14 JUN 06

CONTINUED

STATEMENT (Continued)

Q: WHAT DOES "ALLA AHKBAR" MEAN?

A: I PERSONALLY DONT KNOW THE TRUE <sup>(b)(6), (b)(7)(C)</sup> DEFINITION OF "ALLA AHKBAR." BUT DUE TO PREDEPLOYMENT VIDEOS OF <sup>(b)(6), (b)(7)(C)</sup> INSURGENTS RECORDING THEIR ACTIONS OF HOSTILITY TOWARDS COALITION FORCES, I KNOW ITS NOT GOOD.

<sup>(b)(6), (b)(7)(C)</sup> SAID THIS TO THE INTERPRETER HARRY IN A HOSTILE WAY, BUT JUST VERRALLY. ||| END OF STATEMENT ||| <sup>(b)(6), (b)(7)(C)</sup>

AFFIDAVIT

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

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)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14 day of JUN, 20 06 at BRASSFIELD - MORA

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)

ACLU PAGE 1 OF 34393 PAGES

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EXHIBIT 74

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EXHIBIT

000591

**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 VIP CHU Brassfield Home	DATE 14 Oct 68	TIME 0340	(b)(6), (b)(7)(C) E NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)		GRADE/STATUS E-5 / SGT

C. Co 3/187 IN REG FOR Brassfield Home Sammaria Iraq

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

On or about the 14<sup>th</sup> of ~~May~~ 2006 at Pad Alpha 9 in Room 116 while I was going into my room to get a smoke I saw PFC (b)(6), (b)(7)(C) in the room and he said he had something he wanted to tell me about the mission Iraq triangle. I told PFC (b)(6), (b)(7)(C) that since I was not there on that mission that I did not want to know anything about it, and that if I needed to know that our chain of command would inform me of it. This however did not stop him from trying to talk, PFC (b)(6), (b)(7)(C) told me that he got his first kill on the mission, and was disappointed that I couldn't have been there. While saying this his face was full of excitement, I then told him again that I did not want to hear any more about what had happened on the mission, his face then showed signs of sadness. I was trying to make my way out the door and back to our company C.P. (b)(6), (b)(7)(C) which was my place of duty due to a knee injury.

PFC (b)(6), (b)(7)(C) burst out saying that the local that he had killed could do the Harlem shake, and that's what the local did when he was shot by PFC (b)(6), (b)(7)(C) once again. I tell him I don't want to know what happened out on the mission. At this point PFC (b)(6), (b)(7)(C) is standing on the inside of the room right in front of the door I tell him that I need to get back to the C.P. PFC (b)(6), (b)(7)(C) continues to say he was holding his m249 saw at his side and was waving it back and forth when he hit and killed the local. I give him a look like why did you do it that way but said nothing other than shut up I wasn't out there and I don't want to know.

I'm half way out the door when he looks right in the eye and says (he being PFC (b)(6), (b)(7)(C)) SSG (b)(6), (b)(7)(C) told him today if any one ask that a BER (which is a named need for Iraq locals) hit him and knocked him down, at this point I stop moving and ask if the local Iraqi really hit PFC (b)(6), (b)(7)(C) he told me no and that his Squad leader SSG (b)(6), (b)(7)(C) was the one who hit him. I stand there in shock for a second and then right before PFC (b)(6), (b)(7)(C) goes to open his mouth again, I tell him to stop and that I don't want to know, he continues to try to speak to me for second and I tell him again that I wasn't there and that I don't (b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING (b)(6), (b)(7)(C)	PAGE 1 OF 5 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.

DA FORM 2823  
1 JUL 72

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

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EXHIBIT 75  
000592

ACTUALLY PD# 34394

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

TAKEN AT JOB Bradford Plaza

DATED 11/20/06

CONTINUED

STATEMENT (Continued)

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

Want to know and I walk back to the EP thus ending his attempt to tell me about

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

Q. What SA **(b)(6), (b)(7)(C)**

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

Q. Why didn't you want to know what happened on the Iron Triangle mission?

A. I didn't want to know because I wasn't able to be out there with my guys to due my knee injury and I felt like I was letting them down.

Q. What did he mean when you said **(b)(6), (b)(7)(C)** started the locals knew had to do the Harlem Shake?

A. At that moment I didn't understand what he meant but then he started to shake his whole body from head to toe like he was about to have a seizure. To me I thought this must have happened because he had the M249 saw machine gun and the body must have been shaken due to the number rounds fired into it.

Q. Did he describe to you what happened while at Iron Triangle to cause him to have to kill one of the locals?

A. While we were talking he said **(b)(6), (b)(7)(C)** punched him and told him say that one of the locals did it. I just looked at him like a deer in head lights and then with a evidence he said another member of his team sp **(b)(6), (b)(7)(C)** was cut by a local and he felt threaten and so he shot a local.

Q. Did he say who was there when he shot the local? (witnessed the shooting)

A. I just understood it to be just him and **(b)(6), (b)(7)(C)** but I just don't know.

Q. What did you understand **(b)(6), (b)(7)(C)** excitement to mean?

A. At first I thought hey this guy did his job and maybe saved a team member's life but after thinking about it for a second none of it made any sense to me. The reason I felt this way because I have yet to meet anyone who can take someone else's life and seem so happy. It felt to me like something happened out there on that mission that didn't need to and that being the death of the local that was shot. I wasn't there so I don't know all the details but this is my 3rd combat tour and I've learned that when you get that it didn't need to happen feeling in you then there's a good chance that it didn't need to and that's the feeling I was having **(b)(6), (b)(7)(C)**

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

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EXHIBIT 25

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

TAKEN AT JOB Crossfield-More

DATED 14 June 06

CONTINUED

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

Q. To your knowledge has anything ever happened like this before? (Killing someone that really did not need to be killed)

A. No and I mean that on missions people stick to second guess their selves. The whole would've could've should've but nothing that has ever lead to a death. It's a learn as you go like we could have went to the house first because it over lookt two more houses or we should've stayed longer.

Q. Have you heard or found out anything else about this mission from others?

A. Since I've been here I tell people that if I'm not out here then I don't want to know. As far as this mission goes no one else has said anything to me the only other thing about Iron triangle that I know was there where steep off in the distance from members of 2nd S&A project going at it.

Q. Did he say why when (b)(6), (b)(7)(C) punched him?

A. I wasn't there but this is what I think. I think it was <sup>after</sup> the local was shot because he said that (b)(6), (b)(7)(C) told him that if <sup>(b)(6), (b)(7)(C)</sup> for him to say that the local hit him so my thinking is why would he say that if nothing wrong had's happened.

Q. What are bases or what does it stand for?

A. I don't know if it stands for anything truly but sometimes it's how we refer to the local's.

Q. What type of relationship do you have with (b)(6), (b)(7)(C)

A. I had him in my team for about 9 months and sometime's you had to stay on him because of his attitude I thought I was able to work it out of him but sometime's it shows back up when he wants to be a good soldier he is, but like I said sometime the attitude comes and you have to remind him your the boss. He's been F.T.R (Failure To Report) a few times disobeyed direct orders sometime's you tell him to do something and he say it was stupid and threw his arms in the air. He's gotten a few Article 15's but I can't remember for what.

Q. Do you dislike (b)(6), (b)(7)(C)

A. No! I like him since we bumped heads but I was his boss. We live in the same room. He's like a little brother to me minute your fighting the next playing video games together. When I first heard all of this it shocked me because he's so young and I was afraid it would ruin his life but he's an adult and there's nothing I can do.

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

PAGE 3 OF 5 PAGES  
ACLU DDH ROI 34396

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STATEMENT OF

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

TAKEN AT

JOB Bradford Mass

DATED

14 June 06

CONTINUED

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

Q: What type of relationship do you have w/ (b)(6), (b)(7)(C)

A: I'd say just a working one but when we work together we've got things done in a timely manner. My personal opinion is that he always try to one up every one you say you have 10000 in the bank well that's nothing he has 50,000 things like that. We've never hung around each other out side of work but he wasn't in the company for to long before we left for Iraq.

Q: Do you dislike (b)(6), (b)(7)(C)

A: No he just has more moments then most when you just want to tell some one to shut up. I get along with alot of people and it takes alot for me to dislike someone I'm a very forgiving person.

Q: Why didn't you inform anyone of this information prior to yesterday.

A: To be honest I don't know really. I don't like the thought of being a snitch but I also believe that if something wrong did happen out there then someone needs to answer up for it. You can say I guess I was a little frightened about what may happen I mean if some one killed a local for the wrong reason and they know or even think that I might know something then who're to say what they might do to me, or try to do. I have a wife and a daughter I have to look out for, but I'm saying something now and am willing to help any way I can.

Q: Is it common in your unit for a parents want to have a kill?

A: I really don't think so, sure there might be a few but over all I'd have to say no. By this I mean there may be a few that think it might be cool to have a kill not knowing the effects that it may have on them, and not fully understanding that that person will no longer be around for anything and leaving them <sup>to be around for</sup> ~~to feel~~ everything, to include that they must now deal with the fact some kid might not have a dad now, or just some one who takes care of them.

Q: Do you know if anyone has been threatened of the political information to anyone about what happened at Iron Triangle?  
A: No

Q: Have you discussed this incident w/ anyone else?

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

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

ACLU DDII ROI 34397 PAGES

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

STATEMENT OF \_\_\_\_\_

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

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

COR SPEICER

DATED \_\_\_\_\_

14 Jun 06

CONTINUED

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

STATEMENT (Continued)

A. The only person I've talked to was Sgt (b)(6), (b)(7)(C) and we were talking about how we both have family's and that we needed to say something to some one because we both new that the other one new something and that our family's come first and what if some cracked and admitted to something and then said we new, then it would be our butts.

Q. Do you have anything else 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 (b)(6), (b)(7)(C). 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)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14th day of June, 2006 at JCS Cross Field Hall

ORGANIZATION OR ADDRESS

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

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

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

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

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 5 PAGES  
ACLU DDH ROI 34398

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**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 Cco 3-187IN CP FOB Brassfield-Mora, Samarra, Iraq	2. DATE (YYYYMMDD) 2006/06/1	3. TIME 0919	4. FILE NUMBER 0019hrs (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 1SG/E-8/RA	
8. ORGANIZATION OR ADDRESS C CO 3-187 IN, 3RD BCT, 101ST AIRBORNE DIVISION, FOB BRASSFIELD-MORA, SAMARRA, IRAQ APO AE 09349			

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

On May 9th 2006 I was part of Operation Iron Triangle. I was on the initial Air Assault in Chalk 7. Our initial Objective was to clear Objective Murray. I was with elements of our 3rd Platoon. The Chalk Leader was SSG (b)(6), (b)(7)(C) Also had with me was our Company XO CPT (b)(6), (b)(7)(C) and our Company Fire Support NCO SSG (b)(6), (b)(7)(C). As we were flying into the Objective Landing Zone I saw red tracer fire about 50 to 100 meters off the right side of the Aircraft. I believe this was about 1 to 2 minutes out from landing. We then moved with 3rd platoon after the initial assault onto Objective Murray. The first group of buildings were cleared and did not have any personnel in them. SSG (b)(6), (b)(7)(C) then set his machine guns onto the rooftop of the buildings which is our Company SOP so they could overwatch the rest of the platoon as they moved to other buildings. As 3rd platoon started to assault another set of buildings they opened up with the machine guns while the assault element moved to the buildings and cleared them there was also nobody in these buildings but the lights were on. At this time the AH-64 helicopters called in they had spotted 4 personnel speeding away from the island in a boat CPT (b)(6), (b)(7)(C) then cleared them hot to engage the boat, I then could hear the helicopter firing on the boat. SSG (b)(6), (b)(7)(C) CPT (b)(6), (b)(7)(C) and myself moved back to the initial objective to establish the Company CP. It was now daylight and CPT (b)(6), (b)(7)(C) started bringing in the UH-60 Aircraft to lift and move 3rd platoon to the north end of the island to clear some buildings that were located there. The element had 22 Soldiers six were Iraqi Soldiers the rest were U.S. Soldiers. This group was led by 1LT (b)(6), (b)(7)(C). The initial report we received on the radio was they had 1 enemy KIA, the house was cleared and they also had 4 male detainees. I got this report I believe from PFC (b)(6), (b)(7)(C) who was 1LT (b)(6), (b)(7)(C) RTO. We were having a hard time making Communication with their element we had the COM-201 antenna up but we still had bad reception. I said that I am not sure why we had 4 males detainees but get them ready to be moved by the Aircraft back to our CP at the initial objective so they could be screened by SGT (b)(6), (b)(7)(C) and his THT team. They were to screen them to see if we could get any actionable intelligence from the detainees to conduct any further operations in the area and the other part of the screening was to see if they had any intelligence value and should be detained at all. This is common for us to do this with THT. I then moved to where SGT (b)(6), (b)(7)(C) was located within our perimeter and told him to get ready to start screening detainees and that we had four being sent our way. He replied he would be ready when they got to our location. After I instructed them to get the detainees back to our location about 20 to 30 minutes went by when the report went to CPT (b)(6), (b)(7)(C) that they had killed three of the detainees because they were attacked by them. This did not sound right to me. The Aircraft never came to our CP and was diverted to the 3-320th TOC. Our CP was then moved south into another raid. I did not see 3rd Platoon until the next day. I saw SSG (b)(6), (b)(7)(C) and his guys in the morning and I immediately asked them if they were OK. SSG (b)(6), (b)(7)(C) looked at me and asked "are we OK?" it did not seem strange at the time but now looking back at this for some reason it sticks in my head. I told SSG (b)(6), (b)(7)(C) that they did the right thing that the guys attacked them and tried to escape and that killing them was the right thing to do because they were defending themselves. I then took PFC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) to the Aid Station so they could be looked at by the medics. Today 13 June 2006 at around 1600 SSG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) asked me if they could talk to me. I brought them into my CHU and SGT (b)(6), (b)(7)(C) told me that him and SGT (b)(6), (b)(7)(C) had heard some stuff that bothered them about Operation Iron Triangle. I told them to tell me what it was. SGT (b)(6), (b)(7)(C) told me that the day we came back from Iron Triangle that PFC (b)(6), (b)(7)(C) told him that it was SSG (b)(6), (b)(7)(C) who had punched him in the face along with SPC (b)(6), (b)(7)(C). I asked him if anyone else heard this or was there and he said no. He also said that SSG (b)(6), (b)(7)(C) said to PFC (b)(6), (b)(7)(C) to say that the Iraqi hit him out on their Objective. I then told him not to say anything else to anyone about this right now. I then brought in SGT (b)(6), (b)(7)(C) and he told me that 2 weeks after we came back from Iron Triangle SGT (b)(6), (b)(7)(C) pulled him aside and said to him something bad happened on Iron Triangle. SGT (b)(6), (b)(7)(C) said that SGT (b)(6), (b)(7)(C) told him that SSG (b)(6), (b)(7)(C) pulled their squad together on the objective and said this is where you put your "brotherhood to the test" and if you did not want part of this to move away from the building. They planned to cut them Iraqis loose and have the Iraqis run away and then they would shoot them. They also had SSG (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) punch PFC (b)(6), (b)(7)(C) and then SSG (b)(6), (b)(7)(C) cut SPC (b)(6), (b)(7)(C) across the face and in the arm to make it look like they were attacked and defending themselves. I have one more thing to add the part of their story that makes no tactical sense to me is why they had 3 detainees with their flex cuffs cut off at once with only 2 Soldiers guarding them, and that the rest of the element was already on the PZ. Why would they have left 2 Soldiers and 3 detainees by themselves if they were supposed to be on the PZ waiting to be picked up and taken back to the Company CP?--End of Statement--

10. EXHIBIT	1 (b)(6), (b)(7)(C) MAKING STATEMENT	PAGE 1 OF 2 PAGES
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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 INDICATED.

**ACLU DDII ROI 34399**

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT 00191 HRS. DATED 2006/06/14

9. STATEMENT. (Continued)

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

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

(statement)

WITNESSES:

Subscribe (b)(6), (b)(7)(C) authorized by law to administer oaths, this 14 day of Jun, 2006 at BRASSFIELD - MORGAN

ORGANIZATION OR ADDRESS

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

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

(Typed Name of Person Administering Oath)

ACT 156, UCMJ

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

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

ACLU DDII ROI 34400

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 <b>FOB BRASSFIELD-MORA</b>	DATE <b>(b)(6), (b)(7)(C)</b> 14 JUN 06 - 1429	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME <b>(b)(6), (b)(7)(C)</b>	SOCIAL SECURITY NUMBER <b>(b)(6), (b)(7)(C)</b>	GRADE/STATUS E-6/AD
ORGANIZATION OR ADDRESS <b>C Co, 3-187 INF, FOB BRASSFIELD MORA SAMARIA, IC APO AE 09393</b>		

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

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On or about 15 May at about 2300hrs SGT **(b)(6), (b)(7)(C)** woke me to tell me he had information on SSG **(b)(6), (b)(7)(C)** Squad and that SGT **(b)(6), (b)(7)(C)** had told him. Once the radio traffic came through from 1SG **(b)(6), (b)(7)(C)** that they all should have been killed, but seeing as how they were detained bring the detained people back to the Company CP to have them questioned by the Technical Humint team. Then 5 min later SSG **(b)(6), (b)(7)(C)** came back over the radio stating he had 3 killed detainees. SSG **(b)(6), (b)(7)(C)** explained that they broke the cuffs and punched PFC **(b)(6), (b)(7)(C)** and stabbed SPC **(b)(6), (b)(7)(C)**. Once I looked up with the remainder of the platoon I asked my machine gun team what had happened. They explained they went to secure the helicopter pick-up zone, they heard some shots and looked to the house to see one frag running from the house. Then SGT **(b)(6), (b)(7)(C)** explained to me that SSG **(b)(6), (b)(7)(C)** had had a Squad huddle after the radio transmission and SSG **(b)(6), (b)(7)(C)** told members of his Squad that didn't want to participate they could leave that is when SGT **(b)(6), (b)(7)(C)** and PFC **(b)(6), (b)(7)(C)** left the house. The plan ~~was~~ told to me was PFC **(b)(6), (b)(7)(C)** would get punched by both SPC **(b)(6), (b)(7)(C)** and SSG **(b)(6), (b)(7)(C)** and that SPC **(b)(6), (b)(7)(C)** would get stabbed. They then cut the Plot Cables and told the men to run. After SGT **(b)(6), (b)(7)(C)** told me this I didn't think much about it because it was late and he woke me. Then on 12 June 06 SGT **(b)(6), (b)(7)(C)** told me that PFC **(b)(6), (b)(7)(C)** had told him what happened on operation Brown Trunks. The plan was PFC **(b)(6), (b)(7)(C)** would get punched by SPC **(b)(6), (b)(7)(C)** SSG **(b)(6), (b)(7)(C)** and SPC **(b)(6), (b)(7)(C)** would get stabbed by SSG **(b)(6), (b)(7)(C)**. Then SGT **(b)(6), (b)(7)(C)** told me PFC **(b)(6), (b)(7)(C)** stated it was fun watching the frag men do the hurlem ~~take~~ <sup>June</sup> take when he located his Squad automatic weapon to his hip and fired. On 13 June After hearing two stories about what happened I realized that a issue did arise and something needed to be done. SGT **(b)(6), (b)(7)(C)** then approached and stated he needed to talk to 1SG **(b)(6), (b)(7)(C)** about operation Trunks and SGT **(b)(6), (b)(7)(C)** also had information so I took SGT **(b)(6), (b)(7)(C)** to see 1SG **(b)(6), (b)(7)(C)** and SGT **(b)(6), (b)(7)(C)** told 1SG **(b)(6), (b)(7)(C)**

EXHIBIT	INITIALS OF PER <b>(b)(6), (b)(7)(C)</b> ELEMENT	PAGE 1 OF <u>4</u> 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 MUST 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

TAKEN AT FOB Brassfield - MURAT

DATED 14 June 06

CONTINUED

STATEMENT (Continued)

what he had heard from SGT (b)(6), (b)(7)(C) Once SGT (b)(6), (b)(7)(C) was complete with 1SG (b)(6), (b)(7)(C) I went and got SGT (b)(6), (b)(7)(C) and informed him he was talking to the 1SG company about what he was told by PFC (b)(6), (b)(7)(C)

Q: WHAT WAS (b)(6), (b)(7)(C)

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

Q: WHAT WAS YOUR DUTY DURING OPERATION TRIANGLE?

A: Weapon Squad leader, my squad members were (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) Cpl (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) During this time I released machine gun team 6 which was capt. (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) to 556 (b)(6), (b)(7)(C) speed. SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) also accompanied 556 (b)(6), (b)(7)(C) speed Squad

Q: WHEN DID YOU HEAR THE RADIO TRAFFIC?

A: Myself, Cpl (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) were on top of a roof of a mud hut on objective Murray. The radio traffic happened on the first day of the operation during the day time.

Q: IN REFERENCE TO THE RADIO TRAFFIC, WHO DID (b)(6), (b)(7)(C)

SAY "BROKE THE CUFFS AND PUNCHED PFC (b)(6), (b)(7)(C) AND STABBED (b)(6), (b)(7)(C)

A: SSG (b)(6), (b)(7)(C) stated that the IRAQI detainees had broken the cuffs and one Iraqi punched PFC (b)(6), (b)(7)(C) and that another Iraqi had stabbed SPC (b)(6), (b)(7)(C)

Q: DID ANY OF YOUR SQUAD MEMBERS THAT WERE WITH (b)(6), (b)(7)(C) SQUAD, DISPLAY ANY UNUSUAL BEHAVIOR AFTER THE MISSION?

A: None that I could notice

Q: WHO (b)(6), (b)(7)(C) TELLS (b)(6), (b)(7)(C) WHO (b)(6), (b)(7)(C) DID ANY (b)(6), (b)(7)(C) BESIDES (b)(6), (b)(7)(C) AND (b)(6), (b)(7)(C) DID ANY TELL YOU OR DID YOU HEAR OF ANY WITOMG DOING IN REGARDS TO THE HANDLING AND (b)(6), (b)(7)(C) KILLING OF THE (b)(6), (b)(7)(C) THREE FOUR IRAQIS?

A: NO

Q: CLARIFY (b)(6), (b)(7)(C) INFORMED YOU?

A: SGT (b)(6), (b)(7)(C) informed me that PFC (b)(6), (b)(7)(C) told him that he was punched by (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) this happened after the cuffs were cut and the men told (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) told SGT (b)(6), (b)(7)(C) it was fun watching the Iraqi men do the hardest shake as

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

PAGE 2 OF 4 PAGES  
ACLU DDH ROI 34402

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EXHIBIT 77

FILE NUMBER

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

STATEMENT OF

TAKEN AT FOB Brassfield-MORA

DATED 14 June 06

CONTINUED

STATEMENT (Continued)

Pfc (b)(6), (b)(7)(C) brought his saw to his hip and offered Pfc with the Squad to make weapons

Q: CLARIFY WHAT (b)(6), (b)(7)(C) INFORMED YOU?

A: SGT (b)(6), (b)(7)(C) informed me that during the operation SSG (b)(6), (b)(7)(C) had pulled his squad together informed his squad of the plan and who ever didn't want to be involved could leave SGT (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) left. SGT (b)(6), (b)(7)(C) then told me the plan was that SSG (b)(6), (b)(7)(C) would stay SFC (b)(6), (b)(7)(C) and that the two of them he SSG (b)(6), (b)(7)(C) and SFC (b)(6), (b)(7)(C) would get to punch PFC (b)(6), (b)(7)(C) they then cut the Plex cubes and told the Iraqi men to run shot the Iraqi men and then implemented the plan they talked about.

Q: WHAT DID (b)(6), (b)(7)(C) MEAN BY "HARLEM SHAKE."

A: The dancing the Iraqi men did while they were being shot at. I took it as a man bouncing around trying to dodge bullets

Q: IS THERE ANYTHING YOU WANT TO ADD TO THIS STATEMENT?

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

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

ACLU DBI ROI 34403 PAGES

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EXHIBIT 77

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

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

TAKEN AT FOB Brassfield mura

DATED 14 June 06

CONTINUED

STATEMENT (Continued)

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

AFFIDAVIT

(b)(6), (b)(7)(C) I, \_\_\_\_\_, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE \_\_\_\_\_ AND ENDS ON PAGE \_\_\_\_\_. 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)

(Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14 day of June, 20 06 at BRASSFIELD - MURA

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)

PAGE 11 OF 14 PAGES  
ACLU DDII RO1 34404

FOR OFFICIAL USE ONLY - Law Enforcement Sensitive

EXHIBIT 77

**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

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

**DATA REQUIRED BY THE PRIVACY ACT**

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

1. LOCATION COB Speicher, Tikrit CID Office		2. DATE 15 June 03	3. TIME 0830	4. FILE NUMBER (b)(6), (b)(7)(C)
5. Name (Last First MI) (b)(6), (b)(7)(C)		6. ORGANIZATION OR ADDRESS C Company 3/187th Infantry, FOB Brassfield-Mora, APO AE 09393		
6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS E6/AD			

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**SECTION A. Rights**

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command and wanted to question me about the following offense(s) of which I am suspected/accused: Murder, Conspiracy, False Official Statement, Communicating a Threat, Dereliction of Duty

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

1. I do not have to answer any questions or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me or both.

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

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have the right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

**5. COMMENTS (Continue on reverse side)**

**SECTION B. Waiver**

I understand my rights as stated above. I am now willing (b)(6), (b)(7)(C) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

**WITNESSES (if available)**

1a. NAME (Type or Print)	(b)(6), (b)(7)(C)
b. ORGANIZATION OR ADDRESS AND PHONE	(b)(6), (b)(7)(C)
2a. NAME (Type or Print)	(b)(6), (b)(7)(C)
b. ORGANIZATION OR ADDRESS AND PHONE	(b)(6), (b)(7)(C)

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

NAME OF INVESTIGATOR  
SA (b)(6), (b)(7)(C)  
ORGANIZATION OF INVESTIGATOR  
31<sup>st</sup> Military Police Detachment (CID) (-)  
Tikrit Iraq, APO AE 09393

**SECTION C. Non-waiver**

1. I do (b)(6), (b)(7)(C)  up my rights.  I do not want to be questioned or say anything

2. SIGNATURE OF SUSPECT/ACCUSED  
(b)(6), (b)(7)(C)

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



THE WARNING

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

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

-or-

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

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

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

THE WAIVER

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

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

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

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

SPECIAL INSTRUCTIONS

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

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

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

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

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

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

COMMENTS (Continued)

REVERSE OF DA FORM 3881

ACLU DDII ROI 34406

EX 0006078

**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

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

**DATA REQUIRED BY THE PRIVACY ACT**

**AUTHORITY:**  
**PRINCIPAL PURPOSE:**  
**ROUTINE USES:**  
**DISCLOSURE:**

Title 10, United States Code, Section 3012(g)  
 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

COB Speicher, Tikrit, IZ

5. Name (Last First MI)

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

2. DATE

15 Jun 00

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

0839

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

FILE NUMBER

3. ORGANIZATION OR ADDRESS

C Co, 3-187<sup>th</sup> INF, 3 BCT  
 FOB Brassfield-Mora, Samarra, IZ APO AE 09393

7. GRADE/STATUS

E-4/AD

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE****SECTION A. Rights**

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command and wanted to question me about the following offense(s) of which I am suspected/accused: Murder, Conspiracy, False Official Statement. Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

1. I do not have to answer any questions or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me or both.

-or-

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have the right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

**5. COMMENTS (Continue on reverse side)****SECTION B. Waiver**

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

**WITNESSES (if available)**

1a. NAME (Type or Print)

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

b. ORGANIZATION OR ADDRESS AND PHONE

2a. NAME (Type or Print)

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

b. ORGANIZATION OR ADDRESS AND PHONE

31<sup>st</sup> MP DET CID (-)  
 COB Speicher, Tikrit, IZ APO AE 09393

**SECTION C. Non-waiver**

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

2. SIGNATURE OF INTERVIEWEE

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

DA FORM 3881, NOV 89 (AUTOMATED)

EDITION OF NOV 84 IS OBSOLETE

**PART II - RIGHTS WARNING PROCEDURE****ACLU DDII ROI 34407****FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE**

EXHIBIT 79

000605

## THE WARNING

1. WARNING - Inform the suspect/accused of
  - a. Your official position.
  - b. Nature of the offense(s)
  - c. The fact that he/she is a suspect/accused.
2. RIGHTS - Advise the suspect/accused of his/her rights as follows:
 

"Before I ask you any questions, you must understand your rights."

  - a. "You do not have to answer my questions or say anything."
  - b. "Anything you say or do can be used as evidence against you in a criminal trial."
  - c. (For personnel subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer

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

-or-

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

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

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

## THE WAIVER

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

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

"Do you want a lawyer at this time?"

(If the suspect/accused says "yes," stop the questioning until he/she has a lawyer. If the suspect/accused says "no," ask him/her the following question.)

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

## SPECIAL INSTRUCTIONS

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

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

**PRIOR INCRIMINATING STATEMENTS:**

1. If the suspect/accused has made spontaneous incriminating statements before being properly advised of his/her rights he/she should be told that such statements do not obligate him/her to answer further questions.

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

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

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

## COMMENTS (Continued)

REVERSE OF DA FORM 3881

ACLU DDII ROI 34408

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

EXHIBIT 74  
000606

**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

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

**DATA REQUIRED BY THE PRIVACY ACT**

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

1. LOCATION COB Speicher, Tikrit, IZ	2. DATE 15 Jun 06	3. FILE NUMBER (b)(6), (b)(7)(C) 1008
5. Name (Last First MI) (b)(6), (b)(7)(C)	4. ORGANIZATION OR ADDRESS C Co, 3-187 <sup>th</sup> INF, 3 BCT FOB Brassfield-Mora, Samarra, IZ APO AE 09393	
6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS E-5/AD	

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE****SECTION A. Rights**

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command and wanted to question me about the following offense(s) of which I am suspected/accused: Dereliction Duty Conspiracy, False Official Statement. Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

1. I do not have to answer any questions or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me or both.

-or-

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have the right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

**SECTION B. Waiver**

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

**WITNESSES (if available)**

1a. NAME (Type or Print)	(b)(6), (b)(7)(C)
b. ORGANIZATION OR ADDRESS AND PHONE	
2a. NAME (Type or Print)	SA (b)(6), (b)(7)(C)
b. ORGANIZATION OR ADDRESS AND PHONE	
6. ORGANIZATION OF INVESTIGATOR 31 <sup>st</sup> MP DET CID (-) COB Speicher, Tikrit, IZ APO AE 09393	

**SECTION C. Non-waiver**

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

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

DA FORM 3881, NOV 89 (AUTOMATED) EDITION OF NOV 84 IS OBSOLETE

**PART II - RIGHTS WARNING PROCEDURE**

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

EXHIBIT 80  
000607

THE WARNING

- 1. WARNING - Inform the suspect/accused of
  - a. Your official position.
  - b. Nature of the offense(s)
  - c. The fact that he/she is a suspect/accused.
- 2. RIGHTS - Advise the suspect/accused of his/her rights as follows:
 

"Before I ask you any questions, you must understand your rights."

  - a. "You do not have to answer my questions or say anything."
  - b. "Anything you say or do can be used as evidence against you in a criminal trial."
  - c. (For personnel subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer

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

-or-

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

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

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

THE WAIVER

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

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

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

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

SPECIAL INSTRUCTIONS

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

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

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

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

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

PRIOR INCRIMINATING STATEMENTS:  
1. If the suspect/accused has made spontaneous incriminating statements before being properly advised of his/her rights he/she should be told that such statements do not obligate him/her to answer further questions.

COMMENTS (Continued)

REVERSE OF DA FORM 3881

ACLU DDII ROI 34410

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

80  
000608

## 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 SPECIFIED TICKET, IZ COTS STAGSFIELD (b)(6), (b)(7)(C)	DATE (b)(6), (b)(7)(C) 15 JUN 06 1613	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS E-5/AD
HOME ADDRESS C Co, 3-187 INF, 3 RCT, SAMACCA, IZ APO AE 09549		

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

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: DID YOU OMIT AND PROVIDE FALSE INFORMATION IN YOUR FIRST SWORN STATEMENT TO CID?

A: Yes

Q: PROVIDE DETAILS OF WHAT YOU OMITTED AND THE FALSE INFORMATION?

A: AFTER GIVING A SITREP TO CHOPPIN' 6, CHOPPIN' 7 SAID OVER F.M. THAT THE DETAINEES SHOULD HAVE BEEN KILLED. ABOUT TEN MINUTES OR SO, SSG (b)(6), (b)(7)(C) CALLED OUR SQUAD INTO THE ROOM OF THE 1ST BUILDING AND SAID HE WANTED TO CHANGE THE FIVE (b)(6), (b)(7)(C) ZIP-TIES ON THE DETAINEES, BUT HIS HAND GESTURES AND BODY LANGUAGE SEEMED TO SAY SOMETHING ELSE. I TOOK IT AS SOMETHING ELSE WAS GOING TO HAPPEN SO I WALKED TOWARDS THE DOOR. SGT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) AND SPC (b)(6), (b)(7)(C) WERE OUTSIDE THE BUILDING PULLING SECURITY. AS I STOOD AT THE DOOR, SPC (b)(6), (b)(7)(C) WALKED TOWARDS ME. SSG (b)(6), (b)(7)(C) THEN SAID TO ME THAT SPC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) AND PFC (b)(6), (b)(7)(C) WERE GOING TO CHANGE OUT THE (b)(6), (b)(7)(C) ZIP-TIES, AND THAT I MOVE SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) CPL (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) AND SGT (b)(6), (b)(7)(C) TO THE IZ WITH THE ONE DETAINEE FROM THE 2ND HOUSE.

Q: TO CLARIFY YOUR PREVIOUS ANSWER?

A: SSG (b)(6), (b)(7)(C) GAVE A SITUATION REPORT TO CPL (b)(6), (b)(7)(C) ON OUR A.S.I.P. RADIO. HE INFORMED HIM OF OUR 4x DETAINEES AND 1x K.I.A. ISG (b)(6), (b)(7)(C) TRANSMITTED OVER THE RADIO THAT THOSE DETAINEES SHOULD HAVE BEEN KILLED. AS I WANTED TO GET WORD IF HELICOPTERS WERE ENROUTE TO TRANSFER THE DETAINEES, I SAT IN THE HOUSE AND TOOK MY HELMET OFF SO I COULD COOL DOWN.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 9 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 PAGES WILL BE 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, 1 JAN 68, WHICH WILL BE USED.

FOR OFFICIAL USE ONLY - Law Enforcement Sensitive

EXHIBIT 80  
000609

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

STATEMENT OF

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

TAKEN AT

COB SPEICHER

DATED 15 JUN 2004

CONTINUED

STATEMENT (Continued)

SO AFTER ABOUT 10 MIN OF SITTING DOWN, I GOT UP AND LOOKED IN EACH ROOM. EVERY ROOM WAS EMPTY EXCEPT THE FIRST ROOM WHERE SPC (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) MYSELF, PFC (b)(6), (b)(7)(C) AND PFC (b)(6), (b)(7)(C) WERE IN. SSG (b)(6), (b)(7)(C) CALLED FOR SPC (b)(6), (b)(7)(C) TO COME INTO THE ROOM. PFC (b)(6), (b)(7)(C) WENT AND GOT HIM. AS WE ALL STOOD THERE, SSG (b)(6), (b)(7)(C) SAID TO BRING IT IN CLOSE. IN A LOW TONED VOICE HE SAID, "WE ARE GOING CHANGE THE ZIP-TIES..." AND GLANCED AT THE DETAINEES, WHO WERE OUTSIDE. HE MENTIONED THAT SSG (b)(6), (b)(7)(C) TRANSMITTED OVER THE RADIO THAT THE DETAINEES SHOULD HAVE BEEN KILLED. SO, AGAIN HE SAID WE NEEDED TO CHANGE THE ZIP-TIES, AS HE LOOKED AT THE DETAINEES. SSG (b)(6), (b)(7)(C) TALKED WITH HIS HANDS AND HIS BODY LANGUAGE WAS AS TO SAY THAT THESE DETAINEES WERE GOING TO GET ROASTED UP. I DIDNT LIKE THE IDEA SO I WALKED TOWARDS THE DOOR. HE LOOKED AROUND AT EVERY ONE AND ASKED IF ANYONE ELSE HAD AN ISSUE OR A PROBLEM. NOBODY SAID ANYTHING SO HE TOLD SPC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) AND PFC (b)(6), (b)(7)(C) TO STAY THERE WHILE HE GAVE ME INSTRUCTIONS. HE TOLD ME TO GRAB SGT (b)(6), (b)(7)(C) AND CPL (b)(6), (b)(7)(C) WITH 1 DETAINEE AND HAVE THEM SIT AT THE LZ, AS SA (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) AND SPC (b)(6), (b)(7)(C) AND I PULLED SECURITY. AS WE SAT THERE (ASKED) THE 1 DETAINEE IF HE WAS AN "ALI-BABA" WHICH MEANS "THIEF" OR "BAD GUY" IN ARABIC. THE DETAINEE DID NOT RESPOND. I TOLD SGT (b)(6), (b)(7)(C) THAT I WAS SMOKED AND TURNED TOWARDS THE DETAINEE. RIGHT THERE, I HEARD "OH SHIT" AND SAW 2 DETAINEES RUNNING AWAY. THEY ALL GOT SHOT AND FELL SO I CALLED SSG (b)(6), (b)(7)(C) ON MY TCOM TO SEE WHAT HAPPENED. I TOLD SPC (b)(6), (b)(7)(C) AND CPL (b)(6), (b)(7)(C) TO SEE WHO NEEDED FIRST AID (b)(6), (b)(7)(C) I TRIED 2 MORE TIMES TO HEAR FROM SSG (b)(6), (b)(7)(C) BUT STILL NO ANSWER I MADE MY WAY TO THE HOUSE ONLY TO SEE 3 BODIES, WHICH WERE THE DETAINEES, AND SSG (b)(6), (b)(7)(C)

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

ACLU BDI ROI 84472

FOR OFFICIAL USE ONLY - Law Enforcement Sensitive

EXHIBIT 80

000610

FILE NUMBER

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

TAKEN AT COB SPEICHER

DATED 15 JUN 2000

CONTINUED

STATEMENT (Continued)

I ASKED HIM WHAT HAPPENED, BUT HE COULDN'T ANSWER. HE JUST LOOKED AT THE BODIES AND HAD THIS FROZEN LOOK ON HIS FACE. I ASKED WHERE MY GUNS WERE AND HE STUTTERED THAT THEY WERE IN THE BUILDING GETTING FIRST AID FROM SPC (b)(6), (b)(7)(C). A WEEK LATER, WHILE WE SAT AT COMBAT OUTPOST 2, IN SAMARRA, I OVER-HEARD ALL THE TALK ABOUT WHAT HAD REALLY HAPPENED FROM PFC (b)(6), (b)(7)(C) AND POSSIBLY SPC (b)(6), (b)(7)(C). I HEARD HALF OF WHAT THEY SAID, BUT PFC (b)(6), (b)(7)(C) MENTIONED TO PEOPLE IN HIS TRUCK THAT SSG (b)(6), (b)(7)(C) HAD PUNCHED PRETTY HARD THE SOLDIERS IN SSG (b)(6), (b)(7)(C) TRUCK ARE SPC (b)(6), (b)(7)(C), SPC (b)(6), (b)(7)(C), PFC (b)(6), (b)(7)(C) AND PFC (b)(6), (b)(7)(C). WHAT I THINK WAS SPC (b)(6), (b)(7)(C) TALKING, I HEARD ABOUT A KITCHEN KNIFE BEING USED TO CUT SPC (b)(6), (b)(7)(C). SPC (b)(6), (b)(7)(C) DID NOT SAY WHO DID THE CUTTING. I DIDN'T SEE THE KNIFE THE DAY OF THE MISSION, OR AFTER THE INCIDENT. PFC (b)(6), (b)(7)(C) HAS A TENDANCY TO BRAG ABOUT HIS ACTIONS AND TOLD HIS BUDDIES IN THE COMPANY, WHICH I HAVE NO IDEA WHO THEY MAY BE. I TOLD MY TEAM, SPC (b)(6), (b)(7)(C) AND PFC (b)(6), (b)(7)(C) THAT THERE IS NO NEED TO BRAG BECAUSE NOBODY WANTS TO HEAR THAT KIND OF STUFF.

Q: WHILE IN THE HOUSE, DID YOU SPECIFICALLY HEAR (b)(6), (b)(7)(C) STATE THAT HE WAS GOING TO CUT THE DETAINEE'S ZIP-TIES AND SHOOT THEM?

A: AFTER HE PULLED US IN CLOSE, YES HE DID.

Q: DID HE SPECIFY WHO WAS GOING TO DO THE SHOOTING?

A: NOT WHILE I WAS IN THE ROOM. HE TOLD PFC (b)(6), (b)(7)(C), PFC (b)(6), (b)(7)(C) AND SPC (b)(6), (b)(7)(C) TO STAND FAST.

Q: WHILE IN THE ROOM, DID (b)(6), (b)(7)(C) STATE THAT HE OR SOMEONE ELSE WILL CUT (b)(6), (b)(7)(C) AND PUNCH (b)(6), (b)(7)(C)?

A: NO, NOT WHILE I WAS IN THE ROOM.

Q: BESIDES HEARING (b)(6), (b)(7)(C) ISLAGGING ABOUT BEING PUNCHED IN THE FACE BY (b)(6), (b)(7)(C) HOW DID YOU KNOW (b)(6), (b)(7)(C) WAS CUT BY (b)(6), (b)(7)(C)?

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

PAGE 3 OF 2 PAGES  
ACLU DDH ROI 34413

FOR OFFICIAL USE ONLY - Law Enforcement Controls EXHIBIT 80



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

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

TAKEN AT **COB SPEICHER**

DATED **15 JUN 2004**

CONTINUED

STATEMENT (Continued)

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

A: IM NOT SURE IF HE ACTUALLY DID CUT SFC **(b)(6), (b)(7)(C)**

Q: WITH DID YOU TELL SGT **(b)(6), (b)(7)(C)** THAT **(b)(6), (b)(7)(C)** CUT **(b)(6), (b)(7)(C)**

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

A: I ASSUMED HE DID IT, BUT PFC **(b)(6), (b)(7)(C)** AND PFC **(b)(6), (b)(7)(C)** WERE THERE TOO.

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

Q: WHAT WOULD LEAD YOU TO BELIEVE **(b)(6), (b)(7)(C)** CUT **(b)(6), (b)(7)(C)**

A: THEY BOTH HAVE RANGER SCHOOL BACKGROUND AND THEY ARE PRETTY CLOSE FRIENDS. THEY WOULD ALWAYS TALK ABOUT THE FRENCH FOREIGN LEGION AND RENEGADE MERCENARIES RUNNING AROUND FROM COUNTRY TO COUNTRY.

Q: ~~AND YOU HEARD **(b)(6), (b)(7)(C)** WHY WOULD **(b)(6), (b)(7)(C)** AND **(b)(6), (b)(7)(C)** STATE THEY HEARD **(b)(6), (b)(7)(C)** TALK THAT HE WAS GOING TO CUT **(b)(6), (b)(7)(C)** AND PUNCH **(b)(6), (b)(7)(C)** DURING THE MEETING IN THE HOUSE IN WHICH YOU WERE THERE?~~

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

A: I DONT KNOW. MASON STAYED IN THE BUILDING. **(b)(6), (b)(7)(C)** MIGHT HAVE OVER HEARD. I DONT KNOW.

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

Q: DID YOU WITNESS ANYONE SHOOT THE DETAINEES?

A: NO, I COULD NOT SEE RIFLES POINTS OR FIRING

Q: WITH DID YOU TELL **(b)(6), (b)(7)(C)** THE DETAINEES WERE SHOT INSIDE THE HOUSE?

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

A: I TOLD HIM 1 PERSON WAS SHOT INSIDE THE HOUSE WHEN WE FIRST ASSAULTED THE OBJECTIVE. NOT A DETAINEE, THE 1ST K.I.A. WAS SHOT THROUGH THE WINDOW FROM THE OUTSIDE OF THE HOUSE WHEN WE RAN TO THE HOUSE

Q: WHAT DOES K.I.A MEAN?

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

KILLED IN ACTION.

Q: BESIDES YOURSELF, **(b)(6), (b)(7)(C)**

AND **(b)(6), (b)(7)(C)** WHO ELSE KNOWS ABOUT THE CONSPIRACY TO ~~KILL~~ **(b)(6), (b)(7)(C)**

~~THE~~ SHOOT THE DETAINEES AND ~~SURVIVE~~ SUBSEQUENTLY KILLED THEM? WHO ELSE KNOWS THE CIRCUMSTANCES OF HOW THEY WERE KILLED?

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

A: ONLY MYSELF, CPL **(b)(6), (b)(7)(C)** AND SGT **(b)(6), (b)(7)(C)** NO ONE ELSE TO MY KNOWLEDGE.

Q: WHO IS CPL **(b)(6), (b)(7)(C)**

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

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EXHIBIT 80

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

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

TAKEN AT COB SPEICHER

DATED 15 JUN 2001

CONTINUED

STATEMENT (Continued)

**(b)(6), (b)(7)(C)** A: CPL **(b)(6), (b)(7)(C)** IS MY ROOMMATE IN BRASSFIELD-MORA.

**(b)(6), (b)(7)(C)** Q: WHO IS SPC **(b)(6), (b)(7)(C)**

A: HE IS MY SOLDIER AND SA-W. GUNNER

Q: DID YOU HEAR A SINGLE SHOT MOMENTS LATER AFTER YOU HEARD AND SAW THE DETAINEES GET SHOT?

**(b)(6), (b)(7)(C)** A: NO, I DIDNT HEAR A SINGLE SHOT.

Q: IS ALL THE DETAIL YOU PROVIDED IN YOUR PREVIOUS SWORN STATEMENT ~~YOU PROVIDED~~ ON 29 MAY 06, FROM THE INITIAL ASSAULT TO WHEN YOUR SQUAD APPREHENDED AND FLEX-CUFFED THE 4 DETAINEES, CORRECT TO THE BEST OF YOUR KNOWLEDGE?

**(b)(6), (b)(7)(C)** A: YES, BUT IN MY PREVIOUS STATEMENT I STATED THE DETAINEES WERE ZIP-TIED, NOT FLEX CUFFED.

Q: IS ALL THE DETAIL YOU PROVIDED IN YOUR PREVIOUS SWORN STATEMENT ON 29 MAY 06, FROM WHEN YOU HEARD "OH SHIT" AND SAW ~~THE~~ **(b)(6), (b)(7)(C)** 2 DETAINEES GET SHOT TO WHEN YOU ARRIVED BACK TO THE HOUSE AND ~~THE~~ **(b)(6), (b)(7)(C)** SAW THE BODIES AND **(b)(6), (b)(7)(C)** AND **(b)(6), (b)(7)(C)**, CORRECT TO THE BEST OF YOUR KNOWLEDGE?

**(b)(6), (b)(7)(C)** A: YES

Q: ~~IS THE INFORMATION ABOUT THE 3 BODIES~~ **(b)(6), (b)(7)(C)** WHY DIDNT YOU ATTEMPT TO STOP **(b)(6), (b)(7)(C)** AND **(b)(6), (b)(7)(C)** FROM KILLING THE DETAINEES?

**(b)(6), (b)(7)(C)** A: AFFRAID OF BEING CALLED A RUSS!

Q: WHY DIDNT YOU IMMEDIATELY INFORM YOUR PLATOON LEADER OR ANYONE ELSE, ON THE ROAD?

**(b)(6), (b)(7)(C)** A: PEER PRESSURE AND I HAVE TO BE LOYAL TO THE SQUAD.

Q: DID YOU FEEL WHAT **(b)(6), (b)(7)(C)** AND **(b)(6), (b)(7)(C)** DID WAS WRONG?

**(b)(6), (b)(7)(C)** A: YES IT WAS WRONG

Q: DO YOU KNOW WHAT THEY DID IS A VIOLATION AND IS PUNISHABLE UNDER THE ~~ARTS~~ **(b)(6), (b)(7)(C)** UCMJ?

**(b)(6), (b)(7)(C)** A: YES

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

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**ACLU DDH ROI 344715**

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EXHIBIT 81

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

STATEMENT OF **(b)(6), (b)(7)(C)**TAKEN AT COB SPEICHERDATED 15 JUN 2002

CONTINUED

STATEMENT (Continued)

Q: DO YOU KNOW THAT YOU ARE OBLIGATED AS A SOLDIER TO REPORT ANY CRIME YOU WITNESS?

(b)(6), (b)(7)(C)  
A: YES.

Q: DO YOU KNOW BY WITHHOLDING THAT INFORMATION, YOU HAVE VIOLATED THE UCMJ?

(b)(6), (b)(7)(C)  
A: YES.

Q: IN YOUR PREVIOUS STATEMENT ON 29 MAY 02, YOU STATED THAT THE KILLING OF THE THREE FLEEING DETAINEES COINCIDED WITH THE GUIDELINES OF YOUR RULES OF ENGAGEMENT. DID YOU FALSELY STATE THAT?

(b)(6), (b)(7)(C)  
A: OUR RULES OF ENGAGEMENT STATE THAT ONCE THE ENEMY HAS BEEN TAKEN PRISONER HE IS A NONCOMBATANT. THEREFORE UNARMED DETAINEES SHOULD NOT BE KILLED.

Q: DID YOU KNOWINGLY PROVIDE THAT FALSE INFORMATION IN YOUR PREVIOUS SWORN STATEMENT?

(b)(6), (b)(7)(C)  
A: YES.

Q: PRIOR TO BEING IN THE HOUSE WITH **(b)(6), (b)(7)(C)** AND THE OTHER SQUAD MEMBERS, DID **(b)(6), (b)(7)(C)** AND THE OTHER MEMBERS CONSPIRE TO KILL ANY DETAINEES OR ANYONE CONSIDERED NON-COMBATIVE?

(b)(6), (b)(7)(C)  
A: NO, THIS WAS NOT PLANNED.

Q: HAVE YOU OR ANYONE OF YOUR UNIT MEMBERS KILLED ANY IRAQIS WHO WERE ALREADY APPREHENDED AND DETAINED, PRIOR OR AFTER THE AFOREMENTIONED INCIDENT?

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

Q: HAVE YOU HEARD OF ANY OF YOUR UNIT MEMBERS KILLING ANY IRAQIS WHO WERE APPREHENDED AND DETAINED PRIOR OR AFTER THE KILLING OF THE THREE AFOREMENTIONED DETAINEES.

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

Q: WHAT KNIFE WAS USED TO CUT **(b)(6), (b)(7)(C)**?

(b)(6), (b)(7)(C)  
A: I HEARD IT WAS A KITCHEN KNIFE FROM THE 1ST OBJECTIVE. I DON'T KNOW WHO TOOK IT OR WHO USED IT. I BELIEVE I HEARD IT FROM SPC **(b)(6), (b)(7)(C)**.

Q: ARE THERE ANY PHOTOGRAPHS TAKEN WITH YOUR CAMERA OF

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

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000614

STATEMENT OF

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

TAKEN AT

COB SPEICHER

DATED 5 JUN 2004

CONTINUED

STATEMENT (Continued)

THE SHOOTING OF THE DETAINEES?

A: NO, MAJ. (b)(6), (b)(7)(C) OF 320TH FA. HAS THE PICTURES  
NO PICTURES OF THE ACTUAL SHOOTING WERE TAKEN.

Q: DURING THE MEETING IN THE HOUSE WITH YOUR SQUAD, DID  
(b)(6), (b)(7)(C) OR (b)(6), (b)(7)(C) MAKE ANY COMMENTS?

NOTHING REALLY WAS SAID. I DIDN'T HEAR THEM SAY ANYTHING.

Q: WHAT WAS (b)(6), (b)(7)(C) DAMEAGER WHILE (b)(6), (b)(7)(C) WAS TALKING  
ABOUT THE PLAN?

HIS REACTION WAS NORMAL. IT WAS LATER ON THAT I  
TOOK NOTICE HOW HE WAS FEELING. (b)(6), (b)(7)(C) 3 DAYS LATER HE  
TOLD ME HE COULDN'T STOP THINKING ABOUT IT. AS IF  
IT BOTHERED HIM. HE THEN ASKED ME ABOUT MY PREVIOUS  
DEPLOYMENT AND HOW I DEALT WITH SEEING DEAD BODIES AND  
SHOOTING THE ENEMY. I TOLD HIM IT WAS ALRIGHT THAT  
HE FELT LIKE THAT. HE WAS REALLY STRESSED BECAUSE  
WHEN HE SLEPT THE FEW HOURS HE DID, HE DREAMED ABOUT  
IT OVER AND OVER.

Q: WHAT WAS (b)(6), (b)(7)(C) DAMEAGER?

HE PUT IT BEHIND HIM AFTERWARDS. HE THOUGHT ABOUT IT  
TOO, BUT PFC (b)(6), (b)(7)(C) SEEMED TO BE BOTHERED MORE.

Q: WHAT WAS HIS DAMEAGER DURING THE MEETING IN THE HOUSE?

A: SPC. (b)(6), (b)(7)(C) ISN'T VERY EMOTIONAL. I WOULD DESCRIBE IT AS  
A "GET IT DONE" ATTITUDE. HE GOES OUT THERE EVERY DAY  
AND WORKS.

Q: WHAT WAS ISG (b)(6), (b)(7)(C) COMMENT OVER RADIO VERBATIM?

A: HIS WORDS WERE "THEY SHOULD HAVE BEEN KILLED".

Q: WHO IS "THEY" THAT HE WAS REFERRING TO?

A: HE WAS TALKING ABOUT THE MALE DETAINEES.

Q: HAVE YOU EVER HEARD (b)(6), (b)(7)(C) OR (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)  
CONSPIRE TO KILL DETAINEES OR NON COMBATING FRAGS  
BEFORE OR AFTER THIS INCIDENT?

A: NO.

Q: HAVE YOU EVER HEARD THEM BEING FRAG ABOUT KILLING

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

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AGLU DDH ROI 34497

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EXHIBIT 80

000614A

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

TAKEN AT COB SPEICHER

DATED 15 JUN 2004

CONTINUED

STATEMENT (Continued)

DETAINES OR HIGH-COMBATIVE IRAQIS?

A: No, just PFC (b)(6), (b)(7)(C) BRAGGING ABOUT THE INCIDENT.

Q: IS THERE A SPC (b)(6), (b)(7)(C) IN YOUR SQUAD?

A: YES.

Q: WAS HE ON THE WITH THE SQUAD ON THAT PARTICULAR MISSION?

A: No, HE WAS FLYING IN WITH THE IRAQI ARMY AT ANOTHER OBJECTIVE.

Q: HAS (b)(6), (b)(7)(C) EVER THREATENED YOURS OR ANYONE ELSE'S LIVES IF THEY SPOKE OF WHAT HAPPENED YOUR THE CIRCUMSTANCES OF HOW THE DETAINEES WERE KILLED?

A: WHEN WE WERE AT THE COMBAT Out Posts #2 WE TALKED IT OVER BRIEFING SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) AND SM (b)(6), (b)(7)(C) WERE ALL THERE HE SAID TO BE LOYAL AND NOT TO GO BRAGGING OR SPREADING RUMORS ABOUT THE OBJECTIVE. HE SAID TO ACT LIKE GROWN MEN AND BE QUIET PROFESSIONALS. AFTER THAT HE SAID IF HE FOUND OUT WHO TOLD ANYONE ANYTHING ABOUT IT AND HE WOULD FIND THAT PERSON AFTER HE GOT OUT OF JAIL AND KILL HIM OR HER. I LAUGHED ABOUT IT AND MOST OF THE SQUAD SMILED AND BLEW IT OFF.

Q: IS THERE ANYTHING A COMPETITION IN YOUR UNIT OF WHO GETS TO KILL THE MOST IRAQIS?

A: No, BUT THERE IS AN H.V.T. LIST OF WHO WE HAVE CAUGHT AND WHO IS STILL ON THE LOOSE. THE H.V.T LIST IS A LIST OF HIGH VALUED TARGETS THROUGHOUT SAMARRA. WE SIMPLY UPDATE IT AS "CAUGHT" OR "KILLED" AND MARK HIM OR HER OFF OF THE LIST.

Q: IS THERE ANYTHING YOU WANT TO ADD TO THIS STATEMENT?

A: No. ||| END OF STATEMENT ||| (b)(6), (b)(7)(C)

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

A:

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

ACLU DII FOI 34418

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EXHIBIT 80

000614B

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

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

TAKEN AT COB SPEICHER DATED 15 Jun 2004

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 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)**  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 15 day of Jun, 20 04 at COB SPEICHER

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)**

PAGE 1 OF 1 PAGES

ACLU DDH ROI 34419

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EXHIBIT 80

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

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

DATA REQUIRED BY THE PRIVACY ACT

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

1. LOCATION: Building 718 (CID office)
2. DATE: 15 Jun 06
3. TIME: 1130
4. ORGANIZATION OR ADDRESS: C Co, 3-187 INF, FOB Brasfield-Mora, Samarra, I2
5. GRADE/STATUS: SPC / AD

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

SECTION A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command and wanted to question me about the following offense(s) of which I am

suspected/accused: Conspiracy Murder, False Official Statement

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

- 1. I do not have to answer any questions or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me or both.

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

- 4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have the right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

SECTION B. Waiver

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

WITNESSES (if available)

1a. NAME (Type or Print)

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

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

b. ORGANIZATION OR ADDRESS AND PHONE

2a. NAME (Type or Print)

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

b. ORGANIZATION OR ADDRESS AND PHONE

6. ORGANIZATION OF INVESTIGATOR

31st MP DET (CID)
COB Speicher, Tikrit, I2

SECTION C. Non-waiver

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

2. SIGNATURE OF INTERVIEWEE

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

PART II - RIGHTS WARNING PROCEDURE

THE WARNING

1. WARNING - Inform the suspect/accused of:
  - a. Your official position.
  - b. Nature of offense(s).
  - c. The fact that he/she is a suspect/accused.
2. RIGHTS - Advise the suspect/accused of his/her rights as follows:
 

"Before I ask you any questions, you must understand your rights."

  - a. "You do not have to answer my questions or say anything."
  - b. "Anything you say or do can be used as evidence against you in a criminal trial."
  - c. (For personnel subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer

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

- or -

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

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

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

THE WAIVER

"Do you understand your rights?" **YES (b)(6), (b)(7)(C)**

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

"Do you want a lawyer at this time?" **NO (b)(6), (b)(7)(C)**

(If the suspect/accused says "yes," stop the questioning until he/she has a lawyer. If the suspect/accused says "no," ask him/her the following question.)

"Have you ever requested a lawyer after being read your rights?" **NO (b)(6), (b)(7)(C)**

(If the suspect/accused says "yes," find out when and where. If the request was recent (i.e., fewer than 30 days ago), obtain legal advice on whether to continue the interrogation. If the suspect/accused says "no," or if the prior request was not recent, ask him/her the following question.)

"At this time, are you willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer and without having a lawyer present with you?" **YES (b)(6), (b)(7)(C)**

(If the suspect/accused says "no," stop the interview and have him/her read and sign the non-waiver section of the waiver certificate on the other side of this form. If the suspect/accused says "yes," have him/her read and sign the waiver section of the waiver certificate on the other side of this form.)

SPECIAL INSTRUCTIONS

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

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

**PRIOR INCRIMINATING STATEMENTS:**

1. If the suspect/accused has made spontaneous incriminating statements before being properly advised of his/her rights he/she should be told that such statements do not obligate him/her to answer further questions.

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

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

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

COMMENTS (Continued)

ACLU DDII ROI 34421

EXHIBIT 81  
000616



## 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 Building 718 (CID), WOB Speicher	DATE (b)(6), (b)(7)(C) 15 Jun 06	TIME (b)(6), (b)(7)(C) 1737	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS SPC / A0	
ORGANIZATION OR ADDRESS C Co 3/187 IN FOB BRASSFIELD MORA APD-AE 09349			

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

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

At the time before the conversation in the house, I was walking on the right side of the house going between checks of the detainees and women when SPC (b)(6), (b)(7)(C) approached me to tell me he wanted to kill the detainees because he suspected them of being AIF due to how they hid behind the women when we entered the house to clear it. SSG (b)(6), (b)(7)(C) then got 3rd SQD in the house to tell us what was up. He said that (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) were going to kill the detainees and the story was going to be that the detainees broke the flex-cuffs and made an attempt to flee. He gave everyone in the room a choice whether or not they wanted to be involved. The people in the room included SPC (b)(6), (b)(7)(C), MYSELF, PFC (b)(6), (b)(7)(C), SGT (b)(6), (b)(7)(C). I cannot remember if PFC (b)(6), (b)(7)(C) was in the room at that time, but found out later that he did not want a part in it. I did not want a part in it nor did SGT (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) was pulling security on the females, SGT (b)(6), (b)(7)(C) and myself were with the 12/P2 pulling security, getting ready and prepared to lift off when the Blackhawks would arrive. I then heard the gun shots, and sprinted to the house, behind the house I linked up with SSG (b)(6), (b)(7)(C) and we ran around the left side to the front of the house where the 3 detainees layed on the ground, 2 dead, 1 still gasping for air about every 10 seconds. We yelled for (b)(6), (b)(7)(C) to aid (b)(6), (b)(7)(C) and the WIA (b)(6), (b)(7)(C) said that he couldn't do anything for the WIA, SSG (b)(6), (b)(7)(C) instructions were to put him out of his misery. I felt that it was the human thing to do, and complied with my sqd leader's order. During a Patrol at a later date, probably a few days after Iron Triangle I asked SSG (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) what exactly went down that day. They told me that (b)(6), (b)(7)(C) punched (b)(6), (b)(7)(C) first then when he wasn't expecting it, SSG (b)(6), (b)(7)(C) punched him then SSG (b)(6), (b)(7)(C) searched (b)(6), (b)(7)(C) face with the shank found in the house. I believe it (b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 11 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 SPC (b)(6), (b)(7)(C)

TAKEN AT Building 718 (CID office) DATED 15 Jun 06.

CONTINUED

STATEMENT (Continued)

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

WAS after they shot the 3 men was when SSG (b)(6), (b)(7)(C) cut SPC (b)(6), (b)(7)(C) arm. Another Day I was talking with PFC (b)(6), (b)(7)(C) in his room about the incident when he told me how he and (b)(6), (b)(7)(C) cut the cuffs off. Then PFC (b)(6), (b)(7)(C) said he told the men, "Yalla" which means "go" and "hurry" in arabic. He told me they were going slow so he yelled it again, one guy turned back and saw him raise his weapon to make them hurry and go faster which was when (b)(6), (b)(7)(C) mistake (b)(6), (b)(7)(C) gesture for them to run faster for his ready to engage so he engaged first, then (b)(6), (b)(7)(C). We had a Squad Meeting outside our pad where SS (b)(6), (b)(7)(C) stated to us that if one of us spoke up, that he would find (b)(6), (b)(7)(C) whoever snitched and kill them. I don't remember who exactly was there besides all of 3rd sqd being SSG (b)(6), (b)(7)(C), SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) myself, PFC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C). He may or may not have meant it, but I'm blocked it out, I saw it as a joke. Sometimes it's hard to read SSG (b)(6), (b)(7)(C) sometimes he does things that don't make sense, but when confronted, it is always in the best interest of his guys. He has always looked out for me, and his squad. I may be wrong, but I believe there has to be a reasonable explanation for (b)(6), (b)(7)(C) AND (b)(6), (b)(7)(C) ACTIONS ON THAT DAY.

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

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

Q. Who do you believe came up with the idea to shoot the three detainees?

A. I believe that (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) came up with it, and PFC (b)(6), (b)(7)(C) just followed along.

Q. Why do you believe this?

Because of what SPC (b)(6), (b)(7)(C) SAID before the meeting in the house as stated before, I believe SSG (b)(6), (b)(7)(C) involvement with the plan because possibly he felt he had to.

Q. Do you remember (b)(6), (b)(7)(C) saying anything during the meeting in the house? If so, please elaborate?

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

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

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EXHIBIT 81

000618

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

TAKEN AT Building 718 (CID office) DATED 15 Jun 06

CONTINUED

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

Q. Do you recall (b)(6), (b)(7)(C) saying anything during the meeting?

A. No, I do not.

Q. What about Sgt (b)(6), (b)(7)(C) Did he say anything?

A. As he was walking out he stated that he did not want to do it, I followed and said, "me either".

Q. How long was this conversation in the house?

A. About 3 minutes.

Q. Did anyone specifically state they were going to cut the cuffs?

A. Yes, SSG (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C)

Q. Where were the detainees during the meeting in the house?

A. outside of the house, belly down where they'd been the whole time.

Q. Do you know who was putting security?

A. I can't remember, I believe it was PFC (b)(6), (b)(7)(C)

Q. After you left the house did you go straight to the P2/L2?

A. Yes, I was about 5ft behind Sgt (b)(6), (b)(7)(C)

Q. After you left the house, about how long was it before you heard the first gunshot?

A. About 10 minutes

Q. What were you doing when you heard the shots?

A. Preping gear for departure, making sure my assault pack was squared away and taping up the body bags so they'd be easier to carry.

Q. When you left the meeting at the house did you believe (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) intended to kill the detainees?

A. No, I thought they were just talking smack, I didn't expect (b)(6), (b)(7)(C) or SSG (b)(6), (b)(7)(C) to actually go through with what they did that day. I've gotten to know the 2 guys really well.

Q. How long did it take you to get back to the scene from the P2/L2 after you heard the shots? (b)(6), (b)(7)(C)

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

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ACLU DDH ROI 34424

EXHIBIT 81

000619

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

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

TAKEN AT Building 718 (CIS office) DATED 15 Jun 06

CONTINUED

STA (b)(6), (b)(7)(C) (red)

A. About 1 minute, I sprinted to the back of the house where I paused for a couple seconds as SS6 (b)(6), (b)(7)(C) was running behind the house at the same time. We linked up and made our way around to the front.

Q. What did you see when you ran around to the front?

A. The 3 bodies laying on the ground, 2 next to one another, and 1 slightly behind. Hunsaker was laying on the ground inside the house.

Q. How did you feel when you saw this? What emotions?

A. I was surprised to see (b)(6), (b)(7)(C) laying on the ground with his arm levultated and bleeding. Nothing was said about anyone getting cut or hurt in the initial meeting inside the house.

Q. What do you mean by "initial meeting"?

A. There were not 2 meetings. What I meant by that was I felt when (b)(6), (b)(7)(C) came up to me before hand was a "heads up" so I felt I was informed.

Q. Did you see (b)(6), (b)(7)(C) check the detainees for signs of life? Did he attempt life-saving measures?

A. Yes, he was kneeling down next to the WIA. He knew right away that he could do nothing for him. I was standing near (b)(6), (b)(7)(C) HE STOOD UP AND SAID "I cannot do anything for him."

Q. Who else heard him say this?

A. I know SS6 (b)(6), (b)(7)(C) heard him, he was standing near the two of us, and after (b)(6), (b)(7)(C) statement SS6 (b)(6), (b)(7)(C) said, "put him out of his misery."

Q. Was this detainee conscious?

A. No, his eyes were closed, and he was taking a breath about every 10 seconds.

Q. Did you believe the detainee was going to die?

A. Yes. Because of (b)(6), (b)(7)(C) statement. Also, the pattern of his breath; in August of 2005 I personally witnessed my grandmother die with the same breath pattern as the WIA. I suspected the WIA was (b)(6), (b)(7)(C) in a coma, same as my grandmother. (b)(6), (b)(7)(C)

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

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EXHIBIT 81

000620

FILE NUMBER

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

TAKEN AT Building 718 (CIO office) DATED 15 Jun 06

CONTINUED

STATEMENT (continued)

Q. What was (b)(6), (b)(7)(C) doing when you ran back to the scene?

A. I ran to the SW corner of the house (corner closest to the LZ/PZ) SSG (b)(6), (b)(7)(C) ran from the E side of the house along the S wall. We linked up at the SW corner where I ran to. He took lead around (b)(6), (b)(7)(C) to the N/Front of the house as I scolded him.

Q. Were you already at the corner of the house when you saw (b)(6), (b)(7)(C) come around the corner, or did he come around the corner as you were running toward the house?

A. As I was running to the house, we arrived at the SW corner at the same time.

Q. Did you hear any gunfire as you were running toward the house?

A. No, the gun fire stopped as I turned and jumped up. When I heard the gun fire I was on my knees facing the SW preparing my assault pack and equipment.

Q. Did (b)(6), (b)(7)(C) say anything to you when you met at the corner of the house?

A. Yes, he asked me what had happened. My reply was, "I don't know" then we advanced.

Q. When you first saw the bodies of the three detainees, did any of them have their wrists still zip tied together?

A. No, the zip-ties were on one wrist of each detainee, and the fragments of the other part of the zip-ties were found from the one still intact.

Q. Exactly where was (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) when you got to the front of the house?

A. I saw (b)(6), (b)(7)(C) LAYING IN the door way inside of the house. Shortly after when I went inside (b)(6), (b)(7)(C) wound, I saw (b)(6), (b)(7)(C) walking around inside the house holding his bruised cheek. I did not see (b)(6), (b)(7)(C) outside the house when I came around the corner.

Q. Did you see (b)(6), (b)(7)(C) or know where he was?

A. I did not see (b)(6), (b)(7)(C) I know he was in the room with the women (b)(6), (b)(7)(C)

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

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EXHIBIT 81

000621

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

STATEMENT OF SFC (b)(6), (b)(7)(C)TAKEN AT Building 718 (CID office) DATED 15 Jun 06

CONTINUED

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

Q. When you got to the front of the house did you or (b)(6), (b)(7)(C) go to (b)(6), (b)(7)(C) to check on him or move him into the house?

A. I believe SSG (b)(6), (b)(7)(C) did. I was focused on the dead and dying men.

Q. How long was it before (b)(6), (b)(7)(C) arrived?

A. It took him about a minute to get there from the LZ/PZ. After we called for him, SSG (b)(6), (b)(7)(C) and I both yelled, "MEDIC".

Q. What did you do while you were waiting on (b)(6), (b)(7)(C)?

A. I was in awe and shock watching one WIA puke up blood, and die before (b)(6), (b)(7)(C) arrived.

Q. Regarding the detainee that (b)(6), (b)(7)(C) said he could not help, what exactly did (b)(6), (b)(7)(C) say?

A. His exact words were, "Go ahead and put him out of his misery." I'm not sure if he was talking to me directly. The only other person outside was (b)(6), (b)(7)(C). I'm not sure if (b)(6), (b)(7)(C) was inside or out at that time.

Q. Did you believe (b)(6), (b)(7)(C) was saying to shoot the detainee?

A. Yes, I believe it was <sup>an</sup> ~~inst~~ <sup>inst</sup> ~~suggestion~~ <sup>suggestion</sup>.

Q. Did you believe (b)(6), (b)(7)(C) was ordering you personally to shoot the detainee?

A. He did not say it in a manner of which I didn't comply I would be punished, but it was in a manner in which it was what he wanted to get done.

Q. What did you do?

A. I brought my rifle to the ready, without aiming because I felt I couldn't miss at point-blank range. I missed, I looked and about an inch or two from his head, to the right of him was a hole in the ground. I took a sight picture for the next shot which was directly under his eye.

Q. About how far was your muzzle from his head?

A. About a meter (b)(6), (b)(7)(C)

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

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EXHIBIT 81

000622

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

TAKEN AT Building 718 (CID office) DATED 15 Jun 06

CONTINUED

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

Q. When you shot at the detainee what were you trying to do?

A. To prevent him from further suffering.

Q. Did you intend to kill him when you shot him?

A. Yes.

Q. Did you feel that (b)(6), (b)(7)(C) statement to "put him out of his misery" was a lawful order?

A. Yes, I felt it was the right thing to do.

Q. Where was (b)(6), (b)(7)(C) when you shot the detainee?

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

Q. Where was (b)(6), (b)(7)(C) when you shot the detainee?

A. Also attending to (b)(6), (b)(7)(C) After telling me to put the WIA out of his misery, he walked inside to help (b)(6), (b)(7)(C)

Q. Where were the detainees when you initially left the house and went to the P2/L2?

A. Separated about 100 ft. N of the house. 15 ft apart from one another belly down, chin touching the ground, Alex-cuffed, and blindfolded.

Q. Did you see (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C) hit (b)(6), (b)(7)(C)

A. No.

Q. Did you see (b)(6), (b)(7)(C) cut (b)(6), (b)(7)(C)

A. No.

Q. During the patrol following Iron Triangle, when you asked (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) what really happened, who said what?

A. I was in the gunner seat, SSG (b)(6), (b)(7)(C) in the TC seat, and (b)(6), (b)(7)(C) was driving. SSG (b)(6), (b)(7)(C) said, (b)(6), (b)(7)(C) punched (b)(6), (b)(7)(C) first." (b)(6), (b)(7)(C) said, "He hit me too light, so he hit me again, then I was good, but SSG (b)(6), (b)(7)(C) came out of no where and sucker punched me. SSG (b)(6), (b)(7)(C) said, "then I slashed (b)(6), (b)(7)(C) face once, looked at it, then cut him on the other side." He didn't say anything about cutting (b)(6), (b)(7)(C) arm. (b)(6), (b)(7)(C)

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

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EXHIBIT 81

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

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

TAKEN AT Building 718 (CID office) DATED 15 Jun 06

CONTINUED

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

Q. You previously mentioned that someone commented about (b)(6), (b)(7)(C) not taking part in this incident. Can you please elaborate?

A. At the LZ/PZ after we and elements from 2<sup>nd</sup> PLT help with the bodies, waiting for our Birds, (b)(6), (b)(7)(C) mentioned to me with an attitude that (b)(6), (b)(7)(C) said, "I don't want anything to do with that." He seemed kind of pissed that (b)(6), (b)(7)(C) said that.

Q. Can you further elaborate on this comment?

A. Yes, (b)(6), (b)(7)(C) was about 15 ft away from me sleeping when (b)(6), (b)(7)(C) came up to me discreetly about his feelings with (b)(6), (b)(7)(C) comment. I believe he must not have heard SGT (b)(6), (b)(7)(C) or myself stress that we didn't want a part in it either as we walked out of the meeting.

Q. Can you explain what you mean by discrete?

A. He talked in a low voice so that (b)(6), (b)(7)(C) would not hear him.

Q. Do you know if anyone heard you say that you did not want to be part of it?

A. I believe SSG (b)(6), (b)(7)(C) may've heard me. After SGT (b)(6), (b)(7)(C) stated his not wanting a part in it, I followed walking out the door shaking my head no and said, "Me either" as I passed SSG (b)(6), (b)(7)(C).

Q. Regarding the 3rd squad meeting outside your pad, is this a location where your squad usually meets?

A. Yes, we, the PLT meets here primarily patrols for convoy briefs.

Q. Were you getting ready for a patrol?

A. Yes. The meeting was about 5-10 minutes before the usual convoy brief.

Q. Do you recall exactly what (b)(6), (b)(7)(C) said?

A. Not exactly, but along the lines of, "If anyone says anything, I'll kill them." (b)(6), (b)(7)(C) added in agreement. I did not have eyes on (b)(6), (b)(7)(C).

Q. Can you explain why you thought this statement was a joke?

A. Because I cannot believe that SSG (b)(6), (b)(7)(C) could attempt to kill me. He takes care of me as a SPO leader should a (b)(6), (b)(7)(C).

Q. Since the initiation of this investigation, has anyone said or did anything to you that you felt was (b)(6), (b)(7)(C)

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

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EXHIBIT 81

000624



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

STATEMENT OF SP4 (b)(6), (b)(7)(C)TAKEN AT Building 718 (CID office)

DATED \_\_\_\_\_

CONTINUED

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

intended to keep you from telling the truth about what really happened?

A. Yes. SSG (b)(6), (b)(7)(C) said to stick to the story about how the hand/flex-cuffs were broken, then (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) were changing them out when (b)(6), (b)(7)(C) got punched by one of the detainees while another took out a knife and attempted to cut (b)(6), (b)(7)(C) and ran. And that (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) reacted accordingly.

Q. Were you entirely truthful in your previous statements?

A. Not entirely. Everything is true except for the fact that I didn't fess up with the truth. My reasons were what I wanted to keep loyalty to my squad. I ~~didn't~~ did not want to believe the 'truth' and what my squad members (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) had told me. I also did not witness anyone from my squad get punched, or stabbed. I did not see the detainees run, stab or punch anyone either.

Q. Were there any efforts by anyone else in the chain of command to conceal what really happened?

A. No.

Q. After you found out what really happened, did you tell anyone else about it?

A. Yes, I confided in SPC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C)

Q. You mentioned a conversation with (b)(6), (b)(7)(C) regarding SGT (b)(6), (b)(7)(C). Can you please elaborate on this?

A. SSG (b)(6), (b)(7)(C) confronted me yesterday before patrol at about 1500 about someone telling him SGT (b)(6), (b)(7)(C) went to CID for questioning. SSG (b)(6), (b)(7)(C) overheard the conversation between SSG (b)(6), (b)(7)(C) and whoever else and confronted the person who told SSG (b)(6), (b)(7)(C) about SGT (b)(6), (b)(7)(C) telling that person that SSG (b)(6), (b)(7)(C) wasn't supposed to know about SGT (b)(6), (b)(7)(C) and CID. SSG (b)(6), (b)(7)(C) overheard what SSG (b)(6), (b)(7)(C) said to the other person and was rather upset about it.

Q. Explain how (b)(6), (b)(7)(C) was rather upset?

A. He expressed how he thought it was messed up, people going behind other people's backs in the platoon, keeping secrets and stuff. (b)(6), (b)(7)(C)

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

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EXHIBIT 31

000625

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

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

TAKEN AT Building 718 (CID office) DATED 15 Jun 06

CONTINUED

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

Q. Regarding the knife that (b)(6), (b)(7)(C) used to cut (b)(6), (b)(7)(C) who stated they used the "shank" from the house?

A. (b)(6), (b)(7)(C) did. After he was patched up, he pointed to a knife outside of the house with an orange handle.

Q. You previously stated "Everything is true except for the fact that I didn't fess up with the truth". Can you explain this statement?

A. What I said was true from me leaving the house, going to the LZ/PZ, and running back to the house after hearing gunshots, although I left out the part about the meeting and what happened with the WIA.

Q. How have you been treated today during this interview?

A. Well

Q. Have you been given food, drinks, and breaks to use the latrine?

A. Yes.

Q. What exactly did you tell (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)

A. I told them that PFC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) had told me that it was staged. And what had happened to the WIA.

Q. Which eye did your shot hit near?

A. His left.

Q. You mentioned that (b)(6), (b)(7)(C) said he blacked out. Please clarify this.

A. He told me that after SSG (b)(6), (b)(7)(C) punched him, he blacked out for a second or two. He didn't mention anything about falling to the ground.

Q. Is there anything in this statement that you would like to clarify?

A. Yes, I realize why I used "initial" earlier when discussing the meeting, it is because of the meeting behind the pad was like a second meeting about the incident though it took place a few days after the incident at Iron Triangle. (b)(6), (b)(7)(C)

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

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EXHIBIT 81

000626

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

STATEMENT OF SPC (b)(6), (b)(7)(C)  
TAKEN AT Building 718 (CID office) DATED 15 Jun 06

CONTINUED

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

Is there anything you wish to add to this statement?

A. No. /// END OF STATEMENT /// (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 11. 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:

(in Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 15th day of June, 20 06 at Building 718, Lab Speicher, I3

ORGANIZATION OR ADDRESS

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

(Administering Oath)

ORGANIZATION OR ADDRESS

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

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

INITIALS OF PERSON MAKING STATEMENT

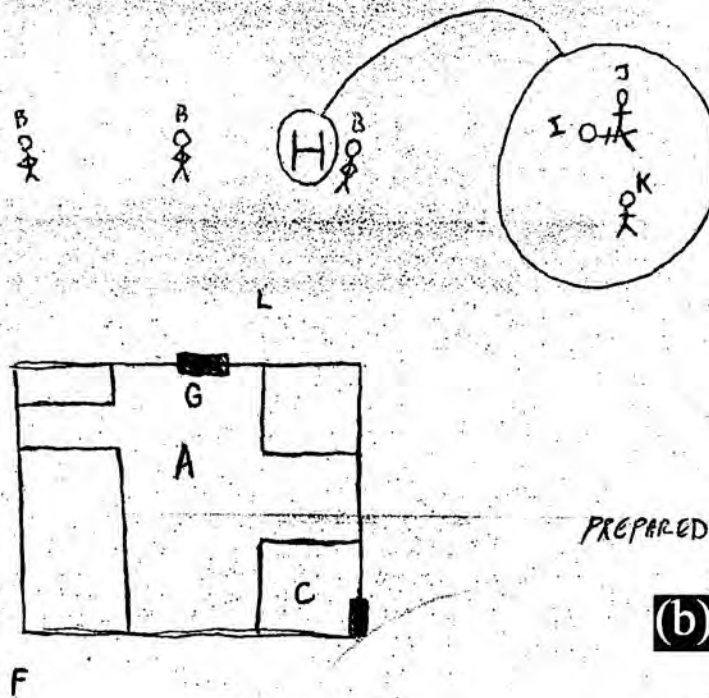
(b)(6), (b)(7)(C)

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EXHIBIT 81



PREPARED BY:

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

15 JUNE 24/86 1756

LZ/PZ

- A: Meeting
- B: Detainees on ground (flex cuffed & blindfolded)
- C: (b)(6), (b)(7)(C) Guarding women
- D: SPL (b)(6), (b)(7)(C) At LZ/PZ
- E: WHERE I WAS WHEN I SAW SSG (b)(6), (b)(7)(C) COME AROUND CORNER
- F: CORNER WHERE SSG (b)(6), (b)(7)(C) & SPL (b)(6), (b)(7)(C) MET
- G: (b)(6), (b)(7)(C) ON GROUND
- H: General Area of KIA/WIA (Detainees)
- I: Detainee puking blood w/ exposed bone in wrist.
- J: WIA I shot
- K: Dead detainee
- L: Knife.

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EXHIBIT 21  
 000628

SWORN STATEMENT

0086-06-CID469-75447

For use of this form, see A. 90-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

LOCATION COB Speicher, APO AE 09393	DATE 15 Jun 06 1157	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C) NMN	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS E4/A1
ORGANIZATION OR ADDRESS C Co 31187 INF, FOB Brassfield-Mora APO AE 09364		

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

(b)(6), (b)(7)(C) After the mission Iron Triangle SGT (b)(6), (b)(7)(C) looked worried and sad so I came up to him and told him what was going on I was then told by him that the mission was stupid that the boys in his squad were stupid. I asked why he then put me aside in a soft low voice he told me what had gone on during in their objective. He tells me that (b)(6), (b)(7)(C) his squad plans out a mission that they (b)(6), (b)(7)(C) would cut himself and the other would get punched so it would make it seem that they had gotten hurt by the detainees, SGT (b)(6), (b)(7)(C) then tells me that the guys that were in on the plan was SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) and the rest of the guys had (b)(6), (b)(7)(C) would not want any part in it. Then he says that SSG (b)(6), (b)(7)(C) tells them that what ever happened in the mission nothing were to be told to anyone. SGT (b)(6), (b)(7)(C) says that tells me that when they got to the objective (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) were with the detainees and that (b)(6), (b)(7)(C) was inside the base. After the (b)(6), (b)(7)(C) Detainees get they packets read he (b)(6), (b)(7)(C) tells the guys who were pulling overwatch to go to the LZ SGT (b)(6), (b)(7)(C) was one of the guys that was at the LZ along with (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) He then tells me that they killed the detainees that (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) cut the zip ties and these guys to run from they shot and killed them. After that happens (b)(6), (b)(7)(C) he says that SPC (b)(6), (b)(7)(C) gets cut in the face by one of the guys and that

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.

DA FORM 2823 1 JUL 72

SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED. FOR OFFICIAL USE ONLY - Law Enforcement Sensitive

EXHIBIT 82

000629

STATEMENT OF

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

TAKEN AT COB Speicher, APO A 09353

DATED 15 Jun 06

CONTINUED

STATEMENT (Continued)

PFC (b)(6), (b)(7)(C) gets punched in the face by  
 one of the guys to make (b)(6), (b)(7)(C) fry and cover up  
 what had happened. Meanwhile I think to myself  
 that (b)(6), (b)(7)(C) was why when I was on the objective  
 I was in that SSG (b)(6), (b)(7)(C) had trouble sending  
 up the information about the Detainees or (b)(6), (b)(7)(C) the  
 count of how many Detainees they had and how  
 many KIA they had. So I then tell SGT (b)(6), (b)(7)(C) that  
 if its true what we're saying that (b)(6), (b)(7)(C) the guys  
 SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) should be punished  
 I was really not sure if that was what happened from  
 what SGT (b)(6), (b)(7)(C) had told me so I said to SGT  
 (b)(6), (b)(7)(C) that they were going to get (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)  
 if that was what went on. We then stop talking  
 I find out that they get investigated by CID, and CID  
 starts investigation I find out that others also have the same  
 information of what went on in the mission then I tell  
 my pl, LT (b)(6), (b)(7)(C) of what I was told by SGT  
 (b)(6), (b)(7)(C)

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

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

Q. who was with SSG (b)(6), (b)(7)(C) at the time the Detainees were killed?

A. SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C), (b)(6), (b)(7)(C)

Q. where was PFC (b)(6), (b)(7)(C) at the time?

A. PFC (b)(6), (b)(7)(C) was inside the house where the detainees had come out of (b)(6), (b)(7)(C)

Q. who told the other soldiers to go to the LZ?

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

Q. when did SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) make their  
 plan to kill the Detainees?

A. Don't know (b)(6), (b)(7)(C) at the time

Q. who cut (b)(6), (b)(7)(C) with a knife?

A. Don't know (b)(6), (b)(7)(C)

Q. who punched (b)(6), (b)(7)(C)

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

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 4 PAGES

ACLU DDII ROI 34435

EXHIBIT 82

000630

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

TAKEN AT COB Speicher, APO AE 09393

DATED 15 Jun 06

CONTINUED

STATEMENT (Continued)

A. Dont know (b)(6), (b)(7)(C)

Q. What does LZ stand for?

A. Landing Zone (b)(6), (b)(7)(C)

Q. Who cut the flex-cuts off the detainees?

A. Dont know (b)(6), (b)(7)(C)

Q. Did SGT (b)(6), (b)(7)(C) ever say he was threatened about talking to anyone about this?

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

Q. Did anyone threaten you?

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

Q. Other than the three already named, did any other soldiers have any involvement in this?

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

Q. When did SGT (b)(6), (b)(7)(C) tell you what had happened?

A. Day after the objective (b)(6), (b)(7)(C)

Q. Who told the detainees to run after the zip ties were cut?

A. Dont know (b)(6), (b)(7)(C)

Q. Did anyone else talk to you about this?

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

Q. Were you part of the mission Iron Triangle?

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

Q. Where were you when this incident occurred?

A. Same Island different Objective (b)(6), (b)(7)(C)

Q. Who were you with at this objective?

A. 1SGT (b)(6), (b)(7)(C), CPT (b)(6), (b)(7)(C), SSG (b)(6), (b)(7)(C), PVT (b)(6), (b)(7)(C), SGT (b)(6), (b)(7)(C), SPC (b)(6), (b)(7)(C), SPC (b)(6), (b)(7)(C)

Q. Are they all from your unit?

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

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

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

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

PAGE 3 OF 4 PAGES

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ACLU DDJ FOI 34436

EXHIBIT

000631

FILE NUMBER  
STATEMENT (Continued)

[Lined area for statement content]

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 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 15 day of June, 20 06 at COB Seickor, APO AE 09753

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 4 OF 4 PAGES

ACLU DDII ROI 34437

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EXHIBIT



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 C O B Speicher, Tikrit, Iraq, APO AE 09353	DATE 15 Jun 06 1521	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS E-3/AD
ORGANIZATION OR ADDRESS C Co, 3/187th INF BN, FOB Grassfield - Marjah, Samawah, Iraq, APO AE 09349		

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

This is to clarify my previous statement to CID about the incident on Iron Triangle. The (b)(6), (b)(7)(C) I did not say that the first time is because my life was threatened. On 15 May 2006 we were at the second OBJ on Iron Triangle. It was around 9 in the morning. The UH-60 touched down we jumped off the bird. As we were running around the house we shot a man in the window when we got around to the front of the house and got inside 3 males were hiding behind 2 women we pulled them and the male that was shot through the window out side. I snatched the 3 males and executed them. From there the rest of 3rd sqd went to the second house and gun 6. I went around the house to watch the women what happened from there and the time of the incident I don't know. But after the LT, 2nd sqd, and I think (b)(6), (b)(7)(C) left. The rest of 3rd sqd came to the room. Leaving gun 6 and Kemp to watch the detainees. So in the room it was SSG (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) and myself. They told me the plan what was SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) were going to kill the 3 detainees from the first house when I asked why they told me because they wanted to. I told them that I don't want to have anything to do with it. I told them I will kill a person if I have to but I'm not down with it. Everyone left. It was around 0845 SSG (b)(6), (b)(7)(C) sent gun 6, SGT (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) with the detainees to the LZ. I was in the back room with the women and I think SPC (b)(6), (b)(7)(C) was around the back of the house. SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) were with the detainees in the front of the house. SSG (b)(6), (b)(7)(C) came to the room where I was at I told him again that I was not down with what they were doing about that time we had oh shit then gun fire SSG (b)(6), (b)(7)(C) around front and hit (b)(6), (b)(7)(C) and sent (b)(6), (b)(7)(C) on the arm. From there I sat in the room with the women till we let they told me before I went to em

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

TAKEN AT CB Speicher, Tikrit, Iraq, APOE 09393DATED 15 Jun 06

CONTINUED

STATEMENT (Continued)

(b)(6), (b)(7)(C) to get the knife but there was no knife I told them that and (b)(6), (b)(7)(C) said he handed it off to 2 platoons who took the 3 KIA's of MIA's marked in Atchop. when we got to the rest house off the Island SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) told me that they would kill me if I told anyone. I told them I wouldn't be afraid for my life. They continued to tell me this for the next few weeks. I've got here at CID the first time. I lied on my last statement for fear of my life and my family's life. SSG (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) is in the mob and I know they don't just kill you (b)(6), (b)(7)(C) they kill your whole family. I am sorry I did not come forward the first time and caused all this frustration and bitterness for you. Please don't ask me to come to the witness stand for this still in fear of mine and my family's life.

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

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

Q: What exactly was stated during the meeting in the house?

A: SSG (b)(6), (b)(7)(C) said that SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) were going to kill the 3 detainees from the first house. I asked why and SSG (b)(6), (b)(7)(C) said because they want to (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) left a little. SSG (b)(6), (b)(7)(C) then ask how has any objections to this I then told them I didn't want any part of it. From there they said by they I mean SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) said this stays in this room. then everyone left except me I said and watched the women.

Q: Who is in "Ban bi"?

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

Q: Were you present when the detainees were shot and killed?

A: NO I was with the woman on the other side of the house.

Q: Are you aware the detainees were killed inside the house?

A: not until I got here and you told me.

Q: Did you assist in putting the bodies from the house?

A: No I staid with the women till we left for the LZ

Q: Approximately how many times were you threatened by SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C)?

A: About 5 or 6 times

Q: What exactly was said when you were threatened? (b)(6), (b)(7)(C)

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

ACLU BDI# ROI 34439

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EXHIBIT 83

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

000634

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

TAKEN AT Cob Speicher, Tikrit, Iraq, APO AE 09293 DATED 15 Jun 06 (b)(6), (b)(7)(C)

CONTINUED

STATEMENT (Continued)

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

A: The told me If I told any one that the would kill me and the Day we came here the first time SSG (b)(6), (b)(7)(C) made a comment that if he goes to prison that he would see to it that the person that told would be killed. I know that was refer to me because after we left PFC (b)(6), (b)(7)(C) told me that they were wored I told and that they would have killed me if I did.

Q: Were these threats made around other people?

A: 2 or 3 times there were people around But I Do not remember how the rest of the time it was a one on one (b)(6), (b)(7)(C) PART 55

Q: Did you see SSG (b)(6), (b)(7)(C) cut JPC (b)(6), (b)(7)(C)?

A: NO

Q: How do you know that it happened?

A: They told me the next Day

Q: Who do you refer to when you say "they"?

A: SSG (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C)

Q: Did you see SSG (b)(6), (b)(7)(C) or SPC (b)(6), (b)(7)(C) hit JPC (b)(6), (b)(7)(C)?

A: NO I Found out that when they told me about SSG (b)(6), (b)(7)(C) cutting SPC (b)(6), (b)(7)(C) when I say the I mean SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C)

Q: Did they plan the hitting or cutting prior to the incident?

A: I Don't know SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) or PFC (b)(6), (b)(7)(C) did not say anything at the meeting

Q: Did they discuss this plan before the mission?

A: no

Q: Did anyone else witness the threats?

A: yes But I Don't remember how

Q: Have they or anyone else ever done this before or since the incident?

A: no

Q: During the conversation in the room what specifically did SSG (b)(6), (b)(7)(C) say?

A: SSG (b)(6), (b)(7)(C) said that (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) are going to kill the 3 Detainees From the First House. Then SSG (b)(6), (b)(7)(C) ask if any one had any objection (b)(6), (b)(7)(C)

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

PAGE (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) 34440

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

TAKEN AT CUB Speicher, Tikrit, Iraq, APOAE 09353

DATED 15 Jun 06

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

CONTINUED

STATEMENT (Continued)

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

Q: What specifically was said by SPC (b)(6), (b)(7)(C)

A: SPC (b)(6), (b)(7)(C) First Latt when SSG (b)(6), (b)(7)(C) said that then he said this stays in this room. By stays in this room I mean the confession that took place about (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) killing the 3 detainees.

Q: What specifically was said by PFC (b)(6), (b)(7)(C)

A: all PFC (b)(6), (b)(7)(C) bid was left

Q: Was there ever a mercy killing?

A: NO I did not hear any shots nor did SSG (b)(6), (b)(7)(C) tell anyone to kill him. I staid all the way till they put the first KIA that was shot through the window in the Body Bag. By him I mean the first KIA.

Q: Did anyone tell you SPC (b)(6), (b)(7)(C) shot one of the detainees?

A: NO However shots were fired after the 3 detainees were killed but it was not the first KIA he was already in the Bird or UH-60 Black Hawk. 28 shots were fired by SPC

Q: When was the last time you were threatened?

A: The Day we 3rd squad came here to CID

Q: Who threatened you?

A: SSG (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C)

Q: What specifically was said?

A: SSG (b)(6), (b)(7)(C) said in the Humvee well better not say anything or I swear I will kill you. And PFC (b)(6), (b)(7)(C) said SSG (b)(6), (b)(7)(C) wont have to kill you because I will.

Q: What was SGT (b)(6), (b)(7)(C) reaction during the meeting at the house?

A: SGT (b)(6), (b)(7)(C) said something however I don't know what it was because I was not paying any attention to him.

Q: What was SPC (b)(6), (b)(7)(C) reaction during the meeting at the house?

A: I Don't remember.

Q: What specific threats were made to you by SSG (b)(6), (b)(7)(C)

A: The Day After The Incident SSG (b)(6), (b)(7)(C) told me he would kill me if I told anyone we were at the red house. The next time was in the Humvee on patrol he told me I better not talk or he will kill me. The last time was in the Humvee on the way up here the first time. And he told me that I better not say anything that he swears he will kill me.

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

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EXHIBIT 83

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

000636

FILE NUMBER

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

TAKEN AT CQB Speicher, Tikrit, Iraq, APO AE 09395

DATED 15 Jun 06

CONTINUED

STATEMENT (Continued)

Q: What specific threats were made to you by SPC (b)(6), (b)(7)(C)

A: SPC (b)(6), (b)(7)(C) threatened me the first time just after the incident he told me that he would kill me if I told anyone. The next time was in the room where we live he said don't tell anyone (b)(6), (b)(7)(C) because if I go to jail I will kill you.

Q: What specific threats were made to you by PFC (b)(6), (b)(7)(C)

A: PFC (b)(6), (b)(7)(C) told me that SSG (b)(6), (b)(7)(C) would not dare to kill me because PFC (b)(6), (b)(7)(C) would kill me if I said anything on the way to the CID OFFICE the first time.

Q: Did all three (SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C)) ever threaten you all at once?

A: NO but SSG (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) did on our first trip here to the CID office.

Q: Did you believe them when you were threatened?

A: yes

Q: Do you believe they will carry out their threats?

A: yes

Q: Are you afraid now?

A: yes. Because I know the judge is going to read out this statement and call me up to testify. And because I know SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) and I know that they would kill me if they find out that I testified on them.

Q: Did any of them (SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) or PFC (b)(6), (b)(7)(C)) ever specify when or how they would kill you if you cooperated with this investigation?

A: NO

Q: Where were you specifically when you heard the burst of fire?

A: I was inside the house with the women

Q: Where were you when you heard the two shots?

A: IN the house still with the women

Q: Where were you when they took the original KIA out of the house?

A: IN the front of the house snatching the 3 detainees outside.

Q: Did you see the first KIA being pulled from the house? (b)(6), (b)(7)(C)

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

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ACLU DDII ROI 34442

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EXHIBIT 83

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

000637

FILE NUMBER

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

TAKEN AT CAB Speicher, Tikrit, Iraq, APDAE 09353DATED 15 Jun 06

CONTINUED

STATEMENT (Continued)

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

Q: Where were you when the detainees were killed?

A: I was in the room across in the back part of the house with the women inside

Q: Did you see the detainees being killed or did you just hear shots fired?

A: I heard shots being fired

Q: Were you present when SPC (b)(6), (b)(7)(C) was cut by SSG (b)(6), (b)(7)(C) or when PFC (b)(6), (b)(7)(C) was hit? If not, where were you?

A: NO I was inside the back part of the house with the women

Q: What did you hear while the shooting was going off?

A: I heard shots before the shots were fired

Q: Was SPC (b)(6), (b)(7)(C) cut and PFC (b)(6), (b)(7)(C) hit before or after the shooting?

A: I don't know I think after

Q: Why do you think after?

A: Because SSG (b)(6), (b)(7)(C) hit PFC (b)(6), (b)(7)(C) and cut SPC (b)(6), (b)(7)(C) and right before the firing started SSG (b)(6), (b)(7)(C) was with me inside the back of the house. And he ran over to the other side of the house when the firing started

Q: Do you know of any personal photographs being taken at the scene?

A: Sgt (b)(6), (b)(7)(C) camera but only pics he took was of the detainees with the weapons

Q: When did you get to the rest house?

A: 1300 hours

Q: Did Sgt (b)(6), (b)(7)(C) stay with you after the meeting or did he leave?

A: Sgt (b)(6), (b)(7)(C) went to the 13 with the detainees from the 2 house

Q: In reference to the mercy killings, did you witness the shooting of a detainee who was still alive subsequent to the initial fire and killed due to his injuries?

A: NO I was inside the house with the 2 women (b)(6), (b)(7)(C)

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

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ACLU DDH ROI 34443

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EXHIBIT 8

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

000638

FILE NUMBER  
STATEMENT (Continued)

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

Q: Did you ever see the bodies of the 3 detainees who were killed?

A: NO By the time I came out of the House the Bodies were handed off to 2nd Platoon

Q: When you searched the 3 detainees, did you find a Knife on any of them?

A: NO

Q: Did you search them and detain them inside or outside?

A: outside

Q: IS there a SPC (b)(6), (b)(7)(C) in your Squad?

A: yes But SPC (b)(6), (b)(7)(C) was Assigned to another squad on the night and was not present During the meeting.

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

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

Q: Did you ever overhear PFC (b)(6), (b)(7)(C) say SSG (b)(6), (b)(7)(C) punched pretty hard?

A: NO

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

A: IF I get killed tell my Family and wife I love them and I blame the Judge that used this in the court and called me up as a witness.

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)

HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 72. 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:

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 15th day of Jun, 2006

ORGANIZATION OR ADDRESS

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

ORGANIZATION OR ADDRESS

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

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

INITIALS OF PERSON MAKING STATEMENT

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

ACLJ DDII FOI 04/12

## 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 JRBnd CID Office	DATE 16 Jun 06	TIME 1650	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS SFC/AD	
ORGANIZATION OR ADDRESS C Co 3-187 IN, 101st ABN Div (ASLT) FOB BRASSFIELD-MORA APO AE 09349			

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

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON 15 JUNE 2006 AT ABOUT 0530 HRS I WAS CALLED INTO OUR COMPANY CP. ALONG WITH THE OTHER PLATOON SERGEANTS AND PLATOON LEADERS, WE WERE INFORMED OF THE NEW FINDINGS IN AN IRON TRIANGLE CID CASE. I WAS ORDERED BY MY CHAIN OF COMMAND TO GO TO SSG (b)(6), (b)(7)(C) ROOM, ASK HIS ROOMMATES TO STEP OUTSIDE, AND ASK HIM TO PACK HIS BAG. I WAS ALSO TOLD TO SECURE HIS PERSONAL WEAPON, AND ANY OTHER WEAPONS HE HAD. I TOLD HIM TO PACK CERTAIN ITEMS INTO A DUFFLE BAG, AND TO COME WITH ME. DURING THIS TIME SSG (b)(6), (b)(7)(C) ASKED "WHAT WAS GOING ON", WE STATED THAT CID NEEDED TO SEE HIM. AT A LITTLE LATER, HE STATED "I'M GOING TO PRISON". AS WE WERE HEADING OUT OF HIS ROOM HE ASKED TO SPEAK TO HIS ROOMMATE SSG (b)(6), (b)(7)(C) HOWEVER WE HAD TO LEAVE. AS WE WERE HEADING UP TO THE BN, SSG (b)(6), (b)(7)(C) ASKED ME TO TELL SSG (b)(6), (b)(7)(C) TO TAKE CARE OF HIS PICTURES AND MAIL, AND THAT HE WOULD UNDERSTAND. ONCE WE MADE IT UP TO BN WE TURNED HIM OVER TO THE MPs. AT ABOUT 0730 WE LEFT FOR COB SPECIFIER IN A G VEHICLE CONVOY. I RODE WITH 1SG (b)(6), (b)(7)(C), CPL (b)(6), (b)(7)(C) AND SPC (b)(6), (b)(7)(C)

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

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

Q. What were you told about this investigation?

A. THAT 3RD PLATOON, CHARLIE COMPANY WAS BEING INVESTIGATED FOR AN INCIDENT THAT INVOLVED 3 DEATHS DURING IRON TRIANGLE.

Q. What told you this?

A. MY PLATOON LEADER, 1LT (b)(6), (b)(7)(C) IT WAS WELL KNOWN HOWEVER ONCE CID CAME TO FOB BRASSFIELD-MORA ABOUT 2 WEEKS AGO

Q. Did (b)(6), (b)(7)(C) say anything else to you?

A. No, HOWEVER ONCE SSG (b)(6), (b)(7)(C) TOLD ME TO INFORM SSG (b)(6), (b)(7)(C) I TOLD HIM OKAY. ONCE I RETURNED FROM BN I SAW SSG (b)(6), (b)(7)(C) AND GAVE HIM THE MESSAGE, HE SAID OKAY.

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 ATTACHED, THE PAGE NUMBER WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823  
1 JUL 72SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.  
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EXHIBIT

84

000640



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

STATEMENT OF \_\_\_\_\_

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

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

CDB Speecher

DATED \_\_\_\_\_

15 June 00

CONTINUED

STATEMENT (Continued)

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

Q. Who else was in the room?

A. 1LT (b)(6), (b)(7)(C), We Were Together The Entire Time. They Had No Other Extra Conversations.

Q. Do you have anything else 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 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 15th day of June, 2000 at CDB Speecher

ORGANIZATION OR ADDRESS

(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)

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

ACLU DDII ROI 34448

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EXHIBIT

84

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SWORN STATEMENT

LOCATION: Tikrit CID Office  
Contingency Operating Base (COB) Speicher  
Tikrit, Iraq, APO AE 09393

DATE: 15 June 2006 TIME: 1800 hrs

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

NAME: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C) GRADE/STATUS: 1SG/AD

ORGANIZATION OR ADDRESS: C Company 3/187<sup>th</sup> Infantry, 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:

This Statement is a Clarification to some questions that CID had about my statement I made on 14 June 2006.

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

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

A: 1SG (b)(6), (b)(7)(C)

SWORN STATEMENT

Q: Was there a time while on Iron Triangle that you made a statement in relation to the alive detainees?

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

A: Yes after the initial radio reports from PFC (b)(6), (b)(7)(C) I made the statement I do not know why we have 3 detainees or why do we have any enemy alive. I said something to this effect I cannot remember the exact words. I made this remark because the initial report I was given on the radio was they had one enemy KIA. We had bad communications even with the COM 201 antenna set up and I had a hard time hearing PFC (b)(6), (b)(7)(C) It took me several attempts to get a grid to their location of the contact. So after their report of one enemy KIA I assumed they were in direct fire contact firefight with the enemy. So when PFC (b)(6), (b)(7)(C) got back to me that they had one enemy KIA then 3 captured I was wondering why they did not kill the enemy during the contact. I then instructed PFC (b)(6), (b)(7)(C) to get the detainees ready for movement and that we would get Aircraft to them to get them back to our Company CP at Objective Murray so we could have THT who was with us at the CP screen the detainees. I then handed the radio off to CPT (b)(6), (b)(7)(C) and went and informed SGT (b)(6), (b)(7)(C) the THT Team Leader that we would have 4 detainees arriving at our location and to be ready to screen them. At no point did I ever try to put any idea into those Soldiers heads to execute or do any harm to the detainees. The Soldiers were briefed thoroughly on the ROE and the intent of the mission to Kill or Capture the enemy. They were all trained on the Safe Guarding of detainees and like I said I instructed them to get the detainees ready to be moved to our location for screening.

Q: Do you believe any rational person would interpret what you said to mean kill the detained personnel?

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C) PAGE 1 OF 4 PAGES

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ACLU DDII ROI 34447

CASE#

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office,, COB  
SPEICHER, TIKRIT, IRAQ, DATED 15 June, 2006, CONTINUED.

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

A: Absolutely not, I would never have thought anyone in our Company would be capable of such a thing under any circumstances.

Q: Did you have any direct communication with SSG (b)(6), (b)(7)(C) while you were at the Company Command Post at OBJECTIVE MURRAY?

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

A: No I did not I was talking to PFC (b)(6), (b)(7)(C) on the radio who is the 3<sup>rd</sup> platoon RTO I assumed these reports were being relayed by 1LT (b)(6), (b)(7)(C) the 3<sup>rd</sup> Platoon Leader. PFC (b)(6), (b)(7)(C) is his RTO. PFC (b)(6), (b)(7)(C) should have been with 1LT (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) and the rest of the element on that objective. Normally the Platoon RTO goes everywhere with the Platoon Leader. When the first group left the Objective the Platoon Leader left his RTO with SSG (b)(6), (b)(7)(C) on the Objective.

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

Q: Did you hear SSG (b)(6), (b)(7)(C) make any comments about the detainees being KIA?

A: I was near the radio next to CPT (b)(6), (b)(7)(C) when this report came over the radio. I could hear CPT (b)(6), (b)(7)(C) repeating what was said to him on the radio about the KIAs but I did not hear directly from the radio what was being said.

Q: During your interview, you mentioned that SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) made spontaneous statements on the morning of 15 Jun 06; can you clarify these statements?

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

A: Yes SPC (b)(6), (b)(7)(C) said to SFC (b)(6), (b)(7)(C) that can someone call his mother because I am going to jail and PFC (b)(6), (b)(7)(C) said to SFC (b)(6), (b)(7)(C) can I see my Squad Leader SSG (b)(6), (b)(7)(C)

Q: Do you believe that the command climate would have influenced the detainees to be killed?

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

A: No I do not think so. We have a very aggressive unit with a very aggressive Commander. But there is a big difference between killing the enemy and executing a prisoner. Everyone knows this. I do not feel that the command climate had anything to do with what SSG (b)(6), (b)(7)(C) and his squad did.

Q: Did you advise SGT (b)(6), (b)(7)(C) to obtain legal counsel?

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

A: YES I did. I advised SGT (b)(6), (b)(7)(C) to call TDS to advise him on his rights. I was concerned about his camera being taken away by AGENT (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) came to me and told me about the camera being taken away. I was not sure of the left and right limits on what the Agents were able to do while questioning our Soldiers. So I advised my Soldiers to contact TDS because I was not sure about this subject and I felt it was the right thing to do at the time, I was only trying to look out for my Soldiers. After I received the information about what went on with SSG (b)(6), (b)(7)(C) Squad during Operation Iron Triangle I felt like an idiot for defending them. I am very sorry for this. As soon as I got the information I notified the acting Company Commander CPT (b)(6), (b)(7)(C) and then notified LTC (b)(6), (b)(7)(C) and CSM Defreese, we then contacted CID with the information within an hour of me being told by SGT (b)(6), (b)(7)(C)

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

PAGE 2 OF 4 PAGES

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EXHIBIT 85

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ACLU DDII ROI 34448

000643

CASE#

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office,, COB SPEICHER, TIKRIT, IRAQ, DATED 15 June, 2006, CONTINUED.

and what SGT (b)(6), (b)(7)(C) said and what SGT (b)(6), (b)(7)(C) said that PFC (b)(6), (b)(7)(C) had told him about the actions of SSG (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C)

Q: What was SGT (b)(6), (b)(7)(C) role in this incident?

(b)(6), (b)(7)(C) A: SGT (b)(6), (b)(7)(C) was not on Operation Iron Triangle but when we returned from the Operation he was approached by PFC (b)(6), (b)(7)(C) who told SGT (b)(6), (b)(7)(C) that is was SSG (b)(6), (b)(7)(C) who had punched him in the face and for PFC (b)(6), (b)(7)(C) to say it was the Iraqi who did it. SGT (b)(6), (b)(7)(C) also wanted to tell some legal NCO from brigade headquarters about this and I instructed him not to and to tell the CID agents exactly what he had told me about SSG (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) actions on the operation.

(b)(6), (b)(7)(C) Q: Did you see what pictures or videos were on the camera?

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

(b)(6), (b)(7)(C) Q: Do you have any second hand knowledge of what was on the camera?

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

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

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

INITIALS OF PERSON (b)(6), (b)(7)(C)  
MAKING STATEMENT  
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PAGE 3 OF 4 PAGES

EXHIBIT 85

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STATEMENT OF (b)(6), (b)(7)(C) CASE#  
TAKEN AT Tikrit CID Office,, COB  
SPEICHER, TIKRIT, IRAQ, DATED 15 June, 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  
Thursday, June 15, 2006, at Tikrit CID Office  
COB Speicher, Tikrit, Iraq. APO AE 09393

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

(Signature)

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 85

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**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

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

**DATA REQUIRED BY THE PRIVACY ACT**

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

1. LOCATION COB Speicher, Tikrit, IZ	2. DATE 16 Jun 06	3. TIME 1006	4. FILE NUMBER (b)(6), (b)(7)(C)
5. Name (Last First MI) (b)(6), (b)(7)(C)	8. ORGANIZATION OR ADDRESS C Co, 3-187 <sup>th</sup> INF, 3 BCT FOB Brassfield-Mora, Samarra, IZ APO AE 09393		
6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS O-2/AD		

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**SECTION A. Rights**

The investigator whose name appears below told me that he is with the United States Army Criminal Investigation Command and wanted to question me about the following offense(s) of which I am suspected/accused: Dereliction of Duty Conspiracy, False Official Statement  
 Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

1. I do not have to answer any questions or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me or both.

-or-

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have the right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

**SECTION B. Waiver**

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

**WITNESSES (if available)**

1a. NAME (Type or Print)	(b)(6), (b)(7)(C)
b. ORGANIZATION OR ADDRESS AND PHONE	(b)(6), (b)(7)(C)

2a. NAME (Type or Print)	SA (b)(6), (b)(7)(C)
b. ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR 31 <sup>st</sup> MP DET CID (-) COB Speicher, Tikrit, IZ APO AE 09393

**SECTION C. Non-waiver**

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

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

AGLU DDII ROI 34451

THE WARNING

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

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

-or-

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

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

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

THE WAIVER

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

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

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

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

SPECIAL INSTRUCTIONS

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

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

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

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

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

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

COMMENTS (Continued)

REVERSE OF DA FORM 3881

ACLU DDII ROI 34452

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EH1817 86  
000647

## 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, TIKIT, IZ	DATE 16 JUN 06	TIME 1205	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS O-2 / AD	
ORGANIZATION OR ADDRESS CCB, 5-187 <sup>TH</sup> INF, 3 BCT, FOB BRASFIELD-MORA, SAMARRA, IZ			

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

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON OR ABOUT 13 JUN 06 AT APPROXIMATELY 1600 SGT (b)(6), (b)(7)(C) AND SSG (b)(6), (b)(7)(C) APPROX. APPROACHED MY VEHICLE (b)(6), (b)(7)(C) AS I WAS ABOUT TO DEPART ON PATROL WITH MY VEHICLE 3RD SQUAD AND THE 34 VEHICLE COMPRISED OF SGT (b)(6), (b)(7)(C) CPL (b)(6), (b)(7)(C) AND PFC (b)(6), (b)(7)(C) I ASKED SSG (b)(6), (b)(7)(C) WHAT WAS UP AND HE SAID THAT STA (b)(6), (b)(7)(C) NEEDED TO TALK TO ME WHEN I COME BACK TO PICK UP CHOW AT ABOUT 1800. I ASKED IF IT WAS GOOD OR BAD AND HE SAID IT WAS BAD. I TOLD HIM OK AND ASSUMED IT WAS ABOUT SGT (b)(6), (b)(7)(C) PENDING FIELD GRADE ARTICLE 15 (b)(6), (b)(7)(C) FOR FAILING ASLEEP ON GUARD. SGT (b)(6), (b)(7)(C) GOT IN THE DRIVERS SEAT OF MY VEHICLE AND I ASKED HIM WHAT WAS GOING ON. HE SAID THAT HE HAD TALKED TO FSG (b)(6), (b)(7)(C) ABOUT HIS ARTICLE 15. I ASKED HIM WHAT WAS GOING ON WITH IT AND I DO NOT REMEMBER WITH WHAT HE REPLIED WITH. HE THEN SP<sup>RO</sup> OR LEFT THE FOB FOR OUR PATROL AND AS WE WERE DOING THIS HE TOLD ME THAT HE HAD ~~ALSO~~ (b)(6), (b)(7)(C) ALSO HEARD ~~SOMETHING~~ SOMETHING REGARDING SSG (b)(6), (b)(7)(C) AND HIS INCIDENT AT OPERATION IRON TRIANGLE (b)(6), (b)(7)(C). HE ALSO INFORMED ME THAT SSG (b)(6), (b)(7)(C) HAD HEARD SOME THINGS TOO. I ASKED HIM<sup>SO</sup> (b)(6), (b)(7)(C) WHAT HE HAD HEARD. HE TOLD ME THAT HE HAD TALKED TO SGT (b)(6), (b)(7)(C) THE NIGHT BEFORE AND THAT (b)(6), (b)(7)(C) HAD TOLD HIM THAT PFC (b)(6), (b)(7)(C) HAD BEEN BOASTING ABOUT

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 6 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 UNFILED, 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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1 JUL 72

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

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EXHIBIT 86  
000648



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

TAKEN AT COB SPEICHERT

DATED 16 JUN 86

CONTINUED

STATEMENT (Continued)

HOW HE HAD SHOT THE FLEEING MEN FROM OPERATION TRIANGLE TRIANGLE FROM THE HIP AND I ASKED IF HE HAD SAID ANYTHING TO (b)(6), (b)(7)(C) ABOUT ANY WRONG DOING. HE SAID THAT HE HAD AND THAT HE AND (b)(6), (b)(7)(C) HAD TALKED THAT NIGHT BECAUSE HE HAD HEARD (b)(6), (b)(7)(C) TALK TALK TO HIM ABOUT SOME WRONG DOING ON OBJ MURRAY. I ASKED WHAT (b)(6), (b)(7)(C) HAD TOLD HIM AND HE SAID THAT SSG (b)(6), (b)(7)(C) HAD PULLED HIS GUYS ASIDE AND TOLD THEM THEY WERE GOING TO CUT THE DETAINED DETAINEE'S LOOSE AND SHOOT THEM AS THEY RAN AWAY. HE SAID THEY ALSO PLANNED TO CUT (b)(6), (b)(7)(C) AND SSG (b)(6), (b)(7)(C) HAD PUNCHED (b)(6), (b)(7)(C) TO MAKE IT LOOK MORE BELIEVABLE. I TURNED TO (b)(6), (b)(7)(C) AND ASKED HIM IF (b)(6), (b)(7)(C) HAD TOLD HIM OF ANYTHING LIKE THIS AS WELL BEING THAT HE WAS HIS ROOMMATE. CPL (b)(6), (b)(7)(C) SAID THAT (b)(6), (b)(7)(C) HAD TOLD HIM THE SAME THING. I TOLD (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) THAT WE NEEDED TO TELL FSG (b)(6), (b)(7)(C) AND CPT (b)(6), (b)(7)(C) IMMEDIATELY. SGT (b)(6), (b)(7)(C) SAID THAT HE AND SSG (b)(6), (b)(7)(C) HAD A REAR UP ALREADY HAD. WE CAME BACK TO PICK UP CHOW AT APPROXIMATELY 1800. I THEN WENT TO FIND SSG (b)(6), (b)(7)(C) SO WE COULD TALK TO FSG (b)(6), (b)(7)(C) BUT I COULD NOT FIND HIM. I RAN INTO SGT (b)(6), (b)(7)(C) THROUGH AND ASKED HIM TO SPEAK TO ME IN MY ROOM AND I ASKED HIM WHAT (b)(6), (b)(7)(C) HAD TOLD HIM ABOUT OBJ MURRAY AND HE SAID THAT (b)(6), (b)(7)(C) HAD BRAGGED ABOUT SHOOTING THE DETAINEES AND WATCHING THEM DO "THE HARLEM SHAKE". I THEN ASKED HIM WHAT, IF ANY WRONG DOING HE HAD SPOKE TO HIM ABOUT. HE SAID THERE HAD BEEN SOME WRONG DOING BUT HE DID NOT DISCLOSE WHAT AND WAS NOT

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

ACLU DII ROI 34454 PAGE 2 OF 6 PAGES

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EXHIBIT 86

000649

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

TAKEN AT COB SPRICKETT

DATED 16 JUN 06

CONTINUED

STATEMENT (Continued)

COMFORTABLE DOING SO. SO I DISMISSED HIM AND FOUND SSG (b)(6), (b)(7)(C) THEN FSG (b)(6), (b)(7)(C) PULLED ME, SSG (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) INTO HIS ROOM AND NOTIFIED US THAT HE HAD ALREADY INFORMED THE BRIGADE, (b)(6), (b)(7)(C) AND THE BATTALION AND THAT CID WAS ON THE WAY AND THIS EVENT WAS NOT TO BE DISCUSSED ANY FURTHER. HE THEN TOLD ME HE WOULD CALL ME ON THE RADIO AND LET ME KNOW WHEN TO BRING SSG (b)(6), (b)(7)(C) SAUAD BACK TO THE FOB (FORWARD OPERATING BASE BRASSFIELD - MORA). WE THEN RESUMED OUR PATROL. THE FOLLOWING DAY, FSG (b)(6), (b)(7)(C) 14 JUN 06, FSG (b)(6), (b)(7)(C) AND I TALKED AND HE TOLD ME TO ASK PFC (b)(6), (b)(7)(C) ABOUT WHO WAS ON THE OBJECTIVE AT THE TIME OF THE SHOOTING. PFC (b)(6), (b)(7)(C) SAID THAT IT WAS JUST SSG (b)(6), (b)(7)(C) SAUAD MINUS (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) CPL (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) (OUR MEDIC) AND SGT (b)(6), (b)(7)(C) WERE TOLD TO GO TO THE PICK UP ZONE APPROXIMATELY 100M OR SO SOUTHWEST OF THE INITIAL TARGET HOUSE. THIS WAS IN AGREEMENT WITH THE THINGS IN SGT (b)(6), (b)(7)(C) AND SGT (b)(6), (b)(7)(C) STORIES. I TOLD FSG (b)(6), (b)(7)(C) OF MY FINDINGS. THE FOLLOWING DAY I WAS SENT TO APPREHEND SSG (b)(6), (b)(7)(C) 15 JUN 06. SFC (b)(6), (b)(7)(C) AND I WERE ASSIGNED TO GET HIM FOR THE MP'S (MILITARY POLICE). HE WENT AND APPREHENDED HIM AT APPROXIMATELY 0615. HE HANDED US AN UNAUTHORIZED HANDGUN AS WE SEARCHED HIS ROOM FOR WEAPONS. I TURNED THE HANDGUN INTO CPT (b)(6), (b)(7)(C)

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

A:

Q: PRIOR TO 13 JUN 06, DID YOU HAVE ANY KNOWLEDGE OF THE CONSPIRACY TO SHOOT THE DETAINEES AND THE CIRCUMSTANCES OF SUBSEQUENT MURDER OF THE DETAINEES.

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

ACLU DDH ROI 04455

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EXHIBIT 86

000650

STATEMENT OF

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

TAKEN AT COB SPEICHERT

DATED 16 JUN 06

CONTINUED

STATEMENT (Continued)

A: NO I DID NOT

Q: DID YOU NOTICE ANY UNUSUAL BEHAVIOR OF ANY MEMBERS OF YOUR COMPANY, SPECIFICALLY THE SOLDIERS WHO WERE IN DIRECT CONTACT WITH THE DETAINEES?

A: SSG (b)(6), (b)(7)(C) BECAME MUCH MORE CONCERNED ABOUT MY WHEREABOUTS AS WELL AS SSG (b)(6), (b)(7)(C) AFTER MORE PEOPLE INCLUDING SSG (b)(6), (b)(7)(C) WERE ASSIGNED TO TALK TO CID. HE ASKED SGT (b)(6), (b)(7)(C) OF MY WHEREABOUTS FREQUENTLY AFTER SSG (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) AND SGT (b)(6), (b)(7)(C) WERE CALLED DOWN TO BATTALION HEADQUARTERS. HE TOLD FELLOW SOLDIERS I WAS ACTING "SECRET SWIMMER". I DID NOT NOTICE ANY CHANGE IN ANYONE ELSE'S BEHAVIOR WHO WERE INVOLVED IN THAT INCIDENT.

Q: HAS SSG (b)(6), (b)(7)(C) DISPLAYED ANY BEHAVIOR THAT WOULD LEAD YOU TO BELIEVE THAT HE IN FACT DID CONSPIRE TO KILL THE THREE DETAINEES?

A: NO, THIS INCIDENT CAUGHT ME EXTREMELY OFF GUARD AFTER WORKING WITH SSG (b)(6), (b)(7)(C) FOR OVER 8 MONTHS.

Q: WHAT ABOUT (b)(6), (b)(7)(C) OR (b)(6), (b)(7)(C)?

A: (b)(6), (b)(7)(C) WAS ALWAYS EXTREMELY IMPRESSIONABLE BUT HAD CAUSED ME NO PROBLEMS. (b)(6), (b)(7)(C) WAS VERY INTENSE BUT ALWAYS BEHAVED RESPONSIBLY IN MY PRESENCE.

Q: DO YOU HAVE ANY DIRECT OR INDIRECT KNOWLEDGE OF MEMBERS OF YOUR COMPANY WRONGFULLY KILLING OR MISTREATING IRAQIS, PERS AND AFTER THIS INCIDENT?

A: NONE TO MY KNOWLEDGE.

Q: HAVE YOU EVER HEARD MEMBERS OF YOUR PLATOON BRAG ABOUT HOW MANY "KILLS" THEY HAVE? IS THERE A COMPETITION?

A: I HAVE NEVER HEARD ANYONE IN MY PLATOON BRAG AND THERE WAS NO COMPETITION, THERE WAS A BOARD DISPLAYING HOW MANY

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

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EXHIBIT 8

000651

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

TAKEN AT CORP SPILLICERT

DATED 16 Jun 86

CONTINUED

STATEMENT (Continued)

EACH PLATOON HAD IN OUR CP. (COMPANY HEADQUARTERS), but  
no competitive value was placed on it. (b)(6), (b)(7)(C)

Q: IS THERE ANYTHING YOU WANT TO ADD TO THIS STATEMENT?

A: I NEVER PLACED ANY STARS ON THAT BOARD NOR ORDERED  
ANYONE TO.

Q: IS THERE ANYTHING ELSE YOU WANT TO ADD TO THIS STATEMENT?

A: NO, THERE IS NOT. ||| END OF STATEMENT ||| (b)(6), (b)(7)(C)

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

PAGE 5 OF 6 PAGES

ACLU DDH ROI 34457

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EXHIBIT 86

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

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

TAKEN AT COB SPEICHER

DATED 16 JUN 06

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 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 OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

WITNESSES:

Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 16 day of JUN, 20 06 at COB SPEICHER

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)**

ACLU DD FORM 134458

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EXHIBIT 86

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 Specialist Nikit, Iraq, Ab AE 0803	DATE (b)(6), (b)(7)(C) TIME (b)(6), (b)(7)(C) 16 June 06 1510	FILE NUMBER 0086-06 CID469
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS E-5 / RA
ORGANIZATION OR ADDRESS C Co, 3/187th Infantry FOB Brassfield - Mora, Samarra, Iraq		

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

MYSELF AND CPL (b)(6), (b)(7)(C) WERE A GUN TEAM ATTACHED TO 3RD SQUAD, 3RD PLATOON, C Co, 3-187th. THE ELEMENTS OF 3RD SQUAD AND GUN TEAM (b)(6), (b)(7)(C) WERE CALLED TO AIR ASSAULT INTO A 2ND OBJECTIVE ON OBJ MURRAY. THE BIRDS LANDED SW OF THE BUILDING AND 3RD SQUAD RUSHED AHEAD TO CLEAR THE HOUSE RUNNING ABOUT HALFWAY TO THE HOUSE I HEAR GUN FIRE. AS I GET TO THE HOUSE I AM CALLED AROUND THE BACK SIDE, NORTH SIDE OF THE HOUSE TO HELP 3RD SQUAD. I GUARD 3 (b)(6), (b)(7)(C) MALES THAT WERE PULLED OUT OF THE HOUSE. MEANWHILE A MAN WHO WAS SHOT IS BROUGHT OUT OF THE HOUSE TO BE LOOKED AT BY (b)(6), (b)(7)(C). THE 3 MEN ARE FACE DOWN ON THE STAIRS. A COUPLE OF MINUTES LATER (b)(6), (b)(7)(C) ANNOUNCES THAT THE MAN IS DEAD. WE THEN LEARN THAT PFC (b)(6), (b)(7)(C) HAS SPOTTED ANOTHER HOUSE OVER A BERM TO THE NORTH. CPL (b)(6), (b)(7)(C) AND MYSELF ARE SENT TO THE BERM TO PROVIDE OVERWATCH AS SSG (b)(6), (b)(7)(C) GETS HIS SQUAD ADJUTANT TO GO CLEAR THE HOUSE. SSG (b)(6), (b)(7)(C) INSTRUCTS CPL (b)(6), (b)(7)(C) TO PUT GLAZING FIRE OVER THE HOUSE WHILE HIS TEAM COMES IN FROM THE LEFT AND TO LIFT FIRE AS WE GET CLOSE. AT THIS TIME I BELIEVE SPC (b)(6), (b)(7)(C) AND PFC (b)(6), (b)(7)(C) ARE LEFT AT THE FIRST HOUSE TO GUARD THE 3 DETAINEES. SSG (b)(6), (b)(7)(C) AND TEAM APPROACH THE HOUSE AND GLAZING FIRE IS LIFTED. ONE MALE COMES OUT OF THE HOUSE HOLDING A BABY. HE IS QUICKLY DETAINED. THE HOUSE AND AREA IS SEARCHED AND ONE MALE DETAINEE IS BROUGHT BACK TO THE ORIGINAL HOUSE. CPL (b)(6), (b)(7)(C) AND MYSELF ARE THEN PULLED BACK TO THE FIRST HOUSE TO PROVIDE SECURITY AS DETAINEES ARE PROCESSED. 3RD SQUAD WITH THE HELP OF SPC (b)(6), (b)(7)(C) CPL (b)(6), (b)(7)(C) AND MYSELF START THE DETAINEE PACKETS AND PICTURE TAKING. MEANWHILE LT (b)(6), (b)(7)(C) IS CALLED TO NUMBER OBJECTIVE WITH 2ND SQUAD. HIS BIRD LIFTS OFF AS WE ARE DOING (b)(6), (b)(7)(C) DETAINEE PACKETS WE ARE TOLD BIRDS (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.

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

STATEMENT OF Sgt (b)(6), (b)(7)(C)TAKEN AT COB Specbar, Tikrit, Iraq, APO AS 9633 DATED 16JUN06

CONTINUED

STATEMENT (Continued)

(b)(6), (b)(7)(C) WILL BE COMING BACK TO PICK US AND DETAINEES UP. SHORTLY THERE-  
 AFTER THE PACKETS ARE DONE AND SSG (b)(6), (b)(7)(C) INSTRUCTS CPL (b)(6), (b)(7)(C)  
 AND MYSELF TO GO SECURE THE PICKUP ZONE WE GO OUT TO  
 THE PZ AND ARE JOINED BY (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SPL (b)(6), (b)(7)(C) AND  
 SPL (b)(6), (b)(7)(C) A FEW MINUTES LATER SSG (b)(6), (b)(7)(C) BRINGS THE DETAINEE  
 FROM THE 2ND HOUSE HALFWAY OUT TO THE PZ AND YELLS FOR CPL  
 (b)(6), (b)(7)(C) TO COME GET HIM. CPL (b)(6), (b)(7)(C) DOES AND BRINGS HIM BACK  
 TO THE PZ. A SHORT TIME LATER THERE IS YELLING COMING FROM THE  
 HOUSE THEN GUNFIRE. AS I TURN TO LOOK I SEE (b)(6), (b)(7)(C) ME THREE  
 MEN WE HAD DETAINEED RUNNING FROM THE HOUSE. A FEW SECONDS  
 LATER THEY ARE SHOT BY SOMEONE ON THE NORTH SIDE OF THE HOUSE  
 OUT OF OUR VIEW. I PROCEEDED TO THE HOUSE (b)(6), (b)(7)(C) IS ALREADY  
 ABOUT HALFWAY TO THE HOUSE, AND I BELIEVE (b)(6), (b)(7)(C) AND SPL  
 (b)(6), (b)(7)(C) COME UP TO THE HOUSE WITH ME. AS I CAME AROUND THE  
 NORTH SIDE OF THE HOUSE I AM TOLD THAT DETAINEES HAD STRUCK  
 BOM PFC (b)(6), (b)(7)(C) AND SPL (b)(6), (b)(7)(C) AND HAD ALSO CUT SPL (b)(6), (b)(7)(C)  
 WITH A KNIFE. I LOOK DOWN, THE KNIFE IS ON THE GROUND BY THE  
 DOOR AND INSIDE THE DOOR SPL (b)(6), (b)(7)(C) IS ON THE FLOOR HOLDING HIS  
 ARM. (b)(6), (b)(7)(C) IS CALLED OVER TO LOOK AT (b)(6), (b)(7)(C) WITHIN THE  
 NEXT FEW MINUTES I INSTRUCTED SPL (b)(6), (b)(7)(C) TO GET WITH SSG (b)(6), (b)(7)(C) TO  
 CARE A SITUATION REPORT TO HIGHER. AFTER THAT I PROCEEDED BACK  
 TO THE PZ TO CHECK WITH SGT (b)(6), (b)(7)(C) AND GAVE UP SAYING THERE  
 3RD SQUAD SETS UP THE BODIES AND ARE THEY ARE HANDED OFF TO  
 2ND PLATOON WHO MOVES IN FROM THE SOUTH.

Q How long were you at the house after you saw the detainees shot  
 before moving to the PZ?

A PROBABLY 5-10 MINUTES

Q Describe the detainees' condition when you came back to the house (after they were shot)

A. BLOODY, PRETTY SHOT UP. I DID NOT SEE ANY WOUNDS FROM ANY BODIES

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

A: Sgt

Q: Did you hear any shots while you were near the 3 bodies?

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

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

ACLU DOJ ROI 34460 PAGE 2 OF 4 PAGES

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EXHIBIT 87

000655

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

TAKEN AT CoS Speicher, Tikrit, Iraq 0998 DATED 16 JUNE 06

CONTINUED

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

Q: What order (1st, 2nd, etc) did you arrive to the house in, after hearing the initial shots?

A: (b)(6), (b)(7)(C) ME (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C)

Q: How long after you heard the shots did you leave?

A: LESS THAN 10 SECONDS

Q: Are you sure of the location you saw the knife?

A: I WOULD SAY WITHIN 5 METERS OF ME DOWNWAY OUTSIDE

Q: Was (b)(6), (b)(7)(C) anywhere around you at the house?

A: I DO NOT REMEMBER (b)(6), (b)(7)(C) AT THE HOUSE AFTER THE SHOTS.

Q: Did you see any of the detainees breathing or coughing up blood?

A: No

Q: How close did you get to the detainees?

A: ABOUT 15-20 METERS.

Q: Did you look at them?

A: YES

Q: Where was everyone else when you were checking on the soldiers?

A: (b)(6), (b)(7)(C) WAS OUTSIDE THE NORTH SIDE OF THE HOUSE. (b)(6), (b)(7)(C) WAS INSIDE THE DOWNWAY (b)(6), (b)(7)(C) WAS SOMEWHERE ON NORTH SIDE OF HOUSE, AND (b)(6), (b)(7)(C) AND SPC (b)(6), (b)(7)(C) WERE BASICALLY WITH ME.

Q: Where was SSG (b)(6), (b)(7)(C)?

A: I DO NOT REMEMBER SEEING HIM BUT I'M FAIRLY CERTAIN HE WAS IN THE AREA.

Q: Did you see him running around the house when you were running up to it?

A: No

Q: How long were you with (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)

A: A COUPLE OF MINUTES. BASICALLY TILL I KNEW THEY WERE BOTH DE

Q: What did you do after that?

A: I WAS EITHER RIGHT INSIDE THE HOUSE OR ON THE NORTH OR WEST SIDE OF THE HOUSE. I HAVE NO SPECIFIC MEMORIES OF WHAT I WAS DOING.

Q: How long after checking on the soldiers were you "in the area" with no specific memory of what happened?

A: COULD HAVE BEEN 2 MINUTES. COULD HAVE BEEN 10 BEFORE I HEADED BACK TO PZ (b)(6), (b)(7)(C)

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

ACLU DDII ROI 34461

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EXHIBIT 87

000656



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

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

TAKEN AT COB Speicher, Tikrit, Iraq 088 DATED 16 JUN 06

CONTINUED

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

STATEMENT (Continued)

Q: Where was Sgt (b)(6), (b)(7)(C) during this?

A: AS FAR AS I KNOW HE STAYED AT THE PZ THE WHOLE TIME

Q: Do you remember any specific conversations or remarks during this incident?

A: THE ONLY THING I REMEMBER IS WHEN I GOT BACK TO THE PZ, TALKING TO SGT (b)(6), (b)(7)(C) ABOUT HOW THIS IS NOT A GOOD SITUATION.

Q: Can you elaborate on what you meant by "Not A Good Situation"?

A: ABOUT HOW THE FUTURE HANDLING OF THE DETAINEES WAS SLOPPY SO THAT AS IT PUT THEM IN RISK AND ENDED IN THE MEN BEING SHOT.

Q: Have you spoken with anyone about what "really" happened since 9/11/01?

A: NO

Q: What kind of relationship do you have with 3rd Squad?

A: BASICALLY JUST A WORKING RELATIONSHIP. I DON'T REALLY HANG OUT WITH THEM IF WE ARE NOT WORKING.

Q: Do you have anything further to add?

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

AFFIDAVIT

I, Sgt (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 16 day of JUN 20 06 at COB Speicher, Tikrit, Iraq APO AE 09307

ORGANIZATION OR ADDRESS:

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

(Administering Oath)

ORGANIZATION OR ADDRESS:

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

(Typed Name of Person Administering Oath)

AFFIDAVIT

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

INITIALS OF PERSON MAKING STATEMENT

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

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ACLU DDH ROI 34462

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EXHIBIT 87

**SWORN STATEMENT**

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

LOCATION Bldg 718, Tikrit CID Office	DATE 16 June 06	TIME 1043	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)		GRADE/STATUS SFC/AD
ORGANIZATION OR ADDRESS C 3/187 <sup>th</sup> Infantry, FOB Brassfield-Mora, APO AE 09393			

I, (b)(6), (b)(7)(C) want to make the following statement under oath:  
SA (b)(6), (b)(7)(C)

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

Q: Have you had any conversations with anyone regarding this CID Investigation?

A: Yes, on the morning of 13 Jun 06, SSG (b)(6), (b)(7)(C) approached me and informed me that SGT (b)(6), (b)(7)(C) would not be going on patrol because he had been interviewed by CID and had been up all night. I related to him that was not to discuss or mention that CID was on FOB Brassfield-Mora.

Q: Did you speak to anyone else about anything involving this investigation?

A: Yes, SSG (b)(6), (b)(7)(C) approached me around dinner time and asked me if I knew anything about anyone talking to CID and I told him that CID was here (Brassfield-Mora) investigating steroids. When he first approached me he was kind of nervous and on edge. Then I told him about the steroids and then his spirits kind of lifted. He said alright and then he left. I was also informed by 1LT (b)(6), (b)(7)(C) that SSG (b)(6), (b)(7)(C) stated in the (around the same time I was being interviewed by CID) C Company CP that CID had spoken to (b)(6), (b)(7)(C). When he stated this SSG (b)(6), (b)(7)(C) was in the CP at the time and overheard the conversation. I don't think (b)(6), (b)(7)(C) intended to leak information but that he was unaware that SSG (b)(6), (b)(7)(C) was in the area.

Q: Why would (b)(6), (b)(7)(C) ask you about CID?

A: I think because I am the acting platoon sergeant at the time. SFC (b)(6), (b)(7)(C) is on R&R leave and due to return around 20 Jun 06.

Q: Why didn't you inform anyone about the information provided to you by (b)(6), (b)(7)(C) prior to (b)(6), (b)(7)(C) reporting what he knew?

A: He told me the information and I was still half asleep. I thought it was just a rumor and he was blowing it out of proportion. He had gotten into trouble before, for lying to the platoon leader. After he left I went back to sleep and did not think any more of it. Then (b)(6), (b)(7)(C) provided similar information. I told (b)(6), (b)(7)(C) not to say anything to anyone and that we would go talk to the 1SG the next day. My plan was then to go to (b)(6), (b)(7)(C) and find out exactly what happened and report that to the 1SG as well. When I returned off mission I was headed to get (b)(6), (b)(7)(C) so he could provide his information to the 1SG and I was going to tell the 1SG about what (b)(6), (b)(7)(C) had said to me. Before I could get to (b)(6), (b)(7)(C) approached me and stated he wanted to talk to the 1SG about what he had heard about Iron Triangle. I then took him straight to the 1SG's office. Once he provided his information, I told 1SG, (b)(6), (b)(7)(C) had some information too. After (b)(6), (b)(7)(C) left I went and got (b)(6), (b)(7)(C) and we went back to the 1SG and (b)(6), (b)(7)(C) provided 1SG with his information.

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) provided the information provided to you by (b)(6), (b)(7)(C)

EXHIBIT	INITIALS (b)(6), (b)(7)(C) ING STATEMENT	PAGE 1 OF 2 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADLINE "STATEMENT 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 OF ANOTHER COPY OF THIS FORM.		

ACLU DDII ROI 34463

0086-06-CID469-  
-96-CID547

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

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 **(b)(6), (b)(7)(C)** 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 OR PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_

ORGANIZATION OR ADDRESS

\_\_\_\_\_  
\_\_\_\_\_

ORGANIZATION OR ADDRESS

SUBSCRIBED AND SWORN BEFORE ME, A PERSON BY LAW TO ADMINISTER OATHS, THIS 16 DAY OF Jun, 2006 AT COB Speicher

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

(Signature of Person Administering Oath)

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

(Name of Person Administering Oath)

Article 136, UCMJ

(Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

**AGLU DDII ROI 34464**

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 CAB SPEECH UNIT, 22 APO AE 09793	DATE 16 June 06	TIME 1300	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 E4/AD
ORGANIZATION OR ADDRESS C Company, 3/187th Infantry Battalion, FOB Bousfield-Mora, Samarang APO AE 09344			

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

That when I was located at the LZ with SGT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) & (b)(6), (b)(7)(C) about 200-250m E to NE of the house securing the grounds for the birds I heard gunshots approx. 12-15 m4 & around 30 saw we all turned around to see what had happened to see the 3 bodys fall to the ground. We all began to run towards the house while sgt (b)(6), (b)(7)(C) guarded the detainees myself & (b)(6), (b)(7)(C) arriving all about the same time but in the movement written down when I arrived SSG (b)(6), (b)(7)(C) was in the doorway. "In reference to SSG (b)(6), (b)(7)(C) when the gunshots happened he ran from the west side of the house all the way around to the front where (b)(6), (b)(7)(C) & (b)(6), (b)(7)(C) were located." (b)(6), (b)(7)(C) then went in to check on (b)(6), (b)(7)(C) & (b)(6), (b)(7)(C) & said they were OK next (b)(6), (b)(7)(C) went to the bodys & 2 were dead fully & I was spitting up blood & (b)(6), (b)(7)(C) said that his brain is dead his body just doesnt know it yet. (b)(6), (b)(7)(C) walked over (b)(6), (b)(7)(C) left and I followed him when I was walkin away SSG (b)(6), (b)(7)(C) said something to (b)(6), (b)(7)(C) but (b)(6), (b)(7)(C) back was to me so I couldnt hear what he said I went back to the corner of the house where (b)(6), (b)(7)(C) was shortly after I heard a gunshot I looked around (b)(6), (b)(7)(C) was by the bodys when no one said or did anything I just went back to standing there I only remember hearing 1 shot. (b)(6), (b)(7)(C) shortly came out arm bandaged up shortly after (b)(6), (b)(7)(C) came out (b)(6), (b)(7)(C) got out the body bags SSG (b)(6), (b)(7)(C) then returned to help with the bodys I walked over to help also but I ripped the rubber gloves I was (b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PERSON (b)(6), (b)(7)(C)	MENT	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 (02) HQI 54485

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

STATEMENT OF <sup>CPL</sup> (b)(6), (b)(7)(C)TAKEN AT COB Speicher, TIBrit, APO AF 9393DATED June 16 06

CONTINUED

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

Given, so SSG (b)(6), (b)(7)(C) told me they got it. So I just opened the back bags and got everything ready to leave.

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

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

Q: How long (exactly) after you heard the M4 & SAW rounds, did you leave to run to the back? Also how long did it take you to arrive?

A: About when the gun shots ended it only last 3-4 seconds and it took about 10-20 seconds to get there we were running through a plowed field

Q: Over a distance of about 200-250m, with all your gear on, are you sure it may not have taken closer to a minute?

A: I am not 100% sure I know I was running as fast as I could & shit running through my head like I hope nobody got hurt, etc. I didn't sit and count on the way there so it could have been close to a minute

Q: Who arrived 1st, 2nd, 3rd, etc?

A: We all arrived about the same time but just guessing me (b)(6), (b)(7)(C) if I was guessing but arrival of personnel wasn't on my mind at the time

Q: How long after the initial shots were fired, did Sgt (b)(6), (b)(7)(C) arrive?

A: I'd say around 5 min cause he didn't want to be out there by himself

Q: Were all of the above mentioned personnel present when you heard the single shot?

A: I believe they were all either in or around the house

Q: When did you first see SSG (b)(6), (b)(7)(C) run around from the opposite side of the house?

A: As soon as the shooting started I seen him run around I believe he arrived about the time it ended

Q: When you arrived, what were your immediate actions, and where was everyone else, what did they do?

A: When I arrived my immediate action was to check on (b)(6), (b)(7)(C)

ACLU DDII ROI 34466

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

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

LAW ENFORCEMENT AGENCY: \_\_\_\_\_

OF 4 PAGES

E00065B9

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

STATEMENT OF

**(b)(6), (b)(7)(C)**TAKEN AT Cob Speicher, Tikrit, Iraq, APO AF 09393 DATED 16 JUN 06

CONTINUED

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

**(b)(6), (b)(7)(C)** & **(b)(6), (b)(7)(C)** then it was to find out what had happen & I believe everyone else's intent was the same also

Q: So when you were checking the soldiers ~~everyone was in the house?~~

A: No not everyone was in the house **(b)(6), (b)(7)(C)** & **(b)(6), (b)(7)(C)** were by the door so that's where a majority of people went first

Q: After you checked on the soldiers what did you do?

A: I walked over to the bodies with **(b)(6), (b)(7)(C)**

Q: Was anyone else with the bodies?

A: **(b)(6), (b)(7)(C)** walked up when I began to walk away and then SSG **(b)(6), (b)(7)(C)** came over

Q: When you went back to the "corner of the house" what was **(b)(6), (b)(7)(C)** doing?

A: He was just standing there & I don't remember I we said anything to each other

Q: How long after you walked away did you hear the gunshot?

A: A couple minutes I'd say 2-3min

Q: If there was a second shot directly before or after, would you have heard it?

A: I didn't hear a second shot, I don't know

Q: What did **(b)(6), (b)(7)(C)** say when ~~the~~ **(b)(6), (b)(7)(C)** the shot was fired?

A: I don't recall him saying anything we just looked around

Q: Did he look or was he looking around for where the shot came from, like you were?

A: Yeah we were both lookin for where the shot came from

Q: If the detainees were directly North from you and **(b)(6), (b)(7)(C)**; which way were both of you facing?

A: The detainees I believe where to the south of the house I was lookin out into the field to see if any houses were out there

Q: Were either you or **(b)(6), (b)(7)(C)** facing towards the detainees?

A: I wasn't & I don't recall **(b)(6), (b)(7)(C)** facing them **(b)(6), (b)(7)(C)**

ACLU DDH ROI 34467

INITIALS OF PERSON MAKING STATEMENT: **(b)(6), (b)(7)(C)**LAW ENFORCEMENT AGENCY: **(b)(6), (b)(7)(C)**

3

OF

4

PAGES

EXHIBIT 000662

FILE NUMBER

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

TAKEN AT COB Speicher, Tibolt, 09393 DATED 16JUN06

CONTINUED

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

STATEMENT (Continued)

Q: Have you spoken to anyone about this incident or heard anyone mention it who was at that objective?

A: Not that I can recall I did hear that First Sergeant heard a rumor but that is it.

Q: Did (b)(6), (b)(7)(C) provide any treatment to the Iraqi who was coughing up blood?

A: No because he checked the body and he said there was nothing he could do because he was already dead his body just didn't know it

Q: Do you know if that detainee was going to be transported out as a "WIA", or if a body bag had or was being prepared for him?

A: They just left him Doc said there was nothing he could do he was already dead

Q: Do you have anything further to add?

A: NO / END OF STATEMENT

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

AFFIDAVIT

I, CPL (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 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 16 day of JUN, 2006 at COB Speicher, Tibolt, Ala AB 09393

ORGANIZATION OR ADDRESS

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

(Typed Name of Person Administering 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 Oath)

ACLU DDII ROI 34468

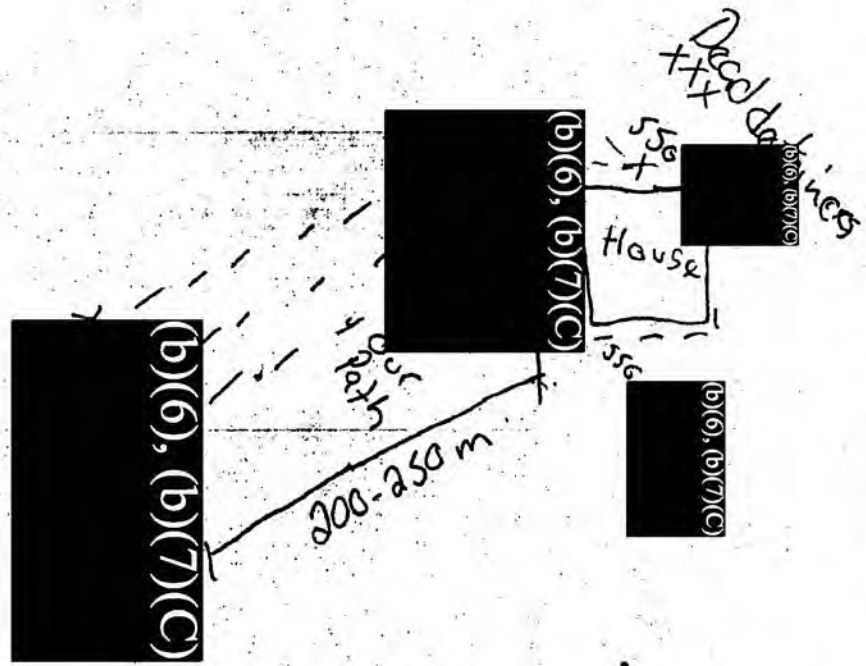
INITIALS OF PERSON MAKING STATEMENT

PAGE 4 OF 4 PAGES

FOR OFFICIAL USE ONLY (b)(6), (b)(7)(C) ENFORCEMENT SENSITIVE

ETH 0006639

SKETCH OF <sup>Route</sup> Distances & Routes taken by certain sailor



Sketched By:

Print Name:

Signature:

Date/Time: June 16 06 1300hrs

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

Witnessed By:

Print Name: SA

Signature:

Date/Time: 16 June 2006 / 1300

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

ACLU DDII ROI 34469



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 COTB SPECIFIC	DATE 16 Jun 06	TIME 1145Z	FILE NUMBER
LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)		GRADE/STATUS E4 / AD (b)(6), (b)(7)(C)
ORGANIZATION OR ADDRESS			

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

DURING OPERATION IRON TRIANGLE I, (b)(6), (b)(7)(C) WAS ON BRASSFIELD-MOHA AS I HAD JUST RETURNED FROM LEAVE. I BELIEVE IT WAS TWO OR THREE DAYS LATER THAT MY SQUAD RETURNED. AFTER THEY RETURNED IT WAS (b)(6), (b)(7)(C) WAS SHORTLY AFTER THAT I LEARNED THAT (b)(6), (b)(7)(C) HAD BEEN INJURED BY AN INSURGENT AND THAT THEY HAD A CONFLICT WITH THE MEN RESULTING IN 3 EKIA. LATER ON ABOUT 2-3 WEEKS LATER I HEARD THAT CID WAS INVESTIGATING SOMETHING WITH MY SQUAD. DIFFERENT GUYS KEPT GETTING PULLED TO GO TALK WITH CID. I RETURNED FROM LEAVE AT APPROXIMATELY 2100 ON 08 MAY 06.

END OF STATEMENT

~~(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)~~

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 END 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

TAKEN AT

COB Speicher

DATED 16 Jun 06

CONTINUED

STATEMENT (Continued)

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

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

Q: DO YOU HAVE ANY DIRECT OR INDIRECT KNOWLEDGE OF THE CONSPIRACY TO SHOOT THREE DETAINEES AND THE CIRCUMSTANCES OF THE SUBSEQUENT MURDER OF THE THREE DETAINEES?

A: NO

Q: IS THERE A COMPETITION WITH IN YOUR SQUAD AS TO WHO HAS THE MOST "KILLS"?

A: NO

Q: HAS SSG (b)(6), (b)(7)(C), SFC (b)(6), (b)(7)(C) OR PFC (b)(6), (b)(7)(C) EVER THREATEN YOU OR ANY MEMBER OF YOUR SQUAD OF BODILY HARM IF THEY OR YOU WERE TO TELL ANYONE WHAT HAPPENED WITH THE SHOOTING OF THE DETAINEES?

A: NO

Q: DO YOU HAVE ANY REASON TO BELIEVE THAT SSG (b)(6), (b)(7)(C) (b)(6), (b)(7)(C), AND (b)(6), (b)(7)(C) CONSPIRED AND KILLED THREE DETAINEES?

A: NO

Q: WERE YOU IN A VEHICLE WITH (b)(6), (b)(7)(C) AND OTHER SQUAD MEMBERS WHO MENTIONED HE (b)(6), (b)(7)(C) WAS PUNCHED BY SSG (b)(6), (b)(7)(C) AS A COVER UP FOR KILLING THE DETAINEES?

A: I DONOT RECALL BEING AROUND MY SQUAD AT ALL DURING ANY SUCH CONVERSATIONS.

Q: HOW WOULD YOU FEEL IF THIS INVESTIGATION REVEALS THAT YOU KNOWINGLY PROVIDED FALSE INFORMATION ABOUT YOU HEARING (b)(6), (b)(7)(C) (ISRAELI) ABOUT BEING HIT IN THE FACE BY (b)(6), (b)(7)(C) AS A COVER UP TO KILL THE DETAINEES?

A: SOME BODY telling SOME B.S.

Q: IS THERE ANYTHING YOU WANT TO ADD TO THIS STATEMENT?

A: I'VE BEEN WITH THESE GUYS FOR AWHILE, THOUGH I WAS NOT THERE, I DONOT THINK THEY "MURDERED" ANYONE

INITIALS OF PERSON MAKING STATEMENT

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

ACLU DDH ROI 34471 PAGE 2 OF 3 PAGES

FOR OFFICIAL USE ONLY - Law Enforcement Sensitive

EXHIBIT 90

FOR OFFICIAL USE ONLY, LAW ENFORCEMENT SENSITIVE

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

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

TAKEN AT COB Speicher DATED 16 Jun 06

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 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)

(Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 16 day of Jun, 2006 at COB Speicher

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)

PAGE 3 OF 3 PAGES

ACLU DDII ROI 34472

FOR OFFICIAL USE ONLY - Law Enforcement Sensitive EXHIBIT 90

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**  
For use of this form, see AR 190-30; the proponent agency is ODCSOPS

**DATA REQUIRED BY THE PRIVACY ACT**

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

1. LOCATION COB SPEICHER, TIKUM, IZ		2. DATE 16 JUN 06	3. TIME 505	4. FILE NO. (b)(6), (b)(7)(C)
5. NAME (Type or Print) (b)(6), (b)(7)(C)		8. ORGANIZATION OR ADDRESS C Co, 3-187 INF, 3 BCT F03 BRISFIELD-MURA SAMARRA, IZ		
6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS E-4/AD			

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**Section A. Rights**

The investigator whose name appears below told me that he/she is with the United States Army CRIMINAL INVESTIGATION COMMAND

suspect (b)(6), (b)(7)(C) and wanted to question me about the following offense(s) of which I am

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

1. I do not have to answer any questions or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

- or -

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have 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.

**5. COMMENTS (Continue on reverse side)**

**Section B. Waiver**

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

**WITNESSES (If available)**

1a. NAME (Type or Print)

b. ORGANIZATION OR ADDRESS AND PHONE

**3. SIGNATURE OF INTERVIEWEE**  
(b)(6), (b)(7)(C)

2a. NAME (Type or Print)

b. ORGANIZATION OR ADDRESS AND PHONE

SA (b)(6), (b)(7)(C)  
**6. ORGANIZATION OF INVESTIGATOR**  
S1S1 MP DET (CIS)  
COB SPEICHER, TIKUM, IZ APO AC 0937

**Section C. Non-Waiver**

1. I do not want to give up my rights:  
 I want a lawyer.  I do not want to be questioned or say anything.
2. SIGNATURE OF INTERVIEWEE

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

AGLI DDII ROI 34473

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

0006681

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, Tiltrot, Iraq, MO AE 2837	DATE 16 June 06 1736	FILE NUMBER
LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS E5/AD
ORGANIZATION OR ADDRESS C Company, 3/187 Jcf, FOB Brassfield - Mara, Samarra, Iraq		

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

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

THIS STATEMENT IS TO FURTHER CLARIFY A PREVIOUS STATEMENT MADE ON

16 JUNE 06, 1510.

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

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

Q: I have shown you the statements made by yourself, (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C), do you understand how they conflict?

A: Yes I understand they conflict in the areas of who was at the house right after the incident, and the fact I do not remember hearing any shots afterward.

Q: I have spoken with you and (b)(6), (b)(7)(C) in regards to this incident. He reported specific accounts of being present with you, and you spoke with him during this time in an attempt to determine "ex" your memory. Is there anything further you remember that you did not put in your previous statements?

A: The only thing is that we had fired probably 500 plus rounds with the 240 that morning within a couple hours of the incident.

Q: Were you wearing any hearing protection throughout the mission?

A: No

Q: Was SSG (b)(6), (b)(7)(C) present at the location (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) were injured?

A: I am fairly certain he was, but I do not remember seeing him.

Q: How close are you to the 240 machine gun when (b)(6), (b)(7)(C) was firing?

A: My head is within 1-2 meters of the gun.

Q: After speaking with myself and all (b)(6), (b)(7)(C), how do you explain the inconsistencies with your statements?

A: The fact that I do not remember CPL (b)(6), (b)(7)(C) or SSG (b)(6), (b)(7)(C) at the house right after the shooting is probably because I just wasn't concerned at that moment with where they were. I just did not notice them. (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 (NAME) TAKEN AT (DATE) 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 OF Sgt (b)(6), (b)(7)(C)

TAKEN AT COB Speicher, Tikrit, Iraq, No AE 0903 DATED KOUNOIC

CONTINUED

STATEMENT (Continued)

(b)(6), (b)(7)(C) THE REASON I DID NOT HEAR OR DO NOT REMEMBER HEARING THE SHOT OR SHOTS IS POSSIBLY BECAUSE WE HAD FIRED MANY ROUNDS WITH THE M16 WE GAVE MAT MORNING.

Q: How is it possible (b)(6), (b)(7)(C) was in front of you and behind you when running to the house?

A: INITIALLY WHEN THE GUNFIRE HAPPENED I HAD TENDED TO LOOK AT THE HOUSE. I DID NOT TAKE OFF IMMEDIATELY (b)(6), (b)(7)(C) PROBABLY STARTED OUT BEHIND ME AND ENDED UP WITH IN FRONT OF ME.

Q: Do you have anything further to add?  
A: NO / END OF STATEMENT (b)(6), (b)(7)(C)

AFFIDAVIT

I, Sgt (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 16 day of JUN, 2006 at COB Speicher, Tikrit, Iraq, No AE 0903

ORGANIZATION OR ADDRESS

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

(Administering Oath)

ORGANIZATION OR ADDRESS

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

UCMJ, Article 136 / 10 USC 936

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

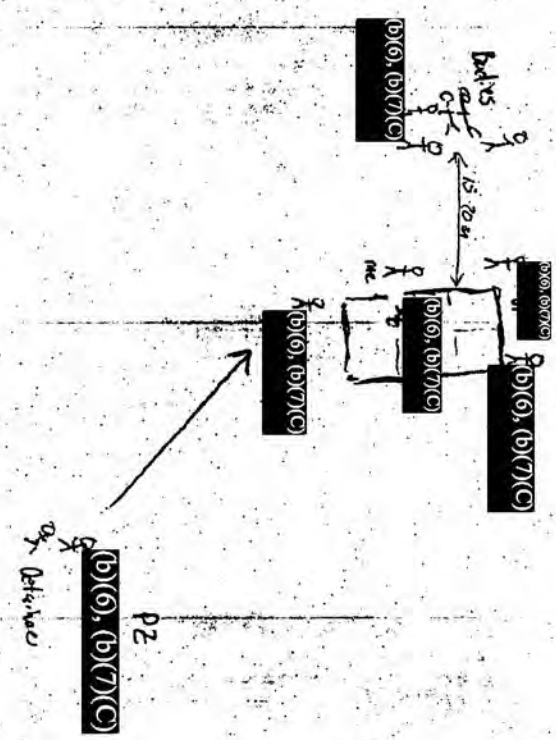
(b)(6), (b)(7)(C)

ACLU DEH ROF 34475 PAGES

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EXHIBIT 92

SKETCH OF OSI Murray House



**Sketched By:**  
 Print Name: (b)(6), (b)(7)(C)  
 Signature: [Redacted]  
 Date/Time: 1/4 June 06 1646

**Witnessed By:**  
 Print Name: SA (b)(6), (b)(7)(C)  
 Signature: (b)(6), (b)(7)(C)  
 Date/Time: 1/4 June 06 1151e

ACLU DDII ROI 34476

**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 TOC, FOB Brossfield - Ubon	2. DATE (YYYYMMDD) 20060616	3. TIME 1745	4. FILE NUMBER
5. SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)		6. GRADE/STATUS (b)(6), (b)(7)(C)	7. GRADE/STATUS E-5 Sgt
8. ORGANIZATION OR ADDRESS MHC 3-187INF			

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

On the morning of 16 Jun 06 I was in the CP preparing to change over SOG duties. Between 0350 hrs and 0420 hours Spc. (b)(6), (b)(7)(C) from C Co 3-187INF approached me and said he had something he wanted to talk to me about. I immediately told him that if it involved knowledge of illegal activity, or evidence of activity, that I would have to report it, and if it involved personal problems that I didn't want to have anything to do with. He told me it didn't so I accompanied Spc. (b)(6), (b)(7)(C) to our day-room. He then asked me if I would either hold something for him, or if I would know where to hide something. I asked him what it was. He told me that it something to do with an ongoing investigation and

10. EXHIBIT	11. IN (b)(6), (b)(7)(C) STATEMENT	PAGE 1 OF 3 PAGES
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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 INDICATED.



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

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT 1745 DATED 16 June 2006

9. STATEMENT (Continued)

and that this "stuff" was evidence that may exonerate or further incriminate his squad, or himself. I told him I wanted nothing to do with it, I told him he was better off turning it in, especially if this evidence may exonerate anyone who may be accused. I told him not to ask me anything like that again, that ended the conversation. He Cspc. **(b)(6), (b)(7)(C)** walked away, and I continued with my change-over. I informed SSG **(b)(6), (b)(7)(C)**, one of my sections NCO at 0620 hour that day. I then went to sleep.

~~... I told him ...~~  
~~... that ...~~  
~~... 0520 ...~~

NOT USED

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

NOT USED

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

ACLU DDII ROI 34478

PAGE 2 OF 3 PAGES

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT 1745 DATED 16 June 2006

9. STATEMENT (Continued)

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

AFFIDAVIT

I, \_\_\_\_\_, 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)**

WITNESSES:

**(b)(6), (b)(7)(C)** ISA  
HQ 3-187  
ORGANIZATION OR ADDRESS

**(b)(6), (b)(7)(C)** CSM  
HQ 3-187 2F  
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 16th day of June, 2006 at FOB BLASSFIELD - MOB, IRAQ

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

CP **(b)(6), (b)(7)(C)**  
(Typed Name of Person Administering Oath)  
Commissioned Officer  
(Authority To Administer Oaths)

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

~~FOR OFFICIAL USE ONLY - UNCLASSIFIED~~

Exhibit 4-2  
000674

**SWORN STATEMENT**

**LOCATION:** Tikrit CID Office  
**DATE:** 16 Jun 06  
**TIME:** 1749 (b)(6), (b)(7)(C)  
Contingency Operating Base (COB) Speicher  
Tikrit, Iraq, APO AE 09393

**NAME:** (b)(6), (b)(7)(C) (NMN) **SSN:** (b)(6), (b)(7)(C) **GRADE/STATUS:** E6/AD

**ORGANIZATION OR ADDRESS:** C 3/187<sup>th</sup> Infantry Company, COB Speicher, Tikrit, Iraq, 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: SSG (b)(6), (b)(7)(C)

Q: What is your relationship with SSG (b)(6), (b)(7)(C)

A: SSG (b)(6), (b)(7)(C) is my squad leader and my roommate. I have been rotating throughout the platoon as the squad leader for each squad for about 3 months now for some reason or another. SSG (b)(6), (b)(7)(C) and I have a mutual understanding where we speak many nights about missing home or just a lot of things that pertain to our wives. He speaks a lot of his wife as far as her going to school now and doing things to better herself including there relationship. We also speak of an old girlfriend he had back in high school that was always wanting him to come see her, but he would always be like he didn't know what he really wanted to do about being with his wife or leaving her. He did seem kind of confused about what he wanted from his wife so I would try to give him a little advice on how to handle the wife issues, such as think about his son, or letting him grow up in a separate family. SSG (b)(6), (b)(7)(C) would come in sometimes mad whether it is he was having a bad day or just arguing with the platoon sergeant (SFC (b)(6), (b)(7)(C)) SSG (b)(6), (b)(7)(C) would do things to irritate him sometimes cause the platoon sergeant didn't really agree with how he acted sometimes and plus SFC (b)(6), (b)(7)(C) was SSG (b)(6), (b)(7)(C) old drill instructor. They would do things just to get the other mad they had that understanding and something in common. (b)(6), (b)(7)(C) and I had the wives in common. Meaning with both had wives in the states. The Iron triangle, I had just returned from leave May 6<sup>th</sup> or 7<sup>th</sup> and all flights out of Speicher was cancelled due to the big mission so eventually I found CPT (b)(6), (b)(7)(C) was sending vehicles up to Speicher to pick up me and Pvt. (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) had been rerouted do the mission so he didn't make it to Speicher in time to leave with the vehicles that were there to pick us up but the company commander wanted us back in time to go on mission. We didn't make it back in time to go out to Iron Triangle so (b)(6), (b)(7)(C) and I were immediately added to the watch list for radio guard. The mission went on and we had no communication with the

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

PAGE 1 OF 4 PAGES (b)(6), (b)(7)(C)

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EXHIBIT 44

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~ **ROLE DDITROI 34480**

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB  
SPEICHER, TIKRIT, IRAQ, DATED 16 June, 2006, CONTINUED.

(b)(6), (b)(7)(C) company while they were out on the mission. Every once in awhile we would get a relay out to them but as the mission went for the time that it did 2 or 3 days. During that time others started to return to the FOB but the entire company was not back yet, and as other come into the command post they began speaking on situations that happened on the mission which we do after mission but I overheard about something that pertained to my plt so I listened. They said there was something shady about the group that got the enemy killed in action and at this point they mentioned that it was 3<sup>rd</sup> sqd and that got them but they said that it might have been shady or wrongful because of a sitrep that was sent up as having 3 or 4 detainees. Another came out having 2 or 3 enemy killed in action. I didn't think anything of it and just figured they were jealous. So when SSG (b)(6), (b)(7)(C) returned he asked me what was going on and I replied with there were some rumors going around saying that the killed in action the squad got was dirty cause he called up 2 different sitreps. I figured bullets flying things like that happen sometimes. He began to tell me how the 3<sup>rd</sup> sqd got called to hurry up to the landing zone but that he had detainees and told the weapons guys attached to him to start transport to the landing zone and he took one and left PFC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) elsewhere with detainees and that as he (ssg (b)(6), (b)(7)(C)) returned that there were rounds going off and began to run to SPC (b)(6), (b)(7)(C) and PVT (b)(6), (b)(7)(C) location yelling and screaming and saw that SPC (b)(6), (b)(7)(C) was cut on the face and PVT (b)(6), (b)(7)(C) holding his face and some dead detainees. SSG (b)(6), (b)(7)(C) told me they explained as that the detainees one had cut SPC (b)(6), (b)(7)(C) and one had punched PVT (b)(6), (b)(7)(C) in the face, by then I had my mind set on if SPC (b)(6), (b)(7)(C) was alright but then we were called out to the NCO meeting and I took it as a legit mission.

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

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

Q: Were there any other times SSG (b)(6), (b)(7)(C) or anyone spoke to you about the mission on Iron Triangle?

A: He stated to me that (b)(6), (b)(7)(C) was under investigation. I am not sure if he said anything about (b)(6), (b)(7)(C)

Q: Have you spoken to anyone in regards to this investigation or what may have happened out on Iron Triangle?

Q: Yes, but not in regards to (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C). We were informed that there was an investigation into the shooting and we would sit around speculate. The question was asked if I thought either of them were capable of murder and I said I did not think so because they all were soft as fig newtons. SSG (b)(6), (b)(7)(C) told me that CID wanted to speak to him again about a week or two ago and but he did not say why.

Q: Have you ever heard of any wrongdoing being committed by anyone in C 3/187<sup>th</sup> that maybe negative in nature? (b)(6), (b)(7)(C)

INITIALS OF PERSON

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

DA FORM 2823 (Computer Generated)

PAGE 2 OF 4 PAGES

EXHIBIT 44

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE **ACLU DDH IROI 34481**

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB  
SPEICHER, TIKRIT, IRAQ, DATED 16 June, 2006, CONTINUED.

(b)(6), (b)(7)(C) A: Yes, there have been a lot of kills within the squad and the company but they were explained to me and I understood them to be legit.

Q: Were you are part of any of these missions?

A: No, I have bad knees and I only go out on missions that don't require a lot of walking. I was not on any missions in which they took detainees or anyone was killed.

Q: Is SSG (b)(6), (b)(7)(C) closer to the lower enlisted then he is towards the NCOs?

A: Yes, I think this is because he is the same age as the soldiers. He takes a lot of pride in teaching them how to do things such as common task as an infantryman.

Q: Have you noticed a change in the squad since this investigation has started?

A: I have noticed a change in the whole company. It has been like hush, hush. I think it is because they did not want rumors to get started?

Q: What did SFC (b)(6), (b)(7)(C) ask you to do in regards to SSG (b)(6), (b)(7)(C) belongings?

A: He said SSG (b)(6), (b)(7)(C) told him to ask me to get some pictures and that I would know about it. The only thing that I know of is that SSG (b)(6), (b)(7)(C) has a love interest from his past and that he had a picture of her. Myself (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) headquarters platoon, packed up (b)(6), (b)(7)(C) items. I pulled the stuff out and (b)(6), (b)(7)(C) logged it on the inventory sheet and (b)(6), (b)(7)(C) packed it in the duffle bag.

This was done around 0700 or 0800 on yesterday morning. I had to conduct PLT SGT duties and (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) were left for a few minutes on several occasions to pack the items up. I took the picture and a two radio, zipties, zip lock bages, binos, loaded magazines, antenna, squad paperwork, knives (two 5 - 6 inches, and I think one or two funny folded wooden knives which had a metal key holder attached) and the unit video camera and wires I think belonged to the camera and placed it on his bed. I did not look to see if there was a tape in the camera. There was tape around the video portion but I do not know the circumstances or why it was there. There was a wallet sized picture of a female (not his wife), and in which I thought he wanted me to take it out of his belongings.

Q: Did you notice anything in that inventory that (b)(6), (b)(7)(C) should not be in possession of?

A: He had a man dress that was dark in color. I am not sure of the color because I am color blind. I can only see certain colors and I have a problem with dark colors, red and green that I know of. He had knives but we can carry knives. We dumped everything out and inventoried and repacked everything.

Q: Was there a kitchen knife in his belongings?

A: No, just the four I spoke of earlier.

A: No.

Q: Did he have anything that stored media?

A: He used (b)(6), (b)(7)(C) laptop a lot, had a lot of CD's (music), he did have a 4x4 size digital camera that was placed in a MRE or his tough box. I did not see or collect any (b)(6), (b)(7)(C)

INITIALS OF PERSON  
MAKING STATEMENT (b)(6), (b)(7)(C)  
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PAGE 3 OF 4 PAGES (b)(6), (b)(7)(C)

EXHIBIT 44

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~ ACLU DDH ROI 34482

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB  
SPEICHER, TIKRIT, IRAQ, DATED 16 June, 2006, CONTINUED.

(b)(6), (b)(7)(C) thumb drives. There was a little yellow packet with photos in it that I threw on the bed with the letters because I did not want this to go to his wife. This is the only thing I did not inventory but there were photos in those letters.

Q: Do you of any reason why someone would take anything out of his room that may be incriminating?

A: No, I do not and I did not see anything that would be incriminating to him or anyone else. We put the CD's and books for sure but not sure about the camera.

Q: Who are his friends and who does he hang around?

A: (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) But he pretty much hangs by himself. Most of his time is spent with the squad.

Q: Did anyone one else take anything out of his belongings?

A: Not that I know of. The snatched him up and said inventory all three of there stuff. We did not inventory (b)(6), (b)(7)(C) because his roommate was not there and I think

(b)(6), (b)(7)(C) and someone else inventoried (b)(6), (b)(7)(C)

Q: Is there any other information you can provide to assist this investigation?

A: I heard only the basic rumor that they think it was a dirty kill because of the radio feedback about how many kills and what (b)(6), (b)(7)(C) told me, stating (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) were attacked and they were acting in self defense.

Q: Has (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C) ever stated anything to you about this incident or that they wanted to get kills?

Q: Did he often video the missions?

A: No, but he has videoed some missions but I have not seen them. He has made videos and placed them on (b)(6), (b)(7)(C) computer.

A: I have spoken with (b)(6), (b)(7)(C) and he told me he got sucker punched by the Bibb (local national).

Q: Have you ever heard the term Harlem Shake?

A: No.

Q: Have you ever heard either of them brag about any of the missions they went out on?

A: No, I have not. They talked about what happened so far if SFC (b)(6), (b)(7)(C) wugged out on the mission because he is real nervous. If someone fell and they would laugh about it but about killing and stuff, no. I have not had any contact with the squad and their missions for about 2 or three months now.

Q: Is your unit issued Fragmentary grenades?

A: Yes, we got them when we got here and we return them when we get ready to leave, we turn them in, unless we use them. If we use them, we inform the platoon sergeant and he then issues us some more.

Q: Did any of the knives found in (b)(6), (b)(7)(C) belongings have an orange handle?

A: Negative.

INITIALS OF PERSON

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

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PAGE 4 OF 4 PAGES (b)(6), (b)(7)(C)

EXHIBIT 44

FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE **ACLU DD IROI 34483**

000678

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB SPEICHER, TIKRIT, IRAQ, DATED 16 June, 2006, CONTINUED.

(b)(6), (b)(7)(C) Q: What was (b)(6), (b)(7)(C) actions during the time of the inventory?

A: I would pass him the item and he would hold it out so (b)(6), (b)(7)(C) could log it and (b)(6), (b)(7)(C) would place it in a bag or box.

Q: Was (b)(6), (b)(7)(C) ever left alone in the room?

A: Not during the inventory that I know of. I think when I left the room SSG (b)(6), (b)(7)(C) was also there. After the inventory we both were tired and we went to sleep. I made him go wash his clothes later that day. I went to the gym around 2000 for about an hour.

Q: Did he leave out of the room anytime yesterday after midnight?

A: He stated he left out of the room around 0400 this morning because he had left his laundry in the laundry room. I woke up at 0500 and went to wake everyone else up. He was late packing his stuff and I asked him why he did not have his stuff packed. He stated that he had to get his laundry and that was the reason he stated he was late. He was asleep when I woke up and I turned on the light. I thought that would wake him up. I went to wake everyone else and returned he was still asleep and him to get up and get ready because he was running late.

Q: Was there a radio log kept of the Iron Triangle mission?

A: Yes, but when I was the monitoring the radio the communications between the CP and everyone on Iron Triangle was very poor and not everything came through. Some Air Support stuff came through but that was about it. Nothing on the ground mission itself. It could have happened on my watch but the radio communications were bad. I only found out about it when everyone started coming in from the mission and reporting what had happened. It could have happened on someone else's watch. There was a radio log kept of anything significant and it may have been annotated but it was not annotated by me.

Q: Would there be any reason why (b)(6), (b)(7)(C) would take anything incriminating or other wise out of (b)(6), (b)(7)(C) belongings?

A: I don't think so and I did not witness him take anything.

Q: Do you have anything else 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)  
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PAGE 5 OF 6 PAGES (b)(6), (b)(7)(C)

EXHIBIT 94

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE AGLU DDH ROI 34484

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT Tikrit CID Office, COB  
SPEICHER, TIKRIT, IRAQ, DATED 16 June, 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 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 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, June 16, 2006, at C Company 3/187 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 (b) UCMJ

*(Authority to Administer Oath)*

Witness

INITIALS OF PERSON MAKING STATEMENT **(b)(6), (b)(7)(C)**  
DA FORM 2823 (Computer Generated)

PAGE 6 OF 6 PAGES

EXHIBIT 64

**ACLU DDII ROI 34485**



**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**  
 For use of this form, see AR 190-30; the proponent agency is ODCSOPS

**DATA REQUIRED BY THE PRIVACY ACT**

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

1. LOCATION Tikrit CID Office	2. DATE 16 Jun 06	3. TIME 1819	4. FILE NUMBER (b)(6), (b)(7)(C)
5. Name (Last First MI) (b)(6), (b)(7)(C)	8. ORGANIZATION OR ADDRESS C 3/187 <sup>th</sup> Infantry FOB Brassfield-Mora APO AE 09393		
7. GRADE/STATUS (b)(6), (b)(7)(C) SPC/AD			

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**SECTION A. Rights**

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command and wanted to question me about the following offense(s) of which I am suspected: False Official Statement and Derelection of Duty

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.

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have the right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

**SECTION B. Waiver**

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

WITNESSES (if available)		3. SIGNATURE OF INTERVIEWER (b)(6), (b)(7)(C)
1a. NAME (Type or Print)		
b. ORGANIZATION OR ADDRESS AND PHONE		
2a. NAME (Type or Print)	3. TYPE NAME OF INVESTIGATOR SA (b)(6), (b)(7)(C)	
b. ORGANIZATION OR ADDRESS AND PHONE	31 <sup>st</sup> Military Police Detachment (CID) (-) COB Speicher, APO AE 09393	

**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
- SIGNATURE OF INTERVIEWEE

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

DA FORM 3881, NOV 89 (AUTOMATED) EDITION OF NOV 84 IS OBSOLETE

**PART II - RIGHTS WARNING PROCEDURE**

THE WARNING

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

000681

**SWORN STATEMENT**

**LOCATION:** Tikrit CID Office  
Contingency Operating Base (COB) Speicher  
Tikrit, Iraq, APO AE 09393  
**DATE:** 17 Jun 06 (b)(6), (b)(7)(C)  
**TIME:** 0030 (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 3/187<sup>th</sup> Infantry Company, COB Speicher, Tikrit, Iraq, APO AE 09393

I, (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)

Q: Was your last statement to this office completely true?

A: No, I left the part out about (b)(6), (b)(7)(C) shooting one of the detainee's in the head.

When I arrived at the bodies I heard a moan from one of the detainees that were on top of each other but I am not sure which one and I thought one of them might have been still alive but I could not tell where the sound came from, if I had to guess I would say it was the one at the bottom. I yelled out loud that one of the detainees was still alive after that I just stared at the bodies more out of shock at what had happened, meaning that they had just gotten shot and I had just been talking to them 5 to 10 minutes ago processing there packets. During the processing one was sitting up (not sure which one but I think it was the one who had been using the baby as a shield), and the other three were lying on their stomachs and they all were zip tied. I don't remember saying anything after that and I was not really listening to the conversation. My mind was fixed on those two bodies that were lying on top of each other. I thought I heard Spc (b)(6), (b)(7)(C) saying something about putting him out of his misery and then he move over toward the bodies, someone may have responded to him but there was some else there too but I'm really not sure who, but I know it was more than (b)(6), (b)(7)(C) and I when (b)(6), (b)(7)(C) said that. I saw (b)(6), (b)(7)(C) move towards the bodies and that is the only reason I can identify him. I saw (b)(6), (b)(7)(C) moving toward the head of the bodies, I was at the feet. Before he got to the bodies I turned and walked back to the house when I heard the shots. I did this because I didn't want to see it and I did not approve of mercy killings. I am not sure if anyone tried to render aide. I don't remember seeing (b)(6), (b)(7)(C) near the bodies. I remember seeing him in the house working on (b)(6), (b)(7)(C). The second thing I should have added was a conversation I had later on that night with (b)(6), (b)(7)(C) told me that there was some foul play with the wounds on (b)(6), (b)(7)(C) arm and face. (b)(6), (b)(7)(C) said it was odd that there were two cuts on either side of his face, I think he said something (b)(6), (b)(7)(C)

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

PAGE 1 OF 5 PAGES

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EXHIBIT 95

**FOR OFFICIAL USE ONLY** **AGLU DDII ROI 34487**

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB SPEICHER,  
TIKRIT, IRAQ, DATED 17 June, 2006, CONTINUED.

(b)(6), (b)(7)(C) else about them, maybe that they weren't very deep but I don't remember for sure.  
(b)(6), (b)(7)(C) was saying they got carried away and that it did not make sense to have two cuts on both sides of the face. (b)(6), (b)(7)(C) said (b)(6), (b)(7)(C) asked something along the lines about what (b)(6), (b)(7)(C) would do if the detainees got shot, meaning just because they (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) wanted to shoot the three detainees. (b)(6), (b)(7)(C) said he told (b)(6), (b)(7)(C) that he didn't want no part of anything like that and if they (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) were dumb enough to do something like that he hoped they actually killed them because he did not want to have to work on them. (b)(6), (b)(7)(C) said that (b)(6), (b)(7)(C) was there when the detainees were cut free and (b)(6), (b)(7)(C) told them to run then (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) shot them and the wounds to (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) were done after the fact by either (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C).

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

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

Q: Who else was there and returned to the bodies from the PZ?

A: (b)(6), (b)(7)(C) and I think (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) told me he did return and because he stated he saw them get shot and then he ran down there. But the only one I can remember being at the bodies was (b)(6), (b)(7)(C). I'm sure they all returned to the house after the shots but I am not sure if anyone but (b)(6), (b)(7)(C) stood near and witnessed (b)(6), (b)(7)(C) shoot the detainee.

Q: Were (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) there when (b)(6), (b)(7)(C) shot the detainee?

A: I am not sure or say for certain. They could have been. I am sure (b)(6), (b)(7)(C) returned back to the house because he told me he did but I am not sure of his location when the detainee was shot by (b)(6), (b)(7)(C).

Q: Is there anything else you omitted or falsely provided on your previous statement to this office?

A: SGT (b)(6), (b)(7)(C) was also there with me when (b)(6), (b)(7)(C) stated that (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) had killed the detainees and that they had not attacked either of them. We were up on a high point on hill (anti aircraft) not too far away for the rest of the element about 10 hours after the shooting in the early evening. We were the only ones there.

Q: Were you told anything else by anyone else about this incident?

A: Yes, 1LT (b)(6), (b)(7)(C) stated to me yesterday that (b)(6), (b)(7)(C) may have staged the incident. I think he was just telling me to get it off his chest. He told me to keep it to myself. I think he was telling me because he was scared for (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C). He did not get into details.

Q: Do you keep record on your activities while on mission?

A: Yes, I try and I place the information in my notebook. I wrote information about this mission in my green notebook. The first page depicts the names of the detainees and where they were located and where they were detained. 2-2 Shajeedi means he was in the second house on the second objective. 2-1A Ackmed means he was the first guy (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 45

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

ACLU DDII ROI 34488

000683

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB SPEICHER, TIKRIT, IRAQ, DATED 17 June, 2006, CONTINUED.

(A) from the first house (1) on the second objective (2). 2-1B Ziad means he was the second man (B) from the first house (1) and the second objective. 21C Nahaad means he was the third guy(C) from the first house and the second objective. The grid LC 90945046. On the second page 0640 made it to objective two where there were 1 KIA, 3 Detainees and two women 1/3/2. All the grids on the top half of the page were from the first objective and depicted a building, a berm, or any big areas we needed to clear. The grids on the second half of the page represent the houses on the second objective. 0652 represents the approximate time we hit house three or the time I walked to house three and there were 0 killed in action (adult males), 1 detainee adult male - guy with the baby (b)(6), (b)(7)(C) There were approximately 6 boys, two adult females and 3 girls. The 0844, 5-09 depicts the time and date. Everything else in the notebook was from future operations.

Q: Did you guys sit down and write all your statements together or did you provide them with times.

A: We all sat in the same room and discussed times and names. I gave them the times and the names that I had written down. The 0844 means the time I wrote down and it was approximately the time I arrived at the house and I may have taken some time off to back track the approximate time I heard the shots. When we wrote the sworn statements I will pulled out the time and location of the incident(s), names of people that we detained and killed and what we found on them. Basic information that I collect from the scene. We all sat down and wrote our own sworn statements on what each of us saw. Myself and LT (b)(6), (b)(7)(C) read the statements and corrected grammar and misspellings. We also look at the statements to make sure they answer the who, what, when, where, why. We will tell them if they need to add more detail on what they saw. We don't tell them what to write but let them know if they need to elaborate.

Q: Why didn't you provide all the information in your first statement?

A: I was scared and I did not want to incriminate others. I did not want to be disloyal and I did not want to believe they actually did it but I had my suspicions. But I did not want to be the one who told because what if I was wrong. The only thing I saw and knew for sure was that (b)(6), (b)(7)(C) had killed the one detainee after he had already been shot. I don't think he intended to murder the guy but that he thought it was the right thing to do at the time because he was suffering. I don't believe in that but I understand why he thought that and did what he did. In reference to (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) I just did not want to believe that they did such a thing even though it was in the back of my mind that they had. I did not witness it so I could not say for sure that they had actually murdered those guys. I wanted it to be another rumor and not the truth. I realize now that I should have said something when I was here the first time. I apologize for not being truthful.

Q: Did anyone tell you why they did not shoot the other detainee? (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)  
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STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB SPEICHER, TIKRIT, IRAQ, DATED 17 June, 2006, CONTINUED.

(b)(6), (b)(7)(C) A: No, that was a question I had and I think that was done to push us all out to the PZ. Meaning that it would leave them alone to do what they did as in shooting the other three and not have any other witnesses. He popped in my head after (b)(6), (b)(7)(C) had told me about what (b)(6), (b)(7)(C) had said to him about shooting the detainees.

Q: Did you discuss this incident with anyone else?

A: Not, that I remember but it is possible. I forgot I also talked to (b)(6), (b)(7)(C) at the PAD on Brassfield-Mora about several days after the incident and we did not get into specifics and it was general conversation stating we thought it was odd about what happened.

Q: Where was (b)(6), (b)(7)(C) during the shooting of the detainee by (b)(6), (b)(7)(C)

A: I am not sure and I do not remember seeing (b)(6), (b)(7)(C) until a little later coming out of the house.

Q: Did he tell (b)(6), (b)(7)(C) to shoot the detainee and put him out of his misery?

A: I don't think so and I don't remember hearing anyone say that but I thought (b)(6), (b)(7)(C) stated he was going to put this guy out of his misery.

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

A: There were many conversations going on within the unit and people speculating about what actually happened. The only detailed conversation I had about the incident was with (b)(6), (b)(7)(C) I may have spoken to others but I am not sure who and what was said but I know the conversations was not specific in nature and did not directly say (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) committed murder after they cut the ties off the detainees, fabricated the story and inflicted the wounds on (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)

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

A: Not at this time (b)(6), (b)(7)(C)

INITIALS OF PERSON  
MAKING STATEMENT (b)(6), (b)(7)(C)  
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PAGE 4 OF 5 PAGES

EXHIBIT 45

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~ ACLU DDH ROI 34490

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB SPEICHER, TIKRIT, IRAQ, DATED 17 June, 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. 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, June 17, 2006, at C Company 3/187<sup>th</sup> 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 (b) UCMJ

(Authority to Administer Oath)

Witness

INITIALS OF PERSON MAKING STATEMENT: \_\_\_\_\_  
DA FORM 2823 (Computer Generated)

PAGE 5 OF 5 PAGES

EXHIBIT 45

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

ACLU DDH ROI 34491

## 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

CDB Spc'don Tikhonov, APO AE 09395

DATE

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

FILE NUMBER

16 JUN 06

2110

LAST NAME FIRST NAME MIDDLE NAME

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

SOCIAL SECURITY NUMBER

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

GRADE/STATUS

E4/AD

Company 3/187 Infantry, Fwd Brassfield-Mora, Iraq, APO AE

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

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I WAS NOT ON THE IRON TRIANGLE MISSION, I WAS RECOVERING FROM A HEAD INJURY. TO MY BEST OF KNOWLEDGE THIS HAPPEND THE MORNING AFTER THE MISSION. SPC (b)(6), (b)(7)(C) CAME INTO MY ROOM AND SAT DOWN NEXT TO ME ON MY BED. (b)(6), (b)(7)(C) TOLD ME TH SOMETHING THAT KINDA SHOOKED ME AND MADE ME NOT BELIEVE HIM AT FIRST. HE WENT ON TO SAY WHAT HAPPENED ON THE MISSION, THIS IS TO BEST THAT I CAN REMEMBER. (b)(6), (b)(7)(C) SAID THAT SPC (b)(6), (b)(7)(C) & PFC (b)(6), (b)(7)(C) HAD SHOT AND KILLED ABOUT 3 DETAINEES. I ASKED HIM IN SHOCK WHY THEY HAD DONE THIS AND HE THEN WENT ON TO SAY THAT THE DETAINEES HAD UNDONE THEIR CUFFS OR HAD CUT OFF THEIR ZIP TIES. TWO DETAINEES THEN GOT UP ONE SLASHING SPC (b)(6), (b)(7)(C) ON THE RIGHT CHEEK AND ON THE LEFT ALONG W/ PART OF HIS LEFT FORE ARM. THE OTHER DETAINEE THEN PUNCHED PFC (b)(6), (b)(7)(C) IN THE FACE KNOCKING HIM DOWN. (b)(6), (b)(7)(C) WHEN ON TO SAY THAT THE DETAINEES RAN A COUPLE METERS AWAY FROM THEM. AT THIS POINT PFC (b)(6), (b)(7)(C) & SPC (b)(6), (b)(7)(C) OPENED UP W/ M-16 & A S.A.W. THE DETAINEES DIED. (b)(6), (b)(7)(C) THEN GAVE ME A LOOK AND WITH THAT LOOK I SAW THAT THAT WASNT THE FULL STORY. AS IN THAT WOULD OF BEEN GREAT IF IT DID HAPPEN. (b)(6), (b)(7)(C) THEN TOLD ME WHAT REALLY HAPPEND. SOMEHOW THE ZIP TIES CAME OFF OF THE DETAINEES AND PFC (b)(6), (b)(7)(C) IN ARABIC TOLD THE THREE GUYS TO RUN OR RUN AWAY. THERE WAS A BRIEF MOMENT THEN THEY RAN. AFTER THE DETAINEES HAD SOME DISTANCE PFC (b)(6), (b)(7)(C) AND SPC (b)(6), (b)(7)(C) OPENED UP WITH THEIR WEAPON SYSTEMS. I BELIEVE THEY ALL DIED AT THAT POINT. I GUESS A LITTLE WHILE AFTER SSG (b)(6), (b)(7)(C) CAME TO THE SCENE HE WANTED TO MAKE SURE EVERYTHING WAS LEGIT. SO I THINK HE TOLD SPC (b)(6), (b)(7)(C) HE NEEDED TO MAKE ET LOOK REAL. HE THEN GAVE A SMALL CWT TO SPC (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 \_\_\_\_\_ ON \_\_\_\_\_  
 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 OF SPC (b)(6), (b)(7)(C)

TAKEN AT COB Steiner, T. King, Troy, MO, NE 0903 DATED 11/25/06

CONTINUED

STATEMENT (Continued)

(b)(6), (b)(7)(C)  
 RIGHT AND LEFT CHEEK! A SMALL CUT TO HIS LEFT FORE ARM ALSO. TO MAKE IT LOOK LIKE HE HAD BLOCKED THE SECOND SLASH TO HIS FACE. PFC (b)(6), (b)(7)(C) STORY WAS HE WAS PUNCHED IN THE FACE AND KNOCKED OVER. SO NOW THEY HAD THEIR REASONS FOR SHOOTING AND KILLING THE DETAINUES. SPC (b)(6), (b)(7)(C) THEN WENT ON TO SAY THAT SOMEONE WAS LYING ON THE GROUND STRUGGLING TO BREATHE. IT WAS OBVIOUS I GUESS THE GUY WASNT GOING TO LIVE. SO (b)(6), (b)(7)(C) SQUAD LEADER SSG (b)(6), (b)(7)(C) GAVE THE ORDER TO "PUT HIM OUT OF HIS MISERY". (b)(6), (b)(7)(C) THEN FIRED A SHOT TO HIS HEAD BUT SAID THAT HE MISSED. A SECOND SHOT WAS FIRED AND HIT THE FRAG IN THE HEAD. SOMEWHERE IN ALL OF THIS IT WAS SAID THAT SSG (b)(6), (b)(7)(C) GAVE A SMALL SPEECH SAYING THAT ALL THAT HAPPEND THAT DAY WAS GOING TO THE GRAVE WITH ALL OF THEM. AND THEY SHOULD NEVER SPEAK OF IT AGAIN TO ANY ONE.

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

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

Q: Did (b)(6), (b)(7)(C) mention what part SSG (b)(6), (b)(7)(C) had in setting the incident up?

A: NOT THAT I CAN REMEMBER.

Q: How did (b)(6), (b)(7)(C) come by this information?

A: I ASSUME THEY ALL GOT TOGETHER TO GET THE BIG STORY STRAIGHT.

Q: Why did you not come forth with this information?

A: I WASNT THERE AND I DIDNT WANT ANY PART OF THE MESS. I WAS SCARED AND WORRIED ABOUT WHAT WOULD HAPPEN IF I CAME FORWARD.

Q: Were you ever threatened to any degree by anyone involved in this incident?

A: I WAS NEVER THREATENED, ALSO BECAUSE I WASNT THERE AND (b)(6), (b)(7)(C) TOLD ME FACE TO FACE. I DONT THINK ANYONE INVOLVED KNEW THAT I KNEW WHAT HAPPEND.

Q: Who else did (b)(6), (b)(7)(C) tell this to?

A: I'M NOT SURE THAT HE TOLD ANYONE ELSE.

Q: Who else have you told?

A: I'M NOT SURE IF I MENTIONED ANY OF THIS TO MY ROOMMATE PFC (b)(6), (b)(7)(C)

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

ACLU DDH ROI 34493 PAGE 2 OF 5 PAGES

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EXHIBIT 96

000688



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

STATEMENT OF SFC (b)(6), (b)(7)(C)TAKEN AT COB Speicher, Tikrit, Iraq, APO AE 093 DATED 16 JUNE 03

CONTINUED

STATEMENT (Continued)

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

BUT I DID ASSUME THAT HE KNEW ABOUT THE WHOLE THING. HE LATER TOLD ME THAT PFC (b)(6), (b)(7)(C) CONFESSED ABOUT WHAT HAD HAPPENED ON THE MISSION.

Q: Who is PFC (b)(6), (b)(7)(C) (Platoon/Squad)?

A: HE IS IN MY SQUAD 1ST SQUAD, 3RD PLATOON. MY TEAMMATE AND ROOMMATE.

Q: When did you and (b)(6), (b)(7)(C) speak about what really happened?

A: ABOUT A WEEK OR TWO AFTER AS BEST AS I CAN REMEMBER.

Q: What exactly did PFC (b)(6), (b)(7)(C) say to PFC (b)(6), (b)(7)(C)?

A: I'M NOT SURE EXACTLY BUT IT WAS THE FULL STORY I GUESS. HE MENTIONED THAT (b)(6), (b)(7)(C) GOT A LOOK AT ONE OF THE GUYS FACES WHEN HE TURNED AROUND RUNNING. (b)(6), (b)(7)(C) HAD SAID THAT IT WOULD HUNT HIM FOR THE REST OF HIS LIFE, IS WHAT I GOT FROM (b)(6), (b)(7)(C)

Q: Who else did (b)(6), (b)(7)(C) tell?

A: I HONESTLY DON'T KNOW FOR SURE BUT (b)(6), (b)(7)(C) DOES HAVE A BIG MOUTH. I ~~WOULDN'T~~ WOULDN'T DOUBT THAT HE TOLD PEOPLE CLOSE TO HIM WITHIN THE PLATOON AND BACK HOME.

Q: Does (b)(6), (b)(7)(C) have a personal computer?

A: NOT THAT I KNOW OF.

Q: Who does (b)(6), (b)(7)(C) hang out with?

A: HONESTLY I DON'T REALLY EVER CARED WHO HE HUNG AROUND WITH. THEN AGAIN I MOSTLY STAY IN MY ROOM.

Q: Who does (b)(6), (b)(7)(C) hang out with?

A: MOST OF THE TIME HE'S IN OUR ROOM. BUT HE DOES LEAVE FOR A COUPLE OF HOURS AT A TIME. I NEVER REALLY THINK TWICE ABOUT WHO HE HANGS OUT WITH. BUT HE IS A GOOD FRIEND TO A LOT OF PEOPLE AROUND OUR QUARTERS.

Q: Can you further elaborate?

A: HE'S VERY SOCIAL. SO HE WOULD GO AND LISTEN TO MUSIC IN SOMEONES ROOM. MAYBE PLAY A GAME OF POKER WITH THE GUYS FROM HQ'S. OR PLAY VIDEO GAMES WITH PEOPLE IN THE PLATOON.

Q: Have you been told of anything else regarding this incident, by anyone else?

A: I JUST HEARD DIFFERENT VERSIONS OF WHAT HAPPENED. (b)(6), (b)(7)(C)

ACLU DDII ROI 34494

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

BY LAW ENFORCEMENT AGENCY OF 3

PAGES 5

00068916  
FBI/DOJ

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

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

TAKEN AT CDB Speicher, Tikrit, Iraq A10 A5 DATED 1/6/2006

CONTINUED

STATEMENT (Continued)

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

MOSTLY THAT THE IRAQI ARMY WERE RESPONSIBLE FOR DROPPING A KNIFE ON THE DETAINEES HANDS, WHICH LED TO THEM ESCAPING.

Q: Do you remember specifically who was stating specific comments (i.e. not just rumors)?

A: I DON'T KNOW SPECIFICALLY WHO SAID WHAT. A LOT OF PEOPLE WERE TALKING ABOUT IT FROM OTHER COMPANIES.

Q: Did SFC (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) Sgt (b)(6), (b)(7)(C) or any other members of 3rd sqd, 3rd platoon approach you with any information at all to include the "made up" version?

A: SFC (b)(6), (b)(7)(C) AND PFC (b)(6), (b)(7)(C) WERE IN A LINE GETTING SERIAL NUMBERS FOR OUR WEAPONS WHEN THEY TOLD ME THE MADE UP STORY VERSION. AT THIS TIME I MADE A SMART REMARK AT (b)(6), (b)(7)(C) HEARING THAT I KNEW WHAT HAD HAPPEND BUT IT FLEW OVER HIS HEAD.

Q: Do you have any knowledge of any photos that were taken, or any cameras on the mission?

A: NOT THAT I KNOW OF.

Q: Do you have anything further to add?

A: I WAS THINKING THAT I SHOULDN'T OF CAME FORWARD ONE BECAUSE I WAS SCARED OP WHAT MIGHT HAPPEN AND THE WAY (b)(6), (b)(7)(C) WAS RUNNING HIS MOUTH I FIGURED HE WOULD FRY HIMSELF IN THE END.

Q: Do you have anything else to add?

A: NOTHING FURTHER. MAL END OF STATEMENT (b)(6), (b)(7)(C)

ACLU DDII ROI 34495

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

PAGE 4 OF 5 PAGES

EXHIBIT 000690

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

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

TAKEN AT CoB Speicher, T.K. V. Trng, APO AF 9893 DATED 16 JUN 06

CONTINUED

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

STATEMENT (Continued)

NOT USED

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

AFFIDAVIT

I, SAC (b)(6), (b)(7)(C) HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE \_\_\_\_\_ AND ENDS ON PAGE \_\_\_\_\_. 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 16 day of June, 2006 at CoB Speicher, T.K. V. Trng, APO AF 9893

ORGANIZATION OR ADDRESS

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

Oath)

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)

ACLU DDII ROI 34496

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 COB Speicher, Tikrit, IZ	DATE 16 Jun 2006	TIME 2141	FILE NUMBER 0086-06-CID469-75447
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)		GRADE/STATUS E-4/AD
ORGANIZATION OR ADDRESS C CO., 3-187 INF, 3BCT, FOB Brassfield-Mora, Samarra, IZ APO AE 09393			

I, (b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: Mission Iron Triangle: Day 1/1 and Sgt (b)(6), (b)(7)(C) were to escort a team of Iraqi Army soldiers, by Blackhawk, to the first objective roughly 60 minutes after the main effort had landed. My squad was the main effort. After I landed I was supposed to be able to hand off the IA soldiers to Lieutenant (b)(6), (b)(7)(C) and link back up with my squad. Upon arrival I found that my squad had already departed to another objective. I then handed off the IA to SFC (b)(6), (b)(7)(C) because (b)(6), (b)(7)(C) was on another objective already as well. I was then attached to first squad for the remainder of the day. At that point the only thing that I was pretty sure of was that there was one KIA and three detainees that had been called over the radio about the objective that my squad was on while I was on the first objective; after which a second radio call came over changing the count to four KIA and zero detainees a few minutes later. I did not link back up with my squad until late that night after a handful of other objectives were taken down. I arrived with first squad at and objective already secured by second and third squad. At this point I had heard various rumors about what everyone else thought might have happened, however to my knowledge no one else had been there when the incident happened so I dismissed whatever I heard without much thought. I then linked up to find that the majority of my squad was asleep and I was added to the guard roster. Extremely exhausted and half asleep I then began to get ready to sleep when I was approached by SPC (b)(6), (b)(7)(C). He seemed exhausted but wanted to talk. I asked him how everyone was, having already heard from random people in the platoon that PFC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) had been wounded. (b)(6), (b)(7)(C) then said that (b)(6), (b)(7)(C) had been punched in the face and that (b)(6), (b)(7)(C) had been cut on his face and arm. (b)(6), (b)(7)(C) said that they would be alright and should be back to join us soon. He then said that (b)(6), (b)(7)(C) had been punched in the face and (b)(6), (b)(7)(C) had been cut by SSG (b)(6), (b)(7)(C) and that the detainees had been cut loose and then shoed off; after which (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) had then engaged them. Afterwards he said he approached the Iraqi's and one was still alive. He said that (b)(6), (b)(7)(C) had then said to put him out of his misery, to which (b)(6), (b)(7)(C) then shot the Iraqi in the head. (b)(6), (b)(7)(C) then seemed a little troubled then and I asked him if he was alright. He said yeah, so I then went to sleep unsure how to take what he had said. (b)(6), (b)(7)(C) jokes a lot about things and sometimes exaggerates stories so I was skeptical about everything at this point. We continued on with the mission for another couple of days and then finally made it back to Remagen exhausted and worn out. Once we arrived, all the members of my squad that were there for that incident had to go make sworn statements as to what happened. This kept us at Remagen for the remainder of the night and part of the next day. After which everyone was beginning to get tired of the rumors that were going around at Remagen and everyone else berating them as to all the details of the mission. It was then put out by (b)(6), (b)(7)(C) that nobody should talk about what had happened because there were too many rumors going around at this point (too include rumors as exaggerated as (b)(6), (b)(7)(C) using throwing stars to take down a squad of Iraqi insurgents. Which I knew wasn't true because none of us had throwing stars and probably didn't know how to use them.). After the next set of sworn statements, or questioning by CID officials, it was apparent that the incident was being investigated, no doubt because of the rumors that were on a couple different FOB's by this time. So in order not to cause any more rumors it was put out again not to talk about anything that we had heard if we weren't there because according to everyone at this point (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) were the only ones there when this incident went down.

Q: (b)(6), (b)(7)(C)  
A: (b)(6), (b)(7)(C)  
Q: Did you type this statement?  
A: Yes.  
Q: When did (b)(6), (b)(7)(C) inform you of what happened?  
A: Same day of the mission but late in the night.  
Q: What do you mean by (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) engaged the detainees?  
A: Shooting

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.

DA FORM 2823 1 JUL 72

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

EXHIBIT 99  
000692

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT COB Speicher, Tikrit, IZ DATED 16 June 2006 CONTINUED

Q: Did (b)(6), (b)(7)(C) tell you that (b)(6), (b)(7)(C) brought the squad member in the house wherein he (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) conspired to cut the zip ties of the detainees and subsequently shoot them?

A: I don't remember him telling me about a conspiracy. I just remember him telling of what I previously stated in this sworn statement.

Q: Before your conversation with (b)(6), (b)(7)(C) did you have any knowledge of the conspiracy to release the detainees and shoot them or the circumstances of the subsequent murder of the detainees?

A: I had no knowledge prior to speaking with (b)(6), (b)(7)(C)

Q: What was your reaction when (b)(6), (b)(7)(C) told you?

A: I was in awe but confused due to the sudden change in events and lack of sleep. I wasn't sure what I believed and thought that it would best be sorted out after some sleep and time for everyone to let the day's events to sink in.

Q: When you woke up, how did you feel about what (b)(6), (b)(7)(C) told you?

A: Due to mission tempo and a fight that broke out first thing in the morning, between two of the Iraqi soldiers, I didn't think much about it because we were preparing for a follow on mission almost immediately. So I concentrated on the job at hand. I thought that (b)(6), (b)(7)(C) was probably shocked and confused this having been the first time that he had killed anyone to my knowledge. I figured that if things were as bad as he said they were that he would approach me again later.

Q: Did you inquire about what (b)(6), (b)(7)(C) told you, to anyone else in your squad?

A: No, when we got back to Remagen and finally slowed down, the rest of the squad was filling out sworn statements and I thought that the situation was going to be sorted out by whoever was asking.

Q: Why didn't you report (b)(6), (b)(7)(C) allegations to your chain of command?

A: I thought that he was confused at the time and by the time we got back to Remagen, he seemed to have his story recorded into the sworn statement that he had filled out upon arrival.

Q: After your conversation with (b)(6), (b)(7)(C) did any of your unit members tell you or did you hear of the conspiracy to release the detainees and shoot them or the circumstances of the subsequent murder of the detainees? Did anyone tell you about (b)(6), (b)(7)(C) cutting (b)(6), (b)(7)(C) and punching (b)(6), (b)(7)(C) as a cover up?

A: No.

Q: Has (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C) made any threats of bodily harm to you or any other unit members, if you spoke to anyone else about cutting the zip ties off the detainees and killing them and about (b)(6), (b)(7)(C) cutting (b)(6), (b)(7)(C) and punching (b)(6), (b)(7)(C)?

A: Not to my knowledge.

Q: Before or after the aforementioned incident involving the murder of the detainees, have you witnessed or heard about any of your unit members physically abusing or killing any non-combative Iraqis or detainees?

A: No.

Q: Is there anything you want to add to this statement?

A: Not at this time. \\End of Statement\\ (b)(6), (b)(7)(C)

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

ACLU DDII ROI 34498

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

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Eu00069397

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT COB Speicher, Tikrit, IZ DATED 16 June 2006 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)

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

(Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 16th day of June, 2006 at COB Speicher, Tikrit, IZ

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

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Art 136, UCMJ

(Authority To Administer Oaths)

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

ACLU PAGE 3 OF 3 PAGES

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EXHIBIT 97  
000694

**SWORN STATEMENT**

**LOCATION:**

Tikrit CID Office  
Contingency Operating Base (COB) Speicher  
Tikrit, Iraq, APO AE 09393

**DATE:**

17 Jun 06

**TIME:**

1132 (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 3/187<sup>th</sup> Infantry Company, COB Speicher, Tikrit, Iraq, APO AE 09393 (b)(6), (b)(7)(C)

(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

Q: Were you given a lawful order to not talk about this investigation with anyone but CID?

A: Yes, 1SG (b)(6), (b)(7)(C) on the behalf of the BN CDR.

Q: Have you discussed this investigation with anyone after you were given that order?

A: Yes, (b)(6), (b)(7)(C) I was ordered by CPT (b)(6), (b)(7)(C) and 1SG (b)(6), (b)(7)(C) to speak to (b)(6), (b)(7)(C) to and see if he had any more information about who was on the PZ before the shooting occurred; meaning who was not available to witness the events surrounding the shooting. He said it was him, (b)(6), (b)(7)(C) and detainee that used the baby as a shield. I spoke to him on the morning of 14 May 06.

Q: Did you speak to him or anyone else about this investigation after 14 May 06.

A: Yes (b)(6), (b)(7)(C) asked what was going on the morning of 15 May 06. I explained to him that it was suspected that SSG (b)(6), (b)(7)(C) staged the detainee escape and that he was probably in a lot of trouble.

Q: Have you spoken to anyone else about this investigation other than CID after this?

A: Other than sending people over here to speak to you guys and them coming back and saying they were charged with this or that. They are told not speak on the investigation and that I did not want to hear it.

Q: Were you told anything else by anyone about this investigation?

A: Only what I just told you.

Q: Did (b)(6), (b)(7)(C) tell you anything else about what happened on the objective that day?

A: No.

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

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

INITIALS OF PERSON (b)(6), (b)(7)(C) PAGE 1 OF 2 PAGES  
MAKING STATEMENT (b)(6), (b)(7)(C)  
DA FORM 2823 (Computer Generated) EXHIBIT 98

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~ **ACLU DDH ROI 34500**

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

0086-06-CID469-75447

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB SPEICHER, TIKRIT, IRAQ, DATED 17 June, 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)

ment)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this Saturday, June 17, 2006, at C Company 3/187<sup>th</sup> COB Speicher, Tikrit, Iraq, APO AE 09393

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

OR HAVE HAD READ TO ME

(Signature of Person Administering Oath)

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

(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) Generated

PAGE 2 OF 2 PAGES

EXHIBIT 48

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

ACLU DDH ROI 34501

000696



**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**  
For use of this form, see AR 190-30; the proponent agency is ODCSOPS

**DATA REQUIRED BY THE PRIVACY ACT**

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

1. LOCATION COB SPEICHER, TIKIZIT	2. DATE 17 Jun 06	3. TIME 1058	4. FILE NO.
5. NAME (Last, First, MI) (b)(6), (b)(7)(C)	8. ORGANIZATION OR ADDRESS C Co, 3-187 INF FOB BRACS FIELD- MOCA APO AE 09393		
7. GRADE/STATUS E1S1A1			

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**Section A. Rights**

The investigator whose name appears below told me that he/she is with the United States Army CRIMINAL INVESTIGATION COMMAND and wanted to question me about the following offense(s) of which I am suspected/accused- FALSE OFFICIAL STATEMENT, DERELICTION OF DUTY

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.

5. COMMENTS (Continue on reverse side)

**Section B. Waiver**

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

**WITNESSES (if available)**

**SIGNATURE OF INTERVIEWEE**

1a. NAME (Type or Print)

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

b. ORGANIZATION OR ADDRESS AND PHONE

2a. NAME (Type or Print)

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

b. ORGANIZATION OR ADDRESS AND PHONE

6. ORGANIZATION OF INVESTIGATOR  
Sgt MP, DET (CIA)  
COB SPEICHER, TIKIZIT, IZ

**Section C. Non-Waiver**

1. I do not want to give up my rights:

(b)(6), (b)(7)(C) I do not want a lawyer.

(b)(6), (b)(7)(C) I do not want to be questioned or say anything.

2. SIGNATURE

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

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

AGLU DDII ROI 34502

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 Tbilisi Iraq, APO AE 09343	DATE 17 Jun 2006	FILE NUMBER 13 21
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 C Company 3/187 Infantry Battalion Fort Bragg Field-Maria, Iraq, APO AE 09349		

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

During the mission Iran triangle me and my Sergeant were on the Island that the Investigation Incident under Investigation happened. We didn't know what happened, we were on the opposite side of the Island. Before we hit our objective we were told that all military aged males on the Island were confirmed Terrorists. While we were there I didn't know what had happened, I had ~~heard~~ heard the some bad guys had been killed on the other side of the Island. <sup>(b)(6), (b)(7)(C)</sup> Later on the mission I had ran into SPC (b)(6), (b)(7)(C) and I noticed he had a cut on his face and arm. I asked him if he was alright and what happened. From what I heard from (b)(6), (b)(7)(C) is that they had some detainees that broke out of their flex cuffs punched PFC (b)(6), (b)(7)(C) and cut SPC (b)(6), (b)(7)(C) Then the detainees started to run and PFC (b)(6), (b)(7)(C) then shot them with his SAW. I dont know exactly how long after the mission it was, a week or two maybe, PFC (b)(6), (b)(7)(C) told me that SPC (b)(6), (b)(7)(C) had punched him a couple times, (b)(6), (b)(7)(C) had cut (b)(6), (b)(7)(C) in the face and that they cut the detainees loose and shot them when they started running. After wards SSG (b)(6), (b)(7)(C) had come in and punched (b)(6), (b)(7)(C) one or two more times and then cut (b)(6), (b)(7)(C) on the arm. In what order all that happened I dont know, but this is what PFC (b)(6), (b)(7)(C) had told me and this is what I had (b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 5 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 BOTTOM OF EACH PAGE WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

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

STATEMENT OF PFC

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

TAKEN AT Ceb Speicher, Inc. APO, AE 09393

DATED 1/22/04

CONTINUED

STATEMENT (Continued)

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

told SPC (b)(6), (b)(7)(C) I didnt tell anyone else what happened and I dont know if (b)(6), (b)(7)(C) had told anyone else himself.

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

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

Q: Who told you "all military aged males on the island were confirmed terrorists" (b)(6), (b)(7)(C)

A: my squad leader told me, he heard from higher up. I dont know how high the command came from.

Q: What was your reaction when (b)(6), (b)(7)(C) told you what happened while you were on the mission?

A: I was a little shocked at first to hear the detainees broke out of their flex cuffs but it is believable because the ones we were using were small than black cuffs that could be broken if the person was strong enough.

Q: Do you believe (b)(6), (b)(7)(C) told anyone "back home" what happened?

A: I wouldnt know for sure, if it is true. I wouldnt think he would tell anyone but he is the type of person that likes to tell stories. When we were at Fob Falcon he would write letters about make believe fire fights and how he saved the day.

Q: Does (b)(6), (b)(7)(C) what is your relationship with (b)(6), (b)(7)(C)

A: He is a friend of mine, I'll watch a movie every now and then with him and back in the States we would have a beer every now and then. He was a trouble maker and I would try not to get myself caught up in the things he did to get in trouble but I was there to hang out with him at the end of the day when he was mad.

Q: Does (b)(6), (b)(7)(C) have a personal computer here?

A: NO

Q: How does he access the internet?

A: At our Internet cafe on Brassfield mora, we dont (b)(6), (b)(7)(C)

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INITIALS OF PERSON MAKING STATEMENT

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

REINFORCEMENT SIGNATURE

PAGE 2

OF 5

PAGES

EXHIBIT

100

000699

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

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

TAKEN AT Cob Spicker, Iraq, APO AE 09703

DATED 17 June 2003

CONTINUED

STATEMENT (Continued)

have the internet hooked up to our rooms and we don't really know anyone outside the company.

Q: Do you know (b)(6), (b)(7)(C) email address?

A: No

Q: Where is the internet cafe?

A: It's across from our Pod in the same building as the gym and chow hall.

Q: Have you been approached or threatened by (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C)?

A: No

Q: Did (b)(6), (b)(7)(C) mention anyone else's actions when he told you what happened?

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

A: No

Q: Can you elaborate?

A: I know they were around the area when it happened, but from what he told me him and (b)(6), (b)(7)(C) were the only ones in the room when it happened and that SSG (b)(6), (b)(7)(C) came in afterward.

Q: Do you have any knowledge of video or photographs from that mission?

A: Not that I'm aware of. The only video I can think of would be the head cam on SSG (b)(6), (b)(7)(C) helmet but I would assume it wouldn't show anything since he wasn't in the room when it happened.

Q: When and where did (b)(6), (b)(7)(C) tell you this information?

A: I don't know the exact date and time but it was in his room on Pod A9 at Brassfield at night while we were watching a movie.

Q: Why did you not come forward with this information prior?

A: I didn't know it was true, he likes to brag and make up stories. I didn't know they were going to be investigated and I believed the story that was turned in that was similar to what (b)(6), (b)(7)(C) told me.

Q: What was (b)(6), (b)(7)(C) demeanor when he told you what happened?

A: He seemed a little shook up about it but you see that (b)(6), (b)(7)(C)

ACLU DDII ROI 34505

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

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

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

TAKEN AT CoB Speicher, Tikrit, Iraq. AUSA 02993 DATED 17 JUL 07

CONTINUED

STATEMENT (Continued)

(b)(6), (b)(7)(C) all time in people after something big happens. In his case three people getting shot in front of him and getting cut in the face and arm.

Q: Have you spoken with (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) at all about this incident since?

A: No

Q: Describe (b)(6), (b)(7)(C) character/personality?

A: He is kind of a loud mouth. He looks for attention. Sometimes he can be the most motivated hardest working guy we have but he has a tendency to get in trouble a lot for not showing up on time, losing something or falling back.

Q: Earlier while you were talking to me about (b)(6), (b)(7)(C) you had characterized him as a gloryhound and a braggart. Would you say this is true?

A: Yes

Q: Can you describe (b)(6), (b)(7)(C) character/personality?

A: I don't really know his personality too well but I know as far as the army goes he has some experience and knows his stuff.

Q: How well do you know SSG (b)(6), (b)(7)(C)

A: I never talk to the guy that often more than "How's it goin'" but I know he's kind of a Joker. Not a bragger but he likes to make jokes to get attention.

Q: Did (b)(6), (b)(7)(C) previously have any "KIA's"?

A: No

Q: How about (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C)

A: As far as I can think of or as far as I know they don't.

Q: What kind of "tally's" or competition is there in your company in regards to KIA's? (b)(6), (b)(7)(C)

A: In our company CP I think have the total amount of KIA's the company has.

Q: Is there any team/squad competition or an overall attitude of "I've got mine, when are you getting yours"? (b)(6), (b)(7)(C)

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INITIALS OF PERSON MAKING STATEMENT

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

ENFORCEMENT DIVISION OF EXHIBIT PAGES

IDA  
000701

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

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

TAKEN AT CoB Speicher, Iraq AID No 29393 DATED 17JUN06

CONTINUED

STATEMENT (Continued)

A: Not that I know of. Not everyone has the same attitude of wanting and wanting to get their KIA's.

Q: Did (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C) have that attitude?

A: (b)(6), (b)(7)(C) liked to make it known that he killed someone but no one else really braged about it.

Q: Can you further describe the order of events how (b)(6), (b)(7)(C) told them to you?

A: I dont know for sure but from what I can get from (b)(6), (b)(7)(C) story is that (b)(6), (b)(7)(C) first punched (b)(6), (b)(7)(C), then (b)(6), (b)(7)(C) cut (b)(6), (b)(7)(C) in the face. Then they cut the detainees loose and shot them. Then SSG (b)(6), (b)(7)(C) showed up punched (b)(6), (b)(7)(C) and cut (b)(6), (b)(7)(C) on the arm. That's the impression I got from the story.

Q: Do you have anything further to add?

A: I cant think of anything we havent already covered  
End of statement (b)(6), (b)(7)(C)

AFFIDAVIT

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

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.

WITNESSES:

(b)(6), (b)(7)(C)  
Subscribed and sworn to before me, a person authorized by law to administer oaths, this 17 day of JUN 2006 at CoB Speicher, Tikrit, Iraq, AID No 29393

ORGANIZATION OR ADDRESS

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

ORGANIZATION OR ADDRESS

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

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

AFFIDAVIT

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

MAKING STATEMENT

ACLU DDII ROI 34507

PAGE 5 OF 5 PAGES

SWORN STATEMENT

0086-06-CTD469-75447

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

LOCATION COB SPEICASH, TIKRIT, IZ	DATE 17 Jun 06 1439	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS E5/AD
ORGANIZATION OR ADDRESS 11AC, 3-187 IMF		

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

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

I would like to clarify my previous statement

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

A:

Q: WHAT PROMPTED (b)(6)(b)(7)(C) TO COME TO YOU?

A: I don't know

Q: WHAT IS YOUR RELATIONSHIP WITH HIM?

A: Know briefly when I was in Co 3-767

Q: WHAT WAS HE WEARING?

A: P.I.'s running shoes, & wrapa (slung)

Q: DID HE HAVE ANYTHING IN HIS POSSESSION BESIDES HIS WEAPON?

A: NO

Q: DID ANYONE HEAR OR WITNESS YOUR CONVERSATION WITH HIM?

A: NO

Q: WHERE WERE YOU DURING THIS CONVERSATION?

A: Pad B7, MWR Pay Room

Q: WHAT DO YOU THINK HE CAME TO YOU?

A: I am not sure

Q: DID HE TELL YOU WHAT THE "SOMETHING" WAS HE WANTED TO HIDE?

A: Yes, said it was "something that may help us look better, but may actually get us into more trouble".

Q: WHAT EXACTLY WAS THE "SOMETHING"?

A: I do not know

Q: ~~WHEN~~ WHY DIDN'T YOU ASK?

A: I already did. He asked me if I would hold onto something for him. I asked what it was, he told me what I already stated he had said

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 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.

DA FORM 2823 1 JUL 72

SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

EXHIBIT

EXHIBIT 101 000703

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

FILE NUMBER 0086-06-CID469-75447

STATEMENT OF

TAKEN AT Speicher

DATED 17 June 06

CONTINUED

STATEMENT (Continued)

Q: ~~WHO~~ <sup>(b)(6), (b)(7)(C)</sup> WHEN WAS THE LAST TIME YOU SPoke WITH <sup>(b)(6), (b)(7)(C)</sup> PIZOR TO THIS INCIDENT?

A: 3 weeks, I was SOG for security, he was receiving my Brief for guard-mount.

Q: WHAT WAS YOUR INTERACTION WITH HIM AT THAT TIME?

A: Short, very professional I was giving him a brief

Q: DID HE MENTION THAT "SOMETHING" OR ANYTHING IN RELATION TO OPERATION IRON TRIANGLE, AT THAT TIME?

A: No

Q: ~~HAS ANY~~ <sup>(b)(6), (b)(7)(C)</sup> HAS ANY UNIT MEMBER TOLD YOU ~~THE~~ <sup>(b)(6), (b)(7)(C)</sup> WHAT HAPPENED DURING OPERATION IRON TRIANGLE?

A: NO

Q: WAS ANY UNIT MEMBER TOLD YOU ABOUT THE CONSPIRACY <sup>(b)(6), (b)(7)(C)</sup> TO ~~CUT THREE DETAINEES~~ <sup>(b)(6), (b)(7)(C)</sup> ~~IN THE~~ <sup>(b)(6), (b)(7)(C)</sup> ~~TO~~ <sup>(b)(6), (b)(7)(C)</sup> SHOOT THEM, ~~OR THE CIRCUMSTANCES TO SHOOT~~ <sup>(b)(6), (b)(7)(C)</sup> THREE DETAINEES AND THE ~~SUBSEQUENT~~ <sup>(b)(6), (b)(7)(C)</sup> ~~FROM~~ CIRCUMSTANCES OF THE SUBSEQUENT MURDER OF THE DETAINEES?

A: NO

Q: WHAT RUMORS HAVE YOU HEARD ABOUT C Co?

A: That they were involved in an investigation about illegal killings <sup>(b)(6), (b)(7)(C)</sup> AT IRON TRIANGLE.

Q: ~~HAS~~ <sup>(b)(6), (b)(7)(C)</sup>

<sup>(b)(6), (b)(7)(C)</sup> OR <sup>(b)(6), (b)(7)(C)</sup> APPROACHED YOU WITHIN THE LAST MONTH?

A: No

Q: DO YOU KNOW THEM? HOW WELL?

A: Yes, I know <sup>(b)(6), (b)(7)(C)</sup> and <sup>(b)(6), (b)(7)(C)</sup>

<sup>(b)(6), (b)(7)(C)</sup> I was in 3<sup>rd</sup> Plt C Co 3-1967 prior to deployment, I knew them briefly.

Q: WHI WOULD <sup>(b)(6), (b)(7)(C)</sup> TELL CID THAT HE TOLD YOU EXACTLY WHAT HE WANTED TO HIDE?

A: I don't know.

Q: How would you FEEL IF THIS INVESTIGATION REVEALS YOU

INITIALS OF PERSON MAKING STATEMENT: <sup>(b)(6), (b)(7)(C)</sup>

PAGE 2 OF 4 PAGES  
**ACLU DDH ROI 34509**

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EXHIBIT  
EXHIBIT 101

000704



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

STATEMENT OF

TAKEN AT Speicher

DATED 17 Jun 06

CONTINUED

STATEMENT (Continued)

KNOWINGLY PROVIDED FALSE INFORMATION IN YOUR SWORN STATEMENTS?

A: I would feel bad though no information is false

Q: IS THERE ANYTHING YOU WANT TO ADD TO THIS STATEMENT?

A: I came forward to my chain of command on my own, with out any reason to believe I would get any special favor, other than as a witness, or as an NCO, assisting his unit in an investigation

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

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

PAGE 3 OF 4 PAGES

ACLU DDII ROI 34510

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EXHIBIT

EXHIBIT 101

000705

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

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

TAKEN AT Speicher

DATED 17 Jun 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 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 17 day of June, 20 06 at CPT Speicher

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)**

PAGE 4 OF 4 PAGES

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EXHIBIT

**ACLU DDII ROI 34511**

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

EXHIBIT 101

**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 (b)(6), (b)(7)(C) TIME 17 June 06 16:13 (b)(6), (b)(7)(C)	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 E7/AD
ORGANIZATION OR ADDRESS C Company 3/197 Infantry Battalion, FOB Brassfield-Mara, Iraq APO AE 09349		

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

On 16 June 2006 at APPROX 0630 HRS MYSELF AND SSG (b)(6), (b)(7)(C) FROM 2ND PLT C. CO 3/197 INF ENTERED PFC (b)(6), (b)(7)(C) ROOM. I TOLD PFC (b)(6), (b)(7)(C) TO GET UP. AT THE SAME TIME SSG (b)(6), (b)(7)(C) SECURED PFC (b)(6), (b)(7)(C) M-4 RIFLE DAYNET, AND PVS-14S. I INSTRUCTED PFC (b)(6), (b)(7)(C) TO SECURE A DUFFEL BAG AND TO PACK ALL OF HIS ACU'S, PT UNIFORMS SOCKS, PERSONAL HYGIENE KIT AND A TOWEL. PFC (b)(6), (b)(7)(C) ASKED ME "IS THIS ABOUT CID" I SAID I DO NOT KNOW, PFC (b)(6), (b)(7)(C) CONTINUED TO PACK AND THEN SAID CAN I SEE MY SQUAD LEADER (SSG (b)(6), (b)(7)(C)). I TOLD HIM LATER. AT APPROX 0645 HRS ON 16 JUNE 2006 MYSELF AND SSG (b)(6), (b)(7)(C) ESCORTED PFC (b)(6), (b)(7)(C) TO BN HQ'S WHERE WE HANDED HIM OVER TO AN ESCORT OF MILITARY POLICE ENROUTE TO FOB SPEICHER. CONCERNING SPECIFIC KNOWLEDGE OF OTHER PLATOONS ACTIVITIES OR ACTIONS IS HARD DUE TO THE FACT THAT OUR PATROL OR MISSION CYCLES LIMIT MOST CONTACT BETWEEN PLATOONS. ONLY ON LARGE SCALE OPERATIONS WILL THERE BE PLATOON INTERACTION SUCH AS OPERATION SWARMER, OPERATION IRON TRIANGLE WHICH CONSISTED OF HAS ELEMENT 3RD PLATOON AND 2ND PLATOON. MY PLATOON 1ST PLATOON STAYED BACK TO CONDUCT MSR PATROL ALONG ROUTE TAMPA (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.

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

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

TAKEN AT Cob Speicher, Tikrit, Iraq, APO DE A333 DATED 17JUN06

CONTINUED

STATEMENT (Continued)

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

AND MAN Three Combat Outposts. This WAS PART OF OUR NORMAL COMPANY PATROL ROTATION AND IT HAPPENED TO FALL ON 1ST PLATOON TO STAY BEHIND WHILE THE REST OF C.CO 3/187 IN CONDUCTED OPERATION IRON TRIANGLE.

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

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

Q: Have you spoken to SSG (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) or PFC (b)(6), (b)(7)(C) about Operation Iron Triangle?

A: NO I HAVE NOT

Q: Have you spoken to ANYONE in 3rd platoon about the operation, since anyway?

A: Not sure possibly to their Platoon Leader LT. (b)(6), (b)(7)(C) but if I did it would have been The week following Iron Triangle.

Q: Do you remember what he said?

A: He said that they had broke free and attacked SPC (b)(6), (b)(7)(C), That's when they had to use lethal force.

Q: Do you normally associate with anyone from 3rd platoon?

A: No patrol scheduling doesn't ALLOW ALOT OF FREE TIME. ONLY 1 PLATOON IS BACK AT BRASS-FIELD IMORA AT ANY GIVEN TIME.

Q: Does C. 3/187 keep any stats/records of "KIA's"?

A: AT ONE TIME WE HAD A DRY ERASE BOARD IN THE CP WITH Anti IRAQI Force Killed Numbers.

Q: You stated earlier that while inventorying (b)(6), (b)(7)(C) & (b)(6), (b)(7)(C) rooms there were some items collected & held. Can you further elaborate on this.

A: SSG (b)(6), (b)(7)(C) WAS TASKED WITH CONDUCTING INVENTORIES AND PACKING equipment (TA-50) AND PERSONAL PROPERTY OF SSG (b)(6), (b)(7)(C), SFC (b)(6), (b)(7)(C), PFC (b)(6), (b)(7)(C), SSG (b)(6), (b)(7)(C) found 5 or 6 KNIVES in Sgt (b)(6), (b)(7)(C) possessions.

ACLU DDII ROI 34513

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C) ENFORCEMENT OFFICER: 2 OF 4 PAGES

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

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

TAKEN AT COB Speicher, Tikrit, Iraq, No. 14 0303 DATED 17JUN06

CONTINUED

STATEMENT (Continued)

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

The majority appeared to be local purchased.  
 SSG (b)(6), (b)(7)(C) Found American currency A Fossil watch AND DRIVERS License belonging to PFC (b)(6), (b)(7)(C) All Found Articles were placed into A ZIP LOCK BAG marked with either SSG (b)(6), (b)(7)(C) or PFC (b)(6), (b)(7)(C) AND handed over to the acting commander 1LT (b)(6), (b)(7)(C) 1STLT (b)(6), (b)(7)(C) handed them to me SFC (b)(6), (b)(7)(C) acting- ISG TO BRING TO FOB SPEICHER AND TURN IN.

Q: Where are the items now?  
 A: In my ASSAULT BAG Locked up in A 1114 (3rd plts SSG (b)(6), (b)(7)(C) vehicle)  
 Q: Do you have anything else to add?  
 A: No I DO NOT / END OF STATEMENT (b)(6), (b)(7)(C)

ACLU DDII ROI 34514

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C) ENFORCEMENT OFFICER 3 OF EXHIBIT PAGES

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

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

TAKEN AT CoB Speicher, Tikrit, Iraq, APO AE 09393 DATED 17 JUN 06

CONTINUED

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

STATEMENT (Continued)

NOT USED

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

**AFFIDAVIT**

I, SFC **(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 17 day of JUN, 2006 at CoB Speicher, Tikrit, Iraq, APO AE 09393

ORGANIZATION OR ADDRESS

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

Oath)

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)**

ACLU DDII ROI 34515

PAGE 4 OF 4 PAGES

EXHIBIT 102

**SWORN STATEMENT**

**LOCATION:**

Tikrit CID Office  
Contingency Operating Base (COB) Speicher  
Tikrit, Iraq, APO AE 09393

**DATE:**

17 Jun 06

**TIME:**

1520

(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 3/187<sup>th</sup> Infantry Company, COB Speicher, Tikrit, Iraq, APO AE 09393

I, (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: What is your relationship to SGT (b)(6), (b)(7)(C)?

A: I am his squad leader.

Q: Did he inform you of any information in regards to this investigation?

A: No.

Q: Did anyone inform you about any information in regards to this investigation?

A: I know SSG (b)(6), (b)(7)(C) entire squad was under investigation for what had happened out at Iron Triangle.

Q: Did you ever have a conversation with anyone while in the CP regarding (b)(6), (b)(7)(C) and CID?

A: Yes, I had been looking for (b)(6), (b)(7)(C) because it was time to go out on mission and I could not find him. I went to (b)(6), (b)(7)(C) and asked did he know where (b)(6), (b)(7)(C) was and he stated he had not seen all night. So I assumed he went to get the truck to get ready for patrol. He did not return and I went around and got the truck. I returned and he still was not there and so I went to SSG (b)(6), (b)(7)(C) and asked him where he was and did he have to go to CID. The reason why I asked this is because earlier in the day I had to go and talk to the 1SG and CPT (b)(6), (b)(7)(C) and have a telephone conversation with a male CID Agent who asked was I on the objective with SSG (b)(6), (b)(7)(C) and his squad. Later that night is when I could not find (b)(6), (b)(7)(C) and suspected he was with CID. Right before we were going to head out on the mission I asked SSG (b)(6), (b)(7)(C) was (b)(6), (b)(7)(C) with CID and he cut me off and that was the end of the conversation. After CID talked to me they said they wanted to speak (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) so I did not think it was something that was a secret. I was kind of upset that he shut me up like that but I now know my situation and (b)(6), (b)(7)(C) were different in a way and they all thought I was in the loop and I was not.

Q: Has anyone told you what happened while out on Iron Triangle?

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

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

DA FORM 2823 (Computer Generated)

PAGE 1 OF 4 PAGES

EXHIBIT 104

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT~~ **ACLU DDITROI 34518**

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB SPEICHER,  
TIKRIT, IRAQ, DATED 17 June, 2006, CONTINUED.

(b)(6), (b)(7)(C) A: I was out there on the objective providing overmatch for ssg (b)(6), (b)(7)(C) squad to go clear the houses. I saw them go clear the first house with a couple of AI soldiers. They went into the house shots were fired and it came over the com they had 1 enemy KIA. SSG (b)(6), (b)(7)(C) squad then proceeded to go clear the second house. SSG (b)(6), (b)(7)(C) and the LT (b)(6), (b)(7)(C) set up the 240B to give them local support to enter the house. I saw SSG (b)(6), (b)(7)(C) squad start to enter the house, when a man holding a baby came out of the house flagging the baby up and down, so SSG (b)(6), (b)(7)(C) squad wouldn't shot him. The squad then detain him out side the house and the proceeded to clear the rest of the house. At that time it came over the com SSG (b)(6), (b)(7)(C) squad took 3 detainees. After the squad cleared and detainee the men that were in the house. I was called up by Lt (b)(6), (b)(7)(C) to take the KIA to the Brigade collection point by UH- 60. Myself and LT (b)(6), (b)(7)(C) set up the PZ while, Sgt (b)(6), (b)(7)(C) and Spc (b)(6), (b)(7)(C) drag over the body in a body bag. AT that time I could see the detainees on their knees backs turned to me zipped cuffed back at the second house. The UH-60's came in and my squad, Sgt (b)(6), (b)(7)(C) Sgt (b)(6), (b)(7)(C) Spc (b)(6), (b)(7)(C) Spc (b)(6), (b)(7)(C) the combat camera guy, Lt (b)(6), (b)(7)(C) and myself load the body on to the UH-60 and took it back to the collecting point. After we drop the body off, we flew back to the company Toc to receive further instructions. While I was waiting at the Company TOC, I heard 1<sup>st</sup> (b)(6), (b)(7)(C) talking to someone from SSG (b)(6), (b)(7)(C) squad on there situation back at the objective. They reported (I don't know who) they had 3 detainees. 1<sup>st</sup> Sgt (b)(6), (b)(7)(C) said something about the detainees still being alive or why does SSG (b)(6), (b)(7)(C) squad have three detainees. About 5 minutes later someone from SSG (b)(6), (b)(7)(C) squad reported they had 1 detainee left. After hearing that transmission my squad was sent to clear another objective and knew nothing more about the incident until I linked up with SSG (b)(6), (b)(7)(C) squad later that night at the company's patrol base. I have talked to SSG (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) and they all have told me the same story. They all said, that SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) were guarding the detainees and decided to change the flex cuffs, because they were too weak and when they took them off one of the detainees grabbed a knife and tried to stab Spc (b)(6), (b)(7)(C) and I can't recall what the other detainee did to get shot, but Spc (b)(6), (b)(7)(C) shot the one trying to stab him. One of the main questions that night was how the detainee got a knife. It was said by SSG (b)(6), (b)(7)(C) squad that the knife was given to Spc (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) said he made a mistake and left it on the objective or he handed it off to 2<sup>nd</sup> Platoon who was there to assist them. Besides this information, a couple times after the incident I had discussions with Pfc (b)(6), (b)(7)(C) about him killing the detainee. PFC (b)(6), (b)(7)(C) asked me once how did I feel when I first killed someone in Operation Iraqi Freedom I and in Enduring Freedom in Afghansan. I told him, it will haunt you for a little while, but you will eventually get over it and realize it was our job and it was what we were train to do. The other times he was concern on how I felt about him since being transfer from my (b)(6), (b)(7)(C)

INITIALS OF PERS (b)(6), (b)(7)(C)  
MAKING STATEMENT  
DA FORM 2823 (Computer Generated)

PAGE 2 OF 6 PAGES

EXHIBIT 104

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

ACLU DDH ROI 34519

000713



**STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB SPEICHER, TIKRIT, IRAQ, DATED 17 June, 2006, CONTINUED.**

(b)(6), (b)(7)(C) squad to SSG (b)(6), (b)(7)(C) squad. He was saying this because I was barely talking to him since he left. The reason behind that is, he had been on Fob Brassfield-Mora security for about 3 weeks while we were conducting our combat operations. One night we had an urainasis test and the company wanted the whole company tested. Well they told everyone to bring their Army ID's. When (b)(6), (b)(7)(C) showed up had no Army ID, well his team leader Sgt (b)(6), (b)(7)(C) and I ask what happen to it. He said he lost it 3 days prior and he thought he might of threw it away by mistake, We ask him was he sure and go and look for it in his room top to bottom. At this point and time I was furious, because we had been thru this same situation back in December, when were station at FOB Falcon in Baghdad. 1<sup>st</sup> SGT (b)(6), (b)(7)(C) had our whole platoon looking all over the Fob at night searching for it. We found it in a cargo HUMMWV he was riding in the back in. That night I counseled him and made him go buy a neck wallet to keep his ID card in. To get back to the night of the urine test. I asked him where he had it last, he said in his ACU pants pocket. I asked him where was the neck wallet I told you to buy. (b)(6), (b)(7)(C) said in his room, I asked why he didn't have his ID card in there, he said he didn't like to wear it. At this time I had to tell our PLT Sgt SFC (b)(6), (b)(7)(C) the situation. I told Sgt (b)(6), (b)(7)(C) to start conducting Corrective training with (b)(6), (b)(7)(C) which means push-ups and flutter kicks. Well I guess when Sgt (b)(6), (b)(7)(C) told him to low crawl to one spot to another, (b)(6), (b)(7)(C) refuse to do it. At this time Sgt (b)(6), (b)(7)(C) came and got me, I told (b)(6), (b)(7)(C) to do some push-ups. While he was pushing I explained to him how he has been a pain in my ass since I got him. How I have bust my butt to get him promoted and keep him out trouble. I then told him, to flip over and do flutter kicks, in which he refused and said you might as well give me an Article 15. So I took this to heart and started the paper work, also I requested he be removed from my squad. Two days after this, I get told by SFC (b)(6), (b)(7)(C) that he went to combat stress and claimed he could not take it in my squad anymore. Which I knew was a lie because I did nothing but try to help him bounce back from 4 Failure to Reports, 3 Article 15's and going on emergency leave and coming back 10 days late. So they moved him to SSG (b)(6), (b)(7)(C) squad and after this SSG (b)(6), (b)(7)(C) came up to me and ask if I could not give (b)(6), (b)(7)(C) an Article 15. He this would give him a fresh start. I did it against my better judgment. After he left my squad I wanted nothing to do with him. PFC (b)(6), (b)(7)(C) knew what he was doing, because that's in his nature. He's a young confuse kid, who tries to con his way into things and out of things. I don't know how the hell he ever got into the Army he arrested for possession of drugs, reckless endangerment and several other charges. Do I think he had any remorse about killing that detainee, maybe, but he loved the attention he was getting, even though everyone was joking on him about getting knocked out by an Iraqi. There's no telling who he has bragged to about the situation. It was common knowledge around the platoon that he was bragging about it. When he came back from the operation, he was smiling and joking about and loved the attention. (b)(6), (b)(7)(C)

INITIALS OF PERSON (b)(6), (b)(7)(C)  
 MAKING STATEMENT  
 DA FORM 2823 (Computer Generated)

PAGE 3 OF 6 PAGES

EXHIBIT 104

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

ACLU DDH ROI 34520

000714

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB SPEICHER, TIKRIT, IRAQ, DATED 17 June, 2006, CONTINUED.

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

Everyone was saying he got knocked out by and Iraqi and he would say that it did not go down like that. It's like he loved the attention. He just killed someone and he is laughing and joking like life is not important. The company has the most kills in the battalion and that put it up on the board like it's a badge of honor. There is no regard for life. Spc (b)(6), (b)(7)(C) was quiet about the whole situation. He didn't talk about it at all. It was the same way with SSG (b)(6), (b)(7)(C). The only thing SSG (b)(6), (b)(7)(C) was mad because he felt CID was harassing him and his guys. The story sounded fishy when I heard it but they all have this loyalty thing. They have hatred for these people and don't think anything of being rough them. They think Iraqi's subhuman and taking their lives means nothing. Yes, we have killed some bad guys. But they think everyone is bad and they treat everyone the same with no respect. The ROE did not change until Iron Triangle. It stated that everyone on that island was bad. We were to kill every military age male. I was surprised the guy with the baby was not killed. (b)(6), (b)(7)(C) squad would have killed the guy if he did not have the baby. (b)(6), (b)(7)(C) was screaming God Damn punk want put down the baby and the guy would move the baby and (b)(6), (b)(7)(C) would move the weapon. I know when we were coming over here people would say I can't wait to kill one of those "Bibbs". I would say you don't want that because it would be something you would have to live with for the rest of your life. COL (b)(6), (b)(7)(C) came out on the objective and gave members of (b)(6), (b)(7)(C) squad a knife for the kills, the knife was about 12 inches long. I have never seen him give out anything before. The ROE changed and he also gave out that knife like it was a good thing. Before my squad, 1LT (b)(6), (b)(7)(C) and 3 Iraqi Army (IA) soldiers, one interpreter and the combat camera guy left on the helicopter to the new objective; I saw (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) drag the body of the house and put it on the other helicopter. While waiting for the helicopter the IA's stated the guy at the house should have not been shot and that everyone on that island was a farmer and that they did not have to kill the guy at the house.

Q: Did (b)(6), (b)(7)(C) have any kills prior to this?

A: No, this was his first time. He was in my squad three weeks prior to this mission and that was the first time he has ever shot at someone. He also had an incident in Baghdad where he shot his M203 so we could light up the area.

Q: Do you think he wanted a kill?

A: Everyone wants a kill. The infantry soldier feels they do not deserve a combat infantry badge if you have not been in a fire fight or killed someone. I am one of the few who does not want a kill. I have shot at the enemy many times but I can't say directly that I have killed someone but I know it is very possible. I have only had one time to shoot my weapon since I have been here and that was in Baghdad and that was because someone was firing at us on FOB Falcon.

Q: What was your relationship with (b)(6), (b)(7)(C)?

A: I didn't have one. He was pretty quite and stayed to his squad. (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)  
DA FORM 2823 (Computer Generated)

PAGE 4 OF 6 PAGES

EXHIBIT 104

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

ACLU DDII ROI 34521

000715

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB SPEICHER, TIKRIT, IRAQ, DATED 17 June, 2006, CONTINUED.

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

Q: What was your relationship with SSG (b)(6), (b)(7)(C)

A: We a friendly relationship because we both had been stationed in Hawaii before but at different times. I never would think any of them would kill someone without cause. He had a pretty close relationship to his squad. (b)(6), (b)(7)(C) loves women and he would make up stories when he goes home and put all these extra ribbons on his uniform. He loves to brag and make himself sound better than he actually is. He wants to be in the lime light all the time. He stated his grandmother was dying and he went home on emergency leave. But you ask him how many days he spent at the hospital and he stated about two. When he came back he bragged about how much he partied and how many girls he slept with but he was suppose to be on emergency leave. He used the system just to get home and party. I never heard if he grandmother recovered or died. He never bought her up when he came back from leave. He also just recently said his mother's trailer had burned down and he had requested emergency leave.

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

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

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INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)  
DA FORM 2823 (Computer Generated)

PAGE 5 OF 6 PAGES

EXHIBIT 104

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~ AGLU DDH ROI 34522

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB SPEICHER, TIKRIT, IRAQ, DATED 17 June, 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 26. 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,

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this Saturday, June 17, 2006, at C Company 3/187<sup>th</sup> 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 (b) UCMJ

(Authority to Administer Oath)

Witness

INITIALS OF PERSON ADMINISTERING OATH  
MAKING STATEMENT  
DA FORM 2823 (Computer Generated)

PAGE 6 OF 4 PAGES

EXHIBIT 104

FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE AGLU DDH ROI 34523

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**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

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1. I, Special Agent (b)(6), (b)(7)(C)      31st Military Police Detachment (CID) (-)

(Name)      (Organization or Address)

Contingency Operating Base (COB) Speicher, Tikrit, IZ, APO AE 09393 (CSIZ)

---

having been duly sworn, on oath depose and state that:

A CID investigation revealed three Soldiers conspired and executed a plan to cut zip ties off of three detainees' wrist, tell them to run and subsequently shoot them. Further investigation revealed, after the shooting, one detainee was still alive and an additional Soldier shot him.

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, Samarra, 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 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 had 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.

About 1705, 16 June 06, SA (b)(6), (b)(7)(C) briefed CPT (b)(6), (b)(7)(C) Military Magistrate, 101st Airborne Division, COB Speicher, Tikrit, IZ APO AE 09393, on the above aspects of this investigation. CPT (b)(6), (b)(7)(C) advised that once SA (b)(6), (b)(7)(C) obtained a Sworn Statement from SGT (b)(6), (b)(7)(C) he could proceed with the search. CPT (b)(6), (b)(7)(C) related there was probable cause to search (b)(6), (b)(7)(C) bags and gear and verbally authorized the seizure of the camera upon receipt of SGT (b)(6), (b)(7)(C) Sworn Statement.

About 2100, 16 Jun 06, this office received a copy of SGT (b)(6), (b)(7)(C) Sworn Statement via email. The Sworn Statement reintegrated the aforementioned information he provided to his Squad Leader.

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 1745, 17 Jun 06, SA (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) who provided a Sworn Statement. (b)(6), (b)(7)(C) stated about 0400, 16 Jun 06, (b)(6), (b)(7)(C) FBM, approached him and asked if he knew where he could hide "something" incriminating to his squad. (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) did not specify what the "something" was nor did he have anything in his possession other than his weapon.

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3. In view of the foregoing, the affiant requests that an authorization be issued for a search of four digital video cassettes and one  
(the person) (and)  
 disposable camera that were seized from SPC (b)(6), (b)(7)(C)  
(the quarters or billets) (and)  
 and (seizure) (apprehension) of the contents and depictions contained on  
(the automobile) ( ) (items/persons searched for)  
four digital video cassettes and one disposable camera.

TYPED NAME AND ORGANIZATION OF AFFIANT  
 Special Agent (b)(6), (b)(7)(C)  
 31st MP DET CID (-), COB Speicher, IZ, Tikrit, IZ

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

SWORN TO AND SUBSCRIBED BEFORE ME THIS 18 DAY OF June 2006 AT 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

SIGNATURE OF AUTHORITY ADMINISTERING THE OATH  
(b)(6), (b)(7)(C)

**INSTRUCTION**  
**AFFIDAVIT SUPPORTING REQUEST FOR AUTHORIZATION**

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.

~~FOR OFFICIAL USE ONLY~~  
~~LAW ENFORCEMENT SENSITIVE~~

EXHIBIT 105

**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) 31st MP DET CID (-), Contingency Operating Base (COB) Speicher, IZ, APO AE 09393

(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 (-), COB Speicher, IZ, APO AE 09393

(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

for the property described as the contents and depictions contained on four digital video cassettes and one disposable camera.

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 18 day of June, 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)

ACLU DDII ROI 34526

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**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)

Contingency Operating Base (COB) Speicher, Tikrit, IZ, APO AE 09393 (CSIZ)

having been duly sworn, on oath depose and state that:

A CID investigation revealed two soldiers shot and killed three detainees, who at one time, had been zip tied and blindfolded prior to the shooting.

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 (3BC1), 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, asked SGT (b)(6), (b)(7)(C) Headquarters and Headquarters Company (HHC), 3-187 INF, 3BCT, FBM, approached SGT (b)(6), (b)(7)(C) 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 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 had 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 (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.

About 1705 16 June 06, I briefed CPT (b)(6), (b)(7)(C) Military Magistrate, 101st Airborne Division, COB Speicher, Tikrit, IZ, APO AE 09393, on the above aspects of this investigation. CPT (b)(6), (b)(7)(C) advised that once SA (b)(6), (b)(7)(C) obtained a Sworn Statement from SGT (b)(6), (b)(7)(C) he could proceed with the search. CPT (b)(6), (b)(7)(C) related there was probable cause to search (b)(6), (b)(7)(C) bags and gear and verbally authorized the seizure of the camera upon receipt of SGT (b)(6), (b)(7)(C) Sworn Statement.



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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, bags, and gear  
*(the person) (and)*

*(the quarters or billets) (and)*

*(the automobile)* and (seizure) (apprehension) of Text, graphics, cameras, thumb drives,  
*(items/persons searched for)*

tapes other data including deleted files and folders, containing material related to Operation Iron Triangle.

TYPED NAME AND ORGANIZATION OF AFFIANT  
Special Agent (b)(6), (b)(7)(C)  
31st MP DET CID (-), COB Speicher, IZ, Tikrit, IZ

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

SWORN TO AND SUBSCRIBED BEFORE ME THIS

18 DAY OF JUNE 2006 AT

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)

INSTRUCTION  
AFFIDAVIT SUPPORTING REQUEST FOR AUTHORITY

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.

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

**SEARCH AND SEIZURE AUTHORIZATION**

For use of this form, see AR 27-10; the proponent agency is DTJAG

TO: (Name and Organization of the person to whom authorization is given)  
Special Agent (b)(6), (b)(7)(C) 31st MP DET CID (-), Contingency Operating Base (COB) Speicher, IZ, APO AE 09393

(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 (-), COB Speicher, IZ, APO AE 09393  
(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

for the property described as Text, graphics, cameras, thumb drives, tapes, other data including deleted files and folders,  
tapes other data including deleted files and folders, containing material related to Operation Iron Triangle.

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 18 day of June, 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)**

**ACLU DDII ROI 34529**

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
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: FUB BRASSFIELD-MORA
2. DATE (YYYYMMDD): 2006 06 18
3. TIME: 1251
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(7)(C)
6. SSN: (b)(6), (b)(7)(C)
7. GRADE/STATUS: E-6/AD
8. ORGANIZATION OR ADDRESS: Co 3-187 INF 101ST ABN DIV

9. (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
AFTER OPERATION IRON TRIANGLE, WHICH OCCURED 9 MAY 2006, I WAS HAVING
A CONVERSATION WITH A GROUP OF NCO'S IN THE COMPANY WHEN ONE NCO SAID
THAT THE SITUATIONS THAT OCCURED WERE SET UP, THIS WAS COMPLETE HEARSAY
AND HE DID NOT MENTION NAMES OR WHO HAD TOLD HIM OR HOW MANY PRIOR
TO HIM KNOWN. THEN ON 18 JUNE 2006, I CAME FORWARD WITH THIS AFTER
BEING ADVISED BY CSM (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 3 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.

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

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT 1251 DATED 2006 06 18

9. STATEMENT (Continued)

*[The main body of the page is crossed out with a large 'X' and contains several redacted sections.]*

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

**(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)**

ACLU DOJ ROJ 34531

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT 1251 DATED 2006 06 18

9. STATEMENT (Continued)

[Large redacted area with a large 'X' drawn across it. Contains several instances of **(b)(6), (b)(7)(C)** redaction codes.]

**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)**  
[Redacted signature]

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18 day of June, 2006 at **(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**  
CSM  
HQ 3-187  
ORGANIZATION OR ADDRESS

**(b)(6), (b)(7)(C)**  
CS  
(Typed Name of Person Administering Oath)  
**COMMISSIONED OFFICER**  
(Authority To Administer Oaths)

**(b)(6), (b)(7)(C)**  
HQC 3-187  
ORGANIZATION OR ADDRESS

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

ACLU DDII RO 134532

086-10-01049-75447  
0000-00-CID-409-75447

**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

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

**DATA REQUIRED BY THE PRIVACY ACT**

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

1. LOCATION	2. DATE 19 June 86	3. TIME 10:04	(b)(6), (b)(7)(C) FILE NUMBER
5. Name (Last First MI) (b)(6), (b)(7)(C)	8. ORGANIZATION OR ADDRESS C 3/187th Infantry 308 Bradford Meade APO AE 09393		
6. Social Security Number (b)(6), (b)(7)(C)	E6/AD		

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**SECTION A. Rights**

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command and wanted to question me about the following offense(s) of which I am

suspected/accused: Dereliction of Duty

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

1. I do not have to answer any questions or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me or both.

-0-

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have the right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

**SECTION B. Waiver**

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

WITNESSES (if available)		SIGNATURE OF INTERVIEWEE (b)(6), (b)(7)(C)	
1a. NAME (Type or Print)		SIGNATURE OF INVESTIGATOR (b)(6), (b)(7)(C)	
b. ORGANIZATION OR ADDRESS AND PHONE		SIGNATURE OF INTERVIEWER SA (b)(6), (b)(7)(C)	
2a. NAME (Type or Print)		6. ORGANIZATION OF INVESTIGATOR 31ST MP DET (CIDG) COB Sauchun APO AE 09393	
b. ORGANIZATION OR ADDRESS AND PHONE			

**SECTION C. Non-waiver**

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

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

DA FORM 3881, NOV 89 (AUTOMATED)

EDITION OF NOV 84 IS OBSOLETE

**PART II - RIGHTS WARNING PROCEDURE**

THE WARNING

ACLU DDII ROI 34533

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

EXHIBIT 107

000727

**SWORN STATEMENT**

**LOCATION:**

Tikrit CID Office  
Contingency Operating Base (COB) Speicher  
Tikrit, Iraq, APO AE 09393

**DATE:**

19 Jun 06

**TIME:**

1135 (b)(6), (b)(7)(C)

**NAME: SSN: GRADE/STATUS: SSG/AD**

**ORGANIZATION OR ADDRESS: C 3/187<sup>th</sup> Infantry Company, COB Speicher, Tikrit, Iraq, 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: I was on Operation Iron Triangle as a member of 2<sup>nd</sup> platoon C CO 3-187. The first day of the Operation was on 9 May 2006. On the first day of the operation, my platoon was on a different objective than 3<sup>rd</sup> platoon. I was in hearing range of gunfire and could see their objective. I couldn't see movement on their objective, I wasn't that close, but I could hear gun fire. After the initial gun fire, I hear a radio transmission from 3<sup>rd</sup> platoon to the command element saying they had detainees, approximately 3 or 4, and 1 KIA. Then there was some more radio traffic and I heard and saw dust from the automatic weapons fire. After the automatic weapons fire, there was some more radio traffic, what it was, I'm not sure because I was paying attention to something going on my objective. Sometime after that, maybe 5 to 10 minutes later, but how long exactly, I'm not sure, I heard isolated gun shots. After those gun shots, somewhere between 2 and 5 minutes later, I heard a radio transmission from the 3<sup>rd</sup> platoon element saying that they now had approximately, the exact number I'm not sure of, 3 KIA and 1 detainee. After that, my platoon secured the rest of my objective and then moved toward their objective to set up and LZ. A couple of soldiers from my platoon were detailed to help 3<sup>rd</sup> platoon police up the KIA and detainees and move them to the collection point. I do not remember who these soldiers were. After the bodies and detainee had moved to the LZ, my platoon took off and flew to the collection point and we dropped off 2 detainees from my platoon's objective. Two days later, when the mission had ended, my platoon and company all flew back to FOB Remagen. Once we arrived at FOB Remagen, we started to finalize all the detainee paperwork from the entire mission and ended up staying the night. The next day, we had to wait at FOB Remagen before we could leave because senior leadership was going to conduct an AAR and some sworn statements were being written about the Operation. I did not know the subject of the sworn statements. Later that evening, we went back to FOB Brassfield-Mora and our mission was complete. A few days later, I'm not sure exactly

INITIALS OF PERSON

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

DA FORM 2823 (Computer Generated)

PAGE 1 OF 4 PAGES

EXHIBIT 102

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

AGU DDII ROI 34534

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB  
SPEICHER, TIKRIT, IRAQ, DATED 19 June, 2006, CONTINUED.

(b)(6), (b)(7)(C) how long after, but a few days after we arrived back at Brassfield-Mora, I was with a group of soldiers just conversing. I don't remember the size of the group of soldiers and the only person I remember actually being there was SGT (b)(6), (b)(7)(C) I remember him being there because the topic of Operation Iron Triangle had come up and what had happened that first day and he told me that he had heard that the shooting was staged. He didn't tell me who he had heard it from or if he had heard it from anyone. It could have very well been his own guess taking into account what had happened. A few days following that, I was in the MWR center and 1LT (b)(6), (b)(7)(C) happened to be in there too. We started conversing. I don't remember what the conversation started with or how it exactly ended, but I do remember that at some point during the conversation, the topic of Operation Iron Triangle came up and I remember telling him that I had heard that the shooting was staged. I didn't tell him who I had heard it from. Then on 17 June 2006, the battalion CSM came out to my platoon which was located on the 3 static OP's on the MSR. He came out to tell the soldiers that an investigation was occurring on what had happened the first day of Operation Triangle and that there was an amnesty period for any soldier who had any information. I was not available to hear this because I was on covert OP. The following day, I returned back to my company area and I was told by SSG (b)(6), (b)(7)(C) and 1LT (b)(6), (b)(7)(C) that I was to go see the CSM to receive this same speech. I went back out on patrol later that day and came back late that night. The next day, 19 June 2006, I went to battalion headquarters and saw the sergeant major and he told me about what was going on and the amnesty period I had. I immediately told him that of what I had heard from SGT (b)(6), (b)(7)(C) and wrote a sworn statement about it.

Q: When did you have the conversation with (b)(6), (b)(7)(C)

A: Approximately five days after Operation Iron Triangle. This was on our company area PAD, A9, in front of 2D Platoons cluster of Containerized Housing Units (CHU).

Q: Who all was there during this conversation?

A: I am not sure if anyone else heard our conversation. Many people were moving about and he and I were smoking a cigarette together. I am not sure who he heard it from or when he heard it. He just said he heard it was staged. He did not say how he thought it was staged. I told him that it was hard to believe and that the whole situation seemed weird and this is all going back to the radio transmission and what said prior to the detainee were shot. Originally (b)(6), (b)(7)(C) came on the radio and said there were one KIA and three detainees. Five minutes later he came back on and said there were as one detainee and three KIAs. After this occurred my platoon and its two detainees plus (b)(6), (b)(7)(C) squads detainee left on the helicopter to the Tactical Operations Center (TOC)

Q: Did you hear of or had any other discussions with anyone regards this incident?

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

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

DA FORM 2823 (Computer Generated)

PAGE 2 OF 4 PAGES

EXHIBIT 102

FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE

ACLU DDH ROI 34535

000729

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



STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB  
SPEICHER, TIKRIT, IRAQ, DATED 19 June, 2006, CONTINUED.

(b)(6), (b)(7)(C) Q: Why didn't you come forward after you had the conversation with (b)(6), (b)(7)(C)

A: The day after we landing in FOB Remagon, sworn statements had been filled out and as far as I understood everything was ok and there was no foul play involved. When I had the conversation with 1LT (b)(6), (b)(7)(C) I thought it was just hearsay and it had been determined that 3D Platoon acted in accordance with the ROE.

Q: But did you think otherwise?

A: I had my doubts but I was putting my faith in the system that the investigation would conclude what exactly happened. It was concluded that they did not do anything wrong. I did not think the whole truth was presented and I think that went back to the whole loyalty thing. My doubts were that they were murdered not because I had proof but because they said they were detained. Then minutes later they are dead.

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 107

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT USE ONLY~~

ACLU DDII ROI 34536

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB  
SPEICHER, TIKRIT, IRAQ, DATED 19 June, 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 (b)(6), (b)(7)(C) 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 Monday, June 19, 2006, at C Company 3/187<sup>th</sup> 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 (b) UCMJ  
(Authority to Administer Oath)

Witness

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)  
DA FORM 2823 (Continued)

PAGE 4 OF 4 PAGES

EXHIBIT 107

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~ **ACLU DDH ROI 34537**

Date: <b>(b)(6), (b)(7)(C)</b> 11/06/06		<b>Consent To Search</b> (USACIDC Supplement 1 to AR 190-22)		Time: <b>(b)(6), (b)(7)(C)</b> 1006	
1. Name of person consenting to the search: AFC <b>(b)(6), (b)(7)(C)</b> 445-92 <b>(b)(6), (b)(7)(C)</b>		2. Organization and location: Company, 3/187 Inf FOB Bass Field-Mena, Iraq APO AE 09349			
3. I have been informed by the undersigned USACIDC Special Agent that an inquiry is being conducted in connection with the following possible violation(s) of law:  murder, conspiracy					
4. I have been requested by the undersigned USACIDC Special Agent to give my consent to a search of my person, premises, or property as indicated below. I have been advised of my right to refuse a search of my person, premises, or property. (If you do not give your consent, do not sign this form.)					
5. I hereby authorize the undersigned USACIDC Special Agent and/or other Authorized Law Enforcement Officials assisting the undersigned USACIDC Special Agent to conduct a search of: (Initial and sign applicable blocks)					
a.	My Person	Initials	Signature		
b.	My Quarters	Initials	Signature		
Located At:					
c.	My Vehicle	Initials	Signature		
Located At:					
Described As:					
d.	Other	Initials	Signature	<b>(b)(6), (b)(7)(C)</b>	
Located At: Computers, hard disk drives, removable data storage media, storage devices					
Described As: (Toshiba Satellite, S/N 37238105K)					
I am authorizing the above search(s) for the following general types of property which may be removed by the authorized law enforcement personnel and retained as evidence under the provisions of Army Regulation 195-5, or other applicable laws or regulations: Text, graphics, electronic mail messages, and other data including deleted files and folders.					
This written permission is given to the undersigned USACIDC Special Agent freely, voluntarily and without threats or promises of any kind:					
<b>(b)(6), (b)(7)(C)</b>					
<b>(b)(6), (b)(7)(C)</b>				Signature of Witness (If Available)	

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, Tikal, Iraq, APO AE 09313	DATE 19/04/02	TIME 1129	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)		GRADE/STATUS E3/A0
ORGANIZATION OR ADDRESS C-Company 3/187 Infantry, FOB Brassfield, Maza, Iraq, APO AE 09313			

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

This is a statement to clarify some questions CID had for me.

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

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

Q: Are any of the tapes, collected from SSG (b)(6), (b)(7)(C) yours?

A: NO.

Q: Does (b)(6), (b)(7)(C) usually carry cassette tapes with him and in his shower bag?

A: NO. I have no idea why anyone would have tapes in his shower bag.

Q: Does (b)(6), (b)(7)(C) usually "hang on" to tapes belonging to SSG (b)(6), (b)(7)(C)

A: NO. I have never seen SSG (b)(6), (b)(7)(C) give anyone tapes before so it seems funny to me.

Q: Why do you believe this time could be different?

A: They SSG (b)(6), (b)(7)(C) and I guess (b)(6), (b)(7)(C) don't want CID to see them for some reason.

Q: Have you seen any of the tapes?

A: I don't know about these ones. I have seen some of his SSG (b)(6), (b)(7)(C) tapes.

Q: Who else took the (b)(6), (b)(7)(C) videos or pictures while on Operation Iron Triangle?

A: SGT (b)(6), (b)(7)(C) but LT D already has his camera.

Q: You previously mentioned that SSG (b)(6), (b)(7)(C) video camera quit working. Can you elaborate on this?

A: His head cam was not working so he had to use the actual video camera and I know he did not get any of the incident because I was still out front of the house when the camera died.

Q: Has anyone spoke to you about the video taken on operation Iron Triangle?

A: Not till I got here to CID. (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 1 MUST BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

ACLU ID# R01 34539

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

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

TAKEN AT COB Speicher, Iraq, APO AE 24393 DATED 14 JUN 06 **(b)(6), (b)(7)(C)**

CONTINUED

STATEMENT (Continued)

**(b)(6), (b)(7)(C)** Q: Does **(b)(6), (b)(7)(C)** usually carry cassettes in his IBA?

A: No there is no reason for him to be. Does not have a vidocam.

Q: Do you have anything else to add **(b)(6), (b)(7)(C)** Are there any videos or photos or text concerning operation Iron Triangle on your computer?

A: I know I don't have text or videos but I don't know about photos. I have let just about every one in my platoon use my computer to transfer pics. But as far as I know no.

Q: What information is needed to access your computer & files?

A: **(b)(6), (b)(7)(C)** Light. Password

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

WITNESSES:

**(b)(6), (b)(7)(C)**  
Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14 day of JUN, 20 06 at COB Speicher, Iraq, APO AE 24393

ORGANIZATION OR ADDRESS

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

ACLU DDII ROI 34540

PAGE 2 OF 2 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT PURPOSES EXHIBIT 109

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 SPIECHER	DATE 19 Jun 66 1126	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 /SSG
ORGANIZATION OR ADDRESS C Co 3-187 RB Braasfield - MORA		

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

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

During Operation "Iron Triangle" I was in HQ PLT, C Co, 3-187, as an extra NCO to handle leadership duties such as vehicle TC, Squad leader, and to act in whatever the mission needed. I <sup>was</sup> with HQ PLT the entire time and did not separate from my PLT. (b)(6), (b)(7)(C)

I also was in charge of accountability for and safeguarding SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) personal and military items. I took full responsibility of those duties to make sure they were performed to standard. I first inventoried (b)(6), (b)(7)(C) with the help of SPC (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) present. I did find a video camera and XPR's that might be important then later made it known that LTC (b)(6), (b)(7)(C) leads. Second I inventoried PFC (b)(6), (b)(7)(C) personal belongings and found a long knife. I found approx 6-7 knives from SSG (b)(6), (b)(7)(C) items and secured them. The next morning I inventoried SPC (b)(6), (b)(7)(C) items and found nothing except a PSP that might be important. I secured these items separate (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) items in our company annex and (b)(6), (b)(7)(C) items into our company's MTR. They were locked, and the person who has control of the keys and inventory are SGT (b)(6), (b)(7)(C) (Supply NCO). I talked with someone, don't remember who, that said (Rumor) that (b)(6), (b)(7)(C) then a shooting star at an IRAQ National. I later talked with SPC (b)(6), (b)(7)(C) at FOB Komaggas and this is what he said, I was detaching a person and while I was searching him, he sliced my <sup>arm</sup> with his knife.

EXHIBIT	INITIALS (b)(6), (b)(7)(C) G 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 FILED THE BACK OF PAGE MUST 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 CoD Specter DATED 19 June 06

CONTINUED

STATEMENT (Continued)

and so I shot him? I could see that (b)(6), (b)(7)(C) had cuts on his leg and wrist, but did not believe the story, due to the intense focusing on removal of handling detainees and preventing them from harming us. I heard nothing more of the story. SPC (b)(6), (b)(7)(C) was present while SSG (b)(6), (b)(7)(C) items were being inventoried. I did not see that he had any inkling on hiding items, nor did I know of anything being held by him that would incriminate him. SPC (b)(6), (b)(7)(C) showed that he was indeed a good friend of SSG (b)(6), (b)(7)(C) so, maybe he was looking to protect him, but I did not see him take or hold anything during the inventory. I do not know SSG (b)(6), (b)(7)(C) very well at all. I do know (b)(6), (b)(7)(C) but just as an enemy <sup>(b)(6), (b)(7)(C)</sup> and then "hi". I do know of (b)(6), (b)(7)(C) as being a double member and that is all (b)(6), (b)(7)(C)

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

Q: DO YOU HAVE ANY DIRECT OR INDIRECT KNOWLEDGE OF MEMBERS OF (b)(6), (b)(7)(C) SAID CONSPIRED TO SHOOT THREE DETAINEES, OR THE CIRCUMSTANCES OF THE SUBSEQUENT MURDER OF THE THREE DETAINEES?

A: NO

Q: WHAT WAS (b)(6), (b)(7)(C) WEARING DURING THE INVENTORY?

A: Physical dress uniform t-shirt, shorts, socks, shoes.

Q: WHAT TIME DID YOU START AND FINISH THE INVENTORY?

A: 15 June 06 1100 H to 1300 H and 16 June 06 0500 to 0900

Q: WHAT TIME DID YOU FINISH AND START (b)(6), (b)(7)(C) INVENTORY?

A: 1100 to 1200

Q: WHERE DID (b)(6), (b)(7)(C) GO IMMEDIATELY AFTER THE INVENTORY?

A: I believe on patrol or to an OP.

Q: IS THERE ANYTHING YOU WANT TO ADD TO THIS STATEMENT?

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

ACLU DDH ROI 34542

FOR OFFICIAL USE ONLY - Law Enforcement Sensitive

EXHIBIT

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

EXHIBIT 110

000736

FILE NUMBER

STATEMENT (Continued)

A: NO III END OF STATEMENT III

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 19 day of Jun, 20 04 at COB Spalcher, Tikrit, IZ, APO AF 09393

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)

PAGE 3 OF 3 PAGES

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EXHIBIT

EXHIBIT 110

ACLU DDII ROI 34543



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

STATEMENT (Continued)

A: NO III END OF STATEMENT III

MUT USEL

(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 19 day of Jun, 20 04 at COB Spelcher, Tikrit, IZ APO AE 09393

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)

PAGE 3 OF 3 PAGES

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FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

EXHIBIT

EXHIBIT 110

ACLU DDII ROI 34544

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: 31st MP Det (CID) COBS Iraq
2. DATE: 2007-06-17 TIME: 1154 FILE NUMBER: (b)(6), (b)(7)(C)
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(7)(C)
7. GRADE/STATUS: E-5/1A
8. ORGANIZATION OR ADDRESS: Co 3/187 Inf Fds (Blasfield) Mura, Iraq

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

Earlier this month my company Co 3/187 was tasked with Operation Iron Triangle. Different platoons had different objectives and squads also had separate missions. 1st squad was tasked with clearing an objective approximately 3000m to the east of the main objective. Lt (b)(6), (b)(7)(C) was in charge of our element. At some point during the day I had heard about 4 AIF KIA's on the island. Upon reaching the company patrol base sometime after dark I heard somebody say 3rd pl killed 3 on the island. A bunch of us were standing around smokin and jokin about what happened. I dont remember who told me but they said one detainee had broke loose from his cuffs and cut (b)(6), (b)(7)(C) face so they killed them. After I heard that I formed my own opinion and made my own statement about what had happened. I believe SSG (b)(6), (b)(7)(C) was their with me at the time along with some other guys from 2nd PCT. I do not remember who else was their when we were all talking about that day.

- Q. (b)(6), (b)(7)(C)
A.
Q. WHAT was your tasking for this mission?
A. It was Alpha team leader in first squad 2nd plt.
Q. WHAT was your timeline from the moment you left Ramstein for your mission?
A. we left Ramstein at approx. 0620 After landing we broke down the shotgunned Humvees and hit our objective at about 0730 the mission didnt stop until around 2200 that night we then formed a company patrol base for the night

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 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 SGT (b)(6), (b)(7)(C) TAKEN AT COBS DATED 20060617 (b)(6), (b)(7)(C)

## 9. STATEMENT (Continued)

The next day we resumed all missions at approx 0530 until we reached the battalion CP at approximately 1700 that evening. We were then exfiltrated back to Ramagan at approximately 1900 and reached Ramagan at 2000.

Q. Who gave you the mission brief before you left Ramagan?

A. CPT (b)(6), (b)(7)(C) briefed us then our PL (1LT (b)(6), (b)(7)(C)) then my squad leader.

Q. Can you explain the overall mission and your individual squad's mission?

A. The overall mission on the islands were to kill, detain or capture AIF in zone. That was not the same for my objective we were to knock and cordon our objective and detain all military age males. For fingerprints and pictures.

Q. Do you recall when you heard of the detainees being killed?

A. I heard about 3 or 4 AIF killed at about mid-day. I did not hear of them being detainees until after I reached the company patrol base. This was on the first day of the mission. I also heard that one detainee attacked (b)(6), (b)(7)(C) and that is why they killed them.

Q. Do you recall who told you about it?

A. No I don't.

Q. WHAT DO YOU MEAN WHEN YOU RELATED YOU MADE YOUR OWN "STATEMENT" ABOUT WHAT HAPPENED?

A. I mean I formed my own opinion and shared it with who ever might have been around. This could have happened at the Company Patrol Base, Battalion AO or Ramagan.

Q. WAS SGT (b)(6), (b)(7)(C) PRESENT DURING THESE DISCUSSIONS?

A. He could have been present at any three of these locations.

Q. WHAT WAS THE GENERAL CONSENSUS REGARDING THE INFORMATION YOU HEARD REGARDING THE DEATHS?

A. One side thought it was a fishy story and another thought something like that wouldn't happen in a million years.

Q. UP TO THIS POINT HAVE YOU HEARD ANY THING OTHER THAN THE INITIAL STORY YOU HEARD?

A. No and I didn't bother asking because our commander did an ~~inquiry~~ inquiry on the actions of those soldiers.

Q. WHAT WAS OR IS YOUR OPINION REGARDING WHAT YOU HEARD PERTAINING TO THE DEATH

INITIALS OF PERSON MAKING STATEMENT

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

ACLU DDJ ROI 34546  
PAGE 2 OF 2

STATEMENT OF SGT (b)(6), (b)(7)(C) TAKEN AT COPS DATED 20060619 (b)(6), (b)(7)(C)

9. STATEMENT (Continued)  
OF THE DETAINees?

A. In my opinion they wanted to kill these guys for being terrorists, so they made up a story and killed them.

Q. DID you ever hear that the deaths were staged or anything to that effect?

A. The concensus was that we thought it could have been staged, but nobody ever told me that they knew it was staged.

Q. DO you have any first hand knowledge pertaining to the death of the detainees?

A. No.

Q. DID you hear any radio traffic pertaining to this incident?

A. No our radios were out of range. We had motorolas on a different net than 3rd PCT and the ASIP was out of range.

Q. IS THERE any thing else you would like to add to this statement at this time?

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 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)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, (b)(6), (b)(7)(C) day of June, 2006 at COP

(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)

ORGANIZATION OR ADDRESS

AGT Bk UCMJ  
(Authority To Administer Oaths)

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

ACLU DDJ ROI 34547

**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

0086-06-CID469-75447

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

**DATA REQUIRED BY THE PRIVACY ACT**

**AUTHORITY:**

Title 10, United States Code, Section 3012(g)

**PRINCIPAL PURPOSE:**

To provide commanders and law enforcement officials with means by which information may be accurately identified.

**ROUTINE USES:**

Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.

**DISCLOSURE:**

Disclosure of your Social Security Number is voluntary.

1. LOCATION COB Speicher, Tikrit, IZ	2. DATE 19 Jun 06	3. TIME 1456	4. FILE NUMBER
5. Name (Last First MI) <b>(b)(6), (b)(7)(C)</b>	6. ORGANIZATION OR ADDRESS C Co, 3-187 <sup>th</sup> INF, 3 BCT FOB Brassfield-Mora, Samarra, IZ APO AE 09393 <b>(b)(6), (b)(7)(C)</b>		
7. GRADE/STATUS <b>(b)(6), (b)(7)(C)</b>	E-5/AD		

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**SECTION A. Rights**

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command and wanted to question me about the following offense(s) of which I am suspected/accused: Dereliction of Duty, False Official Statement. 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 the right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

**SECTION B. Waiver**

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

WITNESSES (if available)		3. SIGNATURE OF INTERVIEWEE	
1a. NAME (Type or Print)		<b>(b)(6), (b)(7)(C)</b>	
b. ORGANIZATION OR ADDRESS AND PHONE			
2a. NAME (Type or Print)		5. TITLE SA <b>(b)(6), (b)(7)(C)</b>	
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR 31 <sup>st</sup> MP DET CID (-) COB Speicher, Tikrit, IZ APO AE 09393	

**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

DA FORM 3881, NOV 89 (AUTOMATED)

EDITION OF NOV 84 IS OBSOLETE

**PART II - RIGHTS WARNING PROCEDURE**

**ACLU DDII ROI 34548**

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

EXHIBIT 112

000742

THE WARNING

- 1. WARNING - Inform the suspect/accused of
  - a. Your official position.
  - b. Nature of the offense(s)
  - c. The fact that he/she is a suspect/accused.
- 2. RIGHTS - Advise the suspect/accused of his/her rights as follows:
 

"Before I ask you any questions, you must understand your rights."

  - a. "You do not have to answer my questions or say anything."
  - b. "Anything you say or do can be used as evidence against you in a criminal trial."
  - c. (For personnel subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer

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

-or-

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

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

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

THE WAIVER

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

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

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

"At this time, are you willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer and without having a lawyer present with you?" (If the suspect/accused says "no," stop the interview and have him/her read and sign the non-waiver section of the waiver certificate on the other side of this form. If the suspect/accused says "yes," have him/her read and sign the waiver section of the waiver certificate on the other side of this form.)

SPECIAL INSTRUCTIONS

**WHEN SUSPECT/ACCUSED REFUSES TO SIGN WAIVER CERTIFICATE:** If the suspect/accused orally waives his/her rights but refuses to sign the waiver certificate, you may proceed with the questioning. Make notations on the waiver certificate to the effect that he/she has stated that he/she understands his/her rights, does not want a lawyer, wants to discuss the offense(s) under investigation, and refuses to sign the waiver certificate.

**IF WAIVER CERTIFICATE CANNOT BE COMPLETED IMMEDIATELY:** In all cases the waiver certificate must be completed as soon as possible. Every effort should be made to complete the waiver certificate before any questioning begins. If the waiver certificate cannot be completed at once, as in the case of street interrogation, completion may be temporarily postponed. Notes should be kept on the circumstances.

**PRIOR INCRIMINATING STATEMENTS:**

- 1. If the suspect/accused has made spontaneous incriminating statements before being properly advised of his/her rights he/she should be told that such statements do not obligate him/her to answer further questions.

- 2. If the suspect/accused was questioned as such either without being advised of his/her rights or some question exists as to the propriety of the first statement, the accused must be so advised. The office of the serving Staff Judge Advocate should be contacted for assistance in drafting the proper rights advisal.

**NOTE:** If 1 or 2 applies, the fact that the suspect/accused was advised accordingly should be noted in the comment section on the waiver certificate and initialed by the suspect/accused.

**WHEN SUSPECT/ACCUSED DISPLAYS INDECISION ON EXERCISING HIS OR HER RIGHTS DURING THE INTERROGATION PROCESS:** If during the interrogation, the suspect displays indecision about requesting counsel (for example, "Maybe I should get a Lawyer."), further questioning must cease immediately. At that point, you may question the suspect/accused only concerning whether he or she desires to waive counsel. The questioning may not be utilized to discourage a suspect/accused from exercising his/her rights. (For example, do not make such comments as "If you didn't do anything wrong, you shouldn't need an attorney.")

COMMENTS (Continued)

REVERSE OF DA FORM 3881

ACLU DDII ROI 34549

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EXHIBIT 112

000743

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 SPECIALLY TRICIT, IL	DATE (b)(6), (b)(7)(C) 19 Jun 06 1450	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS E5/AD
ORGANIZATION OR ADDRESS C Co, 5181 IAF - FOB BRASSFIELD - MARA		

I, (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: (b)(6), (b)(7)(C)  
A: (b)(6), (b)(7)(C)

Q: WHAT DID (b)(6), (b)(7)(C) TELL YOU ABOUT WHAT HAPPENED DURING OPERATION TITAN TRIANGLE?  
A: SFC (b)(6), (b)(7)(C) confided in me, from what I remember, that on 3<sup>rd</sup> Squad's objective after the original shots were fired, they were clearing the objective and SFC (b)(6), (b)(7)(C) moving through the area came upon a wounded national. He shot the national and continued with the objective.

Q: DID (b)(6), (b)(7)(C) TELL YOU THAT (b)(6), (b)(7)(C) AND (b)(6), (b)(7)(C) CONSPIRED TO CUT ZIP-TIES OF THREE DETAINEES, TELL THEM TO RUN, AND SHOOT THEM?  
A: No he did not.

Q: DID ANY ONE ELSE TELL YOU THAT? TELL YOU THAT?  
A: No, nobody ever said anything like that.

Q: DID YOU HEAR OF THAT?  
A: No, never any hear-say.

Q: DID (b)(6), (b)(7)(C) TELL YOU (b)(6), (b)(7)(C) AND (b)(6), (b)(7)(C) SHOT THREE DETAINEES AFTER CUTTING THEIR ZIP-TIES AND MAKING THEM RUN?  
A: No because I never heard about the soldiers cutting the ties, it was told to me that the IA had given the detainees a knife and they cut the cuffs off themselves.

Q: DID (b)(6), (b)(7)(C) OR ANYONE ELSE TELL YOU (b)(6), (b)(7)(C) PUNCHED (b)(6), (b)(7)(C) AND CUT (b)(6), (b)(7)(C) TO COVER UP THE KILLING OF THREE DETAINEES, BY STATING THEY SHOT THEM IN SELF DEFENSE?

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 ATTACHED, THE TOP OF EACH PAGE MUST 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 SPEICHER

DATED 19 JUN 06

CONTINUED

STATEMENT (Continued)

A: No, nothing was said like that to me.

Q: DID (b)(6), (b)(7)(C) TELL YOU HE SHOT A DETAINEE THAT WAS ALREADY WOUND BY (b)(6), (b)(7)(C) AND (b)(6), (b)(7)(C) SHOT WINDS ZIPTIES WERE PREVIOUSLY CUT AND SHOT BY (b)(6), (b)(7)(C) AND (b)(6), (b)(7)(C)

A: No, not that I remember just as they were clearing the objective.

Q: WAS (b)(6), (b)(7)(C) THERE WHEN (b)(6), (b)(7)(C) HAD THIS CONVERSATION WITH YOU?

A: For part of it then I left the room and (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) were still in there.

Q: WHEN DID YOU LEAVE?

A: I think I had to go take care of something.

Q: DID (b)(6), (b)(7)(C) TELL YOU ANYTHING IN REGARD TO SOMETHING (b)(6), (b)(7)(C) TOLD HIM ABOUT IRON TRIANGLE?

A: No, not that I can remember.

Q: IS THERE ANYTHING YOU WANT TO ADD TO THIS STATEMENT?

A: No, I have nothing else to state. // END OF STATEMENT // (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)

PAGE 2 OF 2 PAGES

ACLU DDH ROI 34551

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EXHIBIT

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

EXHIBIT 112

000745



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 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)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19 day of Jun, 20 06 at COB Speicher, Tikrit, IZ, APO AE 09393

ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

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)

PAGE 3 OF 3 PAGES

ACLU DDII ROI 34552

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EXHIBIT

EXHIBIT 112

## 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, ALO AF 09393	DATE (b)(6), (b)(7)(C) 19 June 2006	TIME (b)(6), (b)(7)(C) 1512	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS O2/AD	
ORGANIZATION OR ADDRESS C Company, 3/187 Infantry Battalion, FOB Brassfield-Mora, Iraq, ALO AF 09349			
(b)(6), (b)(7)(C) (b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:			

At some point within the first week after operation Triangle, SSG (b)(6), (b)(7)(C) and I were having a conversation on our pad at FOB Brassfield-Mora. In passing, he said that he had heard the events that took place were staged. At this point, I saw some lower enlisted soldiers in the area and decided this was not the time for them to hear rumors. I told SSG (b)(6), (b)(7)(C) that an investigation will take place and that's all I know. We left it at that and either walked away or kept talking about a different topic. This is all I know of the situation and know it to be true as of today.

Q: SA (b)(6), (b)(7)(C)

A: 1LT (b)(6), (b)(7)(C)

Q: Did you ever tell SFC (b)(6), (b)(7)(C) about this incident?

A: When I saw SFC (b)(6), (b)(7)(C) after the operation and after he returned from R & R leave, I somewhat recall a short conversation. He asked what has been going on, and probably about the mission. I told him just as a heads up that I think 3<sup>rd</sup> Platoon is under investigation for OP Iron Triangle. I did not know any specifics and did not share any other information to my knowledge.

Q: Have you heard any information about Operation Iron Triangle from any member of 3<sup>rd</sup> platoon?

A: No, I have not. I let the investigation take place, and I was ordered to not discuss this matter by my Battalion Commander LTC (b)(6), (b)(7)(C)

Q: Do you have anything else to add to this 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 ANOTHER COPY OF THIS FORM.

FILE NUMBER \_\_\_\_\_

STATEMENT OF 1LT (b)(6), (b)(7)(C)

TAKEN AT CoB Spickler, Tikvah, Iraq DATED 19 June 06

CONTINUED

(b)(6), (b)(7)(C) STATEMENT (Continued)

4: NO. / END OF STATEMENT / (b)(6), (b)(7)(C)

AFFIDAVIT

I, 1LT (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 19 day of June, 2006 at CoB Spickler, Tikvah, Iraq APO AE 0947

(b)(6), (b)(7)(C)

(th)

SA (b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

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 ROI 34554**

PAGE 2 OF 2 PAGES

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EXHIBIT 113

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: 31st MP Det (CID) COBS
2. DATE: 20060617
3. TIME: 1645
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(7)(C)
6. SSN: (b)(6), (b)(7)(C)
7. GRADE/STATUS: E-7/TA
8. ORGANIZATION OR ADDRESS: C Co 3 PLT 187 Inf, Brassfield-Mora, Iraq

I, (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: On or about 9 May 06, 3d PLT conducted a joint mission with C Co 3-187th, the local Iraqi Army, and various other units from the Brigade. The mission took place in the area around FOB Ramagen. The day before the actual air assault mission, Iron Triangle, my platoon, 2d Platoon, the IAs and other attachments drove from FOB Brassfield-Mora to FOB Ramagen and began prepping for the mission. At approximately 0200hrs on 9 May 06 we moved to PL posture. We landed on our objective at approx. 0530hrs. We were told to clear the island and that all males were confirmed to be insurgents. My platoon cleared about 3 houses initially and then the PL, 2d SQD and 3d SQD were moved to the north end of the island. Myself, part of WPU SQD and 1st Squad, the IAs, 1A platoon, 1SG, XO, and 3SG (b)(6), (b)(7)(C) stayed at the initial target house. The PL called over the radio that one male had been killed.

10. EXHIBIT
11. 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
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE AS INDICATED

ACLU DDII ROI 34555

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF SFC (b)(6), (b)(7)(C) TAKEN AT COBS DATED 20060619 (b)(6), (b)(7)(C)

9. STATEMENT (b)(6), (b)(7)(C)  
 and 2 or 3 others had been detained. The PI was then told to go to another location. At that time he took 2nd SGT with him leaving 356 (b)(6), (b)(7)(C) with his squad and the detainees. Shortly after the PI left (b)(6), (b)(7)(C) reported that 2 of the detainees had been shot after they had broken their zip ties and hit (b)(6), (b)(7)(C) and tried to escape. We were then told to move to another location to help (b)(6), (b)(7)(C) LT (b)(6), (b)(7)(C) clear a housing complex. After clearing that area (b)(6), (b)(7)(C) we were air assaulted to LT (b)(6), (b)(7)(C) location and the entire company stayed there overnight. It was not until I got there that I found out what had happened with the detainees. The next day we conducted another mission clearing a housing complex and a water treatment facility. The next day we returned to Ramagen completed statements and did AARs (b)(6), (b)(7)(C)

Q (b)(6), (b)(7)(C)

A

Q. WHAT WERE THE STANDING ORDERS REGARDING MILITARY AGED IN (b)(6), (b)(7)(C) ON THE ISLAND?

A. Shoot all military aged males unless they

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

ACLU DDH ROI 24556

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF SFC (b)(6), (b)(7)(C) TAKEN AT COBS DATED 20060619 (b)(6), (b)(7)(C)

## 9. STATEMENT (Continued)

were actively surrendering.

Q. WHO gave THE Brief for THAT particular mission (Iron Triangle)?

A. The company commander briefed the P2T leaders and PLT Sergeants. They then briefed their platoons. Company Commander, CPT (b)(6), (b)(7)(C), the PLT leader LT (b)(6), (b)(7)(C) and myself as the Platoon Sergeant (b)(6), (b)(7)(C)

Q. WERE you present during the clearing of the first three houses?

A. Yes The entire company was on the objective.

Q. DID you make any contact on your first objective, that included the first three houses?

A. NO, There were no personnel at the initial objective. (b)(6), (b)(7)(C)

Q. WERE you present with either 2nd or 3rd ~~squad~~ squads when they moved to their next objective to the north?

A. NO I stayed at the initial house and pulled security and conducted site exploitation looking for caches. (b)(6), (b)(7)(C)

Q. WAS THE platoon leader with 2nd and 3rd squad when he called over the radio regarding the detainees?

A. Yes The platoon leader was there when the detainees were initially taken.

Q. WHERE was CPL (b)(6), (b)(7)(C) when he called over the radio stating two detainees had been shot?

A. I'm not completely sure but I think he was with 3rd squad.

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

ACLU DDH ROI 34557 PAGE 2 OF 6 PAGES

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF SFC (b)(6), (b)(7)(C) TAKEN AT COPS DATED 20060617 (b)(6), (b)(7)(C)

## 9. STATEMENT (Continued)

Q. WHEN WAS THE FIRST CHANCE YOU HAD TO SPEAK TO ~~THE~~ ~~SQUAD~~ REGARDING WHAT HAPPENED WITH THE DETAINEES?

A. LATER THAT NIGHT WHEN THE COMPANY WAS RECONSOLIDATING ON ~~AT~~ (b)(6), (b)(7)(C) LOCATION.

Q. WHO DID YOU SPEAK TO?

A. I SPOKE WITH THE PL SSG (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)

Q. WHAT DID THE PLatoon Leader 1LT (b)(6), (b)(7)(C) SAY?

A. HE SAID THAT THEY HAD SHOT THE 2 GUYS AFTER THEY HAD GOTTEN OUT OF THEIR FLEX CUFFS AND ATTACKED (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) THAT IS ALSO ~~FOUND~~ (b)(6), (b)(7)(C) WHEN I FOUND OUT WHO HAD BEEN ATTACKED BY THE DETAINEES.

Q. DID 1LT (b)(6), (b)(7)(C) STATE WHO SHOT THE DETAINEES?

A. NO.

Q. WHAT DID SSG (b)(6), (b)(7)(C) SAY HAPPENED?

A. HE STATED THAT HE HAD LEFT CLAGETT AND HUNSAKER SECURING THE DETAINEES AND THAT ONE OF THEM BROKE HIS ~~WRESTLING~~ FLEX CUFFS AND GOTTEN A KNIFE AND THE OTHER ONE HAD BROKEN HIS FLEX CUFF AND THEY WERE IN THE PROCESS OF RE-CUFFING HIM WHEN HE HIT (b)(6), (b)(7)(C) KNOCKING HIM TO THE GROUND AND THEN THEY STARTED RUNNING AWAY. HE DID NOT AT THAT TIME TELL ME WHO HAD SHOT THEM.

Q. DID YOU ASK HIM WHERE THE KNIFE CAME FROM?

A. I ASKED BUT SSG (b)(6), (b)(7)(C) DID NOT KNOW WHERE THE KNIFE CAME FROM OR WHO HAD SEARCHED THEM.

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

ACLU DDJ ROI 34558

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

(b)(6), (b)(7)(C)

STATEMENT OF SEC (b)(6), (b)(7)(C) TAKEN AT COPS DATED 2011/04/19

## 9. STATEMENT (Continued)

Q. WHAT DID (b)(6), (b)(7)(C) tell you?

A. That he was watching as (b)(6), (b)(7)(C) replaced the cuffs and the guy nearest him broke his cuffs and cut him with a knife.

Q. WHAT DID (b)(6), (b)(7)(C) tell you?

A. That he had gotten hit in the head by his eye and the guy ran off.

Q. DID ANY OF THESE INDIVIDUALS RELATE TO YOU WHO SHOT THE DETAINEES?

A. I never asked who had shot them I just assumed that (b)(6), (b)(7)(C) and/or (b)(6), (b)(7)(C) had done it.

Q. WHY DID YOU MAKE THAT ASSUMPTION?

A. Because they were the closest ones to the detainees.

Q. DO YOU KNOW IF ANYONE ELSE WAS AROUND WHO WOULD HAVE SEEN WHAT HAPPENED?

A. NO I'm not sure. From the information I was given it was just (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) around the detainees because everyone else was on security or getting ready to be picked up by helicopter.

Q. DID YOU HEAR ANYTHING REGARDING SPC (b)(6), (b)(7)(C) SHOOTING ANYONE?

A. NO.

Q. DID YOU EVER SEE THE DETAINEES?

A. NO.

Q. DID YOU SEE OR HAVE ANY KNOWLEDGE PERTAINING TO THE EVIDENCE COLLECTED AT THE SCENE, INCLUDING THE KNIFE USED TO CUT (b)(6), (b)(7)(C)?

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

ACLU DDH ROI 34559



(b)(6), (b)(7)(C)

STATEMENT OF

SFC (b)(6), (b)(7)(C)

TAKEN AT

COBSS

DATED

20060617

9. STATEMENT (Continued)

A. NO. I was Told That everything was bagged and sent with 2d PLT even the knife. I never saw anything taken from the north side of the objective.

Q. Have you ever had any problems with (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C) discipline wise?

A. Nothing out of the ordinary, just the normal stuff such as missing ID cards hair cuts, shaving normal problems that every platoons have.

Q. Have you ever heard any of these individuals exclaim any disdain for the Iraqi people?

A. NO there did not seem to be any personal problems or dislike for the Iraqi people.

Q. Have you ever heard any of these soldiers talk about contests regarding who can achieve the most kills?

A. NO.

Q. IS THERE ANYTHING ELSE you'd like to add at this time?

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 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 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 19th day of JUNE, 2006 at COB SPEICHER, ILL.

(b)(6), (b)(7)(C)

(Signature)

ORGANIZATION OR ADDRESS

SA (b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

ART 156, UCMJ (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

ACLU DDII ROI 34560

**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	DATE 19 JUN 06	TIME 1748	FILE NUMBER 54 / AD
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 C CO. 3-187 IN REGT			

I, CPL (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

THAT ON THE 9TH OF MAY 2006, I WAS ON THE CONVOY FOR OPERATION IRON TRIANGLE. I WAS A DRIVER DURING THE OPERATION. MY PLATOON'S OBJECTIVE WAS NOT OBJECTIVE MURRAY. I HAVE HEARD RUMORS SUCH AS SSG (b)(6), (b)(7)(C) SQUAD WAS GIVEN UNLAWFUL ORDERS TO EXECUTE DETAINEES. DURING THE OPERATION, I TALKED TO SPC (b)(6), (b)(7)(C) AND HE TOLD ME HIS STORY. HE STATES THAT HE SEARCHED THE DETAINEES AND ZIP-CUFFED THEM. AFTER THAT, ONE OF THE DETAINEES WAS NOT WELL-SEARCHED AND ZIP-CUFFED, THE DETAINEE TOOK OUT A KNIFE AND SLASHED SPC (b)(6), (b)(7)(C) ACROSS THE FACE. THIS INCIDENT IGNITED ONE OF THE OTHER DETAINEES THAT WAS ALSO NOT WELL-TIED UP TO PUNCH PFC (b)(6), (b)(7)(C) IN THE FACE. THIS CAUSED BOTH SPC (b)(6), (b)(7)(C) AND PFC (b)(6), (b)(7)(C) TO SHOOT THE DETAINEES THAT ARE NOW FREE AND FLEEING.

Q: (b)(6), (b)(7)(C)  
A:

Q: DID ANY MEMBERS OF (b)(6), (b)(7)(C) SQUAD OR ANY OTHER UNIT MEMBERS TELL YOU THAT (b)(6), (b)(7)(C) MEMBERS OF (b)(6), (b)(7)(C) SQUAD PLANNED TO CUT THE ZIP TIES OFF THREE DETAINEES, TELL THEM TO RUN, AND THEN SHOOT THEM?

A: NO.

Q: DID ANYONE TELL YOU MEMBERS OF (b)(6), (b)(7)(C) SQUAD (3RD SQUAD) EXECUTED THAT PLAN?

A: NO.

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 ATTACHED, THE BOTTOM OF EACH PAGE MUST 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 SPEICHER

DATED 19 JUN 2006

CONTINUED

STATEMENT (Continued)

Q: DID 3RD SQUAD MEMBERS OR OTHER UNIT MEMBERS TELL YOU THAT (b)(6), (b)(7)(C) CUT (b)(6), (b)(7)(C) AND PUNCHED (b)(6), (b)(7)(C) AS A COVER UP TO JUSTIFY THE KILLINGS OF THE DETAINEES BY SAYING IT WAS SELF-DEFENSE?

A: NO.

Q: DID 3RD SQUAD MEMBERS OR OTHER UNIT MEMBERS TELL YOU THAT (b)(6), (b)(7)(C) SHOT A ~~DETAINEE~~ (b)(6), (b)(7)(C) DETAINEE THAT WAS PREVIOUSLY SHOT BY (b)(6), (b)(7)(C) AND (b)(6), (b)(7)(C)

A: NO.

Q: DID YOU INDIRECTLY HEAR OF ANY OF THE AFOREMENTIONED QUESTIONS?

A: NO.

Q: HOW WOULD YOU FEEL IF THIS INVESTIGATION REVEALED YOU HAD KNOWLEDGE OF THIS AFOREMENTIONED QUESTIONS?

A: I WOULDN'T FEEL BAD, I WOULD BE CONFUSED FOR ALL I HEARD AND KNOW IS WHAT'S STATED IN THIS STATEMENT.

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)

ACLU DDII ROI 34562

FILE NUMBER \_\_\_\_\_

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)**

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19 day of Jun, 20 02 at COB Speicher Tikrit IZ APO AE 09393

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)**

PAGE 3 OF 3 PAGES

ACLU DDII ROI 34563

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FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

EXHIBIT 115  
EXHIBIT

SWORN STATEMENT

For use of this form, see DA Form 190-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

LOCATION COB Speicher, Tikrit, Iraq, APO AE 09343	DATE 19 Jun 06	TIME 1837	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)		GRADE/STATUS E-4/AD
ORGANIZATION OR ADDRESS 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:

After the mission when we arrived back at FOB Brassfield I heard the story of SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) shot down 3 detainees after they pulled a knife and attacked (b)(6), (b)(7)(C) and started to run. During one of our escort missions to COB Speicher 1sg (b)(6), (b)(7)(C) asked me a what would you do type question. He asked what would I do if my squad leader or anyone else in charge told us to kill detainees and we would make up a story about it. That question led me to believe the story we were told originally wasn't true.

Q: SA (b)(6), (b)(7)(C)

A: SFC (b)(6), (b)(7)(C)

Q: When did you arrive back at FOB Brassfield-Mora?

A: 11 May 06 1900

Q: Who told you of the incident with SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C)?

A: SPC (b)(6), (b)(7)(C) told me what happened after I asked him about the cuts

Q: Where were you when he told you this?

A: we were around my consolidated housing unit

Q: Did SPC (b)(6), (b)(7)(C) provide any additional details?

A: what story I told at the top is all he told me

Q: When was the escort mission to COB Speicher?

A: approximately 16 June 06 around 2000

Q: Who is 1SG (b)(6), (b)(7)(C)?

A: C Co 3-187 1sg

Q: Where did he ask you the question?

A: In the hooch when we were on the way back to the tent to sleep for the night (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)
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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 ANY OTHER COPY OF THIS FORM.

FILE NUMBER

(b)(6), (b)(7)(C) STATEMENT (Continued)

Q: What exactly were you thinking when you were asked the question by ISG (b)(6), (b)(7)(C)

A: I was thinking that in that situation I would tell the squad leader or whoever it was that it was wrong and an illegal order. It wasn't until later that night that I thought it was to ease with (b)(6), (b)(7)(C) and his guys.

Q: Do you have any additional knowledge pertaining to this incident?

A: No

Q: Have you heard any additional rumors or stories concerning the incident?

A: No

Q: What would you say if we determined you do have additional information?

A: I don't have any additional information

Q: Do you have any knowledge of any members from 3rd platoon, C Co, 3/187th INF BN conspiring and executing the murders of 3 detainees?

A: No

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) I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE (b)(6), (b)(7)(C) 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 19th day of June, 2006 at Camp Speicher, Tikrit, Iraq. ACAA 05363

ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C)

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)

(b)(6), (b)(7)(C)

PAGE 2 OF 2 PAGES  
ACLU DDH ROI 34565

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EXHIBIT 116  
EXHIBIT

3086-D6-02469-75447

# AGENT'S INVESTIGATION REPORT

ROI NUMBER **0123-06-CID609**

CID Regulation 195-1

PAGE **1 OF 3 PAGE**

### DETAILS

**BASIS FOR INVESTIGATION:** About 1700, 20 Jun 06, this office received an email from SA (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) requesting the office contact Senior Chief Master at Arms (MACS) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Theater Field Detention Facility (TFDF), Camp Arifjan, Kuwait APO AE 09366 (CAKU), in regards to bloody clothing brought to the TFDF by the subject of a CID Investigation.

About 1800, 20 Jun 06, SA (b)(6), (b)(7)(C) coordinated with MACS (b)(6), (b)(7)(C) who related MAC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) TFDF, CAKU, had related that MA1 (b)(6), (b)(7)(C) TFDF, CAKU, reported while in processing SPC (b)(6), (b)(7)(C) C Company, 3-187 Infantry, Forward Operating Base (FOB) Brassfield-Mora, Samara, Iraq APO AE 09349, related he needed his uniform cleaned because there was blood on it.

About 1819, 20 Jun 06, SA (b)(6), (b)(7)(C) received an email from CPT (b)(6), (b)(7)(C) Chief Justice, Staff Judge Advocate, 101<sup>st</sup> Airborne Division, COB Speicher, Iraq, APO AE 09393, requesting this office attempt to get consent from SPC (b)(6), (b)(7)(C) to collect bloody clothing and shell casing.

About 1830, 20 Jun 06, SA (b)(6), (b)(7)(C) coordinated with MAC (b)(6), (b)(7)(C) who related MA1 (b)(6), (b)(7)(C) reported that SPC (b)(6), (b)(7)(C) stated he had blood on his clothing and a foreign shell casing had been found in his shaving kit. MAC (b)(6), (b)(7)(C) related once SPC (b)(6), (b)(7)(C) was in-processed all of his clothing was placed into a duffel bag and placed in front of his cell while his shaving kit and other personal belongings were placed in a secure locker for safe keeping. MAC (b)(6), (b)(7)(C) added an inventory was conducted of all of SPC (b)(6), (b)(7)(C) personal belongings and he would provide a copy of the inventory to this office.

About 1850, 20 Jun 06, SA (b)(6), (b)(7)(C) interviewed MA1 (b)(6), (b)(7)(C) who stated that during the in processing SPC (b)(6), (b)(7)(C) made a spontaneous statement that he needed to get his clothing cleaned because there was a lot of blood on his clothes. MA1 (b)(6), (b)(7)(C) further related that during an inspection of SPC (b)(6), (b)(7)(C) shaving kit a shell casing was found which SPC (b)(6), (b)(7)(C) related he had taken off a person who shot at him. MA1 (b)(6), (b)(7)(C) added he placed the shell casing with the rest of SPC (b)(6), (b)(7)(C) personal belongings in a secure locker within TFDF and placed SPC (b)(6), (b)(7)(C) clothing in the duffel bag which was placed in front of his wall locker.

About 1939, 20 Jun 06, SA (b)(6), (b)(7)(C) and MA1 (b)(6), (b)(7)(C) Guard Commander, TFDF, CAKU, met with SPC (b)(6), (b)(7)(C) the TFDF, CAKU. SA (b)(6), (b)(7)(C) related he was not there to discuss any offenses but to requested he provide consent to search his belongings. SPC (b)(6), (b)(7)(C) provided signed a Consent to Search Form authorizing the search of all his belongings retained in the TFDF. SPC (b)(6), (b)(7)(C) also related he wanted to discuss how the blood got on the clothing. SA (b)(6), (b)(7)(C) informed SPC (b)(6), (b)(7)(C) that he had legal counsel and he was in no way required to

TYPED AGENT'S NAME AND SEQUENCE NUMBER  
SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION  
Arifjan CID Office  
Camp Arifjan, Kuwait, APO AE 09366

(b)(6), (b)(7)(C)

DATE 21 Jun 06 EXHIBIT **ACLU DDII ROI 34566**  
117

E-000760

# AGENT'S INVESTIGATION REPORT

ROI NUMBER

0123-06-CID609

CID Regulation 195-1

PAGE 2 OF 3 PAGE

## DETAILS

discuss the matter. SPC (b)(6), (b)(7)(C) related he understood but wanted to discuss the blood stained clothing anyway. (See Consent to Search Form for details)

About 2100, 20 Jun 06, SA (b)(6), (b)(7)(C) and MA1 (b)(6), (b)(7)(C) conducted a search of SPC (b)(6), (b)(7)(C) personal belongings secured in the secure locker. A foreign shell casing was found and collected as evidence. SA (b)(6), (b)(7)(C) and MA1 (b)(6), (b)(7)(C) then went back to SPC (b)(6), (b)(7)(C) cell area and located a green duffel bag on a shelf in front of SPC (b)(6), (b)(7)(C) cell. MA1 (b)(6), (b)(7)(C) related this bag contained SPC (b)(6), (b)(7)(C) clothing. SA (b)(6), (b)(7)(C) asked SPC (b)(6), (b)(7)(C) if this bag contained his clothing and SPC (b)(6), (b)(7)(C) concurred it was the duffel bag containing his clothing. SA (b)(6), (b)(7)(C) then positioned the duffel bag in a manner wherein SPC (b)(6), (b)(7)(C) could observe as the Search was conducted of his duffel bag. The search revealed one pair of combat boots, one Army Combat Uniform (ACU) shirt and one ACU pants all containing suspected blood. All above mention items were collected on a DA FORM 4137, Evidence Property Custody Document (EPCD). (See EPCD for details)

About 1000, 21 Jun 06, SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) Chief Justice, Staff Judge Advocate, 101<sup>st</sup> Airborne Division, COB Speicher, Iraq, APO AE 09393, who related as long as this office placed a cleansing statement within the rights advisement of SPC (b)(6), (b)(7)(C) an interview could be conducted.

About 1047, 21 Jun 06, SA (b)(6), (b)(7)(C) interviewed MA1 (b)(6), (b)(7)(C) who provided a sworn statement relating his interactions and conversations with SPC (b)(6), (b)(7)(C) (See Sworn Statement for details)

About 1455, 21 Jun 06, SA (b)(6), (b)(7)(C) received an email from CPT (b)(6), (b)(7)(C) relating the exact verbiage for the cleansing statement of SPC (b)(6), (b)(7)(C)

About 1600, 21 Jun 06, SA (b)(6), (b)(7)(C) advised SPC (b)(6), (b)(7)(C) of his legal rights which he waived. SPC (b)(6), (b)(7)(C) related he did not want to provide a written statement but would provide a verbal statement. During the Rights Advisement, SA (b)(6), (b)(7)(C) told SPC (b)(6), (b)(7)(C) that he was in no way required to discuss anything with this office, SPC (b)(6), (b)(7)(C) replied he understood but wanted to clear up the blood on the clothing issue. Further during the Rights Advisement, SPC (b)(6), (b)(7)(C) read and initialed the comments section of the Rights advisement. After the right advisement SPC (b)(6), (b)(7)(C) related he would only discuss his bloody clothing and nothing else. SPC (b)(6), (b)(7)(C) stated that blood on the left leg of his pants came from Objective Murray, Operation Iron Triangle on 09 May 06. SPC (b)(6), (b)(7)(C) stated that he and another soldier entered a house where an Iraqi had been shot through a window while he was outside. He entered an empty room and saw a guy lying on the floor and knew that he was still alive. He also stated that he wanted to get him out of the house so the medic could work on him. SPC (b)(6), (b)(7)(C) stated that he grabbed the man by his feet and another soldier (who's name he would not mention) grabbed him under the arm pits and carried him outside, where the medic came and

TYPED AGENT'S NAME AND SEQUENCE NUMBER

ORGANIZATION

SA (b)(6), (b)(7)(C), (b)(7)(F)

Arifjan CID Office

Camp Arifjan, Kuwait, APO AE 09366

DATE

21 Jun 06

EXHIBIT

ACLU DDII ROI 34567

(b)(6), (b)(7)(C)

CID FORM 94 FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

1 FEB 77

000761



# AGENT'S INVESTIGATION REPORT

ROI NUMBER

0123-06-CID609

CID Regulation 195-1

PAGE 3 OF 3 PAGE

## DETAILS

looked at him. The Iraqi then died. SPC (b)(6), (b)(7)(C) said this is how the blood got on his boots and clothing. SPC (b)(6), (b)(7)(C) also stated that he had his own blood on his pants because an Iraqi attacked him and cut his arm on the same day. SPC (b)(6), (b)(7)(C) went on to say that there might be blood on the ACU shirt from an incident back in January 06 he thought. Iraqis were shot in a truck and no one wanted to climb into the truck and pull them out, so he did. He stated that he got blood all over his boots and shirt. SPC (b)(6), (b)(7)(C) also mentioned that he may have gotten more in January 06 outside of Samara when he went into a marsh and pulled out a couple of bodies and threw them on the hood of a truck. SPC (b)(6), (b)(7)(C) believed that all of the blood on his pants came from the incident in the house on 9 May 06. MA (b)(6), (b)(7)(C) was present for the entire interview and signed the witness portion of the statement.

About 1806, 21 Jun 06, SA (b)(6), (b)(7)(C) coordinated with MAC (b)(6), (b)(7)(C) who provided a sworn statement detailing the information he heard while witnessing the interview of SPC (b)(6), (b)(7)(C) (See Sworn Statement for details)///LAST ENRTY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C)

SIGNATURE

(b)(6), (b)(7)(C)

ORGANIZATION

Arifjan CID Office  
Camp Arifjan, Kuwait, APO AE 09366

DATE

21 Jun 06

EXHIBIT

ACLU DDII ROI 34568

CID FORM 94

1 FEB 77

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

Encl 1  
000762

Date: 20 Jun 06 (b)(6), (b)(7)(C)		<b>Consent To Search</b> (USACIDC Supplement 1 to AR 190-22)		Time: 1939 (b)(6), (b)(7)(C)	
1. Name of person consenting to the search: SPC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)			2. Organization and location: C Company, 3-187 <sup>th</sup> Infantry, Forward Operating Base Brassfield-Mora, Samara, Iraq, APO AE 09349		
3. I have been informed by the undersigned USACIDC Special Agent that an inquiry is being conducted in connection with the following possible violation(s) of law: Murder!! (b)(6), (b)(7)(C)					
4. I have been requested by the undersigned USACIDC Special Agent to give my consent to a search of my person, premises, or property as indicated below. I have been advised of my right to refuse a search of my person, premises, or property. (If you <u>do not</u> give your consent, do not sign this form.)					
5. I hereby authorize the undersigned USACIDC Special Agent and/or other Authorized Law Enforcement Officials assisting the undersigned USACIDC Special Agent to conduct a search of: (Initial and sign applicable blocks)					
a.	My Person	Initials	Signature		
b.	My Quarters	Initials	Signature		
Located At:					
c.	My Vehicle	Initials	Signature		
Located At:					
Described As:					
d.	Other	(b)(6), (b)(7)(C)			
Located At: Personal items retained by the Theater Field Detention Facility, Camp Arifjan, Kuwait, APO AE 09366					
Described As: (b)(6), (b)(7)(C)					
I am authorizing the above search(s) for the following general types of property which may be removed by the authorized law enforcement personnel and retained as evidence under the provisions of Army Regulation 195-5, or other applicable laws or regulations: Suspected blood stained clothing, ammunition and casings, any digital media and anything else of evidentiary value (b)(6), (b)(7)(C)					
6. This written permission is given to the undersigned USACIDC Special Agent freely, voluntarily and without threats or promises of any kind:					
(b)(6), (b)(7)(C)		(b)(6), (b)(7)(C)		(b)(6), (b)(7)(C)	
		Signature of Person Granting Consent		Signature of Witness (if Available)	

### 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 Theater Field Detention Facility (TFDF), Camp Arifjan	DATE 21 Jun 2006 1047	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 / Navy
ORGANIZATION OR ADDRESS B Company, TFDF, Camp Arifjan, Kuwait APO AE 09366		

(b)(6), (b)(7)(C), MA1 (b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:  
 At approximately 1429 hours on 20 June 2006 while conducting inmate in processing, Inmate (b)(6), (b)(7)(C) stated to the effect after asking about laundry service "I have a lot of blood on my clothes from my last patrol". I told him that I would notify my supervisor and let him know that it may be a haz-mat situation to expedite laundry. He replied to the effect, "Its old don't worry about it". While inventorying inmate (b)(6), (b)(7)(C) personal belongings I recovered one spent shell casing from his shaving kit. When I inquired about it, inmate (b)(6), (b)(7)(C) stated "I took it off a guy who shot at me".  
 Q: SA (b)(6), (b)(7)(C)  
 A: MA1 (b)(6), (b)(7)(C)  
 Q: Is it normal to ask Inmates about the personal belongings while being processed into the TFDF?  
 A: I inquired about the shell casing because it is considered contraband.  
 Q: Did SPC (b)(6), (b)(7)(C) volunteer all the above mentioned information?  
 A: Yes.  
 Q: Did SPC (b)(6), (b)(7)(C) make any other spontaneous statements other that the above mentioned?  
 A: No.  
 Q: Where were the suspected bloody clothes and shell casing kept prior to CID being notified?  
 A: In SPC (b)(6), (b)(7)(C) property locker and duffel bag which were secured by the TFDF.  
 Q: Is there anything else you would like to add to you statement?  
 A: No.//END OF STATEMENT// (b)(6), (b)(7)(C)

EXHIBIT	INITIALS (b)(6), (b)(7)(C) MAKING STATEMENT	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.

ACLU DDII CID ROIS 34570

000764

(b)(6), (b)(7)(C) STATEMENT OF MA1 (b)(6), (b)(7)(C) TAKEN AT Camp Arifan CID Office DATED 21 June 2006 CONTINUED:

STATEMENT (Continued)  
NOT USED (b)(6), (b)(7)(C)

**AFFIDAVIT**

(b)(6), (b)(7)(C), MA1 (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)

MA1 (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 21st day of June, 2006 at TDFD, Camp Arifan, Kuwait

(b)(6), (b)(7)(C)

ORGANIZATION OR ADDRESS

SA (b)(6), (b)(7)(C)  
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Article 136(b)(4), UCMJ  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 2 OF 2 PAGES

ACLU DDII CID ROIS 34571

Encl. 119  
4  
600765

**-RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**  
For use of this form, see AR 190-30; the proponent agency is ODCSOPS

**DATA REQUIRED BY THE PRIVACY ACT**

**AUTHORITY:** Title 10, United States Code, Section 3012(g)  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.  
**ROUTINE USES:** Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your Social Security Number is voluntary.

1. LOCATION: Camp Arifjan CID Office, Camp Arifjan, Kuwait  
2. DATE: 28 Jun 06  
3. TIME: 1600  
4. FILE NO.

5. NAME (Last, First, MI): (b)(6), (b)(7)(C)  
8. ORGANIZATION OR ADDRESS: C Company, 3-187 INF, Forward Operating Base Brassfield-Mora, Samarra, Iraq, APO AE 09340

6. SSN: (b)(6), (b)(7)(C)  
7. GRADE/STATUS: E-4 / Active

**-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**  
As a **Special Agent** and wanted to question me about the following offense(s) of which I am

suspected/accused of Murder!!! (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) 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

(b)(6), (b)(7)(C) appointed for me before any questioning begins.  
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.

5. COMMENTS (Continue on reverse side):  
Have you ever requested a lawyer after being read your rights? SEE SECOND PAGE (b)(6), (b)(7)(C)

**Section B. Waiver**

(b)(6), (b)(7)(C) 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)**

(b)(6), (b)(7)(C) WAC (b)(6), (b)(7)(C)

b. ORGANIZATION OR ADDRESS AND PHONE:  
TFDF APO-AE 09360  
U.S. NAVY

2a. NAME (Type or Print)

5. TYPED NAME OF INVESTIGATOR

SA (b)(6), (b)(7)(C)

b. ORGANIZATION OR ADDRESS AND PHONE

6. ORGANIZATION OF INVESTIGATOR

Camp Arifjan CID Office, Camp Arifjan, Kuwait

**Section C. Non-Waiver**

- 1. I do not want to give up my rights:  
 I want a lawyer.  I do not want to be questioned or say anything.

2. SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA form 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED.

**FOR OFFICIAL USE ONLY**

**ACLU DDII CID ROIS 34572**

Exhibit 120  
Encl 5  
000766

PART II - RIGHTS WARNING PROCEDURE

THE WARNING

- 1. WARNING - Inform the suspect/accused of:
  - a. Your official position
  - b. Nature of offense(s).
  - c. The fact that he/she is a suspect/accused.
- 2. RIGHTS - Advise the suspect/accused of his/her rights as follows:
 

"Before I ask you any questions, you must understand your rights."

  - a. "You do not have to answer my questions or say anything."
  - b. "Anything you say or do can be used as evidence against you in a criminal trial."
  - c. (For personnel subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer

can be a civilian you arrange for at no expense to the Government or a military lawyer detailed for you at no expense to you, or both."

- or -

(For civilians not subject to the UCMJ) You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer can be one you arrange for at your own expense, or if you cannot afford a lawyer and want one, a lawyer will be appointed for you before any questioning begins."

- d. "If you are now willing to discuss the offense(s) under investigation, with or without a lawyer present, you have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if you sign a waiver certificate."

Make certain the suspect/accused fully understands his/her rights.

THE WAIVER

"Do you understand your rights?"  
(If the suspect/accused says "no," determine what is not understood, and if necessary repeat the appropriate rights advisement. If the suspect/accused says "yes," ask the following question.)

"Have you ever requested a lawyer after being read your rights?"  
(If the suspect/accused says "yes," find out when and where. If the request was recent (i.e. fewer than 30 days ago), obtain legal advice on whether to continue the interrogation. If the suspect/accused says "no," or if the prior request was not recent, ask him/her the following question.)

"Do you want a lawyer at this time?"  
(If the suspect/accused says "yes," stop the questioning until he/she has a lawyer. If the suspect/accused says "no," ask him/her the following question.)

"At this time, are you willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer and without having a lawyer present with you?" (If the suspect/accused says "no," stop the interview and have him/her read and sign the non-waiver section of the waiver certificate on the other side of this form. If the suspect/accused says "yes," have him/her read and sign the waiver section of the waiver certificate on the other side of this form.)

SPECIAL INSTRUCTIONS

WHEN THE SUSPECT/ACCUSED REFUSES TO SIGN THE WAIVER CERTIFICATE: If the suspect/accused orally waives his/her rights but refuses to sign the waiver certificate, you may proceed with the questioning. Make on the waiver certificate to the effect that he/she has stated that he/she understands his/her rights, does not want a lawyer, wants to discuss the offense(s) under investigation, and refuses to sign the waiver certificate.

IF WAIVER CERTIFICATE CANNOT BE COMPLETED IMMEDIATELY: In all cases the waiver certificate must be completed as soon as possible. Every effort should be made to complete the waiver certificate before any questioning begins. If the waiver certificate cannot be completed at once, as in the case of street interrogations, completion may be temporarily postponed. Notes should be kept on the circumstances.

PRIOR INCRIMINATING STATEMENTS:

- 1. If the suspect/accused has made spontaneous incriminating statements before being properly advised of his/her rights he/she should be told that such statements do not obligate him/her to answer further questions.

- 2. If the suspect/accused was questioned as such either without being advised of his/her rights or some question exists as to the propriety of the first statement, the accused must be so advised. The office of the serving Staff Judge Advocate should be contacted for assistance in drafting the proper rights advisal.

NOTE: If 1 or 2 applies, the fact that the suspect/accused was advised accordingly should be noted in the comment section on the waiver certificate and initialed by the suspect/accused.

WHEN SUSPECT/ACCUSED DISPLAYS INDECISION ON EXERCISING HIS OR HER RIGHTS DURING THE INTERROGATION PROCESS: If during the interrogation, the suspect displays indecision about requesting counsel (example, "Maybe I should get a lawyer."), further questioning must cease immediately. At that point, you may question the suspect/accused only concerning whether he or she desires to waive counsel. The questioning may not be utilized to discourage a suspect/accused from exercising his/her rights. (For example, do not make such comments as "If you didn't do anything wrong, you shouldn't need an attorney.")

COMMENTS (Continued)

SPC (b)(6), (b)(7)(C) understand my rights as listed above, and wish to speak with SA (b)(6), (b)(7)(C) in regards to the above listed offenses. I am aware that I am represented by CPT (b)(6), (b)(7)(C) in this matter as my detailed military defense counsel. I am aware that I have a right to have CPT (b)(6), (b)(7)(C) present during questioning if I so wish. Knowing this, I do not wish to have CPT (b)(6), (b)(7)(C) or other legal counsel present while speaking with SA (b)(6), (b)(7)(C) regarding the above listed offenses. My decision to speak with SA (b)(6), (b)(7)(C) was made freely and voluntarily by me. I acknowledge that I voluntarily initiated the communication that led to this interview with SA (b)(6), (b)(7)(C) and that neither SA (b)(6), (b)(7)(C) nor any other person initiated this interview.

FOR OFFICIAL USE ONLY

ACLU DDII CID ROIS 34573

Exhibit 120 Encl 5

**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 Theater Field Detention Facility (TFDF), Camp Arifjan	DATE 21 Jun 2006	FILE NUMBER 0084-06-CID4A-75447
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS E-7 / Navy
ORGANIZATION OR ADDRESS B Company, TFDF, Camp Arifjan, Kuwait APO AE 09366		

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 21 June 2006 at approximately 1600 hours I, (b)(6), (b)(7)(C) witnessed an interview between SA (b)(6), (b)(7)(C) JS Army CID Camp Arifjan, Kuwait and SPC (b)(6), (b)(7)(C) at the TFDF, also located at Camp Arifjan Kuwait. SPC (b)(6), (b)(7)(C) stated that he only wanted to talk about blood that was on his pants, shirt and boots. The specialist stated that blood on the left leg of his pants came from Objective Murray, Operation Iron Triangle on 09 May 2006. SPC (b)(6), (b)(7)(C) stated that he and another soldier entered a house where an Iraqi had been shot through a window while he was outside. He entered an empty room and saw a guy lying on the floor and knew that he was still alive. He also stated that he wanted to get him out of the house so the medic could work on him. SPC (b)(6), (b)(7)(C) stated that he grabbed the man by his feet and another soldier (who's name he would not mention) grabbed him under the arm pits and carried him outside, where the medic came and looked at him. The Iraqi then died. This is how the blood got on his boots and clothing. SPC (b)(6), (b)(7)(C) also stated that he had his own blood on his pants because an Iraqi attacked him and cut his arm on the same day. SPC (b)(6), (b)(7)(C) went on to say that their might be blood on the ACU shirt from an incident back in January 06 he thought. Iraqis were shot in a truck and no one wanted to climb into the truck and pull them out, so he did. He stated that he got blood all over his boots and shirt. SPC (b)(6), (b)(7)(C) also mentioned that he may have gotten more in January 06 outside of Samara when he went into a marsh and pulled out a couple of bodies and threw them on the hood of a truck. SPC (b)(6), (b)(7)(C) believed that all of the blood on his pants came from the incident in the house. ///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.

ACLU DDH CID ROIS 34574

Encl 6  
000768

(b)(6), (b)(7)(C)

STATEMENT OF MAC (b)(6), (b)(7)(C) TAKEN AT Camp Arifian CID Office DATED 21 June 2006 CONTINUED:

STATEMENT (Continued)  
NOT USED (b)(6), (b)(7)(C)

[Redacted Statement Content]

AFFIDAVIT

(b)(6), (b)(7)(C) I, MAC (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 UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT. (b)(6), (b)(7)(C)

(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 21st day of June, 2006 at TFDF, Camp Arifian, Kuwait

Special Agent in Charge  
ORGANIZATION OR ADDRESS

(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)

Article 136(b)(4), UCMJ  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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ACLU DDII CID ROIS 34575

Enc 6  
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# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NL IR

0086-06-CID469-75447

PAGE 1 OF 24 PAGES

## DETAILS

About 1001, 20 Jun 06, SA (b)(6), (b)(7)(C), (b)(7)(F) 31<sup>st</sup> MP DET (CID), Contingency Operating Base (COB) Speicher, Tikrit, Iraq, advised SPC (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, of his rights which he waived and related he had informed two soldiers in his unit that he had shot one of the wounded detainees in the face to put him out of his misery. (b)(6), (b)(7)(C) further identified the detainee in which had shot after looking through the photographic power point presentation. (See Rights Waiver, Sworn Statement and Photographic packet for details)

About 1033, 20 Jun 06, SA (b)(6), (b)(7)(C), (b)(7)(F) 31<sup>st</sup> MP DET (CID), COB Speicher, Tikrit, Iraq, (Home Station: Fort Bragg, NC), interviewed SPC (b)(6), (b)(7)(C) C Co, 3-187 INF, FBM, who provided a Sworn Statement. (b)(6), (b)(7)(C) stated he had no direct or indirect knowledge of a conspiracy and executed plan to kill the three detainees. (b)(6), (b)(7)(C) stated he was told by various unit members that (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) shot the detainees in self defense. (b)(6), (b)(7)(C) further stated he assisted in the inventory of (b)(6), (b)(7)(C) personal effects wherein he related (b)(6), (b)(7)(C) owned a digital camera but sold it to (b)(6), (b)(7)(C) (See Sworn Statement for details)

About 1035, 20 Jun 06, SA (b)(6), (b)(7)(C), (b)(7)(F) 31<sup>st</sup> MP DET (CID), Logistical Support Activity (LSA) Anaconda, Balad, Iraq, (Home Station: Fort Campbell, KY), interviewed SSG (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) C Co 3/187<sup>th</sup> INF REG, FBM, who provided a sworn statement. (b)(6), (b)(7)(C) related he had no knowledge of the conspiracy to kill the detainees and had related he had viewed (b)(6), (b)(7)(C) gear prior to him being escorted to CID. (See Sworn Statement for details)

About 1130, 20 Jun 06, SA (b)(6), (b)(7)(C) interviewed MSG (b)(6), (b)(7)(C) HHB, 3/320<sup>th</sup> Field Artillery Regiment (FAR), FOB Remagen, Samarra, Iraq, (FRIZ), who stated he did not deal directly with the evidence or detainees. MSG (b)(6), (b)(7)(C) related he sent PFC (b)(6), (b)(7)(C) to help in-process the detainees. Furthermore, MSG (b)(6), (b)(7)(C) stated SFC (b)(6), (b)(7)(C) (NFI), may have more information pertaining to the whereabouts of the evidence that came in with the detainees.

About 1345, 20 Jun 06, SA (b)(6), (b)(7)(C) interviewed PFC (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who he related he had no direct or indirect knowledge of a conspiracy and plan to kill the three detainees. (See Sworn Statement for details)

About 1414, 20 Jun 06, SA (b)(6), (b)(7)(C) interviewed PFC (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who related he had no direct or indirect knowledge of a conspiracy to kill the three detainees. (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) told him the scout detachment was spreading rumors about his squad executing the detainees and related that the detainees were killed for attempting to flee. (See Sworn Statement for details)

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station, Ft Bragg, NC)

(b)(6), (b)(7)(C)

DATE

19 Jul 06

EXHIBIT

122

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Automatic Termination, Para 13, AR 34-16

ACLU DDII CID ROIS 34576

000770

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0086-06-CID469-75447

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## DETAILS

About 1430, 20 Jun 06, SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who related he and SPC (b)(6), (b)(7)(C) packed PFC (b)(6), (b)(7)(C) belongings from his room. SGT (b)(6), (b)(7)(C) related he found a knife, which he gave to SSG (b)(6), (b)(7)(C) C CO, 3/187 INF REG, FBM.

About 1456, 20 Jun 06, SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who related he had no direct knowledge of the incident but (b)(6), (b)(7)(C) had informed him that the detainees broke free; punched (b)(6), (b)(7)(C) and stabbed (b)(6), (b)(7)(C) with a knife and (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) defended themselves. (See Sworn Statement for details)

About 1520, 20 Jun 06, SA (b)(6), (b)(7)(C), (b)(7)(F) 481<sup>st</sup> MP DET (CID), Camp Liberty, Baghdad, Iraq, (Home Station: Fort Benning, GA), interviewed PFC (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who related he had no knowledge of the conspiracy to kill the detainees. (See Sworn Statement for details)

About 1536, 20 Jun 06, SA (b)(6), (b)(7)(C) interviewed PFC (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who related he had no direct knowledge of the incident but related he was informed by (b)(6), (b)(7)(C) that there were three KIAs. He was informed by (b)(6), (b)(7)(C) that 3 detainees got free and posed a threat and were therefore killed. (See Sworn Statement for details)

About 1537, 20 Jun 06, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who related he had no knowledge of the conspiracy to kill the detainees. (See Sworn Statement for details).

About 1539, 20 Jun 06, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who related the only information he had originated from the media. (See Sworn Statement for details).

About 1540, 20 Jun 06, SA (b)(6), (b)(7)(C) interviewed PFC (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who related he had no direct knowledge of the incident but related he was informed by (b)(6), (b)(7)(C) that the detainees' flexi cuffs broke. (b)(6), (b)(7)(C) related (b)(6), (b)(7)(C) stated as they were putting another set of flexi cuffs on; one of the detainees punched (b)(6), (b)(7)(C) and grabbed a knife from somewhere and stabbed (b)(6), (b)(7)(C). (See Sworn Statement for details)

TYPED AGENT'S NAME AND SEQUENCE NUMBER	ORGANIZATION	
SA (b)(6), (b)(7)(C), (b)(7)(F)	10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station, Ft Bragg, NC)	
SIGNATURE	DATE	EXHIBIT
(b)(6), (b)(7)(C)	19 Jul 06	122

CID FORM 94  
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ACLU DDII CID ROIS 34577

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# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0086-06-CID469-75447

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## DETAILS

About 1545, 20 Jun 06, SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who related he had no knowledge of the conspiracy to kill the detainees. (See Sworn Statement for details)

About 1630, 20 Jun 06, SA (b)(6), (b)(7)(C) interviewed PFC (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who stated (b)(6), (b)(7)(C) informed him that the detainees broke free from their flexi cuffs, tried to flee and attacked (b)(6), (b)(7)(C) with a knife. (See Sworn Statement for details)

About 1637, 20 Jun 06, SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who related he was informed by (b)(6), (b)(7)(C) that when he and (b)(6), (b)(7)(C) changed the flexi cuffs of the detainees and when the cuffs were loose enough, the detainees assaulted (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) related he confronted (b)(6), (b)(7)(C) and told him that everything could have been prevented if they had done it right. (b)(6), (b)(7)(C) said they had done things right. (b)(6), (b)(7)(C) stated it was not done right because if it had he would have not been punched, (b)(6), (b)(7)(C) would have not been cut and three detainees would have not been dead. (See Sworn Statement for details)

About 1650, 20 Jun 06, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who related he had no direct knowledge of the incident. He further stated he asked (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) stated he was attacked by detainees and in self defense he used lethal force and killed the attacker. (See Sworn Statement for details)

About 1704, 20 Jun 06, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who related he heard (b)(6), (b)(7)(C) shot the detainees in self defense. (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) told him (b)(6), (b)(7)(C) instructed (b)(6), (b)(7)(C) to shoot one of the detainees. (b)(6), (b)(7)(C) told him that he shot the detainee in the head. (See Sworn Statement for details)

About 1707, 20 Jun 06, SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who stated he had no direct knowledge of the incident. (b)(6), (b)(7)(C) further related he was informed

by (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) that the detainees flexi cuffs broke and they were attacked. (b)(6), (b)(7)(C) related their stories did not make sense or add up. (See Sworn Statement for details)

About 1940, 20 Jun 06, SA (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) who stated he was a team leader for second squad, third Platoon, while on OIT. (b)(6), (b)(7)(C) related at the conclusion of the second objective, he and (b)(6), (b)(7)(C) met with 3<sup>rd</sup> squad to assess the situation (b)(6), (b)(7)(C) related when he and (b)(6), (b)(7)(C) met with third

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq,  
APO AE 09342 (Home Station, Ft Bragg, NC)

DATE of Statement for (b)(6), (b)(7)(C)  
19 Jul 06

EXHIBIT

122

CID FORM 94

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LAW ENFORCEMENT SENSITIVE

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AGLU DDII CID ROIS 34578

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# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NO: ER

0086-06-CID469-75447

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## DETAILS

squad, he was informed there was one Iraqi Killed in Action (KIA). Further, (b)(6), (b)(7)(C) related he received a radio transmission that informed him he and (b)(6), (b)(7)(C) were to take the KIA to the detainee holding area. (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) transported the KIA via UH-60. (b)(6), (b)(7)(C) stated upon dropping the KIA off at the holding facility, he and (b)(6), (b)(7)(C) returned to the first objective and carried out the rest of their mission. (b)(6), (b)(7)(C) related he and others in his squad probed (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) for information pertaining to the death of the three detainees. (b)(6), (b)(7)(C) related one of the detainees cut his zip ties off with a "shank" he had concealed and proceeded to aid the other detainees in removing their zip ties. (b)(6), (b)(7)(C) continued and said (b)(6), (b)(7)(C) related he was cut by one of the detainees so he shot him. (b)(6), (b)(7)(C) related he was punched in the face by one of the other detainees, so he shot him as well. (b)(6), (b)(7)(C) further stated he was told the third detainee ran and was shot, but he does not recall who gave him the information nor does he know who shot him. Upon closure of the story by (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) showed him video footage from his government issued hand-held video unit. (b)(6), (b)(7)(C) related the video footage depicted three dead detainees. Furthermore, (b)(6), (b)(7)(C) stated another member of third squad showed him and the other members of second squad, various photographs depicting the dead Iraqi detainees. (See Sworn Statement for details)

About 2130, 20 Jun 06, SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) Acting CDR, C Co, 3/187<sup>th</sup> INF REM, FBM, who provided packing lists, DD Form 1750, pertaining to (b)(6), (b)(7)(C) (See DA Forms 1750 for details)

About 0044, 21 Jun 06, SA (b)(6), (b)(7)(C) emailed COL (b)(6), (b)(7)(C) Staff Judge Advocate (SJA), 101<sup>st</sup> Airborne Division (ABN DIV), COB Speicher, and requested Division-level assistance in locating the released detainee, and in locating the remains and possible family members to discuss exhumation.

About 0449, 21 Jun 06, SA (b)(6), (b)(7)(C) emailed CPT (b)(6), (b)(7)(C) Brigade (BDE) S2 3BCT, B Co, Special Troops Battalion (STB), COB Speicher, and requested that she review two photographs taken by combat camera in her efforts to locate the surviving detainee released from the Third Squad objective. She had responded earlier that her efforts to further identify the detainees against their BATS information was unsuccessful, as they had been listed as "Unknowns", although they

had been fingerprinted and photographed. She had been unable to identify the detainee by Grid Number, and related several detainees were released without being processed into BATS, and he may have been one of them.

About 0930, 21 Jun 06, SA (b)(6), (b)(7)(C) advised SGT (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, of his rights which he waived and stated (b)(6), (b)(7)(C) did not inform him of how (b)(6), (b)(7)(C)

TYPED AGENT'S NAME AND SEQUENCE NUMBER	ORGANIZATION REQUESTED NUMBER
SA (b)(6), (b)(7)(C), (b)(7)(F)	10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station, Ft Bragg, NC)
SIGNATURE (b)(6), (b)(7)(C)	DATE 19 Jul 06
	EXHIBIT 122

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ACLU DBI CID ROIS 34579

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# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

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DETAILS  
and (b)(6), (b)(7)(C) received their wounds, or how the detainees had gotten free or that (b)(6), (b)(7)(C) shot the detainee out of mercy. (See Sworn Statement for details)

About 0930, 21 Jun 06, SA (b)(6), (b)(7)(C) interviewed the following personnel of C Co, 3/187<sup>th</sup> INF, FBM who related they had no knowledge of the conspiracy to kill the detainees (See Sworn Statements for details):

SSG (b)(6), (b)(7)(C)  
SPC  
SPC  
SPC  
SPC  
SPC  
SPC  
PFC  
SPC  
SPC  
SGT  
PFC

About 1051, 21 Jun 06, SA (b)(6), (b)(7)(C) interviewed PFC (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF REG, FBM, who related he had no direct or indirect knowledge of a conspiracy and executed plan to kill the three detainees. (b)(6), (b)(7)(C) was told the detainees were shot in self defense. (b)(6), (b)(7)(C) told him "how messed up" he felt for shooting the detainees, but did not elaborate on his comment. (See Sworn Statement)

About 1623, 21 Jun 06, SA (b)(6), (b)(7)(C) interviewed PFC (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who related he was informed by (b)(6), (b)(7)(C) a detainee struck him in the face while changing flexi cuffs. (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) related the detainees then took off running and he ran after them and fired. (See Sworn Statement for details.)

About 1657, 21 Jun 06, SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who related he was informed (b)(6), (b)(7)(C) cut the flexi cuffs off a detainee and the individual grabbed a knife off the ground and tried to cut (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) got distance and they opened fire and when the shooting stopped they had 3 KIAs. (See Sworn Statement for details)

About 1705, 21 Jun 06, SA (b)(6), (b)(7)(C) interviewed PFC (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who related he heard a rumor that the detainees got out of their flexi cuffs,

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION
SA (b)(6), (b)(7)(C), (b)(7)(F)		10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station, Ft Bragg, NC)
SIGNATURE	DATE	EXHIBIT
(b)(6), (b)(7)(C)	19 Jul 06	122

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ACLU DDII CID ROIS 34580

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# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

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## DETAILS

grabbed a kitchen knife and cut (b)(6), (b)(7)(C) and another detainee attacked another Soldier and that's why the detainees were killed. (See Sworn Statement for details.)

About 1708, 21 Jun 06, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who related he heard the radio transmissions which related there were detainees and a little bit later a call was heard saying the detainees were dead. (See Sworn Statement for details)

About 1711, 21 Jun 06, SA (b)(6), (b)(7)(C) interviewed PFC (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who related he had no direct knowledge of the incident. (See Sworn Statement for details)

On 21 Jun 06, CPT (b)(6), (b)(7)(C) Office of the Staff Judge Advocate (OSJA), 101<sup>st</sup> ABN DIV, Military Magistrate, signed and authorized the search and seizure or apprehend the personal items of (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) (See Search and Seizure Authorization for details)

About 1007, 22 Jun 06, SA (b)(6), (b)(7)(C) interviewed PFC (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF REG, FBM, who related he had no direct knowledge of the incident.

About 1011, 22 Jun 06, SA (b)(6), (b)(7)(C) interviewed PFC (b)(6), (b)(7)(C) C CO, 3/187<sup>th</sup> INF, FBM, who stated approximately a week after OIT, (b)(6), (b)(7)(C) bragged to him that when he shot the detainees, a body looked as if they were doing the "Harlem Shake." (b)(6), (b)(7)(C) stated he almost "cut them in half" by the amount of rounds he fired upon them (the detainees). (b)(6), (b)(7)(C) stated, about 29 May 06 (b)(6), (b)(7)(C) told him that CID was not investigating a murder, rather the mutilation of the bodies. (b)(6), (b)(7)(C) further stated on 21 Jun 06, PFC (b)(6), (b)(7)(C) Forward Support Co (FSC), 3/187<sup>th</sup> INF REG, FBM, made a comment to him stating "I talked to (b)(6), (b)(7)(C) I don't think he did anything wrong."

About 1058, 22 Jun 06, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) C Co 3/187<sup>th</sup> INF, FBM, who was informed by (b)(6), (b)(7)(C) that one detainee knocked out (b)(6), (b)(7)(C) (See Sworn Statement for details.)

About 1101, 22 Jun 06, SA (b)(6), (b)(7)(C) re-interviewed (b)(6), (b)(7)(C) who related on 10 May 06 he had a conversation with (b)(6), (b)(7)(C) informed him that he and (b)(6), (b)(7)(C) were loosening the detainee's zip ties, and one detainee hit (b)(6), (b)(7)(C) on the jaw and knocked him out. (b)(6), (b)(7)(C) stated the detainee grabbed a knife and swung it a (b)(6), (b)(7)(C) which he tried to block and was cut. (b)(6), (b)(7)(C) stated the detainees started to run away and someone with a SAW shot them. (See Sworn Statement for details.)

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION
SA (b)(6), (b)(7)(C), (b)(7)(F)		10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station, Ft Bragg, NC)
(b)(6), (b)(7)(C)	DATE	EXHIBIT
	19 Jul 06	122

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AGLU DDII CID ROIS 34581

000775

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0086-06-CID469-75447

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## DETAILS

About 1121, 22 Jun 06, SA (b)(6), (b)(7)(C) interviewed SSG (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who had no direct knowledge of the incident; but heard of the deaths on the radio afterwards. (See Sworn Statement for details)

About 1132, 22 Jun 06, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who had no direct knowledge of the incident. (See Sworn Statement for details)

About 1138, 22 Jun 06, SA (b)(6), (b)(7)(C) interviewed PFC (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who related he had no direct knowledge of the incident. (See Sworn Statement for details)

About 1144, 22 Jun 06, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) Co, 3/187<sup>th</sup> INF, FBM, who had no direct knowledge of the incident. (See Sworn Statement for details.)

About 1147, 22 Jun 06, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who related he had no direct knowledge of the incident.

About 1152, 22 Jun 06, SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who related he had no direct knowledge of the incident. (b)(6), (b)(7)(C) heard the machine gun fire but did not see what was going on. (See Sworn Statement for details)

About 1153, 22 Jun 06, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who related he had no direct knowledge of the incident. (See Sworn Statement for details)

About 1157, 22 Jun 06, SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who related he had no direct knowledge of the incident. (See Sworn Statement for details)

About 1304, 22 Jun 06, SA (b)(6), (b)(7)(C) interviewed MSG (b)(6), (b)(7)(C), HHB, 3/320<sup>th</sup> FAR, FRIZ, who did not remember any conversations regarding evidence during OIT and did not see an orange handle knife. (See Sworn Statement for details)

About 1330, 22 Jun 06, SA (b)(6), (b)(7)(C) interviewed SFC (b)(6), (b)(7)(C) HHB, 3/320<sup>th</sup> FAR, FRIZ, whose mission in OIT was to oversee the in-processing of the detainees. He believed the evidence was loaded onto a HMMWV by an unknown NCO. SFC (b)(6), (b)(7)(C) related upon his return to FRIZ he inventoried the evidence multiple times however, did not discover the knife in question. (See Sworn Statement for details)

About 1814, 22 Jun 06, SA (b)(6), (b)(7)(C) interviewed CPT (b)(6), (b)(7)(C) Commander, C CO, 3-187 INF, FBM, who stated he discussed the incident with (b)(6), (b)(7)(C) and

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq,  
APO AE 09342 (Home Station, Ft Bragg, NC)

(b)(6), (b)(7)(C)

DATE

19 Jul 06

EXHIBIT

122

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AGLU DDH CID ROIS 34582

000776

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

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**(b)(6), (b)(7)(C)** approximately 18 hours after it occurred. **(b)(6), (b)(7)(C)** related they all stated **(b)(6), (b)(7)(C)** and were attacked by the detainees and they subsequently shot them in self defense. **(b)(6), (b)(7)(C)** stated he conducted a Commander's Inquiry on 12 May 06, wherein he stated he felt no action should be taken upon any of his unit members and that his judgment was fair and impartial. **(b)(6), (b)(7)(C)** stated he never established clarification as to how the detainee, that allegedly attacked **(b)(6), (b)(7)(C)** with a knife, came in possession of the knife while under the watchful eye of at least one US Soldier at all times. **(b)(6), (b)(7)(C)** further stated the first Iraqi, that was shot and killed during the initial assault of the first house, was conducted within the ROE. (See Sworn Statement for details)

About 0924, 23 Jun 06, SA **(b)(6), (b)(7)(C)** interviewed SSG **(b)(6), (b)(7)(C)** C Co, 3/187<sup>th</sup> INF, FBM, who related he had no direct knowledge of the incident. **(b)(6), (b)(7)(C)** further related he was informed the detainees broke loose from their flex cuffs, attacked the soldiers with a knife and the soldiers shot the detainees to defend themselves. (See Sworn Statement for details).

About 0930, 23 Jun 06, SA **(b)(6), (b)(7)(C)** interviewed SPC **(b)(6), (b)(7)(C)** C Co 3/187<sup>th</sup> INF, FBM, who was shown a photographic lineup that included **(b)(6), (b)(7)(C)** and **(b)(6), (b)(7)(C)**. **(b)(6), (b)(7)(C)** related he did not recognize anyone in the photographic lineup as the person he coordinated with in the TOC during OIT, for the disposition of the evidence. (See Photographic Lineup for details)

About 0930, 23 Jun 06, SA **(b)(6), (b)(7)(C)** interviewed SPC **(b)(6), (b)(7)(C)** C Co, 3/187<sup>th</sup> INF, FBM, who related he had no knowledge of the conspiracy to kill the detainees. (See Sworn Statement for details).

About 0930, 23 Jun 06, SA **(b)(6), (b)(7)(C)** interviewed SGT **(b)(6), (b)(7)(C)** C Co, 3/187<sup>th</sup> INF, FBM, who related he overheard **(b)(6), (b)(7)(C)** telling someone at the Command Post after returning from Remagen, that the detainees broke from their cuffs and attacked **(b)(6), (b)(7)(C)** and **(b)(6), (b)(7)(C)**. (See Sworn Statement for details)

About 0959, 23 Jun 06, SA **(b)(6), (b)(7)(C)** interviewed CPL **(b)(6), (b)(7)(C)** C Co, 3/187<sup>th</sup> INF, FBM, who had no direct knowledge of the incident. (See Sworn Statement for details)

About 1005, 23 Jun 06, SA **(b)(6), (b)(7)(C)** interviewed SPC **(b)(6), (b)(7)(C)** C Co, 3/187<sup>th</sup> INF, FBM, who had no direct knowledge of the incident. (See Sworn Statement for details)

About 1008, 23 Jun 06, SA **(b)(6), (b)(7)(C)** interviewed SPC **(b)(6), (b)(7)(C)** C Co, 3/187<sup>th</sup> INF, FBM, APO AE 09393, who related he heard over the radio that there were casualties during the mission. (See Sworn Statement for details)

TYPED AGENT'S NAME AND SEQUENCE NUMBER	ORGANIZATION	
SA <b>(b)(6), (b)(7)(C), (b)(7)(F)</b>	10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station, Ft Bragg, NC)	
SIGNATURE	DATE	EXHIBIT
<b>(b)(6), (b)(7)(C)</b>	19 Jul 06	122

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# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

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## DETAILS

About 1009, 23 Jun 06, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who related he was informed that (b)(6), (b)(7)(C) got cut up by a detainee. (See Sworn Statement for details)

About 1009, 23 Jun 06, SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who heard through radio transmission that there were KIAs, but he had no direct knowledge of the incident. (See Sworn Statement for details)

About 1010, 23 Jun 06, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who was informed by 1LT (b)(6), (b)(7)(C) that one of the detainees had broke out their flex cuffs, grabbed some scissors and cut (b)(6), (b)(7)(C) stated another detainee hit (b)(6), (b)(7)(C) in the head and (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) opened fire and killed them. (See Sworn Statement for details)

About 1015, 23 Jun 06, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) 3/187<sup>th</sup> INF REG, FBM, who related the personal effects of the pretrial confined subjects had been under his control since he received them after the inventories.

About 1030, 23 Jun 06, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) searched PFC (b)(6), (b)(7)(C) personal property pursuant to a search authorization. SA (b)(6), (b)(7)(C) seized one disposable camera.

SA (b)(6), (b)(7)(C) discovered Iraqi currency and AAFES pogs, as well as a Common Access Card (CAC) issued to (b)(6), (b)(7)(C) which he had reported as lost. SA (b)(6), (b)(7)(C) photographed and then returned these items to SGT (b)(6), (b)(7)(C) for action deemed appropriate.

About 1112, 23 Jun 06, SA (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) who related he was informed by (b)(6), (b)(7)(C) they were trying to get him for Murder 1. (b)(6), (b)(7)(C) further related (b)(6), (b)(7)(C) informed him the detainees were slicing at his buddy and (b)(6), (b)(7)(C) shot them down with the SAW. (See Sworn Statement for details)

About 1130, 23 Jun 06, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) searched SPC (b)(6), (b)(7)(C) personal property pursuant to a search authorization. SA (b)(6), (b)(7)(C) seized one PSP (Play Station Portable) and memory card; one Ranger Handbook with (b)(6), (b)(7)(C) marked on the cover; one blue book with gold inlay suspected to be a Quran; and one disposable camera.

About 1245, 23 Jun 06, SA (b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) searched SSG (b)(6), (b)(7)(C) personal property pursuant to a search authorization. SA (b)(6), (b)(7)(C) seized from the "tough box" one digital camera and memory card; one green notebook bearing the markings "Fuck CID

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station, Ft Bragg, NC)

(b)(6), (b)(7)(C)

DATE

19 Jul 06

EXHIBIT

122

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# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI N. ER  
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## DETAILS

Rat Bastards", one photo album containing numerous photographs, one PSP (Play Station Portable) and memory card; 23 CDs containing suspected pornography; two pornographic magazines; and two pornographic photographs. SA (b)(6), (b)(7)(C) seized from a personal bag 8 photographs, and a mission planning briefing with cover sheet for OIT.

About 1415, 23 Jun 06, SA (b)(6), (b)(7)(C) contacted SFC (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF REG, FBM, who related he heard the radio traffic which related there were one KIA and three detainees. He stated minutes later he heard another transmission that related 4 KIAs (b)(6), (b)(7)(C) was informed the detainee had a knife and they tried to escape and were shot. (b)(6), (b)(7)(C) related he had a conversation with the ISG after the incident and related it was unbelievable and that he never expected it. (b)(6), (b)(7)(C) related the platoon was constantly in trouble for different reasons and that he instructed him soldiers to not associate with them.

About 1425, 23 Jun 06, SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) who requested that all of the pornography be retained as evidence by CID rather than released to the unit for destruction.

About 1521, 23 Jun 06, SA (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) who stated (b)(6), (b)(7)(C) gave him the personal property and inventory sheets pertaining to (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) on 18 Jun 06. (b)(6), (b)(7)(C) related the property was secured until it reached the CID office. (b)(6), (b)(7)(C) signed for release of the property seized by CID and the property returned to the unit. (See Sworn Statement for details)

About 1802, 23 Jun 06, SA (b)(6), (b)(7)(C) advised SPC (b)(6), (b)(7)(C) of his rights which he waived and provided a sworn statement. (b)(6), (b)(7)(C) had informed (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) that he thought the cuts on (b)(6), (b)(7)(C) face and arm were fishy and awkward. (b)(6), (b)(7)(C) related he thought they were inflicted by the Soldiers. He put the thought out of his mind because there would be no reason for them to kill people that were detained. He further he could not recall the exact whereabouts or what was said by other members of the unit after the shooting. (b)(6), (b)(7)(C) was unaware that (b)(6), (b)(7)(C) had shot one of the detainees but stated he did hear two shots after leaving the bodies and asking for body bags. (b)(6), (b)(7)(C) related the two detainees who were on top of each other were dead when he checked them for signs of life but the other detainee had a weak and swallow pulse but was dying and he could not save him. (See Sworn Statement, Sketches and photos for details)

About 2011, 23 Jun 06, SA (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) specific to his knowledge of threats made against him. (b)(6), (b)(7)(C) stated there were no additional threats made, after the ones already reported. (b)(6), (b)(7)(C) further was shown aerial photographs of the location of "OIT", which he sketched locations of personnel on the mission at various times. (b)(6), (b)(7)(C) reported no additional incidents of detainee abuse. (See Sworn Statement and (12) Sketches for details).

TYPED AGENT'S NAME AND SEQUENCE NUMBER	ORGANIZATION	
SA (b)(6), (b)(7)(C), (b)(7)(F)	10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station, Ft Bragg, NC)	
(b)(6), (b)(7)(C)	DATE	EXHIBIT
	19 Jul 06	122

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000779

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NU. -R

0086-06-CID469-75447

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## DETAILS

Between 1430 and 2250, 24 Jun 06, SA (b)(6), (b)(7)(C) reviewed (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) unit files. The unit files contained their Developmental Counseling Forms (DA Form 4856) by (b)(6), (b)(7)(C) which reflected their performance during OIT. (See Developmental Counseling Forms for details)

About 1155, 25 Jun 06, SA (b)(6), (b)(7)(C) conducted a photographic lineup with (b)(6), (b)(7)(C) who failed to identify the individual he coordinated with the place evidence into the TOC. (See Lineup for details)

About 0019, 26 Jun 06, SA (b)(6), (b)(7)(C) coordinated with MAJ (b)(6), (b)(7)(C) Brigade Executive Officer (XO) who confirmed he was the point of contact for leads involving coordination with the Iraqi Police in Samara to locate the remains.

About 1000, 27 Jun 06, SA (b)(6), (b)(7)(C) met with MAJ (b)(6), (b)(7)(C) Officer in Charge, Combat Stress Control, COB Speicher, and requested the Combat Stress Medical Records of (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) related there were no medical records in regards to (b)(6), (b)(7)(C) and that (b)(6), (b)(7)(C) was currently a patient at the clinic. (b)(6), (b)(7)(C) related she would have to consult with legal before

providing information in regards to releasing (b)(6), (b)(7)(C) mental health records. (See Request for Private Medical Information of (b)(6), (b)(7)(C) for details)

About 1000, 27 Jun 06, SA (b)(6), (b)(7)(C) telephonically swore SPC (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, to the questionnaire statements they had completed on 24 Jun 06. (See Sworn Statements for details)

Agent's Comment: (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) had no pertinent information in their statements, and no prior knowledge of the incident.

About 1500, 26 Jun 06, SA (b)(6), (b)(7)(C), (b)(7)(F) and CPT (b)(6), (b)(7)(C) Signal Officer, 10th MP Bn (CID), coordinated with SFC (b)(6), (b)(7)(C) Public Affairs Office (PAO), Multi-National Corps Iraq (MNC-I), Camp Victory, Baghdad, Iraq, and she made a DVD copy of the video tape seized from the camera of SSG (b)(6), (b)(7)(C)

Agent's Comment: Upon review of the video camera, a tape was located inside, which was reviewed and did not appear to contain any significant information.

About 1600, 27 Jun 06, SA (b)(6), (b)(7)(C) and CPT (b)(6), (b)(7)(C) coordinated with SFC (b)(6), (b)(7)(C) and she made a DVD copy of the video tapes seized from the property of SPC (b)(6), (b)(7)(C)

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION
SA (b)(6), (b)(7)(C), (b)(7)(F)		10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station, Ft Bragg, NC)
SIGNATURE	DATE	EXHIBIT
(b)(6), (b)(7)(C)	19 Jul 06	122

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000780

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

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## DETAILS

Between 1530 and 2217, 28 Jun 06, SA (b)(6), (b)(7)(C) interviewed PFC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Chaplain Assistant, HHC, 3STB, 3BCT, 101<sup>st</sup> ABN DIV (AASLT), COB Speicher, who related that on a convoy she was riding along with (b)(6), (b)(7)(C) made statements to the effect of he was going to jail; and (b)(6), (b)(7)(C) commented that if he went to jail they'd have to go after himself and the rest of the chain of command. (b)(6), (b)(7)(C) further identified a photograph shown to her as (b)(6), (b)(7)(C). She was unsure if the name was correct, but was positive that was the person she had referred to as (b)(6), (b)(7)(C) throughout the statement. (See Sworn Statement and photograph for details).

About 1019, 29 Jun 06, SA (b)(6), (b)(7)(C) spoke with (b)(6), (b)(7)(C) who stated that she had the names of the soldier she had spoken to mixed up. She had been told the names of the soldiers in the convoy and believed (b)(6), (b)(7)(C) to be (b)(6), (b)(7)(C). The individual she referred to as (b)(6), (b)(7)(C) in her statement was (b)(6), (b)(7)(C). The person she identified by photo and labeled as (b)(6), (b)(7)(C) previously; was a photograph of (b)(6), (b)(7)(C).

About 2130, 30 Jun 06, CPT (b)(6), (b)(7)(C) Chief of Military Justice, 101<sup>st</sup> ABN DIV, contacted this office and related (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) had "My Space" accounts with the screen names (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) respectively.

Between 2145 and 2230, 30 Jun 06, SA (b)(6), (b)(7)(C) conducted a brief search of the My Space accounts of (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C). It was also noted that (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) had My Space accounts as well, and there was communication regarding OIT.

On 1 Jul 06, SA (b)(6), (b)(7)(C) emailed the Preservation Request to [lawenforcement@myspace.com](mailto:lawenforcement@myspace.com) requesting all account information in regards to (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C).

Between 1100 - 1700, 1 Jul 06, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C), (b)(7)(F) Logistical Support Activity (LSA) Anaconda, Balad, 31<sup>st</sup> MP DET (CID), (Home Station: Fort Riley, KS), interviewed the following members of C Co, 3/187<sup>th</sup> INF, FBM, who provided no relevant information was obtained. (See Sworn Statements for details)

ILT (b)(6), (b)(7)(C)  
SGT (b)(6), (b)(7)(C)  
SPC (b)(6), (b)(7)(C)

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION
SA (b)(6), (b)(7)(C), (b)(7)(F)		10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station, Ft Bragg, NC)
SIGNATURE	DATE	EXHIBIT
(b)(6), (b)(7)(C)	19 Jul 06	122

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# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

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0086-06-CID469-75447

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DETAILS

SGT  
PFC  
PFC  
SSG  
SSG  
SPC  
PFC  
PFC  
SPC  
SPC  
PFC  
PFC  
SPC  
CPL  
PV2  
PFC  
SSG

(b)(6), (b)(7)(C)

About 1300, 1 Jul 06, SA (b)(6), (b)(7)(C) interviewed CPL (b)(6), (b)(7)(C) C Co 3/187<sup>th</sup> INF, FBM, who related he was informed by (b)(6), (b)(7)(C) during the convoy to COB Speicher, that the detainees broke out of their zip ties, punched (b)(6), (b)(7)(C), cut (b)(6), (b)(7)(C) and then (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) shot the detainees.

About 1307, 1 Jul 06, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) C Co 3/187<sup>th</sup> INF, FBM, who related he was informed by (b)(6), (b)(7)(C) prior to the convoy that the detainees escaped from their zip ties, cut (b)(6), (b)(7)(C) and then (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) shot them to eliminate the threat. (See Sworn Statement for details)

About 0944, 3 Jul 06, SA (b)(6), (b)(7)(C) interviewed the following personnel of C Co, 3/187<sup>th</sup> INF, FBM, who related they had no knowledge of the conspiracy to kill the detainees. (See Sworn Statements for details).

SPC  
SSG  
SPC  
SPC  
SGT  
SGT

(b)(6), (b)(7)(C)

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION
SA (b)(6), (b)(7)(C), (b)(7)(F)		10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station, Ft Bragg, NC)
SIGNATURE	DATE	EXHIBIT
(b)(6), (b)(7)(C)	19 Jul 06	122

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ACLU DDII CID ROIS 34588

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# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

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## DETAILS

SPC (b)(6), (b)(7)(C)  
SPC (b)(6), (b)(7)(C)  
SGT (b)(6), (b)(7)(C)

About 1100, 3 Jul 06, SA (b)(6), (b)(7)(C) received a NCIC Criminal History check on (b)(6), (b)(7)(C) which revealed he had one count of Domestic Assault in Montgomery County TN on 22 Apr 05, with no disposition. Case number 0422050657

About 1209, 3 Jul 06, SA (b)(6), (b)(7)(C) interviewed SSG (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who related while on the objective he heard the story and circumstances of the detained Iraqi males. He stated he knew right away that the detainees had been murdered.

(b)(6), (b)(7)(C) continued to say he believed this because they are trained to search and secure all detainees. He stated the information about how the incident took place did not make any sense. (b)(6), (b)(7)(C) said he asked (b)(6), (b)(7)(C) about the situation and (b)(6), (b)(7)(C) informed him he could not take leave because he was under investigation. (b)(6), (b)(7)(C) stated he told (b)(6), (b)(7)(C) he knew they were "lying their asses" off thinking it would be cool to say; "hey I killed somebody". (See Sworn Statement for details)

About 1216, 3 Jul 06, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who related (b)(6), (b)(7)(C) told him he was messed up in the head from killing three people. (See Sworn Statement for details).

Between 1030 and 1600, 3 Jul 06, SA (b)(6), (b)(7)(C) interviewed 1LT (b)(6), (b)(7)(C) HHC, 3/187<sup>th</sup> INF, FBM, who related he received the deceased for processing, which included photographing, removing clothing, discarding hazardous material, documenting tattoos/scars, etc. Two of the bodies he received had a single zip tie around one wrist which he believed to be completely intact. He found no knife with the remains, nor was there any paperwork accompanying the bodies or completed at his level (b)(6), (b)(7)(C) released the bodies to two unidentified Iraqi Police, who then transported the remains to the Samara Hospital. (See Sworn Statement for details).

Between 1507 and 1618, 3 Jul 06, SA (b)(6), (b)(7)(C) interviewed the following personnel of C Co, 3/187<sup>th</sup> INF, who related no knowledge of the conspiracy to kill detainees (See Sworn Statements for details):

SPC (b)(6), (b)(7)(C)  
SSG (b)(6), (b)(7)(C)  
SPC (b)(6), (b)(7)(C)  
PFC (b)(6), (b)(7)(C)

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq,  
APO AE 09342 (Home Station, Ft Bragg, NC)

(b)(6), (b)(7)(C)

DATE  
19 Jul 06

EXHIBIT

122

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ACLU DDII CID ROIS 34589

000783

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NL ER

0086-06-CID469-75447

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## DETAILS

About 1630, 3 Jul 06, SA (b)(6), (b)(7)(C) interviewed PFC (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who related while he and (b)(6), (b)(7)(C) were searching a white vehicle during OIT. A man driving in a blue truck was heading straight for them. (b)(6), (b)(7)(C) related they used arm and hand signals to get him to stop but he went faster and they shot disabling shots. (b)(6), (b)(7)(C) stated the truck stopped, the man got out and started to run off the objective, so they engaged him. (See Sworn Statement for details)

Agent's Comments: This incident was investigated in CID ROI 0117-06-CID469-75460.

During the conduct of canvass interviews between 1 and 3 Jul 06, SA (b)(6), (b)(7)(C) spoke with a member of 3/187<sup>th</sup> INF REG, who provided the following information. The individual wished to remain anonymous due to fear of castigation by the command.

- Pre-deployment brief. COL (b)(6), (b)(7)(C) briefed individual battalions that he would give commander's coins of excellence for KIAs
- During his brief of no warning shots, he said "words in the effect of" the warning shot will be when you shoot the guy standing next to the other insurgent, that will be his warning shot
- Prior to deployment SSG (b)(6), (b)(7)(C) was a very squared away soldier. Tactically and technically proficient always the "go to" guy. SPC (b)(6), (b)(7)(C) stayed to himself a lot prior to the deployment very low key. Both Soldiers much more aggressive now primarily due to the fact that they were encouraged to be aggressive and constantly praised the more aggressive they were.
- Overall command climate promotes aggressiveness towards local population. They brag about how many kills they have compared to other companies or battalions.
- Out of 68 KIAs C Co has approximately half of those KIAs
- A Big thing that should be looked into when looking at the command climate is the fact that these men obviously didn't think the command would care if the materials used to detain the detainees were left on the bodies when they were put in the body bags. They knew that it was acceptable and had no reason to think that they would get into trouble. Pictures were even taken showing detainees alive one minute and then dead the other.
- On Operation Katrina as well as others, ROE was to kill everything on the objective "all men, the women because they supported the men, and children at your own discretion". It was determined from higher that everyone on the objective was a threat. This however was not the case and if these orders had been followed by individual companies, then many innocent people would have been killed. Some companies took this guidance further than others did as shown from the KIA count. "

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq,  
APO AE 09342 (Home Station, Ft Bragg, NC)

(b)(6), (b)(7)(C)

DATE

19 Jul 06

EXHIBIT

122

CID FORM 94  
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ACLU DDII CID ROIS 34590

000784

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0086-06-CID469-75447

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## DETAILS

Between 0930 and 1519, 4 Jul 06, SA (b)(6), (b)(7)(C) interviewed PFC (b)(6), (b)(7)(C) Scout, HHC, 3/187th INF REG, FBM; who related that while on OIT, he was not used as part of the sniper team as originally planned and was not on the island.

About 1000, 4 Jul 06, SA (b)(6), (b)(7)(C) interviewed SFC (b)(6), (b)(7)(C) HHC, 3/187th INF REG, FBM, who was on leave during OIT.

About 1330, 4 Jul 06, SA (b)(6), (b)(7)(C) interviewed SSG (b)(6), (b)(7)(C) HHC, 3/187th INF REG, FBM, who related he was informed by members of his squad that bad things had happened out on OIT. He told his soldiers to right sworn statement about their experiences.

Agent's Comment: This information was followed up in CID ROIs CID ROIs 0116-06-CID469-75459 and 0117-06-CID469-75460.

About 1340, 4 Jul 06, SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) HHC, 3-187 INF, FBM, who detailed his role during OIT. (b)(6), (b)(7)(C) was not part of the team that assaulted the island where the detainees were killed and had only heard rumors that the escape attempt was staged in order to kill the detainees.

About 1500, 4 Jul 06, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) HHC, 3/187th INF, FBM, who was at mission briefs where (b)(6), (b)(7)(C) would basically say kill all Iraqis.

Between 1530 and 1730, 4 Jul 06, SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) Sniper, HHC, 3/187 INF REG, FBM; who stated he was not on OIT, but did believe that based upon previous experiences with C Co 3/187, they were very aggressive with a very loose ROE, which did not compare to other company ROEs. SGT (b)(6), (b)(7)(C) stated he felt unsafe working with C 3/187 because of numerous stories he had heard them saying amongst themselves, as well as the 1SG having a mentality that "all locals should be killed". (See Sworn Statement for details)

Between 1745 and 1800, 4 Jul 06, SA (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) who stated he did not remember seeing any identification on any of the deceased while he was processing them as detainees. He did not believe anyone else had written any names down aside from himself; however, there was rough detainee packets being completed to assist in later identification of which detainee was captured when, where, circumstances of capture, etc (b)(6), (b)(7)(C) stated the names and information of the detainees is usually completed upon transport to the detention facility. There was no translator present on that objective so (b)(6), (b)(7)(C) identification of the detained was based upon the pronunciation of what the detainees stated when asked their names. He stated the packets possibly would have went to (b)(6), (b)(7)(C) and while he was unsure who they normally go to or who is in charge of collecting them, he stated it's

TYPED AGENT'S NAME AND SEQUENCE NUMBER	ORGANIZATION	
SA (b)(6), (b)(7)(C), (b)(7)(F)	10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station, Ft Bragg, NC)	
(b)(6), (b)(7)(C)	DATE	EXHIBIT
	19 Jul 06	122

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AGU DII CID ROIS 34591

000785



# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0086-06-CID469-75447

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## DETAILS

possible they were never turned in because the detainees later died and the detainee packets would not be necessary later. (b)(6), (b)(7)(C) additionally related he was unsure who took photographs while on the mission, and that the pictures of the detainees was taken prior to him arriving to gather their names and process them further.

Between 1930 and 2100, 4 Jul 06, SA (b)(6), (b)(7)(C) completed the Warrant, Affidavit and RFA to Fort Irwin CID to obtain the Myspace Records of (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)

About 1145, 5 Jul 06, SA (b)(6), (b)(7)(C) met with (b)(6), (b)(7)(C) and provided her with an updated request for (b)(6), (b)(7)(C) mental health records. (See Request for Private Medical Information of (b)(6), (b)(7)(C) for details)

Between 1600 and 1700, 5 Jul 06, SA (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) to clarify her previous statement in which she stated she was mistaken with the name of the Soldier at first; however, asked another Soldier who had known both (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) who informed her of which was which. (See Sworn Statement for details)

About 0900, 6 Jul 06, SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) HHB, 3/320<sup>th</sup> FAR, FRIZ, who related he worked near the TOC for the duration of the operation; however did not handle evidence and did not see a knife. (See Sworn Statement for details).

About 1000, 6 Jul 06, SA (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) who related he was in the TOC for almost the entire operation and he did not see an orange handled knife. MAJ (b)(6), (b)(7)(C) further stated he ordered searches for the knife through the evidence obtained from that operation, which did not produce the knife. (See Sworn Statement for details).

About 1030, 6 Jul 06, SA (b)(6), (b)(7)(C) interviewed SFC (b)(6), (b)(7)(C) HHB, 3/320<sup>th</sup> FAR, FRIZ, who stated he worked around the TOC during OIT and assisted (b)(6), (b)(7)(C) in entering the detainees into the BATS. (b)(6), (b)(7)(C) stated he never saw the orange handled knife. (See Sworn Statement for details).

About 1100, 6 Jul 06, SA (b)(6), (b)(7)(C) interviewed CPT (b)(6), (b)(7)(C) HHB, 3/320<sup>th</sup> FAR, FRIZ, who related he was the S-2 officer for OIT. (b)(6), (b)(7)(C) did not see the knife and was the last man out of the TOC before it was destroyed. (b)(6), (b)(7)(C) searched the building prior to this and had conducted multiple searches of the connex where the evidence was located as well as talking to members of his unit, and there was no mention or sign of the knife. (b)(6), (b)(7)(C) also stated that the detainee packets which were around the deceased necks were removed by him and then discarded due to

TYPED AGENT'S NAME AND SEQUENCE NUMBER	ORGANIZATION
SA (b)(6), (b)(7)(C), (b)(7)(F) (b)(6), (b)(7)(C)	10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station, Ft Bragg, NC)
DATE	EXHIBIT
19 Jul 06	122

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ACLU DDII CID ROIS 34592

000786

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0086-06-CID469-75447

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## DETAILS

being soaked in blood, from lying in the body bag for an extended period of time. (See Sworn Statement for details).

About 1100, 6 Jul 06, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) HHB, 3/320<sup>th</sup> FAR, FRIZ, who never saw an orange handled knife while on OIT. (See Sworn Statement for details).

About 1210, 6 Jul 06, SA (b)(6), (b)(7)(C) interviewed Mr. (b)(6), (b)(7)(C) Category II Interpreter, 3/320<sup>th</sup> FAR, FRIZ, wherein he related he was at the TOC during OIT and

assisted with interviews and interrogations of detainees. He stated he stayed at the TOC sometimes during the day; however, most of his day was spent out in the field with units. He added he slept in the detainee holding area where evidence was stored, but he never actually viewed any evidence with the exception of a big bag and a few assault rifles. He further related he was told there were dead bodies in the field; however, he never witnessed them. He stated he never heard about a knife nor did he ever see one during his stay in the holding area (see Sworn Statement for details).

About 1105, 6 Jul 06, SA (b)(6), (b)(7)(C) re-interviewed (b)(6), (b)(7)(C) who stated he was working in the TOC during OIT as the RTO and was not allowed to process evidence, nor did he see a orange handled knife.

About 1125, 6 Jul 06, SA (b)(6), (b)(7)(C) interviewed CPT (b)(6), (b)(7)(C) HHB, 3/320<sup>th</sup> FAR, FRIZ, who related he was the acting Operations Officer during OIT. His duties at the hasty command and control node for the battalion were to track what units were doing on each radio and to send and receive reports. He added he received the report from A Co, 3/187<sup>th</sup> INF that said they had 4 Killed In Action (KIA) and the bodies were brought to the holding area, pending being turned over to the Samarra morgue. He related he did see the bodies; however, it was from about 200 meters away as they were unloaded off the aircraft. He never witnessed a knife being brought in as evidence and the only evidence he did see was about \$10,000.00 that was recovered (see Sworn Statement for details).

About 1143, 6 Jul 06, SA (b)(6), (b)(7)(C) re-interviewed (b)(6), (b)(7)(C) who stated he was the BATS operator for OIT, and was not processing, or in a position to see evidence nor did he see an orange handled knife.

Between 1600 and 1749, 6 Jul 06, SA (b)(6), (b)(7)(C) re-interviewed (b)(6), (b)(7)(C) who related she conducted THT on OIT and had no knowledge of the missing knife. (b)(6), (b)(7)(C) stated it was her opinion based upon previous operations, there was not enough intelligence gathered for the ROE that C Co was using, and further stated 218 Iraqis were taken as detainees, and only 9 were deemed worth further interrogating. (See Sworn Statement for details).

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION
SA (b)(6), (b)(7)(C), (b)(7)(F)		10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station, Ft Bragg, NC)
(b)(6), (b)(7)(C)	DATE	EXHIBIT
	19 Jul 06	122

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ACLU DDII CID ROIS 34593

000787

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0086-06-CID469-75447

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## DETAILS

Between 0930 and 1638, 7 Jul 06, SA (b)(6), (b)(7)(C) re-interviewed (b)(6), (b)(7)(C) who related the "kill board" was his idea, and had since been erased as it was on a white dry erase board.

About 1535, 8 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 1300, 8 Jul 06, SA (b)(6), (b)(7)(C) re-interviewed (b)(6), (b)(7)(C) who denied having any knowledge of (b)(6), (b)(7)(C) having a pistol. (See Sworn Statement for details)

About 1031, 8 Jul 06, SA (b)(6), (b)(7)(C) re-interviewed (b)(6), (b)(7)(C) who related he was CPT (b)(6), (b)(7)(C) RTO during OIT. He did not have any knowledge of (b)(6), (b)(7)(C) having a pistol.

About 0945, 8 Jul 06, SA (b)(6), (b)(7)(C) re-interviewed (b)(6), (b)(7)(C) in regards to the chain of custody of (b)(6), (b)(7)(C) pistol. (b)(6), (b)(7)(C) stated he went into (b)(6), (b)(7)(C) room to confiscate his weapons (b)(6), (b)(7)(C) collected up his knives and put them in a box and then gave the pistol to (b)(6), (b)(7)(C) and said words to the effect of "I know this is bad, I don't know what to do with it and I'm not supposed to have it." (b)(6), (b)(7)(C) then gave the pistol to (b)(6), (b)(7)(C) and went to inform (b)(6), (b)(7)(C) of the matter. (b)(6), (b)(7)(C) then went back and obtained the pistol from (b)(6), (b)(7)(C) and provided it to (b)(6), (b)(7)(C)

About 1919, 8 Jul 06, SA (b)(6), (b)(7)(C) re-interviewed (b)(6), (b)(7)(C) who denied having any knowledge of (b)(6), (b)(7)(C) having a pistol

About 1130, 9 Jul 06, SA (b)(6), (b)(7)(C) interviewed MAJ (b)(6), (b)(7)(C) HHC, 3/187<sup>th</sup> INF, FBM, who related he was not officially briefed by (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C) in regards to OIT.

Between 1300 and 1645, 9 Jul 06, SA (b)(6), (b)(7)(C) re-interviewed (b)(6), (b)(7)(C) and CPT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) HHC 3/197 IN, FBM who both related they had no knowledge of (b)(6), (b)(7)(C) having a pistol.

About 1330, 10 Jul 06, SA (b)(6), (b)(7)(C) interviewed SSG (b)(6), (b)(7)(C) C Co 3/187<sup>th</sup> INF, FBM, APO AE 09393, who denied any knowledge of (b)(6), (b)(7)(C) having a pistol.

About 1051, 10 Jul 06, SA (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) who stated he did not really know (b)(6), (b)(7)(C) and had never seen him with a pistol.

Between 0940 and 1800, 10 Jul 06, SA (b)(6), (b)(7)(C) re-interviewed (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) who all related they had never seen SSG (b)(6), (b)(7)(C) with a pistol.

TYPED AGENT'S NAME AND SEQUENCE NUMBER	ORGANIZATION	
SA (b)(6), (b)(7)(C), (b)(7)(F)	10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station, Ft Bragg, NC)	
(b)(6), (b)(7)(C)	DATE	EXHIBIT
	19 Jul 06	122

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AGLU DDII CID ROIS 34594

000788

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0086-06-CID469-75447

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## DETAILS

About 1723, 9 Jul 06, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) HHC 3/187<sup>th</sup> INF, FBM, who denied having any knowledge of (b)(6), (b)(7)(C) having a pistol.

About 1651, 9 Jul 06, SA (b)(6), (b)(7)(C) interviewed SSG (b)(6), (b)(7)(C) HHC 3/187<sup>th</sup> INF, FBM, who denied having any knowledge of (b)(6), (b)(7)(C) having a pistol.

About 1631, 9 Jul 06, SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who denied any knowledge of (b)(6), (b)(7)(C) having a pistol.

About 1332, 9 Jul 06, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who denied having any knowledge of (b)(6), (b)(7)(C) having a pistol.

About 1330, 12 Jul 06, SA (b)(6), (b)(7)(C) re-interviewed (b)(6), (b)(7)(C) who related he had seen (b)(6), (b)(7)(C) with a pistol at FRIZ after OIT, but didn't think anything of it as he was thought (b)(6), (b)(7)(C) was waiting to turn the pistol in at FBM. (b)(6), (b)(7)(C) further stated he assumed (b)(6), (b)(7)(C) obtained the pistol from the second set of buildings on Objective Murray since he had heard the report of weapons found and the pistol was not amongst the items later. (See Sworn Statement for details)

About 1343, 12 Jul 06, SA (b)(6), (b)(7)(C) re-interviewed (b)(6), (b)(7)(C) who related he was told by (b)(6), (b)(7)(C) that he knew he was not supposed to have the pistol and that (b)(6), (b)(7)(C) asked him to get rid of the pistol for him. (b)(6), (b)(7)(C) related he informed (b)(6), (b)(7)(C) that he needed to give him the weapon. (b)(6), (b)(7)(C) provided the pistol to (b)(6), (b)(7)(C). He stated he was informed to provide the weapon to (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) related he retrieved the weapon from (b)(6), (b)(7)(C) and provided it to (b)(6), (b)(7)(C) for final disposition. (See Sworn Statement for details)

About 1355, 12 Jul 06 SA (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) who related he was instructed to items conduct a personal items inventory of (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) belongings with at least one witness. (b)(6), (b)(7)(C) stated he first conducted an inventory of (b)(6), (b)(7)(C) belongings with (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) as witnesses which contained approximately two duffle bags, a black tough box, an assault pack, a ruck sack, a blanket, magazines, DVD'S, squad equipment, approximately 7-10 knives, a gerber, and a company issued video camera (DVD) plus helmet cam, DVDs, a found pack of letters, some papers and a couple pairs of women's underwear. (b)(6), (b)(7)(C) related there was no pistol of any kind, ammo magazines or ammo were found amongst (b)(6), (b)(7)(C) items. (b)(6), (b)(7)(C) related he next conducted an inventory of (b)(6), (b)(7)(C) gear inventory with (b)(6), (b)(7)(C) as a witness. He stated (b)(6), (b)(7)(C) belongings contained one duffle bag, one ruck sack and two trash bags with dirty clothing, \$20.00, a machete, a disposable camera, but no ammo magazines or ammo. (b)(6), (b)(7)(C) related the next day he inventoried (b)(6), (b)(7)(C) belongings with (b)(6), (b)(7)(C) as a witness. (b)(6), (b)(7)(C) belongings

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

10th MP Bn. (CID)(ABN), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station, Ft Bragg, NC)

(b)(6), (b)(7)(C)

DATE

19 Jul 06

EXHIBIT

122

CID FORM 94

(Automated)

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LAW ENFORCEMENT SENSITIVE

Protective Marking is Excluded From Automatic Termination, Para. 13, AR 34-16

AGLU DDH CID ROIS 34595

000789

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0086-06-CID469-75447

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## DETAILS

contained a PSP, five games, pouches, documents and letters, civilian clothing, TA-50, a Military Magazine and few Training Manuals. (b)(6), (b)(7)(C) related all items collected were listed on an Inventory Sheet which was subsequently submitted to (b)(6), (b)(7)(C) and locked inside the C Co's (b)(6), (b)(7)(C) with himself and (b)(6), (b)(7)(C) with a key.

About 1448, 12 Jul 06, SA (b)(6), (b)(7)(C) re-interviewed (b)(6), (b)(7)(C) wherein he detailed his involvement in the chain of custody of (b)(6), (b)(7)(C) pistol. (b)(6), (b)(7)(C) was approached by (b)(6), (b)(7)(C) who requested he hold the pistol until the search was complete. He did not know the make and model of the weapon, but stated it was in a leather holster. (b)(6), (b)(7)(C) added (b)(6), (b)(7)(C) approached him again approximately 5 to 10 minutes later and requested (b)(6), (b)(7)(C) return the weapon so that (b)(6), (b)(7)(C) could provide it to the (b)(6), (b)(7)(C). He further stated he had no prior knowledge of (b)(6), (b)(7)(C) possessing a personal handgun and that was the first time he had seen the weapon (See Sworn Statement for details).

About 1807, 12 Jul 06, SA (b)(6), (b)(7)(C) re-interviewed (b)(6), (b)(7)(C) who confirmed he did the inventory of (b)(6), (b)(7)(C) belongings but denied finding or seeing (b)(6), (b)(7)(C) ever having a pistol.

About 1639, 13 Jul 06, SA (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) who stated he saw (b)(6), (b)(7)(C) with a pistol he and (b)(6), (b)(7)(C) found during a search of the house where the detainees were captured and subsequently killed.

About 1653, 13 Jul 06, SA (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) who stated during a search of the detainees house he and (b)(6), (b)(7)(C) located a Czechoslovakian made pistol in a old worn shoulder holster contained within a woman's purse. (b)(6), (b)(7)(C) cleared the pistol and looked at it for a period of time, then handed it to (b)(6), (b)(7)(C) who did the same. (b)(6), (b)(7)(C) related the pistol was placed in a burlap bag with some AK-47 parts found in the same room as the pistol. (b)(6), (b)(7)(C) affirmed he went back into the house to conduct a final search of the room where the pistol was found and then returned outside to assist in the photography of the evidence. (b)(6), (b)(7)(C) saw (b)(6), (b)(7)(C) looking at the pistol somewhere between returning to search the other room and when he began to assist in the photography of the evidence but when the evidence was being photographed the pistol was not in the bag. (b)(6), (b)(7)(C) concluded he was told by (b)(6), (b)(7)(C) that he and (b)(6), (b)(7)(C) were told by (b)(6), (b)(7)(C) to replace the flex cuffs on the detainees at which point the detainees attacked them, punched (b)(6), (b)(7)(C) and cut (b)(6), (b)(7)(C) then attempted to flee, at which time they were forced to fire at the detainees and subsequently caused their death. (See Sworn Statement for details)

TYPED AGENT'S NAME AND SEQUENCE NUMBER	ORGANIZATION	
SA (b)(6), (b)(7)(C), (b)(7)(F)	10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station, Ft Bragg, NC)	
(b)(6), (b)(7)(C)	DATE	EXHIBIT
	19 Jul 06	122

CID FORM 94  
(Automated)

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Protection Marking is Excluded From  
Automatic Termination (Para 13, AR 34-16)

AGLU DDII CID ROIS 34596

000790

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0086-06-CID469-75447

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## DETAILS

About 1600, 15 Jul 06, SA (b)(6), (b)(7)(C) re-interviewed (b)(6), (b)(7)(C) who was part of OIT where they were authorized to kill all the military-aged males on the objective on 9 May 06 according to the ROE directives given by (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)

About 1645, 15 Jul 06, SA (b)(6), (b)(7)(C) re-interviewed (b)(6), (b)(7)(C) who denied any knowledge of (b)(6), (b)(7)(C) possessing a pistol.

About 1130, 15 Jul 06, SA (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) who related while (b)(6), (b)(7)(C) searched a house on OIT; he yelled he found a 9mm pistol. This was then relayed to (b)(6), (b)(7)(C) who was searching the second house. (b)(6), (b)(7)(C) showed (b)(6), (b)(7)(C) the weapon upon return to FBM at which time he stated it was a throw down weapon for if he accidentally killed someone. (b)(6), (b)(7)(C) was (b)(6), (b)(7)(C) roommate when (b)(6), (b)(7)(C) returned from leave in January 06, and showed (b)(6), (b)(7)(C) approximately 20 DVDs of pornography in a black CD case. (See Sworn Statement for details).

Agent's Comment: (b)(6), (b)(7)(C) identified the pistol from a photograph which was shown upon completion of the interview. He further identified the DVDs of pornography from a photograph. While viewing the photograph of the pistol, (b)(6), (b)(7)(C) picked out a knife (item #2, VO 0491/06) as a knife (b)(6), (b)(7)(C) had stated to him he would use as a drop knife for the same purpose as the pistol. (b)(6), (b)(7)(C) identified the knife prior to any comment by SA (b)(6), (b)(7)(C) as that being a knife belonging to (b)(6), (b)(7)(C)

About 1222, 13 Jul 06, SA (b)(6), (b)(7)(C) re-interviewed (b)(6), (b)(7)(C) who denied having any knowledge of (b)(6), (b)(7)(C) having a pistol.

About 1100, 13 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.

Between 1000 and 1200, 13 Jul 06, SA (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) who stated they had never seen (b)(6), (b)(7)(C) with a pistol.

About 1339, 16 Jul 06, SA (b)(6), (b)(7)(C) re-interviewed (b)(6), (b)(7)(C) who stated he witnessed (b)(6), (b)(7)(C) with a black pistol the day the detainees were killed in his rack system at the company link point which was off the island. (b)(6), (b)(7)(C) stated he saw him with a pistol again several weeks later while on patrol. (b)(6), (b)(7)(C) pulled the pistol out to load it but he was not sure if the pistol he saw several weeks later was the same one he saw the day the detainees were killed. (See Sworn Statement for details)

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6), (b)(7)(C), (b)(7)(F)		10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station, Ft Bragg, NC)	
(b)(6), (b)(7)(C)	DATE	EXHIBIT	
	19 Jul 06	122	

CID FORM 94  
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Automatic Termination Para 13, AR 600-10

ACLU DDII CID ROIS 34597

000791

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0086-06-CID469-75447

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## DETAILS

About 1100, 16 Jul 06, SA (b)(6), (b)(7)(C) re-interviewed (b)(6), (b)(7)(C) who stated he had no knowledge of (b)(6), (b)(7)(C) having a pistol.

About 1022, 16 Jul 06, SA (b)(6), (b)(7)(C) re-interviewed (b)(6), (b)(7)(C) who denied having any knowledge of (b)(6), (b)(7)(C) having a pistol.

About 0941, 16 Jul 06, SA (b)(6), (b)(7)(C) re-interviewed (b)(6), (b)(7)(C) who denied having any knowledge of (b)(6), (b)(7)(C) possessing a pistol.

About 1550, 16 Jul 06, SA (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) of his rights which he waived and rendered a statement wherein he related where the tapes originated and that he had no knowledge of the conspiracy to kill the detainees. (See Rights Waiver Certificate and Statement for details).

On 17 Jul 06, Mr. (b)(6), (b)(7)(C) Category (2) Interpreter, this office, translated an Iraqi Police log, which documented that an Iraqi patrol brought 4 bodies to the Samara Hospital Morgue. (See copy of log and translation for details).

About 1429, 18 Jul 06, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) coordinated with 1LT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) S2, HHC, 1<sup>st</sup> Bn, 101<sup>st</sup> Aviation Regiment, COB Speicher, Tikrit, under the direction of CPT (b)(6), (b)(7)(C) Battle Captain, same unit, who related there was no imagery or video footage of the Obj Murray incident.

About 1000, 17 Jul 06, SA (b)(6), (b)(7)(C) interviewed 1LT (b)(6), (b)(7)(C) C Co, 3/187<sup>th</sup> INF, FBM, who related he had never seen (b)(6), (b)(7)(C) with a pistol.

About 1000, 19 Jul 06, SA (b)(6), (b)(7)(C) interviewed SSG (b)(6), (b)(7)(C) A Co, 221<sup>st</sup> MI (BN), 205<sup>th</sup> MI BDE, FBM, who had no knowledge of (b)(6), (b)(7)(C) having a pistol.

About 1407, 19 Jul 06, SA (b)(6), (b)(7)(C) re-interviewed (b)(6), (b)(7)(C) who stated he has no knowledge of (b)(6), (b)(7)(C) having a pistol.

About 1621, 19 Jul 06, SA (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) who stated (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) personal belongings were inventoried and immediately stored in a connex and secured. He stated he may have posted the wrong date on the inventory sheet.

About 1100, 19 Jul 06, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) B Co, 3STB, who had no knowledge of (b)(6), (b)(7)(C) having a pistol. He was on OIT but

TYPED AGENT'S NAME AND SEQUENCE NUMBER	ORGANIZATION	
SA (b)(6), (b)(7)(C), (b)(7)(F)	10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station, Ft Bragg, NC)	
(b)(6), (b)(7)(C)	DATE	EXHIBIT
	19 Jul 06	122

CID FORM 94  
(Automated)

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Automatic Termination (Para 13, AR 34-16)

ACLU DDII CID ROIS 34598

000792

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0086-06-CID469-75447

PAGE 24 OF 24 PAGES

## DETAILS

landed on an island where there were no casualties. He heard a transmission given to (b)(6), (b)(7)(C) by members of 3d platoon related they had 4 detainees. (See Sworn Statement for details)

About 1408, 19 Jul 06, SA (b)(6), (b)(7)(C) re-interviewed (b)(6), (b)(7)(C) who denied having any knowledge of SSG (b)(6), (b)(7)(C) possessing a pistol.

About 1414, 19 Jul 06, SA (b)(6), (b)(7)(C) re-interviewed (b)(6), (b)(7)(C) who denied having any knowledge of SSG (b)(6), (b)(7)(C) possessing a pistol.

About 1500, 19 Jul 06, SA (b)(6), (b)(7)(C) re-interviewed (b)(6), (b)(7)(C) who related he did not have anything further to add to this investigation. (b)(6), (b)(7)(C) further stated he had received a Relief for Cause, OER in regards to his duties in C Co. (b)(6), (b)(7)(C) related this was because he had handed in a sector sketch late he had disagreed with CPT (b)(6), (b)(7)(C) views and that according to his counseling he had spoken to his wife too much on the telephone.

About 1732, 19 Jul 06, SA (b)(6), (b)(7)(C) re-interviewed (b)(6), (b)(7)(C) who identified the photographic images of the pistol found in (b)(6), (b)(7)(C) possession and looked liked the pistol he and (b)(6), (b)(7)(C) found at Objective 2 during OIT. (See Photographic Images for details) ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6), (b)(7)(C), (b)(7)(F)		10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station, Ft Bragg, NC)	
(b)(6), (b)(7)(C)	DATE	EXHIBIT	
	19 Jul 06	122	

CID FORM 94  
(Automated)

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Automatic Termination (Para 11, AR 31-15)

ACLU DDII CID ROIS 34599

000793



**WARNING PROCEDURE/WAIVER CERTIFICATE**  
 For use of this form, see AR 190-30; the proponent agency is ODCSOPS

**DATA REQUIRED BY THE PRIVACY ACT**

**AUTHORITY:** Title 10, United States Code, Section 3012(g)  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.  
**ROUTINE USES:** Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your Social Security Number is voluntary.

1. LOCATION <b>BLOG 718 Ticket CID OFFICE</b>	2. DATE <b>20 June 1001</b>	3. TIME <b>1001</b>	4. FILE NUMBER <b>0086-06-CID469-75447</b>
5. Name (Last, First, MI) <b>(b)(6), (b)(7)(C)</b>	8. ORGANIZATION OR ADDRESS <b>C Company 3/187th Infantry 308 Brassfield Barracks APO AE 09393</b>		
6. SSN <b>(b)(6), (b)(7)(C)</b>	7. GRADE/STATUS <b>E4/AD</b>		

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**SECTION A. Rights**

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command and wanted to question me about the following offense(s) of which I am suspected/accused: murder

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

1. I do not have to answer any questions or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me or both.

-DT-

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have the right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

**SECTION B. Waiver**

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

WITNESSES (if available)		SIGNATURE OF INTERVIEWEE	
1a. NAME (Type or Print)		<b>(b)(6), (b)(7)(C)</b>	
b. ORGANIZATION OR ADDRESS AND PHONE			
2a. NAME (Type or Print)		5. TYPE RANK OF INVESTIGATOR	
		<b>SA (b)(6), (b)(7)(C)</b>	
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR	
		<b>31ST MP DET (CID) (-) COB Specialist, Fort Ing APO AE 09393</b>	

**SECTION C. Non-waiver**

1. I do not want to give up my rights  
 I want a lawyer  I do not want to be questioned or say anything

2. SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

DA FORM 3881, NOV 89 (AUTOMATED)

EDITION OF NOV 84 IS OBSOLETE

**PART II - RIGHTS WARNING INCLUDED IN CID ROIS 34600**

THE WARNING

**SWORN STATEMENT**

**LOCATION:**

Tikrit CID Office  
Contingency Operating Base (COB) Speicher  
Tikrit, Iraq, APO AE 09393

**DATE:**

20 Jun 06

**TIME**

1244

(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 3/187<sup>th</sup> Infantry Company, COB Speicher, Tikrit, Iraq, APO AE 09393

I, (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)

Q: Did you discuss with anyone the events that took place on Iron Triangle?

Q: Yes, I found out from SSG (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) while out on patrol two or three days later that (b)(6), (b)(7)(C) hit (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) hit him again because (b)(6), (b)(7)(C) hit him too lightly. It was just (b)(6), (b)(7)(C) and I in the vehicle. SSG (b)(6), (b)(7)(C) then demonstrated how he had cut (b)(6), (b)(7)(C) on each side of his face. (b)(6), (b)(7)(C) then said how he and (b)(6), (b)(7)(C) cut the flex cuffs and (b)(6), (b)(7)(C) told them Yala meaning to "go" in Arabic; and then he started yelling at them because they were moving to slowly and he wanted them to run. He said he picked up his weapon to make them go faster and (b)(6), (b)(7)(C) took it as him being ready to shoot. Then (b)(6), (b)(7)(C) started shooting and (b)(6), (b)(7)(C) followed suit. A day or two after the patrol I was in (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) room and (b)(6), (b)(7)(C) asked what's the story on that, because there were a lot of rumors about (b)(6), (b)(7)(C) stabbing one of the detainees to death. I told him (b)(6), (b)(7)(C) was also into the conversation) that one of the detainee's flex cuff had broke, so (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) were changing them out at the same time and that's when one of the detainee's pulled a knife and slashed (b)(6), (b)(7)(C) across the face. Then the same detainee cut (b)(6), (b)(7)(C) arm and the other detainee punched (b)(6), (b)(7)(C) and all three turned to run. Then I shook my head and told them that it was staged. I told (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) that (b)(6), (b)(7)(C) punched (b)(6), (b)(7)(C) and then (b)(6), (b)(7)(C) punched (b)(6), (b)(7)(C) again because (b)(6), (b)(7)(C) had hit (b)(6), (b)(7)(C) too lightly. I told them how SSG (b)(6), (b)(7)(C) was the one who cut (b)(6), (b)(7)(C) I told them how I ran up to the house and saw the three detainees lying on the ground and one of the detainees was still breathing and then I told them I put him out of his misery because he was going to die anyway. I think I may have told them about (b)(6), (b)(7)(C) saying he could not do anything for him but I am not sure. I think I also told them that (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) are the ones who shot the three detainees' but I did not tell them the circumstances of the shooting in which (b)(6), (b)(7)(C) had told me. (b)(6), (b)(7)(C) responded with if he was going to die anyway, you did the right thing. (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 123

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 34601

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB  
SPEICHER, TIKRIT, IRAQ, DATED 20 June, 2006, CONTINUED.

(b)(6), (b)(7)(C) was pretty baffled about it and in disbelief. (b)(6), (b)(7)(C) eyes were pretty wide and he was in shock. (b)(6), (b)(7)(C) said that was fucked up and (b)(6), (b)(7)(C) kind of nodded in agreement to his response. I didn't tell them (b)(6), (b)(7)(C) had told me to shoot him and put him out of his misery. I also told them that the guy I shot, eyes had opened after I shot him in the face and that it kind of freaked me out. During the incident (b)(6), (b)(7)(C) was lying in the door way of the house with his arm cut and yelling I'm cut, I'm cut. SSG (b)(6), (b)(7)(C) yelled for (b)(6), (b)(7)(C) came over and checked (b)(6), (b)(7)(C). Then (b)(6), (b)(7)(C) came over and checked the three guys and said he could not do anything for the guy who was still breathing. Before (b)(6), (b)(7)(C) came over both of the guys who were on top of each other were still alive. The bottom one was puking up blood and the top one was taking a breath about every ten seconds. When (b)(6), (b)(7)(C) came over only the one on top was still alive. SSG (b)(6), (b)(7)(C) said put him out of his misery. Then I shot him because I thought it was the right thing to do. I know (b)(6), (b)(7)(C) was there but I am not sure where he was at the time. I was focused on the dying guy. At the time I thought that the detainee's had actually tried to escape and that they were shot in self defense. I thought this because after I arrived at the house where the detainees were lying (b)(6), (b)(7)(C) was rubbing his face and saying that guy hit me. (b)(6), (b)(7)(C) was in the house with his arm cut and said the detainee had cut him. I believed that one of the detainees had a knife and cut (b)(6), (b)(7)(C) and that one of the detainees hit (b)(6), (b)(7)(C) because this was not the original plan, nothing was said about anyone getting cut or punched. I thought the detainee's had really tried to escape. My mind was going both ways because I didn't understand how a detainee got a knife. (b)(6), (b)(7)(C) searched them and I pulled security and they did not have any weapons on them before or after the search. After (b)(6), (b)(7)(C) came over and aided Hunsaker, 2<sup>nd</sup> Platoon came over. SSG (b)(6), (b)(7)(C) and I put the detainees in body bags and moved them to 2<sup>nd</sup> Platoon's LZ.

Q: Do you mind if I show you a series of pictures from the objective (OBJ) of the detainees?

A: No.

Q: Which detainee did you shoot based on the power point slide show?

A: I would like to say wounded in action (WIA) Iraqi male. From the photos marked numbers 1 through 6 of the slide show; I shot the WIA who was on top in photo number 6. He had on the white man dress. I intended to shoot him directly below the nose because it is a Federal Bureau of Investigation (FBI), Sniper instant kill shot. I knew that would end his suffering. Instead I ended up shooting him on the left side of the face below his eye. He is also depicted in picture number 4, in a body bag and wearing a white man dress.

Q: Which WIA did you shoot based on the power point slides 1 through 3 of individual photos of the three Iraqi males? (paper to side of their faces reflecting Obj 2, Bldg 1) (b)(6), (b)(7)(C)

INITIALS OF PERSON  
MAKING STATEMENT (b)(6), (b)(7)(C)  
DA FORM 2823 (Computer Generated)

PAGE 2 OF 4 PAGES

EXHIBIT 123

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 34602

000795A

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB  
SPEICHER, TIKRIT, IRAQ, DATED 20 June, 2006, CONTINUED.

(b)(6), (b)(7)(C)

: I think I shot number 2 but it could have also been number 3. They both look similar. I know for sure I shot the guy on top and looking at the previous photo the one with the white man dress was on top. Both guys in photos 2 and 3 look similar. It's hard to say because the last time I saw them they had blood on their faces. I know for sure the first guy on the individual pictures is not the guy I shot because he was the one off to the side by himself.

Q: Did you tell anyone else about the true circumstances of the shooting?

A: No.

Q: Did (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C) make any other statements about the conspiracy being planned in advance or any other conversations about the murders?

A: Before we went on patrol in which they told me about (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) punching (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) cutting (b)(6), (b)(7)(C) stated to the whole squad that if anyone mentioned about what happened that day he would find them and kill them. This was behind the company Pad, right before we were about to go on patrol.

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 123

~~FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 34603

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT Tikrit CID Office, COB  
SPEICHER, TIKRIT, IRAQ, DATED 20 June, 2006, CONTINUED.

I 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, June 20, 2006, at 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 (b) UCMJ  
*(Authority to Administer Oath)*

\_\_\_\_\_  
\_\_\_\_\_  
**Witness**  
\_\_\_\_\_  
\_\_\_\_\_

INITIALS OF PERSON  
MAKING STATEMENT **(b)(6), (b)(7)(C)**  
DA FORM 2823 (Computer Generated)

PAGE 4 OF 4 PAGES  
EXHIBIT 123

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 34604

I shot the man wearing the white man-dress. I shot him under his left eye. He is on top of the other man.

SPC (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)

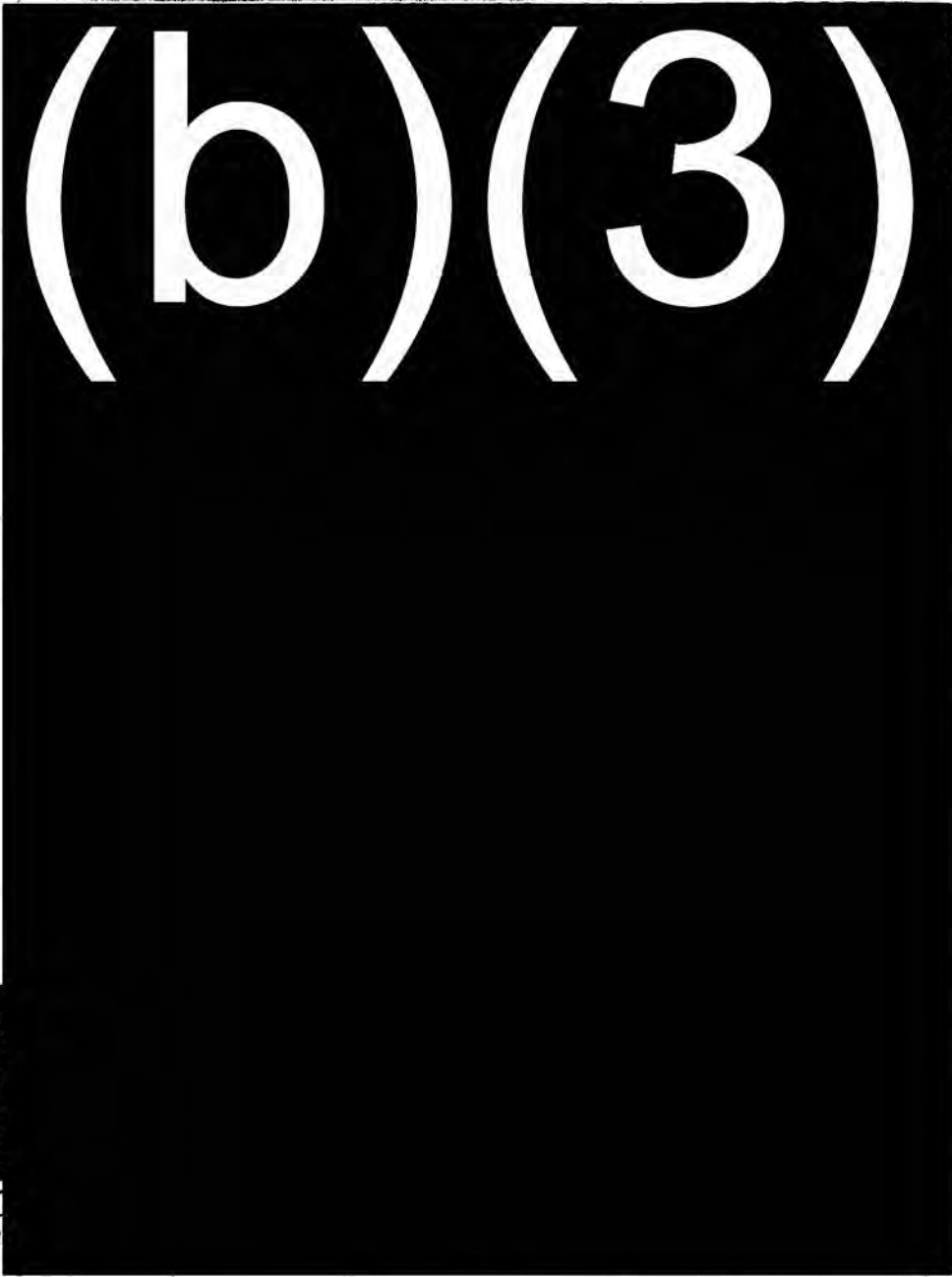
24 JUNE 2066  
1244 (b)(6), (b)(7)(C)

20 yards  
Picture # 4

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

EXHIBIT 123



2010306

SA (b)(6), (b)(7)(C)

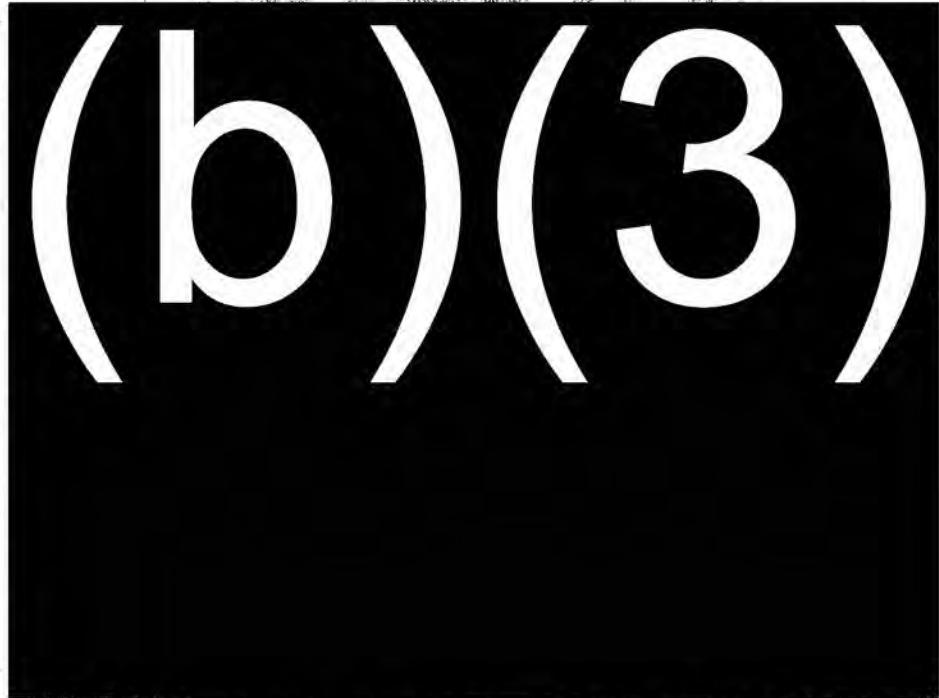
(b)(6), (b)(7)(C)

NON OFFICIAL USE ONLY - INTERNAL SECURITY

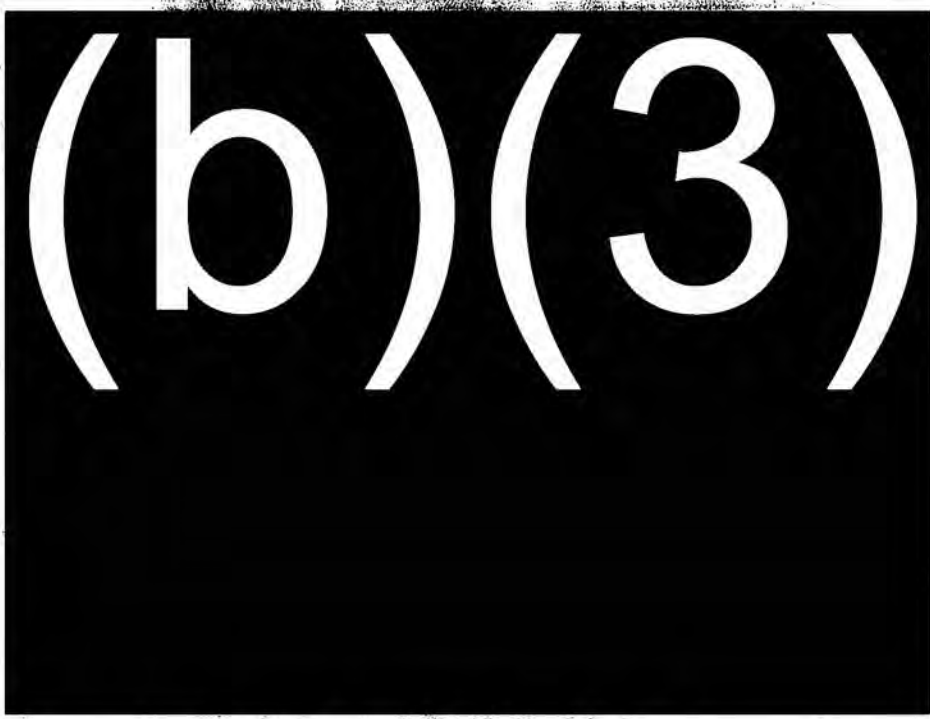
THIS WAS THE MAN I SHOT. (b)(6), (b)(7)(C)

SPL (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)

287VNEZ0916  
1244 (b)(6), (b)(7)(C)



20 June 04  
Picture #4



20 June 04  
SA (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)

(b)(3)

(b)(3)

(b)(3)

He was not or top or below any other WIA/KIA.  
He was off behind the two, (b)(6), (b)(7)(C)

SPC (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)

20 JUNE 2006  
1244 SR6

He looks similar to Male #3.

It could've been this man, I am not sure.

2

SPC (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)

26 JUNE 2006  
1244 (b)(6), (b)(7)(C)

He looks similar to Male #2.

It could've been this man, I am not sure.

3

SPC (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)

29 JUNE 2006  
1244 (b)(6), (b)(7)(C)

LC 895455

20 June 06

Photos taken of three detainees prior to being blindfolded.

(b)(6), (b)(7)(C)  
SPC (b)(6), (b)(7)(C)  
20 JUNE 2006

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

20 June 06

SA (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)



SWORN STATEMENT

e of this form, see AR 190-45; the proponent agency is ODCS

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 20 Jun 06	TIME 1055	FILE NUMBER 0086-06-CID469-75447
(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?

A. To provide overwatching suppressive fire as squad designated marksman with 2nd SQD, 3rd APT. That morning, I was with 2nd SQD which we took the second UH-60 onto the objective behind 3rd SQD's UH60. When we landed, 3rd SQD went towards the houses, 2nd SQD went to a sector 200 meters behind to the house providing over watch. After 3rd SQD cleared the objective, and 2nd SQD went back to the LZ, which then 3rd SQD brought to us 1 KIA detainee in a body bag, which we brought with us on the bird and brought to the Battalion TOC.

(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. Not so much told me directly but since I share a room with (b)(6), (b)(7)(C) his story of the events and how over time the story seemed to change. First the detainees were un-cuffed and tried to get away, then the story seemed to become "fuzzy" as if he couldn't remember what happened.

(b)(6), (b)(7)(C)

(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."  
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 20 JUNE 06

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. YES, WE LEFT THE OBJECTIVE WITH THE THREE DETAINEES ALIVE AND CUFFED AND WHEN WE RETURNED TO THE OBJECTIVE THAT THE COMPANY WAS AT, 3.5 K'S AWAY, WE WERE TOLD BY 1SG (b)(6), (b)(7)(C) THAT THE DETAINEES WERE KIA, AND ASKED IF THEY WERE KIA WHEN WE WERE ON THE OBJECTIVE.

(b)(6), (b)(7)(C)

(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.

A. YES, PFC (b)(6), (b)(7)(C) EVERYONE MENTIONED THAT DAY AND THE NEXT, THE EVENTS THAT TOOK PLACE ON THE OBJECTIVE ON 9 MAY 06. THEY STATED THAT AFTER 2ND SQD LEFT THE OBJECTIVE, SP1 (b)(6), (b)(7)(C) AND PFC (b)(6), (b)(7)(C) WERE CHANGING THE ZIP CUFFS ON THE 3 DETAINEES, WHEN I PRODUCED A KNIFE AND CUT (b)(6), (b)(7)(C) AND PUNCHED (b)(6), (b)(7)(C) AND THE THREE THEN RAN. (b)(6), (b)(7)(C) THEN SHOT ALL THREE WITH HIS SAW. - SINCE ON 9 MAY AND 10 MAY (b)(6), (b)(7)(C) HAS MENTIONED THE STORY NUMEROUS TIMES, SINCE WE LIVE TOGETHER, BUT OVER TIME THE STORY CHANGED TO WHERE SOME OF THE DETAINEES WERE CUFFED AND RAN AWAY; ALL WERE UN-CUFFED, TH (b)(6), (b)(7)(C) AND (b)(6), (b)(7)(C) STAYED WHERE THEY WERE AND SHOT, THEY RAN AFTER THE DETAINEES AND SHOT, (b)(6), (b)(7)(C) ONLY SHOT, BOTH (b)(6), (b)(7)(C) AND (b)(6), (b)(7)(C) SHOT. ALL OF THESE STATEMENTS WERE MADE IN OUR ROOM FROM THE TIME WE GOT BACK FROM "IRON TRIANGLE" TO THE DAY (b)(6), (b)(7)(C) LEFT THE FOB. (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. SPEECHER

DATED 20 JUNE 06

CONTINUED

STATEMENT (Continued)

Q: WHO IS THEY?

A: SSG (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SPC. (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) PFC. (b)(6), (b)(7)(C) PFC. (b)(6), (b)(7)(C) SPC. (b)(6), (b)(7)(C)

Q: WHAT DO YOU MEAN (b)(6), (b)(7)(C) STATEMENT STORY SEEMED TO BECOME FUZZY?

A: OVER TIME, ASPECTS OF THE STORY AS I STATED IN THE PREVIOUS ANSWER, SEEMED TO CHANGE, HE WOULD SAY ONE THING AND THEN QUICKLY SAY ANOTHER AS IF HE DID NOT REMEMBER CORRECTLY OR CLEARLY WHAT HAD HAPPENED.

Q: DID YOU SUSPECT HIM OF LYING?

A: AT TIMES, YES.

Q: DID HE EVER TELL YOU HE, (b)(6), (b)(7)(C) AND (b)(6), (b)(7)(C) CONSPIRED TO KILL THE THREE DETAINEES?

A: NO.

Q: DID HE TELL YOU THAT (b)(6), (b)(7)(C) PUNCHED HIM AND CUT (b)(6), (b)(7)(C) IN ORDER TO COVER UP THE SHOOTING OF THE DETAINEES BY REPORTING THE DETAINEES ATTACKED THEM AND THEY SHOT IN SELF DEFENSE?

A: NO.

Q: DID YOU ASSIST IN THE INVENTORY OF (b)(6), (b)(7)(C) PERSONAL EFFECTS?

A: YES.

Q: WHO ELSE WAS THERE?

A: SGT (b)(6), (b)(7)(C) & SSG (b)(6), (b)(7)(C)

Q: DID (b)(6), (b)(7)(C) HAVE ANY CONTRABAND?

A: NO.

Q: DID WE HAVE A LAPTOP, DIGITAL CAMERA, VIDEO CAMERA, OR ANY OTHER DEVICE THAT STORES VIDEO AND PICTURES?

A: HE HAD A DIGITAL CAMERA, BUT HAD SOLD IT TO PFC. (b)(6), (b)(7)(C)

Q: WHEN?

A: 3/4 WEEKS AGO. III END OF STATEMENT II (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)

PAGE 3 OF 4 PAGES

FOR OFFICIAL USE ONLY AGLU DDJL CID ROIS 34610 EXHIBIT 127

SWORN STATEMENT

0086-06-CID469-75447

Use of this form, see AR 190-45; the proponent agency is ODCS.

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 30060620	TIME 1035	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/Active	
ORGANIZATION OR ADDRESS C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349			

(b)(6), (b)(7)(C) (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 with my squad of 7 soldiers was to Air Assault with two shotgunned 998's to a pre-designated spot and conduct a link up with 1st (b)(6), (b)(7)(C) and begin clearing a portion of our Company's sector to the east of the Island that the rest of Co 3-187 was on. I was to clear and detain all military age males and establish a EPW collection point for the company and secure a feasible structure for the company to us as a command post. and provide support for the other platoons once linkup was complete with the rest of the Company.

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. // CONTINUED ON PAGE 2 // (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 SSG (b)(6), (b)(7)(C)

TAKEN AT CID Office, COB Spelcher DATED 2006.06.20 (b)(6), (b)(7)(C)

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. On the morning of the 15th of June 2006 I was awoken and told to come to the CP. This was at 0530 that morning. I was then told to go to PFC (b)(6), (b)(7)(C) room have him pack clothing take any weapons in his possession away and move him to the Battalion parking lot where the MPs would take custody of him SSG (b)(6), (b)(7)(C) and SFC (b)(6), (b)(7)(C) were being investigated for the 3 deaths on the Iron Triangle mission from the Island.

Q. Prior to today, did SFC (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. NO

Q. WHO WAS WITH YOU WHEN YOU OBSERVED PFC (b)(6), (b)(7)(C) PACKING HIS THINGS  
A. SFC (b)(6), (b)(7)(C)

Q. DID PFC (b)(6), (b)(7)(C) SAY ANYTHING TO EITHER YOURSELF OR SFC (b)(6), (b)(7)(C) WHILE HE WAS PACKING HIS THINGS?

A. Once myself and SFC (b)(6), (b)(7)(C) entered PFC (b)(6), (b)(7)(C) room we told him to get up pack only clothing as sensitive items, weapons were to be given to us. He asked if this was about the CID thing and then asked us to go get his Squad Leader SSG (b)(6), (b)(7)(C)

Q. DID YOU SEE ANY KIND OF COMPUTERS OR PERIPHERALS IN PFC (b)(6), (b)(7)(C) ROOM?  
A. NO

Q. THE FIRST TIME YOU HEARD ANYTHING REGARDING DETAINEE DEATHS FROM OPERATION IRON TRIANGLE WAS 15 JUN 06?

A. No, I had heard about the detainee deaths the day it had happened on 9 May 06. I had heard that some soldiers from 3rd PLT had killed 3 detainees after they had tried to escape, breaking the zip cuffs and cutting SFC (b)(6), (b)(7)(C) in the face with a concealed knife.

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

STATEMENT (Continued)

Q. Do you recall who provided you with that information?

A. NO

Q. Do you have any insight or thoughts pertaining to the aforementioned events that could help shed light on what happened during Operation Iron Triangle?

A. NO.

Q. IS THERE any thing else you'd like to add to this statement at this time?

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 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)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 20<sup>th</sup> day of June 2006 at Building 718 (CID Office), COB Speicher, Tikrit, IZ

(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/ 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 procuring agency is ODCS

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 20 Jun 06	TIME 1345	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 Pfc / AN

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?

A. The mission was to kill or capture all military age males. I don't remember what OBG I was on but mostly I was on the outer cordon or pulling security around the house.

(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 ONE

(b)(6), (b)(7)(C)

EXHIBIT

INITIALS OF 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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(b)(6), (b)(7)(C)

STATEMENT OF

TAKEN AT CID Office, COB Speicher DATED 06-20-06

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. When we were on the mission still someone told me I honestly forget but I know it wasn't no one from 3rd squad because it was only 1st and 2nd squad stage at a house. And 2nd squad left and then they must have heard it over the radio and told me (b)(6), (b)(7)(C) 3rd squad had at first 4 then it went down to 3 and that's I've really known.

(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.

A. NOPE

(b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 2 OF 2 PAGES



STATEMENT (Continued)

NOT USED

(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 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 20 day of June 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

...e of this form, see AR 190-45; the proponent agency is ODCS.

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 20 Jun 06	TIME 1414	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-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?

A. During operation Iron Triangle I was not present. I was stateside at my Home of record on R+R leave. I left for my R+R leave around 21 April 06. I returned from R+R leave around 13 May 06.

(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. as far as Conspiracy no I did hear around the company about 3 Detainees that had tried to flee from the Objective. I Did hear from PFC (b)(6), (b)(7)(C) that it was going around as a rumor that they had executed the Detainees I Did ask him further about this matter and he had said it was the scout attachment that started that rumor and thats all that it was

(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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STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT CID Office, COB Speicher DATED 20 June 06

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. I had knowledge of the Deaths of the Detainees from what my Team Leader Sgt **(b)(6), (b)(7)(C)** had said he heard over the radio, which as I recall was that on the objective when they were almost Done they recieved another call saying that the Detainees being held tried to flee and were 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.

A. Pfc **(b)(6), (b)(7)(C)** had Briefly Discussed with me about The operation and how he was involved with the three detainees that tried to flee the objective and how they were killed for trying to run, also he discussed with me about how the Scout attachment had started a rumor about the personnel at the objective executing the Detainees.

**(b)(6), (b)(7)(C)**

INITIALS OF PERSON MAKING STATEMENT **(b)(6), (b)(7)(C)**

PAGE 2 OF 3 PAGES

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 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)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 20 day of June 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)

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 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: 31st MP Det (CIN) COBS, Iraq
2. DATE (YYYYMMDD): 20060620
3. TIME: 1430
4. FILE NUMBER:
5. LAST NAME FIRST NAME MIDDLE NAME: (b)(6), (b)(7)(C)
6. SSN: (b)(6), (b)(7)(C)
7. GRADE/STATUS: E-5/TRA
8. ORGANIZATION OR ADDRESS: C Co 3/187 Inf, Brassfield-MORA, Iraq APOAE 09349

(b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
On or about the 13th of June 2006 I SGT (b)(6), (b)(7)(C) was informed by SSB (b)(6), (b)(7)(C) that I along with him and SPC (b)(6), (b)(7)(C) had to inventory PFC (b)(6), (b)(7)(C) belongings and bag them up. SSB (b)(6), (b)(7)(C) informed me of this while I was in my room and as soon as he said that we would be doing a inventory I gave him a rather long knife with a brown wooded handle on it to SSB (b)(6), (b)(7)(C). SSB (b)(6), (b)(7)(C) then took the knife and left my room and that was the last time I saw the knife. The full inventory took place around or between the hours of 09:30 to 11:00 I SGT (b)(6), (b)(7)(C) along with SPC (b)(6), (b)(7)(C) took every thing of PFC (b)(6), (b)(7)(C) out of the room while the door was open and SSB (b)(6), (b)(7)(C) was here. Once we had all of PFC (b)(6), (b)(7)(C) belongings outside and laid out I SGT (b)(6), (b)(7)(C) along with SPC (b)(6), (b)(7)(C) would call things off and show them to SSB (b)(6), (b)(7)(C) and then place the items in a bag once SSB (b)(6), (b)(7)(C) had written the item down along with how many there were. This took around 1hr. to land a half hrs. Once the inventory was done we by we I mean myself and SPC (b)(6), (b)(7)(C) were told to stand by until SGT (b)(6), (b)(7)(C) was ready to load them up and take them where they needed to be. After waiting around 1hour I feel a sleep in my room when I awake SPC (b)(6), (b)(7)(C) told me that him and SGT (b)(6), (b)(7)(C) had already took PFC (b)(6), (b)(7)(C) things where they needed to be and that every thing was taken care of. (b)(6), (b)(7)(C)
A.
Q. Can you describe the knife?

10. EXHIBIT: (b)(6), (b)(7)(C) STATEMENT 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 BE INDICATED.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF Set (b)(6), (b)(7)(C) TAKEN AT COBS DATED 20160620 (b)(6), (b)(7)(C)

## 9. STATEMENT (Continued)

A. The knife was about 12 inches long and about 3 to 4 inches wide with a brown wooded handle. The knife looked like a machete. The knife blade itself had dirt on it but the handle had a little shine. The knife looked used.

Q. Do you know what SSG (b)(6), (b)(7)(C) DID WITH THE KNIFE?

A. NO

Q. WAS THE INVENTORY REFLECTED ON AN OFFICIAL FORM?

A. At first SSG (b)(6), (b)(7)(C) was just writing the inventory on a plain sheet of paper and he said he would transfer the inventory items and numbers on to a official form in the company C.P. at a later time.

Q. DID YOU FIND ANY OTHER WEAPONS THAT BELONGED ON PFC (b)(6), (b)(7)(C) SIDE OF THE ROOM

A. NO

Q. DID PFC (b)(6), (b)(7)(C) HAVE A COMPUTER OR COMPUTER PERIPHERALS OR MEDIA STORAGE?

A. NO (b)(6), (b)(7)(C)

Q. WHO ARE PFC (b)(6), (b)(7)(C) ROOMMATES?

A. SET (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C)

Q. WHERE DID PFC (b)(6), (b)(7)(C) BELONGING SET TAKEN TO?

A. ALL OF THE THINGS THAT BELONG TO PFC (b)(6), (b)(7)(C) WAS BAGGED UP AND SET OUTSIDE. I THEN WENT BACK INTO MY ROOM AND FELL ASLEEP WHEN I AWAKE SGT (b)(6), (b)(7)(C) HAD INFORMED ME THAT HUSBAND SGT (b)(6), (b)(7)(C) HAD TAKEN THE BAGS WHERE THEY NEEDED TO BE, AND I HAVE NO IDEA WHERE THAT IS.

Q. DID YOU OR ANYONE ELSE FIND ANY ITEMS AMONG PFC (b)(6), (b)(7)(C) BELONGINGS THAT YOU THINK WOULD BE PERTINENT TO THIS INVESTIGATION OR THAT HE SHOULDN'T HAVE HAD?

A. OTHER THAN THE KNIFE NO

Q. FROM THE LAST TIME YOU GAVE A STATEMENT TO CID UNTIL NOW, HAS ANYONE APPROACHED YOU AND TOLD YOU ANYTHING REGARDING THIS INVESTIGATION

A. NO

Q. IS THERE ANYTHING ELSE YOU'D LIKE TO ADD TO THIS STATEMENT AT THIS TIME?

A. NOT AT THIS TIME /// END OF STATEMENT ///

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

STATEMENT OF SGT (b)(6), (b)(7)(C) TAKEN AT COBS DATED 20060620 (b)(6), (b)(7)(C)

9. 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)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 20<sup>th</sup> day of June, 2006 at COB SPECIFIC TROOP

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

SA

(Typed Name of Person Administering Oath)

ART 136, VCMT

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS  
ORGANIZATION OR ADDRESS

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 ODCSO.

LOCATION  
Building 718 (CID Office), COB Speicher, Tikrit, IZ

DATE  
20 Jun 06

TIME  
1454

FILE NUMBER  
0086-06-CID469-75447

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

GRADE/STATUS  
ES/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) Our first mission was to secure an island we were told that we were landing into. We flew into many objectives which particularly had the same mission: either secure an area or detain all military aged males. I was in 1st Squad 3rd Plt C.O at the time of the mission. (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 was never told of any conspiracies to murder prior to 15 Jun 06. The only thing I ever heard was people talking trash such as "They probably killed those guys." The date or who I do not remember. (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 20 Jun 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 hear everyone or a lot of people talking on FOB Brasfield about rumors what happened, etc about the detainees. I've also seen it on the news. Some people ask me at FOB Brasfield. Once again names of faces are not remembered. The rumors I do hear at FOB Brasfield is that someone snatched **(b)(6), (b)(7)(C)** SSG **(b)(6), (b)(7)(C)** and SPC **(b)(6), (b)(7)(C)** out. The second rumor I hear is that they murdered the detainees. Not from a specific prison source. Just the talk around the FOB Brasfield. **(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)** No, not that I recall of. Correction. I remember asking SSG **(b)(6), (b)(7)(C)** about the incident the night it happened when 3rd Plt went up. He said that he was not in the room and explained to me. When PFC **(b)(6), (b)(7)(C)** and SPC **(b)(6), (b)(7)(C)** got hit & had to defend themselves.

More specifically when I asked SSG **(b)(6), (b)(7)(C)** he said that the detainees broke free one punched **(b)(6), (b)(7)(C)** and the other sliced or stabbed SPC **(b)(6), (b)(7)(C)** and they had to defend themselves by shooting the detainees. I do not remember specifically we talking to anyone but I do remember me asking and talking about the incident such as what happened etc. SSG **(b)(6), (b)(7)(C)** was the only person I asked about the incident out of the names asked above. **(b)(6), (b)(7)(C)**

INITIALS OF PERSON MAKING STATEMENT

**(b)(6), (b)(7)(C)**

PAGE 2 OF 3 PAGES

STATEMENT (Continued)

Q. Do you have anything else to add to this statement?  
A. <sup>(b)(6), (b)(7)(C)</sup> No, not at the moment. **/// END OF STATEMENT ///** <sup>(b)(6), (b)(7)(C)</sup>

AFFIDAVIT

I, <sup>(b)(6), (b)(7)(C)</sup> HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3 <sup>(b)(6), (b)(7)(C)</sup> 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.

<sup>(b)(6), (b)(7)(C)</sup>

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 20<sup>th</sup> day of June 2006 at Building 718 (CID Office), COB Speicher, Tikrit, IZ

<sup>(b)(6), (b)(7)(C)</sup>

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA <sup>(b)(6), (b)(7)(C)</sup>

(Typed Name of Person Administering Oath)

Art 136 UCMJ / 10 USC 936

ORGANIZATION OR ADDRESS

(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

<sup>(b)(6), (b)(7)(C)</sup>

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: 20 JUN 06 TIME: 1520 FILE NUMBER: 0086-06-CID469-75447

NAME: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C) GRADE/STATUS: E3/AD

ORGANIZATION OR ADDRESS: C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349

(b)(6), (b)(7)(C)

(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. Guarding trucks at Ramagon. I did not go on Operation 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.

A. NO. I have not heard anything about a conspiracy to murder. PFC (b)(6), (b)(7)(C) told me he had a couple of kills on the mission. And I do believe some has told me those guys were under investigation for murder. But at this time I do not remember who. (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 PFC (b)(6), (b)(7)(C) TAKEN AT CID Office, COB Speicher DATED 20JUN06

STATEMENT (Continued)

(b)(6), (b)(7)(C) Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. Sgt (b)(6), (b)(7)(C) told me that the detainee cut his Flex ties. Then when SPC (b)(6), (b)(7)(C) tried to man the detainees. That's when one of the detainees cut (b)(6), (b)(7)(C) on his face. Then the detainees tried to run away. (b)(6), (b)(7)(C) shot the detainee the cut him. And PFC (b)(6), (b)(7)(C) killed the other two. (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.

A. At one point or another PFC (b)(6), (b)(7)(C) told me "they were under investigation for mutilating a body" not murder. (b)(6), (b)(7)(C) EOOD OF STATEMENT

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

(b)(6), (b)(7)(C)

CID office, COB Speicher

20 June 2006

File Number 0086-06-CID469-75447

STATEMENT (Continued)

(b)(6), (b)(7)(C)

NOT USED

(b)(6), (b)(7)(C)

AFFIDAVIT

I, AC (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)

(Signature)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 20 day of June 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

(Authority to Administer Oaths)

ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C) STATEMENT

PAGE 3 OF 3 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 30000000	TIME 15:30	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-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)

A. I am unaware of what the mission specifics were. I know, roughly, that suspected terrorist were allegedly in the AO or OP Iron Triangle. I came back from R&R leave the day it kicked off. I was assigned to radio watch, I wasn't there. (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 one directly told me that there was a conspiracy. I know on radio watch one day someone came into the CP of Charlie company and mentioned that there were 3 KIA. I inquired if they were American or locals. When I was told that they were locals I asked how it happened. I was told that the 3 KIA were detainees and that while stranger zip ties were being put on the detainees they got loose. While free the detainees presented danger to U.S. troops and therefore were killed. (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)** TAKEN AT CID Office, COB Speicher DATED 20060620

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. **(b)(6), (b)(7)(C)** AS I stated in the previous question I was informed of the deaths while on radio watch. Nothing specific was told to me other than 3 locals had been killed in Action. This was told to me by my battalion surgeon. He had come by the CP and I inquired the status of our men **(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.

A. **(b)(6), (b)(7)(C)** on the date that the company returned I spoke with my team leader CPL **(b)(6), (b)(7)(C)** about how the mission went. He told me that his role was a support by fire on a target house. I asked how many KIA and he said 3 but that he didn't know the circumstances of how. One or two days later I asked PFC **(b)(6), (b)(7)(C)** about it and he told me that 3 detainees got free posed a threat and were therefore killed. Specifically that as they were changing zip ties a local got up hit him and started to run. He said that SPC **(b)(6), (b)(7)(C)** was cut with a knife on the face. Both of those incidents lead to deadly force. That was two days after the objective. **(b)(6), (b)(7)(C)**

INITIALS OF PERSON MAKING STATEMENT

**(b)(6), (b)(7)(C)**

PAGE 2 OF 3 PAGES

(b)(6), (b)(7)(C)

File Number 0086-06-CID469-75447

STATEMENT (Continued)

W07  
D88D

(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 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)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 20th day of June 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 ODCSO.

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 20 Jun 2006	TIME 1537	FILE NUMBER (b)(6), (b)(7)(C) 86-06-CID469-75447
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SSN: (b)(6), (b)(7)(C)	GRADE/STATUS E-4/AA	
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?

(b)(6), (b)(7)(C)  
A. To eliminate all military aged males on the island we were flying into and locate weapons caches (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 one had told me of a conspiracy to kill 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."  
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STATEMENT OF Spec. (b)(6), (b)(7)(C) TAKEN AT CID Office, COB Spelcher DATED 24 Jun 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. The only knowledge I know of the detainees was that they attacked PFC (b)(6), (b)(7)(C) and Spec (b)(6), (b)(7)(C), then attempted to escape and were shot in the process. I was informed of this by Spec (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) (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.

A. SPC (b)(6), (b)(7)(C) informed me that the detainee he was watching had gotten out of his flex cuffs and attacked him with a sharp object and that the detainee was killed by PFC (b)(6), (b)(7)(C)

PFC (b)(6), (b)(7)(C) informed me that he had been punched in the face by a detainee that broke free while he, PFC (b)(6), (b)(7)(C) was changing the flex cuffs on the detainee and that he then killed the detainee.

PFC (b)(6), (b)(7)(C) informed me that he was guarding the women and children during the operation on this date.

CPL (b)(6), (b)(7)(C) informed me that he had laid down the grazing pipe over the house while 3rd Squad advanced toward it. He then informed me that he watched one of the detainees attempt to flee across a field and in turn was shot. (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

(b)(6), (b)(7)(C)

File Number 0086-06-CID469-75447

STATEMENT (Continued)

(b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) all failed to inform me of any of their actions and what they did on the objective.

All the information I was told happened after we had pulled off the objective and were staging in a new AO for the next days worth of operations. This was in the evening of 09 May 06. 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 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 20th day of June 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 ODCSOPS

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 20 JUNE 06	TIME 1539	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			

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. ON 9 MAY 06 DURING OPERATION IRON TRIANGLE I WAS ON RADIO WATCH IN OUR COMPANY TOC. DURING THE ENTIRE OPERATIONS OUR COMPANY TOC DID NOT HAVE COMMUNICATION WITH ANY OF OUR ELEMENTS (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. THE ONLY THING IVE HEARD IS THAT 3 OF CHADLER COMPANY SOLDIERS HAVE BEEN ACCUSED OF MURDER. I GOT MY INFO FROM WATCHING TV IN OUR COMPANY TOC. IM ON THE RADIO 12 HOURS EVERYDAY FROM 0600 TO 1800 EVERYDAY. (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 20 JUN 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. THE ONLY KNOWLEDGE I HAVE OF THE DEATHS OF  
DETAINEES COMES FROM THE MEDIA. AFN DID NOT  
GIVE TO MANY DETAILS ON THE INCIDENT. (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. I HAVE HEARD NOTHING FROM ANY OF THESE  
SOLDIERS. I SPEND MY DAYS IN THE COMPANY TOG  
AND WHEN IM NOT ON RADIO WATCH I SLEEP (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

(b)(6), (b)(7)(C)

File Number 0086-06-CID469-75447

STATEMENT (Continued)

(b)(6), (b)(7)(C)

NOT USED

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)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 20th day of June 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 3 OF 3 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ DATE 20 JUNE 06 TIME 1540 FILE NUMBER 0086-06-CID469-75447

(b)(6), (b)(7)(C) (b)(6), (b)(7)(C) GRADE/STATUS E-3/Pfc

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) A. ON OR ABOUT 9 MAY 06, ON OPERATION TRIANGLE, WE WERE TO AIR ASSAULT ONTO AN ISLAND, THAT WAS A KNOWN AL-QAEDA HIDEOUT, AND TO KILL OR CAPTURE AS MANY MILITARY AGE MALES. MY MISSION WAS TO GET ON TOP OF A HOUSE AND PULL SECURITY ON THE REST OF THE ELEMENTS GOING INTO HOUSES. (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 WAS NEVER TOLD ANYTHING ABOUT A CONSPIRACY. I WAS TOLD BY PFC (b)(6), (b)(7)(C) THAT THEY KILLED THREE DETAINEES AFTER THEY TRIED TO ESCAPE AND THEN ASSAULTED SPC (b)(6), (b)(7)(C) AND PFC (b)(6), (b)(7)(C). I BELIEVE THIS CONVERSATION TOOK PLACE ON THE 11<sup>TH</sup> OR 12<sup>TH</sup> OF MAY. (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 Spelcher DATED 20 June 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 I HAVE IS FROM PFC **(b)(6), (b)(7)(C)** ABOUT THE ASSAULT, ON THEM, ATTEMPTED ESCAPE, AND THE DETAINEES BEING SHOT. **(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 ME ON THE LAST DAY OF THE MISSION THAT DURING THE DETAINMENT, **(b)(6), (b)(7)(C)** THE DETAINEES FLEX-CUFFS BROKE THEY GOT MORE AND WHEN THEY WERE PUTTING THEM ON ONE OF THE DETAINEES, THE OTHER DETAINEE BROKE LOOSE, PUNCHED PFC **(b)(6), (b)(7)(C)** IN **(b)(6), (b)(7)(C)** EYE, GRABBED A KNIFE FROM SOMEWHERE, AND SLASHED SPC **(b)(6), (b)(7)(C)** IN THE FACE, AND ARM AND TRIED TO ESCAPE AT THAT TIME HOWEVER MANY DETAINEES THEY HAD ATTEMPTED TO ESCAPE BY RUNNING OUT OF THE BUILDING, THEY WERE THEN SHOT BY SPC **(b)(6), (b)(7)(C)** AND PFC **(b)(6), (b)(7)(C)**

INIT **(b)(6), (b)(7)(C)** STATEMENT

PAGE 2 OF 3 PAGES



(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

File Number 0086-06-CID469-75447

STATEMENT (Continued)

(b)(6), (b)(7)(C)

NOT USED

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 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 20th day of June 2006 at Building 718 (CID Office) COB Sneider, 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 ODCSOPS

LOCATION  
Building 718 (CID Office), COB Speicher, Tikrit, IZ

DATE  
20 Jun 06

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/ST  
E-5 (b)(6), (b)(7)(C)

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?

A. Our mission was seek and destroy, in order to eliminate known AIF in the area of the island, and only the island. End of statement

(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)

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 one told me any such thing. End of statement

(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)

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] DATED [REDACTED] 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 SGT. (b)(6), (b)(7)(C)

TAKEN AT CID Office, COB Speicher DATED 20 Jun 06

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. The only knowledge I have of the deaths were that they occurred after my self and others from my squad left with the first K.T.A. End of statement (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)

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.

A. SPC (b)(6), (b)(7)(C), PFC (b)(6), (b)(7)(C), SSG (b)(6), (b)(7)(C) did discuss the event with me on the same day, several hours later, after we linked up at an obj. off the island. All that was said by the three is that the detainees broke loose, one of which cut SPC (b)(6), (b)(7)(C) with a knife, another punching PFC (b)(6), (b)(7)(C) in the eye, and the last one trying to run away. And that those actions were the reasoning of them shooting them. End of statement (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)

INITIALS OF (b)(6), (b)(7)(C) NT

(b)(6), (b)(7)(C)

20 JUN 06

File Number 0086-06-CID469-75447

STATEMENT (Continued)

(b)(6), (b)(7)(C)

No further statement

(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)

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 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 20 day of June 2006 at Building 718 (CID Office) COB Speicher, Tikrit, IZ

(b)(6), (b)(7)(C)

(Administering Oath)

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

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION

Building 718 (CID Office), COB Speicher, Tikrit, IZ

DATE

20 Jun 06

TIME

1630

(b)(6), (b)(7)(C)

FILE NUMBER

086-06-CID469-75447

(b)(6), (b)(7)(C)

SSN

(b)(6), (b)(7)(C)

GRADE/STATUS

E3 AD

ORGANIZATION OR ADDRESS

C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349

(b)(6), (b)(7)(C) PFC

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 not on the mission Operation Iron Triangle. I was at home in the states on leave. On leave I travelled from Saginaw, MI to Richmond, KY to Columbus, OH to Clarksville, TN back to Saginaw, MI.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(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.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(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." 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)** PFC. TAKEN AT CID Office, COB Speicher DATED 20 Jun 06

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. Yes. When I returned from leave PFC **(b)(6), (b)(7)(C)** told me the story about how some detainees broke free of their ~~hands~~ <sup>flex cuffs</sup> **(b)(6), (b)(7)(C)** attacked SPC **(b)(6), (b)(7)(C)** and tried to flee. At which point he opened fire. When he told me how they got free <sup>**(b)(6), (b)(7)(C)**</sup> of their flex cuffs he said there was a knife involved, and that the knife was used to attack SPC **(b)(6), (b)(7)(C)**. He did not however elaborate on if they used the knife to get free or where the knife came from.

~~**(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)**~~

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.

A. Yes. PFC **(b)(6), (b)(7)(C)** As previously stated above. PFC **(b)(6), (b)(7)(C)** did not tell me specifically where the knife came from or how they got free of their flex cuffs. No others on this list discussed anything regarding the mission with me. The conversation took place on our pad at Brassfield Mora. At approx 2100hrs on 29 May 06

~~**(b)(6), (b)(7)(C)**~~

INITIALS OF PERSON MAKING STATEMENT **(b)(6), (b)(7)(C)**

PAGE 2 OF 3 PAGES

(b)(6), (b)(7)(C)

20 June 06

File Number 0086-06-CID469-75447

STATEMENT (Continued)

[Redacted statement area with diagonal lines and handwritten "ADD USBD" in the center]

(b)(6), (b)(7)(C)

AFFIDAVIT

I, (b)(6), (b)(7)(C) PFC 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)

(Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 20th day of June 2006 at Building 718 (CID Office) COB Speicher, Tikrit, IZ

(b)(6), (b)(7)(C)

(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 ODCSOPS

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 20 June 06	TIME 1637	FILE NUMBER 086-06-CID469-75447
LAST NAME FIRST NAME MIDDLE NAME (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			

(b)(6), (b)(7)(C) \_\_\_\_\_, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

(b)(6), (b)(7)(C) Q. What was your mission during Operation Iron Triangle, on or about 9 May 06?

A. To conduct a raid on an island with confirmed AIF members we were instructed to kill all military aged males on the island (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 (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 1 OF 3 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 SGT (b)(6), (b)(7)(C) TAKEN AT CID Office, COB Speicher DATED 20 JUN 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. Yes: (b)(6), (b)(7)(C) Radio Transmission on Iron Triangle, NEWS.

While at the BDE TOC on Iron triangle PFC (b)(6), (b)(7)(C) talked with me and I asked him how he got punched in the jaw by an Iraqi in a teasing manner. He explained to me while he was watching a detainee Sgt and SPC (b)(6), (b)(7)(C) had to change the flex cuffs on the detainees and when the cuffs were loose enough the detainees assaulted him and SPC (b)(6), (b)(7)(C) I teased him about the story not being true and we then continued with talking about what happened. I asked him why or how the detainee got a knife he said he didn't know maybe I or I scolded him.

continued on pg 3.

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) Yes. SSG (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) The conversations took place at different locations during Iron triangle SSG (b)(6), (b)(7)(C) told me that he didn't know exactly what happened because he was not in the room. I asked SGT (b)(6), (b)(7)(C) if the story was true he acted as though he didn't really want to discuss it so I left it alone but he then stated the story was true as far as he knew. PFC (b)(6), (b)(7)(C) told the same story as stated above (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

20 June 06

File Number 0086-06-CID469-75447

STATEMENT (Continued)

for not properly checking the detainees for weapons he told me they did he thinks the I gave the detainee the knife I then asked him why would they take the cuffs off if only one person was in the room he had no answer. I told him that was stupid and everything could have been prevented if it was done right he said it was done right I told him it wasn't because if it was (b)(6), (b)(7)(C) wouldn't be cut and he wouldn't have been punched and the detainees would have been killed before being detained or like the LOE said I then got mad and walked off. (Remainder of answer to question 3) 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 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)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 20th day of June 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 ODCSOPS

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ DATE 22 Jun 06 TIME 1650 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

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?

A. Root out any ~~remain~~ <sup>remain</sup> AIF (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: After Operation Iron Triangle I ask SPC (b)(6), (b)(7)(C) what happen He told me that (b)(6), (b)(7)(C) he was attack by (b)(6), (b)(7)(C) detainees and in self-defends he use legthul force and kill the attacker. (b)(6), (b)(7)(C) Also PFC (b)(6), (b)(7)(C) got punch in the face. When He realize what the detainees have done and what happen with SPC (b)(6), (b)(7)(C) he open up his SAW. (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) killed a couple of fleeing detainees. As of result he killed the fleeing detainees. Sorry for the saked out but it was irretamen irrealion (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

(b)(6), (b)(7)(C) 20 Jun 06

STATEMENT (Continued)

Do you have any knowledge of the deaths of the detainees? If so, from whom?

(b)(6), (b)(7)(C) have no knowledge of what happen to the deaths of the detainees. I wasn't at the same ~~place~~ <sup>(b)(6), (b)(7)(C)</sup> location. I only heard stories and rumors like everyone else. (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. ~~\_\_\_\_\_~~ (b)(6), (b)(7)(C) No discussion was made with me about their actions on 9 May 06. (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

(b)(6), (b)(7)(C)

20 Jun 06

File Number 0086-06-CID469-75447

STATEMENT (Continued)

*[Lined area for statement content, mostly crossed out with a large X]*

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 ENDS ON PAGE 3 EY. 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 20<sup>th</sup> day of June 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 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 ODCS

LOCATION  
Building 718 (CID Office), COB Speicher, Tikrit, IZ

DATE (b)(6), (b)(7)(C)  
26 June 1704

FILE 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-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?

A. To detain every military age male in our sector. When the killings took place I was on a roof, on what we were calling the island, which was our first and main objective. Pulling security and listening to the radio.

(b)(6), (b)(7)(C)

(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. I heard that the the detainees broke their zip cuffs. Then one detainee cut (b)(6), (b)(7)(C) He They other detainee punched (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) shot the detainee that cut him with his M-4. (b)(6), (b)(7)(C) shot his the detainee that punched him with his saw. After the shots were fired (b)(6), (b)(7)(C) told me he was told by Sgt (b)(6), (b)(7)(C) to shoot one of the detainees in the head. So he did. This was the first story that 3<sup>rd</sup> squad was telling the rest of

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."

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 20 Jun 06

STATEMENT (Continued)

The platoon when we were at battalioion on 10 May 2006 were the rest of the company was waiting to go back to Brasfield Mora. I don't know exactly who told this.

Sgt (b)(6), (b)(7)(C) told me that the whole time ~~that~~ he was waiting for the birds to show up, that with the g. M240B and the AG Gear. Also he said that after the shoot shots, (b)(6), (b)(7)(C) took off to help them put them in body bags and bring them to the (LZ) (Landing Zone). That's all he told me and he's told me this exact same story on numerous occasions.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

INITIALS (b)(6), (b)(7)(C)

PAGE 2 OF 4 PAGES

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT CID Office, COB Speicher DATED 20 Jun 06

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. I've answered this question in previous questions

**(b)(6), (b)(7)(C)**

**(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.

A. SPC **(b)(6), (b)(7)(C)** - All he told me was, that he shot only one shot, that the one shot was into the head of a detainee that was <sup>now</sup> dead yet and that Sgt **(b)(6), (b)(7)(C)** told him to "finish him" I believe that what he said his exact words were, He also told me he's been dreaming about it lately. Also that it was something he will never forget. He seemed to be a little shook, but he said that you got to do what you have to do. I believe he meant that when given ~~an~~ order you have to follow out the order he didn't have time to think is this right should I do it. ~~At~~ When shots are fired a hr seems like 1 minute. I'm sure ~~it~~ he did it without thinking it's how we are trained.

INITIALS OF PE **(b)(6), (b)(7)(C)**

PAGE 3 OF 4 PAGES



(b)(6), (b)(7)(C)

File Number 0086-06-CID469-75447

STATEMENT (Continued)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

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 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)

(Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 20 day of June 2006 at Building 718 (CID Office) COB Speicher Tikrit, IZ

ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C)

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 (b)(6), (b)(7)(C)

PAGE 4 OF 4 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 20 Jun 06	TIME 1707 1540	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-5 / TL	
ORGANIZATION OR ADDRESS C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349			

(b)(6), (b)(7)(C)

(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. Our mission was to capture or kill AIF Activity, ON THE ISLAND OUR MISSION WAS TO KILL EVERY MILITARY AGED MALE ON THE ISLAND. ONCE WE GOT OFF THE ISLAND THE REGULAR ROE WAS APPLIED. (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 ANYTHING I KINDA FIGURED SOMETHING WAS GOING ON WHEN CID WANTED TO TALK TO THEM. AND I KINDA KNOW NOW BECAUSE I SAW THE ARTICLE ON THE INTERNET TODAY. (b)(6), (b)(7)(C)

EXHIBIT

INITIALS (b)(6), (b)(7)(C) ENT

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)** TAKEN AT CID Office, COB Speicher DATED 20 June 06

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

**(b)(6), (b)(7)(C)** when I was ON IRON Triangle I went to objective 2 MY Savad was in the trail bird. SSG **(b)(6), (b)(7)(C)** Savad was in the lead bird. The lead bird landed first and once there boots hit the dirt they started firing on to the house MY Savad ran on top of a hill to provide over watch after awhile went by I walked down to the house and noticed that one older MALE was KIA and that there was 3 younger MALES tied with there hands behind there backs and face down in the dirt after I saw that I went back on top of the hill. then I would say not every 5 min later we had to get ready to leave so MY Savad grabbed the body of it on the bird and took off leaving SSG **(b)(6), (b)(7)(C)** Savad behind with the 3 younger MALES At the second obj/cor

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)** ONCE It got dark the whole Company occupied this house to stay in and pull security till day light. Right before it got dark SSG **(b)(6), (b)(7)(C)** Savad arrived and I asked them what happened Pfc **(b)(6), (b)(7)(C)** said that one of the guys broke loose and punched him in the face and another one of the males had a shank and cut SPC **(b)(6), (b)(7)(C)** and the last MALE ran into a field and they shot him. SPC **(b)(6), (b)(7)(C)** said about the same story but it was the way there stories were not adding up to me. SPC **(b)(6), (b)(7)(C)** just said that "it happened so fast" so he really did not have much to say. And that was the last time I spoke to them about it. **(b)(6), (b)(7)(C)**

INITIALS OF PERSON MAKING STATEMENT **(b)(6), (b)(7)(C)**

PAGE 2 OF 3 PAGES

(b)(6), (b)(7)(C)

20 June 06

File Number 0086-06-CID469-75447

STATEMENT (Continued)

My savad left and was w the bird and we flew to a Collection Point and dropped off the 1 KIA and then flew to obj 1 ONCE I landed on obj 1 our 1st was waiting for us he told ME good job on the 4 KIA's I said that I did not shoot one round and that there was just 1 KIA NOT 4. HE told ME that they got 3 more right before I hit obj 1. (b)(6), (b)(7)(C) END OF STATEMENT (b)(6), (b)(7)(C)

AFFIDAVIT

(b)(6), (b)(7)(C)

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)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 26 day of June 2006 at Building 718 (CID Office), COB Speicher, Tikrit, IZ

(b)(6), (b)(7)(C)

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

ORGANIZATION OR ADDRESS

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 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. (b)(6), (b)(7)(C)

1. LOCATION Cob Speicher, Tikrit I2 Building 718 (CID OFFICE)	2. DATE (YYYYMMDD) 20060620 1631	3. FILE NUMBER 1940
5. LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C)	6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS SGT. E-5
8. ORGANIZATION OR ADDRESS 3rd Lt. Co. 3-187 3Bde 101 ABN DIV AASLT (b)(6), (b)(7)(C)		

, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Around the beginning of May 06 my squad participated in operation Iron Triangle. At approx 0500 on the first day of the operation my squad hit our target house. Our target house was empty. While pulling security on the obj. my squad got a follow on mission along with 3rd. squad north of our first objective. Myself with the rest of 2nd sqd. and 3rd. sqd. moved to the next obj. in black hawks. We were informed that there were two buildings. Upon arrival we saw only one building, my sqd. (2nd.) moved over one of three small hills to find the other house. While in the process of this 3rd. squad moved to the one house we did see. While moving to their house, 3rd. members of 3rd. sqd fired at a man in the window. Myself along with second sqd. reached the top of the hill only to find no other house. By this time 3rd. sqd. discovered the 2nd. house behind another hill and began to engage it with machine gun fire. Myself and second sqd. remained on the top of the first hill providing over watch. After 3rd. sqd. cleared the two houses and gathered the detainees and women, myself and SGT. (b)(6), (b)(7)(C)

10. EXHIBIT	11. 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 \_\_\_\_\_ 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 **(b)(6), (b)(7)(C)** TAKEN AT 16. COBS DATED 2008 06 25 **(b)(6), (b)(7)(C)**

## 9. STATEMENT (Continued)

went to the first house to assess the situation, by  
 self and SGT. **(b)(6), (b)(7)(C)** saw one KIA and three detainees.  
 2nd. Sqd. continued to provide over watch while  
 3rd. Sqd. processed the obj. I.E. searching the houses,  
 bagging the KIA, and handling the detainees. We then  
 got the order for members of 2nd. Sqd. to take  
 the KIA to the BIF and drop him off. At that  
 point myself and SGT. **(b)(6), (b)(7)(C)** were picked up by  
 black hawk along with the KIA and taken  
 to the BIF. After we dropped off the KIA we were  
 brought back to the very first obj. where the 2sq.  
 met us and told us that there were three more  
 KIA on the obj. we just left. we remained on  
 the first obj. until we got another call on mission.  
 My self and SPC. **(b)(6), (b)(7)(C)** along with two black hawks  
 full of I.A. headed off the island onto our next  
 obj. when we reached there we quickly cleared  
 the small compound. soon after the rest of  
 2nd. Sqd. along with the P.L. arrived. we pulled  
 security on the obj. until much later that day.  
 Around 1300 hundred 3rd. Sqd. arrived at the obj.  
 off the island. when they got there we all were  
 interested in hearing about the three KIA's. SSG **(b)(6), (b)(7)(C)**  
 SPC. **(b)(6), (b)(7)(C)** and PFC. **(b)(6), (b)(7)(C)** told us the story. SPC.  
**(b)(6), (b)(7)(C)** started by telling us that one of the detainees  
 cut his zip cuff's off with a shank that he had  
 concealed on his person. After doing so, helped the  
 other detainee's loose. SPC. **(b)(6), (b)(7)(C)** also told us that

INITIALS OF PERSON MAKING STATEMENT

**(b)(6), (b)(7)(C)**

PAGE 2 OF 10 PAGES

USE THIS PAGE IF NEEDED, IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF (b)(6), (b)(7)(C)

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT 1651 COBSS DATED 20060610

9. STATEMENT (Continued)

The one with the shank started at him three times, twice cutting his face and once cutting his arm. Then Spc. (b)(6), (b)(7)(C) said he pushed the detainee back and shot him. PFC. (b)(6), (b)(7)(C) was next to say that one of the detainees attacked him, catching him off guard, and punched him in the face. PFC (b)(6), (b)(7)(C) also said that he pushed him back and shot him. The third detainee was described from whom i cant remember trying to run away, which then was shot by whom i dont remember. SSG. (b)(6), (b)(7)(C) then showed me video from his camcorder of the three detainees dead. Another person from 3rd. sqd. whom i dont remember also had pictures of the same. After that we spent the rest of the day and night at that obj. the next morning we continued on with the mission which ended the day after that. we all flew back to Ragnagar and the mission ended there.

End of statement (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)~~

Continued on PAGE 4  
INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF SGT (b)(6), (b)(7)(C) TAKEN AT COBS DATED 20060620 (b)(6), (b)(7)(C)

## 9. STATEMENT (Continued)

Q. (b)(6), (b)(7)(C)

A. (b)(6), (b)(7)(C)

Q. DO you know who fired at the man in the first house?

A. Both the SSG (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) claimed to fire and kill that man. But i do not know which one actually killed him.

Q. How many houses were involved with that objective?

A. there were two houses involved in that obj.

Q. WHAT happened with the second house?

A. 3rd. sqd. detained one male from the second house.

Q. DID you see three detainees and one KIA with your own eyes?

A. Yes i saw three detainees and one KIA with my own eyes.

Q. DO you recall the time of day when you and SGT (b)(6), (b)(7)(C) came off the Hill and observed the three detainees and one KIA?

A. It was around the time frame of 1200 to 1400.

Q. DO you recall who you gave the first KIA to?

A. ~~Next~~ they were still building the BIF so we dropped the body off with someone we didn't know. we had assumed the person we left the body with was an engineer.

Q. DID you or anyone else in your squad hear the radio traffic pertaining to the three KIA?

A. I personally did not hear the radio traffic pertaining to the three KIA, but i can also not say for sure that anyone in my squad did.

Q. DID you see any of the KIA?

A. I did see the first KIA. He was an older man, approx. 70. he was wearing light clothes, either grey or white. I also saw his wound which went through his chest under his arm. But i only saw pictures and video of the other three.

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 4 OF 12 PAGES



USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

(b)(6), (b)(7)(C)

STATEMENT OF Sgt (b)(6), (b)(7)(C) TAKEN AT COBS DATED 2006/04/20

## 9. STATEMENT (Continued)

Q. You didn't see the other three First Hand?

A. No, I did not see them first hand, only on video and picture, which I was not able to make out important features.

Q. Do you know who else saw the First KIA?

A. All of third squad would of seen him, my self and Sgt. (b)(6), (b)(7)(C) also saw him.

Q. Do you know who saw the other three KIA?

A. The members of 3rd sqd with the video and pictures would of seen them. I would assume the rest did also, but I can not say for sure that anyone else did.

Q. Who showed you pictures and video?

A. SSG. (b)(6), (b)(7)(C) showed me the video, but I do not recall who's camera had the pictures and who it was who showed it to me.

Q. Can you describe either camera?

A. The video camera was a company issue Sony Handycam. The camera was or appeared to be an older model, bigger camera. The color of the both cameras were silver.

Q. WHERE AND When Did you see the video and pictures?

A. we were stopped at the cleared obj. in one of the buildings. It was approx. 1603, in one of the main rooms was where I saw the video and pictures.

Q. WHAT DID you see on the cameras?

A. I saw short video clip of the three KIA and short commentary from SSG. (b)(6), (b)(7)(C) saying basically these are the guys we killed. All of the pictures were also just of the bodies on the ground.

Q. Can you describe the KIA's physically?

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 5 OF 6 PAGES

STATEMENT OF SGT (b)(6), (b)(7)(C) TAKEN AT COBS DATED 20060620

9. STATEMENT (Continued)

A. I remember one KIA face up, he appeared in his late twenties, I do not remember much else other than the other two were face down, and that one of the KIA's had a noticeable wound to his abdomen.

Q. WHAT IS THE UNIT STANDARD OPERATING PROCEDURE ON TAKING VIDEO AND PICTURES?

A. The video cameras are for recreational purposes only. The still cameras are what we use for evidence and mission essential work. Either way we do not allow anyone to keep pictures of detainees and we have some health and welfare to prevent this.

Q. DO YOU RECALL SEEING ANY KIA'S WITH FLEXICUTS - BLINDFOLDS?

A. I do not recall, they could or couldn't have, but I do not recall.

Q. WHERE IN RELATIONSHIP TO THE ISLAND WAS THE PLACE YOU VIEWED THE PICTURES AND VIDEO?

A. We were several kilometers North East of the island.

Q. WAS THERE AN OBJECTIVE NAME OR OTHER INDICATOR?

A. No there was not an objective name for the place where I saw the pictures.

Q. IS THERE ANYTHING ELSE YOU'D LIKE TO ADD AT THIS TIME? (b)(6), (b)(7)(C)

A. No there is not. // End of STATEMENT

(b)(6), (b)(7)(C)

AFFIDAVIT

\_\_\_\_\_, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

(Signature Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 20th day of JUNE, 2006 at COB SPEICHER TIKRIT IRAQ

(b)(6), (b)(7)(C)

SA (b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)

ARLT 136 UCMT  
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

PAGE 6 OF 6 PAGES

**(b)(6), (b)(7)(C)**

<b>PACKING LIST</b>		PACKED BY SSG. <b>(b)(6), (b)(7)(C)</b>	1. NO. BOXES	2a. REQUISITION NO.	
3. END ITEM MOLLE RUCK				2b. ORDER NO.	
				4. DATE 18JUN06	
				5. PAGE 1 OF 8 PAGES	
BOX NO. (a)	CONTENTS - STOCK NUMBER AND NOMENCLATURE (b)	UNIT OF ISSUE (c)	QUANTITIES REQUIRED		
			INITIAL OPERATIO (d)	RUNNING SPARES (e)	TOTAL (f)
	SIDE MOLLE POUCH	1			1
	MOLLE RUCK	1			1
	FRAME	1			1
	DCU MAG POUCH	5			5
	WOODLAND MAG POUCH	4			4
	FRAG POUCH	1			1
	CANTEEN POUCH	1			1
	CANTEEN CUP	1			1
	DCU ASSAULT PACK	1			1
	BROWN GLOVE INSERTS	1			1
6. THIS CERTIFIES THAT ITEMS LISTED HEREON ARE WITHIN THE SPECIFIED BOXES					
TYPED NAME AND TITLE SSG. <b>(b)(6), (b)(7)(C)</b>		SIGNATURE <b>(b)(6), (b)(7)(C)</b>			

DD Form 1750, SEP 70

ACLU DDII CID ROIS 3466

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EXHIBIT 142-1  
000857

(b)(6), (b)(7)(C)

<b>PACKING LIST</b>		PACKED BY SSG (b)(6), (b)(7)(C)	1. NO. BOXES	2a. REQUISITION NO.	
3. END ITEM LAUNDRY BAG				2b. ORDER NO.	
				4. DATE 18 JUN	
				5. PAGE 2 OF 8 PAGES	
BOX NO. (a)	CONTENTS - STOCK NUMBER AND NOMENCLATURE (b)	UNIT OF ISSUE (c)	QUANTITIES REQUIRED		
			INITIAL OPERATIO (d)	RUNNING SPARES (e)	TOTAL (f)
	HEAD LAMP	1			1
	CIVILIAN BLUE JEANS	2			2
	CIVILIAN BLUE SHIRT	2			2
	WHITE T SHIRT	1			1
	BROWN T SHIRT	1			1
	TAN BANDANA	1			1
	WHITE SOCKS	10			0
	GREEN SOCKS	4			4
	BROWN GLOVE INSERTS	2			2
	PT SHOES	2			2
	SHOWER SHOES	2			1
6. THIS CERTIFIES THAT ITEMS LISTED HEREON ARE WITHIN THE SPECIFIED BOXES					
TYPED NAME AND TITLE SSG (b)(6), (b)(7)(C)		SIGNATURE (b)(6), (b)(7)(C)			

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EXHIBIT 142-1

000858

**(b)(6), (b)(7)(C)**

<b>PACKING LIST</b>		PACKED BY SSG <b>(b)(6), (b)(7)(C)</b>	1. NO. BOXES	2a. REQUISITION NO.	
3. END ITEM CLEAR BAG				2b. ORDER NO.	
				4. DATE <b>18 JUN</b>	
				5. PAGE <b>3</b> OF <b>8</b> PAGES	
BOX NO. (a)	CONTENTS - STOCK NUMBER AND NOMENCLATURE (b)	UNIT OF ISSUE (c)	QUANTITIES REQUIRED		
			INITIAL OPERATIO (d)	RUNNING SPARES (e)	TOTAL (f)
	GREEN BOOTS NBC	2			2
	GORTEX BOTTOM M	1			1
	GREEN SLEEP BAG	1			1
	GORTEX TOP M	1			1
	SLEEP BAG BLACK	1			1
6. THIS CERTIFIES THAT ITEMS LISTED HEREON ARE WITHIN THE SPECIFIED BOXES					
TYPED NAME AND TITLE SSG <b>(b)(6), (b)(7)(C)</b>		SIGNATURE <b>(b)(6), (b)(7)(C)</b>			

DD Form 1750, SEP 70

**ACLU DDII CID ROIS 34668**

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000859

(b)(6), (b)(7)(C)

<b>PACKING LIST</b>		PACKED BY SSG. (b)(6), (b)(7)(C)	1. NO. BOXES	2a. REQUISITION NO.		
3. END ITEM LAUNDRY BAG				2b. ORDER NO.		
				4. DATE 18 JUN		
				5. PAGE 4 OF 8 PAGES		
BOX NO. (a)	CONTENTS - STOCK NUMBER AND NOMENCLATURE (b)	UNIT OF ISSUE (c)	QUANTITIES REQUIRED			
			INITIAL OPERATIO (d)	RUNNING SPARES (e)	TOTAL (f)	
	MS ACU TOP	1			Ø	
	MXS ACU TROUSERS	1			Ø	
	MXS TOP ACU	1			Ø	
	MR TOP ACU	1			Ø	
	POLY PRO BOTTOM M	1			1	
	BROWN T SHIRT	4			Ø	
	NECK GATOR	1			1	
	BOOTS SUMMER TAN 9.5	4			4	
	BLUE PT SHIRT	2			Ø	
	THROAT PROTECTOR ACU	1			1	
	REFLECTIVE BELT	1			1	
6. THIS CERTIFIES THAT ITEMS LISTED HEREON ARE WITHIN THE SPECIFIED BOXES						
TYPED NAME AND TITLE SSG. (b)(6), (b)(7)(C)		SIGNATURE (b)(6), (b)(7)(C)				

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ACLU DDII CID ROIS 34669

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EXHIBIT 142-1

000860

(b)(6), (b)(7)(C)

<b>PACKING LIST</b>		PACKED BY SSG. (b)(6), (b)(7)(C)	1. NO. BOXES	2a. REQUISITION NO.	
3. END ITEM A-BAG				2b. ORDER NO.	
				4. DATE 18 JUN	
				5. PAGE 5 OF 8 PAGES	
BOX NO. (a)	CONTENTS - STOCK NUMBER AND NOMENCLATURE (b)	UNIT OF ISSUE (c)	QUANTITIES REQUIRED		
			INITIAL OPERATIO (d)	RUNNING SPARES (e)	TOTAL (f)
	NBC TOP	1			1
	NBC TROUSERS	1			1
	NBC OVERBOOTS	1			1
	NBC HOOD	1			1
	BIVY COVER	1			1
	2QT. CANTEEN WITH COVER	2			2
	GORTEX TOP AND BOTTOM	2			2
	BOONIE CAP ACU	1			1
	NOMEX GLOVES	4			4
	NBC GLOVES	4			4
	SAPI PLATES M SN#645859/637908	2			2
6. THIS CERTIFIES THAT ITEMS LISTED HEREON ARE WITHIN THE SPECIFIED BOXES					
TYPED NAME AND TITLE SSG. (b)(6), (b)(7)(C)		SIGNATURE (b)(6), (b)(7)(C)			

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ACLU DDII CID ROIS 34670

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EXHIBIT 142-1

000861

(b)(6), (b)(7)(C)

<b>PACKING LIST</b>		PACKED BY SSG. (b)(6), (b)(7)(C)	1. NO. BOXES	2a. REQUISITION NO.	
3. END ITEM A-BAG				2b. ORDER NO.	
				4. DATE 18 JUN	
				5. PAGE 6 OF 8 PAGES	
BOX NO. (a)	CONTENTS - STOCK NUMBER AND NOMENCLATURE (b)	UNIT OF ISSUE (c)	QUANTITIES REQUIRED		
			INITIAL OPERATIO (d)	RUNNING SPARES (e)	TOTAL (f)
	DORSEL ARMOUR ACU, DCU	2			2
	E TOOL WITH COVER	2			2
	GROIN PROTECTOR ACU, DCU	2			2
	BLIPS	1			1
	PONCHO	1			1
	WET WEATHER TOP AND BOTTOM	2			2
	TAN KNEE PADS	2			2
	COLD WEATHER GLOVES	2			2
	SUN, DUST, WIND GOGGLES	1			1
	REFLECTIVE BELT	1			1
	PATROL CAP ACU	1			1
8. THIS CERTIFIES THAT ITEMS LISTED HEREON ARE WITHIN THE SPECIFIED BOXES					
TYPED NAME AND TITLE			SIGNATURE (b)(6), (b)(7)(C)		

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EXHIBIT 142-1

ACLU DDII CID ROIS 34671

000862



(b)(6), (b)(7)(C)

<b>PACKING LIST</b>		PACKED BY SSG. (b)(6), (b)(7)(C)	1. NO. BOXES	2a. REQUISITION NO.		
3. END ITEM A-BAG				2b. ORDER NO.		
				4. DATE 18 JUN		
				5. PAGE 7 OF 8 PAGES		
BOX NO. (a)	CONTENTS - STOCK NUMBER AND NOMENCLATURE (b)	UNIT OF ISSUE (c)	QUANTITIES REQUIRED			
			INITIAL OPERATIO (d)	RUNNING SPARES (e)	TOTAL (f)	
	SAW POUCH ACU	2			2	
	POLYPRO TOP AND BOTTOM	2			2	
	SPEC OPS RACK TAN	1			1	
	PT COLD WEATHER PANTS	1			1	
6. THIS CERTIFIES THAT ITEMS LISTED HEREON ARE WITHIN THE SPECIFIED BOXES						
TYPED NAME AND TITLE			SIGNATURE (b)(6), (b)(7)(C)			

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EXHIBIT 142-1

000863

(b)(6), (b)(7)(C)

<b>PACKING LIST</b>		PACKED BY SSG. (b)(6), (b)(7)(C)	1. NO. BOXES	2a. REQUISITION NO.	
3. END ITEM CLEAR BAG				2b. ORDER NO.	
				4. DATE 18 JUN	
				5. PAGE 8 OF 8 PAGES	
BOX NO. (a)	CONTENTS - STOCK NUMBER AND NOMENCLATURE (b)	UNIT OF ISSUE (c)	QUANTITIES REQUIRED		
			INITIAL OPERATIO (d)	RUNNING SPARES (e)	TOTAL (f)
	BLANKET	1			1
	SHEET	1			1
	PILLOW	2			2
6. THIS CERTIFIES THAT ITEMS LISTED HEREON ARE WITHIN THE SPECIFIED BOXES					
TYPED NAME AND TITLE SSG. (b)(6), (b)(7)(C)		SIGNATURE (b)(6), (b)(7)(C)			

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EXHIBIT 142-1

000864

(b)(6), (b)(7)(C)

<b>PACKING LIST</b>		PACKED BY SSG. (b)(6), (b)(7)(C)	1. NO. BOXES	2a. REQUISITION NO.		
3. END ITEM TUFF BOX				2b. ORDER NO.		
				4. DATE 18 JUN		
				5. PAGE 1 OF 14 PAGES		
BOX NO. (a)	CONTENTS - STOCK NUMBER AND (b)	NOMENCLATURE	UNIT OF ISSUE (c)	QUANTITIES REQUIRED		
				INITIAL OPERATIO (d)	RUNNING SPARES (e)	TOTAL (f)
	WHITE SLEEP PAD		1			1
	BLUE BLANKET		1			1
	BOOKS		9			9
	CD CASE		19			19
	RED CD CASE WITH 5 DISCS		6			6
	DVD PLAYER WITH CASE SN#100300 REMOTE	10018138 W/	1			1
	CD CASE WITH 90 CD'S		91			91
	PHOTO ALBUM		1			1
	KENWOOD CD PLAYER SN#4010026		1			1
	HEADPHONES JVC		1			1
	WPN CLEAN KIT		1			1
6. THIS CERTIFIES THAT ITEMS LISTED HEREON ARE WITHIN THE SPECIFIED BOXES						
TYPED NAME AND TITLE SSG. (b)(6), (b)(7)(C)		SIGNATURE (b)(6), (b)(7)(C)				

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EXHIBIT 142-2

000865

(b)(6), (b)(7)(C)

<b>PACKING LIST</b>		PACKED BY SSG (b)(6), (b)(7)(C)	1. NO. BOXES	2a. REQUISITION NO.		
3. END ITEM TUFF BOX				2b. ORDER NO.		
				4. DATE 18JUN		
				5. PAGE 2 OF 14 PAGES		
BOX NO. (a)	CONTENTS - STOCK NUMBER AND NOMENCLATURE (b)	UNIT OF ISSUE (c)	QUANTITIES REQUIRED			
			INITIAL OPERATIO (d)	RUNNING SPARES (e)	TOTAL (f)	
	A/C ADAPTER	1			1	
	TEDDY BEAR	1			1	
	SLING SHOT	1			1	
6. THIS CERTIFIES THAT ITEMS LISTED HEREON ARE WITHIN THE SPECIFIED BOXES						
TYPED NAME AND TITLE SSG (b)(6), (b)(7)(C)		SIGNATURE (b)(6), (b)(7)(C)				

DD Form 1750, SEP 70

ACLU DDII CID ROIS 34675

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EXHIBIT 142-2  
000866

(b)(6), (b)(7)(C)

PACKING LIST		PACKED BY	1. NO. BOXES	2a. REQUISITION NO.		
		SSG. (b)(6), (b)(7)(C)		2b. ORDER NO.		
3. END ITEM TUFF BOX				4. DATE 18 JUN		
				5. PAGE 3 OF 14 PAGES		
BOX NO. (a)	CONTENTS - STOCK NUMBER AND NOMENCLATURE (b)	UNIT OF ISSUE (c)	QUANTITIES REQUIRED			
			INITIAL OPERATIO (d)	RUNNING SPARES (e)	TOTAL (f)	
	IRAQI CLOTH	1			1	
	DIGITAL CAMERA PANASONIC SN#UA35307730 WI TH CASE	1			1	
	CAMERA CASE	1			1	
	DUST SWEEPER	1			1	
	HCT DVD PLAYER SN#060104166 WITH REMOTE	1			1	
	HYGIENE ITEMS	12			12	
	VARIOUS MAGAZINES	14			14	
	MIDDLE EAST MAP	1			1	
	CLOTHES HANGER	18			18	
	OAKLEY GLASSES	1			1	
	WILEY X GLASSES	1			1	

6. THIS CERTIFIES THAT ITEMS LISTED HEREON ARE WITHIN THE SPECIFIED BOXES

TYPED NAME AND TITLE

SSG. (b)(6), (b)(7)(C)

SIGNATURE

(b)(6), (b)(7)(C)

DD Form 1750, SEP 70

ACLU DDII CID ROIS 34676

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EXHIBIT 142-2

000867

(b)(6), (b)(7)(C)

<b>PACKING LIST</b>		PACKED BY SSG (b)(6), (b)(7)(C)	1. NO. BOXES	2a. REQUISITION NO.		
3. END ITEM LAUNDRY BAG				2b. ORDER NO.		
				4. DATE 18 JUN		
				5. PAGE 4 OF 14 PAGES		
BOX NO. (a)	CONTENTS - STOCK NUMBER AND NOMENCLATURE (b)	UNIT OF ISSUE (c)	QUANTITIES REQUIRED			
			INITIAL OPERATIO (d)	RUNNING SPARES (e)	TOTAL (f)	
	HAND WARMER	1			1	
	CARDS/RECIEPTS	1BAG			1	
	ESS LENSES	2			2	
	DVD RW	5			5	
	DVD	2			2	
	TOOTHBRUSH	1			1	
	CARABENERS	2			2	
	PENS	30			30	
	DRUM STICKS	2			2	
	DRUM PAD	1			1	
	BOTTLE	1			1	
6. THIS CERTIFIES THAT ITEMS LISTED HEREON ARE WITHIN THE SPECIFIED BOXES						
TYPED NAME AND TITLE SSG. (b)(6), (b)(7)(C)		SIGNATURE (b)(6), (b)(7)(C)				

DD Form 1750, SEP 70

ACLU DDII CID ROIS 34677

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EXHIBIT 142-2

000868

(b)(6), (b)(7)(C)

<b>PACKING LIST</b>		PACKED BY SSG. (b)(6), (b)(7)(C)	1. NO. BOXES	2a. REQUISITION NO.		
3. END ITEM MOLLE PACK				2b. ORDER NO.		
				4. DATE 18JUN		
				5. PAGE 5 OF 14 PAGES		
BOX NO. (a)	CONTENTS - STOCK NUMBER AND NOMENCLATURE (b)	UNIT OF ISSUE (c)	QUANTITIES REQUIRED			
			INITIAL OPERATIO (d)	RUNNING SPARES (e)	TOTAL (f)	
	TAN SHIRT	2			2	
	BROWN TOWEL	1			1	
	HELMET	1			1	
	RACK VEST WITH POUCHES	1			1	
	TAN KNEE PAD	2			2	
	GREEN GLOVES	2			2	
	UTILITY POUCH	1			1	
	PONCHO	1			1	
	WET WEATHER BAG	2			2	
	MOLLE PACK	1			1	
	ASSAULT PACK	3			3	
6. THIS CERTIFIES THAT ITEMS LISTED HEREON ARE WITHIN THE SPECIFIED BOXES						
TYPED NAME AND TITLE SSG. (b)(6), (b)(7)(C)		SIGNATURE (b)(6), (b)(7)(C)				

DD Form 1750, SEP 70

ACLU DDII CID ROIS 34678

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EXHIBIT 142-2

000869

(b)(6), (b)(7)(C)

<b>PACKING LIST</b>		PACKED BY SSG. (b)(6), (b)(7)(C)	1. NO. BOXES	2a. REQUISITION NO.		
3. END ITEM C-BAG				2b. ORDER NO.		
				4. DATE 18JUN		
				5. PAGE 6 OF 14 PAGES		
BOX NO. (a)	CONTENTS - STOCK NUMBER AND NOMENCLATURE (b)	UNIT OF ISSUE (c)	QUANTITIES REQUIRED			
			INITIAL OPERATIO (d)	RUNNING SPARES (e)	TOTAL (f)	
	THERMAL UNDERWEAR WHITE (M)	2			2	
	GORTEX BOTTOM (ML)	1			1	
	BLACK SILK WEIGHT BOTTOM (MR)	3			3	
	BLACK SILK WEIGHT TOP (M)	4			4	
	FIELD JACKET LINER	1			1	
	WINTER PTS TOP AND BOTTOM	2			2	
	ELBOW FLASHLIGHT	1			1	
6. THIS CERTIFIES THAT ITEMS LISTED HEREON ARE WITHIN THE SPECIFIED BOXES						
TYPED NAME AND TITLE		SIGNATURE (b)(6), (b)(7)(C)				



(b)(6), (b)(7)(C)

<b>PACKING LIST</b>		PACKED BY SSG. (b)(6), (b)(7)(C)	1. NO. BOXES	2a. REQUISITION NO.	
3. END ITEM C-BAG				2b. ORDER NO.	
				4. DATE 18 JUN	
				5. PAGE 7 OF 14 PAGES	
BOX NO. (a)	CONTENTS - STOCK NUMBER AND NOMENCLATURE (b)	UNIT OF ISSUE (c)	QUANTITIES REQUIRED		
			INITIAL OPERATIO (d)	RUNNING SPARES (e)	TOTAL (f)
	LAUNDRY BAG	2			2
	BLK SOCKS	2			0
	BLK SLEEP BAG	1			1
	GREEN FLIGHT GLOVES COLD WEATHER	2			2
	POLYPRO TOP (M)	1			1
	WET WEATHER BOTTOM (M)	1			1
	GORTEX TOP (LL)	1			1
	BLACK FLEECE (L)	1			1
	FLEECE CAP	1			1
	PT SHIRT LONG SLEEVE (M)	2			2
	PT SHORTS XXL	4			0
8. THIS CERTIFIES THAT ITEMS LISTED HEREON ARE WITHIN THE SPECIFIED BOXES					
TYPED NAME AND TITLE SSG. (b)(6), (b)(7)(C)		SIGNATURE (b)(6), (b)(7)(C)			

DD Form 1750, SEP 70

ACLU DDII CID ROIS 34680

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

EXHIBIT 142-2

000871

(b)(6), (b)(7)(C)

0086-06-CID469-75447

<b>PACKING LIST</b>		PACKED BY SSG. (b)(6), (b)(7)(C)	1. NO. BOXES	2a. REQUISITION NO.		
				2b. ORDER NO.		
3. END ITEM B-BAG				4. DATE 18 JUN		
				5. PAGE 8 OF 14 PAGES		
BOX NO. (a)	CONTENTS - STOCK NUMBER AND NOMENCLATURE (b)	UNIT OF ISSUE (c)	QUANTITIES REQUIRED			
			INITIAL OPERATIO (d)	RUNNING SPARES (e)	TOTAL (f)	
	TENT COLD WEATHER WOODLAND	1			1	
	BAG FOR TENT	1			1	
	WPN SLING BLACK	1			1	
	NYLON STRAPS/FASTEX	6			6	
	AMMO POUCH TAN	4			4	
	COMBAT APP. TORNIQUET	1			1	
	ACU ELBOW PADS	2			2	
	BOOT LACES	2			2	
	ACU TOP (MR)	1			0	
	WHITE T SHIRT (L)	1			1	
	BLACK BASEBALL CAP	1			1	
6. THIS CERTIFIES THAT ITEMS LISTED HEREON ARE WITHIN THE SPECIFIED BOXES						
TYPED NAME AND TITLE SSG. (b)(6), (b)(7)(C)		SIGNATURE (b)(6), (b)(7)(C)				

DD Form 1750, SEP 70

ACLU DDII CID ROIS 34681

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

EXHIBIT 14-2

000872

(b)(6), (b)(7)(C)

0086-06-CID469-75447

<b>PACKING LIST</b>		PACKED BY SSG (b)(6), (b)(7)(C)	1. NO. BOXES	2a. REQUISITION NO.		
3. END ITEM B-BAG				2b. ORDER NO.		
				4. DATE 18 JUN		
				5. PAGE 9 OF 14 PAGES		
BOX NO. (a)	CONTENTS - STOCK NUMBER AND NOMENCLATURE (b)	UNIT OF ISSUE (c)	QUANTITIES REQUIRED			
			INITIAL OPERATIO (d)	RUNNING SPARES (e)	TOTAL (f)	
	BROWN TOWEL	1			1	
	BLACK LIFTING GLOVES	2			2	
	ACU HELMET COVER WITH PAD AND STRAP	1			1	
	SUMMER BOOTS TAN SZ 11R	2			1	
	GREEN SLEEP BAG	1			1	
6. THIS CERTIFIES THAT ITEMS LISTED HEREON ARE WITHIN THE SPECIFIED BOXES						
TYPED NAME AND TITLE			SIGNATURE (b)(6), (b)(7)(C)			

DD Form 1750, SEP 70

ACLU DDII CID ROIS 34682

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EXHIBIT 14-2

000873

(b)(6), (b)(7)(C)

0086-06-CID469-75447

<b>PACKING LIST</b>		PACKED BY SSG. (b)(6), (b)(7)(C)	1. NO. BOXES	2a. REQUISITION NO.		
3. END ITEM B-BAG				2b. ORDER NO.		
				4. DATE 18 JUN		
				5. PAGE 10 OF _____ PAGES		
BOX NO. (a)	CONTENTS - STOCK NUMBER AND NOMENCLATURE (b)	UNIT OF ISSUE (c)	QUANTITIES REQUIRED			
			INITIAL OPERATIO (d)	RUNNING SPARES (e)	TOTAL (f)	
	PT SHOES ASICS SZ 13	2			2	
	2QT. CANTEEN WITH COVER AND STRAP	1			1	
	ACU ARMOUR THROAT PROTECTOR	1			1	
	ACU ARMOUR GROIN PROTECTOR	1			1	
	BLIPS CASE	1			1	
	RECTANGLE GLASS	2			2	
	NBC TROUSERS	1			1	
	NBC TOP	1			1	
	NBC HOOD	1			1	
	NBC GLOVES	1			1	
	MOLLE SLEEP BAG BLACK	1			1	
6. THIS CERTIFIES THAT ITEMS LISTED HEREON ARE WITHIN THE SPECIFIED BOXES						
TYPED NAME AND TITLE SSG. (b)(6), (b)(7)(C)			SIGNATURE (b)(6), (b)(7)(C)			

DD Form 1750, SEP 70

ACLU DDII CID ROIS 34683

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EXHIBIT 142-2

000874

(b)(6), (b)(7)(C)

PACKING LIST		PACKED BY SSG. (b)(6), (b)(7)(C)	1. NO. BOXES	2a. REQUISITION NO.		
3. END ITEM A-BAG				2b. ORDER NO.		
				4. DATE 18JUN		
				5. PAGE 11 OF 14 PAGES		
BOX NO. (a)	CONTENTS - STOCK NUMBER AND NOMENCLATURE (b)	UNIT OF ISSUE (c)	QUANTITIES REQUIRED			
			INITIAL OPERATIO (d)	RUNNING SPARES (e)	TOTAL (f)	
	TAN GLOVE INSERTS	2			2	
	BLACK BACLAVA	1			1	
	COTTON CLOTH	1			1	
	BROWN COTTON T SHIRT	5			5	
	WHITE SMALL CLOTH (GOGGLES)	2			2	
	GREEN COTTON SOCKS	2			0	
	POLYPRO BOTTOM	1			1	
	AMMO/UTILITY POUCH	3			3	
	10 GIG IPOD SN#JQ341F91NRH	1			1	
	HEADPHONES (IPOD)	1			1	
	STUFFED ANIMAL TIGER	1			1	

6. THIS CERTIFIES THAT ITEMS LISTED HEREON ARE WITHIN THE SPECIFIED BOXES

TYPED NAME AND TITLE

SSG. (b)(6), (b)(7)(C)

SIGNATURE

(b)(6), (b)(7)(C)

DD Form 1750, SEP 70

ACLU DDII CID ROIS 34684

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EXHIBIT 192-2

000875

(b)(6), (b)(7)(C)

0086-06-CID469-75447

<b>PACKING LIST</b>		PACKED BY SSG (b)(6), (b)(7)(C)	1. NO. BOXES	2a. REQUISITION NO.		
3. END ITEM A-BAG				2b. ORDER NO.		
				4. DATE 18 JUN		
				5. PAGE 12 OF 14 PAGES		
BOX NO. (a)	CONTENTS - STOCK NUMBER AND NOMENCLATURE (b)	UNIT OF ISSUE (c)	QUANTITIES REQUIRED			
			INITIAL OPERATIO (d)	RUNNING SPARES (e)	TOTAL (f)	
	WOMENS UNDERWEAR RED	1			1	
	REFLECTIVE BELT	2			2	
	BLACK FLEECE JACKET (L)	1			1	
	UNDER ARMOUR SHIRT BROWN (L)	1			0	
	BROWN MOISTURE WICKING T SHIRT	3			0	
	TAN ACU SHIRT	2			0	
6. THIS CERTIFIES THAT ITEMS LISTED HEREON ARE WITHIN THE SPECIFIED BOXES						
TYPED NAME AND TITLE		SIGNATURE (b)(6), (b)(7)(C)				

DD Form 1750, SEP 70

ACLU DDII CID ROIS 94685

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EXHIBIT 142-2

000876

(b)(6), (b)(7)(C)

<b>PACKING LIST</b>		PACKED BY SSG (b)(6), (b)(7)(C)	1. NO. BOXES	2a. REQUISITION NO.		
3. END ITEM A-BAG				2b. ORDER NO.		
				4. DATE 18 JUN		
				5. PAGE 13 OF 14 PAGES		
BOX NO. (a)	CONTENTS - STOCK NUMBER AND NOMENCLATURE (b)	UNIT OF ISSUE (c)	QUANTITIES REQUIRED			
			INITIAL OPERATIO (d)	RUNNING SPARES (e)	TOTAL (f)	
	SAPI PLATE (M) SN#0107741/0107743	2				
	OVER BOOTS SIZE 14	2				
	GORTEX JACKET (MR)	1				
	BOONIE CAP SIZE 7	1				
	ESS GOGGLES W/2 EXTRA LENS	1				
	WET WEATHER BOTTOMS	2				
	BIVY COVER WOODLAND	1				
	TAN UTILITY POUCH	1				
	BLK NYLON CHORD WITH D RING	1				
	RED SILK SPEEDO UNDERWEAR	1				
	BLUE BOXER BRIEFS	1			Ø	
8. THIS CERTIFIES THAT ITEMS LISTED HEREON ARE WITHIN THE SPECIFIED BOXES						
TYPED NAME AND TITLE SSG (b)(6), (b)(7)(C)		SIGNATURE (b)(6), (b)(7)(C)				

DD Form 1750, SEP 70

ACLU DDII CID ROIS 34886

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EXHIBIT 12-2

000877

(b)(6), (b)(7)(C)

0086-06-CID469-75447

<b>PACKING LIST</b>		PACKED BY SSG. (b)(6), (b)(7)(C)	1. NO. BOXES	2a. REQUISITION NO.		
3. END ITEM A-BAG				2b. ORDER NO.		
				4. DATE 18 JUN		
				5. PAGE 14 OF 14 PAGES		
BOX NO. (a)	CONTENTS - STOCK NUMBER AND NOMENCLATURE (b)	UNIT OF ISSUE (c)	QUANTITIES REQUIRED			
			INITIAL OPERATIO (d)	RUNNING SPARES (e)	TOTAL (f)	
	TAN CAMELBAK W/ BLADDER	1				
	GORTEX COLD WEATHER BOOTS TAN SIZE 12.5	2				
	2QT. CANTEEN WITH COVER AND STRAP	1				
	BLANK FIRING ADAPTER	2				
	WOODLAND WAIST PACK	1				
	WOODLAND RADIO POUCH	1				
	BLACK LEATHER GLOVES	2				
	BLACK GORTEX GLOVES	2				
	WHITE POLYESTER BOXER BRIEFS	1				
	BLACK UNDER ARMOUR SHIRT (L)	1				
	BLACK GLOVE INSERTS	4				
6. THIS CERTIFIES THAT ITEMS LISTED HEREON ARE WITHIN THE SPECIFIED BOXES						
TYPED NAME AND TITLE SSG. (b)(6), (b)(7)(C)			SIGNATURE (b)(6), (b)(7)(C)			

DD Form 1750, SEP 70

ACLU DDII CID ROIS 34687

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EXHIBIT 142-2

000878



(b)(6), (b)(7)(C)

<b>PACKING LIST</b>		PACKED BY SSG (b)(6), (b)(7)(C)	T. NO. BOXES	2a. REQUISITION NO.	
3. END ITEM MOLLE PACK				2b. ORDER NO.	
				4. DATE 18 JUN	
				5. PAGE 1 OF 9 PAGES	
BOX NO. (a)	CONTENTS - STOCK NUMBER AND NOMENCLATURE (b)	UNIT OF ISSUE (c)	QUANTITIES REQUIRED		
			INITIAL OPERATIO (d)	RUNNING SPARES (e)	TOTAL (f)
	SLEEP PAD	1			1
	DOUBLE GRENADE POUCH	1			1
	COMPASS	1			1
	GOLD ZIPPO	1			1
	RACK BLACKHAWK	1			1
	ASSAULT PACK TAN	1			1
	WOODLAWN MAG POUCH	1			1
	TAN UTILITY POUCH	1			1
	CARABINEERS	2			2
	POLYPRO TOP	1			1
	POLYPRO BOTTOM	1			1
6. THIS CERTIFIES THAT ITEMS LISTED HEREON ARE WITHIN THE SPECIFIED BOXES					
TYPED NAME AND TITLE SSG (b)(6), (b)(7)(C)		SIGNATURE (b)(6), (b)(7)(C)			

DD Form 1780, SEP 70

ACLU DDII CID ROIS 34688

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EXHIBIT 14-3  
000879

(b)(6), (b)(7)(C)

<b>PACKING LIST</b>		PACKED BY SSG. (b)(6), (b)(7)(C)	1. NO. BOXES	2a. REQUISITION NO.	
3. END ITEM MOLLE PACK				2b. ORDER NO.	
				4. DATE 18 JUN	
				5. PAGE 2 OF 9 PAGES	
BOX NO. (a)	CONTENTS - STOCK NUMBER AND NOMENCLATURE (b)	UNIT OF ISSUE (c)	QUANTITIES REQUIRED		
			INITIAL OPERATIO (d)	RUNNING SPARES (e)	TOTAL (f)
	DROP LEG WITH TWO MAG POUCHES	1			1
	CIVILIAN LEATHER JACKET	1			1
	CIVILIAN BLUE SHIRT	1			1
	CIVILIAN BLUE JEANS	2			2
	FIELD HACKET LINER	1			1
	GORTEX TOP	1			1
	GORTEX BOTTOM	1			1
	FLEECE TOP	2			2
	TAN GORTEX BOOTS 8.5 WIDE	2			2
	GREEN OVERBOOTS SZ 10	2			2
	TAN GLOVE INSERTS	3			3
6. THIS CERTIFIES THAT ITEMS LISTED HEREON ARE WITHIN THE SPECIFIED BOXES					
TYPED NAME AND TITLE SSG. (b)(6), (b)(7)(C)		SIGNATURE (b)(6), (b)(7)(C)			

DD Form 1760, SEP 70

USAPPC V1.00

ACLU DDII CID ROIS 34689

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EXHIBIT 142-3

000880

(b)(6), (b)(7)(C)

<b>PACKING LIST</b>		PACKED BY SSG (b)(6), (b)(7)(C)	1. NO. BOXES	2a. REQUISITION NO.	
3. END ITEM MOLLE PACK				2b. ORDER NO.	
				4. DATE 18 JUN	
				5. PAGE 3 OF 9 PAGES	
BOX NO. (a)	CONTENTS - STOCK NUMBER AND NOMENCLATURE (b)	UNIT OF ISSUE (c)	QUANTITIES REQUIRED		
			INITIAL OPERATIO (d)	RUNNING SPARES (e)	TOTAL (f)
	TAN MOLLE MAG POUCH	3			3
	DROP LEG POUCH GREEN	1			1
	TACTICAL TAYLOR MAG POUCH TAN	1			1
	MOLLE MAG POUCH	1			1
	SLEEP PAD	1			1
	BLACK LEATHER WORK GLOVES	2			2
	CARABINER	1			1
	E TOOL WITH CASE	2			2
	MOLLE GRENADE POUCH	1			1
	BLACK SLEEP BAG	1			1
	OAKLEY GLASSES WITH CASE AND LENS	1			1
6. THIS CERTIFIES THAT ITEMS LISTED HEREON ARE WITHIN THE SPECIFIED BOXES					
TYPED NAME AND TITLE SSG (b)(6), (b)(7)(C)		SI (b)(6), (b)(7)(C)			

DD Form 1750, SEP 70

USAPPC V1.00

ACLU DDII CID ROIS 34690

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EXHIBIT 142-3

000881

(b)(6), (b)(7)(C)

0086-06-CID469-75447

<b>PACKING LIST</b>		PACKED BY SSG (b)(6), (b)(7)(C)	1. NO. BOXES	2a. REQUISITION NO.	
				2b. ORDER NO.	
3. END ITEM A-BAG				4. DATE 18JUN	
				5. PAGE 4 OF 9 PAGES	
BOX NO. (a)	CONTENTS - STOCK NUMBER AND NOMENCLATURE (b)	UNIT OF ISSUE (c)	QUANTITIES REQUIRED		
			INITIAL OPERATIO #	RUNNING SPARES (e)	TOTAL (d)
	CIVILIAN BUTTON SHIRT WHITE	1			1
	WILEY X LENS	2			2
	COMB LOCK	1			1
	WHITE SOCKS	6			6
	WHITE TANK TOP	1			1
	ESS GOGGLE LENS	1			1
	SIDE MOLLE POUCHES	2			2
	GREEN MOLLE CAMELBACK	1			1
	SUND DUST WIND GOGGLES	1			1
	WILEY X LENS	1			1
	POLY PRO TOP AND BOTTOM M	1			1
6. THIS CERTIFIES THAT ITEMS LISTED HEREON ARE WITHIN THE SPECIFIED BOXES					
TYPED NAME AND TITLE SSG (b)(6), (b)(7)(C)		SIGNATURE (b)(6), (b)(7)(C)			

DD Form 1750, SEP 70

USAPPC V1.00

ACLU DDII CID ROIS 34691

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EXHIBIT 142-3

000882

(b)(6), (b)(7)(C)

0086-06-CID469-75447

<b>PACKING LIST</b>		PACKED BY SSG: (b)(6), (b)(7)(C)	1. NO. BOXES	2a. REQUISITION NO.	
3. END ITEM LAUNDRY BAG				2b. ORDER NO.	
				4. DATE 18 JUN	
				5. PAGE 5 OF 9 PAGES	
BOX NO. (a)	CONTENTS - STOCK NUMBER AND NOMENCLATURE (b)	UNIT OF ISSUE (c)	QUANTITIES REQUIRED		
			INITIAL OPERATIO #	RUNNING SPARES (e)	TOTAL (f)
	POLY PRO BOTTOM	1			1
	HYGIENE KIT	1			0
	BLK WEB BELT	1			1
	SEW KIT	1			1
	BLK BERET	1			1
	ACU TOP MR	1			1
	WET WEATHER BAG	1			1
	BROWN T SHIRT	1			0
	WET WEATHER TOP	1			1
	UMD'S WITH CASE	8			8
	LOCK WITH KEY	1			1
6. THIS CERTIFIES THAT ITEMS LISTED HEREON ARE WITHIN THE SPECIFIED BOXES					
TYPED NAME AND TITLE SSG: (b)(6), (b)(7)(C)		SIGNATURE (b)(6), (b)(7)(C)			

DD Form 1750, SEP 70

USAPPC V1.00

ACLU DDII CID ROIS 34692

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EXHIBIT 142-3

000883

(b)(6), (b)(7)(C)

<b>PACKING LIST</b>		PACKED BY SSG. (b)(6), (b)(7)(C)	1. NO. BOXES	2a. REQUISITION NO.	
3. END ITEM LAUNDRY BAG				2b. ORDER NO.	
				4. DATE 18 JUN	
				5. PAGE 6 OF 9 PAGES	
BOX NO. (a)	CONTENTS - STOCK NUMBER AND NOMENCLATURE (b)	UNIT OF ISSUE (c)	QUANTITIES REQUIRED		
			INITIAL OPERATIO (d)	RUNNING SPARES (e)	TOTAL (f)
	PT WINTER TOP AND BOTTOM	1			1
	LOONG SLEEVE PT SHIRTS M	2			1
	WET WEATHER BAG	2			2
	CANTEEN CUP	1			1
	BOOTS SUMMER 8.5	2			0
	TAN PISTOL HOLDER	1			1
	12 GAUGE POUCH	1			1
	BLACK BRACE	1			1
	SILK WEIGHT TOP AND BOTTOM	1			1
	WET WEATHER BOTTOM M	1			1
	NBC HOOD	1			1
8. THIS CERTIFIES THAT ITEMS LISTED HEREON ARE WITHIN THE SPECIFIED BOXES					
TYPED NAME AND TITLE SSG. (b)(6), (b)(7)(C)		SIGNATURE (b)(6), (b)(7)(C)			

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USAPPC V1.00

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EXHIBIT 142-3

000884

(b)(6), (b)(7)(C)

0086-06-CID469-75447

<b>PACKING LIST</b>		PACKED BY SSG (b)(6), (b)(7)(C)	1. NO. BOXES	2a. REQUISITION NO.		
3. END ITEM CLEAR BAG				2b. ORDER NO.		
				4. DATE 18 JUN		
				5. PAGE 7 OF 9 PAGES		
BOX NO. (a)	CONTENTS - STOCK NUMBER AND NOMENCLATURE (b)	UNIT OF ISSUE (c)	QUANTITIES REQUIRED			
			INITIAL OPERATIO (d)	RUNNING SPARES (e)	TOTAL (f)	
	PSP 32MB CARD	1			1	
	ACU GROIN PROTECTOR	1			1	
	ELBOW PADS	2			2	
	ELBOW FLASHLIGHT	1			1	
	PSP SN#PP120072949	1			1	
	PSP GAMES	3			3	
	HYGIENE KIT	1			1	
	MAGAZINES/BOOKS	16			16	
	PS2 GAMES	6			6	
	CD	5			5	
	DVD	2			2	
6. THIS CERTIFIES THAT ITEMS LISTED HEREON ARE WITHIN THE SPECIFIED BOXES						
TYPED NAME AND TITLE SSG (b)(6), (b)(7)(C)		SIGNATURE (b)(6), (b)(7)(C)				

DD Form 1760, SEP 70

USAPPC V1.00

ACLU DDII CID ROIS 34694

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000885

(b)(6), (b)(7)(C)

0086-06-CID469-75447

<b>PACKING LIST</b>		PACKED BY SSG. (b)(6), (b)(7)(C)	1. NO. BOXES	2a. REQUISITION NO.		
3. END ITEM CLEAR BAG				2b. ORDER NO.		
				4. DATE 18 JUN		
				5. PAGE 8 OF 9 PAGES		
BOX NO. (a)	CONTENTS - STOCK NUMBER AND NOMENCLATURE (b)	UNIT OF ISSUE (c)	QUANTITIES REQUIRED			
			INITIAL OPERATIO (d)	RUNNING SPARES (e)	TOTAL (f)	
	CD CASE	1			1	
	GREEN SLEEP BAG	1			1	
	COMPRESSION BAG	1			1	
	PONCHO LINER	1			1	
	PT CAP	1			1	
	CIVILIAN BAKLAVA	1			1	
	BOX OF MAIL	1			1	
	TAN BOOTS SUMMER 8.5 WIDE	2			2	
	HEAD LAMP	1			1	
	TAN MAG POUCH	3			3	
	OAKLEY GLASSES/ BOONIE CAP	1			1	
6. THIS CERTIFIES THAT ITEMS LISTED HEREON ARE WITHIN THE SPECIFIED BOXES						
TYPED NAME AND TITLE SSG. (b)(6), (b)(7)(C)		SIGNATURE (b)(6), (b)(7)(C)				

DD Form 1750, SEP 70

USAPPC V1.00

ACLU DDII CID ROIS 34695

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EXHIBIT 142-3

000886



(b)(6), (b)(7)(C)

<b>PACKING LIST</b>		PACKED BY SPC (b)(6), (b)(7)(C)	1. NO. BOXES	2a. REQUISITION NO.		
3. END ITEM (b)(6), (b)(7)(C)				2b. ORDER NO.		
				4. DATE 18 Jun 06		
				5. PAGE 9 OF 9 PAGES		
BOX NO. (a)	CONTENTS - STOCK NUMBER AND NOMENCLATURE (b)	UNIT OF ISSUE (c)	QUANTITIES REQUIRED			
			INITIAL OPERATIO (d)	RUNNING SPARES (e)	TOTAL (f)	
	- duffel bag	1			1	
	- Molle drapery	1			1	
	- sleeping compartment	1			1	
	- wash cloths	2			2	
	- polypro top	2			2	
	- black balaclava	1			1	
	- spears bottoms	1			1	
	- winter pt top	1			1	
	- winter pt bottom	1			1	
	- short sleeve pt shirts	2			2	
	- brown T-shirts	3			3	
	- waterproof bag	1			1	
	- diamond back plate carrier	1			1	
	- interior daps	2			2	
	- exterior daps	2			2	
	- towels	2			2	
	- tactical taybr sling	1			1	
	- molle canteen pouches	2			2	
	- molle grenade pouches	2			2	
	- molle mag pouch	1			1	
	- washcloth	1			1	
	- glove inserts	1			1	
	- pt belt	1			1	
	- 2qt canteen w/cover	1			1	
	- knit cap	1			1	
	- white socks, pair	6			6	
	- civilian boots	2			2	

6. THIS CERTIFIES THAT ITEMS LISTED HEREON ARE WITHIN THE SPECIFIED BOXES

(b)(6), (b)(7)(C)

SS6

(b)(6), (b)(7)(C)

DD Form 1750, SEP 70

USAPPC V1.00

ACLU DDII CID ROIS 34696

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

EXHIBIT 142-3

000887

**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

0086-06-CID469-75447

For use of this form, see AF 190-30; the proponent agency is ODCSOPS

**DATA REQUIRED BY THE PRIVACY ACT**

**AUTHORITY:** Title 10, United States Code, Section 3012(g)  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.  
**ROUTINE USES:** Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your Social Security Number is voluntary.

1. LOCATION BLOS 718, Ticket CID Office	2. DATE 21 Jun 06	3. TIME 29.30	FILE NUMBER (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)	8. ORGANIZATION OR ADDRESS C 3/187th Infantry Regiment 308 Crossfield Hall APO AE 09393		
(b)(6), (b)(7)(C)	7. GRADE/STATUS ES/AD		

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**SECTION A. Rights**

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command and wanted to question me about the following offense(s) of which I am suspect/accused: Sole Offense Statement

- Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:
1. I do not have to answer any questions or say anything.
  2. Anything I say or do can be used as evidence against me in a criminal trial.
  3. (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me or both.

-or-

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have the right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

**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. DAW

WITNESSES (if available)		(b)(6), (b)(7)(C)
1a. NAME (Type or Print)		
b. ORGANIZATION OR ADDRESS AND PHONE		
2a. NAME (Type or Print)	5. TYPE NAME OF INVESTIGATOR	SA (b)(6), (b)(7)(C)
b. ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR	31st MP Det (CID) C 208 Spicher APO AE 09393

**SECTION C. Non-waiver**

1. I do not want to give up my rights  
 I want a lawyer  I do not want to be questioned or say anything
2. SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

DA FORM 3881, NOV 89 (AUTOMATED)

EDITION OF NOV 84 IS OBSOLETE

**PART II - RIGHTS WARNING PROCEDURE**

THE WARNING

**ACLU DDII CID ROIS 34697**

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

EXHIBIT 143

000888

**SWORN STATEMENT**

**LOCATION:**

Tikrit CID Office  
Contingency Operating Base (COB) Speicher  
Tikrit, Iraq, APO AE 09393

**DATE:**

21 Jun 06

**TIME:**

1000 (b)(6), (b)(7)(C)

**NAME:** (b)(6), (b)(7)(C) **SSN:** (b)(6), (b)(7)(C) **GRADE/STATUS:** SGT/AD

**ORGANIZATION OR ADDRESS:** C 3/187<sup>th</sup> Infantry Company, FOB Brassfield-Mora,  
Tikrit, Iraq, 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: SGT (b)(6), (b)(7)(C)

Q: Was you previous statement to this office completely truthful?

A: It was true to what I remembered at the time. I now remember him saying he had to shoot twice because he missed the first time. I thought he shot him because they were clearing through the objective and that the detainee was wounded. He said nothing about it being a mercy killing.

Q: Did he tell you anything about how (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) received their wounds?

A: He did not tell me anything about how they received their wounds. (b)(6), (b)(7)(C) told me that he thought an Iraqi Army (IA) soldier had given a knife to the detainees. The detainee had cut his own cuffs, got up and slashed at (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) was cut on both sides of his face and his left wrist. Then he said the other two detainees got up off the ground and one punched (b)(6), (b)(7)(C) in the face. Then the three detainees turned to run and (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) opened up fire.

Q: Did (b)(6), (b)(7)(C) tell you a similar story which related the detainee/s had gotten free of their flex cuffs and cut and punched (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)

A: No, he did not tell me that and we did not talk about that.

Q: Did he tell you that SSG (b)(6), (b)(7)(C) had cut (b)(6), (b)(7)(C)

A: No.

Q: Did you at any time tell (b)(6), (b)(7)(C) that he had did the right thing by shooting the detainee?

A: I might have. I am not for sure.

Q: Did (b)(6), (b)(7)(C) tell you the circumstances that caused him to shoot the detainee.

A: I understood they were clearing the objective and there was a wounded man. He shot at the detainee once and missed, then shot at him again and hit him. I believe he said he shot him in the head.

Q: Did he say anything about putting the detainee out of his misery? (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 143

~~FOR OFFICIAL USE ONLY - ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE~~

**ACLU DDII CID ROIS 34698**

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB  
SPEICHER, TIKRIT, IRAQ, DATED 21 June, 2006, CONTINUED.

(b)(6), (b)(7)(C)

A: Not that I remember.

Q: Did he tell you about (b)(6), (b)(7)(C) being there and providing aide to the detainees?

A: No.

Q: Did you say to (b)(6), (b)(7)(C) that if the detainee was going to die anyway; he had done the right thing?

A: No, if I said anything to that effect that means the person could have still been a combative? I don't remember saying that and if I would have I would have only said that because I believe the guy was a combative.

Q: Were you present during the entire conversation about the incident while (b)(6), (b)(7)(C) was in your room?

A: No I was not. I left the room after he had talked about the guy he shot and why he shot him; I left the room. I was gone for about a couple of hours. When I returned he was still there and we played guitar when I returned.

Q: Have you and (b)(6), (b)(7)(C) discussed this incident or what (b)(6), (b)(7)(C) had said about the incident?

A: No.

Q: Did (b)(6), (b)(7)(C) mention anything to you about the guy he shot eyes coming open?

A: No, not that I remember.

Q: What was response to the information (b)(6), (b)(7)(C) provided.

A: I probably said damn, shrugged my shoulders and went on to what I was doing?

Q: Did you say, that it was fucked up and did (b)(6), (b)(7)(C) agree?

A: I don't recall saying that.

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 143

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 34699

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB  
SPEICHER, TIKRIT, IRAQ, DATED 21 June, 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  
Wednesday, June 21, 2006, at 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 (b) UCMJ  
(Authority to Administer Oath)

Witness

INITIALS OF PERSON  
MAKING STATEMENT \_\_\_\_\_  
DA FORM 2823 (Computer Generated)

PAGE 3 OF 3 PAGES

EXHIBIT 143

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 34700

SWORN STATEMENT

F of this form, see AR 190-45; the proponent agency is ODCSO

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 21 JUNE 06	TIME 0935	MEMBER 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 / ACTIVE	
ORGANIZATION OR ADDRESS C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349			

(b)(6), (b)(7)(C)

I, SSG. (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. TO KILL OR CAPTURE AIF/ARIZ ON THE OBJECTIVES RELATING TO OUR AREA OF OPERATION. WE, 2ND PLT. (C.O. 3-187) CONDUCTED AN AIR ASSAULT ONTO AN ISLAND ALONG WITH 3RD PLATOON. MY SQUAD, 2ND SQUAD OF 2ND PLATOON ALONG WITH 3RD SQUAD, 2ND PLT. SEIZED 3 BUILDINGS UPON LANDING ON THE OBJ, ALL OF WHICH WERE UNOCCUPIED. OUR PLATOON THEN MOVED DISMOUNTED TO SUBSEQUENT BUILDINGS ON THE ISLAND, TAKING 2 DETAINEES IN THE PROCESS. ~~AT~~ DURING THE OPERATION ON THE ISLAND, 3RD PLATOON OPERATED SEPARATE FROM 2ND PLATOON, SEIZING AN UNKNOWN NUMBER OF BUILDINGS.

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 !!! Continued on Page 2 !!! (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.

EXHIBIT M4

~~FOR OFFICIAL USE ONLY~~ **AGU DDII CID ROIS 34701**  
 Law Enforcement Sensitive

(b)(6), (b)(7)(C)

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT CID Office, COB Speicher DATED 21 JUNE 2006

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. NO ONE HAS TOLD ME PERSONALLY ANY INFORMATION REGARDING THE DEATHS OF THE DETAINEES OR ANY FACTS PERTAINING TO THE INVESTIGATION. ON OR AROUND JUNE 16<sup>TH</sup> 2006, CSM DEEPISE CAME OUT TO THE COMBAT OUTPOSTS AND MENTIONED THAT THERE WAS AN INVESTIGATION REGARDING THE DEATHS OF DETAINEES AND THAT WE WERE TO COME FORWARD WITH ANY INFORMATION THAT WE MIGHT KNOW. WE WERE THEN TOLD NOT TO DISCUSS THIS INVESTIGATION WITH ANYONE AT ALL. JUNE 20<sup>TH</sup>, 2006, I SAW ON A CABLE NEWS NETWORK THAT MEMBERS OF 3-157 INFANTRY WERE BEING CHARGED WITH MURDER.

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.

A. NO !!! (Continued on Page 3 !!!) (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

(b)(6), (b)(7)(C)

21 June 06

File Number 0086-06-CID469-75447

STATEMENT (Continued)

M.F. Speck  
(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)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 21<sup>st</sup> day of June 2006 at Building 718 (CID Office) COB Speicher Tikrit, IZ

(b)(6), (b)(7)(C)

(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

F. of this form, see AR 190-45; the proponent agency is ODCSO

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 21 JUNE 06	TIME 1007	FILE NUMBER 086-06-CID469-75447
LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C)	SSN (b)(6), (b)(7)(C)	GRADE/STATUS E4 (P)	
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 during Operation Iron Triangle was to (b)(6), (b)(7)(C) an assault on to an island in order to kill or capture all males on this island. According to intelligants all males on the island were part of and worked closely with the Al-Qaeda terrorist. We were given the intel through the operation order stating that every male on the island was (PID) positively identified as Al-Qaeda insurgents. We were also given the PID ROE - which is if we identify that a person is positively, without a doubt, involved in a terrorist organization or is a hostile treat to us or other coalition forces then we can take the shot to kill them as long as they are not actively surrendering. My mission was that when we landed on the LZ, my squad and I cleared through about 3000 meters of desert - detaining two male farmers.

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!!! Continued on Page 2!!! (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.

~~FOR OFFICIAL USE ONLY~~  
Law Enforcement Sensitive

EXHIBIT 145  
ACLU DDII CID ROIS 34704

STATEMENT OF SPC (b)(6), (b)(7)(C) TAKEN AT CID Office, COB Speicher DATED 2006.06.21 (b)(6), (b)(7)(C)

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. NO

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.

A. NO // Continued on Page 3/4 (b)(6), (b)(7)(C)

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 34705 Exhibit 1/5



SWORN STATEMENT

F of this form, see AR 190-45; the proponent agency is ODCSC

LOCATION  
Building 718 (CID Office), COB Speicher, Tikrit, IZ

DATE  
2006 06 21

TIME  
17:18

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)

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 kill or detain  
insurgents. Also to look for weapons  
and IED making items.

My mission during the operation was to be  
SFC (b)(6), (b)(7)(C) RTO. We set up and got going  
with everyone around at the time. Later, I  
had the metal detector and was searching  
the area. We didn't find anything

so we packed up and left.  
Later that day we heard about the soldiers getting  
injured from the detainees

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. I didn't hear about the conspiracy  
until the news reported it. // Continued on Pg 2 // (b)(6), (b)(7)(C)

EXHIBIT

(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 146

FOR OFFICIAL USE ONLY **ACLU DDII CID ROIS 34707**

Law Enforcement Sensitive

(b)(6), (b)(7)(C)

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT CID Office, COB Speicher DATED 20060621

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. All the knowledge I know is from the news. They say the detainees were murdered.

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.

A. No. I had not talk to these guys. We have patrols and were pretty busy which I really didn't see these soldiers around. (Continued on Page 3) (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

(b)(6), (b)(7)(C)

21 Jun 06

File Number 0086-06-CID469-75447

STATEMENT (Continued)

We landed and took off running out the back. The objective was clear and the E. Captain wanted to clear the rest of the island. So Birds landed again and I believe this when the 3rd platoon got on the chopper. I really don't know after that. Later that day. We heard a soldier was stabbed by one of the detainees.

/// 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 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 21 day of June 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)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

SWORN STATEMENT

F. of this form, see AR 190-45; the proponent agency is ODCSO.

LOCATION  
Building 718 (CID Office), COB Speicher, Tikrit, IZ

DATE  
20060627

FILE NUMBER  
(b)(6), (b)(7)(C) 5-06-CID469-75447

LAST NAME, FIRST NAME, MIDDLE NAME

(b)(6), (b)(7)(C)

SSN

(b)(6), (b)(7)(C)

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)

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 JUST ARRIVING BACK INTO COUNTRY FROM MID-TOUR LEAVE. THE REST OF THE COMPANY HAD ALREADY LEFT AND WERE STAGED AT RAMAGIN DURING THE OPERATION I ROTATED THRU THE CP DOING RADIO WATCH.

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. NOBODY HAD TOLD ME ANYTHING REGARDING CONSPIRACY TO MURDER OR ANYTHING IN THAT NATURE !!! (Continued on Page 2) !!!

(b)(6), (b)(7)(C)

EXHIBIT

INITIALS OF (b)(6), (b)(7)(C) STATEMENT

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 CID Office, COB Speicher DATED 21 JUNE 06

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. I FIRST HEARD ABOUT THE DEATH OF DETAINEES YESTERDAY ON THE NEWS AND THAT WAS THE ONLY TIME I HEARD ABOUT IT.

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.

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

FOR OFFICIAL USE ONLY Law Enforcement Sensitive

ACLU DDII CID ROIS 34711 Exhibit 149



(b)(6), (b)(7)(C)

21 JUN 06

File Number 0086-06-CID469-75447

STATEMENT (Continued)

(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)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 21<sup>st</sup> day of June 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 / 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



STATEMENT OF (b)(6), (b)(7)(C)

TAKEN AT CID Office, COB Speicher DATED 20060621

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. ~~Ab~~ (b)(6), (b)(7)(C) I was told Spc (b)(6), (b)(7)(C) was cutting off the cuffs to replace them with stranger ones. The guy grabbed his knife and cutt him then they shot him. It was said to my by someone in my sqd. 2<sup>nd</sup> sqd on the day of the first day of the mission. ~~he~~ (b)(6), (b)(7)(C) was my plt. was sitting at the talk when I was told.

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.

A. NO !!! Continued on page 3/11 (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

21 June 06

File Number 0086-06-CID469-75447

STATEMENT (Continued)

[Redacted statement content]

removed  
(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)  
(Signature of Person Making Statement)

WITNESSES: 1618, 21 June 06  
SA (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 21<sup>st</sup> day of June 2006 at Building 718 (CID Office), FOB Speicher, Tikrit, IZ

(b)(6), (b)(7)(C)  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS  
31 MP DST

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 of this form, see AR 190-45; the proponent agency is ODCSOF

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 21 JUN 06	TIME 1021	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, (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. We were to assault an Island with a number of structures I cannot remember, Positively Identify AIF i.e. all military age males on the island and kill them unless they immediately surrendered. The objective I landed at had no local nationals. We stayed there all day (Me, PSG, PO, sniper, 240B Gunned waiting for transport. When transport came we went to the on site CP and remained most of evening and night. Early morning I moved with my group to the Company CP and remained till near noon. Then we assaulted a number of objectives I can't remember looking for caches. I was a medic for the duration and my group encountered no injuries, Local Nationals, AIF, or US.

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. I was unaware of any conspiracy to murder detainees.  
 // Continued on Page 2 // (b)(6), (b)(7)(C)

EXHIBIT

INITIAL (b)(6), (b)(7)(C) STATEMENT

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 149

FOR OFFICIAL USE ONLY DDII CID ROIS 34716

Law Enforcement Sensitive

STATEMENT OF SPC (b)(6), (b)(7)(C) TAKEN AT CID Office, COB Speicher DATED 21 JUN 06

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. I found out a few days ago when SGM told us there was a murder investigation. At that point I didn't know who or what. I found out at the press release the rest.

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.

A. No contact was made with these individuals on these events. End of STATEMENT // (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES



SWORN STATEMENT

File of this form, see AR 190-45; the proponent agency is ODCSOI

LOCATION  
Building 718 (CID Office), COB Speicher, Tikrit, IZ

DATE (b)(6), (b)(7)(C)  
21 June 06 1033

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-3 PFC

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?

A. To clear all assigned objectives, OE AIF and gather  
intell. After clearing several houses, we then  
pulled <sup>from</sup> security in a 360° until we left.

21 June 06  
1033  
(b)(6), (b)(7)(C)  
21 June 06

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

(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 June 21 06

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. No

**(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.

A. Myself and SFC **(b)(6), (b)(7)(C)** PFC **(b)(6), (b)(7)(C)** talked in the CP, sometime after Iron Triangle. The day of the mission had come up in the conversation, but what was said to me was different from what had allegedly happened. He had told me that he was changing the cuffs on the detainees and one had struck him in the face and the detainees had took off running trying to escape. Then he said he went after them and fired upon them.

**(b)(6), (b)(7)(C)**

INITIALS OF PERSON MAKING STATEMENT

**(b)(6), (b)(7)(C)**

PAGE 2 OF 3 PAGES

(b)(6), (b)(7)(C)

21 Jun 06

File Number 0086-06-CID469-75447

STATEMENT (Continued)

NOT USED

(b)(6), (b)(7)(C)

AFFIDAVIT

(b)(6), (b)(7)(C)

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)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 21 day of June 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)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 3 OF 3 PAGES

SWORN STATEMENT

Full name of this form, see AR 190-45; the procuring agency is ODCSOI

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ DATE (b)(6), (b)(7)(C) TIME 1041 (b)(6), (b)(7)(C) 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 / CPL(P)

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 DURING OPERATION IRON TRIANGLE ON OR ABOUT 9 MAY 06 WAS TO GUARD THE COMPANIES MILLY'S PARKED ON THE NORTH EAST CORNER OF THE KBR DINING FACILITY WITH PFC (b)(6), (b)(7)(C) AT FOB RAMAGEN.

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. ABSOLUTELY NO ONE MENTIONED ANY "CONSPIRACY TO MURDER" TO ME PRIOR TO OR FOLLOWING 15 JUN 06. // Continued on Page 2 // (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 151 FOR OFFICIAL USE ONLY Law Enforcement Sensitive ACU DDII CID ROIS 34722

STATEMENT OF (b)(6), (b)(7)(C)

TAKEN AT CID Office, COB Speicher DATED 20060621

(b)(6), (b)(7)(C)

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. No, I DO NOT HAVE ANY KNOWLEDGE OF THE DEATHS OF THE 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.

A. No, NONE OF THE ABOVE MENTIONED INDIVIDUALS MENTIONED ANYTHING ABOUT THEIR ACTIONS ON 9 MAY 06 (OPERATION IRON TRIANGLE) // END OF STATEMENT // (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

(b)(6), (b)(7)(C)

21 June 06

File Number 0086-06-CID469-75447

STATEMENT (Continued)

[Redacted statement area with a diagonal line across it]

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 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 21<sup>st</sup> day of June 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)

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 proposed penalty is ODCSO.

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ DATE 2006 06 21 TIME 1103 0931 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 / RA

ORGANIZATION OR ADDRESS C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349

(b)(6), (b)(7)(C)

I, PC (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. COALITION FORCES (US ARMY AND INTEGRATED (RAA) Army) WERE INSTRUCTED TO KILL, DETER, AND DETAIN A/F ON AN ISLAND WHICH HAD ROUGHLY 20 'CONFIRMED' INSURGENTS WHICH HAD BEEN POSITIVELY IDENTIFIED BY INTELLIGENCE ASSETS AND WERE TO BE ELIMINATED UNDER THE PID CLAUSE OF THE LOAC. LZ WAS EXPECTED TO BE HOT. MORE DISCRETION WAS TO BE USED AFTER INITIAL CLEAR (OBJ'S 1-6). VARIOUS FOLLOW ON MISSIONS AFTERWARDS, MOSTLY CLEARING US GOV'T RUN APARTMENT COMPLEXES IN REACTION TO AN ATTACK AT A NEARBY GAS STATION.

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. PRIOR TO THAT DATE I WAS NOT TOLD OF ANY CONSPIRACY. (b)(6), (b)(7)(C) (Continued on Page 2)

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [NAME] TAKEN AT [LOCATION] DATED [DATE] 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 CID Office, COB Speicher DATED 20060621

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. WE WERE CLEARING A NEARBY HOUSE (TO THE INCIDENT LOCATION) MOVING ON FOOT WHEN 2x UH-60'S CAME IN AND LANDED ON THE OTHER SIDE OF A LARGE HILL. BRIEF GUNFIRE ENSUED AND OUR THINKING WAS THAT THE BIRDS WERE THERE TO ERKIL US AND WERE TAKING CONTACT. WE ASSAULTED THE HILL AND SET UP SECURITY, AND SAW A 3<sup>RD</sup> PLT ELEMENT CLEARING THE HOUSE. AFTER A DELAY THERE WAS MACHINE GUN FIRE FOLLOWED BY SEVERAL SINGLE SHOTS. THINKING TROOPS WERE IN CONTACT, WE MOVED TO HELP BUT ENCOUNTERED EITHER SGT (b)(6), (b)(7)(C) OR SPC (b)(6), (b)(7)(C) (NOT SURE WHICH) WHO WAS GUARDING THE INITIAL KIA AND SAID THEY NEEDED HELP MOVING BODIES. I WAS INSTRUCTED NOT TO HELP BECAUSE I WAS CARRYING A SAW AND 1300 ROUNDS.

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.

A. ON THE GROUND WAITING FOR ERKIL (WITH THE KIA'S) SOMEONE ASKED WHAT HAPPENED AND (b)(6), (b)(7)(C) EXPLAINED THAT WHILE CHANGING THE FLEX-CUFFS ON THE DETAINEES (IT HAD PREVIOUSLY COME DOWN THAT ZIP-TIES WERE UNAUTHORIZED) ONE OF THE DETAINEES ACQUIRED SHEEP SHEARS AND ATTEMPTED TO SLASH HIS FACE AND ARMS. THE DETAINEES TRIED TO ESCAPE AND WERE SHOT IN SELF DEFENSE. LATER, BACK AT REMAGEN, SPC (b)(6), (b)(7)(C) (WHO I HAVE KNOWN FOR 2 YEARS AND CONSIDER A FRIEND) CONFIDED IN ME THAT HE WAS TORN UP ABOUT THE EVENTS THAT HAD TRANSPIRED, BUT DIDN'T OFFER ANY DETAILS EXCEPT THAT HE WAS SPECIFICALLY PUSED AT SSG (b)(6), (b)(7)(C) // End of STATEMENT // (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

21 June

File Number 0086-06-CID469-75447

STATEMENT (Continued)

Not Used  
(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 21 day of June 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)

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 20060631	TIME 1322	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 enw E5/SGT	
ORGANIZATION OR ADDRESS C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349			

(b)(6), (b)(7)(C) I, (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

(b)(6), (b)(7)(C) Q. What was your mission during Operation Iron Triangle, on or about 9 May 06?

yes. My mission was to work with about 14 IA soldiers I would escort them on and off the Blackhawks as well as on and off the objectives they had.

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) (b)(6), (b)(7)(C) No. I continued on Page 2/16/06. I had heard an investigation was going to be conducted by CIA because there was possible foul play. I don't remember who or where it was when they told me.

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 153  
**ACLU DDII CID ROIS 34728**  
~~FOR OFFICIAL USE ONLY~~  
Law Enforcement Sensitive

STATEMENT OF (b)(6), (b)(7)(C)

TAKEN AT CID Office, COB Speicher DATED 2006 06 21

(b)(6), (b)(7)(C)

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

(b)(6), (b)(7)(C)

No I have no knowledge of the deaths only hear say that they might have still been blindfolded and flexcuffed when they were shot. But it was rumor I don't know how true it is, I don't know who told me or who was ormed.

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)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

NO III END of STATEMENT II  
No I have not ~~discussed~~ discussed any actions on Iron Triangle with them. I do not talk with many people in their platoon ~~there~~ after being moved to a new platoon due to disagreements with my old squad leader SSG (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

(b)(6), (b)(7)(C)

21 JUN 06

File Number 0086-06-CID469-75447

STATEMENT (Continued)

WIT JSL  
(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)

(Signature of Person Making Statement)

WITNESSES:

SA (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 21<sup>st</sup> day of June 2006 at Building 718 (CID Office), COB Speicher, Tikrit, IZ

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS  
SA<sup>ST</sup> MP DET (CID)

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 ODCSC

1416 (b)(6), (b)(7)(C)

LOCATION  
Building 718 (CID Office), COB Speicher, Tikrit, IZ

DATE (b)(6), (b)(7)(C)  
21 June 06

TIME 10:25  
14:35 (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-3

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. To clear objectives, and search for any weapons or materials that might help terrorists. 2<sup>nd</sup> Squad landed on our objective island, and began to clear the houses. We cleared a total of 3 houses and 1 tent structure. After clearing the structures the squad began to search for weapons. About 4 hours later we were flown out to the staging area to wait for further instructions.

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 // End of STATEMENT // (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.

(b)(6), (b)(7)(C)

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT CID Office, COB Speicher DATED 21 Jun 06

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. No While at the staging area I saw 3 body bags that were brought back from another squads objective. The details that happened at that objective I myself do not know. I heard a rumor that one of the detainees attacked one of the soldiers on the objective & tried to escape. I was in the dining hall when I overheard the rumor and I can't remember who said it. F.O.B Brasfield Mora dining hall around the 22 of May 2006.

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.

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

(b)(6), (b)(7)(C)

21 Jun 06

File Number 0086-06-CID469-75447

STATEMENT (Continued)

[Redacted statement area]

(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)

(Signature of Person Making Statement)

WITNESSES:

1416, 21 Jun 06

S/A (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

ORGANIZATION OR ADDRESS

31st MP REGT

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 21<sup>st</sup> day of June 2006 at Building 718 (CID Office), COB Speicher, Tikrit, IZ

(b)(6), (b)(7)(C)

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

File of this form, see AR 190-45; the proponent agency is ODCSO.

LOCATION  
Building 718 (CID Office), COB Speicher, Tikrit, IZ

DATE  
6/21/06

FILE 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-3 / PFL

ORGANIZATION OR ADDRESS  
C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349

(b)(6), (b)(7)(C) (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 of operation triangle was to go get the bad guys and find cashays, but my mission was to drive to the objective sight with the IA and then drive around the objective.

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!!! Continued on Page 2 // (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.

(b)(6), (b)(7)(C)

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT CID Office, COB Speicher DATED 20080621

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. NO Just rumors and people talking about how one detainee had a knife and cut someone and the other detainee punched Claggett in the face or something like that I don't remember who said it or the exact details to it.

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.

A. PFC (b)(6), (b)(7)(C) and myself were beside the wash tubs and he was talking about how messed up he felt for shooting the detainees that had escaped. He didn't get into no detail with it. /// End of STATEMENT ///

(b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES



(b)(6), (b)(7)(C)

21 Jun 06

File Number 0086-06-CID469-75447

STATEMENT (Continued)

[Redacted statement area with a diagonal line and the handwritten note "NOT USED" written across it.]

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)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 21st day of June 2006 at Building 718 (CID Office), COB Speicher, Tikrit, IZ

(b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)

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

ORGANIZATION OR ADDRESS

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.

(b)(6), (b)(7)(C)

LOCATION COB Speecher, Joint C.O. Office	DATE 21 June 68	TIME 1:30	FILE NUMBER 006-06-CID-167-75147
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS E-3 / PFC	
ORGANIZATION OR ADDRESS Co 3-187			

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

(b)(6), (b)(7)(C)

Q. After Iron Triangle did you have a conversation with (b)(6), (b)(7)(C)?

A. Yes I had a conversation with PFC (b)(6), (b)(7)(C) about a week or so had passed before I had talked to him. I went into the CP to get a drink, (b)(6), (b)(7)(C) was sitting in a chair. He said hello and started talking to me so I myself took a seat near him and proceeded to talk to him about random bullshit. But during the conversation IRON Triangle had been brought up, in the means of "what did you do" I told him I cleared a couple of houses found nothing but DIRT and some busted up machines. He then told me he had encountered AIF while clearing a house and detained them. He then said they were changing the Flex cuffs because they were not reliable to stay connected so <sup>he</sup> ~~they~~ <sup>he</sup> was going to put better ones on <sup>the top of me</sup> ~~the~~ the process of changing them, when a detainees cuffs were cut off, the detainee struck him in the face. <sup>he</sup> He said then the detainees had took off running trying to escape. He then told me when he came to he went after them and then fired upon them. Myself and (b)(6), (b)(7)(C) no longer talked about IRON Triangle after that last few words he said to me but moved on to other bullshit talk about flame and other crap. (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF <u>1</u>
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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 34737

STATEMENT OF (b)(6), (b)(7)(C)

TAKEN AT COB Speicher, Suit 00 DATED 21 June 06

CONTINUED

(b)(6), (b)(7)(C)

Q. SA (b)(6), (b)(7)(C)

A. PFC (b)(6), (b)(7)(C)

Q. When did this conversation take place & where?

A. It was about 1 AM in the MORNING, about a week give or take a day in the CP. The conversation took place between just myself and (b)(6), (b)(7)(C). There were no other people with us at the time we were talking.

Q. Did he say he was afraid?

A. Yes (b)(6), (b)(7)(C) said the Man had punched him.

Q. Did he say how the coffee cups were cut off?

A. No he did not mention how the COFFES were removed, he just implied they were removed.

Q. Did he say who was there with him when this happened?

A. He did not mention any names as to whom was there, but I assumed it would be his squad that was with him. ~~HEAD OF STATEMENT~~

AFFIDAVIT

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(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 (b)(6), (b)(7)(C) AND HAVE INITIALED THE BOTTOM OF EACH PAGE (b)(6), (b)(7)(C) STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)  
WITNESSES:

(b)(6), (b)(7)(C)  
statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21st day of June, 2006 at COB Speicher

ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C)  
(Signature of Person Administering Oath)

(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 2 OF 2

(b)(6), (b)(7)(C)

STATEMENT OF (b)(6), (b)(7)(C)

TAKEN AT COB Speicher, Tikrit CID office DATED 21 June 06

CONTINUED

(b)(6), (b)(7)(C)

STATEMENT (Continued)

Q: Did you come in contact w/ the deceased detainee?

A: Yes, After clearing our last objective, we posted upon a hill and pulled perimeter security (we) (2nd + 3rd Sqs) while waiting for exfill My element was asked to assist in moving the bodies to the exfill sight. Myself and others, I dont remember specifically who assisted in moving the bodies. But we moved 3 bodies to the exfill sight and put them on the chopper to move them to another location. I dont remember exactly where to. we then placed an older detainee with the bodies and moved to the new location. when we landed we moved the bodies from the bird to the side and left them there where they were later taken somewhere else.

Q: Did you hear gunfire?

A: Yes several shots, but could not see it because I was on the other side of the hill /// END OF STATEMENT /// (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.

WITNESSES:

(b)(6), (b)(7)(C)  
Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21st day of Jun, 20 06 at COB Speicher, Tikrit, Iraq

ORGANIZATION OR ADDRESS

(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)

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 ODCS

1657 (b)(6), (b)(7)(C)

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 21 Jun 06	ME 1046 0935	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 / Active	
ORGANIZATION OR ADDRESS C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349			

(b)(6), (b)(7)(C)

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?

A. Kill or detain any ATF members IOT disrupt insurgent operation against coalition forces. My platoon was sent to "The Island". Island ROE stated all males are considered Al-Qaeda and if they were not actively surrendering then use deadly force. Our first objective was a dry hole so we kept pushing across the island. My squad came across a farmhouse with three males actively surrendering so we detained them. We were on that objective dealing with detainees and were not on 3rd platoons objective. We heard over Ecom that 3rd platoon had 3 enemy KIA, but nothing about detainees. (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~~ ~~Continued on Page 2~~ (b)(6), (b)(7)(C) I do not remember who told me the following or when. I heard heard 3rd platoon had 1 KIA and some detainees. They decided to switch one of the detainee's flex cuffs for a more durable pair. When SPC (b)(6), (b)(7)(C) cut the flex cuffs off the individual grabbed a knife off the ground and tried to cut him. SPC (b)(6), (b)(7)(C) got distance and they (no specific names) opened fire. When the shooting stopped they had 3 KIA on the ground. That is what I heard, I left it at that and didn't ask any questions. (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 (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.

Exhibit 157  
**ACLU DDII CID ROIS 34740**  
 FOR OFFICIAL USE ONLY  
 Law Enforcement Sensitive

STATEMENT OF (b)(6), (b)(7)(C) SGT TAKEN AT CID Office, COB Speicher DATED 21 JUN 06

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. (b)(6), (b)(7)(C) The only knowledge of the death of detainees is described on the previous page. I went on leave 29 MAY 06 and returned to Co 3/187 on 19 JUN 06 so all that is going on is news to me (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.

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

(b)(6), (b)(7)(C)

21 June 06

File Number 0086-06-CID469-75447

STATEMENT (Continued)

(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)

(Signature of Person Making Statement)

WITNESSES:

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

1657 MUB (b)(6), (b)(7)(C)

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 21st day of June 2006 at Building 718 (CID Office), COB Speicher, Tikrit, IZ

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

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 3 PAGES

SWORN STATEMENT

For of this form, see AR 190-45; the proponent agency is ODCSOF

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ DATE (b)(6), (b)(7)(C) 21 Jun 06 (b)(6), (b)(7)(C) 1032 1705 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-3

ORGANIZATION OR ADDRESS C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349

(b)(6), (b)(7)(C) I, PFC (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. To destroy all AIF's who weren't actively surrendering. My team got off of the blackhawk and cleared the house closest to us. There were no people in the first building. We then moved towards the next building we were supposed to hit with the rest of our squad. Found a couple of military age males there, we detained them. While we were searching the house and immediate area, that's when an element from 3rd PLT flew in on blackhawks just past a big hill in front of us. A few mins later we heard shots fired from the other side of the hill. We ran to the top of the hill and pulled security. We couldn't see what had happened but heard over the radio that the element from 3rd PLT had killed 2 or 3 males, can't remember exactly how many. The birds came back, a few of our guys helped load the dead bodies on the bird, 3rd PLT went with them. About 15 mins later another bird got us + We left

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. I was not aware of any conspiracy to murder any detainees. (b)(6), (b)(7)(C)   
 // Confirmed on Page 2 //

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 PFC (b)(6), (b)(7)(C) TAKEN AT CID Office, COB Speicher DATED 20060621

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

(b)(6), (b)(7)(C)

A. Until the investigation started I was not aware that any detainees were killed. I knew that there were a few kills during Operation Iron Triangle but I assumed they were a threat. I did hear a rumor not long after Iron Triangle was over, maybe a week later, that one of the detainees somehow got out of the zipcuffs, grabbed a kitchen knife or something and cut SPC (b)(6), (b)(7)(C) I believe it was. Also another detainee attacked one of 3rd PLT's guys, don't remember which one, so that's why they killed them. I don't remember who I heard this from, probably someone from 2nd PLT. And I don't know if any of this information is true. (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.

A. I haven't spoken to any of these people listed above since before Operation Iron Triangle. /// END of STATEMENT /// (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES



SWORN STATEMENT

F. of this form, see AR 190-45; the proponent agency is ODCSO.

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ DATE 21 JUN 06 TIME 0735 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/CPL

ORGANIZATION OR ADDRESS C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349

(b)(6), (b)(7)(C)

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?

A. I WAS TO OVER WATCH WITH A 2ND MACHINE GUN ON TOP OF A ROOF TOWARDS THE EAST SIDE OF THE ISLAND. WITH MG WAS SFC (b)(6), (b)(7)(C), SFC SAPP (FO), SSG (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) A SNIPER AND TWO IA SOLDIERS. THE BUILDING THAT WE SAT ON WAS AT THE NORTHERN PART OF THE ISLAND. THAT HOUSE WAS OUR FIRST OBJECTIVE AND NO ONE WAS THERE. WE STAYED THERE TO MAKE SURE NO ONE CAME ON OR TRIED TO LEAVE THAT PART OF THE ISLAND. WE SAT THERE ON THE ROOF UNTIL IT WAS TIME TO LEAVE. CANT REMEMBER WHERE WE WENT AFTER THAT (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 and what they told you.

A. NO I HEARD NOTHING ABOUT IT. (b)(6), (b)(7)(C) Continued on Page 2 // (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 159

ACLU DDII CID ROIS 34746

FOR OFFICIAL USE ONLY

Law Enforcement Sensitive

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT CID Office, COB Speicher DATED 21 Nov 06 (b)(6), (b)(7)(C)

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. ~~(b)(6), (b)(7)(C)~~ WHILE ON THE ROOF I HEARD BITS AND PIECES OF WHAT WAS GOING ON. ONE CALL WAS SOMETHING ABOUT TAKING SOME DETAINEES. THEN A LITTLE BIT LATER ANOTHER CALL WAS MADE SAYING THE DETAINEES WAS DEAD. I DIDNT HEAR THE WHOLE TRANSMISSION, TO HEAR WHAT EXACTLY HAPPENED.

IT WAS PUT OUT BY MY PHOEN SERGEANT SFC (b)(6), (b)(7)(C) THAT SOME PEOPLE, DIDNT GIVE NAMES, WAS UNDED INVESTIGATION BY CID ABOUT OPERATION TRIANGLE, AND THE DEATHS OF THE DETAINEES. THIS WAS PUT OUT A FEW DAYS AGO AT SHELBY. (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) GT (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 THEY DIDNT. /// EN D OF STATEMENT /// (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

(b)(6), (b)(7)(C)

21 June 06

File Number 0086-06-CID469-75447

STATEMENT (Continued)

[Redacted statement area with a diagonal line and handwritten "NOT" and "u.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)

(Signature of Person Making Statement)

WITNESSES:

SA (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

758 NWS (b)(6), (b)(7)(C)

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 21st day of June 2006 at Building 718 (CID Office) 60B Speicher, Tikrit, IZ

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

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 7 PAGES

SWORN STATEMENT

File of this form, see AR 190-45; the proponent agency is ODCSO!

1711 (b)(6), (b)(7)(C)

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 21 JUN 2006	TIME 0835-10:52	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-3	
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)

A. OUR MISSION WAS TO CAPTURE AND TO DETAIN WHAT WE BELIEVE WERE TO BE MEMBERS OF AL-QUEEDA IN THAT AREA. IN OUR SECTOR OF THE MISSION, THE SQUAD I WAS IN WERE TOLD TO SEARCH 6 (SIX) OBJECTIVES. THE OBJECTIVES LOOK DIFFERENT ON THE GROUND THAN THE MAP. ONE HOUSE WASN'T EVEN THERE. OUR LAST HOUSE IS WHERE WE DETAINED 2 (TWO) MIDDLE AGED MALES, THEN TOOK THEM BACK TO THE TOC. (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. ALL OF THIS BECAME NEWS TO ME WHEN I GOT MY AMNESTY BRIEF A COUPLE DAYS BACK. /// (Continue) on Page 2 /// (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.

STATEMENT OF PFC (b)(6), (b)(7)(C) TAKEN AT CID Office, COB Speicher DATED 20040621

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 HAVE NO KNOWLEDGE WHATSOEVER OF THE DEATHS OF THE CERTAIN DETAINEES. BUT AFTER WE BROUGHT BACK OUR 2 (TWO) DETAINEES WHICH WE ZIP-CUFFED AND BLIND FOLDED TO THE TDC, I SAW A BLACKHAWK FLY/LAND IN AND I SAW A COUPLE BODY BAGS BEING TAKEN OFF AND PUT ON THE GROUND. THEN WE LEFT FOR ANOTHER MISSION. ABOUT A COUPLE WEEKS AGO IT CAME ACROSS THE RADIO NOT TO TALK ABOUT ANYTHING INVOLVING THE OPERATION. SO I DIDN'T TALK OR HEAR ANYTHING ABOUT IT. EVEN BEFORE IT CAME ACROSS THE RADIO.

(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 HAD NO DISCUSSION OR CONVERSATION ABOUT OPERATION IRON TRIANGLE WITH ANY OF THESE FELLOW SOLDIERS OR ANY OTHER SOLDIERS. ~~/// End of Statement ///~~ (b)(6), (b)(7)(C) ALTHOUGH ONE OF THE SOLDIERS I AM PRETTY GOOD FRIENDS WITH (PFC (b)(6), (b)(7)(C) AND WE WOULD TALK ON A DAY TO DAY BASIS AND I NEVER HEARD ANY WORD OF THIS FROM HIM. BETWEEN THE DATE OF 09MAY2006 I TALKED TO THIS SOLDIER ABOUT 15 TIMES. MOST OF THE TALK WAS JUST SAYING "HI" TO EACHOTHER. THE OTHER TIMES OF ANY NEW NEWS OF GOING HOME. (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT  
(b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

(b)(6), (b)(7)(C)

21 Tunnel

File Number 0086-06-CID469-75447

STATEMENT (Continued)

[Redacted statement area with a diagonal line across it]

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)

(Signature of Person Making Statement)

WITNESSES:

SA (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Full name (b)(6), (b)(7)(C)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 21st day of June 2006 at Building 718 (CID Office), COB Speicher, Tikrit, IZ

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

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



**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) 31st MP DET CID (-), Contingency Operating Base (COB) Speicher, IZ, APO AE 09393 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 (-), COB Speicher, IZ, APO AE 09393

*(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*

for the property described as Text, graphics, cameras, thumb drives, tapes , other data including deleted files and folders,  
containing material related to Operation Iron Triangle and  
contraband property 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 21 day of June, 2006

TYPE 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)

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3. In view of the foregoing, the affiant requests that an authorization be issued for a search of SPC (b)(6), (b)(7)(C) personal items  
*(the person) (and)*  
secured by his unit, on FOB Brassfield-Mora, Samara, Iraq  
*(the quarters or billets) (and)*

(the automobile) and (seizure) (apprehension) of Text, graphics, cameras, thumb drives,  
*(items/persons searched for)*  
tapes other data including deleted files and folders, related to Operation Iron Triangle or contraband

TYPED NAME AND ORGANIZATION OF AFFIANT  
Special Agent (b)(6), (b)(7)(C)  
31st MP DET CID (-), COB Speicher, IZ, Tikrit, IZ

(b)(6), (b)(7)(C)

SWORN TO AND SUBSCRIBED BEFORE ME THIS 21st DAY OF June 2006 AT \_\_\_\_\_

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)

**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.

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**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)

Contingency Operating Base (COB) Speicher, Tikrit, IZ, APO AE 09393 (CSIZ)

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 (C CO), 3d Battalion, 187 Infantry (3-187 INF), Forward Operating Base (FOB) Brassfield-Mora, Samara, Iraq (FBM), 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 15 Jun 06, in anticipation of pre-trial confinement, the unit had inventoried and safeguarded the personal property SPC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C). They were all ordered into pre-trial confinement on 17 Jun 06. The unit continues to maintain custody of the items of personal property.

On 16 Jun 06, CID received a sworn statement of SGT (b)(6), (b)(7)(C) HHC, 3-187 INF, FBM. SGT (b)(6), (b)(7)(C) related SPC (b)(6), (b)(7)(C) 3d Squad, 3d Platoon, C CO, 3-187 INF, FBM approached him in the morning of 16 Jun 06 and asked how he could get rid of evidence that would incriminate the squad. SPC (b)(6), (b)(7)(C) did not elaborate on what the evidence was, and SGT (b)(6), (b)(7)(C) did not assist him. SGT (b)(6), (b)(7)(C) notified his chain of command of the conversation.

On 16 Jun 06, SPC (b)(6), (b)(7)(C) was interviewed by CID. SPC (b)(6), (b)(7)(C) participated in the inventory of SSG (b)(6), (b)(7)(C) personal effects. SPC (b)(6), (b)(7)(C) declined to say if the inventory disclosed any contraband and declined to consent to a search of his belongings. The subsequent execution of a magistrate search authorization disclosed four (4) video tapes and a disposable camera in SPC (b)(6), (b)(7)(C) belongings. Pursuant to a secondary magistrate search authorization, a review of the video tapes disclosed SPC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) and numerous members of their squad during their deployment to Iraq. Some of these images may depict criminal activity, including dereliction of duty, mistreatment of detainees, and larceny; and there are verbal statements regarding the investigation of the shooting of the detainees.

On 17 Jun 06, CID seized several knives which the unit had confiscated during the pre-trial confinement inventory of the belongings of SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C). Further, an unassigned 9mm pistol was seized that was found in the personal belongings of SSG (b)(6), (b)(7)(C).

On 20 Jun 06, SGT (b)(6), (b)(7)(C) 3-187 INF, FBM, was interviewed by CID. SGT (b)(6), (b)(7)(C) stated SSG (b)(6), (b)(7)(C) showed him video footage from his government issue hand-held video unit. SGT (b)(6), (b)(7)(C) related the video footage depicted three dead detainees. Furthermore, SGT (b)(6), (b)(7)(C) stated another member of third squad showed him and the other members of second squad, various photographs depicting the dead Iraqi detainees. SGT (b)(6), (b)(7)(C) closed by saying he did not recall who had the camera but describes it as being large, silver, and appeared to be an older model.

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**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)

Contingency Operating Base (COB) Speicher, Tikrit, IZ, APO AE 09393 (CSIZ)

having been duly sworn, on oath depose and state that:

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2. The affiant further states that:

On 15 Jun 06, in anticipation of pre-trial confinement, the unit had inventoried and safeguarded the personal property SPC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C). They were all ordered into pre-trial confinement on 17 Jun 06. The unit continues to maintain custody of the items of personal property.

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0086-06-CID469-75447

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3. In view of the foregoing, the affiant requests that an authorization be issued for a search of SSG (b)(6), (b)(7)(C) personal items  
*(the persons) (and)*

secured by his unit, on FOB Brassfield-Mora, Samara, Iraq

*(the quarters or billias) (and)*

(the automobile) ( ) and (seizure) (apprehension) of Text, graphics, cameras, thumb drives,  
*(items/persons searched for)*

tapes other data including deleted files and folders, related to Operation Iron Triangle or contraband

TYPED NAME AND ORGANIZATION OF AFFIANT

Special Agent (b)(6), (b)(7)(C)  
31st MP DET CID (-), COB Speicher, IZ, Tikrit, IZ

(b)(6), (b)(7)(C)

SWORN TO AND SUBSCRIBED BEFORE ME THIS

21st

DAY OF

June 2006

AT

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)

**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.

## SEARCH AND SEIZURE AUTHORIZATION

For use of this form, see AR 27-10; the proponent agency is DTJAG

TO: (Name and Organization of the person to whom authorization is given)

Special Agent (b)(6), (b)(7)(C) 31st MP DET CID (-), Contingency Operating Base (COB) Speicher, IZ, APO AE 09393 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 (-), COB Speicher, IZ, APO AE 09393

(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

for the property described as Text, graphics, cameras, thumb drives, tapes, other data including deleted files and folders,

containing material related to Operation Iron Triangle and

contraband property of SSG (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 21 day of June, 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)

M TAB TAB TAB TAB

**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)

Contingency Operating Base (COB) Speicher, Tikrit, IZ, APO AE 09393 (CSIZ)

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 (C CO), 3d Battalion, 187 Infantry (3-187 INF), Forward Operating Base (FOB) Brassfield-Mora, Samara, Iraq (FBM), 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 15 Jun 06, in anticipation of pre-trial confinement, the unit had inventoried and safeguarded the personal property SPC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C). They were all ordered into pre-trial confinement on 17 Jun 06. The unit continues to maintain custody of the items of personal property.

On 16 Jun 06, CID received a sworn statement of SGT (b)(6), (b)(7)(C) HHC, 3-187 INF, FBM. SGT (b)(6), (b)(7)(C) related SPC (b)(6), (b)(7)(C) 3d Squad, 3d Platoon, C CO, 3-187 INF, FBM, approached him in the morning of 16 Jun 06 and asked how he could get rid of evidence that would incriminate the squad. SPC (b)(6), (b)(7)(C) did not elaborate on what the evidence was, and SGT (b)(6), (b)(7)(C) did not assist him. SGT (b)(6), (b)(7)(C) notified his chain of command of the conversation.

On 16 Jun 06, SPC (b)(6), (b)(7)(C) was interviewed by CID. SPC (b)(6), (b)(7)(C) participated in the inventory of SSG (b)(6), (b)(7)(C) personal effects. SPC (b)(6), (b)(7)(C) declined to say if the inventory disclosed any contraband and declined to consent to a search of his belongings. The subsequent execution of a magistrate search authorization disclosed four (4) video tapes and a disposable camera in SPC (b)(6), (b)(7)(C) belongings. Pursuant to a secondary magistrate search authorization, a review of the video tapes disclosed SPC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) and numerous members of their squad during their deployment to Iraq. Some of these images may depict criminal activity, including dereliction of duty, mistreatment of detainees, and larceny; and there are verbal statements regarding the investigation of the shooting of the detainees.

On 17 Jun 06, CID seized several knives which the unit had confiscated during the pre-trial confinement inventory of the belongings of SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C). Further, an unassigned 9mm pistol was seized that was found in the personal belongings of SSG (b)(6), (b)(7)(C).

On 20 Jun 06, SGT (b)(6), (b)(7)(C) 3-187 INF, FBM, was interviewed by CID. SGT (b)(6), (b)(7)(C) stated SSG (b)(6), (b)(7)(C) showed him video footage from his government issue hand-held video unit. SGT (b)(6), (b)(7)(C) related the video footage depicted three dead detainees. Furthermore, SGT (b)(6), (b)(7)(C) stated another member of third squad showed him and the other members of second squad, various photographs depicting the dead Iraqi detainees. SGT (b)(6), (b)(7)(C) closed by saying he did not recall who had the camera but describes it as being large, silver, and appeared to be an older model.

M TAB TAB TAF TAB TAB

3. In view of the foregoing, the affiant requests that an authorization be issued for a search of PFC (b)(6), (b)(7)(C) personal items  
*(the person) (and)*  
secured by his unit, on FOB Brassfield-Mora, Samara, Iraq

*(the quarters or billets) (and)*

(the automobile) ( ) and (seizure) (apprehension) of Text, graphics, cameras, thumb drives,  
*(items/persons searched for)*

tapes other data including deleted files and folders, related to Operation Iron Triangle or contraband

TYPED NAME AND ORGANIZATION OF AFFIANT  
Special Agent (b)(6), (b)(7)(C)  
31st MP DET CID (-), COB Speicher, IZ, Tikrit, IZ

(b)(6), (b)(7)(C)

SWORN TO AND SUBSCRIBED BEFORE ME THIS 21st DAY OF June 2006 AT \_\_\_\_\_

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)

**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.



## 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) 31st MP DET CID (-), Contingency Operating Base (COB) Speicher, IZ, APO AE 09393 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 (-), COB Speicher, IZ, APO AE 09393

(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 asfor the property described as Text, graphics, cameras, thumb drives, tapes, other data including deleted files and folders,  
containing material related to Operation Iron Triangle and  
contraband property of PFC (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 21 day of June, 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)

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

(b)(6), (b)(7)(C)

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ

DATE 02/27/06 TIME 0959

(b)(6), (b)(7)(C)

FILE NUMBER 0086-06-CID469-75447

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

GRADE/STATUS E-4/ACTIVE

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:

(b)(6), (b)(7)(C)

What was your mission during Operation Iron Triangle, on or about 9 May 06?

A. I was to be the Liaison for the I.A. (Iraqi ARMY). My job was to make sure they got out of the helicopters, make sure they are informed, & link them up with 2nd Lt. (b)(6), (b)(7)(C) for his position where he wants the (b)(6), (b)(7)(C) thing to follow (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)

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. I had no clue what was going on all I knew was some detainees were shot trying to run away after knocking (b)(6), (b)(7)(C) out of cutting (b)(6), (b)(7)(C) with a knife. (b)(6), (b)(7)(C) to follow (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)

EXHIBIT

IN (b)(6), (b)(7)(C) NG STATEMENT

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 2006 June 22

STATEMENT (Continued)  
(b)(6), (b)(7)(C)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. The day before we left I saw (b)(6), (b)(7)(C) face was wet & had a bandage on his arm & he told me they I don't know exactly who were involved the ZIPPER'S one day I looked out (b)(6), (b)(7)(C) grabbed a (b)(6), (b)(7)(C) knife & got (b)(6), (b)(7)(C) that is all he told me. Nothing to follow.

~~(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) 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.

A. I wasn't told you in the 2 questions prior to this one. Nothing to follow. (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)~~

INITIALS OF PERSON (b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

END

STATEMENT (Continued)

(b)(6), (b)(7)(C)

AFFIDAVIT

(b)(6), (b)(7)(C)

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 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 22<sup>nd</sup> day of June 2006 at Building 718 (CID Office), COB Speicher, Tikrit, IZ

(b)(6), (b)(7)(C)

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

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 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 Building 718 (CID Office) (OS Sector 2100)	DATE 22 Jun 06	TIME 1031	FILE NUMBER (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS E-4/ACTIVE	
ORGANIZATION OR ADDRESS C Co, 3-187, Fob Brassfield-Morras SAMARRA, IZ APO AE09349			

(b)(6), (b)(7)(C) , WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: I saw (b)(6), (b)(7)(C)

A: SEC (b)(6), (b)(7)(C)

Q: Where did you have this conversation w/ (b)(6), (b)(7)(C)

A: ON MAY 10 2006 AT THE MAIN ASSEMBLY AREA AT MATHANA CHEMICAL PLANT I SAW (b)(6), (b)(7)(C) HAD CUTS ON HIS FACE & A BONDAGE ON HIS ARM. I ASKED HIM AROUND 2000 HRS WHAT HAPPENED TO YOUR FACE & (b)(6), (b)(7)(C) IN ARM HE SAID HIM & (b)(6), (b)(7)(C) WERE LOSING THE ZIPPER COFFS & ONE DETAINEE HIT (b)(6), (b)(7)(C) THE JAW & KNOCKED HIM OUT. THEN THE DETAINEE GRABBED A KNIFE & WAS SWINGING THE KNIFE AT HIM HE TRIED TO BLOCK IT BUT WAS CUT. HE THEN SAID THE DETAINEES STARTED TO RUN AWAY AND SOME ONE W/ A SAW SLAT THEM. I SAID WOW YOU GUYS ARE LUCKY YOU AREN'T DEAD HE SAID YEAH.

Q: Do you have anything else to add to this statement?

A: I HAVE NO FURTHER KNOWLEDGE OF THIS SITUATION.

Q: Do you have anything else to add to this statement?

A: NO / END OF STATEMENT (b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PER (b)(6), (b)(7)(C) ENT	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.

(b)(6), (b)(7)(C)

FILE NUMBER \_\_\_\_\_

STATEMENT OF \_\_\_\_\_

TAKEN AT

C2D office, COB Speicher  
TIKRIT IRAQ

DATED

22 June 2006

CONTINUED

STATEMENT (Continued)

(b)(6), (b)(7)(C)

NOT  
USED

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 2. 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)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22 day of June, 2006 at COB Speicher, TIKRIT IRAQ

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

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)

PAGE 2 OF 2 PAGES

SWORN STATEMENT

(b)(6), (b)(7)(C)

Fc of this form, see AR 190-45; the proponent agency is ODCSOP

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 22 Jun 2006	TIME 1121 <del>1800 hrs</del>	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/Active	
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:

(b)(6), (b)(7)(C) Q. What was your mission during Operation Iron Triangle, on or about 9 May 06?

A. To Kill or Capture Al Quaida in Iraq. I Air Assaulted into Obj Murry to provide over watch on BLDG "C" initially. I then moved to BLDG "D" to provide over watch over BLDG "E". There were no people (local nationals) on the objective. There was also no BLDG "E". I moved back to BLDG "C" and set up an over watch to the north and security to the west. My platoon moved North out of my sight behind some high ground about 2k out. About 2 hours later I heard a transmission about 2 detainees being shot. I remember ~~no more details than~~ that it was about 1100 hrs and very early in the mission so I just continued to maintain security. at about 1300 we Air Assaulted into another objective. (See question 3)

(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 one told me anything about any conspiracy. Prior to 15 Jun 06 when I was given an amnesty record by CSM

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)

T. K. BERT, 1R. Aca  
TAKEN AT CID Office, COB Speicher DATED 22 Jun 2006

STATEMENT (Continued)

(b)(6), (b)(7)(C) Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. Yes, I first heard of the deaths when it happened. I heard it over the radio, I don't remember who reported it.

Who: I heard someone report that 2 detainees had to be shot. I did know it was third platoon, but I don't remember who.

what 2 Detainees were killed

when about 1100 hours Im unsure of the exact date Maybe the 9th where some where on the north side of the island that Obij Murray was located

why They were trying to escape (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) D. 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. I have not spoken to any of those people post iron triangle. - Nothing follows (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)~~

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES



(b)(6), (b)(7)(C)

0086-06-CID469-75447

22 Jun 06  
File Number 0086-06-CID469-75447

STATEMENT (Continued)

*[The main body of the statement is crossed out with a large X.]*

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(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 3 (b)(6), (b)(7)(C) 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 \_\_\_\_\_ day of June 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 3 PAGES

SWORN STATEMENT

0086-06-CID469-75447

(b)(6), (b)(7)(C)

F. of this form, see AR 190-45; the proponent agency is ODCSOI

LOCATION  
Building 718 (CID Office), COB Speicher, Tikrit, IZ

DATE  
22 Jun 06

TIME  
1132

FILE NUMBER  
0086-06-CID469-75447

(b)(6), (b)(7)(C)

SSN (b)(6), (b)(7)(C)

GRADE/STATUS  
E-4

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)

A: My mission was to Air Assault in with two sling loaded Humvees and clear areas that had suspected Al Qaida members. In clearing, we would search for weapons caches and intel on who they are. My mission wasn't on or near the Island that the detainees were murdered. I cleared some houses and never found anything.

(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: Nobody told me anything about murdering detainees prior to 15 Jun 06. The first I heard anything was the 15 Jun 06, when a CSM (b)(6), (b)(7)(C) came out to our Combat Out Post and said that some guys from our company were arrested for murdering detainees and if we know anything come forward with the information. When I got back everybody was talking about how they been getting hit from ied's.

(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 22 Jun 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. The knowledge I have of the deaths of the detainees is from the news. They said SSG (b)(6), (b)(7)(C) Spc (b)(6), (b)(7)(C) and AFC (b)(6), (b)(7)(C) were arrested for murdering detainees (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 I never spoke to 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) about their actions on 9 May 06 (Operation Iron Triangle) because I was far away from their objective and when I got back from the operation, I went on leave (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

(b)(6), (b)(7)(C)

086-06-CID469-75447

22 June 06  
File Number 0086-06-CID469-75447

STATEMENT (Continued)

NOT  
USED

AFFIDAVIT

(b)(6), (b)(7)(C) HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE (b)(6), (b)(7)(C) 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 \_\_\_\_\_ day of June 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 3 OF 3 PAGES

SWORN STATEMENT

of this form, see AR 190-45; the proponent agency is ODCSQ, (b)(6), (b)(7)(C)

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 22 Jun 06	TIME 1338	FILE 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-3 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:

Q. What was your mission during Operation Iron Triangle, on or about 9 May 06?

(b)(6), (b)(7)(C)

My mission was to drive to a village with Iraqi Army and cordon and search the area so we did and I sat and pulled guard from the truck I was guarding for. I wasn't there at the island. I was on a different mission. (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 have not been told about any 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
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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 CID Office, COB Speicher DATED 22 June 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. Yes. I heard from SSG **(b)(6), (b)(7)(C)** my Squad Leader once he got the info that a detainee broke his zip cuffs and started attacking them so they engaged. I was told when I was sitting in the truck on the same day as the mission Operation Iron Triangle **(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 not talked to any of them about what happened. **(b)(6), (b)(7)(C)**

INITIALS OF PERSON MAKING STATEMENT

**(b)(6), (b)(7)(C)**

PAGE 2 OF 3 PAGES

(b)(6), (b)(7)(C)

0086-06-CID469-75447

22 June 06  
File Number 0086-06-CID469-75447

STATEMENT (Continued)

NOT  
USBD

(b)(6), (b)(7)(C)

AFFIDAVIT

(b)(6), (b)(7)(C)

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)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 22<sup>nd</sup> day of June 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

DA FORM 2823, DEC 1998

EXHIBIT

ACLU DDII CID ROIS 34774

~~FOR OFFICIAL USE ONLY~~ ~~FOR OFFICIAL USE ONLY~~ ~~FOR OFFICIAL USE ONLY~~

EXHIBIT 166

Law Enforcement Sensitive

000965

SWORN STATEMENT

F. of this form, see AR 190-45; the proponent agency is ODCSOI

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 22 Jun 06	TIME 1144	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), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

(b)(6), (b)(7)(C) Q. What was your mission during Operation Iron Triangle, on or about 9 May 06?

A. I don't know what the other elements mission specifics were because I was on another section of that surrounding area, I only know that my portion was to search and detain all military aged males, and we did, we found some weapons and detained a couple of guys and then met up with the rest of the company later and that's when we tagged all the weapons and detainees then we waited until (b)(6), (b)(7)(C) until night fall to exit. (b)(6), (b)(7)(C)

(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. I found out 16 Jun 06, it was from (b)(6), (b)(7)(C) He said if anyone knew about the incident on Iron triangle and that is was being investigated as a murder and if we did know something to come and tell our chain of command or him we were out on the combat outpost. (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 SPC (b)(6), (b)(7)(C)

TAKEN AT CID Office, COB Speicher DATED 22 June

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. I do know now. My team leaders and Squad leader explained the situation to us after we came back from the combat outpost, we didn't know all of situations until they told us who was involved and what was going on in the company and I also saw the news 2 nights ago. I think it was CSPAN news. My team leader is SGT (b)(6), (b)(7)(C) and My squad leader name is SSG (b)(6), (b)(7)(C) and they told us 18 Jun 06 in our living quarters.

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.

A. No, I dont really see those guys all the time we have conflicting schedules. The only two that I really know is (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) and I never talked to them about that.

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES



SWORN STATEMENT

For of this form, see AR 190-45; the proponent agency is ODCSOP:

(b)(6), (b)(7)(C)

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 22 June 2006	TIME 1006 1152	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 / Active	
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:

(b)(6), (b)(7)(C). What was your mission during Operation Iron Triangle, on or about 9 May 06?

(b)(6), (b)(7)(C) Our company minus one platoon was sent on location approx. 40-50 kilometers south of samarra. We had intel target houses that we were to hit as soon as we air assaulted to the objective. The rules of engagement were to kill or detain any male (military age) that was at the objective or any following objectives in that location. The mission statement said "kill or capture AIF at the objective(s) We landed and there were no people at the first objective so we looked around and raided a house we saw. we finally came to the last house and actually had some detainees just after we detained the man we heard some isolated shots and then ran to the top of a hill to see where they came from.

(b)(6), (b)(7)(C) continued on last page

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) There was a story of them flat out murdering them. There was just a story of what happened on the objective. I heard from a guy in 3rd platoon, that they landed and killed one man right away and detained a couple more. I heard that as they were detaining the other man that one tried to hit a soldier and was in zip cuffs and they were stitching zip cuffs and he slashed at them with a pair of sharp shears, another was killed by machine gun fire but I never heard the situation with that man.

(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)** TAKEN AT CID Office, COB Speicher DATED 25 Jun 2006

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. **(b)(6), (b)(7)(C)** I heard one was shot as soon as they landed and the other males were killed as they were in the process of detaining them. I heard this from Sgt **(b)(6), (b)(7)(C)** One was killed because he failed to hit one of ~~the~~ **(b)(6), (b)(7)(C)** the soldiers and the other was killed because he slashed a soldier with some sharp **(b)(6), (b)(7)(C)** ~~knife~~ **(b)(6), (b)(7)(C)** was killed by machine gun fire but I was never ~~told~~ **(b)(6), (b)(7)(C)** told the circumstances regarding that ~~detainee~~ **(b)(6), (b)(7)(C)** detainee. Sgt **(b)(6), (b)(7)(C)** told me this **(b)(6), (b)(7)(C)** the end of the mission that day. **(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 never had any conversations with these <sup>(any)</sup> **(b)(6), (b)(7)(C)** people. I have just had casual conversations with them, but any conversations I had with them were brief. Of all these names CPl **(b)(6), (b)(7)(C)** was the only person I ever had a ~~casual~~ **(b)(6), (b)(7)(C)** casual conversation with. Nothing about the mission or the incident with the detainees was ever brought up. **(b)(6), (b)(7)(C)**

INITIALS OF PERSON MAKING STATEMENT **(b)(6), (b)(7)(C)**

PAGE 2 OF 3 PAGES

(b)(6), (b)(7)(C)

0086-06-CID469-75447

File Number JJ Swick 0086-06-CID469-75447

STATEMENT (Continued)

Question #1 continued.

(b)(6), (b)(7)(C)

I got to the top of the hill and didn't see any of the detainees but only saw a couple soldiers walking around the house. I then heard the machine gun fire but never clearly saw what was going on. I saw some soldiers come from behind the house later carrying body bags. They carried them to a field near the house. Then the helicopters came and picked all the soldiers up from that objective and took it. We stayed and when the helicopters came again some of the guys in our platoon helped put the bodies in the helicopter. I can't remember who the guys were that helped put them in the helicopter. They got on one helicopter and we got on another and flew somewhere and unloaded the bodies of the helicopter and that was the last I saw of the bodies or the other platoon members until the end of the mission at Ramzan.

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)

ment)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 22<sup>nd</sup> day of June 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 ODCSOP.

(b)(6), (b)(7)(C)

LOCATION  
Building 718 (CID Office), COB Speicher, Tikrit, IZ

DATE  
22 Jun 2006

TIME  
1153

FILE NUMBER  
(b)(6), (b)(7)(C) 086-06-CID469-75447

(b)(6), (b)(7)(C)

SSN: (b)(6), (b)(7)(C)

GRADE/STATUS  
E-4

ORGANIZATION OR ADDRESS  
C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349

(b)(6), (b)(7)(C)

I, \_\_\_\_\_, 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) To clear the whole objective by searching house to house looking for any military aged males. Myself and 3rd Sgt were dropped off by Blackhawk on objective Iron Triangle. Myself and Alpha team which was led by SSG (b)(6), (b)(7)(C) began running from house to house searching for military aged males. Upon searching our third house we found and detained three military aged males which we later put on Black Hawks to be taken back for questioning. (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 did not hear any information or rumors about killing 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."  
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STATEMENT OF SPC (b)(6), (b)(7)(C) TAKEN AT CID Office, COB Speicher DATED 27 JUN 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 news and rumors around the Company It was in the C.P. where I heard and see watched the news on the big screen f.v. about three days ago from news I heard from the news that three ~~other~~ soldiers from the 101st BCT were being charged with the ~~murder~~ shooting and killing Iraqi detainees. The rumors I heard around the company were that some of our guys from 3rd plt executed some detainees from Operation Iron Triangle. I do not have any names of personnel who spread rumors (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.

A. (b)(6), (b)(7)(C) I have not spoken to any of the personnel listed above before and after Operation Iron Triangle none of their names were said around me when rumors started about soldiers killing detainees (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

Tikrit, IRAQ

(b)(6), (b)(7)(C)

0086-06-CID469-75447

22 June  
File Number 0086-06-CID469-75447

STATEMENT (Continued)

NOT

(b)(6), (b)(7)(C)

USBD

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 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 \_\_\_\_\_ day of June 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 ODCSOF. (b)(6), (b)(7)(C)

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 22 Jun 06	TIME 1157	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 / Sgt	

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?

A. (b)(6), (b)(7)(C) To conduct an air assault / sling load mission into an area near old chemical plant, to search, detain, or kill AIF forces. My squad plus Holzhorn drove around in 2 skeleton humvees searching villeges, looking for caches, Black listed personnel, anything to help our cause for being there. I was # 10 where near the accused parties objective. (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. (b)(6), (b)(7)(C) Negative, I heard zero talk on this subject. (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.

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT CID Office, COB Speicher DATED 20 JUN 06

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. **(b)(6), (b)(7)(C)** During the mission I heard first of the 3 deaths over radio. Not sure who called it in. When it hit the news I read articles on CNN and Fox News websites. The only word I had heard about this was while they were being detained a knife had been pulled by one of the captives. Not sure who told me, it was a white ego and I made no point to store it in my memory cause I didn't care. **(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)** Negative, Though they are in my company, I am in a different plto. With our busy schedule I hardly see my own guys in my Plt. I couldn't even tell you their first names. That's how little I know of them, and how little I have ever talked to them. I don't know what really happened that day. **(b)(6), (b)(7)(C)**

INITIALS OF PERSON MAKING STATEMENT **(b)(6), (b)(7)(C)**

PAGE 2 OF 3 PAGES

(b)(6), (b)(7)(C)

0086-06-CID469-75447

TIKRIT IRAQ

22 June 06  
File Number 0086-06-CID469-75447

STATEMENT (Continued)

[Redacted statement area with handwritten "NOT USED" and "(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)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 22<sup>nd</sup> day of June 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 PERS (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 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 31st MP Det (CID) CURS
2. DATE (YYYYMMDD) 20X60102
3. TIME 1304
4. FILE NUMBER

5. LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C)
6. SSN (b)(6), (b)(7)(C)
7. GRADE/STATUS E-8/PA

8. ORGANIZATION OR ADDRESS HNB, 3/320th FA, Fub Tamagan, Iraq APO AE 09393

9. (b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: On 9 MAY 06,

I participated in operation IRON TRIANGLE. Our mission was to disrupt AIF Activities AND capture AIF personnel. Once we HAD completed The AIR Assault mission, and The ground Assault convoy arrived, we began setting up The Forward Detainee Facility. While we were setting up The Facility, The First Detainees Arrived. soon AFTER we began to receive more detainees, some in small groups AND some were large. Throughout The DAY I WAS, For the most part overseeing The logistical support of The Facility, getting water delivered, Food delivered, AND guards in place. Occasionally I would go up to The TAC TO TALK with CPT

(b)(6), (b)(7)(C) ABOUT Any Detainee matters which may HAVE Arisen. When we were initially setting up The Facility, a Blackhawk had arrived AND had dropped off two Dead Bodies. I instructed PFC (b)(6), (b)(7)(C) who was my primary BATS operator TO go put The Two Bodies into The BATS system, which he did.

Around Noon, approximately, I was informed That 2 more Dead Bodies had Been Brought IN, Both were Blindfolded and Bound. I was further informed THAT Col. (b)(6), (b)(7)(C) has stated There would Be An Investigation into The shootings. PFC (b)(6), (b)(7)(C) also put DATA on these 2 Dead Bodies into The BATS computer.

Throughout the operation, The welfare of The Detainees was The Focus of my attention. Because of The heat AND Lack of shade, I felt That one of The Detainees (b)(6), (b)(7)(C) might Become A heat Injury. Therefore I spent most of my time Down in The Detainee AREA. While in That AREA I encounter personnel from The different companies/Battery who were Involved In The operation, As They would Bring in Detainees. However, I TRIED NOT TO Interfere with SFC (b)(6), (b)(7)(C) AND How The Detainee operation was

10. EXHIBIT 1 (b)(6), (b)(7)(C) MAKING STATEMENT PAGE 1 OF 6 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF (b)(6), (b)(7)(C) 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.
ACLU DDII CID ROIS 34787

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF MSG (b)(6), (b)(7)(C) TAKEN AT COBS DATED 20060622 (b)(6), (b)(7)(C)

## 9. STATEMENT (Continued)

Being conducted. I do recall evidence coming in during the day, both weapons and bags of various items. I recall being aware that all the evidence was being taken to a room in the TAC building. I believe that SFC (b)(6), (b)(7)(C) told me that was where it was being taken.

As detainees were taken to the Brigade Facility at Remagen, exploitable evidence was sent with them. I believe we only sent the exploitable evidence with the first bunch of detainees, and SGT (b)(6), (b)(7)(C) (BCO 351B) accompanied that. Everything else remained in the room at the TAC until we departed the area on 11 May 06. SFC (b)(6), (b)(7)(C) and I flew with 7 detainees to Remagen. The evidence was transported in a Humvee with the GAC.

I do not recall ever directing anyone to take evidence to a specific location nor do I recall taking evidence from anyone. I know that during the time that the second two dead bodies arrived I was not up in the TAC area. (b)(6), (b)(7)(C)

Q (b)(6), (b)(7)(C)

A

Q. ARE you certain that on two different occasions on 9 May 06 two dead bodies were dropped off at the Forward detainee Facility?

A. NO, I AM CERTAIN ONE BODY WAS BROUGHT FROM THE BLACKHAWK INITIALLY. I WAS LATER INFORMED ABOUT THE 2 BOUND AND BLIND FOLDED BODIES. I AM ASSUMING THE 4TH BODY CAME WITH THE FIRST, BUT AM NOT CERTAIN OF THAT.

Q. WHAT DOES "DATS" STAND FOR AND FOR WHAT PURPOSE IS IT USED?

A. BIOMETRIC AUTOMATED TOOL SET. IT'S PURPOSE, AS I UNDERSTAND IT, IS TO CREATE A DATABASE OF LOCAL NATIONALS TO HELP DETERMINE PREVIOUS AIF ACTIVITY.

Q. DID YOU EVER SEE THE DEAD BODIES THAT CAME IN?

A. NO

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 2 OF 6 PAGES

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF MS/SG (b)(6), (b)(7)(C) TAKEN AT COBS DATED 20060622 (b)(6), (b)(7)(C)

## 9. STATEMENT (Continued)

Q. DID you ever see photos or video of the Dead Bodies?

A. I have only seen the photos which are in the BATS system, and photos maintained by the S-2 and associated with other Iron Triangle photos.

Q. AT any time during operation Iron Triangle, did you handle evidence or instruct anyone regarding what to do with evidence?

A. BECAUSE OF THE large number of detainees that we were working with, AND THE FACT THAT I WAS moving throughout the Detainee Facility, I DO NOT REMEMBER EVER HANDLING EVIDENCE OR INSTRUCTING ANYONE REGARDING what to do with EVIDENCE. IT IS possible THAT I GAVE INSTRUCTIONS concerning evidence BUT highly unlikely.

Q. DID all of THE Evidence retained during operation Iron Triangle remain in the "Evidence Room" until the mission was complete?

A. Yes

Q. WHAT DO you mean by "exploitable evidence"?

A. EVIDENCE which MAY contain information establishing a detainee's involvement in AIF activities such as cell phones, computers, or documents.

Q. Would weapons such as knives or guns be included within this definition?

A. NO. Knives AND guns have no information, other than physical characteristics which can be determined AND used AGAINST A detainee.

Q. You are saying that NO weapons accompanied detainees to Ramstein?

A. Yes. NO weapons accompanied detainees to Ramstein. Weapons have NO exploitable value, nor can they be turned INTO THE Brigade Holding FACILITY.

Q. WHAT DOES "TAC" stand for?

A. TAC IS THE TERM ASSOCIATED with our Forward operations center during operations. IT FUNCTIONS AS A FORWARD TACTICAL operations center.

Q. WHAT DOES the term "SAC" stand for?

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 3 OF 6 PAGES

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF MSG (b)(6), (b)(7)(C) TAKEN AT COBS DATED 20060622 (b)(6), (b)(7)(C)

## 9. STATEMENT (Continued)

A. GROUND ASSAULT CONVOY. THE PORTION OF AN AIR ASSAULT WHICH TRAVELS USING GROUND TRANSPORTATION.

Q. DO YOU KNOW WHO THE GAC CONSISTED OF FOR THIS PARTICULAR MISSION?

A. THE GAC CONSISTED OF THE FORWARD SUPPORT COMPANY'S VEHICLES (FUELERS, WRECKERS, TRUCKS WITH FOOD, WATER, CLASS II BARRIER MATERIALS, AND SOME MILI4'S), HEAD QUARTERS BATTERY (BATTALION AID STATION VEHICLES, EOD VEHICLE, MILI4'S) AND THE MILI4'S FOR EACH OF THE COMPANY/BATTERY INVOLVED IN THE MISSION. THE GAC ALSO INCLUDED IRAQI ARMY VEHICLES AND A HUMMER THAT THE TAC USED AS A COMMUNICATIONS PLATFORM.

Q. DO YOU KNOW SPECIFICALLY WHO ACCOMPANIED THE EVIDENCE OR WHAT VEHICLE IT TRAVELLED IN?

A. I BELIEVE THAT HTHB 30, WHICH WAS THE TAC COMMUNICATIONS PLATFORM, TRANSPORTED THE EVIDENCE. I DO NOT REMEMBER WHO WAS IN THAT VEHICLE.

Q. IS THERE ANY WAY TO FIND OUT WHO WAS IN THAT VEHICLE?

A. MSG (b)(6), (b)(7)(C) WHO IS THE BATTALION OPERATIONS SERGEANT IS THE PERSON MOST LIKELY TO KNOW WHO WAS IN THAT VEHICLE. THE PERSON I BELIEVE DROVE THAT VEHICLE IS SGT (b)(6), (b)(7)(C) WHO WORKS IN THE BATTALION S-3 SECTION. IF HE DID NOT DRIVE THAT VEHICLE, HE SHOULD ALSO KNOW WHO DID.

Q. DID YOU EVER OBSERVE AN ORANGE HANDLED KNIFE OR AK 47 RIFLES WHILE ON OPERATION IRON TRIANGLE?

A. I NEVER OBSERVED AN ORANGE HANDLED KNIFE. I RECALL SEEING AK 47'S WHICH UNITS WOULD BRING IN WITH SOME OF THE DETAINEES. THESE AK 47'S WERE PLACED IN THE EVIDENCE ROOM.

Q. WERE YOU AWARE THAT THERE WAS AN INQUIRY TO TRY AND FIND THIS ORANGE-HANDLED KNIFE?

A. I WAS ASKED BY CPT (b)(6), (b)(7)(C) IF ANYONE HAD GIVEN ME A KNIFE DURING OPERATION IRON TRIANGLE. I ANSWERED "NO". I WAS NEVER INFORMED OF AN INQUIRY

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 11 OF 16 PAGES

STATEMENT OF MSG (b)(6), (b)(7)(C) NAT CUBS DATED 20060622  
TIKRIT, IRAQ

9. STATEMENT (Continued)

Q. WHERE DID ALL THE OTHER EVIDENCE TRANSPORTED BY THE CAT, GET TAKEN TO?

A. All remaining evidence was transported to the Battalion TOC where it was downloaded and secured in the MILVAN we use solely to secure such evidence.

Q. TO THIS DAY, DOES THIS MILVAN CONTAIN THE EVIDENCE FROM OPERATION FROG TRIANGLE?

A. YES

Q. WHO HAS ACCESS TO THIS MILVAN?

A. SFC (b)(6), (b)(7)(C) is the primary person involved in this milvan. However, the key is kept on a key ring in the S-2 shop which is constantly manned.

Q. Anyone w S-2 Has access to this key?

A. Yes

Q. IS THERE anything else you'd like to add at this time?

A. NO /// End of STATEMENT /// (b)(6), (b)(7)(C)

(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 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 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 22nd day of JUNE, 2006 at CUBS SPECHER, IRAQ

(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, UCMS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 6 OF 6 PAGES

ACLU DDII CID ROIS 34791



SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSDPS

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: 31st MP Det (CID) CoB5
2. DATE (YYYYMMDD): 20060622, TIME: 1619, FILE NUMBER: (b)(6), (b)(7)(C)
6. SSN: (b)(6), (b)(7)(C)
7. GRADE/STATUS: E-7/PA

8. ORGANIZATION OR ADDRESS: HHB, 3/3204 FA, FOB Remagen APO AF 09393

9. (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON 9 MAY 06, I WAS ASSIGNED AS THE FORWARD DETENTION FACILITY NCOIC FOR OPERATION IRON TRIANGLE. MY ROLE WAS TO ENSURE THAT ALL DETAINEES WERE IN PROCESSED AS QUICKLY AND AS EFFICIENTLY AS POSSIBLE. I WAS INVOLVED WITH THE DETAINEES THROUGHOUT THE OPERATION. AT THE CONCLUSION OF THE OPERATION PRIOR TO ALL ELEMENTS DEPARTING THE AREA OF OPERATIONS MYSELF AND MSG (b)(6), (b)(7)(C) DEPARTED THE AD. PRIOR TO THE EVIDENCE BEING LOADED UP INTO THE BACK OF OUR TOC VEHICLE HHB 30. WE HAD DEPARTED EARLY SO THAT WE COULD ESCORT THE REMAINING DETAINEES TO THE FOB REMAGEN B-DIF. IT WASN'T UNTIL THE MORNING OF THE 12th OF MAY 2006 THAT I WAS ABLE TO CONDUCT A THOROUGH INVENTORY OF ALL EVIDENCE THAT WAS BROUGHT BACK FROM THE OPERATION. IT TOOK ME APPROXIMATELY TWO DAYS TO DOCUMENT ALL ITEMS ONTO THE DA FORM 4137'S, TO ENSURE THAT ALL EVIDENCE WAS TAGGED ACCORDING TO THE DETAINEE NAME, OR DETAINEE LOCATION. ON ORDER FIRST FROM MY S-2 I RE-INVENTORIED ALL ITEMS, TO TRY AND LOCATE THE (b)(6), (b)(7)(C) KNIFE IN QUESTION. I HAD STATED TO HIM THAT THE ONLY KNIVES THAT I HAD AS EVIDENCE WERE TWO BAYONETS WHICH DID NOT MATCH THE DESCRIPTION OF THE KNIFE IN QUESTION. I WAS THEN ORDERED AGAIN TO CONDUCT ANOTHER INVENTORY, THIS TIME BOTH THE S-2 AND MYSELF INVENTORIED ALL ITEMS, WITH NO KNIFE BEING LOCATED. I WAS FURTHER ORDERED THIS TIME BY MY BATTALION XO, WHO ACCOMPANIED ME TO CONDUCT YET ANOTHER INVENTORY OF ALL EVIDENCE THAT WAS BROUGHT BACK FROM THE OPERATION, AGAIN RESULTING IN NO KNIFE BEING FOUND. TO THE BEST OF MY KNOWLEDGE IT WAS OUR TOC NCOIC AND OUR BN S-2 WHO HELPED LOAD THE EVIDENCE INTO THE HMMWV. ALSO, DURING THE OPERATION I DID SLEEP IN THE EVIDENCE ROOM, BUT IT WASN'T UNTIL THE LATE NIGHT OF THE 10th OF MAY THAT I SLEPT IN THERE AND TO THE BEST OF MY KNOWLEDGE NO-ONE HAD TAMPERED WITH THE EVIDENCE THAT WAS IN THERE.

10. EXHIBIT: 11. 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 \_\_\_\_\_"

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 SFC (b)(6), (b)(7)(C) TAKEN AT CUBS DATED 2006.01.22  
TIKRIT

## 9. STATEMENT (Continued)

AS FOR THE EVIDENCE THAT IS CURRENTLY IN OUR S-2 ARMS ROOM, EVIDENCE MILVAN NO-ONE HAS TAMPERED WITH IT AND IT HAS ONLY BEEN TOUCHED DURING THE AFOREMENTIONED TIMES. ALSO, TO THE BEST OF MY KNOWLEDGE NO KNIFE FITTING THE DESCRIPTION OF HAVING AN ORANGE HANDLE WAS EVER A PART OF OUR EVIDENCE.

Q. (b)(6), (b)(7)(C)

A.

Q. DID YOU OBSERVE THE DEAD BODIES THAT WERE BROUGHT TO THE FURNER DETENTION FACILITY (FDF)?

A.

A. NO. I NEVER PERSONALLY OBSERVED THE BODIES.

Q. DO YOU KNOW WHO DEALT WITH THE DEAD BODIES?

A. THE ONLY PERSONNEL I KNOW OF WERE THE PATROL THAT BROUGHT THEM IN AND SSG (b)(6), (b)(7)(C) AND PFC (b)(6), (b)(7)(C) WHO TOOK PHOTOS AND ENTERED THEM INTO THE BATS.

Q. WHO LOADED THE EVIDENCE INTO THE HUMVEE?

A. TO THE BEST OF MY KNOWLEDGE IT WAS THE TOC NCOIC AND HIS PERSONNEL (b)(6), (b)(7)(C) AND UNKNOWN OTHER PERSONNEL AND CPT

Q. DID YOU PERSONALLY UNLOAD THE EVIDENCE FROM THE HUMVEE?

A. NEGATIVE.

Q. WHEN AND WHERE DID YOU FIRST SEE THIS EVIDENCE?

A. I FIRST SAW ALL THE EVIDENCE THAT WAS COLLECTED ON THE 12<sup>TH</sup> OF MAY 2006 WHEN I STARTED MY INVENTORIES AND DOCUMENTATION. ALL EVIDENCE WAS DOWNLOADED INTO THE S-2 ARM ROOM/EVIDENCE MILVAN IN PLASTIC BAGS OR SANDBAGS. THE ONLY LOOSE ITEMS WERE THE WEAPONS.

Q. DO YOU KNOW WHO TRANSPORTED THE EVIDENCE TO REMAGEN?

A. NO I DO NOT, BUT I BELIEVE THAT THE VEHICLE WAS AIRLOADED BACK TO FOB REMAGEN.

Q. DO YOU KNOW WHO UNLOADED THE EVIDENCE AND PLACED IT INTO THE ARMS ROOM?

A. TO THE BEST OF MY KNOWLEDGE IT WAS THE BU S-3 PERSONNEL ALONG WITH THE S-2 PERSONNEL THAT HAD STAYED BACK FROM THE MISSION. I DO NOT KNOW SPECIFICALLY WHO DOWNLOADED IT THOUGH.

Q. WHAT DID THIS EVIDENCE CONSIST OF?

A. MULTIPLE WEAPONS, AK-47 MAGAZINES, AMMO, MILITARY EQUIPMENT, AND SOME PERSONAL ITEMS, DOCUMENTS.

Q. WERE YOU TOLD BY YOUR COMMAND THAT THERE WAS AN INQUIRY INTO THE LOCATION OF THE ORANGE-HANDLED KNIFE?

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 2 OF 4 PAGES

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF SFC (b)(6), (b)(7)(C) TAKEN AT COBS DATED 2006  
TIKRIT

## 9. STATEMENT (Continued)

A. IT WASN'T UNTIL MY BN XO TOLD ME THAT THERE WAS AN INQUIRY ABOUT THE KNIFE. APPROXIMATELY A WEEK LATER.

Q. HOW WAS THE EVIDENCE ROOM DURING OPERATION IRON TRIANGLE ARRANGED?

A. ALL EVIDENCE WAS ARRANGED ALONG THE WALLS INTO GROUPS TO TRY AND KEEP ~~IT~~ FROM BEING MIXED WITH THE OTHER EVIDENCE. TRIED TO KEEP IT SEGREGATED WITH WEAPONS LEANING AGAINST THE WALL. ALL EVIDENCE WAS IN A PLASTIC BAG OR SAND BAG.

Q. WAS THIS ROOM SECURE?

A. IT HAD ONE OPEN WINDOW, BUT THE BATTALION TRIED TO KEEP AT LEAST ONE PERSON IN THERE TO KEEP PEOPLE FROM TAMPERING WITH IT (24 HOURS A DAY UNTIL MISSION COMPLETE).

Q. DID ANYONE ELSE SLEEP IN THE EVIDENCE ROOM DURING IRON TRIANGLE?

A. OUR CAT II INTERPRETER (b)(6), (b)(7)(C) ALONG WITH CAPT. (b)(6), (b)(7)(C) THE BN S-2.

Q. WAS (b)(6), (b)(7)(C) EVER LEFT IN THE EVIDENCE ROOM BY HIMSELF?

A. NOT THAT I KNOW OF.

Q. DID ANY EVIDENCE ACCOMPANY YOU AND MAJ (b)(6), (b)(7)(C) TO THE REMOVAL?

A. NO. ONLY DETAINEES.

Q. YOU DIDN'T TAKE ANY EXPLOITABLE EVIDENCE?

A. NO. ALL EXPLOITABLE EVIDENCE WAS TAKEN ON THE NIGHT OF THE 9TH OF MAY 2006 BY SGT (b)(6), (b)(7)(C)

Q. DID YOU HANDLE ANY EVIDENCE WHILE ON OPERATION IRON TRIANGLE?

A. ONLY ON ONE OCCASION TO UNLOAD WEAPONS FROM A CONFISCATED VEHICLE INTO THE EVIDENCE ROOM.

Q. WHILE ON THAT MISSION, DID ANYONE APPROACH YOU AND ASK YOU WHERE THEY SHOULD TAKE EVIDENCE?

A. YES. AND I TOLD THEM TO TAKE ALL EVIDENCE TO WHERE THE TOC WAS LOCATED AND SEE EITHER CAPT (b)(6), (b)(7)(C) OR SSG (b)(6), (b)(7)(C) AND TURN THE EVIDENCE OVER TO THEM.

Q. DO YOU RECALL SPEAKING TO ANY PATROLS WITH KIA'S OR DEAD BODIES?

A. NOT THAT I CAN RECALL, BUT I WAS MOVING AROUND SO MUCH THAT I MAY HAVE.

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 3 OF 4 PAGES

STATEMENT OF SFC (b)(6), (b)(7)(C) TAKEN AT COBS TIKKIT DATED 20060622 (b)(6), (b)(7)(C)

9. STATEMENT (Continued)

Q. DO YOU KNOW A SFC (b)(6), (b)(7)(C) OR RECALL SPEAKING TO SFC (b)(6), (b)(7)(C) WHILE ON OPERATION IRON TRIANGLE?

A. NO.

Q. IS THERE ANYTHING ELSE YOU'D LIKE TO ADD AT THIS TIME?

A. NO. /// END OF STATEMENT /// (b)(6), (b)(7)(C)

AFFIDAVIT

I, SFC (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 22nd day of JUNE, 2006 at COB SPEIKHEZ

(b)(6), (b)(7)(C)  
(Signature of Person Administering Oath)

SA (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 4 OF 4 PAGES

### SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is **(b)(6), (b)(7)(C)**, the Deputy Chief of Staff for Personnel.

LOCATION <b>COTS SPEICHER, TIKRIT</b>	DATE <b>22 Jun 04</b>	TIME <b>1814</b>	FILE NUMBER
<b>(b)(6), (b)(7)(C)</b>	<b>(b)(6), (b)(7)(C)</b>	<b>(b)(6), (b)(7)(C)</b>	GRADE/STATUS <b>03/AD</b>
ORGANIZATION OR ADDRESS <b>C Co, 3-18TH AF, FOB BRASSFIELD - MURK,</b>			

**(b)(6), (b)(7)(C)**

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 9 MAY 04 at approximately 0525 elements of **C/3-18AF** the company I command, consisting of 3rd Platoon **(b)(6), (b)(7)(C)** and 2nd Platoon and elements of HQ Air Assaulted in to OBT Murray. The mission I had given the company was to kill or capture Al Qaeda in Iraq (AQI) in order to disrupt AQI operations in and around the Muthana Chemical Complex. OBT Murray was situated on **(b)(6), (b)(7)(C)** and an island in the Thar Thar Canal (aka. RTE Golden Canal). It had been positively identified as being home to AQI leadership and foreign fighters and was pinpointed as having ties to **(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C), (b)(7)(D)**

**(b)(6), (b)(7)(C), (b)(7)(D)**

I explained to my company that unless they were actively surrendering, they were legitimate objects of attack and should be engaged on site. After hitting the initial two objectives in the south which were empty, I had 2nd platoon move by foot to the north as 3rd platoon moved south. Both platoons cleared their next objectives. 2nd PLT continued moving north and that 3rd got in FE position to air assault north of 2nd PLT. When the 2nd lift came in, I air assaulted with SGT **(b)(6), (b)(7)(C)** SGT **(b)(6), (b)(7)(C)** and about **(b)(6), (b)(7)(C)** Iraqis to the

furthest north objective. Initially at or around 0530 I

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT <b>(b)(6), (b)(7)(C)</b>	PAGE 1 OF <u>9</u> 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

COR Speicher TIKRIT

DATED 22 JUN 06

CONTINUED

STATEMENT (Continued)

I received the report from <sup>1LT</sup> **(b)(6), (b)(7)(C)** or SSG **(b)(6), (b)(7)(C)** that they had 1 KIA and 4 detainees that they were preparing to move to their PZ for extraction to the CO detainee collection point via ISG **(b)(6), (b)(7)(C)** on the original objective towards the south of the island. It was about 20 to 45 minutes later that I received the report from SSG **(b)(6), (b)(7)(C)** or **(b)(6), (b)(7)(C)** PTO that the count was now 4 KIA and 1 detainee. I asked how that happened and I believe the response was "3 detainees tried to escape." At that time the company was air assaulting to new objective and 1LT **(b)(6), (b)(7)(C)** was already on his next objective while SSG **(b)(6), (b)(7)(C)** remained at the PZ adjacent to the houses where the detainees had been shot. I never made it back to SSG **(b)(6), (b)(7)(C)** location or to the original objectives. We had to get all personnel off the island relatively quickly because the lift support was going to leave to refuel so I went to another location across from the island and linked up with elements from Heli and 2nd plts. It was not until around 0700 the next morning that I finally linked up with 2nd platoon and it was around 0600-0700 before I saw SSG **(b)(6), (b)(7)(C)** or any of the soldiers who had been on the objective. There was a big commotion caused by some of the soldiers being disrespectful towards some Iraqi soldiers. The Iraqis had been harassing my soldiers for three years, wanting my guys to give them flashlights and pouches and things like that, and SSG **(b)(6), (b)(7)(C)** evidently said "Allah Akbar" which means "God is mighty," and it offended the Iraqis. I talked with SSG **(b)(6), (b)(7)(C)** at this time and he seemed irritable and hot tempered, but I attributed it to the conflict with Iraqi soldiers. I also talked to **(b)(6), (b)(7)(C)** and **(b)(6), (b)(7)(C)** briefly to see how they were doing. I took a look at **(b)(6), (b)(7)(C)** knife wounds and got a short version of what had happened.

INITIALS OF PERSON MAKING STATEMENT:

**(b)(6), (b)(7)(C)**

PAGE 2 OF 9 PAGES

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EXHIBIT  
 EXHIBIT 123

000988

**(b)(6), (b)(7)(C)**

STATEMENT OF \_\_\_\_\_

TAKEN AT COB Speicher TIKRITDATED 22 JUN 06

CONTINUED

STATEMENT (Continued)

At the time, I was concerned about what had happened both out of concern for my Soldier's well being and also out of **(b)(6), (b)(7)(C)** concern for the detainees' deaths. I understood that detainees are to be safe guarded by their captors and we had made careless errors which led to them attacking my Soldiers and trying to escape.

After talking to 1LT **(b)(6), (b)(7)(C)**, SSG **(b)(6), (b)(7)(C)** and **(b)(6), (b)(7)(C)** I had what I thought was a better understanding of what had happened and at the time I did not feel like anything was wrong. There were no other apparent indicators of a coverup - By 0800 we were heading out on our next mission and I did not have a chance to go into greater detail with any of the Soldiers until **(b)(6), (b)(7)(C)** I began the commanders inquiry on the evening of 11 May and the early morning of 12 May 06.

Q: **(b)(6), (b)(7)(C)****(b)(6), (b)(7)(C)**Q: DESCRIBE IN DETAIL YOUR DISCUSSION WITH **(b)(6), (b)(7)(C)**

A: I asked him what had happened with the three detainees and he told me that he had noticed one of the three detainees flex cuffs where broken, so he ordered **(b)(6), (b)(7)(C)** and **(b)(6), (b)(7)(C)** to change them while he went to check on **(b)(6), (b)(7)(C)** who was guarding the women and children. While he was on the backside of the building with **(b)(6), (b)(7)(C)** he said he heard shots fired and someone yelled, "Oh shit!" when he came around the building he saw **(b)(6), (b)(7)(C)** crawling into the building with blood on his face and **(b)(6), (b)(7)(C)** stammering around. I then went to both **(b)(6), (b)(7)(C)** and **(b)(6), (b)(7)(C)** to check on them. They also gave me their versions of the story and at the time it seemed believable and I did not notice any loopholes or discrepancies between the Soldiers.

Q: <sup>WAS</sup> ~~THIS~~ **(b)(6), (b)(7)(C)** STORY TOLD EXACTLY THE SAME WAYINITIALS OF PERSON MAKING STATEMENT: **(b)(6), (b)(7)(C)**PAGE 3 OF 9 PAGES

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ACLU DDJ CID ROIS 34798

EXHIBIT

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EXHIBIT 173

000989

FILE NUMBER \_\_\_\_\_

STATEMENT OF \_\_\_\_\_

**(b)(6), (b)(7)(C)**

TAKEN AT \_\_\_\_\_

COB Speicher TIKRIT

DATED 22 JUN 06

CONTINUED

STATEMENT (Continued)

**(b)(6), (b)(7)(C)** STORY WAS. IF NOT, WHAT WAS DIFFERENT?

A: I did not talk **(b)(6), (b)(7)(C)** for a long period of time but he gave more details on what actually happened with the detainees. He said the the one whose flex cuffs were already broken pulled a knife from somewhere and slashed at his face cutting his face and wrist as he had attempted to block the knife. He raised his weapon and shot the detainee and then turned and shot at the detainee who had struck **(b)(6), (b)(7)(C)**. I do not remember **(b)(6), (b)(7)(C)** which he said happened first, **(b)(6), (b)(7)(C)** getting punched or himself getting cut by the knife.

Q: WHAT DID **(b)(6), (b)(7)(C)** TELL YOU?

A: **(b)(6), (b)(7)(C)** said that he had been struck in the face and as he staggered from the blow, the detainees attempted to run and he shot at the two that were closest to him. Nothing in his story seemed out of place at the time.

Q: WHAT EXACTLY DID ISG **(b)(6), (b)(7)(C)** STATE OVER THE RADIO AFTER HE RECEIVED THE FIRST SITUATION REPORT FROM **(b)(6), (b)(7)(C)** SQUAD?

A: **(b)(6), (b)(7)(C)** ISG **(b)(6), (b)(7)(C)** said, "1 KIA and 4 detainees? Why are we taking detainees? (pause) Okay, roger, get them loaded up to come down here."

Q: DURING YOUR COMMANDER'S INQUIRY, WHAT LEAD YOU TO BELIEVE NO ACTION SHOULD BE TAKEN <sup>AGAINST</sup> ~~FROM~~ ANY OF YOUR SOLDIERS; SPECIFICALLY **(b)(6), (b)(7)(C)** AND **(b)(6), (b)(7)(C)**?

A: After examining their statements and those of the others who had been around them and after seeing that they actually bore wounds from having been attacked, I felt that their killing of the the three inmates was justified in that it was an act of self defense. Internal to the company, the two soldiers and their squad were all retained on detainee operations because they should not have let all three detainees free at once.

INITIALS OF PERSON MAKING STATEMENT: **(b)(6), (b)(7)(C)**

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000990



FILE NUMBER \_\_\_\_\_

STATEMENT OF \_\_\_\_\_

**(b)(6), (b)(7)(C)**

TAKEN AT \_\_\_\_\_

CoR Speicher TIKRIT

DATED 22 JUN 06

CONTINUED

STATEMENT (Continued)

Q: DO YOU FEEL YOUR JUDGEMENT WAS FAIR AND IMPARTIAL DURING YOUR INQUIRY?

A: After reviewing the facts, I believed that my soldiers were innocent and had acted in self defense. At the time, I saw no reason to question their statements. Yes I felt like I was being fair and impartial.

Q: DID THEIR TESTIMONY CONFLICT WITH YOUR UNIT'S SOP IN REGARDS TO HANDLING DETAINEES? IF SO, HOW?

A: Yes. They should not have released all three detainees at the same <sup>(b)(6), (b)(7)(C)</sup> time. They should have done one at a time.

Q: AT ANY TIME, DID YOU QUESTION **(b)(6), (b)(7)(C)** OR **(b)(6), (b)(7)(C)** ABOUT THE WAY THEY HANDLED THE DETAINEES?

A: Beside the <sup>(b)(6), (b)(7)(C)</sup> few time I talked to them in the field, no. All <sup>(b)(6), (b)(7)(C)</sup> the information came from their statements.

Q: EXPLAIN WERE YOU TOLD HOW THE DETAINEE ALLEGEDLY GAINED ACCESS TO A KNIFE AND ATTACK **(b)(6), (b)(7)(C)**

A: I never got a good answer on this point. **(b)(6), (b)(7)(C)** and **(b)(6), (b)(7)(C)** said they had searched the detainees and had not found the knife. **(b)(6), (b)(7)(C)** thought that either, he had it concealed or an Iraqi had somehow slipped him the knife while they were milling about. There was always at least one American soldier watching the detainees but at some points the Iraqis were talking to the detainees and standing very close to them. I never got resolution on where the knife had come from and the soldiers could not give me a definitive answer.

Q: DID YOU FEEL EVERY DETAIL GIVEN BY **(b)(6), (b)(7)(C)** AND **(b)(6), (b)(7)(C)** WAS CREDIBLE? DID YOU HAVE ANY DOUBTS OR CONCERNS?

A: I felt like the details were credible and my main concern was for not adhering to detainee SOPs which is what I felt had

INITIALS OF PERSON MAKING STATEMENT: \_\_\_\_\_

**(b)(6), (b)(7)(C)**

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ACLU DOJ CID ROIS 34800

EXHIBIT 173

000991

FILE N BER \_\_\_\_\_

**(b)(6), (b)(7)(C)**

STATEMENT OF \_\_\_\_\_

TAKEN AT COE Speicher TIKRIT DATED 22 JUN 06

CONTINUED

STATEMENT (Continued)

caused the entire incident.

Q: PRIOR TO THIS INTERVIEW, DID ANYONE TELL YOU THERE MAY HAVE BEEN A CONSPIRACY TO MURDER THE THREE DETAINEES? IF SO, PLEASE ELABORATE ON WHO TOLD YOU, WHEN AND WHERE THEY TOLD YOU THIS AND WHAT THEY TOLD YOU?

A: Prior to going on leave on 1 JUN 06, I had not heard anything that would lead me to believe that there was a conspiracy. I was even more confident of my Soldier's innocence after talking to CW3 **(b)(6), (b)(7)(C)** about the intensive interviews my Soldiers had **(b)(6), (b)(7)(C)** 27 MAY 06. There was no other time that I **(b)(6), (b)(7)(C)** heard of any conspiracy, or even heard a rumor of a conspiracy to kill the three detainees. While I was on leave, I did not receive any emails, phone calls or any correspondence about this case. One of my Soldier's moms received a phone call on or about 18 JUN 06 when he said, "Please pray for us, there is a lot going on right now and there is a lot of media here." The mom wrote my wife and was adamant to know what was going on. My wife asked me and I thought from her son's requests for prayer that there might be a big mission coming up. That would also explain why media was there. I had no idea that there was a conspiracy or that my Soldiers had been changed until I read their names on [whonews.com](http://whonews.com). The article said the **(b)(6), (b)(7)(C)** **(b)(6), (b)(7)(C)** and **(b)(6), (b)(7)(C)** were in Kuwait in pre-trial confinement and that **(b)(6), (b)(7)(C)** had been threatened by the three. I found out that **(b)(6), (b)(7)(C)** was charged with murder as well when speaking to CPT **(b)(6), (b)(7)(C)** just prior to this interview. I have yet to speak to anyone else in my company about this to include CPT **(b)(6), (b)(7)(C)** and ISG **(b)(6), (b)(7)(C)**.

Q: IS THERE ANY REASON WHY A UNIT MEMBER WOULD STATE

INITIALS OF PERSON MAKING STATEMENT: **(b)(6), (b)(7)(C)**PAGE 6 OF 9 PAGES

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000992

STATEMENT OF (b)(6), (b)(7)(C) COB Speicher FILED PER \_\_\_\_\_  
 TAKEN AT COB Speicher TIKRIT DATED 22 JUN 06 CONTINUED

STATEMENT (Continued)

THEY CORRESPONDED WITH YOU DURING YOUR LEAVE IN REFERENCE TO THE SHOOTING OF THE THREE DETAINEES?

A: NO. I am not aware of any such correspondence.

Q: PRIOR TO TODAY, DID (b)(6), (b)(7)(C) OR (b)(6), (b)(7)(C) DISCUSS WITH YOU THEIR ACTIONS ON 9 MAY 06?

A: Not that I remember.

Q: AFTER YOUR INITIAL CONVERSATION WITH (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) AND (b)(6), (b)(7)(C) HAVE THEY DISCUSSED THEIR ACTIONS ON 9 MAY 06?

A: No we did an AAR that covered the other parts of the mission and then went on to planning new missions. When I (b)(6), (b)(7)(C) found out that they were going up again on 29 May 06, I told them that I would go up with them but did not talk about any aspects of the mission with any of them or the others who came up with us. When we arrived at the BAE HQ before going to see BG (b)(6), (b)(7)(C) I received from them the excerpt from the ROE that talks about designated terrorist groups and the portion about self defense to reinforce in all of them that although they were being investigated again, they had done what was right.

Q: BASED ON YOUR KNOWLEDGE OF THIS INCIDENT NOW, DO YOU HAVE ANY REASON TO BELIEVE (b)(6), (b)(7)(C) AND (b)(6), (b)(7)(C) DID IN FACT CONSPIRE TO SHOOT THREE DETAINEES AND SUBSEQUENTLY MURDERED THEM?

A: Unless (b)(6), (b)(7)(C) has something against the three of them and (b)(6), (b)(7)(C) is somehow in on the plot to seal (b)(6), (b)(7)(C) fate, I have a hard time seeing how they could be innocent. The main issues that I have are ① the time frame between the two reports seemed very short to me. It seemed too short to get a story and execute murder. ② (b)(6), (b)(7)(C) was cut by a knife. There is no doubt about it. I find it hard to accept that the three of them

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C) PAGE 7 OF 9 PAGES

STATEMENT OF

**(b)(6), (b)(7)(C)**

TAKEN AT

CoB Speicher TIKRIT

DATED 22 JUN 04

CONTINUED

STATEMENT (Continued)

would be so eager to kill the detainees that they would cut **(b)(6), (b)(7)(C)** and that he would volunteer to be cut.

Q: HOW WOULD YOU FEEL IF THIS INVESTIGATION REVEALED YOU HAD DIRECT OR INDIRECT KNOWLEDGE OF **(b)(6), (b)(7)(C)** **(b)(6), (b)(7)(C)** AND **(b)(6), (b)(7)(C)** CONSPIRING TO CUT ZIP TIES OFF THREE <sup>(b)(6), (b)(7)(C)</sup> ~~DETAINES~~ DETAINES AND EXECUTING THE PLAN TO CUT ZIP-TIES OFF THREE DETAINES, TELL THEM TO RUN, AND SHOOT THEM?

A: I would be shocked! It is absolutely not true.

Q: OTHER THAN YOUR WIFE, WHO ELSE HAVE YOU DISCUSSED THIS INCIDENT WITH WHILE ON LEAVE?

A: Over the last two days of leave, I have spoken with two fellow company commanders, CPT **(b)(6), (b)(7)(C)** and CPT **(b)(6), (b)(7)(C)**, 1LT **(b)(6), (b)(7)(C)** from 1/187 and LTC **(b)(6), (b)(7)(C)** the CDR of 1/187<sup>th</sup> IN. I asked them if they had seen the newspaper articles and expressed my disbelief about what was going on. LTC **(b)(6), (b)(7)(C)** offered some advice and encouragement. He said that I probably need to get the whole company together at some point and reinforce the law of armed conflict and the ROE and let them know that as long as they do not do anything illegal they will have the full support of their chain of command.

Q: ACCORDING TO THE TESTIMONY GIVEN IN REGARDS TO THE INITIAL "KIA," DID ANY MEMBER OF THE SQUAD VIOLATE THE ROE OR WAS IT WITHIN THE GUIDELINES? IF NOT, EXPLAIN.

A: This was not a violation of the ROE. The cluster of houses which the squad was approaching had been PID'd as having Al Qaeda living in it. Having PID of these persons belong to a designated terrorist group made that man a legitimate <sup>(b)(6), (b)(7)(C)</sup> military target.

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)**

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000994

TIKRIT IRAQ

(b)(6), (b)(7)(C)

22 June  
LE NUMBER

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 9. 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 22 day of Jun, 20 06 at COB Sneider, Tikrit, IZ APO AE 09393

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)

PAGE 9 OF 9 PAGES

SWORN STATEMENT

For this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION  
Building 718 (CID Office), COB Speicher, Tikrit, IZ

DATE  
23 JUN 2006

TIME  
0924

(b)(6), (b)(7)(C)

FILE NUMBER  
0086-06-CID469-75447

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

GRADE/STATUS  
E-6 / AA

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:

(b)(6), (b)(7)(C)

What was your mission during Operation Iron Triangle, on or about 9 May 06?

A. My Squad and I were the ARF, aerial reaction force. We flew around in Blackhawks until someone needed support and/or help, which never happened. We actually touched down once during the first hour or so of the mission to stop and search two locals fleeing the objective to the south. They were clear. Red Knight 6 instructed us to detain them and take them to the BIF. (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

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. Prior to 15 JUN 06 I had no idea that the detainees may have been murdered. (b)(6), (b)(7)(C)

EXHIBIT

INITIALS  
(b)(6), (b)(7)(C)

PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" AND BE INITIALED AS "PAGE \_\_\_ OF \_\_\_ PAGES." 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)

TJKRST TAKEN AT CID Office, COB Speicher DATED 23 JUN 06

STATEMENT (Continued)

(b)(6), (b)(7)(C) Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. The only information that I have heard regarding the detainees deaths is they broke loose from their flex cuffs and attacked our soldiers with a knife. Our soldiers then had to shoot them to defend themselves. I do not remember who said this but it was in the CP following everyone's return from the mission (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) SGT (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. None of the above mentioned Soldiers have ever discussed their actions on 09 MAY 2006 with me (b)(6), (b)(7)(C) END OF STATEMENT (b)(6), (b)(7)(C)

INITIALS OF PERSON (b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

TIKRIT IRAQ

(b)(6), (b)(7)(C)

23 June  
File Number 0086-06-CID469-75447

STATEMENT (Continued)

*[This section is crossed out with a large X and contains several redacted blocks of text: (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. (b)(6), (b)(7)(C) 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 23<sup>rd</sup> day of June 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

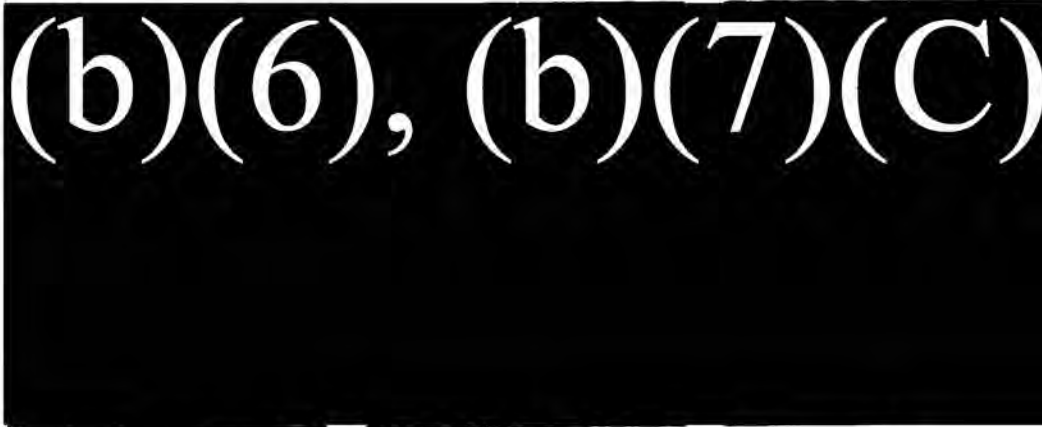
*(Authority to Administer Oaths)*

INITIALS OF PERSON (b)(6), (b)(7)(C)

PAGE 3 OF 3 PAGES



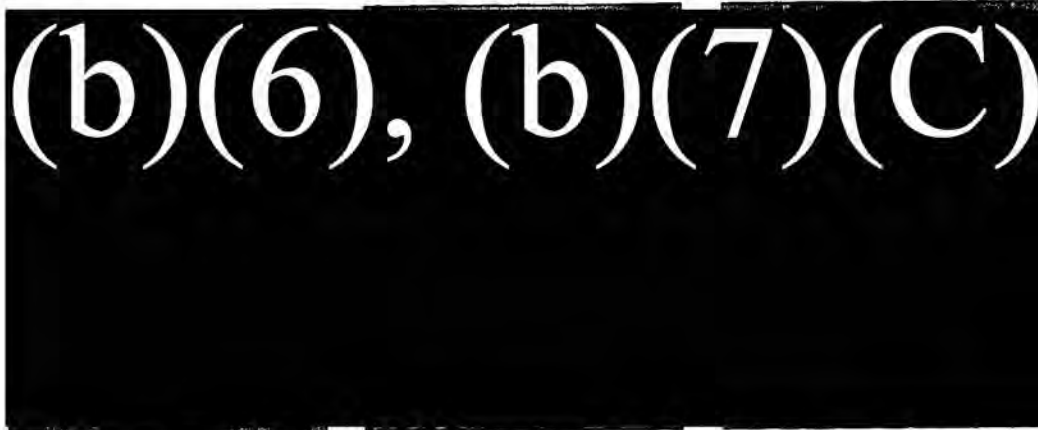
Gateway Digital, Inc.



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You will be asked to look at a group of photographs. The fact that the photographs are shown to you should not influence your judgement. You should not conclude or guess that the photographs contain the picture of the person who committed the crime. You are not obliged to identify anyone. Please do not discuss the case with other witnesses nor indicate in any way that you have identified someone.

Q (b)(6), (b)(7)(C)

A.

Q. Do you recognize anyone in these photographs as the person who you coordinated with on operation Iron triangle to place the evidence in the tactical operation center?

A. NO I DO NOT RECOGNIZE ANY OF THESE MEN

Q. Is it possible one of these men was who you coordinated with, you just don't remember?

A. YES **ACLU DOJ CID RDIS 34808** (b)(6), (b)(7)(C) SEX: M RACE: W HT: 5'7

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

ACLU DDII CID ROIS 34809

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

EXHIBIT 175

001000

SWORN STATEMENT

For: this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION: Building 718 (CID Office), COB Speicher, Tikrit, IZ | DATE: 23 JUNE 06 | TIME: 0930 | FILE NUMBER: (b)(6), (b)(7)(C) 86-06-CID469-75447

LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(7)(C) | SSN: (b)(6), (b)(7)(C) | GRADE/STATUS: SFC / E4

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:

(b)(6), (b)(7)(C) Q. What was your mission during Operation Iron Triangle, on or about 9 May 06?

(b)(6), (b)(7)(C) WAS PART OF AN AERIAL REACTION FORCE (ARF) AND SUPPOSED TO REACT TO GROUND FORCES NEEDING ASSISTANCE. WE FLEW AROUND IN BLACKHAWKS WAITING FOR ARF TO BE CALLED. WHILE FLYING AROUND WE LOOKED FOR ANY SUSPICIOUS ACTIVITY. WE TOUCHED DOWN A FEW TIMES TO SEARCH PEOPLE BUT TOOK NO DETAINEES (b)(6), (b)(7)(C)

(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. AT NO POINT IN TIME DID ANYBODY TELL ME ABOUT ANY 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.

TIKRIT

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT CID Office, COB Speicher DATED 23 JUNE 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. THE DEATHS OF THE DETAINEES WAS PUT OUT ABOUT A WEEK AGO BY 1st Sgt (b)(6), (b)(7)(C)

IN A RT FORMATION. HE STATED "YOU ALL KNOW WHAT HAPPEND. DONT LET THE MESS UPS OF A FEW GET YOU DOWN. KEEP UP THE GOOD WORK AND DO WHAT IS RIGHT. SGT (b)(6), (b)(7)(C), SPC (b)(6), (b)(7)(C) AND PFC (b)(6), (b)(7)(C) MURDERED THREE DETAINEES KEEP UP THE GOOD WORK AND CONTINUE TO DO WHAT IS RIGHT. (b)(6), (b)(7)(C)

(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.

A. NONE OF THE ABOVE LISTED DISCUSSED ANY OF THESE ACTIONS THAT TOOK PLACE ON OPERATION TRIANGLE (b)(6), (b)(7)(C) 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 34811

(b)(6), (b)(7)(C)

23 June 06  
File Number 0086-06-CID469-75447

TIKRIT

STATEMENT (Continued)

*[The main body of the statement is crossed out with a large 'X' and contains several redacted sections.]*

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(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 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)

*(Signature of Person Making Statement)*

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 23<sup>rd</sup> day of June 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

EXHIBIT 116

ACLU DDII CID ROIS 34812

SWORN STATEMENT

Form of this form, see AR 190-45; the proponent agency is ODCSOF

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 23 JUN 05	TIME 0930	FILE NUMBER 0086-06-CID469-75447
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	GRADE/STATUS (b)(6), (b)(7)(C)		ES/RA
ORGANIZATION OR ADDRESS C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349			

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?

A. Aircal Reaction Force, Arc squad was detached from the Company to support the whole mission. We flew around (b)(6), (b)(7)(C) some and really only had one mission during the whole mission. We spent alot of time sleeping in the (b)(6), (b)(7)(C) brigade TOL waiting on birds with about an hour or two flight time (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. I personally had no idea that there was a conspiracy it took me completely by surprise (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.

ACLU DDII CID ROIS 34813  
EXHIBIT 177

STATEMENT OF **(b)(6), (b)(7)(C)**

TIKRAT  
TAKEN AT CID Office, COB Speicher DATED 23 JUN 06

STATEMENT (Continued)

**(b)(6), (b)(7)(C)** Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. I heard from Klackit in the CP talking about how they broke out of their zip cuffs and attacked **(b)(6), (b)(7)(C)** and him and that is about all I overheard. I did not know they were murdered **(b)(6), (b)(7)(C)**

**(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.

A. Like I said in the prior statement I overheard **(b)(6), (b)(7)(C)** in the CP talking about how they (Detainees) broke from their cuffs and attacked **(b)(6), (b)(7)(C)** and **(b)(6), (b)(7)(C)**. I heard this at the CP at Brassfield - MORA after the Company got back from the mission from FOB Rowangone. I am not sure who PFC **(b)(6), (b)(7)(C)** was speaking to, I just stopped in to get a drink from the CP when I heard this and went off to patrol on MSR TAMPA **(b)(6), (b)(7)(C)**. End of Statement **(b)(6), (b)(7)(C)**

INITIALS OF PERSON MAKING STATEMENT  
**(b)(6), (b)(7)(C)**

ACLU DDII CID ROIS 34814

(b)(6), (b)(7)(C)

TIKRIT

23 JUNE  
File Number 0086-06-CID469-75447

STATEMENT (Continued)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(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 3 (b)(6), (b)(7)(C) 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 23<sup>rd</sup> day of June 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)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

EXHIBIT

ACLU DDII CID ROIS 34815



SWORN STATEMENT

For this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 23 Jun 2006	TIME 0959	(b)(6), (b)(7)(C) FILE NUMBER 0086-06-CID469-75447
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	GRADE/STATUS E-4 CPL		
ORGANIZATION OR ADDRESS C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349			

CPL (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?

A. Aerial Reaction Force (ARF). Our mission was to respond to situation by Air as directed in support of ground forces. We landed a couple of times to search vehicles that were fleeing the objective, we also landed and cleared a house and some fighting positions. We mostly fly (b)(6), (b)(7)(C) around the air waiting for a task. If we were not doing any missions we stayed at the TOC. (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) 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, there was talk initially during the meeting (b)(6), (b)(7)(C) that Co had killed three men trying to run. I do not recall exactly who, but it was in the TOC during the day, of or around 9 May 2006. (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 23 Jun 2006

STATEMENT (Continued)

(b)(6), (b)(7)(C)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. I heard, while staying in the TOC, that three men had been killed trying to run. I do not recall exactly who saw it but it was discussed in the TOC. (b)(6), (b)(7)(C)

(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.

A. NO (b)(6), (b)(7)(C) End of Statement (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

(b)(6), (b)(7)(C)

TIKRIT

File Number 0086-06-CID469-75447

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. 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 23 day of June 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 3 PAGES

SWORN STATEMENT

Fc of this form, see AR 190-45; the proponent agency is ODCSOF

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ DATE 23 Jun 2006 TIME 1001 (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-4/SFC

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:

(b)(6), (b)(7)(C)

Q. What was your mission during Operation Iron Triangle, on or about 9 May 06?

A. My mission was to pull ARF. And help out anyone that needed help. My squad and I were in the air most of the time. We, ourselves, did not see anything that day. Everyone had everything under control. When we were not in the air or clearing a helo or two we were in the tok. (b)(6), (b)(7)(C)

(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, I was on leave. (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.

TIKRIT

STATEMENT OF (b)(6), (b)(7)(C)

TAKEN AT CID Office, COB Speicher DATED 23 Jun 2006

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. No. When I came back from leave 3rd platoon was here talking to CID and also saw it on CNN. But no details were given to me. (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.

A. No, I was preparing to go on leave. I just got back a couple of days ago. So I kept to myself most of the time when not working. End of statement. (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

(b)(6), (b)(7)(C)

TIKRIT

23 JUN 06  
File Number 0086-06-CID469-78447

STATEMENT (Continued)

(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)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 23<sup>rd</sup> day of June 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)

INITIALS OF (b)(6), (b)(7)(C)

ACLU DDII CID ROIS 34821

SWORN STATEMENT

For this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ DATE 28 Jun 06 TIME 10:09 (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 E41AD

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 was to capture & detain AIF in the area I was at Specifically My squad & I were the ARF. We flew around everyone else's sector see they need ORE. We did alot of flying. We cleared a few building but most building were empty.

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) Prior to the 15 I did not here about a conspiracy to any murders. Not til recent did I hear about the murders. We were told by chain command about CID questioning soldiers about the incident in iron triangle. (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)

TIKRIT

TAKEN AT CID Office, COB Speicher DATED 23 June 06

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

(b)(6), (b)(7)(C) No I was not aware of any detainees <sup>dying</sup> during the mission. I was aware there were casualties at the mission tho. It was announced over the radio while were in the AREF. We had cleared a truck w/ 2 detainees and then we gave a status. From there we heard over the radio there were casualties. Over the radio they didn't explain if they were killed or wounded tho. (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. None of the people above have I spoken to have I spoken to me about what had happened at iron tangle. (b)(6), (b)(7)(C)

END OF Statement (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES



TIKRIT IRAQ

(b)(6), (b)(7)(C)

23 JUN 06  
File Number 0086-06-CID469-75447

STATEMENT (Continued)

[Large redacted area with a large 'X' drawn across it]

(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
(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  
E (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 23<sup>rd</sup> day of June 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 2 OF 3 PAGES

SWORN STATEMENT

For this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 23 June 2006	TIME 10:09	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 E4	
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:

(b)(6), (b)(7)(C) Q. What was your mission during Operation Iron Triangle, on or about 9 May 06? (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Aerial Reaction Force

We flew around in Blackhawks getting - like the QRF. We landed on the ground twice. Once to pick up some of And Natan and the other time was to check out some holes by the river. (b)(6), (b)(7)(C)

(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)

(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.'  
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 TIKRIT CID Office, COB Speicher DATED 23 June

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)**  
**(b)(6), (b)(7)(C)** **(b)(6), (b)(7)(C)**  
A. **(b)(6), (b)(7)(C)** On the mission I heard that SPC **(b)(6), (b)(7)(C)** got  
cut up by a detainee and that he was alright,  
it wasn't **(b)(6), (b)(7)(C)** bad cut. I am **(b)(6), (b)(7)(C)** not for sure  
if someone told me or if I heard it on  
the radio **(b)(6), (b)(7)(C)**

**(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)**

**(b)(6), (b)(7)(C)** **(b)(6), (b)(7)(C)** End of statement **(b)(6), (b)(7)(C)**

INITIALS OF PERSON MAKING STATEMENT  
**(b)(6), (b)(7)(C)**

PAGE 2 OF 3 PAGES

(b)(6), (b)(7)(C)

TIKRIT, IRAQ

File Number 0086-06-CID469-75447

STATEMENT (Continued)

*[The following section of the form is crossed out with a large 'X' and contains several redacted blocks:]*

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) (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 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 230 day of June 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 3 PAGES

SWORN STATEMENT

For: this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION: Building 718 (CID Office), COB Speicher, Tikrit, IZ DATE: 23 June 06 TIME: 1809 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-5

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?

A: I was part of the Aerial Reactionary Force. I flew around in a Black Hawk and waited until someone needed our help on any of the objective. We were called on to escort two detainees to FOB Remagen. That was the only time we were called on (b)(6), (b)(7)(C)

(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, nothing was ever said to me. (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.

~~TOP SECRET~~

STATEMENT OF (b)(6), (b)(7)(C)

TAKEN AT CID Office, COB Speicher DATED 23 Jun 04

STATEMENT (Continued)

(b)(6), (b)(7)(C)

Q: Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. During the mission we were told that the Company had three Enemy KIA's. This was over the radio. On the last day of the Mission I was sent home on emergency leave, I returned two days ago. (b)(6), (b)(7)(C)

(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.

A. No. (b)(6), (b)(7)(C) End of Statement. (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

(b)(6), (b)(7)(C)

TIKRIT IZ

File Number 0086-06-CID469-75447

STATEMENT (Continued)

[Redacted statement content]

(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.

WITNESSES:

(b)(6), (b)(7)(C)

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 230 day of June 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)

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 3 PAGES

DA FORM 2823, DEC 1998

ACLU DDII CID ROIS 34830

EXHIBIT 122

FOR OFFICIAL USE ONLY
Law Enforcement Sensitive

001021

SWORN STATEMENT

For this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 23 JUNE 06	TIME 1010	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 SPC	
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 was ARIAL REACTION FORCE. WE FLEW AROUND WAITING ON CALLS FROM FRIENDLY ELEMENTS NEEDING HELP. THE MAIN PART OF THE TIME WE JUST FLEW AROUND. WE TOUCHED DOWN SOMETIME EARLY MORNING TO SEARCH A TRUCK IN SECTOR. WE TOOK TWO DETAINEES FROM THE SIGHT TO RAMAGGEN. THE REST OF THE TIME I TOUCHED DOWN ONE MORE TIME TO SEARCH A FAM HOUSE, THAT WAS CLEAR WITH NOTHING SUSPICIOUS FOUND. THIS WAS MID-DAY ON THE SECOND DAY. THEN AFTER THAT WE FLEW AROUND UNTIL END OF MISSION. (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 HAD SAID anything about a CONSPIRACY TO MURDER DETAINEES TO ME. (b)(6), (b)(7)(C) END OF STATEMENT (b)(6), (b)(7)(C)

EXHIBIT	(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.



TIKRIT

FILE MBER 0086-06-CID469-75447

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT CID Office, COB Speicher DATED 23 JUNE 2006

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

ON THE DAY THE DEATHS OCCURED LT. (b)(6), (b)(7)(C) TOLD ME ABOUT THE DEATHS. HE TOLD ME THE 9TH OF MAY, SOMETIME IN THE EVENING AT THE BRIGADE TAC. HE SAID THAT TWO DETAINEES BROKE OUT OF THEIR FLEX CUFFS. ONE DETAINEE GRABBED SOM SCISSORS AND CUT SPC (b)(6), (b)(7)(C) THE OTHER DETAINEE HIT PFC (b)(6), (b)(7)(C) IN THE HEAD, AND THAT WAS WHEN THE TWO OPENED FIRE AND KILLED THE NO LONGER DETAINEED, DETAINEES. HE ALSO SAID THAT HE WAS SURE THAT THEY ACTED WITHIN THE RULES OF ENGAGEMENT SET BEFORE US (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.

NONE OF THE ABOVE DISCUSSED ANY OF THE ACTIONS TAKEN ON IRON TRIANGLE WITH ME (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 2 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	DATE 23 June 06	TIME 1112	(b)(6), (b)(7)(C)	FILE NUMBER
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 Forward Support Company (26th ASB) 3D BCT, 303 Brkfield HORA				

(b)(6), (b)(7)(C)

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: SA (b)(6), (b)(7)(C)

A: SFC PFC (b)(6), (b)(7)(C)

Q: Between 9 May 06 and 13 Jun 06, did you have a conversation w/ (b)(6), (b)(7)(C) in regards to operation Iron Triangle?

A: On or about maybe 1 or 3 weeks ago I had a conversation with PFC (b)(6), (b)(7)(C) / said man your ass always banned from the internet / said so what's up he said man they trying to get me for murder I so I said what happened he said they were on mission and had 3 detainees he said they were slicing as in cutting up his buddy and he used the SAW (M149 squad automatic weapon) and shot them and said aw man that's fucked up good luck with that shit he was like ok and I went back to my cell

Q: Did he go into further detail about what happened to cause his buddy to get cut?  
A: NO

Q: Did he state if they were detained or no, they got free?  
A: He just said they were being Detained

Q: Did he say who else was there?  
A: He didnt use name he just said his buddy

Q: Did he say if anyone else was wounded (soldiers)?  
A: He said the detainee cut his buddy (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 ANOTHER COPY OF THIS FORM.

FILE NUMBER \_\_\_\_\_

STATEMENT OF **(b)(6), (b)(7)(C)**

TAKEN AT COB Speeches / TICKET DATED 23 June 06

CONTINUED

STATEMENT (Continued)

Q: Who did you tell about this conversation w/ **(b)(6), (b)(7)(C)**

A: PFC **(b)(6), (b)(7)(C)** in the DFAC he said to me the actions of so few ruins a company's good work I said well I talked to **(b)(6), (b)(7)(C)** and it sounds like self defence to me it happened about 2 or 3 days ago

Q: What is your relationship w/ **(b)(6), (b)(7)(C)**?

A: We used to play basketball on C company's pad before we got a goal on the **(b)(6), (b)(7)(C)** FSC's pad

Q: Do you have anything else to add to this statement?  
A: NO

Q: What's your understanding of Murder 1?

A: I would guess premeditated **(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)**

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 **(b)(6), (b)(7)(C)** 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 23rd day of June, 2006 at COB Speeches

ORGANIZATION OR ADDRESS

**(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)

UCMJ, Article 136 / 10 USC 936  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

ACLU DDII CID ROIS 34835

PAGE 2 OF 2 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 31st MP Det (CID) COBS	2. DATE (YYYYMMDD) TIME 20060623 1521	4. FILE NUMBER
3. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS E-5 / TA

8. ORGANIZATION OR ADDRESS  
C Co, 31st MP Det, Brassfield-Mura, Iraq

(b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON JUN 18 I RECEIVED THE INVENTORY SHEETS AND PROPERTY INVENTORIES FROM THE SOLDIERS THAT CONDUCTED INVENTORY FOR SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) AND PFC (b)(6), (b)(7)(C) THIS PROPERTY WAS TAKEN DIRECTLY TO A QUAD-CON AND SEALED WITH A PADLOCK THAT ONLY I HAD KEYS FOR. THE NEXT DAY, I GAVE SSG (b)(6), (b)(7)(C) ACCESS TO DRAW UNIFORMS, CLOTHES, AND HYGIENE KITS FOR THE SOLDIERS IN CONFINEMENT FROM THEIR RESPECTIVE BAGS. AFTER THAT, THE QUAD-CON WAS RESEALED UNTIL THE MORNING OF 23 JUN WHEN I BROUGHT THE ITEMS TO COB SPELTER AS REQUESTED BY CID. CID SEARCHED THE BAGS IN MY PRESENCE AND THEN I SECURED THE REMAINDER OF THE GEAR AND RELEASED WHAT EFFECTS CID FELT WERE WORTH KEEPING

Q. (b)(6), (b)(7)(C)  
A. (b)(6), (b)(7)(C)

Q. WHO GAVE YOU THE INVENTORY SHEETS?  
A. SSG (b)(6), (b)(7)(C)

Q. DID YOU OBSERVE SSG (b)(6), (b)(7)(C) WHILE HE WAS IN THE QUAD-CON?  
A. YES

Q. WHAT DO YOU MEAN BY QUAD-CON?  
A. SHIPPING + STORAGE CONTAINER USED FOR DEPLOYMENT

Q. DURING THE SEARCH CONDUCTED BY CID, DID YOU HAVE EYES ON THE

10. EXHIBIT	11. 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 \_\_\_\_\_"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND PAGE NUMBER MUST BE INDICATED. **AGLUDDH CID ROIS 34836**

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF Sgt (b)(6), (b)(7)(C) TAKEN AT COBS DATED 20060625  
TIKRIT

## 9. STATEMENT (Continued)

property at all times?

A. YES

Q. WAS THE PROPERTY RETURNED BY CID IN THE SAME CONDITION <sup>IN</sup> WHICH IT ARRIVED? (b)(6), (b)(7)(C)

A. YES

Q. DID YOU OBSERVE THE ITEMS THAT CID RETAINED AS EVIDENCE?

A. YES

Q. DID YOU RELEASE THOSE ITEMS ON DA FORM 4137?

A. YES

Q. DID YOU SIGN FOR THE ITEMS THAT WERE RETURNED TO YOU ON DA FORM 4137?

A. YES

Q. WHO BROUGHT YOU THE ITEMS DEPICTED ON THE INVENTORY SHEETS

A. SSG (b)(6), (b)(7)(C) WAS WITH A DETAIL OF A FEW SOLDIERS THAT HELPED BRING THE ITEMS TO A 6-WHEELED OFF ROAD VEHICLE THAT I TOOK TO THE QUAD-CON AND OFFLOADED ALL THE GEAR INTO, ALTHOUGH I DO NOT REMEMBER WHO THE SOLDIERS WITH SSG (b)(6), (b)(7)(C) WERE.

Q. ~~WERE~~ WERE THE ITEMS RE-INVENTORIED WHEN YOU RECEIVED THEM FROM SSG (b)(6), (b)(7)(C) AT THE QUAD CON?

A. No,

Q. How did the property get transported from Brassfield-Mura to COBS SPEICHER?

A. IT WAS TRANSPORTED IN THE BACK OF AN LMTV.

Q. DID YOU HAVE EYES ON THE PROPERTY DURING ITS ENTIRE MOVEMENT?

A. YES EXCEPT FOR DURING BREAKFAST CHOW WHEN A SOLDIER I DO NOT RECALL, STOOD WATCH OVER THE EQUIPMENT.

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

ACLU DDII CID ROIS 34837

PAGE 2 OF 3 PAGES

STATEMENT OF SP6 (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) TAKEN AT COBS TIKRIT DATED 2006 Oct 5 (b)(6), (b)(7)(C)

9. STATEMENT (Continued)

Q. DID ANYONE WHO WAS ON OPERATION IRON TRIANGLE COME TO YOU AND TELL YOU ANYTHING REGARDING THE MISSION?

A. No.

Q. WHAT HAVE YOU HEARD REGARDING THIS INVESTIGATION?

A. NOTHING FROM ANYONE IN THE UNIT REGARDING SPECIFICS INVOLVING THE INVESTIGATION. THE ONLY THINGS I HAVE HEARD HAVE COME FROM THE MEDIA.

Q. IS THERE ANYTHING ELSE YOU'D LIKE TO ADD AT THIS TIME?

A. NOT AT ALL /// END OF STATEMENT ///

AFFIDAVIT

I, SGT (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 23rd day of JUNE, 2006 at COBS SPEICHER TIKRIT

(b)(6), (b)(7)(C)

ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C)

SA

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

APT 136, VENT  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

ACLU DDII CID ROIS 34838

PAGE 3 OF 3 PAGES

**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

For use of this form, see AR 190-30; the proponent agency is ODCSOPS

**DATA REQUIRED BY THE PRIVACY ACT**

**AUTHORITY:** Title 10, United States Code, Section 3012(g)  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.  
**ROUTINE USES:** Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your Social Security Number is voluntary.

1. LOCATION COB Speicher, Tikrit CID Office	2. DATE 23 Jun 06	3. ID (b)(6), (b)(7)(C) 1802	4. FILE NUMBER 0086-06-CID469-75447
5. Name (Last First MI) (b)(6), (b)(7)(C)	8. ORGANIZATION OR ADDRESS C 3/187th INF REG Sub Brassfield - Mona APO AE 09393		
7. GRADE/STATUS E4/AD			

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**SECTION A. Rights**

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command and wanted to question me about the following offense(s) of which I am suspected. (b)(6), (b)(7)(C) False Official Statement

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

1. I do not have to answer any questions or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me or both.

-or-

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have the right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

**SECTION B. Waiver**

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

WITNESSES (if available)		3. SIGNATURE OF INTERVIEWEE (b)(6), (b)(7)(C)
1a. NAME (Type or Print)		
5. ORGANIZATION OR ADDRESS AND PHONE		
2a. NAME (Type or Print)		5. TYPE NAME (Type or Print) SA (b)(6), (b)(7)(C)
6. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR 31ST MP DET (CID) (-) COB Speicher APO AE 09393

**SECTION C. Non-waiver**

1. I do not want to give up my rights  
 I want a lawyer  
 I do not want to be questioned or say anything
2. SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

DA FORM 3881, NOV 89 (AUTOMATED)

EDITION OF NOV 84 IS OBSOLETE

**PART II - RIGHTS WARNING PROCEDURE**

THE WARNING

**ACLU DDH CID ROIS 34839**

Exhibit 186  
001030



SWORN STATEMENT

LOCATION:

Tikrit CID Office  
Contingency Operating Base (COB) Speicher  
Tikrit, Iraq, APO AE 09393

DATE:

23 Jun 06

TIME 2354 (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 3/187<sup>th</sup> Infantry Company, FOB Brassfield-Mora,  
Tikrit, Iraq, APO AE 09393

I, (b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

(b)(6), (b)(7)(C) Q: SA (b)(6), (b)(7)(C)

A: SPC (b)(6), (b)(7)(C)

Q: Describe the events that took place on 9 May 06 involving 3 Platoon, C co, 3/187<sup>th</sup> during Operation Iron triangle?

A: I was attached to 3<sup>rd</sup> squad, along with SGT (b)(6), (b)(7)(C) Cpl (b)(6), (b)(7)(C) Spc (b)(6), (b)(7)(C) We had Spc (b)(6), (b)(7)(C) and a combat photographer with us. The first objective (OBJ) was a dud and we didn't find anything of importance there. When we landed at the second obj, most of third squad formed a file and ran to the house. I was the last person in that file that initially took the house. SSG (b)(6), (b)(7)(C) was the first to fire and then rest of the soldiers in the squad began to fire at the house and wounded an elderly Iraqi man. I started to work on him and he died from his injuries within one to two minutes. There were two adult females and three adult males in the house. SSG (b)(6), (b)(7)(C) told Cpl (b)(6), (b)(7)(C) to provide grazing fire for the next house. Cpl (b)(6), (b)(7)(C) set up on a berm and on SSG (b)(6), (b)(7)(C) order, Cpl (b)(6), (b)(7)(C) did what he was told. SSG (b)(6), (b)(7)(C) Sgt (b)(6), (b)(7)(C) Spc (b)(6), (b)(7)(C) and I think two other soldiers ran to the second house with me bringing up the rear. We detained one adult male who ran out of the house holding a small child in front of him, and found some AK 47 parts. We went back to the first house and started to do the detainee packets. While this is going on Spc (b)(6), (b)(7)(C) and myself found a 9mm pistol with two magazines, and some AK 47 parts. 1LT (b)(6), (b)(7)(C) had told us that we don't have much time and we needed to hurry up because a second helicopter would be there to pick us up in a few minutes. 1LT (b)(6), (b)(7)(C) and second squad got on to a helicopter and went to the next obj. SSG (b)(6), (b)(7)(C) told the attached weapons squad members: (b)(6), (b)(7)(C) and myself to secure the PZ. SGT (b)(6), (b)(7)(C) took the detainee from the second house that had his packet finished to the PZ. The rest of third squad continued to do the paperwork which included (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) After a few minutes, there were a lot of shots fired from the other side of the building/house where 3<sup>rd</sup> Squad minus (b)(6), (b)(7)(C) was located. I grabbed my aid bag and ran to the house. I came around the corner to see Spc (b)(6), (b)(7)(C) sitting in the (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 186

ACLU DDII CID ROIS 34840

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB  
SPEICHER, TIKRIT, IRAQ, DATED 23 June, 2006, CONTINUED.

(b)(6), (b)(7)(C) doorway. I ran over to check on him. He had two superficial cuts to the face, one on each cheek and a cut on his arm. At that time I saw Pfc (b)(6), (b)(7)(C) holding his face. I checked for life threatening injuries and found none, so I turned my attention to the detainees. Two of them couldn't be anymore dead, the third had stopped normal breathing and his pulse was weak, and very slow. I made a decision right there that there was nothing that I could do to save any of their lives. After that I checked out Spc (b)(6), (b)(7)(C) and Pfc (b)(6), (b)(7)(C). Spc (b)(6), (b)(7)(C) had a cut on one of his arms, it needed suturing but due to our mission and surroundings I just cleaned it up and put a compression dressing on it. He also had two cuts to his face, one on each side. They were superficial and didn't need treatment other than to be cleaned. Pfc (b)(6), (b)(7)(C) said that he had been hit in the face so I checked for fractures and found none, I don't remember which side of his face it was, but it was slightly swollen and discolored. I gave him Tylenol for the pain. After that I don't know who all came back to the house but several people did. I walked around the corner of the house and yelled back to the PZ to bring body bags. Then I heard one or two gunshots from an M4 and I thought it was an accidental discharge. I didn't ask anyone what happened. At about that time some of second platoon walked up. Lt (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) had a conversation; I didn't hear what they said. Second platoon took the bodies, weapons, weapons parts and the detainee to the helicopter and left (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and myself at the site. We went back to PZ posture and waited for our birds for several hours, after a while someone said that we should go back to the house for the shade. We did that until we were contacted by the pilots of the helicopters who said that they were inbound.

Q: Was there a conversation in the house prior to the shooting and before you left to go to the PZ about (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) shooting the detainees after cutting off the zip ties?

A: Not that I know of. I was not a part of any conversation which they said they were going to cut the zip ties and shoot the detainees.

Q: Did you tell anyone that you informed (b)(6), (b)(7)(C) if he shot the detainees, that you were not going to work on them and that they had better kill them?

A: No, I did not specifically tell SSG (b)(6), (b)(7)(C) that. Before every mission someone would ask me if I would work on someone that has shot at them. Some times I say yes and some times I say no. It depends on who I am talking too. Some get mad if I say yes.

Q: Did you have a conversation with (b)(6), (b)(7)(C) after the detainees had been killed?

A: Yes, later that night after the whole company consolidated somewhere else. Myself, (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) were on this anti aircraft position monitoring the radio. While there we were discussing what had happened that day and bullshitting. I said to (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) that the cuts on (b)(6), (b)(7)(C) face were fishy and awkward. They could have been done (b)(6), (b)(7)(C)

INITIALS OF PERSON  
MAKING STATEMENT (b)(6), (b)(7)(C)  
DA FORM 2823 (Computer Generated)

PAGE 2 OF 6 PAGES

EXHIBIT 186

~~FOR OFFICIAL USE ONLY~~ **AGUDDH CID ROIS 34841** ENFORCEMENT SENSITIVE

001032

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Tikrit CID Office, COB  
SPEICHER, TIKRIT, IRAQ, DATED 23 June, 2006, CONTINUED.

(b)(6), (b)(7)(C) with a paper clip. I thought one of them had done it but I dismissed the thought because there would be no reason for them to kill people that were detained.

Q: What did (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) say about the incident?

A: They thought that it was weird. I don't specifically remember what either one of them said.

Q: Were there other reasons why you thought it may have not happened the way they said it happened?

A: The only thing that did not make sense was where they did they get the knife. Also the cuts seemed weird because they were shallow and not cuts just scratches. Why just a like mark on the face and why not stab them to kill them?

Q: Did you have any prior knowledge that they were planning on killing the detainees?

A: No.

Q: Did you hear the 1SG (b)(6), (b)(7)(C) come across the radio and ask why they had detainees?

A: No.

Q: How much time passed between the time you made it to the PZ and the shots were fired?

A: I think it was about five minutes after I left the house.

Q: Do you remember who was at the house when you heard the one or two shots?

A: No.

Q: Who was at the house and should have heard the two shots?

A: (b)(6), (b)(7)(C) and Myself.

Everyone should have heard it. I don't know who saw it or who shot the rounds.

Q: Did (b)(6), (b)(7)(C) return to the PZ?

A: I think SGT (b)(6), (b)(7)(C) was the only one from the 3D squad who returned to the PZ?

Q: Did you hear that this incident may have been planed after the operation was over?

A: I was at the computer lab and I heard two soldiers saying that someone in Charlie Company had mutilated the detainee's bodies. During the 15-6 Investigation, MAJ (b)(6), (b)(7)(C) asked if we heard any rumors and (b)(6), (b)(7)(C) said someone said he had thrown Ninja Stars at the detainees.

Q: Did you know that one of the detainees had been shot after you determined he was dying?

A: No. I heard the shot but I did not know the detainee was shot or if it was an accidental discharge.

Q: Which detainee was still alive when you checked them?

A: It was the one that was off to the side or farther off by himself.

Q: Did you have any conversations with (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C) other than what you mentioned above? (b)(6), (b)(7)(C)

INITIALS OF PERSON  
MAKING STATEMENT (b)(6), (b)(7)(C)  
DA FORM 2823 (Computer Generated)

PAGE 3 OF 6 PAGES

EXHIBIT 186

ACLU DDII CID ROIS 34842

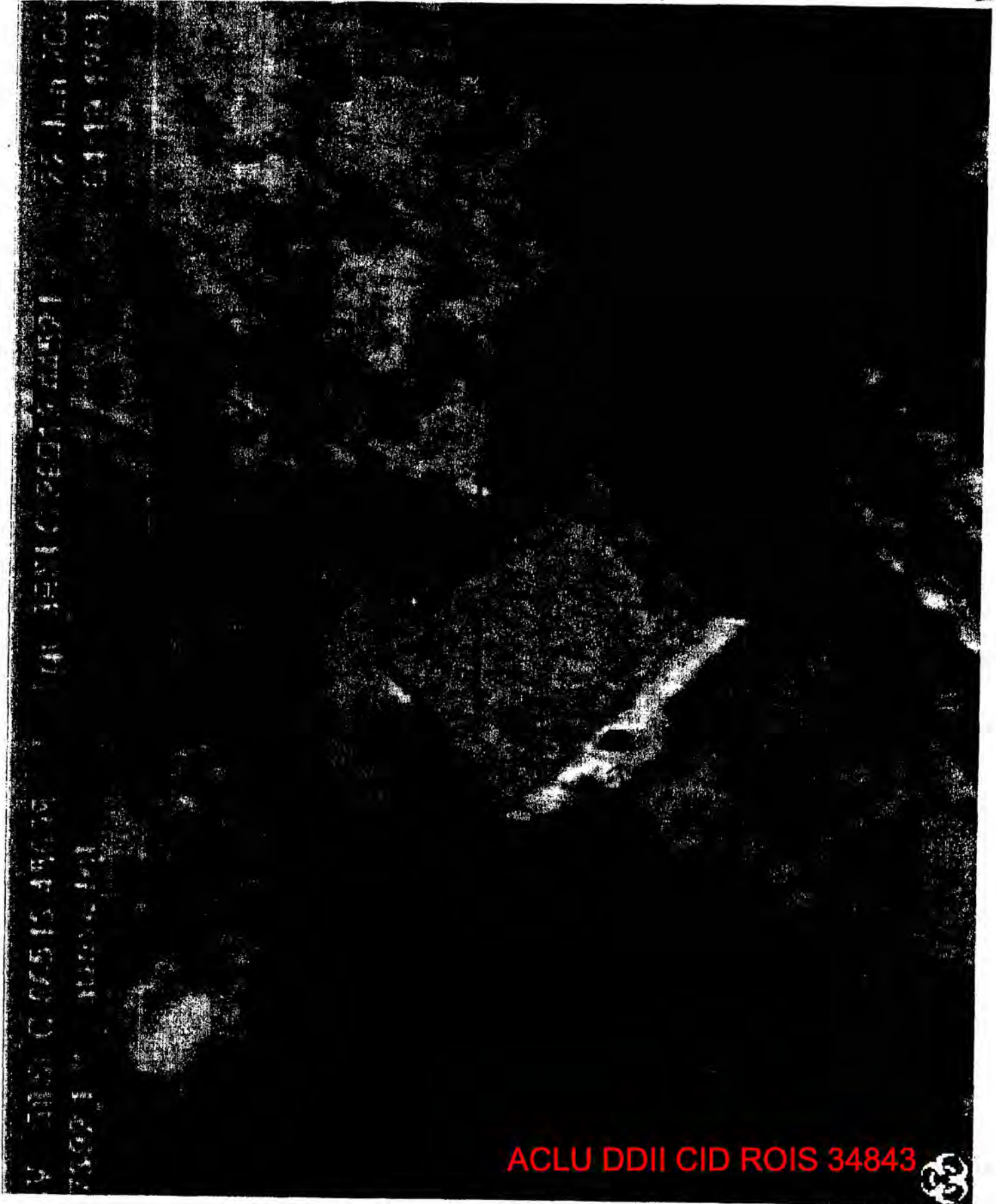
~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

001033

(b)(6), (b)(7)(C)

0086-06-CID469-75447

991



ACLU DDII CID ROIS 34843



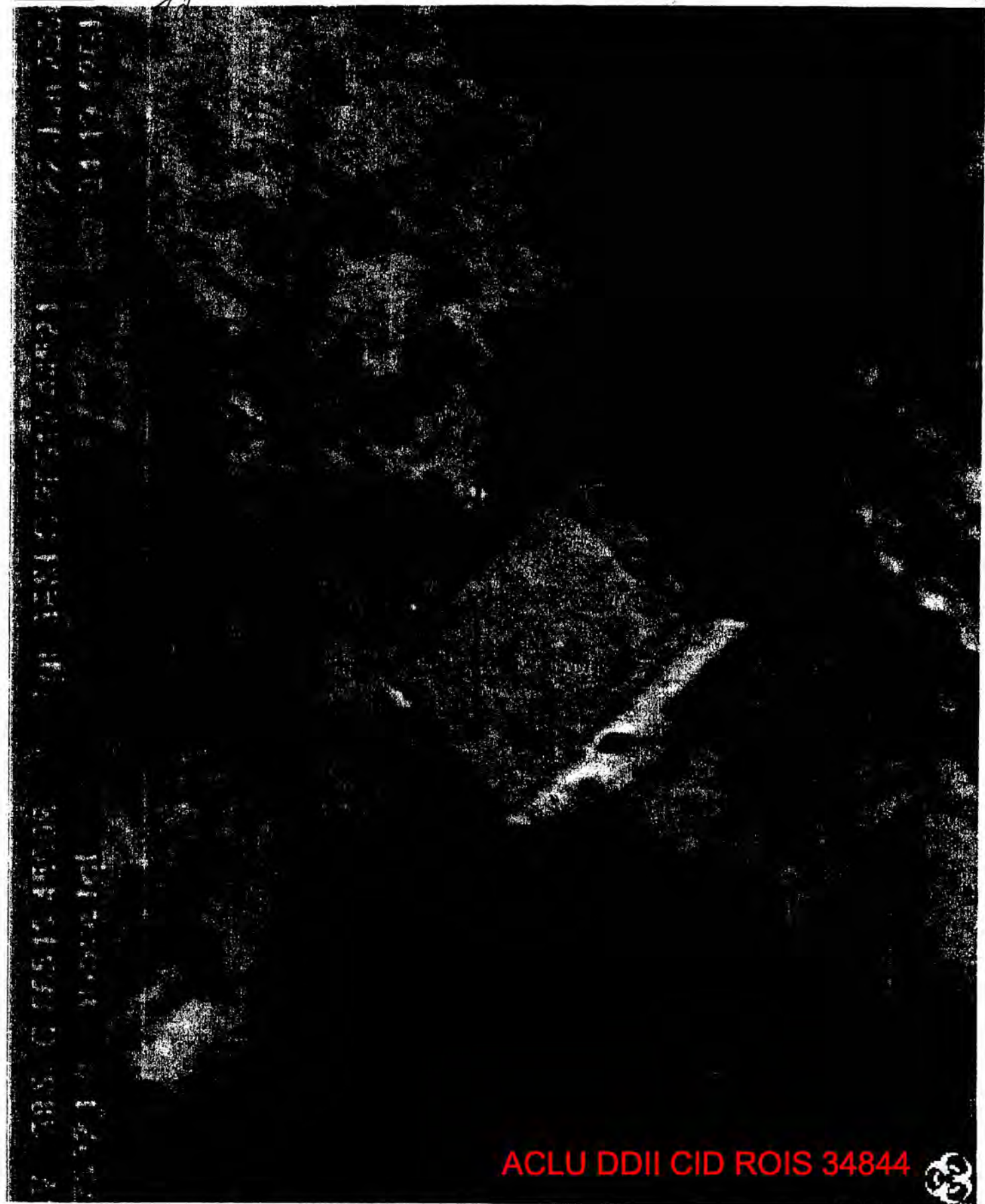
~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

EXHIBIT / 86 001034

(b)(6), (b)(7)(C)

0086-06-CID469-75447

off  
2/1/02



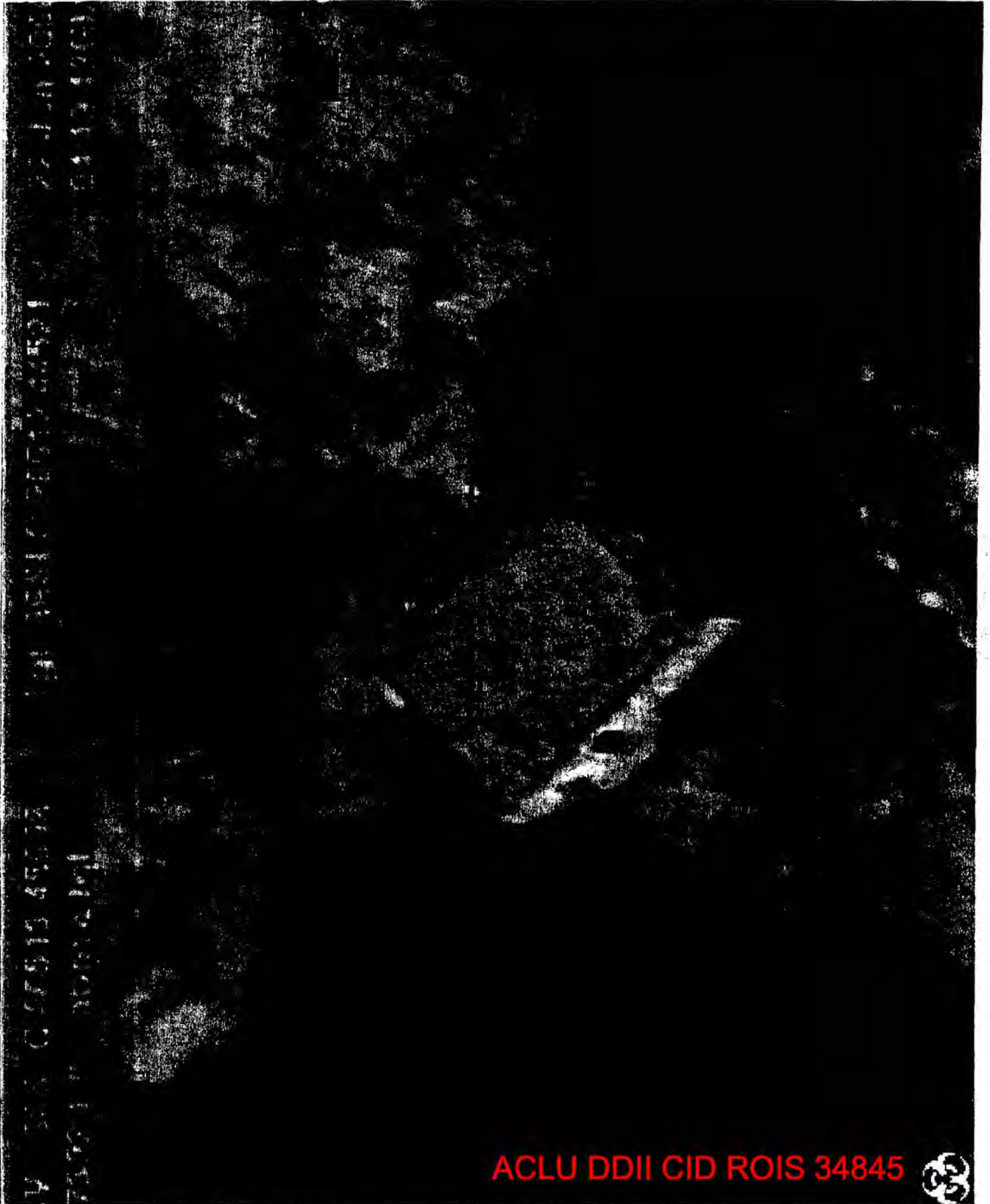
ACLU DDII CID ROIS 34844



(b)(6), (b)(7)(C)

0086-06-CID469-75447

346



ACLU DDII CID ROIS 34845



This guy had a weak shallow pulse that was beating at an irregular rhythm, and agonal breathing.

23 June 06

(b)(3)

SA (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
23 June 06

SPC

(b)(6), (b)(7)(C)

23 June 23b

(b)(6), (b)(7)(C)

ACLU DDII CID ROIS 34846

NAME:

TIME/DATE:

SIGNATURE:

(b)(3)

(b)(3)

(b)(3)

This guy had weak and shallow pulse

(b)(6), (b)(7)(C)

SPL

DATE TIME: 23 June 06 2315

(b)(6), (b)(7)(C)

ACLU DDII CID ROIS 34847

Both these guys were dead when I checked them.

(b)(3)

(b)(3)

(b)(3)

SA (b)(6), (b)(7)(C)

23 June 06



6096

(b)(6), (b)(7)(C)

1 This guy had NO pulse, and was not breathing

(b)(6), (b)(7)(C)

2 This guy had no pulse, and was not breathing

(b)(3)

SA (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

as frate

ACLU DDII CID ROIS 34848

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

EXHIBIT

0086-06-CID469-75447

NAME: (b)(6), (b)(7)(C) SPC

TIME/DATE: 23 June 06/1314

Signature: (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, APO AE 09343	DATE 06/23/06 2011	FILE NUMBER
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 C Company, 3/87 Infantry, FOB Brassfield-Mora, Iraq, APO AE 09349		

(b)(6), (b)(7)(C)

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

(b)(6), (b)(7)(C) have not had any more threats made to me since I made my statements with CID. But last week my name was on every News Channel about me getting threatened. Now I don't only fear for my life I also fear for my family's life. SSG (b)(6), (b)(7)(C) is in the mob. And they don't only kill you they kill your whole family and also what is the best way to get me then through my family I am also going to put an outline on the pics of what happened.

Q: SA (b)(6), (b)(7)(C)

A: PFC (b)(6), (b)(7)(C)

Q: When you spoke/mailed your father; did you mention witnessing poor acts of violence against detainees, or were you referring to this incident?

A: I was talking about this one

Q: How do you know SSG (b)(6), (b)(7)(C) uncle is in the "Mob"?

A: He told me and that's all he talked about, he talked about going to be a hit man for his uncle.

Q: Can you further explain picture 3?

A: (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) Drag out the 1st KIA myself and (b)(6), (b)(7)(C) bring out the Detainees (b)(6), (b)(7)(C) takes the women around to the other room (b)(6), (b)(7)(C) just stands there

I start to search the Detainees and Flex told them (b)(6), (b)(7)(C) starts working on the 1st KIA. every one else stands around and watches

Q: Can you further explain picture 4? (b)(6), (b)(7)(C) 3rd squad except one and (b)(6), (b)(7)(C) to the 2nd house gets forth Detainee

Q: Can you explain how you know where to sketch people out of your line of sight? (b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PERSON (b)(6), (b)(7)(C) ENT	PAGE 1 OF 3 PAGES
---------	--	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF (NAME) AT (DATE) (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 DBI CID ROIS 34849

001040

FILE NUMBER \_\_\_\_\_

STATEMENT OF PFC (b)(6), (b)(7)(C)

TAKEN AT CoB Speicher, Tikrit, Iraq MO 16 0333 DATED 23 JUN 2006

CONTINUED

STATEMENT (Continued)

A: Even though it is not exact but I got most of it from (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) telling me.

Q: How far apart are sketches 1-6 the sketches?

A: All the sketches are about 4 min apart all the way up till sketch 5 then that takes about 30 min. then everything picks up from 6 on.

Q: Can you explain sketches 8-12?

A: (5) is what SS6 (b)(6), (b)(7)(C) Does During and about 10 mins After The Incident it shows him cutting Hursakar hitting (b)(6), (b)(7)(C) Then going into the House with (b)(6), (b)(7)(C) is what (b)(6), (b)(7)(C) Does During and 10 min after shows him going from outside being cut to Inside. (10) shows what (b)(6), (b)(7)(C) was doing During the Incident (b)(6), (b)(7)(C) Goes nowhere But up front (11) shows what (b)(6), (b)(7)(C) Does During and 10 mins After the Incident shows him checking (b)(6), (b)(7)(C) Fixer (b)(6), (b)(7)(C) Looking at K.T.A and not being able to do anything (12) shows myself and (b)(6), (b)(7)(C) During and up to Ten men after Incident shows (b)(6), (b)(7)(C) run around The House and Does the mercy kill shows me going and seeing what happened and going back with the women.

Q: Do you have anything else to add?

A: not at this time. END OF STATEMENT

ACLU DDII CID ROIS 34850

33



INITIAL ASSULT

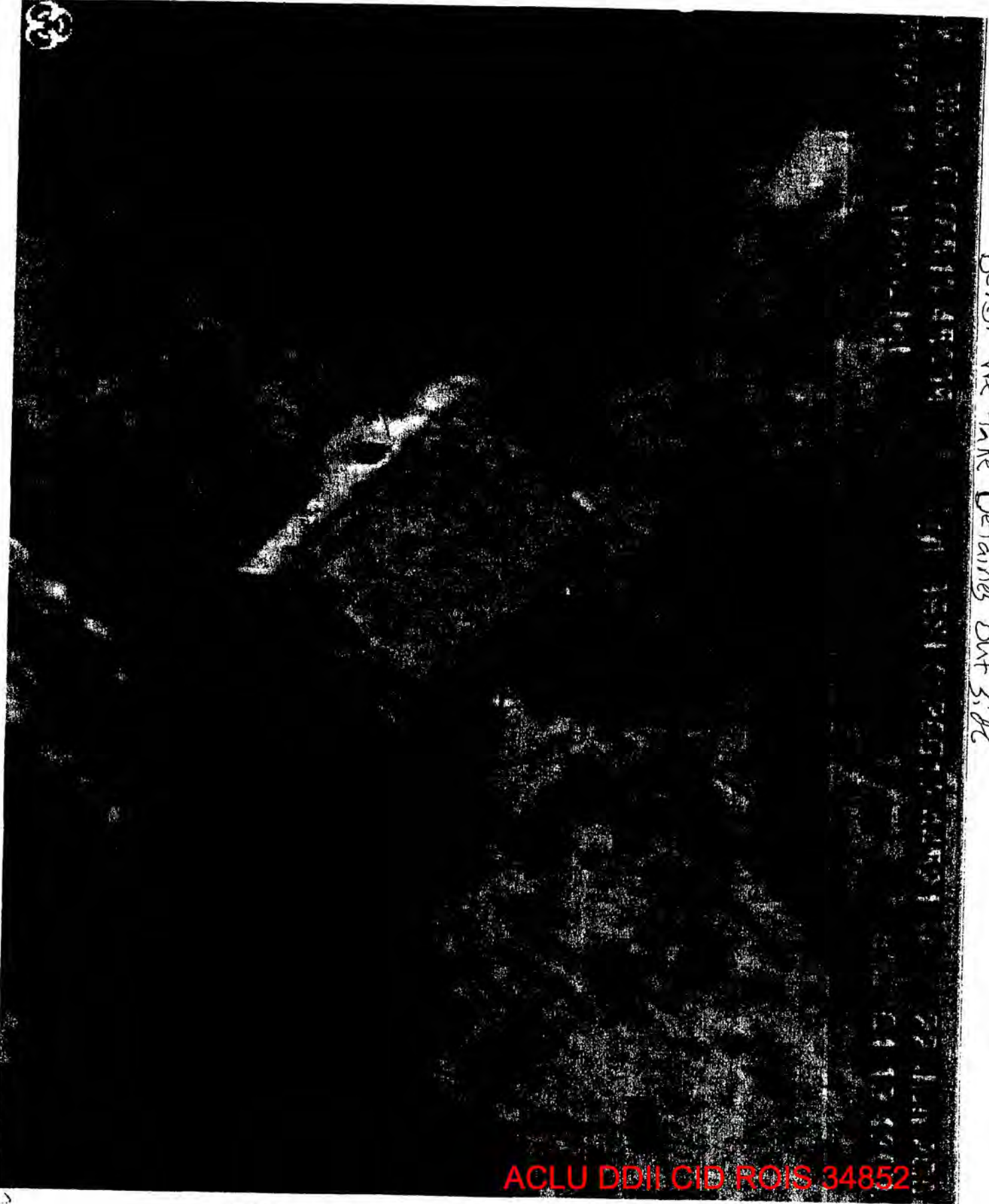
ACLU DDII CID ROIS 34851

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

EXHIBIT 187

001042

1 of 12



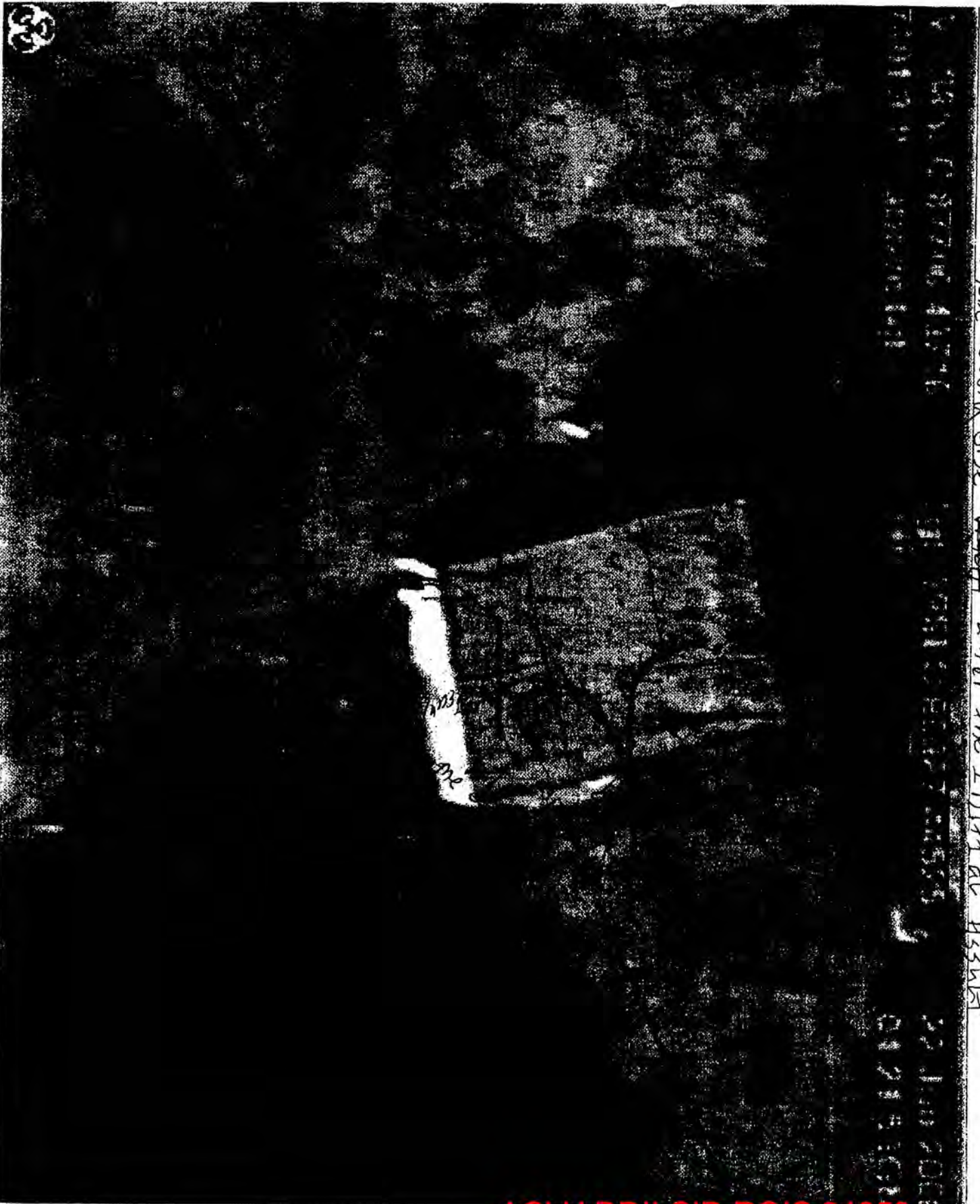
*Before we take Detainees out side*

**ACLU DDII CID ROIS 34852**

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

EXHIBIT <sup>187</sup> 001043

*ofia*



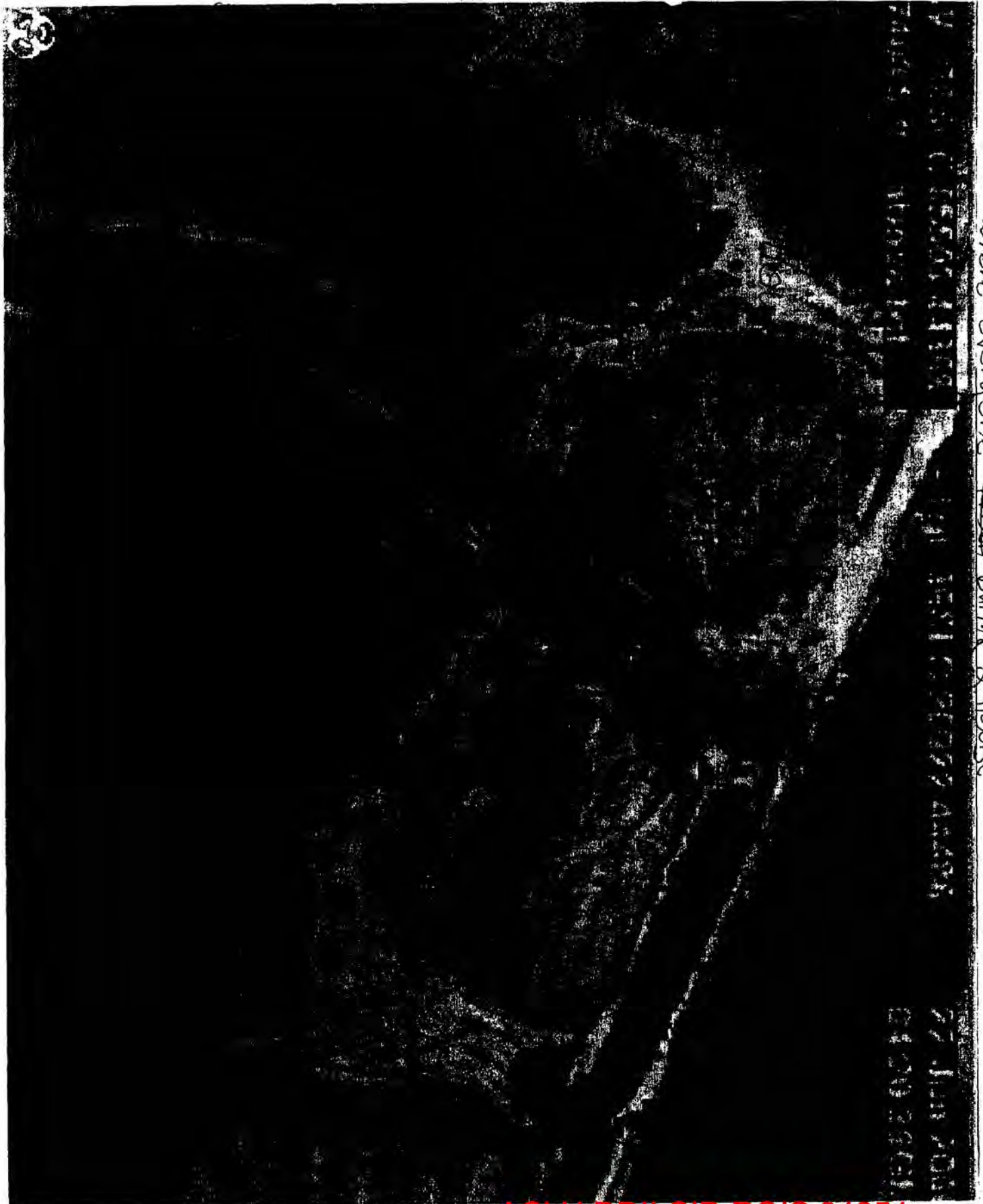
when ever in OD. went after the Initial Assult

ACLU DDII CID ROIS 34853

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

EXHIBIT 187

3 of 4



where everyone went during 2 House

ACLU DDII CID ROIS 34854

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE EXHIBIT 10

4 of 12

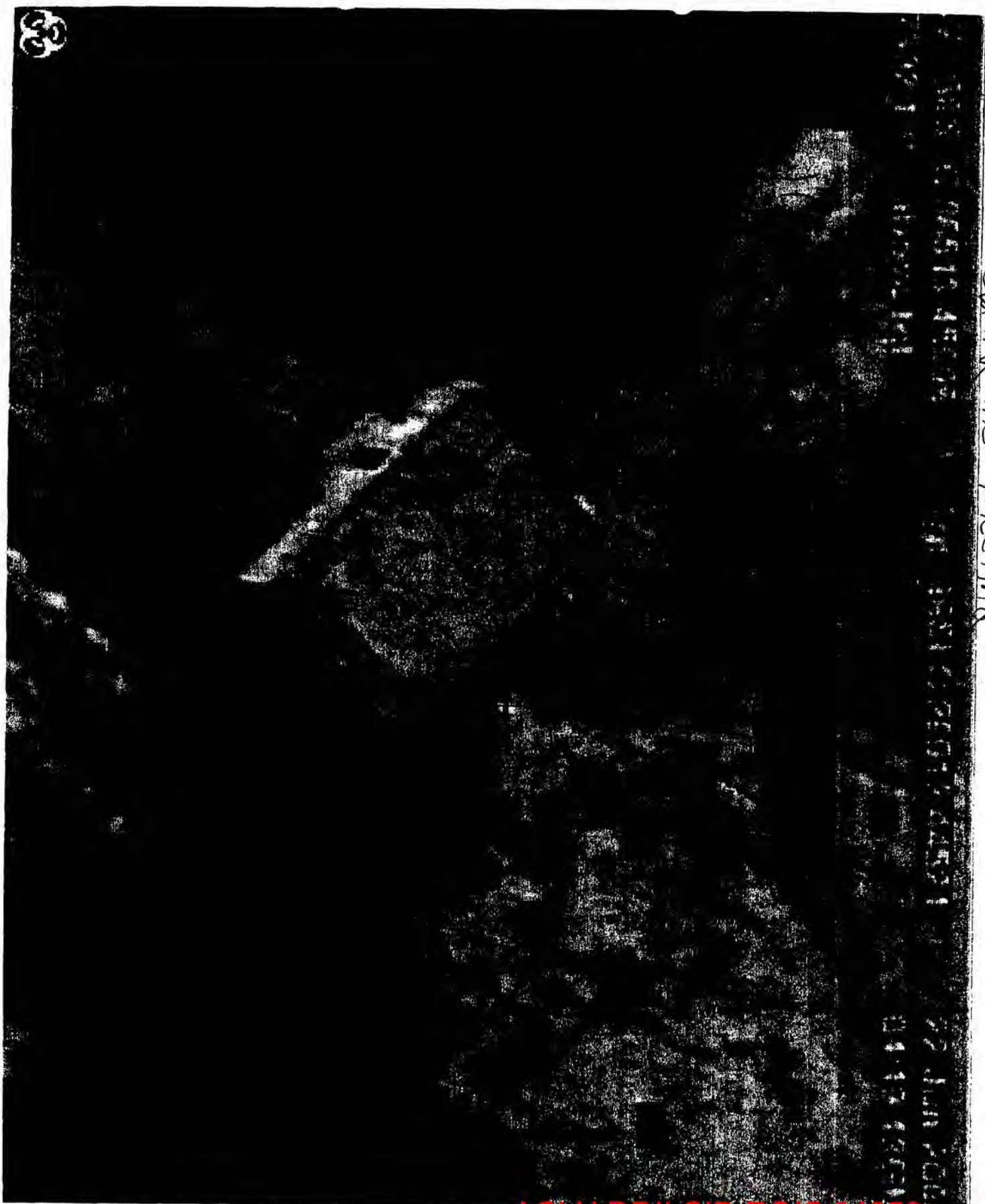


Before Lt and JSG and letter on the Bird

5 of 12

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE **ACLU DDII CID ROIS 34855** EXHIBIT 187





*Denying The meeting*

*6812*

**ACLU DDII CID ROIS 34856**

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~ EXHIBIT 187



where Everyone IS At Right Before it happens

33

7781a

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~ **ACLU DDII CID ROIS 34857** EXHIBIT 187



SS 1

(b)(6), (b)(7)(C)

~~After~~ During the Incident

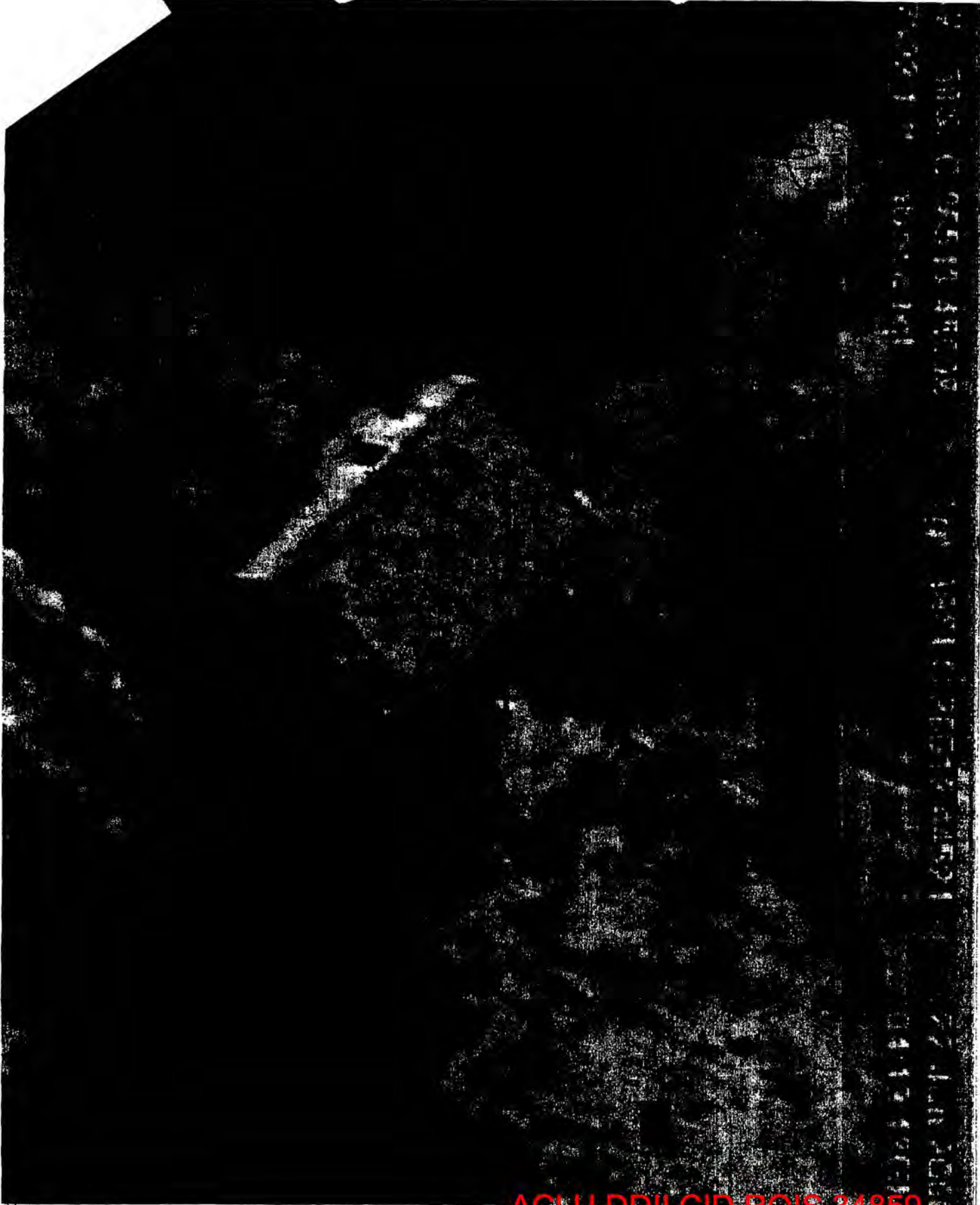
ACLU DDII CID ROIS 34858

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EXHIBIT 187

001049

8/8/12



(b)(6), (b)(7)(C)

*During the Incident*

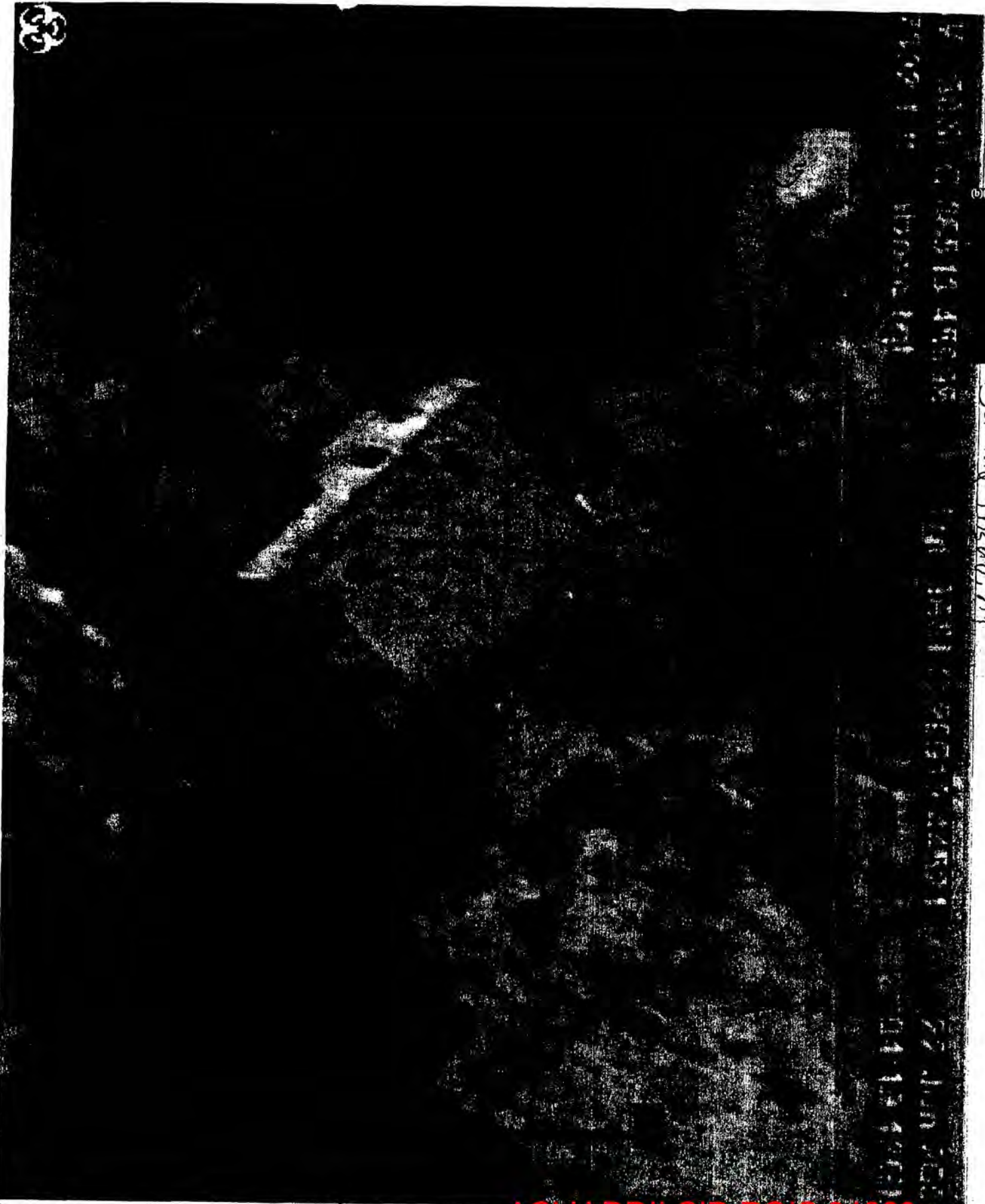
ACLU DDII CID ROIS 34859

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EXHIBIT 187

001050

2101



(b)(6), (b)(7)(C)

*During incident of*

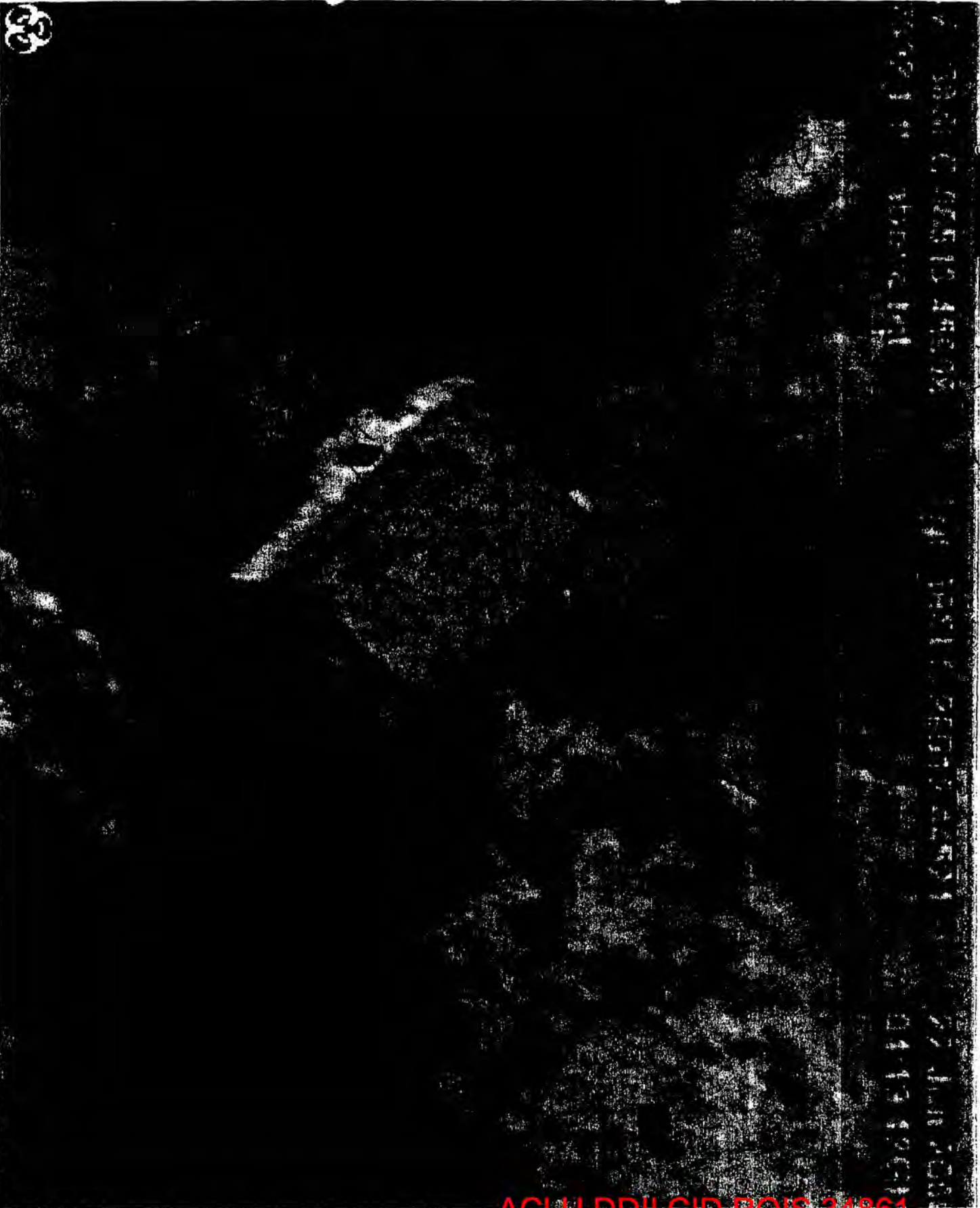
*06/12*

**FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE**

**ACLU DDII CID ROIS 34860**

EXHIBIT 187

001051



(b)(6), (b)(7)(C)

*Darius Insulint*

*www.1-en-150*

*11/5/13*

**ACLU DDII CID ROIS 34861**

**FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE**

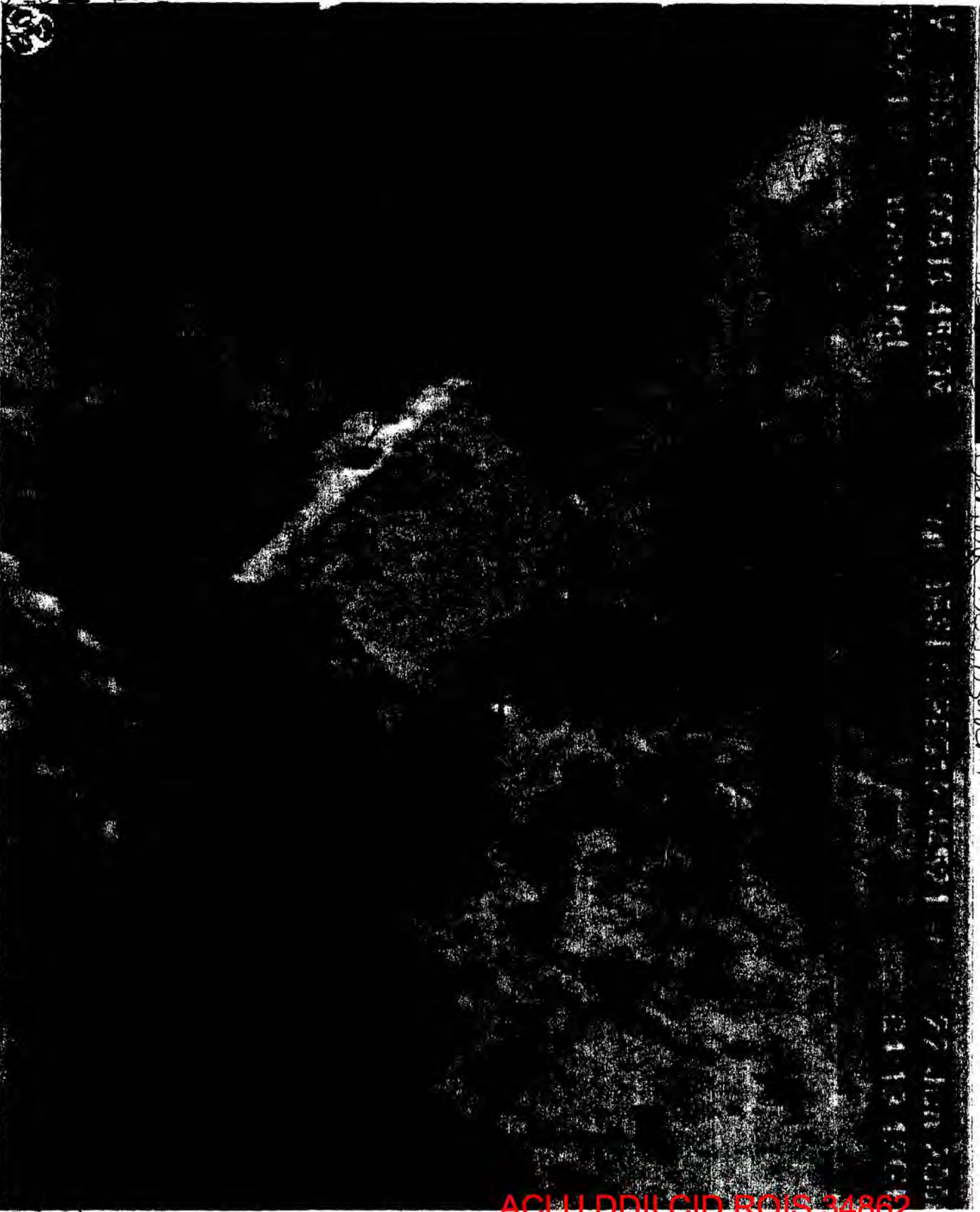
**EXHIBIT 187**

**(b)(6), (b)(7)(C)**

**001052**

*Non-Dead*

I R  
to hi  
what I  
INFO  
The D  
was  
with  
The rest of the time



Myself and

Division the Incident.

(b)(6), (b)(7)(C)

ACLU DDII CID ROIS 34862

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

EXHIBIT 187

001053

10  
10  
10

**DEVELOPMENTAL COUNSELING FORM**

For use of this form, see FM 22-100; the proponent agency is TRADOC

**DATA REQUIRED BY THE PRIVACY ACT OF 1974**

**AUTHORITY:** 5 USC 301, Departmental Regulations; 10 USC 3013, Secretary of the Army and E.O. 9397 (SSN)  
**PRINCIPAL:** To assist leaders in conducting and recording counseling data pertaining to subordinates.  
**ROUTINE USES:** For subordinate leader development IAW FM 22-100. Leaders should use this form as necessary.  
**DISCLOSURE:** Disclosure is voluntary.

**PART I - ADMINISTRATIVE DATA**

Name (Last, First MI) <b>(b)(6), (b)(7)(C)</b>	Rank/Grade PFC/ E-3	Social Security No. <b>(b)(6), (b)(7)(C)</b>	Date of Counseling 12 MAY 06
Organization C.CO 3RD PLT 3-187 INF REGT 101ST ABN "AASLT"		Name and Title of Counselor SSG <b>(b)(6), (b)(7)(C)</b>	

**PART II - BACKGROUND INFORMATION**

**Purpose of Counseling:** (Leader states the reason for the counseling, e.g., performance/professional growth or event-oriented counseling, and includes the leader's facts and observations prior to the counseling.)

EVENT ORIENTATED  
OPERATION IRON TRIANGLE

**PART III - SUMMARY OF COUNSELING**

Complete this section during or immediately subsequent to counseling.

**Key Points of Discussion:**

YOU WERE INVOLVED IN OPERATION IRON TRIANGLE, OBJ MURRAY WHERE A DETAINEE STRUCK YOU, YOU WERE THREATEND WITH DEADLY FORCE AND HAD NO CHOICE BUT TO RETURN DEADLY FORCE WHICH RESULTED IN 3 ENEMY KIAS. YOUR ACTIONS SAVED YOUR LIFE AS WELL AS YOUR BUDDY'S. THIS COULD OF BEEN PREVENTED IF THE DETAINEES WERE PROPERLY FLEX CUFFED BUT DUE TO LIMITED SUPPLIES I UNDERSTAND. BOTTOM LINE, YOU ELIMINATED THE THREAT AND SAVED YOUR RANGER BUDDY'S LIFE. SUSTAIN YOUR ALERTNESS, 360' AT ALL TIMES.

NOTHING FURTHER CHOPPIN'33 OUT.

**OTHER INSTRUCTIONS**

This form will be destroyed upon: reassignment (other than rehabilitative transfers), separation at ETS, or upon retirement. For separation requirements and notification of loss of benefits/consequences see local directives and AR 635-200.

DA FORM 4856, JUN 1999

EDITION OF JUN 85 IS OBSOLETE

ACLU DDII CID ROIS 34863

FORM V1.00

EXHIBIT / 85-1

001054



## DEVELOPMENTAL COUNSELING FORM

For use of this form, see FM 22-100; the proponent agency is TRADOC

## DATA REQUIRED BY THE PRIVACY ACT OF 1974

**AUTHORITY:** 5 USC 301, Departmental Regulations; 10 USC 3013, Secretary of the Army and E.O. 9397 (SSN)  
**PRINCIPAL:** To assist leaders in conducting and recording counseling data pertaining to subordinates.  
**ROUTINE USES:** For subordinate leader development IAW FM 22-100. Leaders should use this form as necessary.  
**DISCLOSURE:** Disclosure is voluntary.

## PART I - ADMINISTRATIVE DATA

Name (Last, First, MI) (b)(6), (b)(7)(C)	Rank/Grade SPC/ E-5	Social Security No. (b)(6), (b)(7)(C)	Date of Counseling 12 MAY 06
Organization C.CO 3RD PLT 3-187 INF REGT 101ST ABN "AASLT"		Name and Title of Counselor SSG (b)(6), (b)(7)(C)	

## PART II - BACKGROUND INFORMATION

**Purpose of Counseling:** (Leader states the reason for the counseling, e.g., performance/professional growth or event-oriented counseling, and includes the leader's facts and observations prior to the counseling.)

EVENT ORIENTATED  
OPERATION IRON TRIANGLE

## PART III - SUMMARY OF COUNSELING

Complete this section during or immediately subsequent to counseling.

## Key Points of Discussion:

YOU WERE INVOLVED IN OPERATION IRON TRIANGLE, OBJ MURRAY WHERE A DETAINEE STRUCK YOU WITH A KNIFE AND CUT YOUR FACE 2 TIMES AND WRIST AS WELL, YOU WERE THREATEND WITH DEADLY FORCE AND HAD NO CHOICE BUT TO RETURN DEADLY FORCE WHICH RESULTED IN 3 ENEMY KIAS. YOUR ACTIONS SAVED YOUR LIFE AS WELL AS YOUR BUDDY'S. THIS COULD OF BEEN PREVENTED IF THE DETAINEES WERE PROPERLY FLEX CUFFED BUT DUE TO LIMITED SUPPLIES I UNDERSTAND. BOTTOM LINE, YOU ELIMINATED THE THREAT AND SAVED YOUR RANGER BUDDY'S LIFE.  
SUSTAIN YOUR ALERTNESS, 360' AT ALL TIMES.

NOTHING FURTHER CHOPPIN'33 OUT.

## OTHER INSTRUCTIONS

This form will be destroyed upon: reassignment (other than rehabilitative transfers), separation at ETS, or upon retirement. For separation requirements and notification of loss of benefits/consequences see local directives and AR 635-200.

## DEVELOPMENTAL COUNSELING FORM

For use of this form, see FM 22-100; the proponent agency is TRADOC

## DATA REQUIRED BY THE PRIVACY ACT OF 1974

**AUTHORITY:** 5 USC 301, Departmental Regulations; 10 USC 3013, Secretary of the Army and E.O. 9397 (SSN)  
**PRINCIPAL:** To assist leaders in conducting and recording counseling data pertaining to subordinates.  
**ROUTINE USES:** For subordinate leader development IAW FM 22-100. Leaders should use this form as necessary.  
**DISCLOSURE:** Disclosure is voluntary.

## PART I - ADMINISTRATIVE DATA

Name (Last, First MI) (b)(6), (b)(7)(C)	Rank/Grade SGT/ E-5	Social Security No. (b)(6), (b)(7)(C)	Date of Counseling 13 MAY 06
Organization C.CO 3RD PLT 3-187 INF REGT 101ST ABN "AASLT"		Name and Title of Counselor SSG (b)(6), (b)(7)(C)	

## PART II - BACKGROUND INFORMATION

**Purpose of Counseling:** (Leader states the reason for the counseling, e.g., performance/professional growth or event-oriented counseling, and includes the leader's facts and observations prior to the counseling.)

EVENT ORIENTATED  
 OPERATION IRON TRIANGLE  
 09-11 MAY 06

## PART III - SUMMARY OF COUNSELING

Complete this section during or immediately subsequent to counseling.

## Key Points of Discussion:

OPERATION IRON TRIANGLE; MISSION STATEMENT, C.CO 3RD PLT 3RD SQUAD 3-187 INF REGT CONDUCTS AIR AND GROUND ASSAULT TO CLEAR OBJ MURRAY AND AREA OF OPERATIONS CHOPPIN NO LATER THAN D-DAY TO KILL ALL FORIEGN FIGHTERS IN ORDER TO DISRUPT AL QUEDA OPERATIONS IN MUTHANA CHEMICAL PLANT. AS A MEMBER AND KILLER OF THIRD SQUAD YOU PARTICIPATED IN THIS OPERATION IN WHICH OUR SQUAD HAD 4 OF THE 7 KILLS IN THE COMPANY AND BRIGADE FOR THIS OPERATION. TOTAL # OF DETAINEES 211, CHARLIE CO. 107 OF THE 211.

WE AIR ASSAULTED IN TO A HOT LZ AND HIT THE FIRST TARGET HOUSE , IT WAS A DRY HOLE. WE THEN AIR ASSAULTED TO THE NEXT TARGET HOUSE AND KILLED ONE AIF MALE, ALONG WITH THE 4 DETAINEES WITH THREE BECAME HOSTILE AND USED DEADLY FORCE UPON 2 MEMBERS OF OUR SQUAD AND THEY WERE ELIMINATED. WITH A TOTAL OF 4 ENEMY KIAS AND I DETAINEE. THE THIRD HOUSE WE HIT AND YOU USED POSITIVE TARGET ACUSITION AND DID NOT ENGAGE ONE MALE BECAUSE HE USED HIS DAUGHTER AS A SHEILD. WE LATER AIR ASSAULTED TO THE NEXT OBJ AND SET UP A PATROL BASE. THE FOLLOWING MORNING WE AIR ASSAULTED TO THE CHEMICAL PLANT AND COMPLETED NUMEROUS RAIDS ON SUSPECTED TERRORISTS HOUSES. LATER MOVING BY CONVOY TO THE BRIGADE TAC, AND FURTHER AIR ASSAULTING TO FOB REMAGEN FOR DEBRIEFING, AND EXFIL BACK TO OUR HOME FOR BRASSFIELD-MORA. OUTSTANDING JOB, HIGH MOTIVATION, GREAT TARGET ACUSITION, AND ALERTNESS.

YOUR ACTIONS WERE COMMENDED BY ALL THE HIGHER ECHELON OF OUR COMPANY, BATTLION, AND BRIGADE COMMANDER. YOUR A STEALTHY KILLER. SUSTAIN!

NOTHING FURTHER CHOPPIN'33 OUT.

## OTHER INSTRUCTIONS

This form will be destroyed upon: reassignment (other than rehabilitative transfers), separation at ETS, or upon retirement. For separation requirements and notification of loss of benefits/consequences see local directives and AR 635-200.

# Gateway Digital, Inc.



1



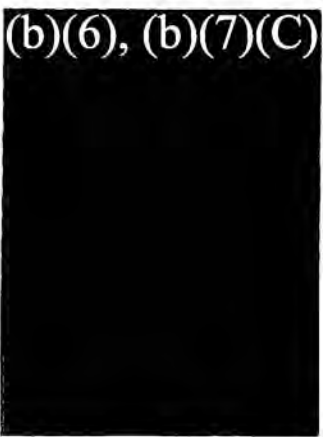
2



3



4



5



6

You will be asked to look at a group of photographs. The fact that the photographs are shown to you should not influence your judgement. You should not conclude or guess that the photographs contain the picture of the person who committed the crime. You are not obliged to identify anyone. Please do not discuss the case with other witnesses nor indicate in any way that you have identified someone.

Q. (b)(6), (b)(7)(C)

A. [REDACTED]

Q. DO YOU RECOGNIZE ANYONE IN THESE PHOTOGRAPHS AS THE PERSON WHO YOU COORDINATED WITH ON OPERATION IRON TRIANGLE TO PLACE THE EVIDENCE IN THE TACTICAL OPERATION CENTER?

A. NO, I DO NOT RECOGNIZE ANY OF THESE MEN.

Q. IS IT POSSIBLE ONE OF THESE MEN WAS WHO YOU COORDINATED WITH YOU JUST DON'T REMEMBER?

A. YES, IF IS POSSIBLE.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

SA (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

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(b)(6), (b)(7)(C)

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(b)(6), (b)(7)(C)

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NO RECORD  
6886-06-010-469-75447

**REQUEST FOR PRIVATE MEDICAL INFORMATION**

For use of this form, see AR 40-66; the proponent agency is the OTSG

1. Date (YYYYMMDD)

27 Feb 06 ZF

2. Patient's Name and SSN.

(b)(6), (b)(7)(C)

3. Medical Treatment Facility (Name and Location)

PFC (b)(6), (b)(7)(C)

4. Reason

Criminal Investigation 0086-06-010469-75447

5. Private Medical Information Sought (Specify dates of hospitalization or clinic visits and diagnosis, if known)

Complete Mental Health / Combat Stress Records

6. Requestor's Name, Title, Organization and SSN.

SA (b)(6), (b)(7)(C) 31ST MP DET (CID)(-) COB Spawley APO AB 09393

FOR USE OF MEDICAL TREATMENT FACILITY ONLY

7. Check applicable box.

Approved  Disapproved (State reason for disapproval)

8. Summary of Private Medical Information Released.

9. Signature of Approving Official.

10. Date (YYYYMMDD)

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 24 JUN 06	TIME 1000	FILE NUMBER 0086-06-CID469-75447
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	GRADE/STATUS E-7 / 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. My platoon along with 3<sup>rd</sup> per were to air assault into an area with about 6 buildings along the river. My mission as well as 3<sup>rd</sup> platoon was to enter and clear those buildings and kill all insurgents males operating from those buildings. The ROE that was given to us was that all males in that sector were insurgents and that we had the clearance to kill, capture or detain. When my platoon and 3<sup>rd</sup> arrived we found no people living in those houses, they were abandoned. I stayed in that area with my medic, RTD, a sniper soldier and a squad leader with one crew serve weapon. 3<sup>rd</sup> platoon left soldiers behind with the 156 on their sector while the commander send my platoon with my PL to other areas around our sector and the commander did the same with 3<sup>rd</sup> PL. end of statement

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 I had no idea or being told or heard anything like that in the company. The only thing I knew was what came through our ASAP radios and my RTD (SPC) kept informing me on all the important transmissions coming through. That was when I was informed that 3<sup>rd</sup> PLT had killed one and detained 2 males in the sector they were operating in. Within 30 minutes give or take another called came in reporting that one soldier from 3<sup>rd</sup> platoon was cut with a pocket knife by one of the detainees and that they were trying to scape so they shot them and kill them. At this time my only concern was that one soldier was injured and need medical attention. end of statement

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 CID Office, COB Speicher DATED 24 JUN 06

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. No I had no knowledge of the death of the detainees except for what came in through the ASIP radio at the time it all happen.

(b)(6), (b)(7)(C) END of statement (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)~~

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.

A. No like I said before I didn't hear or talk to any of 3rd Platoon Soldiers, the only soldiers I talk to are the Platoon Sergeant, Platoon leader and occasionally SSG (b)(6), (b)(7)(C) one of their squad leader and none of these individuals said anything to me.

(b)(6), (b)(7)(C) END of statement (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)~~

INITIALS OF PERSON MADE (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

File Number 0086-06-CID469-75447

STATEMENT (Continued)

(b)(6), (b)(7)(C)

No statement on this page

(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)

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 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)

(Statement)

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 27 day of June 2006 at Building 718 (CID Office), COB Speicher, Tikrit, IZ

CO 3 IIF IWE 101 Air Base Division

(b)(6), (b)(7)(C)

ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C)

c/3-197 IN, 101 ABN (MACE), Fort Bragg, NC

SA (b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)  
Art 136 UCMJ / 10 USC 936

(b)(6), (b)(7)(C)

(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 ODCSOP.

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 24 JUN 06	TIME 1000	FILE NUMBER 0086-06-CID469-75447
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)		GRADE/STATUS E3/PFC

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?

A. my mission during Operation Iron Triangle on or about 9<sup>th</sup> May 2006, was to carry and provide over watch of my fellow soldiers with a 240B, to insure the safety and completion of our higher mission. The mission was to decrease enemy activity by killing, capturing or detaining known members of the AIF.

~~End statement~~

~~(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
(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. I had no knowledge of any type of conspiracy prior or thereafter after the 15 Jun 2006, until press expressed information, alleging a conspiracy to murder the detainees.

~~End statement~~

~~(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)~~

EXHIBIT

INITIALS (b)(6), (b)(7)(C) SIGNATURE

PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [redacted] TAKEN AT [redacted] DATED [redacted] CONTINUED."  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [redacted] OF [redacted] 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 24 June 2006

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. Yes I do, MSN, Yahoo main page, informed me by public announcement that shoulder of my compound will be tried for the deaths of detainees, I did not read, hear, see any practices or means of how the deaths were committed, other than the assumption they were shot. nor do I know the detainees ID of any means, their pictures, vocal ID or written documents.

End statement

**(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**

**(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.

A. No prior to today June 24 2006 none of the names listed above or any persons names not mentioned above **(b)(6), (b)(7)(C)** discussed with me their actions on the 9th of May 2006 in the actions in which this sworn statement is in regards to.

End statement

**(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**

INITIALS OF PERSON MAKING STATE **(b)(6), (b)(7)(C)**

PAGE 2 OF 3 PAGES

(b)(6), (b)(7)(C)

End statement

File Number 0086-06-CID469-75447

STATEMENT (Continued)

*[The following section is crossed out with a large X]*

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) (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 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)

Statement)

(b)(6), (b)(7)(C)

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 27 day of June 2006 at Building 718 (CID Office), COB Speicher, Tikrit, IZ

Spc  
C13-187 INF, FOB Brassfield-Mora, Iraq 0819

(b)(6), (b)(7)(C)

Administering Oath)

ORGANIZATION OR ADDRESS

CID 3/187 INF 101 Airborne Division

SA (b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)  
Art 136 UCMJ / 10 USC 936

(b)(6), (b)(7)(C)

ORGANIZATION OR ADDRESS

(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 24-06-06	TIME 1000	FILE NUMBER 0086-06-CID469-75447
LAST NAME, FIRST NAME, MIDDLE NAME <b>(b)(6), (b)(7)(C)</b>	SSN: <b>(b)(6), (b)(7)(C)</b>	GRADE/STATUS E-4 / SPC	
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?

A. Our mission was to kill or capture enemy forces. Gather intelligence from the local people.  
End of Answer

~~(b)(6), (b)(7)(C)~~  
~~(b)(6), (b)(7)(C)~~ ~~(b)(6), (b)(7)(C)~~  
~~(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.  
End of Answer

~~(b)(6), (b)(7)(C)~~  
~~(b)(6), (b)(7)(C)~~ ~~(b)(6), (b)(7)(C)~~  
~~(b)(6), (b)(7)(C)~~

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT <b>(b)(6), (b)(7)(C)</b>	PAGE 1 OF 1 PAGES 3
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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 CID Office, COB Speicher DATED 24-6-06

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. Yes. I heard over the radio what had happened. I don't remember who called up the report. I just continued to monitor the radio after that.

End of Answer

**(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**

**(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.

A. No. End of Answer

**(b)(6), (b)(7)(C)**

**(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 2 OF 7 PAGES

(b)(6), (b)(7)(C)

File Number 0086-06-CID469-75447

STATEMENT (Continued)

End of Statement

[Large section of the statement is crossed out with a large 'X' and contains several redacted blocks: (b)(6), (b)(7)(C), (b)(6), (b)(7)(C), (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 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

(b)(6), (b)(7)(C)

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 27 day of June 2006 at Building 718 (CID Office), COB Speicher, Tikrit, IZ

(b)(6), (b)(7)(C)

CG 3-187TH IN Fub Brassfield-Maya

ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C)

CG 3-187TH IN Fub Brassfield Maya, Iraq 09349

(b)(6), (b)(7)(C)

SA (b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)

Art 136 UCMJ / 10 USC 936

(Authority to Administer Oaths)

INITIALS (b)(6), (b)(7)(C) STATEMENT

PAGE 3 OF 3 PAGES

**SWORN STATEMENT**

For use of this form, see AR 190-45: The proponent agency of the Deputy Chief of Staff for Personnel.

LOCATION COB Speicher, Iraq, APO AE 09393	DATE 28 June 06	TIME 2217	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 E-3
ORGANIZATION OR ADDRESS HHC 3 <sup>rd</sup> STB, 3 <sup>rd</sup> BCT, 101 <sup>st</sup> ABN DIV "AASLT", COB Speicher, Tikrit, Iraq, APO AE 09393			

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

want to make the following statement under oath:

On approximately 1600 on 05 June 06 Chaplain (b)(6), (b)(7)(C) and I were across the street from the PX area at COB Speicher preparing to leave on a convoy headed down to FOB Brassfield-Mora. We were scheduled to provide support to 3-187 while Chaplain (b)(6), (b)(7)(C) was on leave for a period of a week. We were escorted by 3-187 of 3<sup>rd</sup> BCT. We were able to spend some time with the soldiers before the convoy briefing and became familiar with the team of soldiers in our vehicle. We were socializing with the soldiers asking them typical questions of their background and family life. The gunner, SPC (b)(6), (b)(7)(C) was interacting with the Chaplain and told the Chaplain he would like to talk to him later, but I believe SPC (b)(6), (b)(7)(C) never did come to see the Chaplain. The driver of the team we were escorted by was SPC (b)(6), (b)(7)(C) the TC was SSG (b)(6), (b)(7)(C) and our gunner was SPC (b)(6), (b)(7)(C). It was apparent from the beginning of the convoy that this unit was following their own guidelines as far as procedures. We listened to music and smoked in the vehicle. Understandably they are Infantry soldiers who use foul language, behavior we are accustomed to, but when SPC (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) started arguing with intense language I immediately asked them to "Please watch your language, I would appreciate it since there is a Chaplain in the vehicle" SPC (b)(6), (b)(7)(C) apologized, I thanked him. When we arrived to FOB Ramagen on our way down to FOB Brassfield-Mora the Chaplain was switched to another vehicle since our vehicle placement was moved to the front of the convoy. The person who rode in the seat used prior by the Chaplain, the seat behind the TC, was someone I an unfamiliar with, I believe he was an officer. After we arrived at Ramagen, before the convoy briefing for the continuation to FOB Brassfield-Mora, SPC (b)(6), (b)(7)(C) and I talked for a short bit, he seemed to me a little out of it, and stressed out. After we left Ramagen we continued on our convoy, this is when, to my best knowledge, the following events occurred. The team continued to play music, particularly more perverted and disgusting, obvious in my opinion because I, a female, was in the vehicle. The gunner, SPC (b)(6), (b)(7)(C) started taping the driver, SPC (b)(6), (b)(7)(C) I'm guessing something they did often by his ease in front of the camera. SPC (b)(6), (b)(7)(C) started singing on the video, and then the gunner, SPC (b)(6), (b)(7)(C) tried to persuade me to sing, at first I was resistful and then I believe I sang a little bit. Harmless fun, as a Chaplain Assistant I try to become close to soldiers by exercising simple camaraderie so they feel more comfortable around a stranger, who in particular asks them frequent questions of how they are doing. Not the best way to do accomplish that goal. When the video taped ended I then requested for the music changed, throughout the convoy the team and I took turns changing the music, no longer to perverted music, but to all different aspects of music. Sometime within the five hour convoy the gunner, SPC (b)(6), (b)(7)(C) seemed particular bothered, something triggered him to get upset, I believe it was a degrading comment made by the SSG (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) was quickly scolded by SSG (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) when he became upset. SPC (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) advised SPC (b)(6), (b)(7)(C) aggressively by yelling at him to relax and forget about the whole situation, SSG (b)(6), (b)(7)(C) said it wouldn't do SPC (b)(6), (b)(7)(C) any good to worry about it at this particular moment. SPC (b)(6), (b)(7)(C) was very upset, worried, and had a "shaked to the soul" kind of look. SPC (b)(6), (b)(7)(C) expressed how concerned he was that he was going to get thrown in jail, was worried over the investigations, and was scared for his future, but didn't provide any details about the actual incident. SPC (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) calmed down and then began to talk to SPC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

continued

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE / 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 OF ANOTHER COPY OF THIS FORM.

DA FORM 2823 (AUTOMATED)]

**ACLU DDII CID ROIS 34878**

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EXHIBIT 14

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT COB SPEICHER, Iraq, DATED 28 Jun 06, CONTINUED:

(b)(6), (b)(7)(C)

calmer. The TC, SSG (b)(6), (b)(7)(C) switched tones from an intense tone to more of a brotherly tone to explain to SPC (b)(6), (b)(7)(C) that he needed to stop worrying about it, that if SPC (b)(6), (b)(7)(C) was going to get thrown in jail didn't he think himself, SSG (b)(6), (b)(7)(C) and the rest of their chain of command would also be in there with SPC (b)(6), (b)(7)(C) and that he needed to stop his whining. I attempted to calm down SPC (b)(6), (b)(7)(C) and told him that we could talk or he could talk to the Chaplain at a later period if he needed. The rest of the convoy was filled with the team and I talking about where we were from, joking around, and mainly listening to music. Something that had bothered me was the improper and non existent wear of their Mitch helmets. SPC (b)(6), (b)(7)(C) wasn't wearing his Mitch helmet and SSG (b)(6), (b)(7)(C) didn't have his strapped on properly. When I asked SPC (b)(6), (b)(7)(C) the gunner, why the driver wasn't wearing it properly SPC (b)(6), (b)(7)(C) laughed and began to un-strap his helmet. I quickly began to explain to SPC (b)(6), (b)(7)(C) that I wouldn't be on his case if I didn't care. I explained to SPC (b)(6), (b)(7)(C) that I had seen too many soldiers, especially gunners, die from head injuries, whether it was mass trauma to the head, gun shot, or shrapnel to the neck, he said he had seen the same kind of things, I asked him, then why take the chance to be dead? Better to be safe and learn, SPC (b)(6), (b)(7)(C) followed my advice but the SPC (b)(6), (b)(7)(C) didn't. I at times, however, did take off my Kevlar helmet due the helmet being much more uncomfortable then a Mitch helmet and due to the long convoy and uncaring attitude by the team's leadership. We came to FOB Brassfield-Mora approximately five and a half hours later sometime between 2100 to 2300. Right before we entered the gate we pulled security so the rest of the convoy could enter the FOB. The team spotted a male Iraqi walking away from the base, we quickly mounted back into the vehicle and drove straight to him, we moved in a very short distance at top speed available, and almost didn't stop in time, I couldn't believe we didn't hit him, SSG (b)(6), (b)(7)(C) dismounted realizing he was just an Iraqi who worked on base, and then we entered the FOB after the convoy. I also witnessed SSG (b)(6), (b)(7)(C) hand SPC (b)(6), (b)(7)(C) a loaded pistol after we left FOB Ramagen and also saw him ask SPC (b)(6), (b)(7)(C) for the pistol right before entering FOB Brassfield-Mora, where SSG (b)(6), (b)(7)(C) cleared the weapon inside the vehicle. After the team and I had cleared our weapons and had our AAR I left with the Chaplain to the TOC. I believe these soldiers, the team, were wrongly informed on how to handle themselves in a combat environment and informed to take matters in their own hands, to never take a second to question their authority or to pause to kill someone who is a potential threat to them and their unit. The first introduction as 3rd Brigade soldiers on how to handle threats from Iraqis was the pre-deployment briefing before when we were at Ft. Campbell when our brigade commander, Col. (b)(6), (b)(7)(C) addressed us as a whole brigade. He told us there is no such warning shot, the first shot is to kill, basically meaning the warning is when the first one drops, his motto is something along those lines of "kill those motherfuckers" where he had the whole brigade scream it. I believe the chain of command especially in C Co. 3-187 did not advise the soldiers to follow the rules of engagement but rather to kill, and gave them the authority and means to do just that (b)(6), (b)(7)(C)

Q: SA (b)(6), (b)(7)(C)

A: PFC (b)(6), (b)(7)(C)

Q: Was the above portion of this statement typed by you as witnessed by SA (b)(6), (b)(7)(C)

A: yes

Q: Who is Chaplain (b)(6), (b)(7)(C)

A: My supervisor, Chaplain (Captain) (b)(6), (b)(7)(C) battalion Chaplain of 3rd STB of 3rd Brigade

Q: What specific comments were made by any members of the convoy about jail, investigation, murder, operation "Iron Triangle", etc.

A: SPC (b)(6), (b)(7)(C) while in the gunning position started to say "I don't want to go to jail, I am stressed out about this investigation, I don't know what the fuck, I mean they were saying I could get locked up". SSG (b)(6), (b)(7)(C) was telling him something close to, "shut up! Knock it off why the fuck are you tripping about it?". I remember him calling him degrading names, but can't recall specifics. Then he calmed down and said "Nothing is going to happen, stop worrying about it, worrying won't help, and even if things do get serious don't you think they will come after me, I am your NCO, and don't you think they'll come after the rest of the chain of command? So just knock this shit off" Shortly after the subject was dropped.

Q: Did SSG (b)(6), (b)(7)(C) elaborate on what he meant when he said they'd come after the rest of the chain of command?

A: No, but he mentioned names of officers, and particular higher ranker officials I can not recall. (contnued)

(b)(6), (b)(7)(C)

EXHIBIT

INITIALS (b)(6), (b)(7)(C)

PAGE 2 OF 4 PAGES

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FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE

EXHIBIT 104

001070



STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT COB SPEICHER, Iraq, DATED 28 Jun 06,  
CONTINUED:

Q: Has PFC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) or SSG (b)(6), (b)(7)(C) talked to you at all since the convoy ride?

(b)(6), (b)(7)(C) A: Yes, on separate occasions, however I am unable to discuss the circumstances because it was privileged communication. I am not authorized to disclose information as stated in AR 165-1, Chapter 4, Section 4 "The chaplain and chaplain assistant will not divulge privileged communication without the written consent of the person(s) authorized to claim the privilege. If a military judge or other presiding official determines that no privilege exists, a chaplain or chaplain assistant may have a legal obligation to testify. Failure to comply with the ruling of the court may result in disciplinary action under the Uniform Code of Military Justice (UCMJ) or adverse administrative action. Situations may arise where disclosure of communications by chaplains and chaplain assistants is not provided for by the rules of evidence or by statute, or is not clear from current court decisions. In cases of this kind, chaplains and chaplain assistants are advised to seek legal counsel from the Staff Judge Advocate or policy guidance from DACH-PPDT."

Q: When you stated you believe the chain of command in C 3/187 didn't advise the soldiers to follow the rules of engagement... why do you believe that?

(b)(6), (b)(7)(C) A: Because SSG (b)(6), (b)(7)(C) behavior was widely shown during the convoy, in front of the rest of the unit before and after convoy missions and his tactics were unethical of how he gave orders. He in my opinion was unethical because he did not properly look over his team to be wearing the proper protective gear, ex. SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) not wearing their Mitch helmets as a gunner and TC. As I had stated prior I witnessed SSG (b)(6), (b)(7)(C) hand SPC (b)(6), (b)(7)(C) a loaded pistol after we left FOB Ramagen and also saw him ask SPC (b)(6), (b)(7)(C) for the pistol right before entering FOB Brassfield-Mora, where SSG (b)(6), (b)(7)(C) cleared the weapon inside the vehicle. I also witnessed on a different convoy him severely "smoking" SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) with elevated push up exercises right before a convoy briefing to leave FOB Brassfield-Mora. If SSG (b)(6), (b)(7)(C) is trusted with his rank within his command they must of trusted his tactics and considered him a good leader as a non-commissioned officer.

Q: I have shown you a photograph, which you believe to be SPC (b)(6), (b)(7)(C) however are certain it is the person who you had spoken with a number of times. Is this correct?

(b)(6), (b)(7)(C) A: Yes

Q: Have you witnessed any other acts against regulation or SOP made by the members of C 3/187 on that convoy or previous to it?

(b)(6), (b)(7)(C) A: Yes, on the convoy I just elaborated I stated it was apparent to me they were running things by their own agenda. Convoys on later occasions also were operating against SOP guidelines but specifics are hard to recall.

Q: You stated earlier, it was typical for C 3/187 to brag about themselves, what did they brag about and where did you hear the information?

(b)(6), (b)(7)(C) A: Anytime I have been around C 3/187 I have heard them comment about how they have more confirmed kills than any other unit. If you are in the company of this unit for more than a minute you would hear something very similar to what I stated or further cockiness of their abilities and accomplishments.

Q: Do you have anything else to add to this statement?

(b)(6), (b)(7)(C) No / End of statement (b)(6), (b)(7)(C)

EXHIBIT \_\_\_\_\_

INITIALS

(b)(6), (b)(7)(C)

PAGE 3 OF 4 PAGES

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ACTU DDII CID ROIS 34880

EXHIBIT 194

001071

Takone TIKET, 11272

(b)(6), (b)(7)(C)

28 JUN 06

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.

WITNESS (ES) :

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PEC

(b)(6), (b)(7)(C)

Subscribed and sworn to before me, a person authorized by law to administer oath, this 28 day of Jun, 2006 at COB Specihier Iraq, APO AE 09393.

(b)(6), (b)(7)(C)

(Administering Oath)

SA

(b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)

ARTICLE 136 (b) (4) UCMJ

(Authority To Administer Oaths)

EXHIBIT \_\_\_\_\_

INITIALS (b)(6), (b)(7)(C)

PAGE 4 OF 4 PAGES

"FOR OFFICIAL USE ONLY"

FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE **ACLU DDII CID ROIS 34881** EXHIBIT 104

(b)(6), (b)(7)(C)

SPC (b)(6), (b)(7)(C)

The names were told to me who I was riding with for the convey to FOB Brassfield-Mara.

1616 pm  
on  
28 June 06

I believe this is SPC (b)(6), (b)(7)(C) I am not completely positive however, I am 100% certain this is the picture of the soldier who

(b)(6), (b)(7)(C)

PC

(b)(6), (b)(7)(C)

held the gunner position for that particular convey (b)(6), (b)(7)(C) who I had multiple conversations with.

ACLU DDII CID ROIS 34682



DEPARTMENT OF THE ARMY  
 United States Army Criminal Investigation Command  
 31ST Military Police Detachment (CID)  
 Contingency Operating Base Speicher,  
 Tikrit, Iraq, APO AE 09393

July 1, 2006

Custodian of Records  
 Myspace.com  
 1333 2<sup>nd</sup> Street, First Floor  
 Santa Monica, CA 90401

**Re: Preservation Request**

Dear Custodian of Records:

The below listed accounts/profiles are the subjects of an ongoing criminal investigation, being conducted by the United States Army Criminal Investigation Command, into the offenses of murder and conspiracy; and it is requested that said accounts/profiles and all related records, communications and data, and any other information contained therein, be preserved pending the issuance of a search warrant. A review of public information on these accounts/profiles revealed communication pertaining to this investigation.

Please do **not** notify users of the investigation; and output their private messages to a flat file for preservation.

1. Profile URL:

<http://profile.myspace.com/> (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

2. Profile URL:

<http://profile.myspace.com/> (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

3. Profile URL:

<http://profile.myspace.com/> (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

4. Profile URL:

<http://profile.myspace.com/> (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

PRINTED ON



100% RECYCLED PAPER

**ACLU DDII CID ROIS 34883**

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EXHIBIT 195

001074

Subject: Preservation Request

5. Profile URL:

http://profile.myspace.com/(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

6. Profile URL:

http://profile.myspace.com/(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

7. Profile URL:

http://profile.myspace.com/(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

8. Profile URL:

http://profile.myspace.com/(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Questions concerning this request should be referred to the undersigned at (b)(6), (b)(7)(C)@us.army.mil or (b)(6), (b)(7)(C)@us.army.mil.

(b)(6), (b)(7)(C)

CW3 (b)(6), (b)(7)(C)

Special Agent-in-Charge



SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 1 July 06	TIME 1155	FILE NUMBER (b)(6), (b)(7)(C) 0086-06-CID469-75447
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	GRADE/STATUS (b)(6), (b)(7)(C)	GRADE/STATUS O2/RA	
C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349			

I, 1LT (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 on that mission. I was manning COP 1 at FOB Brassfield-Mora for the entire duration of the mission. (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 asked 1LT (b)(6), (b)(7)(C) what happened after he came back from the mission. He told me he was not on the ground when the incident occurred, but that his man (he didn't specify names) told him that the detainees broke out of their flexcuts and attacked their guard (no name specified) with a knife. 1LT (b)(6), (b)(7)(C) had been told that the detainees had been shot while this escape attempt occurred. (b)(6), (b)(7)(C)

EXHIBIT	INITIALS (b)(6), (b)(7)(C)	STATEMENT	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT (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.

STATEMENT OF 1LT (b)(6), (b)(7)(C) <sup>TIKRIT</sup> TAKEN AT CID Office, COB Speicher DATED 11/1/06

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

(b)(6), (b)(7)(C)

I did not have any knowledge of how the detainees were actually shot. All that I had heard was the story that 1LT (b)(6), (b)(7)(C) had heard from his men (no specific names), (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) at was said.

(b)(6), (b)(7)(C)

No, I did not speak to any of those individuals about Iron Triangle. The only member of that station that I ever spoke to it about was 1LT (b)(6), (b)(7)(C) as stated in previous answers (b)(6), (b)(7)(C)

INITIALS (b)(6), (b)(7)(C) NT

PAGE 1 OF 3 PAGES

(b)(6), (b)(7)(C)

1 June 06

TIKRIT IZAO

File Number 0086-06-CID469-75447

STATEMENT (Continued)

NOT

USO

(b)(6), (b)(7)(C)

AFFIDAVIT

I, ILT (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) 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 OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

ILT

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 1st day of June 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)

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 ODCSOPS

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 01 July 2006	TIME 1203	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 / SGT	
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 during "Operation Iron Triangle" was with my platoon which is 1st Plt C Co 3/187, to coverdown on the OP's while the operation was to commence. We stayed there until the operation was complete and got relieved from the OP's approximately a day or two after the operation was over. (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. Nobody said anything to me about a conspiracy to murder the detainees straight out. I remember when we got relieved from the OP's third platoon's Platoon Sergeant, SFC (b)(6), (b)(7)(C) told me along with our squadleader SSG (b)(6), (b)(7)(C) if we had heard about what had happened with (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) we said "no". He, SFC (b)(6), (b)(7)(C) told us that apparently one of the detainees somehow got loose from his cuffs and had cut (b)(6), (b)(7)(C) and I think he also said that the detainee had punched (b)(6), (b)(7)(C) in the face, I'm not totally sure on (b)(6), (b)(7)(C) other than (b)(6), (b)(7)(C) that I didn't hear anything else about the incident.

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)** <sup>THREAT</sup> TAKEN AT CID Office, COB Speicher DATED 1 July 2006

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

**(b)(6), (b)(7)(C)** Yes of course. I never spoke to anyone involved in the incident. Just hearsay mainly from my squad leader SSG **(b)(6), (b)(7)(C)** telling me what information had passed down to him so he passed to me. basically I remember hearing that there were detainees. I don't know how many, and that they were killed on operation Iron Triangle. the reason i say "detainees" is because my Squad leader SSG **(b)(6), (b)(7)(C)** told me "apparently they were brought back (the detainees) with flex cuffs still on but they had been killed." I myself nor anyone I talked to around me knew much else. I didnt even know how specific they meant about the cuffs, if their hands were bound or if they got half way out of them. **(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. None of them ever spoke to me about anything. **(b)(6), (b)(7)(C)**

INITIALS OF PERSON MAKING STATEMENT **(b)(6), (b)(7)(C)**

PAGE 2 OF 3 PAGES

FOR OFFICIAL USE ONLY **AGLU DDII CID ROIS 34889**  
Law Enforcement Sensitive

(b)(6), (b)(7)(C)

TIKRIT IZAO File Number 0086-06-CID469-75447

STATEMENT (Continued)

[Redacted statement content]

WDT  
USIA (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 (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 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 1 day of June 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 ODCSOPS

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 01 July 2006	TIME 1207	(b)(6), (b)(7)(C) LE NUMBER 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	
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 not on Operation Iron Triangle at any time because our company had to man three COP's (combat out post) in our sector and I was at COP 1 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)

I didn't hear anything about the possible murder until SSG (b)(6), (b)(7)(C), Pfc (b)(6), (b)(7)(C) and Sgt (b)(6), (b)(7)(C) came to Speicher for investigation. I can't recall who I heard it from. All I was told was that the names I have written are being investigated for killing 3 detainees. This was the first time they came to COB Speicher for this incident. I can't recall the date, but my best guess would have to be the 15<sup>th</sup> of Jun 06 (b)(6), (b)(7)(C)

EXHIBIT

(b)(6), (b)(7)(C) KING STATEMENT

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 TRK 17 CID Office, COB Speicher DATED 01 July 2006

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

The only knowledge ~~in~~ I have about the deaths, is what I read on-line or seen on the news, which is that a few Army soldiers are being investigated for killing 3 detainees. After I read and heard of the killings ~~in~~ from media, LTC (b)(6), (b)(7)(C) spoke to our company (minus people that were on patrol, etc...), and told us to come forward if we have any information regarding the deaths of the detainees. CPT (b)(6), (b)(7)(C) also spoke to our platoon ~~at~~ (b)(6), (b)(7)(C) telling us that if we had any information to come forward and that if they are guilty, that they will be in prison for along time and that this is a serious matter (b)(6), (b)(7)(C)

(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 havent spoken to any of these people since before the operation. They are all in a different platoon than me (b)(6), (b)(7)(C) and we have been very busy (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) KING STATEMENT

PAGE 2 OF 3 PAGES

**(b)(6), (b)(7)(C)**

TIKRIT IZ

File Number 0086-06-CID469-75447

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 EN 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 1<sup>st</sup> day of June 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)

INITIALS OF PERSON MAKING STATEMENT

**(b)(6), (b)(7)(C)**

PAGE 3 OF 3 PAGES

SWORN STATEMENT

For use on this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ DATE 1 July 2006 TIME 1218 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

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?

A. I WAS ON LEAVE 9 MAY TO 30 MAY (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.

NO. THE ONLY TIME I HEARD ABOUT IT WAS WHEN THE CO AND 2<sup>ND</sup> SGT HAD A MEETING. I'M NOT SURE WHEN THAT WAS. ABOUT THREE WEEKS AGO (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)

TIKRIT  
TAKEN AT CID Office, COB Speicher DATED 1 July 2006

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 I ONLY KNOW THAT THERE IS AN INVESTIGATION ABOUT IRON TRIANGLE AND THATS WHY WE ARE COVERING DOWN FOR THE OTHER PLT'S. THATS THE REASON THERE WERE PEOPLE GONE AND DO NOT TALK ABOUT IT. I FOUND OUT IN A BREEFING WITH CPT. (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)

NO I KNOW THESE GUYS. BUT I WAS HIT WITH A JED ON THE FIRST OF JULY. I HAVE BEEN SO BUSY WITH WORK AND TAKING CARE OF THE GUYS THAT WERE HURT IN OUR JED. I DIDNT GET A CHANCE TO TALK TO THEM (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES



**(b)(6), (b)(7)(C)**

TIKRIT IZAW

File Number 0086-06-CID469-75447

STATEMENT (Continued)

NOT USED

AFFIDAVIT

I, **(b)(6), (b)(7)(C)** HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND  
 E 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 1 day of June/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 5 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 02 July 06	TIME 1231	(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-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) at that particular time I was staged at COP 2 during our Cop Cycle. We monitor a certain part of MSR TAMPA on Cop Cycles, and we were watching the southern bypass bridge where it intersects with Road 1 Paper. (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 was particularly unaware of a conspiracy to murder detainees. I did not hear of any 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
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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.

TIRBIT

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT CID Office, COB Speicher DATED 01 July 06

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

**(b)(6), (b)(7)(C)** At this moment I am currently aware of the deaths of detainees. Our platoon (2<sup>nd</sup> PLT) was briefed on what occurred during operation IRON TRIANGLE by our 2SG **(b)(6), (b)(7)(C)** and our CO CPT **(b)(6), (b)(7)(C)** they informed us that there was an ongoing investigation into possible murders that took place in operation Iron Triangle. They addressed our platoon approximately 2 weeks ago. **(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.

A. **(b)(6), (b)(7)(C)** No, I did not talk with nor discuss any actions of operation iron triangle with any of the above listed individuals. **(b)(6), (b)(7)(C)**

INITIALS OF PERSON MAKING STATEMENT **(b)(6), (b)(7)(C)**

PAGE 2 OF 3 PAGES



SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ DATE 7-1-06 TIME 12:35 (b)(6), (b)(7)(C) FILE NUMBER 0086-06-CID469-75447

LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C) SS (b)(6), (b)(7)(C) GRADE/STATUS PFC

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) For the mission of Iron Triangle my job was to man Cop 2 the Entire time, which was not Apart of Iron Triangle, it is Apart of our normal Duties. (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, Because I do not talk with anyone in 3rd Pll. Correction, I do not Carry on A friendship, & most Conversations I carry on with the Handfull of ppl from 3rd Pll. Is How are you doing How is the Family Kinda stuff (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 (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.

TICKET

STATEMENT OF (b)(6), (b)(7)(C)

TAKEN AT CID Office, COB Speicher DATED 7-1-06

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

(b)(6), (b)(7)(C)

yes. the CMDR, CPT (b)(6), (b)(7)(C) just Briefed us stating that there was An investigation, As well as Lt Col (b)(6), (b)(7)(C) Recently we where ALL in formation, And we where told that there were detainees Elligedly killed & that if we needed had Any information to come forward. I Believe this was About 3 weeks Ago But I am Really unsure (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, most I only talk to A few of 3rd plt. And none of the Above have I said much more than Hey or whats up (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES



SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 01 JULY 06	TIME 1240	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	
ORGANIZATION OR ADDRESS C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349			

I, SSG (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 ON OPERATION IRON TRIANGLE. DURING THE OPERATION I WAS AT COP 2 PROVIDING MSR SECURITY (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 did not heard anyone talking ABOUT IT. (b)(6), (b)(7)(C)

EXHIBIT

INITIAL (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 202



STATEMENT OF SSG (b)(6), (b)(7)(C) TAKEN AT <sup>TKRIT</sup> CID Office, COB Speicher DATED 01 JULY 06

STATEMENT (Continued)

(b)(6), (b)(7)(C)

Do you have any knowledge of the deaths of the detainees? If so, from whom?

I FOUND OUT ON THE INTERNET AND CPT (b)(6), (b)(7)(C) TALKED TO THE COMPANY ABOUT IT. WHILE SURFING THE INTERNET I SAW ON YAHOO NEWS THAT 3 SOLDIERS WERE ACCUSED OF KILLING SOME DETAINEES. THE COMPANY COMMANDER CPT. (b)(6), (b)(7)(C) GOT OUR PLATOON (1ST PLT.) TOGETHER ABOUT JUNE 3RD WEEK OF JUNE AND TALKED ABOUT THE ONGOING INVESTIGATION (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 DID NOT HEARD ABOUT THE INCIDENT OR THEM TALKING ABOUT IT PRIOR TO THIS INVESTIGATION. I HARDLY SPEAK TO THEM BECAUSE THEY BELONG TO ANOTHER PLATOON AND OUR WORKING SCHEDULE. (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

DA FORM



SWORN STATEMENT

For use on this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 1 JULY 2006	TIME 12:43hrs	FILE NUMBER 0086-06-CID469-75447
(b)(6), (b)(7)(C)	SSN (b)(6), (b)(7)(C)		GRADE/STATUS E-6/SSG

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. I was not in country during Operation Iron Triangle. I was on mid-tour R+R leave. I was on leave from the 25th of April thru the 16th of May. I spent my leave in Jacksonville, FL with my parents and family. (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. No, no one told me there may have been a conspiracy to murder the detainees, prior to 15 Jun 06. About 2 1/2 weeks ago our battalion Commander Col. (b)(6), (b)(7)(C) talked to our company as a whole and told us about the charges that were brought up. (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 <sup>TIKRIT</sup> CID Office, COB Speicher DATED 1 JULY 2006

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, I WAS NOT~~ YES, OUR Battalion Commander talked to the company as a whole to let us know what the situation was. He also stated that if there was anyone who knew any information about the events that took place to come forward with that information immediately. Col. **(b)(6), (b)(7)(C)** spoke to us about 2 1/2 weeks ago, back when they started sending soldiers from 3rd PCT to do CID interviews at COB Speicher. **(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, the individuals stated above did not discuss with me their actions on 9 May 06 (Operation Iron Triangle). **(b)(6), (b)(7)(C)**

INITIALS OF PERSON MAKING STATEMENT **(b)(6), (b)(7)(C)**

PAGE 2 OF 3 PAGES



SWORN STATEMENT

For use on this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 1 July 2006	TIME - 1254	FILE NUMBER (b)(6), (b)(7)(C) 0086-06-CID469-75447
(b)(6), (b)(7)(C)	SSN (b)(6), (b)(7)(C)		GRADE/STATUS E-4 Active
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)

I was not on Operation Iron Triangle. For that Operation I was at COP #3 Keeping MSR Tampa Clear of any and all possible AIF forces (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 dont remember when nor where I was told about SPC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) being detained. I had no knowledge until after the above stated was detained I know I was at FOB Brassfield-Mora when told about the previous stated being taken into custody, I believe it was in the CP (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." 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 <sup>TIKRIT</sup> CID Office, COB Speicher DATED 1 July 2006

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 had no knowledge about until after the previous stated was detained. At this time I dont remember who told me, but it was in the CP I believe (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. I did not talk to any of the above stated about anything. I tend to keep to myself. I hardly talk to guys in my platoon + with everybody working different houses and different shifts its hard to talk to anybody. CPT (b)(6), (b)(7)(C) did speak with us wanting to answer any questions and clear any rumors. No question was asked and no rumors was brought up. Other than that I dont remember what else he had said. He had the Full Platoon in the center of the Platoon AO (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) STATEMENT

PAGE 2 OF 3 PAGES

(b)(6), (b)(7)(C)

TIKRIT IZAC

File Number 0086-06-CID469-75447

STATEMENT (Continued)

NOT USED

(b)(6), (b)(7)(C)

AFFIDAVIT

(b)(6), (b)(7)(C)

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)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 1<sup>st</sup> day of June 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

(Authority to Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES



SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

(b)(6), (b)(7)(C)

LOCATION  
Building 718 (CID Office), COB Speicher, Tikrit, IZ

DATE  
1 July 2006

TIME  
1730

(b)(6), (b)(7)(C)

FILE NUMBER  
086-06-CID469-75447

LAST NAME FIRST NAME MIDDLE NAME  
(b)(6), (b)(7)(C)

S  
(b)(6), (b)(7)(C)

GRADE/STATUS  
E-3/PEC

ORGANIZATION OR ADDRESS  
C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349

I, (b)(6), (b)(7)(C)

1 July 2006

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 wasn't at iron triangle I was at a sniper OP we call it Cop 1 about 5 miles south of Samarra right along MSR Tampa by route golden

(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)

raw the only thing I heard was some guys got in trouble I didn't ask for what and I wasn't fold anything else I just eased drop as I was passin by a bunch I guys were talkin and I overheard one guy I can't remember who it was sayin you hear about the guys from Third plt gettin trouble

(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 [NAME] DATED [DATE] 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 1 July 2006

STATEMENT (Cont)

**(b)(6), (b)(7)(C)** Do you have any knowledge of the deaths of the detainees? If so, from whom?

no I don't this is the first time I heard about deaths of detainees  
I just heard some guys from 3rd Plt get in trouble for doin somethin I didn't  
hear nothin about killin though I did hear from a few guys that they  
could get like life in prison I thought that was messed up but then  
I didn't know much **(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)** so I talk to the guys every now and then but we haven't discussed  
anything like that **(b)(6), (b)(7)(C)**

INITIALS OF PERSON MAKING STATEMENT **(b)(6), (b)(7)(C)**

PAGE 2 OF 3 PAGES

(b)(6), (b)(7)(C)

TIKRIT IRAQ

File Number 0086-06-CID469-75447

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 ENDS ON PAGE 3 (b)(6), (b)(7)(C) 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 1 day of June 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)

(I type 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 ODCSOPS

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ DATE 01 July 06 TIME 1300 (b)(6), (b)(7)(C) FILE NUMBER 0086-06-CID469-75447

LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C) GRADE/STATUS E4 / Spc

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?

(b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)  
A. I WAS ~~IN~~ IN SPEICHER ~~OF~~ GOING ON LEAVE.  
LEFT BRASSFIELD ON THE 08 MAY 06 (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 WAS ~~JUST~~ RECENTLY BACK FROM LEAVE. (b)(6), (b)(7)(C) I DIDN'T HEAR ANYTHING ABOUT IT. (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)** <sup>TKR17</sup> TAKEN AT CID Office, COB Speicher DATED 01 July 06

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

**(b)(6), (b)(7)(C)** <sup>(b)(6), (b)(7)(C)</sup> <sup>(b)(6), (b)(7)(C)</sup> THE ONLY KNOWLEDGE I HAVE IS THAT <sup>(b)(6), (b)(7)(C)</sup> <sup>(b)(6), (b)(7)(C)</sup> THEY WERE KILLED I <sup>(b)(6), (b)(7)(C)</sup> <sup>(b)(6), (b)(7)(C)</sup> SEEN <sup>(b)(6), (b)(7)(C)</sup> SAW THIS ON YAHOO INSIDER, THE FIRST TIME I HEARD ANYTHING ABOUT <sup>(b)(6), (b)(7)(C)</sup> <sup>(b)(6), (b)(7)(C)</sup> THE DEATHS IS FROM MY BATTALION COMMANDER WHEN I GOT OFF LEAVE. HE TOLD US THERE WAS A COUPLE GUYS THAT ARE BEING INVESTAGATED FOR MURDER OF DETAINEES. HE TOLD US THIS LIKE 2 OR 3 DAYS BEFORE I SAW IT ON YAHOO INSIDER. I DONT KNOW A DATE. 2 WEEKS AGO <sup>(b)(6), (b)(7)(C)</sup>

Q. Prior to today, did SPC <sup>(b)(6), (b)(7)(C)</sup> PFC <sup>(b)(6), (b)(7)(C)</sup> SSG <sup>(b)(6), (b)(7)(C)</sup> SPC <sup>(b)(6), (b)(7)(C)</sup> SGT <sup>(b)(6), (b)(7)(C)</sup> PFC <sup>(b)(6), (b)(7)(C)</sup> SGT <sup>(b)(6), (b)(7)(C)</sup> CPL <sup>(b)(6), (b)(7)(C)</sup> or SPC <sup>(b)(6), (b)(7)(C)</sup> 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.

<sup>(b)(6), (b)(7)(C)</sup> <sup>(b)(6), (b)(7)(C)</sup> <sup>(b)(6), (b)(7)(C)</sup> NEGATIVE, I <sup>(b)(6), (b)(7)(C)</sup> <sup>(b)(6), (b)(7)(C)</sup> NEVER <sup>(b)(6), (b)(7)(C)</sup> <sup>(b)(6), (b)(7)(C)</sup> SEE THEM AROUND. THEIR DUTY IS USUALLY <sup>(b)(6), (b)(7)(C)</sup> <sup>(b)(6), (b)(7)(C)</sup> OUT IN <sup>(b)(6), (b)(7)(C)</sup> <sup>(b)(6), (b)(7)(C)</sup> PATROL WHILE WE/OUR PLT IS BACK AT THE FOB AND VISE VERSA. <sup>(b)(6), (b)(7)(C)</sup>

INITIALS OF PERS **(b)(6), (b)(7)(C)**

PAGE 2 OF 3 PAGES

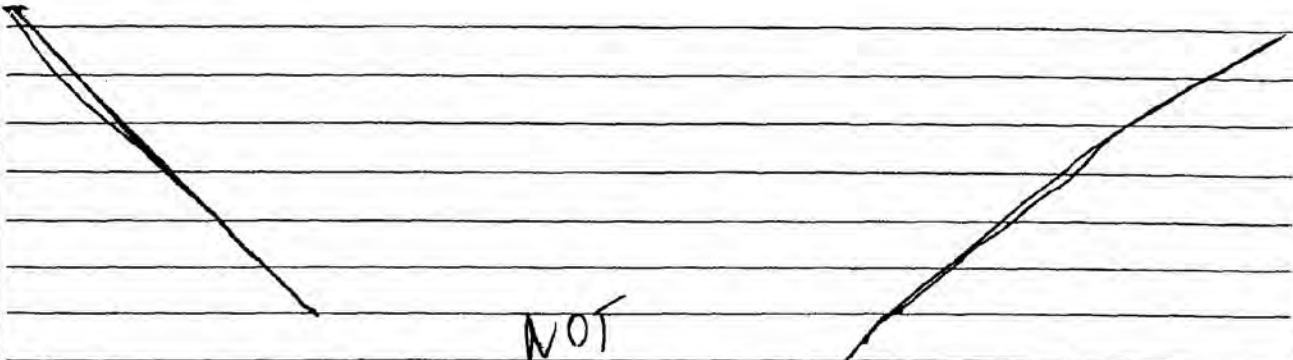
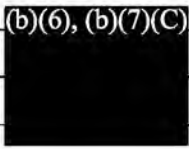
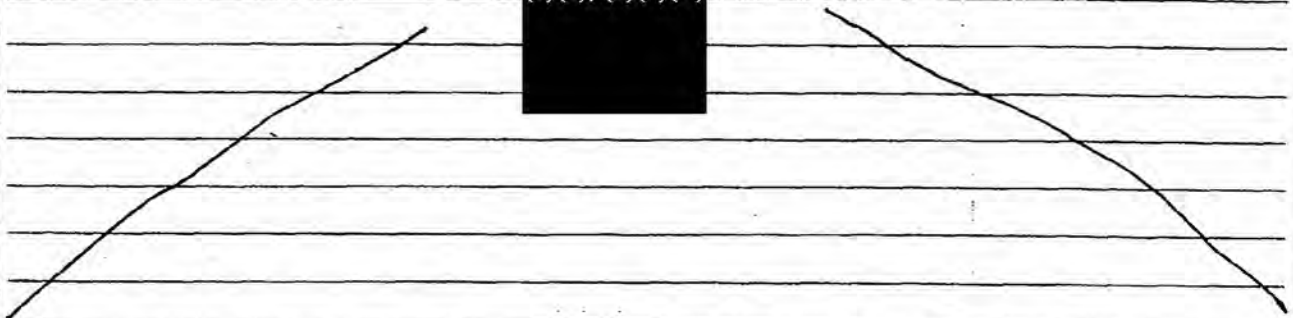
(b)(6), (b)(7)(C)

pl July 06


TIKRIT

File Number 0086-06-CID469-75447

STATEMENT (Continued)


  
 NOT USED
   

  


AFFIDAVIT

I,  HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND  
 ENCONTENTS 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.

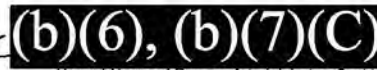


WITNESSES:

Subscribed and sworn to before me, a person authorized by  
 Law to administer oaths, this 1 day of June July 2006  
 at Building 718 (CID Office), COB Speicher, Tikrit, IZ



ORGANIZATION OR ADDRESS

SA 

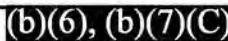
(Typed Name of Person Administering Oath)

Art 136 UCMJ / 10 USC 936

ORGANIZATION OR ADDRESS

(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT



PAGE 3 OF 3 PAGES

SWORN STATEMENT

For use on this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 1 Jul 06	TIME 1302	NUMBER (b)(6), (b)(7)(C)
LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C)	SIGNATURE (b)(6), (b)(7)(C)		GRADE/STATUS E-4 SFC
ORGANIZATION/PO BOX ADDRESS C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349			

I, SFC (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 on leave. I left Brassfield-Mora around the 20th of April and my scheduled flight back to Kuwait was the 9th of May. I believe I returned back to Brassfield on the 11th or 12th of May.

(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. Our CO CPT (b)(6), (b)(7)(C) gathered our PLT on our pad & said there had been some soldiers from our company that have been detained for murder. This was approx a week ago.

(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.

STATEMENT OF SPC (b)(6), (b)(7)(C)

TIKRIT TAKEN AT CID Office, COB Speicher DATED 1 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. All I know is there was at least 1 maybe more detainees that died during the operation (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)

have not spoken to those people about that mission (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES



SPC (b)(6), (b)(7)(C)

TIKRIT

1 JUL 06  
File Number 0086-06-CID469-75447

STATEMENT (Continued)

*[The main body of the statement is crossed out with a large 'X' and contains the handwritten text "NOT used" and a redaction box "(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 END **(b)(6), (b)(7)(C)** 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 1 day of June, 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 2 OF 3 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 1 July 2006	TIME 1303 hrs	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-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) On the morning of 9 May 2006, I was waiting to leave for A and B to Qatar. I had no part in Operation Iron Triangle itself, and returned from Qatar on 19 May 2006. (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 body said anything to me of a conspiracy to murder detainees prior to 15 June 2006. (b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 1 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 Spelcher DATED 1 July 2006

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

(b)(6), (b)(7)(C) I gained knowledge of the incident as soon as the investigation started. I do not remember by whom. Everyone was talking about what had happened. To my understanding, this is what I knew of what happened. The men involved murdered three detainees and it was premeditated, and that they knew what they were doing. Also the media on csw.com, it said the same thing what I wrote earlier in this paragraph. But these words are rumors, I don't know exactly what happened. (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) No they did not. I am new to the company and don't know everyone from the other platoons. Though I arrived in January of 2006, they way our platoon is on a different pad I don't really see the other platoons much. (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

(b)(6), (b)(7)(C)

1 July 2006

TIKRIT IZIK

File Number 0086-06-CID469-75447

STATEMENT (Continued)

*Not USED*

(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 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 1 day of June 2006 at Building 718 (CID Office), COB Speicher, Tikrit, IZ

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SJA (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 on this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ DATE 01 Jul 06 TIME 13:00 (b)(6), (b)(7)(C) FILE NUMBER 86-06-CID469-75447

(b)(6), (b)(7)(C) SS (b)(6), (b)(7)(C) GRADE/STATUS PFC - E3

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)

On the day of 9 May 06 I was Pulling guard on the MSR Tampa as part of the stay behind element during Operation Iron Triangle. We (1st Platoon) Assumed control of the COPs on or about 5 May 06 and stayed until about 12 May 06. I was at COP 3. (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)

Negative. I knew nothing about a conspiracy to commit murder. However some time around 15 Jun 06, SSG (b)(6), (b)(7)(C) My Squad leader briefed the squad that there was going to be an investigation by CID looking into the events during operation Iron Triangle. The briefing took place on the 1st Platoon Pad and we were told that discussing it in any way shape or form could result in UCMJ Action. Very few specifics were put out. Just that it involved 3rd PLT and SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) names are all that were mentioned. (b)(6), (b)(7)(C)

EXHIBIT INITIALS (b)(6), (b)(7)(C) MENT 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)

TIKRIT

STATEMENT OF

TAKEN AT CID Office, COB Speicher DATED

1 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 that some people had been killed, but I was unaware that they were detainees. I wasn't until a couple of days after it happened when I heard a rumor that they were detainees. I don't recall who the person that told me was, but once again the only names that were mentioned were that of SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C)

Just before the investigation started, PFC (b)(6), (b)(7)(C) told me his side of the story

On or about 25 Jun 06 CPT (b)(6), (b)(7)(C) spoke to the platoon just before our patrol about the events he mentioned that were under investigation. He said that SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) were in custody and charged with murder among other charges. He encouraged anyone with any information to come forward.

(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)

PFC (b)(6), (b)(7)(C) told me that the detainees had broken out of their flex cuffs, one of them somehow got to a knife and the three of them tried to attack SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and himself, so they killed shot them out of self defense. I believe that the conversation was at the Pizza hut dining area at COB Speicher during an FSC escort mission.

Other than that I don't really associate with members of the other platoons. Our conversations are some what limited to "what's up? how are you doing? well I guess I'll see you later." (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

(b)(6), (b)(7)(C)

TIKRIT IZAQ

1 July 06  
File Number 0086-06-CID469-75447

STATEMENT (Continued)

[Redacted statement area]

NOT USED  
(b)(6), (b)(7)(C)

AFFIDAVIT

(b)(6), (b)(7)(C) I, (b)(6), (b)(7)(C) HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND  
E (b)(6), (b)(7)(C) TENTS 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 1st day of June 2006  
at Building 718 (CID Office), CDR 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)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 3 OF 3 PAGES

SWORN STATEMENT

For use on this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 01/Jul/06	(b)(6), (b)(7)(C) 1608	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 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)  
 A. I was on leave the day of 09/may/06 along w/ Spc (b)(6), (b)(7)(C) and Pfc (b)(6), (b)(7)(C). I came back to my unit (C-CO 3-187) on 02/Jun/06. I came back late due to a family emergency and I missed my flight. My original leave was for only 15 days (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 heard about what happened to Spc (b)(6), (b)(7)(C) Pfc (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) when our Battalion CDR (LTC (b)(6), (b)(7)(C)) held a company meeting shortly after my return from leave. The meeting was approximately 3 days after my return (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.



STATEMENT OF (b)(6), (b)(7)(C)

TIKRIT  
TAKEN AT CID Office, COB Speicher DATED 01 Jul 04

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

(b)(6), (b)(7)(C)  
A. My knowledge of what happened to the detainees is from what we were told at our Company meeting and from what I read on the internet. (Yahoo 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. I did not talk to any of the people mentioned above because they live in a separate area and because of our different work schedules (in the platoons) (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)



SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 01 Jul 06	TIME / 609	(b)(6), (b)(7)(C)	FILE NUMBER U086-06-CID469-75447
(b)(6), (b)(7)(C)	SSN (b)(6), (b)(7)(C)	GRADE/STATUS E6/SSG		

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 SQUAD AND I WERE ON OPS FOR THIS WEEK.

Q. What is "Ops"?

A: COMBAT OPS POST. / CONT. (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. / CONT (b)(6), (b)(7)(C)

EXHIBIT

INITIALS

(b)(6), (b)(7)(C)

PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ ED."  
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)

FILE NUMBER 0086-06-CID469-75447

TKRIT

STATEMENT OF

TAKEN AT CID Office, COB Speicher DATED

01 Jul 06

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. I KNOW THAT A DETAINEE OR SOMETHING OF THE SORT HAD DIED. BUT AS FAR WHO, HOW MANY OR HOW & WHY I DON'T KNOW. WHEN MY CO RETURNED FROM LEAVE HE HAD SAID THAT SOME GUYS IN THE COMPANY WERE UNDER INVESTIGATION FOR SOME KILLINGS BUT TOLD US NOT TO DO ANY INVESTIGATION OURSELVES AND IF WE DID WE'D BE INTERFERING WITH A GOV. INVESTIGATION. I BELIEVE THE REASON FOR TELLING US THAT WAS SO THAT THE REST OF THE COMPANY WOULDN'T FEEL AS THOUGH THEY HAD ANYTHING WRONG. /cont

(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.

A. no. /cont. / (b)(6), (b)(7)(C)

INITIALS OF PER

(b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

TIKRIT IRAQ

(b)(6), (b)(7)(C)

1 JUL 06  
File Number 0086-06-CID469-75447

STATEMENT (Continued)

Q: Why was your name mentioned in other statements about providing knowledge of this incident?

A: I HAD SPOKEN TO MY SOLDIERS ABOUT THIS INCIDENT AND THE FACT THAT NEITHER I OR ANYONE OF THEM KNOW WHAT HAPPEND OUT THERE, SO THEREFORE THEY SHOULDN'T PICK UP OR SPREAD RUMORS. FURTHER MORE I HAD <sup>(b)(6), (b)(7)(C)</sup> THESE TOLD MY GUY'S THAT 3<sup>RD</sup> PLT WAS UNDER INVESTIGATION AND THAT THEY SHOULD STAY AWAY FROM THEM SO AS NOT BE A PART OF ANY RUMORS THEMSELVES. SUCH AS HE SAID SITE SAID STUFF.

Q: Do you have anything else to add?

A: Not at all / End of STATEMENT. <sup>(b)(6), (b)(7)(C)</sup>

AFFIDAVIT

I, SSA (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 <sup>(b)(6), (b)(7)(C)</sup> COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 1 day of July 2006 at Building 718 (CID Office), COB Speicher, Tikrit, IZ

ORGANIZATION OR ADDRESS

<sup>(b)(6), (b)(7)(C)</sup>

SA <sup>(b)(6), (b)(7)(C)</sup>

(Typed Name of Person Administering Oath)  
Art 136 UCMJ / 10 USC 936

(Authority to Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

<sup>(b)(6), (b)(7)(C)</sup>

PAGE 3 OF 3 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 1 July 06 1610	FILE NUMBER 0086-06-CID469-75447
(b)(6), (b)(7)(C)	SSN: (b)(6), (b)(7)(C)	GRADE/STATUS E4/RA
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. 1ST PLT 3RD + 1ST SQD WERE ON COP'S (COMBAT OUTPOSTS) DURING THE MISSION IRON TRIANGLE. 2ND SQD PLUS A COUPLE OF GUYS WERE REF FOR THE MISSION. AS A MEMBER OF 3RD I WAS OUT AT THE COP'S WHICH OVER LOOKS PART OF MSR TAMPA, OUTSIDE OF SAMARRA III (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. I DID HEAR THAT THERE MIGHT HAVE A CONSPIRACY. I DONT REMEMBER WHO EXACTLY SAID BUT IT HAD GOT AROUND THAT THERE MIGHT HAVE BEEN ONE. ABOUT 3-4 DAYS AFTER THE GUYS WERE BROUGHT UP TO TALK WITH CID IS WHEN I HEARD THERE COULD'VE BEEN A CONSPIRACY. I DONT EXCATLY HOW LONG AWD IT WAS. I WOKE UP ONE MORNING AND GUYS WERE SAYING THAT COL (b)(6), (b)(7)(C) AND EITHER CID OR MP'S CAME UP AND TOOK 3RD PLATOON UP TO SPEILHER FOR QUESTIONING ABOUT IRON TRIANGLE. THATS WHEN I FIRST HEARD OF THE CONSPIRACY. III (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

STATEMENT OF (b)(6), (b)(7)(C)

TIKRIT, IRAQ TAKEN AT CID Office, COB Speicher DATED 5 Nov 06 (b)(6), (b)(7)(C)

STATEMENT (Continued)

(b)(6), (b)(7)(C) Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

I DID CATCH WIND FROM GUYS IN THE PLATOON TALKIN, I DONT REMEMBER EXACTLY WHO, THAT 3 DETAINEES WERE KILLED DURING THE MISSION. I HAD HEARD THAT THE 3 WERE DETAINED PRIOR TO BEING KILLED, BUT WHAT LEAD TO THEM BEING KILLED I DONT KNOW. (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.

A. ND. THOSE ARE FROM A DIFFERENT PLATOON SO I REALLY HAVE NEVER TALKED TO THEM. THE ONLY TIME I HAVE EVER TALKED ANY OF THEM WAS AFBORMATION OR BEFORE A PATROL OR MISSION. JUST SMALL TALK. NOTHING WAS MENTIONED ABOUT IRON TRIANGLE. (b)(6), (b)(7)(C)

/// END OF STATEMENT (b)(6), (b)(7)(C) ///

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

(b)(6), (b)(7)(C)

TIKRIT

1 June  
File Number 0086-06-CID469-75447

STATEMENT (Continued)

Lined area for the 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. 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)

(Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 1 day of June 1, 2000 at Building 718 (CID Office), COB Speicher, Tikrit, IR

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

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

ORGANIZATION OR ADDRESS

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 ODCSOPS

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ DATE 1 July 06 TIME 1617 (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-4 / CPL

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 during Iron Triangle was to full security on MSR Tampa, my place of duty was cap 3, its one of 3 ops that our country occupies, I was out there during the whole operation and plus half a day, which would make it 7-8 days (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. Prior to 15 June 06 no one had told me anything about there being a conspiracy to murder the 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." 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.

TKKIT, 1242

FILE NUMBER 0086-06-CID469-75447

15 Jul 06

STATEMENT OF (b)(6), (b)(7)(C)

TAKEN AT CID Office, COB Speicher DATED 1 July 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. Yes, I have knowledge of the deaths of the detainees due to the news, and obviously cause in here, and through speeches give by my commander about 1 week ago given by CPT (b)(6), (b)(7)(C), and our Division or Core SGT (b)(6), (b)(7)(C) walked into the area and told everyone to divert on with our duties and to keep our heads up and for us not to worry (b)(6), (b)(7)(C) about what was going on in 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. None of these soldiers spoke to me about their action during Iron Triangle. I don't see much of these guys due to my schedule and where I live, I live in another part across the street. I saw (b)(6), (b)(7)(C) in the chow hall from a distance, but didn't converse with him. (b)(6), (b)(7)(C)

STATEMENT (b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

DA FORM 2623, DEC 1996

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Law Enforcement Sensitive

001128

(b)(6), (b)(7)(C)

TIKRIT IZ

File Number 0086-06-CID469-75447

STATEMENT (Continued)

[Redacted statement area with diagonal lines]

(b)(6), (b)(7)(C)

NOT USED

AFFIDAVIT

(b)(6), (b)(7)(C)

HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 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 OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

(Signature)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 13<sup>th</sup> day of June 2006 at Building 718 (CID Office) COB Speicher, Tikrit, IZ

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

Sr (b)(6), (b)(7)(C)

Art 136 UCMJ / 10 USC 936

ORGANIZATION OR ADDRESS

(Authority to Administer Oaths)

(b)(6), (b)(7)(C)

PAGE 3 OF 3 PAGES

SWORN STATEMENT

For this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 015012006	TIME 1638	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 E3 / 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?

A. I went on leave the day Operation Triangle began / continue / (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. When I came off leave they said we just had another CID investigation, didn't have any specifics / continue / (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.

Exhibit 714

STATEMENT OF PFC (b)(6), (b)(7)(C) TAKEN AT CID Office, COB Speicher DATED 1 Jul 06

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

A. I heard that the detainees got themselves out or were cut out from their zipties and then were shot and killed

Q. Who did you hear this from?

A. I don't remember who said this. /continue (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.

A. No. I don't see or talk to 3rd Platoon /continue (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

STATEMENT OF PFC (b)(6), (b)(7)(C) <sup>TIKRIT</sup> TAKEN AT CID Office, COB Speicher DATED 1 Jul 06

STATEMENT (Continued)

Q: Do you have anything else to add?  
A: No / end of statement / (b)(6), (b)(7)(C)

AFFIDAVIT

I, PFC (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)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 1st day of Jul 2006 at Building 718 (CID Office), COB Speicher, Tikrit, IZ

(b)(6), (b)(7)(C)

(Administering Oath)

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

For use on this form, see AR 190-45; the proposed changes are in effect 10/1/06

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 1 July 06 17:20	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 Ea/RA

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. During Iron Triangle I was at COP 3 located approximately 1/2 a click north of the Southern Bypass bridge on MSR Tampa. I was not a part of the operation nor was my squad (1<sup>st</sup> squad, 1<sup>st</sup> platoon). My mission there was to watch the MSR for any suspicious activity. // (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 I have heard nothing involving a conspiracy to murder detainees. The only rumor I have heard about the situation is some detainees were killed during the mission. But I typically don't put much stock into most of the rumors I hear. I heard about this I believe right after the mission however I do not recall who I heard it from. // (b)(6), (b)(7)(C)

EXHIBIT	(b)(6), (b)(7)(C) ITEM	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT 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 TIKRIT CID Office, COB Speicher DATED 1 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 heard about some guys getting killed. I don't remember from who though. I think someone said something about the detainees tried to escape or something and I assumed they were shot. ///

(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.

A. The only time I have even talked to any of them is when my squad brought Spc. (b)(6), (b)(7)(C) to Speicher to get his arm looked at. The conversation consisted of pretty much what had happened to his arm. ///

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

END OF STATEMENT

(b)(6), (b)(7)(C)

INITIALS OF PE (b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES



(b)(6), (b)(7)(C)

TIKRIT IZ

1544 06  
File Number 0086-06-CID469-75447

STATEMENT (Continued)

Multiple horizontal lines for the statement content.

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 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:

Organization or address lines for witnesses.

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 1 day of June July 2006 at Building 718 (CID Office), COB Speicher, Tikrit, IZ

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

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

For use in this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 1 July 06	TIME 1300	FILE NUMBER (b)(6), (b)(7)(C) 6-06-CID469-75447
LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C)	SSN: (b)(6), (b)(7)(C)	GRADE/STATUS CPL/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. I was not on operation iron triangle I was pulling guard duty at Cop 2. (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. Nobody prior to 15 Jun 06 told me there may have been a conspiracy to the murders of the detainees. (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.

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT <sup>TIKRIT</sup> CID Office, COB Speicher DATED 1 July 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. Other than what I stated on the next question I have no other knowledge of the deaths of the detainees. **(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. When I was taking PFC **(b)(6), (b)(7)(C)** to be investigated at FOB Speicher I asked him what was happening and he told me that the detainees broke out of their zip ties. Then punched him and cut SPC **(b)(6), (b)(7)(C)**. Then they shot the detainees. It took place in a hummer. **(b)(6), (b)(7)(C)**

INITIALS OF PERSON MAKING STATEMENT  
**(b)(6), (b)(7)(C)**

PAGE 2 OF 3 PAGES

STATEMENT (Continued)

[Large redacted area with handwritten "NOT USED" and "(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  
END 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 1 day of June 2006  
at Building 718 (CID Office) COB Sneicher, 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 ODCSOPS

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ DATE 01 July 06 TIME 1307 (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 E4 SPC

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 not involved in Operation Iron Triangle. ~~For~~ My mission was C.O.P security at CO P1, during the whole period of Operation 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) I never was told about a conspiracy to murder any detainees. I heard by PFC (b)(6), (b)(7)(C) that some detainees escaped their zip ties, cut SPC (b)(6), (b)(7)(C) and then they shot them to eliminate the threat (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 01 July 06

TIKRIT

STATEMENT (Continued)

Q. Do you have any knowledge of the deaths of the detainees? If so, from whom?

(b)(6), (b)(7)(C)

PFC (b)(6), (b)(7)(C)

I first heard word that detainees were actually killed was when I heard it on the news. Ft. (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

What I mean by I first heard it on the news was I was under the impression by talking to PFC (b)(6), (b)(7)(C) on that convoy, that what he said was the truth. I found out from the news that the detainees were killed while detained in flex cuffs being actively detained by coalition forces, were already in flex cuffs then they were 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)

I have talk to SPC (b)(6), (b)(7)(C) on a regular basis but only about how bad the job of R. To is. to (b)(6), (b)(7)(C) Me and SPC (b)(6), (b)(7)(C) share the same job position within the company. PFC (b)(6), (b)(7)(C) when I discussed what happened when I escorted him to Brassfield Speicher, PFC (b)(6), (b)(7)(C) said that the detainees cut SPC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) after escaping the blindfolds and flex cuffs. So to eliminate the threat they shot them (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

(b)(6), (b)(7)(C)

01-July-06

File Number 0086-06-CID469-75447

STATEMENT (Continued)

(b)(6), (b)(7)(C) This section pertains to the conversation between me and PFC. (b)(6), (b)(7)(C) On a day approx. a month ago on a Monday I was a driver on a Speicher convoy escort to Speicher. PFC. (b)(6), (b)(7)(C) was in the vehicle I was driving for. (b)(6), (b)(7)(C) He told me he was being questioned by CID. (b)(6), (b)(7)(C) pertaining to the I asked him what about and (b)(6), (b)(7)(C) he said well some detainees cut out of their zipties with a knife and cut Spe (b)(6), (b)(7)(C) and to eliminate the threat they shot and killed the insurgents. I then said well good luck with CID because I know how they can be. He said thank you and I will be alright. We then both went to the convoy brief. After we got into the vehicle he went to sleep until Ramagen. We didn't eat together (b)(6), (b)(7)(C) because I pulled guard on the weapons. The the convoy headed to Speicher, there he went asleep again. We dropped him off at Brigade. (b)(6), (b)(7)(C) I don't remember if he drove back with us the same day or not. (b)(6), (b)(7)(C)

THIS IS PERTAINING TO CONVERSATION WITH SPC, (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) We talk consistently off and on due to the fact of the same job position but we have never discussed facts pertaining to this (b)(6), (b)(7)(C) incident.

AFFIDAVIT

I, (b)(6), (b)(7)(C) HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS (b)(6), (b)(7)(C) 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 01 day of July, 2006, at Building 718 (CID Office), COB Speicher, Tikrit, IZ (b)(6), (b)(7)(C)

(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 STATE (b)(6), (b)(7)(C)

PAGE 3 OF 3 PAGES

SWORN STATEMENT

Use of this form, see AR 190-45; the proponent (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 30 July 06	TIME 0944	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/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?

A.

(b)(6), (b)(7)(C)  
DURING IRON TRIANGLE I WAS STILL IN FORT CAMPBELL REAR DETACHMENT AWAITING FLIGHT TO IRAQ (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.  
(b)(6), (b)(7)(C)  
NO. EVERYTHING I KNOW IS WHAT I HEARD ON CNN.  
(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 \_\_\_\_\_ 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 218

FOR OFFICIAL USE ONLY  
Law Enforcement Sensitive  
ACLU DDII CID ROIS 34951



~~SECRET~~

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?

A. (b)(6), (b)(7)(C)

ALL I HEARD ABOUT THE DEATHS OF THE  
DETAINEES I SAW ON CNN.

(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.

A.

(b)(6), (b)(7)(C)

NO. I HAVE NEVER MET THESE SOLDIERS  
IN MY LIFE.

(b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES