

43RD MILITARY POLICE DETACHMENT (CID)(FWD)  
22ND MILITARY POLICE BATTALION (CID)(FWD)  
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND  
OPERATION IRAQI FREEDOM  
APO AE 09323-2647

13 Oct 2004

CIRC-AB (43)

MEMORANDUM FOR SEE DISTRIBUTION:

SUBJECT: CID REPORT OF INVESTIGATION - FINAL (C) - 0139-03-CID469-60206-5Y2E2 / 5Y2P9 / 9G1

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 15 Apr 03/0001 - 1 Jul 03/2400; 3RD BRIGADE COMBAT TEAM DETENTION FACILITY-SAMARRA EAST, SAMARRA, IRAQ

DATE/TIME REPORTED: 8 SEP 03, 1105

INVESTIGATED BY: SA *b7c-1, b6-1* SA *b7c-1, b6-1*  
SA *b7c-1, b6-1*

SUBJECT: 1. UNKNOWN; [ASSAULT (INSUFFICIENT EVIDENCE)] [MISTREATMENT (INSUFFICIENT EVIDENCE)]

VICTIM: 1. LOCAL IRAQI NATIONAL [NFI]; [ASSAULT (INSUFFICIENT EVIDENCE)] [MISTREATMENT (INSUFFICIENT EVIDENCE)]

INVESTIGATIVE SUMMARY:

This is an "Operation Iraqi Freedom" Report of Investigation.

This office was notified by Memorandum of Transmittal (MOT) from the Fort Lewis Resident Agency, 44<sup>th</sup> Military Police Detachment (CID), Fort Lewis, WA 98433-0009 of an Assault and Mistreatment of detainees.

*b7c-3, b6-3*  
Investigation established there was Insufficient Evidence to determine whether the offenses of Assault and Mistreatment occurred against Local Iraqi National by U.S. Forces. SGT *b7c-3, b6-3* reported that he witnessed several counter-intelligence (CI) agents strike, pull the hair, and force into asphyxiation numerous Iraqi detainees. SGT *b7c-3, b6-3* further stated some of the CI agents would point a loaded weapon at the detainee's heads and tell them they would kill them if they did not talk. Subsequent investigation did not identify any witnesses to the incident.

*b7c, b6, b2*

CIRC-AB (43)

SUBJECT: CID REPORT OF INVESTIGATION - FINAL (C) - 0139-03-CID469-60206-5Y2E2 / 5Y2P9 / 9GT

STATUTES:

Article 93, UCMJ: Cruelty and Maltreatment (Insufficient Evidence)

Article 128, UCMJ: Assault (Insufficient Evidence)

EXHIBITS/SUBSTANTIATION:

Attached:

1. Agent's Investigation Report (AIR) of SA [REDACTED] <sup>b7c-1, b6-1</sup> 6 Jan 04, documenting the initial notification; interviews of SSG [REDACTED] SFC [REDACTED] SSG [REDACTED] SGT [REDACTED] SPC [REDACTED] <sup>b7c-4, b6-4</sup> CPL [REDACTED] 2LT [REDACTED] SFC [REDACTED] SSG [REDACTED] PFC [REDACTED] and PFC [REDACTED] and coordination with SSG [REDACTED] SSG [REDACTED] obtaining medical treatment records, 10<sup>th</sup> Military Police Battalion and SJA.
2. Sworn Statement of SSG [REDACTED] <sup>b7c-4, b6-4</sup> 23 Sep 03, in which he stated he did not observe any type of assault to the detainees.
3. Waiver Certificate and Sworn Statement of SSG [REDACTED] <sup>b7c-4, b6-4</sup> 23 Sep 03, in which he denied assaulting detainees he was interrogating.
4. Waiver Certificate and Sworn statement of SGT [REDACTED] <sup>b7c-4, b6-4</sup> 23 Sep 03, in which she denied she assaulted any detainees.
5. Waiver Certificate and Sworn Statement of SPC [REDACTED] <sup>b7c-4, b6-4</sup> 3 Oct 03, in which he denied assaulting any detainees.
6. DA Form 3822-R, Report of Mental Status Evaluation, 18 Jun 03, which indicated SGT [REDACTED] <sup>b7c-4, b6-4</sup> needed further examination.
7. DA Form 4700, Medical Record Supplemental Data, 23 Jun 03, which indicated SGT [REDACTED] <sup>b7c-4, b6-4</sup> suffered from questionable Bi-polar Disorder and would require additional examination.
8. AIR of SA [REDACTED] <sup>b7c-1, b6-1</sup> 24 Nov 03, documenting the receipt of the Request for Assistance, and interviews of CPT [REDACTED] and 1SG [REDACTED]
9. Non-Waiver Certificate of CPT [REDACTED] <sup>b7c-4, b6-4</sup> 21 Nov 03, where in CPT [REDACTED] <sup>b7c-4, b6-4</sup> requested a lawyer
10. Waiver Certificate and Sworn Statement of 1SG [REDACTED] <sup>b7c-4, b6-4</sup> 24 Nov 03, in which he denied all allegations of unlawful command influence.

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b7c, b6

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SUBJECT: CID REPORT OF INVESTIGATION - FINAL (C) - 0139-03-CID469-60206-5Y2E2 / 5Y2P9 / 9G1

11. AIR of SA [REDACTED] <sup>b7c-1, b6-1</sup>, 19 Jun 04, documenting the receipt of the Request for Assistance; and interviews of CPT [REDACTED] and coordination with COL [REDACTED] <sup>b7c-4, b6-4</sup>
12. Sworn Statement of CPT [REDACTED] <sup>b7c-4, b6-4</sup>, 19 Jun 04, wherein she stated she did not encounter any harassment or coerced in any way to have SGT [REDACTED] <sup>b7c-4, b6-4</sup> redeployed from Iraq.
13. AIR of SA [REDACTED] <sup>b7c-4, b6-1</sup> 21 Jul 03, detailing notification by LTC [REDACTED] <sup>b7c-3, b6-3</sup> SJA, of alleged war crimes; and interview of SGT [REDACTED] <sup>b7c-4, b6-4</sup>
14. Sworn Statement of SGT [REDACTED] <sup>b7c-4, b6-4</sup> 18 Jul 04, where in he detailed the events in Samarra. (See Sworn Statement for details)
15. CID Form 97-E, Criminal Information Report, 22 Jul 03, to clarify the address block on the Sworn Statement of SGT [REDACTED] <sup>b7c-4, b6-4</sup>
16. AIR of SA [REDACTED] <sup>b7c-1, b6-1</sup> 31 Jul 03, detailing receipt of MOT; interview of SGT [REDACTED] <sup>b7c-4, b6-4</sup> receipt of medical documentation pertaining to SGT [REDACTED] interview of MAJ [REDACTED] and receipt of <sup>b7c-4, b6-4</sup> Performance Evaluation Reports pertaining to SGT [REDACTED] <sup>b7c-4, b6-4</sup>
17. Sworn Statement of SGT [REDACTED] <sup>b7c-4, b6-4</sup> 28 Jul 03, where in he re-stated the incidents that occurred at Samarra. (See Sworn Statement for details)
18. SF 600E, Chronological Record of Medical Care, 2 Jul 03, detailing evaluation of SGT [REDACTED] <sup>b7c-4, b6-4</sup> by DR [REDACTED]
19. Command Referral Memorandum to the 113th Medical Company, 15 Jun 03, detailing command referral of SGT [REDACTED] to receive psychiatric assessment. <sup>b7c-4, b6-4</sup>
20. Navy Personnel (NAVPERS) 1616/18, Performance Evaluation Report, 16 Jul 82, detailing SGT [REDACTED] was assigned to seal team one. <sup>b7c-4, b6-4</sup>
21. NAVPERS 1616/18, Performance Evaluation Report, 20 Mar 82, indicating SGT [REDACTED] <sup>b7c-4, b6-4</sup> was assigned to a Seal team as a medic.
22. Certificate for honorary membership in Clan Macra.
23. Certificate of Live Birth, File [REDACTED] <sup>b7c-4, b6-4</sup> Apr 90, pertaining to SGT [REDACTED] American Indian heritage.

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24. Memorandum from the Department of Transportation, 25 Mar 74, indicating completion of SGT [REDACTED] Security Investigation. *b7c-4, b6-4*

25. Certificate from the Clayton School of Natural Healing, 31 Oct 94, awarding the degree of Doctor of Naturopathy to SGT [REDACTED]. *b7c-4, b6-4*

26. Certificate from the California State University, 23 Aug 83, awarding SGT [REDACTED] a Bachelor of Arts in Anthropology. *b7c-4, b6-4*

27. AIR of SA [REDACTED] *b7c-1, b6-1* 9 Sep 04, detailing coordination with LTC [REDACTED] *b7c-4, b6-4* SGT [REDACTED] *b7c-4, b6-4* CPT [REDACTED] and receipt of discharge papers.

28. Assignment Orders #365-696, 31 Dec 03, detailing temporary duty assignment pertaining to SGT [REDACTED] *b7c-4, b6-4*

29. Discharge Orders #239-1025, 26 Aug 04, detailing discharge of SGT [REDACTED] *b7c-4, b6-4* from the Army National Guard.

30. NGB Form, Report of Separation and Record of Service, 27 Jul 83, detailing SGT [REDACTED] *b7c-4, b6-4* discharge from the Navy.

31. Attachment Orders #199-004, 18 Jul 04, detailing SGT [REDACTED] *b7c-4, b6-4* deployment to the 2122<sup>nd</sup> GTSB Holding Detachment.

32. Internet Printouts, 26 May 04, 28 May 04, 9 Jun 04, 10 Jun 04, and 10 Jul 04, detailing SGT [REDACTED] report of incidents to the press. *b7c-4, b6-4*

33. AIR of SA [REDACTED] *b7c-1, b6-1* 17 Sep 04, detailing receipt of Request for Assistance, coordination with 223rd MI BN, interview of SGT [REDACTED] and coordination with SJA. (See AIR for details) *b7c-4, b6-4*

34. AIR of SA [REDACTED] *b7c-1, b6-1* 23 Sep 04, detailing receipt of Request for Assistance and interview of Mr. [REDACTED] (See AIR for details) *b7c-4, b6-4*

35. Sworn Statement of Mr. [REDACTED] *b7c-4, b6-4* 23 Sep 04, wherein he stated he did not witness the abuse alleged by SGT [REDACTED] (See Sworn Statement for details) *b7c-4, b6-4*

36. AIR of SA [REDACTED] *b7c-3, b6-3* 4 Oct 04, detailing interview of Mr. [REDACTED] *b7c-3, b6-3* coordination with the 205th MI BN, 1/66 ARM BN, 720th MP BN, 1BCT, Mr. [REDACTED] and SJA. (See AIR for details) *b7c-3, b6-3*

*b7*

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37. Facsimile, 14 Sep 04, containing copy of notebook kept by Mr. [REDACTED] <sup>b7c-3, b6-3</sup> from 15 Jun 03 - 19 Jun 03. (See notebook for details)

38. Memorandum for Commander, U.S. Central Command Commanding General, 10 Sep 04, detailing interview obtained by the Federal Bureau of Investigations (FBI). (See memorandum for details)

39. AR 15-6 Investigation, 16 Jun 03, completed by CPT [REDACTED] <sup>b7c-3, b6-3</sup>, wherein he found SGT [REDACTED] <sup>b7c-4, b6-4</sup> allegations Unfounded.

Not Attached:

None

The originals of Exhibits 1 through 5, 8 through 12, 27, and 32 through 36 are forwarded with the USACRC copy of this report. The originals of Exhibits 6, 7, 18, and 19 are retained in the medical files of SGT [REDACTED] <sup>b7c-4, b6-4</sup>. The originals of Exhibits 13 through 15 are maintained in the files of the 170th MP Det (CID), 3250 Meadowview Road, Sacramento, CA 95832. The originals of Exhibits 16 and 17 are maintained in the files of the Fort Lewis CID office, Building 4291, 9th Division Drive, Fort Lewis, WA 98433. The originals of Exhibits 22 through 26 are retained by SGT [REDACTED] <sup>b7c-4, b6-4</sup>. The originals of Exhibits 20 through 21, and 28 through 31 are retained in the personnel files of SGT [REDACTED] <sup>b7c-4, b6-4</sup>. The originals of Exhibit 37 are maintained in the notebook of Mr. [REDACTED] <sup>b7c-3, b6-3</sup>. The originals of Exhibit 38 are maintained in the files of the FBI, Sacramento, CA 95841. The originals of Exhibit 39 are maintained in the files of Headquarters, 5th U.S. Army, 1400 East Grayson Street, Suite 146, Fort Sam Houston, San Antonio, TX 78234-7000.

STATUS: This is a Final (C) Report. This investigation is being terminated LAW AR 195-1, paragraph 4-17 (a)(7), in that a thorough investigation did not produce any logical subjects and there is no serious injury and/or substantial loss of government or personal property. Leads remaining include polygraph examination of SGT [REDACTED] <sup>b7c-4, b6-4</sup>, 1SG [REDACTED] <sup>b7c-4, b6-4</sup> and to locate, fully identify, and interview Mr. [REDACTED] <sup>b7c-3, b6-3</sup>, Chief [REDACTED] (NFI), and SGT [REDACTED] (NFI).

Report Prepared by

[REDACTED] <sup>b7c-1, b6-1, b2</sup>

SA [REDACTED]  
Special Agent, [REDACTED]

Report Approved by:

[REDACTED] <sup>b7c-1, b6-1</sup>

Assistant Special Agent in Charge

CIRC-AB (43)

SUBJECT: CID REPORT OF INVESTIGATION - FINAL (C) - 0139-03-CID469-60206-5Y2E2 /  
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- 1 - 11th MP BN (Email Only)
- 1 - PM Station Commander, FHTX (Email Only)
- 1 - PMO CRIM INTEL, FHTX (Email Only)
- 1 - Staff Judge Advocate ATTN: (CPT [REDACTED]), 4ID, FHTX *b7E-3, b6-3*
- 1 - 22nd MP BN (CID) (ABN) (FWD) (Email Only)
- 1 - CDR, 3D MP GROUP (CID) (REAR) (Email Only)
- 1 - CDR, 3D MP GROUP (CID) (FWD) (Email Only)
- 1 - FILE

<b>AGENT'S INVESTIGATION REPORT</b> CID Regulation 195-1	ROI NUMBER 0139-03-CID469-60206
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**DETAILS**  
**BASIS FOR INVESTIGATION:** About 1705, 8 Sep 03, this office was notified by Memorandum of Transmittal (MOT) from the Fort Lewis Resident Agency, 44<sup>th</sup> Military Police Detachment (CID), Fort Lewis, WA 98433-0009, of an Assault and Mistreatment.

About 0800, 23 Sep 03, SA [redacted] <sup>b7c-1, b6-1</sup> and SA [redacted] <sup>b7c-1, b6-1</sup> interviewed SSG [redacted] and SPC [redacted] <sup>b7c-4, b6-4</sup> 223<sup>rd</sup> Military Intelligence Battalion (MI BN), Civilian Military Operation Center (CMOC), Samarra, Iraq, who provided a verbal statement in which they did not witness any type of assault to the detainees.

About 0854, 23 Sep 03, SA [redacted] <sup>b7c-1, b6-1</sup> interviewed SFC [redacted] <sup>b7c-4, b6-4</sup>, 418<sup>th</sup> Civil Affairs Battalion, CMOC, Samarra, Iraq, who provided a sworn statement in which he stated he did not witness any acts of assault against the detainees. (See Sworn Statement for Details)

About 0900, 23 Sep 03, SA [redacted] <sup>b7c-1, b6-1</sup> advised SSG [redacted] <sup>b7c-4, b6-4</sup> B Company, 223<sup>rd</sup> MI BN, CMOC, Samarra, Iraq, of his rights, which he waived and provided a sworn statement in which he denied he assaulted and Communicated a Threat towards any detainees. (See Waiver Certificate and Sworn Statement for Details)

About 0914, 23 Sep 03, SA [redacted] <sup>b7c-1, b6-1</sup> advised SGT [redacted] <sup>b7c-4, b6-4</sup> B Company, 223<sup>rd</sup> MI BN, CMOC, Samarra, Iraq, of her rights, which she waived and provided a sworn statement in which she denied she assaulted and Communicated a Threat towards any detainees. (See Waiver Certificate and Sworn Statement for Details)

About 0837, 3 Oct 03, SA [redacted] <sup>b7c-1, b6-1</sup> advised SPC [redacted] <sup>b7c-4, b6-4</sup> B Company, 223<sup>rd</sup> MI BN, CMOC, Samarra, Iraq, of his rights, which he waived and provided a sworn statement in which he denied he assaulted and Communicated a Threat towards any detainees. (See Waiver Certificate and Sworn Statement for Details)

About 0900, 3 Oct 03, SA [redacted] <sup>b7c-1, b6-1</sup> coordinated with SSG [redacted] <sup>b7c-6, b6-6</sup> 64<sup>th</sup> Military Police Company (MP CO), 720<sup>th</sup> MP BN, CMOC, Samarra, Iraq who stated [redacted] <sup>b7c-3, b6-3</sup> (NFI) correct name is [redacted] <sup>b7c-3, b6-3</sup>

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA [redacted] <sup>b7c-1, b6-1, b2</sup>	ORGANIZATION 43 <sup>rd</sup> Military Police Detachment, CID Tikrit, Iraq APO AE 09323
SIGNATURE [redacted]	DATE 6 Jan 04
	EXHIBIT 1

CID FORM 94

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# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

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## DETAILS

(NFI) and he was transferred to the detainment facility on FOB Iron Horse on 25 May 03, and his detainee number was 37. *b7c-3, b6-3*

About 1005, 14 Oct 03, SA *b7c-1, b6-1* coordinated with SSG *b7c-6, b6-6* *b7c-3, b6-3*, Detainment Center Collection Point (DCCP), 4<sup>TH</sup> Military Police Company, FOB Iron Horse, Tikrit, Iraq who stated Mr [REDACTED] was released to [REDACTED] on 25 May 03.

About 1300, 16 Oct 03, SA *b7c-1, b6-1* received from CPT *b7c-3, b6-3* [REDACTED] 223<sup>rd</sup> MI BN, FOB Anaconda, Iraq copies of one DA Form 3822-R, Report of Mental Status Evaluation and one DA Form 4700, Medical Record Supplemental Data pertaining to SGT [REDACTED] (See DA Form 3822-R and DA Form 4700 for Details)

About 1450, 11 Nov 03, SA *b7c-1, b6-1* interviewed CPL *b7c-6, b6-6* [REDACTED] 4<sup>th</sup> Platoon (PLT), 401<sup>st</sup> Military Police Company (MP CO), Camp Iron Horse, Tikrit, Iraq who stated 4<sup>th</sup> PLT, 401<sup>st</sup> MP CO was in charge of the detainment facility at Samarra from 15 Apr 03 until Jul 03. CPL [REDACTED] *b7c-1, b6-6* further stated she did not observe any type of brutality directed against the Iraq detainees.

About 1615, 11 Nov 03, SA *b7c-1, b6-1* interviewed 2LT *b7c-6, b6-6* [REDACTED] Platoon Leader, 4<sup>th</sup> PLT, 401<sup>st</sup> MP CO, Camp Iron Horse, Tikrit, Iraq who stated while 4<sup>th</sup> PLT was working at the detainment facility she did not observe or hear about any type of abuse directed against the Iraq detainees. 2LT [REDACTED] stated she observed approximately 90% of the *b7c-6, b6-6* interrogations conducted by the CI agents and at no time did the agents assault the detainees. 2LT [REDACTED] stated if any of the detainees required *b7c-6, b6-6* medical attention members from her unit would transport them to the hospital. 2LT [REDACTED] further stated none of the detainees were ever *b7c-6, b6-6* transported to the local hospitals while her platoon was at the facility.

About 1630, 11 Nov 03, SA *b7c-1, b6-1* interviewed SFC *b7c-6, b6-6* [REDACTED] Platoon Sergeant, 4<sup>th</sup> PLT, 401<sup>st</sup> MP CO, Camp Iron Horse, Tikrit, Iraq who stated he did not observe any type of abuse directed against the Iraq detainees. SFC [REDACTED] stated on one occasion he *b7c-6, b6-6* assisted with life saving measures on one of his soldiers who injured in a mortar attack. SFC [REDACTED] stated a few months later a 15-6 investigation *b7c-6, b6-6*

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED]

SIGNATURE

[REDACTED] *b7c-1, b6-1, b2*

ORGANIZATION

43<sup>rd</sup> Military Police Detachment, CID  
Tikrit, Iraq APO AE 09323

DATE

6 Jan 04

EXHIBIT

1

CID FORM 94

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8

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DODDOACID 008816



# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

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## DETAILS

was being conducted on possible detainee abuse and the incident of the mortar attack was an issue. SFC [REDACTED] stated SGT [REDACTED] stated to the 15-6 investigator he saved the life of the MP injured in the mortar attacks and wanted some type of medal. SFC [REDACTED] further stated the only help SGT [REDACTED] provided was he checked the vital signs of the wounded victim and at no time did he provide any medical treatment which saved the life of the soldier. *b7C-6, b6-6* *b7C-4, b6-4* *b7C-4, b6-4* *b7C-3, b6-4*

About 1633, 11 Nov 03, SA [REDACTED] interviewed SSG [REDACTED] and PFC [REDACTED], all of 4<sup>th</sup> PLT, 401<sup>st</sup> MP CO, Camp Iron Horse, Tikrit, Iraq who stated they did not observe any type of abuse directed towards the Iraqi detainees. *b7C-6, b6-6* *b7C-6, b6-6* *b7C-6, b6-6*

About 1500, 3 Dec 03, SA [REDACTED] coordinated with 10<sup>th</sup> Military Police Battalion, Camp Victory, Iraq who stated Mr [REDACTED] could not be located in the theater roster. *b7C-1, b6-1* *b7C-3, b6-3*

About 1000, 19 Dec 03, SA [REDACTED] coordinated with MAJ [REDACTED] Staff Judge Advocate, 4ID, FOB Iron Horse who opined there was insufficient evidence to prove or disprove the offenses of Assault and Mistreatment occurred. *b7C-1, b6-1* *b7C-3, b6-3*

About 1400, 6 Jan 04, SA [REDACTED] coordinated with [REDACTED] Camp Iron Horse, Tikrit, Iraq who stated Mr [REDACTED] was released due to lack of proof he committed a crime. ///LAST ITEM/// *b7C-1, b6-1* *b2 b-3* *b7C-3, b6-3*

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED]

SIGNATURE [REDACTED]

*b7C-1, b6-1 b2*

ORGANIZATION

43<sup>rd</sup> Military Police Detachment, CID  
Tikrit, Iraq APO AE 09323

DATE

6 Jan 04

EXHIBIT

CID FORM 94

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... 9

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LAW ENFORCEMENT SENSITIVE

DODDOACID 008817

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 (SSNI)
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 processing
DISCLOSURE: Disclosure of your social security number is voluntary

1 LOCATION: CMOC, SAMARA, Iraq
2. DATE (YYYYMMDD): 23 SEP 03
3. TIME: 0854
4. FILE NUMBER: 0139-03-GT0409-00016
5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED]
6. SSN: [REDACTED]
7. GRADE/STATUS: E-7/SFC

8 ORGANIZATION OR ADDRESS: CMOC, 418th CA BN, SAMARA, Iraq

9 [REDACTED] b7c-4, b6-4, I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Acting in the capacity as an Arabic linguist assisting the THT (TACTICAL HUMINT TEAM) I witnessed no acts which I felt were unprofessional or violated the LAW of Land Warfare or UCMJ, while in the course of screening or interrogating IRAQI DETAINEES.

THE BEHAVIOR AND DEMEANOR OF ALL THT INTERROGATORS WAS AT THE HIGHEST LEVEL OF PROFESSIONALISM AT ALL TIMES. SPECIFICALLY, REGARDING THE SCREENING INTERROGATION OF THE IRAQI DETAINEE KNOWN AS [REDACTED] b7c-3, b6-3 I WITNESSED CONCERN ON THE PART OF THE PRIMARY INTERROGATOR TOWARDS PREVENTING THE DETAINEE FROM GOING INTO A MEDICAL CRISIS AS A RESULT OF THE QUESTIONING. HE STOPPED THE QUESTIONING SEVERAL TIMES SO THAT A MEDICAL PROFESSIONAL COULD EXAMINE HIM AND DETERMINE IF HE WAS STILL DOING FINE. ALL INDICATIONS WERE THAT, ASIDE FROM THE STRESS OF BEING CAPTURED AND QUESTIONED, HE WAS SUFFERING NO HEALTH CRISIS. DURING THAT INTERROGATION, AS WELL AS ALL OTHERS THAT I WITNESSED, THERE WAS NO VIOLENCE, OR THREAT OF VIOLENCE COMMUNICATED TO THE DETAINEE.

AS TO THE MOTIVE OF THE INDIVIDUAL MAKING ALLEGATIONS, I CANNOT SPEAK, BECAUSE I DIDN'T KNOW HIM WELL. I HAVE NO KNOWLEDGE OF ANY PROFESSIONAL OR PERSONAL RELATIONSHIP ISSUES BETWEEN THE INTERROGATOR, AND THE PERSON MAKING ALLEGATIONS, ASIDE FROM THE FACT THAT THE INTERROGATOR, BEING THE TEAM SERGEANT, RELIEVED THAT INDIVIDUAL FOR CAUSE. I DO NOT KNOW THE REASONS FOR THE RELIEF.

10 EXHIBIT: [REDACTED]
11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED] b7c-4, b6-4
PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT DATED
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

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STATEMENT (Continued)

Q: SA [REDACTED] b7c-1, b6-1  
 A: SFC [REDACTED] b7c-4, b6-4  
 Q: During any of the interrogations that you were present for, did you witness SSG [REDACTED] b7c-3, b6-3 or any other soldier hit, use physical violence, threaten or hold a weapon towards any of the detainees?  
 A: No.  
 Q: Did any of the detainees collapse from respiratory arrest during an interrogation? b7c-4, b6-4  
 A: No. SSG [REDACTED] never had to perform CPR from what I know of.  
 Q: During any interrogations, did SSG [REDACTED] b7c-4, b6-4 ever have to stop it because of medical problems?  
 A: I don't think so. The only one with medical issues was with [REDACTED] b7c-3, b6-3, but SSG [REDACTED] b7c-4, b6-4 never stopped it. He only voiced his concern that we ease up on the detainee so he could remain calm, and keep his blood pressure down.  
 Q: Do you have anything to add?  
 A: No. (END OF STATEMENT) [REDACTED] b7c-4, b6-4

b7c-4, b6-4

AFFIDAVIT

I, [REDACTED], 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.

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

WITNESSES:

Subscribed and sworn to before me a person duly qualified to administer oaths, this 23 day of SEP 2003 at CMCC, SAMARA, IREG

ORGANIZATION OR ADDRESS

[REDACTED] b7c-1  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA [REDACTED] b7c-1, b6-1  
Art 136, UCMJ  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED] b7c-4, b6-4

PAGE 2 OF 2 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**

<b>AUTHORITY:</b> Title 10, United States Code, Section 3012(g)	
<b>PRINCIPAL PURPOSE:</b> To provide commanders and law enforcement officials with means by which information may be accurately identified	
<b>ROUTINE USES:</b> Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval	
<b>DISCLOSURE:</b> Disclosure of your Social Security Number is voluntary	
1 LOCATION <u>CMOC, SAMARA, Iraq</u>	2 DATE <u>23 SEP 03</u> 3 TIME <u>0900</u> 4 FILE NO <u>0179-01-CJ0409-60216</u>
5 NAME (Last, First, MI) [REDACTED] <u>b7c-4, b6-4</u>	8 ORGANIZATION OR ADDRESS <u>B Co, 223 MI BN</u> <u>CMOC, SAMARA, Iraq</u>
6 SSN [REDACTED] <u>b7c-4, b6-4</u>	7 GRADE/STATUS <u>E-6/SEG</u>

**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 (CID) and wanted to question me about the following offense(s) of which I am suspected Assault / Communicating a threat III

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

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

- or -

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

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

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 [REDACTED] <u>b7c-1, b6-1</u>
1a NAME (Type or Print)		
b ORGANIZATION OR ADDRESS AND PHONE		4 SIGNATURE OF INVESTIGATOR [REDACTED] <u>b7c-4, b6-4</u>
2a NAME (Type or Print)		5 PRINTED NAME OF INVESTIGATOR <u>SA [REDACTED] b7c-4, b6-4</u>
b ORGANIZATION OR ADDRESS AND PHONE		6 ORGANIZATION OF INVESTIGATOR <u>43rd MP Det (CID)</u>

**Section C. Non-Waiver**

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

2 SIGNATURE OF INTERVIEWEE

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

SWORN STATEMENT

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. b7c-4, b6-4

1. LOCATION: CMOC, SAMARA
2. DATE (YYYYMMDD) TIME: 23 SEP 03 1044
4. FILE NUMBER: 0139-01-CMOC-60216
5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED] b7c-4, b6-4
6. SSN: [REDACTED]
7. GRADE STATUS: E-6/SSG
8. ORGANIZATION OR ADDRESS: B Co, 223 MI BN, CMOC, SAMARA, Iraq b7c-4, b6-4

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH
I have served in the Samarra AO with 1-66 AB since early June 2003. During my time here I have conducted interrogations & detainee screenings alongside the typical CI functions. I have never harmed detainees nor witnessed harm rendered. Allegations have been made in regards to my conduct during the [REDACTED] interrogation. [REDACTED] was captured based upon intelligence which indicated that he financed attacks against the U.S. forces & maintained strong ties with Saddam (Hussein) & former regime loyalists. During the raid, my THF accompanied the MP's & provided CI support. We ensured that prior to leaving all medicine that was needed by the subject was brought with us. The questioning began in the back room of the JOC at the CMOC. The room is hot & uncomfortable to both the agents & the detainees. [REDACTED] complained about it & we moved him to the conference room, which was more spacious & cooler. During questioning, all medicine was put in [REDACTED] chest pocket. The detainee was not struck nor

10. EXHIBIT: [REDACTED]
11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED] b7c-4, b6-4
PAGE 1 OF 4

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.

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r. 3


of SSG [redacted] b7C-4, b6-4 Taken At Samarra, Iraq [redacted] b7C-4, b6-4 dated 23 Sep 03  
the nominations of execution. I raised my voice several  
times during the interrogation as did Amy Tsui. We gave

detainee water when he asked for cigarettes. The screaming  
was stopped whenever the detainee complained but there was  
never a point when we felt [redacted] b7C-4, b6-4 that his  
well being was in danger. In other interrogations, when a  
detainee would begin to breathe heavily or abnormally we stopped  
questioning immediately & b6G medical responded immediately.  
Never was questioning continued beyond a point that the mere  
suspicion of medical intervention was required. [redacted] b7C-4, b6-4

THAT SGT [redacted] was moved from my team for prevention  
on intelligence reports, DISEC violation & for making false  
claims about being a doctor that could have cost a  
Soldier's life. SGT [redacted] b7C-4, b6-4 lied to the S-24 of H6A2, [redacted] b7C-3, b6-3  
about an EPW [redacted] b7C-4, b6-4. The intelligence that the S-24

received was passed on to the H6G BC & had to be  
corrected later on that day. SGT [redacted] b7C-4, b6-4 claimed that an  
EPW was wearing [redacted] b7C-4, b6-4 a bandana that read [redacted] b7C-3, b6-3  
& claimed that the EPW [redacted] b7C-4, b6-4 provided intel on [redacted] b7C-3, b6-3

[redacted] b7C-3, b6-3 Both intel reports were lies. Two agents & a  
97B translator were present during questioning & attested  
that he lied. SGT [redacted] b7C-4, b6-4 also was caught by an Agent [redacted] b7C-3, b6-3  
a THH source - an I2 national, that Operation Desert Storm [redacted] b7C-3, b6-3

Statement of SSG [REDACTED] <sup>b7c-4, b6-4</sup> taken at Samarra, Iraq  dates 23 Sep 03

was slated to begin in a specific number of days. Specifically, he stated to the I2 national that his intel would be acted upon on exactly the date that OAS was starting. SGT. [REDACTED] <sup>b7c-4, b6-4</sup> also made claims that he saved an injured soldier's life. He made the claim to our company commander, the soldier himself & numerous other individuals. Our CO was considering SGT. [REDACTED] <sup>b7c-4, b6-4</sup> for a silver star & SGT [REDACTED] <sup>b7c-4, b6-4</sup> was aware of this & STILL maintained his claims. The medics that treated the soldier stated differently. They provided sworn statements which stated that he not only did not help but he impeded the treatment due to his lack of medical knowledge. The medics had asked SGT [REDACTED] <sup>b7c-4, b6-4</sup> to help b/c of his claims that he was a doctor, which is simply not true. They depended on him at a critical time. Furthermore, SGT [REDACTED] <sup>b7c-4, b6-4</sup> sought merit for supposed actions. My CO agreed that [REDACTED] <sup>b7c-4, b6-4</sup> could not be trusted with CI work & he was consequently transferred.

Q: SA [REDACTED] <sup>b7c-4, b6-4</sup>

A: SSG [REDACTED] <sup>b7c-4, b6-4</sup>

Q: Did you strike [REDACTED] <sup>b7c-3, b6-3</sup> with a rolled up news paper?

A: No. I did not hit him or cause him any harm.

Q: During the interview, did SGT [REDACTED] <sup>b7c-4, b6-4</sup> tell you or anyone on the team that the interrogation needed to stop because of medical issues with Mr [REDACTED] <sup>b7c-3, b6-3</sup>?

A: No. He would check him with the stethoscope but never indicated that we were killing him or anything. He just suggested we 15

9. STATEMENT (Continued)

Stop periodically so he could calm down and keep his blood pressure down.

Q: Did you or any one on your team pull out a weapon and threaten a detainee with it.

A: No, never.

Q: Did you or anyone on your team hit or threaten to hit a detainee?

A: SGT [REDACTED] hit a detainee with an empty water bottle, not to hurt him, but to get his attention. The bottle was plastic.

Q: Do you have anything to add?

A: NO // END OF STATEMENT // [REDACTED] b7c-4, b6-4

AFFIDAVIT

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

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

WITNESSES.

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23 day of SEP 2003 at CMOC, SAMARA IC29

[REDACTED] b7c-4, b6-4  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA [REDACTED] b7c-4, b6-4  
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

ART 136, UCMJ  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED] b7c-4, b6-4

PAGE 4 OF 4 PAGES



# RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30; the proponent agency is ODC ST/US

## 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 CMOC, Samarra, Iraq	2. DATE 23 SEP 03	3. TIME 0914	4. FILE NO 0199-03-04045-60226
5. NAME (Last, First, MI) [REDACTED]	8. ORGANIZATION OR ADDRESS 223rd MI BN CMOC Samarra, Iraq		
6. SSN [REDACTED]	7. GRADE/STATUS E-5/RA		

## 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 as a Special Agent and wanted to question me about the following offense(s) of which I am suspected/accused: Assault / Communicating a Threat

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

- 1 I do not have to answer any question or say anything
- 2 Anything I say or do can be used as evidence against me in a criminal trial
- 3 (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 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)		3. SIGNATURE OF INTERVIEWEE [REDACTED] b7C-4, b6-4
1a. NAME (Type or Print)		4. SIGNATURE OF INVESTIGATOR [REDACTED] b7C-1, b6-1
b. ORGANIZATION OR ADDRESS AND PHONE		5. TYPED NAME OF INVESTIGATOR SA [REDACTED] b7C-1, b6-1
2a. NAME (Type or Print)		6. ORGANIZATION OF INVESTIGATOR 43rd MP DET (FD) Tikrit, Iraq
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

EDITION OF NOV 84 IS OBSOLETE

USAPA 2 01

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EXHIBIT 4 Ex 4

DODDOACID 008825

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

Samarra, Iraq

DATE

23 Sep 03

TIME

1050

FILE NUMBER

0139-01-CJ0469-60206

LAST NAME, FIRST NAME, MIDDLE NAME

b7c-4, b6-4

SOCIAL SECURITY NUMBER

[REDACTED]

GRADE/STATUS

E-51 RA

ORGANIZATION OR ADDRESS

b7c-4, b6-4

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

I, [REDACTED] b7c-4, b6-4, want to make the following statement under oath. When we first arrived in Samarra we had 3 detainees to question that night. [REDACTED] b7c-4, b6-4 did the first one - he asked me if I'd like to question the guy. I said "no" didn't feel comfortable. (All 4 of us [REDACTED] b7c-4, b6-4 were in the interrogation room). [REDACTED] b7c-4, b6-4 went ahead and question the second guy and last interrogated the 3rd guy. No one was physically abused or hurt in any way. However since it was our first time doing any of this I pulled and [REDACTED] b7c-4, b6-4 pulled security so we both had our M-16's but I believe that I charged the weapon just because that's what I thought that that was what I suppose to do. [REDACTED] b7c-4, b6-4 was in the next interrogation (another time) where all of us was in together because [REDACTED] b7c-4, b6-4 wanted us to see more for practice. I believe I had my M-16 with me but may or may not have charged it. I did not question detainees or touch detainees. [REDACTED] b7c-4, b6-4 was a night mission and I cleared my weapons when I didn't know that a detainee was in another room yet close by and SFC [REDACTED] b7c-4, b6-4 (my brother) corrected me that I cleared my weapons near a detainee. And I learned that that was wrong. [REDACTED] b7c-4, b6-4 sat in with [REDACTED] b7c-4, b6-4 and I [REDACTED] b7c-4, b6-4 was the money man interrogator. I forgot his name. [REDACTED] b7c-4, b6-4 and I were the agents while [REDACTED] b7c-4, b6-4 sat in as the medic on stand by. [REDACTED] b7c-4, b6-4 questioned the guy using different interrogation techniques. I laid down on the sofa and wrote down notes. I did not witness Sp5 [REDACTED] b7c-4, b6-4 causing any harm. Everytime may 2 or 3x that [REDACTED] b7c-4, b6-4 showed any sign of difficulty [REDACTED] b7c-4, b6-4 would take a break to allow [REDACTED] b7c-4, b6-4 attend to him while he and I discussed the situation in the Tor. We took several breaks that night. The man was old and the middle of the interrogation we gathered up all his pills (or medication) and gave it to him. I think he had the opportunity to take his pills. The interrogation took place really early in the morning. After that money man incident [REDACTED] b7c-4, b6-4 sat in on any interrogations of [REDACTED] b7c-4, b6-4 and I. So he has not first hand witness [REDACTED] b7c-4, b6-4

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

b7c-4, b6-4

PAGE 1 OF

4

PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] b7c-4, b6-4 TAKEN AT [REDACTED] b7c-4, b6-4 DATED [REDACTED] b7c-4, b6-4 CONTINUED" THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] b7c-4, b6-4 OF [REDACTED] b7c-4, b6-4 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. 18

STATEMENT OF SGT [REDACTED] 67C-4266-4

TAKEN AT Samarra, Iraq DATED 23 Sep 03 CONTINUED

SGT [REDACTED] told people and the injured soldier SGT [REDACTED] that he saved SGT [REDACTED] life. By saving his leg upon his return to Basrah for maintenance/R&R day he admitted to the CO [REDACTED] XO [REDACTED] and the 205th V Corp Brigade Chaplain Major [REDACTED] and everybody else that he saved a soldier's life when the 6 mortars landed in the compound of the CMDC Samarra. Approximately a week or two later, I found out through SGT [REDACTED] and SFC [REDACTED] that he (SGT [REDACTED]) did not save SGT [REDACTED] life. All he did was hold an IV and a flashlight up in the air. He didn't even know how to use a fluffier bandage when SGT [REDACTED] thought at him. SGT [REDACTED] did 3/4 or more of everything, SGT [REDACTED] used his stethoscope and assessed that SGT [REDACTED] experienced shot gun wounds. Upon his arrival with SGT [REDACTED] and SGT [REDACTED] at the 1-66 Ar BN Cash - he (SGT [REDACTED]) told the field surgeon and the medical staff that he was a Doctor. [REDACTED]

SGT [REDACTED] told me he was Navy Seal and owned a successful Medical Supply Company. He told me he was a medical student going on his 4th year at U.C. Davis, California. He told me he was a prisoner guard. [REDACTED]

SA [REDACTED] 67C-4266-4

A: SGT [REDACTED] Ail 67C-4266-4

Q: When you cleared your weapon in the clearing barrel could the detainee see you?

A: No they were blindfolded.

Q: Could you see the detainee from the clearing barrel?

A: No it was or he was in the room next to me but I had no visual contact.

Q: Why did the money man need a medic to stand by during the interrogations?

A: Because he is an old man and I guess had past medical problems. Eventually you got him.

Q: Who was the money man?

A: I don't remember his name but he was Saddam's Hussein's financier. Saddam also detail his details.

Q: Did any strike the money man with a rolled up newspaper?

A: No I did not see or remember anyone striking anyone with a newspaper.

Q: Did you assault any of the detainees?

A: Once, with an empty 16oz water bottle when he was caught passing the case. A scene scenario happened before and we let him go. and 6 mortar rounds landed in our compound. So Sgt [REDACTED] assault had I

INITIALS OF PERSON MAKING STATEMENT: [REDACTED] 67C-4266-4

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LAW ENFORCEMENT SENSITIVE

PAGE 2 OF 4 PAGES

EXHIBIT 4 E

b7c-4, b6-4

FILE NUMBER

STATEMENT OF SGT [REDACTED]

TAKEN AT CMOC, Samarra, Iraq

DATED 23 Sep 03

CONTINUED

thought that it might be some scenario, I hid it out of fear of it happening again but when I almost hit him a second time someone in the room said no don't do that.

Q: Did you ever threaten a detainee?

A: No I did not threaten any detainee in any way that will make them feel that they will be badly hurt, physically hurt, or permanently dead.

Q: Did anyone ever point a weapon at a detainee's head and tell the detainee he would kill them if they didn't talk?

A: No I did not see anyone point a weapon at any detainee's body in any way and threatened to kill the detainee.

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

A: Sgt [REDACTED] and I did have a personal issue with each other since Camp Virginia I became his team sergeant for one day and he lied about me disrespecting him and he requested to transfer out of our squad. [REDACTED] spoke to me about and asked me what we can do since we cannot afford to lose anyone. I voluntarily gave up my team sergeant slot to support the team. When we moved to Camp Anacarda, Balad, IZ. he asked me to take his spot as team sergeant during team sergeants meeting because he had too much medical work he had to do. I responded with that he is the one who wanted the team sergeant slot and he said yes and because of that he has a responsibility. I informed him that the medic job is his 2nd job and as team sergeant that was his primary job and that I would only take his spot if he is not present to attend. He was dissatisfied with my answer and he eventually tasked [REDACTED] to attend his team sergeant meetings while we were in Balad.

Q: When did you arrive in Samarra?

A: Around Mid May <sup>b7c-4, b6-4</sup> late May 2003.

Q: When did Sgt [REDACTED] leave Samarra?

b7c-4, b6-4

A: I think he left in June because the team leader [REDACTED] requested him to transfer out of Samarra because he <sup>(SGT)</sup> lied about Sgt [REDACTED]'s life and he lied in the Counterintelligence Information Requirement (CIIR) reports.

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

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

INITIALS OF PERSON MAKING STATEMENT: [REDACTED]

b7c-4, b6-4

PAGE 3 OF 4 PAGES

DODDOACID 008828

[Lined area for the statement content]

87C-4166-4

**AFFIDAVIT**

I, [Redacted] 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.

[Redacted Signature]  
(Signature of Person Making Statement) 87C-4166-4

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23<sup>rd</sup> day of Sep, 20 03 at CMOC, Samarra, Iraq

ORGANIZATION OR ADDRESS

[Redacted Signature]  
(Signature of Person Administering Oath) 87C-4166-4

ORGANIZATION OR ADDRESS

SA [Redacted]  
(Typed Name of Person Administering Oath)  
Art 136 UCMJ  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [Redacted]

PAGE 4 OF 4 PAGES

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LAW ENFORCEMENT SENSITIVE

For Official Use Only

EXHIBIT 4 Ex-1

**RIGHT WARNING PROCEDURE/WAIVER CERTIFICATE**

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

**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 <u>Samarra, Iraq</u>	2	DATE <u>3 Oct 03</u>	3	TIME <u>0837</u>	4	FILE NO <u>0139-02-01469-60206</u>
5	NAME (Last, First, MI) [REDACTED]	6	SSN [REDACTED]	7	GRADE/STATUS <u>E-4/AR</u>	8	ORGANIZATION OR ADDRESS <u>B Co 223rd MI BN Samarra, Iraq</u>

**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 as a special agent and wanted to question me about the following offense(s) of which I am suspected/accused assault / communicating a threat

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 question 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)		3	SIGNATURE OF INTERVIEWEE [REDACTED]
1a.	NAME (Type or Print)	4	SIGNATURE OF INVESTIGATOR [REDACTED]
b.	ORGANIZATION OR ADDRESS AND PHONE	5	TYPED NAME OF INVESTIGATOR <u>SA [REDACTED]</u>
2a.	NAME (Type or Print)	6	ORGANIZATION OF INVESTIGATOR <u>93rd MP DET (CID) T. Kr. t, Iraq</u>
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  
[Signature]

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

DA FORM 3881, NOV 89

EDITION OF NOV 84 IS OBSOLETE

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EXHIBIT Ex 5

DODDOACID 008830

SWORN STATEMENT

For use of this form, see AR 190-45, the proponent agency is Office of The Deputy Chief of Staff for Personnel  
b7c-4, b6-4

LOCATION: Samarra, Iraq  
DATE: 3 Oct 03  
TIME: 0940  
FILE NUMBER: 0139-03-CIO469-60206  
LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED] b7c-4, b6-4  
SOCIAL SECURITY NUMBER: [REDACTED] b7c-4, b6-4  
GRADE/STATUS: E-4/AR

ORGANIZATION OR ADDRESS: B Company, 223rd MI BN  
[REDACTED] b7c-4, b6-4  
I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

I remember conducting two interrogations / screenings at the CMOC in Samarra. The first was approximately the end of June or beginning of July. The detainee was captured after an attack on a tank patrol. I was advised that the detainee was being physically resistive, and that he was wearing a black headband at the time of capture; the headband was later translated to read "Jerusalem Army" (Jaish Al-Quds). When the detainee was brought into the room he was resisting, the MPs who brought him in. For personnel security, I seated the detainee on the floor facing the wall. Because he resisted, I had to press down on his shoulders and lean against him to get him to sit. At no time do I recall laying him down and standing or kneeling on him. During the interrogation I raised my voice more than once, but did not hit or strike the detainee. The detainee was blindfolded and handcuffed the entire time. He utilized what seemed to be counter-interrogation training, giving gibberish answers or evading questions. After approximately two hours, I decided to stop the interrogation. As we stood the detainee up, he lunged forward and struck his forehead on the wall. We immediately sat the detainee back down and had medical personnel provide attention to his wound. He received a cut about one centimeter in length to his forehead that did not require stitches. The detainee was then removed from the room and placed in detention. I have not seen physical violence, the threat of violence, or the use of a detainee threatened during any interrogation or questioning, nor have I used violence or the threat of violence in any questioning.

Q: SA [REDACTED] b7c-4, b6-4  
A: GPC [REDACTED] b7c-4, b6-4  
Q: What was the name of the detainee wearing the headband?  
A: He gave two names: [REDACTED] and [REDACTED] b7c-4, b6-4

EXHIBIT: [REDACTED] b7c-4, b6-4  
INITIALS OF PERSON MAKING STATEMENT: [REDACTED] b7c-4, b6-4  
PAGE 1 OF 2 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: 23

STATEMENT (Continued)

Q: Did you place your knee and press down with your full weight on the detainee's sternum, directly over his heart?

A: No.

Q: Did you assault any of the detainees at any time?

A: No.

Q: Who provided medical attention to the detainee when he cut his head?

A: Two individuals from either CMOC medical personnel or the MP platoon.

Q: Did you threaten to hurt or kill any of the detainees if they didn't talk?

A: No.

Q: Can you use any type of physical force during an interrogation?

A: Only to stop a physical threat to anyone, including the detainee.

Q: Have you ever had to use physical force on a detainee?

A: No.

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

A: No, not at this time. /// End of Statement /// [REDACTED] b7c-4,66-4

b7c-4,66-4

AFFIDAVIT

I, [REDACTED], 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.

b7c 4,66 4

(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 3rd day of Oct, 2003 at Samarra, Iraq

ORGANIZATION OR ADDRESS

b7c-1,66-1

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA [REDACTED] b7c-1,66-1

Art 136, UCMJ (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

b7c-4,66-4

PAGE 2 OF 2 PAGES

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EVIDIT 5



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**Page(s)**

25-28

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**Referred to:**

U.S. ARMY MEDICAL COMMAND  
FREEDOM OF INFORMATION/  
PRIVACY ACT OFFICE  
ATTENTION: MCFP  
2050 WORTH ROAD, SUITE 13  
FORT SAM HOUSTON, TEXAS  
78234-6013

MR. JOHN PETERSON  
John.Peterson1@cen.amedd.army.mil  
(210) 221-7826

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0096-03-CID919

PAGE 1 OF 1 PAGES

DETAILS

About 0850, 10 Nov 03, this office received a Request for Assistance PFA from 43<sup>rd</sup> Military Police Detachment (MP DET), (CID)(FWD), 10<sup>th</sup> MP Battalion (BN) (CID)(FWD), Camp Iron Horse, Iraq APO AE 09323, requesting this office locate, fully identify and interview CPT [REDACTED] 1SG [REDACTED] and CPT [REDACTED].  
*b7c-3, b6-3* *b7c-3, b6-3* *b7c-3, b6-3*

About 1600, 24 Nov 03, SA [REDACTED], this office, attempted to locate CPT [REDACTED] and it was determined by her former unit that she is currently CONUS assigned at the 113th CSC, Riverside, CA, attached to or from the 176th Medical Group (Higher HQ). A point of contact for her there is Mr. [REDACTED].  
*b7c-1, b6-1, b2*

About 1330, 21 Nov 03, SA [REDACTED] advised CPT [REDACTED] Commander, B Co, 223<sup>rd</sup> Military Intelligence, LSA Anaconda, Balad, Iraq APO AE 09391, who stated he had nothing further to add to the statement he provided during the 15-6 investigation conducted prior, refused to provide sworn statement and requested to speak to a lawyer (see Waiver Certificate for details).  
*b7c-1, b6-1* *b7c-3, b6-3*

About 1345, 21 Nov 03, SA [REDACTED] obtained major case prints and photographs of CPT [REDACTED].  
*b7c-1, b6-1*

About 1641, 24 Nov 03, SA [REDACTED] advised 1SG [REDACTED] B Co, 223<sup>rd</sup> MI, LSA Anaconda, Balad, IZ, who rendered a sworn statement denying all allegations of Unlawful Command Influence (see Waiver Certificate and Sworn Statement for details).  
*b7c-1, b6-1* *b7c-3, b6-3*

About 1650, 24 Nov 03, SA [REDACTED] obtained major case prints and photographs of 1SG [REDACTED] ///Last Entry///  
*b7c-3, b6-3*

*b7c-1, b6-1, b2*

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED]

ORGANIZATION

Balad Branch Office (CID),  
LSA Anaconda, Iraq APO AE 09391

SIGNATURE

DATE

24 Nov 03

EXHIBIT

8 - 29

CID FORM 94  
FEB 77

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EXHIBIT 8

DODDOACID 008834

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 certified
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: CID OFFICE / LSA Anaconda
2 DATE: 21 NOV 03
3 TIME: 1330
4 FILE NUMBER: 0096-03-C10919
5 Name (Last First MI): [Redacted]
6 SSN: [Redacted]
7 GRADE/STATUS: O-3/AR/NG
8 ORGANIZATION OR ADDRESS: B Co, 223rd Military Intelligence LSA Anaconda BALAD, IRAQ APO AE 09391

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 Investigator Command and wanted to question me about the following offense(s) of which I am suspected/accused (Unlawful Command Influence) and 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.

b7c-4, b6-4

(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)

Have you had your rights advise or requested a lawyer in the last 30 days? No

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: [Redacted]
4 SIGNATURE: [Redacted]
5 TYPE: SA
6 ORGANIZATION OR ADDRESS: 367th MP DET (CID) LSA Anaconda BALAD, IRAQ APO AE 09391

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: [Redacted]

STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

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

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EXHIBIT Ex 9

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE  
For use of this form, see AR 190-30; the proponent agency is ODC/SOPS

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 LSA Anacanda CID office	2 DATE 24 NOV 03	3 TIME 1457 R500	4 FILE NUMBER 0096-03-C10889
5 Name (Last First MI) [REDACTED]	6 ORGANIZATION OR ADDRESS 273rd MFI B CO LSA Anacanda Balad, IZ APOAE 09391		
6 SSN [REDACTED]	7 GRADE/STATUS E-8/NG	[REDACTED]	

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

SECTION A. Rights

The investigator [REDACTED] 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: Unlawful Command Influence III  
before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights  
I do not have to answer any questions or say anything  
Anything I say or do can be used as evidence against me in a criminal trial.  
(For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me or both

-or-

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

If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have 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 rights and/or requested a lawyer in the last 30 days? [REDACTED]

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

1a NAME (Type or Print) [REDACTED]	3 SIGNATURE OF INTERVIEWEE [REDACTED]
5 ORGANIZATION OR ADDRESS AND PHONE [REDACTED]	6 ORGANIZATION OF INVESTIGATOR 307th MP Det (CID) LSA Anacanda Balad, IZ APOAE 09391

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

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31  
EXHIBIT 10

In A.P. 1 Nov 03

SWORN STATEMENT

File Number 0096-03-CID919 (RFA)  
Location LSA Anaconda CID Office Balad, IZ APO PE 0930  
Date 24 Nov 01 b7c-4, b6-4 Time 1641 b7c-4, b6-4  
Statement Of [redacted] Grade/Status E-8/NC  
SSN [redacted]  
Org/Address B Co. 223 Military Intelligence LSA Anaconda, Balad, IZ OAPO  
AE 09391 b7c-4, b6-4

I, 1SG [redacted] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: I can't remember the exact date in which SSG [redacted] came to CPT [redacted] and my office to report he was going to follow the rules and report any unusual activity. I asked him what he meant and he made reference to allegations made that weird stuff was happening at Samarra per SGR [redacted]. I told SSG [redacted] to go get SGT [redacted] and have then report to my office immediately. They both came to my office and I asked SGT [redacted] what SSG [redacted] was referring to. Then SGT [redacted] said that it was a 'chamber of horrors,' up in Samarra. I asked him to be specific and he began to tell us some stories of torture and roughing up of some detainees up in Samarra. I asked him if he understands the seriousness of these allegations and that it violated the UCMJ and the Geneva Code and he said he understood. I asked him why he waited until this time to tell us. He made some reference to what was happening to him on his removal as the Team SGT and he wanted to insure that SSG [redacted] was informed. At that time I asked SSG [redacted] to leave and I repeated to SGT [redacted] if he understood the severity of his allegations. He said he knew. I told him we were now obligated to investigate these allegations and I asked him upon the completion of the investigation if his allegation were false that he'd be punished. Again SGT [redacted] said he understood. SGT [redacted] was dismissed and we went to the Brigade JAG officer for advice. The JAG stated we should give SGT [redacted] an opportunity to fill out a sworn statement and present the war crime allegations. The Commander and I called SGT [redacted] back into the office and gave him a blank sworn statement to fill out the allegation that there were war crimes and torturing of detainees had taken place in Samarra. We gave him a certain amount of time to fill it out and when he returned he had not written the statement and he did not want to. I advised SGT [redacted] of the seriousness of his allegations and that we were obligated to investigate the allegations of possible war crimes at Samarra and by him uttering these accusations in front of the Commander it was a statement itself and we would investigate. I wanted him to understand what would happen to him if it were found that they were false allegations and that he could be prosecuted. He said he understood. SGT [redacted] lost his military bearing and demeanor and wanted to contact his lawyer and have him flown in from the U.S. It was bizarre conduct and the Commander put him at ease and dismissed him. The Commander went to JAG to get guidance on how to start the 15-6 investigation of SGT [redacted] allegations of possible war crimes. Afterwards the Commander and I spoke about SGT [redacted] behavior and speculated the recent mortar attack at Samarra had some kind of affect on him. Perhaps medical or psychiatric examination of him would

EXHIBIT \_\_\_\_\_

INITIALS: [redacted]

PAGE 1 OF 3 PAGES

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EXHIBIT EX 10

b7c-4, b6-4

0139-09-130464-60206

SWORN STATEMENT OF 1SG [REDACTED] TAKEN AT THE CID OFFICE, LSA Anaconda, Balad, IZ, 24 Nov 03, CONTINUED

help us to determine his state of mind. Then the Commander filled out the referral and had him escorted over to the Psychiatric evaluator to have him evaluated further. Afterwards the Psychiatrist had evaluated him and determined he was delusional and he was then flown to Landstuhl, Germany for further evaluation. That was the last I saw of SGT [REDACTED] b7c-4, b6-4

Q SA [REDACTED] b7c-4, b6-4

A 1SG [REDACTED] b7c-4, b6-4

Q At any time did you or CPT [REDACTED] b7c-4, b6-4 instruct SGT [REDACTED] b7c-4, b6-4 to retract his allegations?

A Hell no

Q Did you instruct the Psychiatrist to alter the evaluation determination of SGT [REDACTED] b7c-4, b6-4?

A No

Q Did you in any way coerce the Psychiatrist to evaluate SGT [REDACTED] b7c-4, b6-4 as delusional?

A No

Q Did you at any time tell SGT [REDACTED] b7c-4, b6-4 that there would not be an investigation into his allegations?

A. On the contrary, we said we would investigate and then we did conduct the 15-6 investigation

Q Did you at any time try to coerce SGT [REDACTED] b7c-4, b6-4 to change his mind about making allegations of war crimes and to torture of Iraq Detainees?

A No

Q Why do you believe SGT [REDACTED] b7c-4, b6-4 would make these allegations against you?

A I think revenge because we suspected he was a liar about his SEAL training and being a medical student and the removal of him from his leadership position based upon his improper reporting methods which he had been counseled for

Q Is there any other reason you can think of why SGT [REDACTED] b7c-4, b6-4 would make such allegations?

A He had made referral to himself as being instrumental in saving soldiers lives and rendering medical aid during the mortar attack in Samarra. Upon a further investigation by our XO it was determined that he did not perform as he had claimed and he indeed was not able even place a field dressing on an open chest wound because he froze and the medic that was present had to take over.

Q Do you have anything to add to this statement at this time?

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

EXHIBIT \_\_\_\_\_

INITIALS: [REDACTED] b7c-4, b6-4

PAGE 2 OF 3 PAGES

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EXHIBIT Ex 10

[REDACTED] b7c-9, b6-4 AFFIDAVIT

I, [REDACTED] 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. [REDACTED] b7c-9, b6-4

[REDACTED] b7c-9, b6-4  
(Signature of Person Making Statement)

Subscribed and sworn to before me a person authorized by law to administer oaths, this 24th day of NOV 2003 at LSA Anaconda, Balad, IZ.

[REDACTED] b7c-9, b6-1  
(Signature of Person Administering Oath)

SA [REDACTED] b7c-9, b6-1  
(Typed Name of Person Administering Oath)

ARTICLE 136 (b)(4) UCMJ  
(Authority To Administer Oaths)

WITNESS  
\_\_\_\_\_  
\_\_\_\_\_

EXHIBIT \_\_\_\_\_

INITIALS [REDACTED] b7c-9, b6-4  
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LAW ENFORCEMENT SENSITIVE

[REDACTED] b7c-9, b6-4  
PAGE 3 OF 3 PAGES  
... 34  
EXHIBIT EX 10

# AGENT'S INVESTIGATION REPORT

ROI NUMBER

0051-04-CID146

CID Regulation 195-1

PAGE 1 OF 2 PAGES

## DETAILS

**BASIS FOR INVESTIGATION:** At 0926, 18 Feb 04, SA [REDACTED] <sup>67C-1, 66-1</sup> this office, received a Request for Assistance (RFA) from the 43rd Military Police Detachment (CID), Camp Iron Horse, Iraq APO AE 09323-2647 to locate, identify, and interview CPT (Dr) [REDACTED] <sup>67C-4, 66-4</sup> (formerly assigned to the 113<sup>th</sup> Combat Stress Company, Camp Anaconda, Balad, Iraq) to ascertain if she was coerced, or harassed by anyone requesting she recommend SGT [REDACTED] <sup>67C-4, 66-4</sup> B Company, 223rd MI BN, Camp Anaconda, Balad, Iraq, to be removed his unit and redeploy back to the United States for further psychiatric evaluation.

**AGENT'S COMMENT:** SGT [REDACTED] <sup>67C-4, 66-4</sup> stated he witnessed several counter-intelligence agents strike, pull the hair, and force into asphyxiation numerous Iraqi detainees.

About 0900, 4 Mar 04, SA [REDACTED] <sup>67C-1, 66-1</sup> this office, conducted a telephonic interview of CPT [REDACTED] <sup>67C-4, 66-4</sup> CPT [REDACTED] <sup>67C-4, 66-4</sup> stated she conducted a psychiatric evaluation on SGT [REDACTED] <sup>67C-4, 66-4</sup> to determine if he should be sent back to the United States for further treatment. CPT [REDACTED] <sup>67C-4, 66-4</sup> stated SGT [REDACTED] <sup>67C-4, 66-4</sup> commander, CPT [REDACTED] <sup>67C-4, 66-4</sup> (NFI) provided her with statements and other documents at least twice during her psychiatric review of SGT [REDACTED] <sup>67C-4, 66-4</sup> in an attempt to influence her decision. Further, CPT [REDACTED] <sup>67C-4, 66-4</sup> stated CPT [REDACTED] <sup>67C-4, 66-4</sup> went to her commander to try to influence her decision. As a result, CPT [REDACTED] <sup>67C-4, 66-4</sup> stated her chain of command put undue pressure on her which forced her to decide to send SGT [REDACTED] <sup>67C-4, 66-4</sup> back to the United States. CPT [REDACTED] <sup>67C-4, 66-4</sup> stated without a Patient Privacy Release Form, signed by SGT [REDACTED] <sup>67C-4, 66-4</sup>, she would not expound on this matter any further.

**AGENT'S COMMENT:** CPT [REDACTED] <sup>67C-4, 66-4</sup> stated she has since received numerous telephone calls from individuals identifying themselves as reporters in the news media. CPT [REDACTED] <sup>67C-4, 66-4</sup> stated because of that, she required a Patient Privacy Release Form signed by SGT [REDACTED] <sup>67C-4, 66-4</sup> to be obtained before providing any more information.

At 1330, 16 Jun 04, SA [REDACTED] <sup>67C-1, 66-1</sup> this office, coordinated this investigation with COL [REDACTED] <sup>67C-3, 66-3</sup> Rear Detachment Commander, 113<sup>th</sup> Combat Stress Company, Riverside, CA 92506. COL [REDACTED] <sup>67C-3, 66-3</sup> was identified as the rear detachment commander because the rest of the unit was still deployed in support of Operation Iraqi Freedom, and the commander of CPT [REDACTED] <sup>67C-4, 66-4</sup> COL [REDACTED] <sup>67C-3, 66-3</sup> stated once CPT [REDACTED] <sup>67C-4, 66-4</sup> redeployed back to the United States from Iraq, she informed him she felt she was coerced and harassed to decide to send SGT [REDACTED] <sup>67C-4, 66-4</sup> back to the United States for further treatment. However, COL [REDACTED] <sup>67C-3, 66-3</sup> stated CPT [REDACTED] <sup>67C-4, 66-4</sup> did not detail any incidents on who harassed her or to what degree harassment occurred. COL [REDACTED] <sup>67C-3, 66-3</sup> could not provide any further information that would assist in this investigation.

**AGENT'S COMMENT:** COL [REDACTED] <sup>67C-3, 66-3</sup> stated a Patient Privacy Release Form did not need to be obtained from SGT [REDACTED] <sup>67C-4, 66-4</sup> allow CPT [REDACTED] <sup>67C-4, 66-4</sup> to details of the harassment.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED] <sup>67C-1, 66-1</sup>

ORGANIZATION

Fort Irwin Resident Agency (CID),  
Fort Irwin, CA 92310

SIGNATURE

[REDACTED SIGNATURE]

DATE

19 Jun 04

EXHIBIT

35

CID FORM 94  
1 FEB 77

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LAW ENFORCEMENT SENSITIVE

DODDOACID 008840



# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0051-04-CID146

PAGE 2 OF 2 PAGES

DETAILS

About 1245, 19 Jun 04, SA <sup>b7c-1, b6-1</sup> [REDACTED], this office, interviewed CPT <sup>b7c-4, b6-4</sup> [REDACTED] CPT <sup>b7c-4, b6-4</sup> [REDACTED] provided a sworn statement relating she did not encounter any harassment or was coerced in anyway to influence her decision to have SGT <sup>b7c-4, b6-4</sup> [REDACTED] redeployed from Iraq back to the United States for psychiatric evaluation. (See Sworn Statement of CPT <sup>b7c-4, b6-4</sup> [REDACTED] for details).

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

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED] <sup>b7c-1, b6-1</sup>

ORGANIZATION

Fort Irwin Resident Agency (CID),  
Fort Irwin, CA 92310

SIGNATURE

[REDACTED]

DATE

19 Jun 04

EXHIBIT

11 . . . . 36

CID FORM 94  
1 FEB 77

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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 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 113TH MED CO, Garden Grove, CA 92841
2. DATE (YYYYMMDD) 2004/06/19
3. TIME 1245
4. FILE NUMBER 0051-04-CID146
5. LAST NAME FIRST NAME MIDDLE NAME
6. SSN
7. GRADE/STATUS O-3/ CPT

ORGANIZATION OR ADDRESS 113th Medical Company, 7070 Paterson Drive, Garden Grove, CA 92841 b7c-4, b6-4

9. CPT [redacted] b7c-4, b6-4, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I arrived in Iraq in around May 2003. I worked at Balad as a phyciatrist. Our unit was a Combat Stress unit that was responsible for providing support services to soldiers exposed to combat stress in Iraq. In approximately June 2003, I evaluated SGT [redacted] for two consecutive days. SGT [redacted] was command referred to me. I can't remember the exact reason, but the concern of the command was that the soldier was reporting to people that he was a doctor and was living in a castle. Following my initial evaluation of SGT [redacted] I did not have a recommendation to send SGT [redacted] out of Iraq for further evaluation. This initial finding was provided to the chain of command of SGT [redacted]. Later on the same day that the recommendations had been given to the chain of command, I had three encounters with the Company Commander of SGT [redacted] who was CPT [redacted]. The first time, CPT [redacted] came and asked what the evaluation was and what the plan was. I told him my findings and told him that we needed to further evaluate SGT [redacted]. CPT [redacted] appeared dissatisfied; you could see a concern in him. He was saying that he would come back the same day with proof of what the concern was about. CPT [redacted] came back later that same day with approximately 6 sworn statements from the unit, and told me that he had initiated a 15-6 investigation in response to allegations made by SGT [redacted]. Two or Three of the statements were from soldiers that were being investigated. About 2300 that evening, I was returning to my tent and when I walked by my commander (LTC [redacted]), I was approached by a soldier who stated LTC [redacted] wanted to talk to me. LTC [redacted] and 1SG [redacted] our 1SG, were there with SGT [redacted] medical chart. After that, the 3 of us and CPT [redacted] who was my psychiatric nurse met with CPT [redacted]. In that meeting, the Battalion Commander and 2 soldiers from JAG, as well as the XO from the MI unit were in there. I can't remember the details of what happened at the meeting. I was upset when I got to the meeting because I was not expecting this kind of big meeting. Some of the people from the MI unit gave me input and more information about what were some of the circumstances regarding why SGT [redacted] had been sent to be evaluated. I was told by one of the people at the meeting about an event where a soldier was injured and SGT [redacted] approached the soldier and posed as a doctor or medic and attempted to treat the wounded. I told CPT [redacted] that we would see SGT [redacted] the following morning at 0700 in the morning because our schedule was booked for the rest of the day. Following the second meeting with SGT [redacted] I recommended to CPT [redacted] that SGT [redacted] be medically evacuated from Iraq for further evaluation.

b7c-4, b6-4

Q: Who was the XO from the MI unit?

A: I don't remember.

Q: Who was the Battalion Commander?

A: I don't remember. b7c-4, b6-4

Q: Did CPT [redacted] ever tell you what he wanted you to do about SGT [redacted]?

A: No

Q: If your evaluation of SGT [redacted] did not find it necessary for him to be removed from Iraq, why did you later refer him to Germany for further treatment?

A: Following receipt of more information during the 2300 meeting and because of the 2nd evaluation of SGT [redacted], which occurred the morning following the 2300 meeting b7c-4, b6-4

Q: Were you told during the 2300 meeting that SGT [redacted] needed to be removed from Iraq to cover up the allegations he was making?

A: No.

Q: Was it suggested to you during the 2300 meeting that SGT [redacted] needed to be removed from Iraq to cover up the allegations he was making?

Q: Is it uncommon to have a meeting such as the one you had at 2300 hours?

A: In a war zone anything goes

Q: Have you ever changed your recommendation regarding a soldier within a 24 hour time period such as you did with SGT [redacted]?

A: It depends on the information you get. b7c-4, b6-4

10 EXHIBIT 11 INITIALS OF PERSON MAKING STATEMENT PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED 00.37

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

9 STATEMENT (Continued)

Q: At the 2300 meeting, did any of the 223rd MI BN personnel relay to you that they wanted you to change your initial recommendation to have SGT [REDACTED] left in Iraq? b7c-4, b6-4

A: No, but they stated they had a small unit and that the work of a MI unit is based on trust and if there is not trust, the unit can not function efficiently.

Q: Do you remember who told you this?

A: No.

Q: Did them telling you this influence your decision the following day to have SGT [REDACTED] removed from Iraq? b7c-4, b6-4

A: I cannot answer that due to it being privileged information between SGT [REDACTED] and me. b7c-4, b6-4

Q: Do you feel that you changed your initial finding regarding SGT [REDACTED] faster than usual due to feed back you received at the 2300 meeting? b7c-4, b6-4

A: No.

Q: Were you ever approached by members of the 223rd MI BN and told to remove SGT [REDACTED] from Iraq in order to cover up his allegations? b7c-4, b6-4

A: No.

Q: Were you ever told by anyone that SGT [REDACTED] had to be removed from Iraq in order to cover up his allegations? b7c-4, b6-4

A: No.

Q: Were you ever told that if you did not have SGT [REDACTED] removed from Iraq, you would have to stay in Iraq for a longer period of time? b7c-4, b6-4

A: No.

Q: Were you ever threatened or coerced by anyone regarding your treatment of SGT [REDACTED]? b7c-4, b6-4

A: No.

Q: Were you ever pressured to have SGT [REDACTED] removed from Iraq? b7c-4, b6-4

A: No.

Q: Do you know that providing a statement to law enforcement that is false is against the law?

A: Yes.

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

A: No ///END OF STATEMENT/// [REDACTED] b7c-4, b6-4

AFFIDAVIT

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

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

WITNESSES.

[REDACTED] b7c-3, b6-3  
CPT, USAR, JA  
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19TH day of JUNE, 2004 at Garden Grove, CA

[REDACTED] b7c-4, b6-4, b2  
(Signature of Person Administering Oath)

22ND LSO  
LDS ALAMITOS JFRTC  
ORGANIZATION OR ADDRESS

ARTICLE 136(b)(4)

(Authority To Administer Oaths) 38

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 2 PAGES

0562-03-CID616

AGENT'S INVESTIGATION REPORT

012-03-CID576N

CID Regulation 195-1

PAGE 1 OF 1 PAGE(S)

BASIS FOR INVESTIGATION: About 1600, 18 Jul 03, SA [redacted] was notified by LTC [redacted] Office of the Staff Judge Advocate, California Army National Guard, 9800 Goethe Rd, Sacramento, CA 95826, of alleged war crimes.

About 1700, 18 Jul 03, SA [redacted] interviewed SGT [redacted] Det B, 223 MI BN. SGT [redacted] reported he had witnessed his team members physically abuse Iraqi detainees (see stmt for details).

AGENT'S NOTE: SGT [redacted] is scheduled to demobilize at Ft Lewis, but does not know the exact date. SGT [redacted] was very detailed in his description of the events he reported. SGT [redacted] appeared sincere, and credible in his reporting. ///End of Statement///

b7c-b b6-1, b2

SA [redacted]

170<sup>th</sup> MP Det (CID) CA-ARNG  
3250 Meadowview Rd,  
Sacramento, CA 95832

Signature [redacted]

Exhibit

21 JUL 03

B. 600 39

CID Form 94

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SWORN STATEMENT

0362-03-CID016

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

LOCATION Office of The Staff Judge Advocate	DATE 18 Jun 2030	TIME 2030	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	NUMBER [REDACTED]	GRADE/STATUS SGT/AD
ORGANIZATION OR ADDRESS 1700 MP Det CID 3250 Meadowview Rd, Sacramento, CA 95832			

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

About April 15, 2003 I was reassigned to THT 67 from THT 64. My team consisted of SSG [REDACTED], SGT [REDACTED], SPC [REDACTED] and myself. We are all 97B Counter-Intelligence Agents assigned to Det B, 223 MI BN. My team was working in the city of SAMARRA, IRAQ. We were working out of a former police station. My teams mission was to gather force protection directive. After about the second interrogation session I noticed the use of force used by the other team members was escalating. I noticed more physical contact, striking, hair pulling, being forced into forced air positions. The forced asphyxiating positions resulted in 4 detainees requiring medical intervention by myself, as witness by several soldiers from the MP company and Motar company, and Iraqi linguist, that were sharing the same building. During that same time frame I also observed staged executions, that were staged by SGT [REDACTED] and SSG [REDACTED] using M16 rifles and 9mm pistols. After the fourth Iraqi detainee collapsed from respiratory arrest, I revived him and then I told SSG [REDACTED] that if anyone else collapsed he would be facing courts-martial charges and I would provide evidence to the prosecutor. Two days later I stepped in to medically check on an Al Quds Saddam Fedayeen militia man under interrogation by SPC [REDACTED] and SPC [REDACTED]. The detainee was clearly suffering brutality. The detainee was on his back and SPC [REDACTED] had his knee and full weight on the detainees sternum, directly over the heart. I told [REDACTED] he was out of line and [REDACTED] told me to shut up. I stepped out to get a bottle of water for the detainee and came back in and [REDACTED] had the detainee on his knees, bent over with his head on the ground, and his arms restrained behind his back, with [REDACTED] knee on his head and [REDACTED] jerking the detainees arms towards the ceiling. The detainee was screaming. The next day I requested relief from that position and return to BELED AFB. Two weeks later I returned to BELED AFB. Once I arrived I went to CPT [REDACTED] office, who is my company commander. I told him I was requesting an investigation into interrogation brutality used by my three team members. CPT [REDACTED] accused me of lying and said I had no integrity. He said I had 30 seconds to withdraw the request or he was going to send me forcibly to go see a psychiatrist. I told him I was not going to withdraw my request and at that time he confiscated my weapon and informed me he was withdrawing my security clearance and was placing me under 24 hour surveillance. The next day I was evaluated by CPT [REDACTED] and CPT [REDACTED]. They determined I was stable and scheduled me for a June 25th follow up appointment, that evening I received information that CPT [REDACTED] and LTC [REDACTED] visited the psychiatrist for about two hours. At 0600 the next morning I was informed that I had an emergency appointment at 0700. When I arrived at my appointment CPT [REDACTED] and CPT [REDACTED] informed me that I was making an emergency move out of theater. They made this determination based on the fear they had for my safety. Later that evening after I had the appointment I spoke with CPT [REDACTED] about what I had reported and he informed me he had been appointed the AR15-6 investigating officer. I question him on the validity of him being the AR 15-6 officer when in fact he was the THT67 former OIC and the conflict of interest it posed. The next evening I was flown to Landstuhl Germany. While I was waiting for my flight to Germany I spoke with CPT [REDACTED] again and he informed me that he had been taking off of the investigation and didn't think there was going to be an investigation.

- Q: Who was in charge of your team?
- A: SSG [REDACTED]
- Q: Were there any officers from your unit at SAMARRA?
- A: No.
- Q: About how many brutal interrogations did you observe?
- A: 5-6.
- Q: Did your team get briefed on use of force during interrogations?
- A: Yes we did receive briefings on treatment of EPWs or detainees and were told we were not authorized to brutalize or mistreat them nor were we to subject them to extrem physical or psychological duress.
- Q: Was your mission clearly defined?
- A: Yes.
- Q: What was your mission?
- A: To gather intelligence as it related to force protection.
- Q: Are interrogations part of that gathering?
- A: No. 97Bs conduct interviews not interrogations. 97Es are trained interrogators and they are the ones that conduct interrogations.
- Q: Did anyone order you to conduct these interrogations?
- A: No.

EXHIBIT [REDACTED] b7c-4, b6-4	INITIALS OF PERSON MAKING STATEMENT [REDACTED] b7c-4, b6-4	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADLINE ELEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_ CONTINUED.  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_\_\_ OF \_\_\_\_\_ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

STATEMENT (Continued)

Q: Why were you performing medical aid?

A: I'm also an MOS trained army medic.

Q: Did any of the detainees suffer permanent injuries?

A: There were life threatening instances that had I not provided medical attention they would have died.

Q: Explain the staged executions?

A: They would point weapons at the detainees and tell them they were going to shoot them if they didn't talk. They would pretend to lock and load the weapon or work the breach mechanism and then place it against their head and say they were going to kill them.

Q: Who did you witness do this? *b7c-4, b6-4*

A: I came in once when SSG [redacted] was in the process of pulling his 9mm pistol away from the face of one of the detainees.

Q: Was there a log that indicated the physical condition of the detainees when they arrived and left?

A: There was a receiving log, but I'm unaware as to entries relating to the physical or medical condition upon leaving the facility.

Q: Did any of your teammates threaten you when you said you were going to report this?

A: No.

Q: Other than the instances of brutality you observed in SAMARRA did you witness any other mistreating of detainees?

A: No. *b7c-4, b6-4*

Q: Who is LTC [redacted]?

A: He is the 223 MI BN Commander.

Q: Who is CPT [redacted]?

A: He is the company XO.

Q: Approximatley how long were in SAMARRA?

A: About 5 weeks.

Q: During that time did you report these instances of brutality to anyone?

A: I tried to control it within the group, but that failed.

Q: Did the chain of command know this was going on prior to you reporting this to CPT [redacted] at BELED AFB?

A: At one time CPT [redacted] and 1SG [redacted] visited the SAMARRA site and I told them SSG [redacted] was getting carried away with his interrogations, as evidence by the broken furniture in the interrogation room. *b7c-4, b6-4*

Q: What did they say about this information?

A: They didn't say anything, they just gave a look like they didn't want to here it.

Q: Is there anything else you would like to add to this statement? *b7c-4, b6-4*

A: [redacted] (Saddam Hussein's right hand man and finance minister) was one of the detainees interrogated by my team and he was clearly mistreated, and struck by rolled up newspaper, by SSG [redacted]. I measured Mr [redacted] blood pressure several times during the interrogation and one time it was 190/120, which is in cardio vascular accident range. This did not stop them from continuing the interrogation. I told the team to leave and Mr [redacted] begged me not to leave him alone with this group, because he felt that he would be killed. I provided him with medical escort to TIKRIT the next morning to insure his physical well being. *b7c-4, b6-4*

Q: Is there anything else you would like to add to this statement?

A: I would like further add that the team was immature (first time active duty, first mission as counter-intel agents) lacked proper supervision and direction.

End of Statement

AFFIDAVIT

I, [redacted] *b7c-4, b6-4*, 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:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

[redacted] *b7c-4, b6-4*  
(Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18 day of July, 2003 at Office of the Staff Judge Advocate.

[redacted] *b7c-1, b6-1*  
(Signature of Person Administering Oath)

SA [redacted] *b7c-1, b6-1*  
(Typed Name of Person Administering Oath)

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

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EXHIBIT 14

0512 03-CID016

<b>CRIMINAL INFORMATION REPORT</b> <i>CID Regulation 195-XX</i>		1. DATE PREPARED 22 Jul 2003
2. PREPARING OFFICE 170th MP Det CID, CA-ARNG, 3250 Meadowview Rd, Sacramento, CA	3. SEQUENCE/ROI NUMBER 012-03-CID576	
4. TITLE (Principals, Firms, Organizations, etc.)	<i>NO, USACIDC USE ONLY</i>	
	DATE RECEIVED	
5. OFFENSE/TYPE OF INFORMATION WAR CRIME	CASE NUMBER	
6. SYNOPSIS The purpose of this report is to clarify the address block on the sworn statement of SGT [redacted] <sup>b7C-4) b6-4</sup> 18 Jul 03. SGT [redacted] <sup>b7C-4) b6-4</sup> is a California National Guard member who is on title 10 status. When asked what his current unit of assignment was SGT [redacted] <sup>b7C-4) b6-4</sup> was unsure, because he was sent out of theater by his chain of command without orders and was unsure if he had been re-assigned to another unit; therefore, the 170th MP Det CID address was used. In addition all of the persons named in the above mentioned statement are all title 10 soldiers serving in Iraq.		
DISTRIBUTION ( <i>Warning: This is an internal USACIDC document. It is not to be disseminated outside USACIDC channels under any circumstances.</i> )		

CID FORM 97-E  
1 JUN 76

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10042

EXHIBIT 5 4

# AGENT'S INVESTIGATION REPORT

ROI NUMBER

0562-03-CID016-

CID Regulation 195-1

PAGE 1 OF 3 PAGES

**DETAILS**

About 0900, 28 Jul 03, this office received a Memorandum of Transmittal (MOT) from SA [REDACTED] <sup>b7c-1, b6-1</sup>  
 [REDACTED], 170<sup>th</sup> MP Detachment (CID), Sacramento, CA 98532 (SACA). The AIR stated on 18 Jul  
 03, their office was notified by LTC [REDACTED], Office of the Staff Judge Advocate, California  
 Army National Guard (CAANG), SACA of alleged war crimes. Further, SA [REDACTED] had interviewed a <sup>b7c-1, b6-3</sup>  
 SGT [REDACTED], Detachment B, 223 Military Intelligence Battalion, who provided a <sup>b7c-1, b6-1</sup>  
 Sworn Statement detailing he had witnessed his team members, SSG [REDACTED] <sup>b7c-1, b6-4</sup>  
 [REDACTED] SGT [REDACTED] and SPC [REDACTED] <sup>b7c-1, b6-4</sup>  
 all of 223 MI  
 Bn, commit acts of physical brutality while interrogating Iraqi detainees. (See Sworn Statement for  
 details)

At 0910, 28 Jul 03, SGT [REDACTED] <sup>b7c-4, b6-4</sup> telephonically contacted CW4 [REDACTED] <sup>b7c-3, b6-3</sup>, 22nd MP BN  
 (CID), Fort Lewis, WA 98433 (FLWA) to report his current whereabouts. SGT [REDACTED] <sup>b7c-4, b6-4</sup> related he is  
 currently at Ft Lewis with 2122nd Garrison Support Unit where he believes he will be undergoing a <sup>b7c-4, b6-4</sup>  
 medical review board and demobilization. SGT [REDACTED] wanted to provide further information <sup>b7c-4, b6-4</sup>  
 pertaining to the detainee whom he alleged was cruelly mistreated. SGT [REDACTED] <sup>b7c-4, b6-4</sup> advised the  
 [REDACTED] soldier would not identify himself while other soldiers were present. The detainee did  
 speak to SGT [REDACTED] after the other MI interrogators departed and told SGT [REDACTED] <sup>b7c-4, b6-4</sup> his name was

[REDACTED] SGT [REDACTED] further related this allegation had four-star general interest. <sup>b7c-3, b6-3, 4</sup>  
 When asked by SA [REDACTED] who that four-star general officer was, SGT [REDACTED] <sup>b7c-4, b6-4</sup> identified him as  
 [REDACTED] SGT [REDACTED] further related he has attained a lawyer, 1LT [REDACTED] <sup>b7c-3, b6-3</sup> CA ARNG. His  
 telephone number is [REDACTED] SGT [REDACTED] obtained this lawyer in both his CAARNG and <sup>b7c-4, b6-4</sup>  
 civilian capacity. SGT [REDACTED] may be reached at the cell phone number he previously provided to SA <sup>b7c-4, b6-4</sup>  
 [REDACTED] 170th MP Det (CID), CAARNG. SA [REDACTED] advised SGT [REDACTED] <sup>b7c-4, b6-4</sup> that his statement  
 would be passed on to our forward deployed investigative unit. SA [REDACTED] <sup>b7c-4, b6-4</sup> asked that SGT [REDACTED]  
 keep her apprised of his whereabouts in the event further information was needed from him.

About 1700, 28 Jul 03, SA [REDACTED] <sup>b7c-4, b6-4</sup> interviewed SGT [REDACTED] <sup>b7c-4, b6-4</sup> who provided a Sworn Statement  
 further detailing the incidents which took place with his team members prior to leaving Iraq. SGT  
 [REDACTED] stated he had requested to be transferred from the team about 1 Jun 03 and was sent to Beled <sup>b7c-4, b6-4</sup>  
 Air Force Base on 15 Jun 03. SGT [REDACTED] stated following a discussion with SGT [REDACTED] (NFI), the <sup>b7c-4, b6-4</sup>  
 Counter Intelligence Agent who would be replacing him, he told CPT [REDACTED] <sup>b7c-4, b6-4</sup> the 223 MI  
 Detachment Commander he wanted to initiate an investigation into the war crimes. SGT [REDACTED] <sup>b7c-4, b6-4</sup>  
 explained CPT [REDACTED] and the First Sergeant, MSG [REDACTED] (NFI) told him they were forcing him <sup>b7c-4, b6-4</sup>  
 to see the psychiatrist and would not be opening an investigation. SGT [REDACTED] related he was then <sup>b7c-4, b6-4</sup>  
 placed on 24-hour surveillance. SGT [REDACTED] stated CPT [REDACTED] and MSG [REDACTED] met with the <sup>b7c-4, b6-4</sup>  
 psychiatrist that night and scheduled an emergency evaluation, which occurred the following day.  
 SGT [REDACTED] related he met with the psychiatrists, who he believed were coerced by his commander <sup>b7c-4, b6-4</sup>  
 and first sergeant, and subsequently ordered his removal from theater. SGT [REDACTED] stated he was <sup>b7c-4, b6-4</sup>

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED] <sup>b7c-1, b6-1, b2</sup>

ORGANIZATION

44<sup>th</sup> Military Police Detachment (CID), PO Box  
331009, Fort Lewis, WA 98433-0009

SIGNATURE

[REDACTED SIGNATURE]

DATE

31 Jul 03

EXHIBIT

16-00043

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EXHIBIT 16



# AGENT'S INVESTIGATION REPORT

ROI NUMBER

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**DETAILS**

evaluated again by psychiatrist at Brooke Army Medical Center, Fort Sam Houston, TX, who initiated an Inspector General (IG) investigation into the psychiatric evaluation and treatment he received in Iraq. (See Sworn Statement for Details)

About 1300, 30 Jul 03, SGT [redacted] <sup>b7c-4, b6-4</sup> provided this office with copies of medical documentation provided to him by the psychologists in Iraq, Germany and BAMC. A review of the documents indicated SGT [redacted] was seen by CPT [redacted] in Iraq on 18 Jun 03 and then subsequently <sup>b7c-4, b6-4</sup> transported to Landstuhl, Germany for further examination. The report from Iraq indicated SGT [redacted] had "questionable delusions or they are real (ongoing 15-6)". SGT [redacted] was seen in Landstuhl by <sup>b7c-4, b6-4</sup> Dr. [redacted] (NFI), Psychiatrist, who provided Medical Record Supplemental Data sheet, 23 Jun 03 of his examination of SGT [redacted]. Dr. [redacted] report indicated SGT [redacted] was of stable mental <sup>b7c-4, b6-4</sup> condition with questionable bi-polar disorder. Dr. [redacted] recommendations were for SGT [redacted] to <sup>b7c-4, b6-4</sup> return to home station in California with follow up. SGT [redacted] provided a copy of the Chronological <sup>b7c-4, b6-4</sup> Record of Medical care provided by Dr. [redacted] BAMC, Fort Sam Houston, TX. The report indicated MAJ [redacted] evaluated SGT [redacted] after arriving to BAMC by medevac flight from <sup>b7c-4, b6-4</sup> Londstuhl, Germany. No evidence or history of bi-polar disorder existed and SGT [redacted] was <sup>b7c-4, b6-4</sup> medevaced from Iraq without being diagnosed. Further, Dr. [redacted] examination indicated <sup>b7c-4, b6-4</sup> SGT [redacted] was in stable mental condition. <sup>b7c-4, b6-4</sup>

About 1000, 30 Jul 03, SA [redacted] <sup>b7c-4, b6-4</sup> interviewed MAJ [redacted] <sup>b7c-3, b6-3</sup> Brooke Army Medical Center (BAMC), Mental Health Services, Fort Sam Houston, TX. MAJ [redacted] related <sup>b7c-3, b6-3</sup> he evaluated SGT [redacted] after his being evacuated to BAMC from Iraq. MAJ [redacted] stated SGT <sup>b7c-3, b6-3</sup> [redacted] disclosed the events following his allegations of abuse to Iraqi detainees by American soldiers while stationed in Iraq. MAJ [redacted] stated the procedures described by SGT [redacted] were <sup>b7c-3, b6-3</sup> inconsistent with Command Directed Psychological Evaluation procedure. Further, that he and COL [redacted] advised SGT [redacted] to file a complaint with the Inspector General's Office, which he <sup>b7c-3, b6-3</sup> subsequently did. MAJ [redacted] stated SGT [redacted] was seen by Dr. [redacted] in Landstuhl, <sup>b7c-3, b6-3</sup> Germany while en route to BAMC. MAJ [redacted] stated SGT [redacted] was evacuated to Germany with <sup>b7c-3, b6-3</sup> no diagnosis and no evidence of any psychological disturbance. MAJ [redacted] related he received <sup>b7c-3, b6-3</sup> paperwork from Germany including a Mental Status Exam sheet indicating SGT [redacted] was in stable <sup>b7c-3, b6-3</sup> mental condition with questionable bi-polar disorder; however, the bi-polar indication was probably due to what was said by psychologists in theater. MAJ [redacted] stated an examination of SGT [redacted] <sup>b7c-3, b6-3</sup> revealed no evidence or history of bi-polar disorder and SGT [redacted] appeared to be in sound mental <sup>b7c-3, b6-3</sup> condition. MAJ [redacted] stated he was surprised SGT [redacted] was evacuated at all. <sup>b7c-3, b6-3</sup>

AGENTS COMMENT: SGT [redacted] <sup>b7c-4, b6-4</sup> related he had sensitive information of intelligence value which would be vital to the war effort. SA [redacted] 902<sup>nd</sup> MI Bn, FLWA, was contacted and came to <sup>b7c-4, b6-4</sup> this office and interviewed SGT [redacted]. SA [redacted] related SGT [redacted] seemed to have credible <sup>b7c-4, b6-4</sup>

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA [redacted] <sup>b7c-4, b6-4</sup>		44 <sup>th</sup> Military Police Detachment (CID), PO Box 331009, Fort Lewis, WA 98433-0009	
SIGNATURE		DATE	EXHIBIT
[redacted signature]		31 Jul 03	1600044

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EXHIBIT 16

# AGENT'S INVESTIGATION REPORT

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**DETAILS**

information which may be of value and that he would be de-briefed by his office the following day. On 31 Jul 03, SGT [REDACTED] contacted this office and stated Special Agents from 902<sup>nd</sup> MI Bn advised him of his rights, which he invoked and requested a lawyer. Numerous coordination was made between SGT [REDACTED] attorney, 6<sup>th</sup> MP Group (CID) SJA, 902<sup>nd</sup> MI Bn and 201<sup>st</sup> MI Bn, FLWA to enable SGT [REDACTED] to be thoroughly de-briefed. SGT [REDACTED] stated he had given the 902<sup>nd</sup> MI Bn all of the information he knew, but stated it would need to be further developed to be of value. SGT [REDACTED] indicated he would be willing to talk to 902<sup>nd</sup> MI Bn only with an attorney present. Further, 201<sup>st</sup> MI Bn declined to interview SGT [REDACTED].

About 1045, 4 Aug 03, SGT [REDACTED] provided this office with a copy of a memorandum signed by CPT [REDACTED] dated 15 Jun 03. The memorandum was a Command Referral for SGT [REDACTED] to receive psychiatric assessment by 113 Medical Company. The memorandum states SGT [REDACTED] made "boastful statements" regarding his past accomplishments and that CPT [REDACTED] obtained several Sworn Statements contradicting this. The memorandum stated SGT [REDACTED] claimed to be a Navy Seal during Vietnam, that his family owns a castle in Eurpoe, that he is part American Indian, that he worked for president Nixon, that he is a Doctor and that he saved a soldiers life during a mortar attack. SA [REDACTED] interviewed SGT [REDACTED] concerning the details of the memorandum he provided. SGT [REDACTED] further provided copeis of a Performance Evaluation Reports, dated 16 Jul 82 and 20 Mar 82, indicating he was assigned to a Seal Team as a medic, a copy of a certificate for honorary membership in Clan Macrae, a clan in Scotland which owns Eilean Donan Castle, a copy of his birth certificate indicating his ethnicity as American Indian, a copy of a memorandum indicating the completion of Security Investigation for assignment to Presidential Support Detail, dated 25 Mar 74, a copy of a certificate from the Clayton School of Natural Healing, awarding the degree of Doctor of Naturopathy and a copy of SGT [REDACTED] Bachelor of Arts in Anthropology Certificate from California State University. SGT [REDACTED] stated he did in fact save a soldiers life during a mortar attack and the Command Referral for Psychiatric Assessment was done in order to keep his allegations from being substantiated. ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED]

ORGANIZATION

44<sup>th</sup> Military Police Detachment (CID), PO Box 331009, Fort Lewis, WA 98433-0009

SIGNATURE

[REDACTED SIGNATURE]

DATE

31 Jul 03

EXHIBIT

16-00045

CID FORM 94  
1 FEB 77

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LAW ENFORCEMENT SENSITIVE

EXHIBIT 16

SWORN STATEMENT

File Number : 0562-03-CID016-5C1A  
 Location : Fort Lewis, WA  
 Date : 28 Jul 2003  
 Statement Of : [REDACTED] b7c-4, b6-4  
 SSN : [REDACTED]  
 Org/Address : B DETACHMENT, 223 MILITARY INTELLIGENCE, SACRAMENTO, CA

Time: 1723 <sup>2115</sup> [REDACTED] b7c-4, b6-4  
 Grade/Status: [REDACTED] SGT

I, [REDACTED] b7c-4, b6-4, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:  
 This statement is being made to clarify and elaborate details of my previous statement made to CID.

Q: SA [REDACTED] b7c-4, b6-4  
 A: SGT [REDACTED] b7c-4, b6-4  
 Q: Why were you reassigned to THT 67?  
 A: The Company commander was removed from command at BELED and CPT [REDACTED] who was the XO was moved into the commander's position. When that happened, several of the team leader positions were moved around. CPT [REDACTED] b7c-4, b6-4, who was assigned as the team leader for THT 67, became the Company XO, and I was moved to THT 67, this occurred around 15 Apr 03.  
 Q: Was there an officer assigned to THT 67 at that time?  
 A: No, not after CPT [REDACTED] moved. b7c-3, b6-3  
 Q: You were moved from THT 64, who commanded that team?  
 A: CPT [REDACTED] b7c-3, b6-3  
 Q: When did the interrogations start?  
 A: We got to SAMARA around 10 May 03, after a couple of nights the team began conducting interviews and the interrogations began around the third night we were there, after we were attacked.  
 Q: When did the brutality begin to occur?  
 A: Pretty much after our first attack, they began to escalate. The prisoners would get their hair pulled, be thrown into walls, etc. and they escalated over a period of time. Eventually, there were staged executions, intense physical duress and being forced into asphyxiating positions.  
 Q: Describe the physical duress?  
 A: Leaning on the prisoners chests with their knees, pulling their arms, physically striking them. Forcing the prisoners on their knees and ordering them to lean over until they couldn't breathe. That actually caused respiratory arrest on four occasions, the prisoner's collapsed and quit breathing.  
 Q: Did you perform CPR?  
 A: No, I did a diaphragm push on their chest, enabling their breathing to begin again.  
 Q: What do you mean by staged executions?  
 A: The interrogators would hold a weapon to the prisoner's head, chamber rounds, threaten the prisoner's life.  
 Q: Who conducted these?  
 A: SSG [REDACTED] and SGT [REDACTED] b7c-4, 4, b6-4, 4  
 Q: Did SPC [REDACTED] participate in these?  
 A: Not the staged executions, that I know of. b7c-4, 4, b6-4, 4  
 Q: Did anyone witness any of these interrogations?  
 A: I believe SPC [REDACTED] and SSG [REDACTED] I don't know his first name, may have, they were attached to the 223rd MI as linguists. Also, SFC [REDACTED] who was assigned to Civil Affairs and detailed to us as an interpreter on a few occasions. b7c-3, 3, b6-3, 3  
 Q: Did you discuss these incidents with any of them?  
 A: No. [REDACTED] b7c-4, b6-4

Exhibit: [REDACTED] b7c-4, b6-4 INITIALS [REDACTED] b7c-4, b6-4 PAGE 1 OF 4  
 FOR OFFICIAL USE ONLY EXHIBIT 17 [REDACTED] 5  
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b7c-4, b6-4

0562-03-CLD016-5C1A

STATEMENT OF [REDACTED]  
TAKEN AT Fort Lewis, WA DATED 28 Jul 2003 CONTINUED.

Q: When did you request reassignment?

A: On 1 Jun 03.

Q: Who did you request reassignment to?

A: To SSG [REDACTED] then to SGT [REDACTED] Oversight Management b7c-3,4, b6-3,4 Team, who helped us with reports. SGT [REDACTED] was a good friend b7c-3, b6-3 of SSG [REDACTED]. SSG [REDACTED] didn't say anything when I b7c-4, b6-4 explained to him why I wanted to be reassigned, because of the brutality. I was reassigned on the 15th and sent to BELED AFB.

Q: Who did you initially report this to?

A: SGT [REDACTED] came to me. Apparently they were trying to find b7c-4, b6-4 replacements for me but noone wanted the job because of the rumors floating around about the brutality. SGT [REDACTED] came to me b7c-4, b6-4 and asked if the rumors were true and I said yes and told him what had happened. SGT [REDACTED] had accepted the offer to replace me b7c-4, b6-4 and he requested I go CPT [REDACTED] the battle CPT of the b7c-4, b6-4 Oversight Management Team. I saw CPT [REDACTED] and related what happened. CPT [REDACTED] directed me to go and tell the Commander, b7c-4, b6-4 CPT [REDACTED].

Q: Describe what happened when you saw CPT [REDACTED]? b7c-4, b6-4

A: I went in with SGT [REDACTED] and said I wanted to request an b7c-4, b6-4 investigation into my teams brutality of Iraqi detainees. He said "Stop right there" and SGT [REDACTED] told the CPT if this was b7c-4, b6-4 going on that he was going to stop it. At that point, CPT [REDACTED] b7c-4, b6-4 told everyone in the room except MSG [REDACTED] to leave. CPT b7c-4, b6-4 [REDACTED] then said "you have thirty seconds to withdraw this b7c-4, b6-4 request, or else you're going to see the psyche." He asked what I expected to accomplish from this and I explained I wanted him to get the team off sight before they kill somebody. He stated it was their word against mine and I said we should have an investigation and give them polygraphs. At that point, both of them jumped up and CPT [REDACTED] asked if I was willing to take one b7c-4, b6-4 and I said I would be the first one. MSG [REDACTED] then said it b7c-4, b6-4 would be inadmissible. CPT [REDACTED] then said he had heard enough b7c-4, b6-4 and I was going to see the Psychiatrist.

Q: What happened then?

A: He sat down and started typing and told me to get out. I walked over to our team room and they came in and ordered me to surrender my weapon and ammunition and stated they were pulling my security clearance. They then said I was being placed on 24 hour surveillance. I asked if I was restricted from getting on the internet and he said that I could. I then went and e-mailed my lawyer and explained what was happening. That night, CPT [REDACTED] and LTC [REDACTED] went and spoke to the psychiatrist. b7c-3,4, b6-4

Q: How do you know this?

A: SGT [REDACTED] who was assigned to keep an eye on me told me they b7c-3, b6-3 went and saw the psychiatrists and that I had an emergency appointment at 0700 in the morning. He said they spent at least two hours with the psychiatrists.

Q: When did you first see the psychiatrist?

A: The next day, I was escorted by SFC [REDACTED] by order b7c-3, b6-3 of the commander. I spoke to psychiatrists CPT [REDACTED] and CPT b7c-3,3, b6-3,3 [REDACTED]. The next day I was sent to the hospital for two days b7c-3, b6-3 awaiting for a flight. That's when CPT [REDACTED] and SPC b7c-3, b6-3 [REDACTED] came and visited me. b7c-3, b6-3

Q: What did they say?

A: They wanted to see how I was doing and how I was feeling and [REDACTED]

Exhibit: \_\_\_\_\_

INITIALS [REDACTED]

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PAGE 2 OF 4

EXHIBIT \_\_\_\_\_

b7c-4, b6-4 [redacted] 0562-03-C12016-5C1A

STATEMENT OF [redacted]  
TAKEN AT Fort Lewis, WA DATED 28 Jul 2003 CONTINUED.

b7c-4, b6-4

[redacted] we discussed what happened. They explained a 15-6 had been filed. The 15-6 was filed because of SGT [redacted] CPT [redacted] stated b7c-3, b6-3, 3 he had been appointed as the investigating officer and we discussed the conflict of interest, wherein he explained he had been pulled off of the case anyway and that it wasn't going to go anywhere. The next day I contacted CPT [redacted] and CPT [redacted] b7c-3, b6-3, 4 They told me I was being transported out of Iraq. They ordered that I be transported on a stretcher in restraint. I asked why that was and they simply insisted that was how I would be transported out of Iraq. I flew to Germany and spoke with LTC [redacted] a psychiatrist there, and told him everything that had b7c-3, b6-3 happened and he ordered me to then go to Brooke Army Medical Center, San Antonio. He stated he was sending me out of country due to my safety.

Q: What happened at San Antonio?

A: I was evaluated by MAJ [redacted] and two other resident staff b7c-3, b6-3 psychiatrists. They recommended a medical IG investigation into my reassignment from Iraq and psychiatric evaluation there. They said they were getting me out of the Army for my safety, due to the allegations. From San Antonio, I was sent to Sacramento to my unit. I spoke to my lawyer there and SJA [redacted], he b7c-3, b6-3 said I needed to see CID, SA [redacted] I was then sent here to b7c-1, b6-1 Fort Lewis for Release from Active Duty.

Q: Do you have any information which would assist us in identifying the prisoners who were brutalized?

A: Request and receive a log of the prisoners who were detained and questioned and transferred to TIKRIT from SSG [redacted] the b7c-3, b6-3 TIKRIT prison detention NCOIC, between 10 May through Jun 15. Most of those individuals will be likely still be at TIKRIT, Iraq.

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

A: No. ///END OF STATEMENT///

[redacted] b7c-4, b6-4

Exhibit: \_\_\_\_\_

INITIALS [redacted]

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PAGE 3 OF 4

EXHIBIT \_\_\_\_\_

STATEMENT OF [REDACTED] b7c-4, b6-4  
TAKEN AT Fort Lewis, WA DATED 28 Jul 2003 CONTINUED.

-----  
AFFIDAVIT  
-----

I, [REDACTED] b7c-4, b6-4  
HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND  
ENDS ON PAGE 04. 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

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

Subscribed and sworn to before me, a person authorized by law to  
administer oaths, this 28 day of JUL, 2003 at Fort Lewis, WA

[REDACTED] b7c-4, b6-4  
(Signature of Person Administering Oath)

SA [REDACTED] b7c-4, b6-4  
(Typed Name of Person Administering Oath)

ARTICLE 136 (b) (4) UCMJ  
(Authority To Administer Oaths)

WITNESS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Exhibit: \_\_\_\_\_

[REDACTED] b7c-4, b6-4  
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PAGE 4 OF  
EXHIBIT

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**Referred to:**

U.S. ARMY MEDICAL COMMAND  
FREEDOM OF INFORMATION/  
PRIVACY ACT OFFICE  
ATTENTION: MCFP  
2050 WORTH ROAD, SUITE 13  
FORT SAM HOUSTON, TEXAS  
78234-6013

MR. JOHN PETERSON  
John.Peterson1@cen.amedd.army.mil  
(210) 221-7826

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# Page(s)

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## Referred to:

DEPARTMENT OF THE NAVY  
CHIEF OF NAVAL OPERATIONS  
ROOM DN536  
2000 NAVY PENTAGON  
WASHINGTON, DC 20350-2000

MS. DORIS LAMA  
navyfoia@hq.navy.mil  
(202) 685-6544/5/6



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**Page(s)**

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**Referred to:**

DEPARTMENT OF THE NAVY  
CHIEF OF NAVAL OPERATIONS  
ROOM DN536  
2000 NAVY PENTAGON  
WASHINGTON, DC 20350-2000

MS. [REDACTED]

navyfoia@hq.navy.mil

b7c-3, b6-3

[REDACTED]

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# Page(s)

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## Withheld due to:

Foreign Language

Photos depicting Americans

Photos depicting foreign nationals

Civilian Agency Records

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**Page(s)**

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**Referred to:**

Department of Transportation  
Headquarters, U.S. Coast Guard  
Commandant, G-S11  
Washington, DC 20535

Ms. Sherry Richardson  
(202) 267-1086

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# Page(s)

60-61

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Foreign Language

Photos depicting Americans

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Civilian Agency Records

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

00012-03-CID576-0000

PAGE 1 OF 2 PAGES

DETAILS

1430 hrs 11 August 2004 Special Agent [redacted] <sup>b7c-1, b6-1</sup> of 170<sup>th</sup> Military Police <sup>b7c-4, b6-4</sup> Detachment (CID) 3250 Meadowview Road, Sacramento, CA 95832, coordinated with SGT [redacted] <sup>b7c-1, b6-1</sup>, retired from 223<sup>rd</sup> MI CAL-ARNG on the telephone. SGT [redacted] related he had been the one who reported the illegal activity that had been going on at ABU GRAV Prison in Iraq to a CID Agent in Jan 04 then changed his story to being interviewed in July 03 in Sacramento, CA. after first having contacted LTC [redacted] <sup>b7c-1, b6-1</sup> at SJAG. LTC [redacted] referred SGT [redacted] <sup>b7c-1, b6-1</sup> to a dark haired CID Agent who took a sworn statement. SGT [redacted] wanted the name of the CID Agent so that he could meet with regarding additional information. SGT [redacted] also related that he had given and additional statement to CID in Ft. LEWIS. SGT [redacted] named the agent as [redacted] <sup>b7c-1, b6-1</sup> SGT [redacted] gave his contact cellular telephone number of [redacted] <sup>b7c-1, b6-1</sup>. SA [redacted] <sup>b7c-1, b6-1</sup> looked up case log and located 0012-03-CID that listed war crimes assigned to SA [redacted] <sup>b7c-1, b6-1</sup>, which had been referred to Ft LEWIS CID. SA [redacted] was unable to locate any file or sworn statement.

SA [redacted] <sup>b7c-1, b6-1</sup> advised SGT [redacted] <sup>b7c-4, b6-4</sup> that SA [redacted] <sup>b7c-1, b6-1</sup> may have been the CID Agent who took his sworn statement. SGT [redacted] confirmed the name sounded familiar and thought that he had been the CID agent who had taken his sworn statement.

SA [redacted] <sup>b7c-1, b6-1</sup> advised SGT [redacted] <sup>b7c-4, b6-4</sup> that SA [redacted] <sup>b7c-1, b6-1</sup> would contact him Monday 16 August 11, 2004 upon his return to the office.

SA [redacted] <sup>b7c-1, b6-1</sup> coordinated with SSG [redacted] <sup>b7c-3, b6-3</sup> Readiness/Supply NCO for Det 1 A Co, 223 MI Bn Who confirmed SGT [redacted] <sup>b7c-4, b6-4</sup> was in the process of being retired. SSG [redacted] provided this agent with eight supporting documents to confirm SGT [redacted] request for discharge.

SA [redacted] <sup>b7c-1, b6-1</sup> coordinated with CPT [redacted] <sup>b7c-3, b6-3</sup> who is the Commander of Det 1 A Co, 223 MI. CPT [redacted] related that SGT [redacted] <sup>b7c-4, b6-4</sup> had been in the news paper and been evaluated Medically at Ft. LEWIS and he had been directed to retire SGT [redacted] <sup>b7c-4, b6-4</sup> at the direction of the Adjutant General at Sacramento, CA. CPT [redacted] had not seen nor had been advised of the medical evaluation of SGT [redacted] <sup>b7c-4, b6-4</sup>.

SA [redacted] <sup>b7c-1, b6-1</sup> pulled four news articles that listed SGT [redacted] <sup>b7c-4, b6-4</sup> by name and referenced his allegations and mental health.

1120 hrs, 16 August 2004, SA [redacted] <sup>b7c-1, b6-1</sup> coordinated with SGT [redacted] <sup>b7c-4, b6-4</sup> over the telephone. SGT [redacted] requested that SA [redacted] <sup>b7c-1, b6-1</sup> give and interview to Vanity Fair Magazine regarding the Sworn Statement he provided SA [redacted] <sup>b7c-1, b6-1</sup> in July 03. SA [redacted] referred SGT [redacted] <sup>b7c-1, b6-1</sup> to the CID Command Public Affairs Office, Belvoir, VA. <sup>b7c-4, b6-4</sup>

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA [redacted] <sup>b7c-1, b6-1</sup>		170 <sup>th</sup> Military Police Detachment (CID)	
SIGNATURE		DATE	
[redacted signature]		9 Sep 04	
		EXHIBIT	
		27-...-62	

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

00012-03-CID576-0000

PAGE 2 OF 2 PAGES

**DETAILS**

About 1030, 9 Sep 04, SA <sup>b7c-bb6-1</sup> and SA <sup>b7c-bb6-1</sup> coordinated with CPT <sup>b7c-4,bb6-4</sup> who related he did not have a copy of the 15-6 investigation that was completed by the 223<sup>rd</sup> MI. CPT <sup>b7c-4,bb6-4</sup> related his Battalion Headquarters would have a copy of the 15-6.

About 1045, 9 Sep 04, SA <sup>b7c-bb6-1</sup> and SA <sup>b7c-bb6-1</sup> coordinated with CPT <sup>b7c-3,bb6-3</sup> HHC 223<sup>rd</sup> MI BN, <sup>b7c-3,bb6-3</sup> CPT <sup>b7c-3,bb6-3</sup> related she had a copy of the 15-6 which was provided to her by LTC <sup>b7c-3,bb6-3</sup> (NFI). CPT <sup>b7c-3,bb6-3</sup> related she had sent a copy of the 15-6, which was the best copy she had, to the CID Office at Fort Hood.

About 1115, 9 Sep 04, SA <sup>b7c-bb6-1</sup> coordinated with LTC <sup>b7c-3,bb6-3</sup> Office of the Staff Judge Advocate (SJA), CA-ARNG, who related his office never received a copy of the 15-6 conducted by the 223<sup>rd</sup> MI. **/// LAST ENTRY ///**

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA <sup>b7c-bb6-1</sup>  
SIGNATURE

ORGANIZATION  
170<sup>th</sup> Military Police Detachment (CID)  
Sacramento, CA 95832

DATE  
9 Sep 04

EXHIBIT  
27 -- 83

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**Page(s)**

64-70

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**Referred to:**

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

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

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**Page(s)**

71-85

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**Withheld due to:**

Foreign Language

Photos depicting Americans

Photos depicting foreign nationals

Civilian Agency Records



# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0023-04-CID576-0000

PAGE 1 OF 1 PAGES

**DETAILS**

*76-3,663*  
*76-3,663*  
*76-3,663*  
 BASIS FOR INVESTIGATION: About 0830, 17 Sep 04, SA *676-1,661* received a CAT-1 Request for Assistance (RFA) from 43rd Military Police Detachment (CID), 11th Military Police Battalion (CID) P O Box V, Fort Hood, Texas 76544-0740, to determine if any records pertaining to Mr *676-3,663*, former Iraqi detainee *676-3,663* (Samarra), and *676-3,663* (Tikrit) were available within the files maintained by the California Army National Guard (CA-ARNG) *676-3,663*

*76-3,663*  
*76-3,663*  
*76-3,663*  
 About 1200, 17 Sep 04, SA *676-1,661* coordinated with CPT *676-3,663* S-2, HHC 223<sup>rd</sup> Military Intelligence Battalion, 100 Armory Dr, San Francisco, CA 94132 CPT *676-3,663* advised no records pertaining to Iraqi detainees were maintained by the 223<sup>rd</sup> MI BN or by any of their subordinate commands. CPT *676-3,663* related he had all 223<sup>rd</sup> MI personnel leaving theater to sign a security disclosure stating they did not have any classified documents in their possession. CPT *676-3,663* related all intelligence records were handed over to the unit who replaced them. CPT *676-3,663* could not recall which unit relieved them *676-3,663*

*76-4,664*  
*76-4,664*  
*76-4,664*  
*76-4,664*  
 About 1300, 17 Sep 04, SA *676-1,661* contacted SGT (Ret) *676-4,664* via telephone. SGT (Ret) *676-4,664* related while he was stationed in Samarra Iraq he was under the command of the 205<sup>th</sup> Military Intelligence Battalion. SGT (Ret) *676-4,664* related he did not recall the unit the Medical personnel, who examined the Iraqi detainees, were attached to. SGT (Ret) *676-4,664* believed the Military Police who were working in Samarra Iraq were assigned to the 104<sup>th</sup> MP Company SGT (Ret) *676-4,664* made a spontaneous statement that about a week prior he was contacted by his attorney regarding him taking a polygraph. SGT (Ret) *676-4,664* related his attorney told him he was not going to take a polygraph SGT (Ret) *676-4,664* stated he did not mind taking a polygraph, but it was his attorney that didn't want him to take one. SGT (Ret) *676-4,664* related Mr *676-4,664* former Iraqi translator, working for the U S Army, had tried to make a complaint in Iraq regarding mistreatment of Iraqi detainees by Military Personnel. SGT (Ret) *676-4,664* related LTC *676-4,664* had Mr *676-4,664* fired and escorted outside the military compound for making the complaint. SGT (Ret) *676-4,664* related Mr *676-4,664* had witnessed some of the same incidents, which he (SGT (Ret) *676-4,664*) was reporting. SGT (Ret) *676-4,664* related Mr *676-4,664* was currently in the Washington D C area and was assisting the FBI. SGT (Ret) *676-4,664* provided Mr *676-4,664* cell phone number *676-4,664*

*76-4,664*  
 About 1435, 17 Sep 04, SA *676-1,661* and SA *676-1,661* coordinated with the Office of the Staff Judge Advocate, CA-ARNG, and reviewed approximately 60 documents faxed over from the 223<sup>rd</sup> MI BN, CA-ARNG. The documents pertained to the AR 15-6 investigation conducted by the 223<sup>rd</sup> MI, regarding the complaints made by SGT (Ret) *676-4,664*. The documents were severely degraded from previous copying and then further degraded by being faxed to the JAG office. SA *676-1,661* was advised by JAG the copies at the 223<sup>rd</sup> MI were also mostly illegible ///Last Entry/// *676-1,661*

TYPED AGENT'S NAME AND SEQUENCE NUMBER <i>676-1,661-1,662</i>		ORGANIZATION 170 <sup>th</sup> Military Police Detachment (CID) Sacramento, CA 95832	
SA <i>676-1,661</i>		DATE 17 SEP 04	EXHIBIT - 86 33
SIGNATURE <i>676-1,661</i>			

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0126-04-CID122

PAGE 1 OF 1 PAGES

DETAILS

On 22 Sep 04, this office received a Category 1 Monitored Request for Assistance from the 43<sup>rd</sup> Military Police Detachment (CID), Fort Hood, TX to conduct a witness interview of Mr. [REDACTED] regarding his knowledge of detainee abuse in Iraq. *b7c-4, b6-4*

At 1000, 23 Sep 04, the undersigned conducted a witness interview of Mr. [REDACTED] who provided a sworn statement detailing his general knowledge of incidents of abuse toward detainees while serving in Iraq. Mr. [REDACTED] had no specific knowledge of abuse and had no knowledge of those events described in the statement of SGT [REDACTED] (See statement for details) // LAST ENTRY // *b7c-4, b6-4*

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED] *b7c-1, b6-1*

ORGANIZATION

FORT BELVOIR RESIDENT AGENCY, 3<sup>rd</sup> MP Group (CID)  
Fort Belvoir, VA 22060

SIGNATURE

[REDACTED SIGNATURE]

DATE

23 Sep 04

EXHIBIT

34-...-87

CID FORM 94  
1 FEB 77

FOR OFFICIAL USE ONLY  
FOR OFFICIAL USE ONLY  
LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT

For use of this form, see AR 100-45, the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301, Title 5 USC Section 2851, E.O. 8387 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: Fort Belvoir, VA 22060
2 DATE (YYYYMMDD): 2004/09/23
3 TIME: 1245
4 FILE NUMBER:
5 LAST NAME, FIRST NAME, MIDDLE NAME:
6 SSN:
7 GRADE/STATUS: CIV
8 ORGANIZATION OR ADDRESS:
9 I, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

I served as an interpreter for the U.S. Military in Iraq in April - June 2003. I worked for Titan Corporation during this time. I primarily worked as an interpreter in and around Umqesar and Balad. I worked with the 223rd Military Intelligence Battalion. While performing this job, I observed U.S. forces abuse temporary detainees during interrogations.
Q:
A:
Q: When was the first time you witnessed US Forces abuse detainees?
A: The first time was in Umqesar when a temporary holding facility was established. About 6000 - 8000 detainees were being held behind ribbon wire. There was very little food and water provided for the detainees, just MRE which they were not used to. Some detainees tried to run away and they would be shot by US Forces.
Q: Do you know who specifically was shot and by whom?
A: No, it was forces from the first unit who received the detainees.
Q: What other abuses did you witness?
A: During capture operations at Iraq homes, US forces would abuse the families of those being captured by sending tanks to their homes and moving the people into the street, handcuffing them in the street and putting their face in the street with their feet on the captured persons head.
Q: In Umqesar, did you witness interrogators strike detainees?
A: Yes, twice I saw them. I saw detainees get slapped, punched with fist, and laid on the ground while someone stepped on their back.
Q: Who did you witness beat the detainees in Umqesar?
A: I don't know their names or their units. It was the first US unit in Umqesar that received the prisoners from the British.
Q: Did you also witness a detainee denied medicine?
A: Yes, a detainee who I don't know his name, needed medicine for a medical problem that he was not provided. He would become crazy when he was not given his medicine and he would abuse the other detainees. He should have been separated from the other detainees.
Q: Do you know who denied this detainee his medicine?
A: Soldiers from the same unit.
Q: Did you ever witness any staged executions by US forces?
A: No, I did not see anything like that.
Q: Did you know SGT
A: Yes, we were at the same base. He worked on a different team from me.
Q: Did SGT ever tell you about staged executions by US forces?
A: No.
Q: Did he ever tell you about any detainee abuse he witnessed?
A: No.
Q: During interrogations, did you witness US Forces use stress positions on detainees?
A: Yes, in Balad I saw detainees forced to stand with their hands in the air for 30 minutes or more. The main abuses I witnessed were soldiers abusing the power of the Army by mistreating and disrespecting the people.
Q: Do you know any specific soldiers or units that physically abused detainees?
A: No, only that the MP Unit in Balad at that time would abuse people. During capture operation people's arms were forced behind their backs and twisted with their face down in the ground.
Q: Would these MP's strike the people?
A: They would push them very hard which can be a hit. This would happen when the MP's did not give the people a chance to

10 EXHIBIT: INITIALS OF PERSON MAKING 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 INDICATED.

STATEMENT OF [REDACTED] b7c-4, b6-4 TAKEN AT Fort Belvoir, VA DATED 2004/09/23

9 STATEMENT (Continued)

understand what the MP wanted them to do because of the language problem.

Q: And this was the MP unit in Balad?

A: Yes.

Q: Did you know SGT [REDACTED] b7c-4, b6-4 or SSG [REDACTED] b7c-4, b6-4?

A: No.

Q: How about SPC [REDACTED] b7c-4, b6-4 or SPC [REDACTED] b7c-4, b6-4?

A: No, I might know them if I saw them. There were probably on another team.

Q: Did you ever witness soldiers hold weapons to detainees heads and threaten to shot them if they did not talk?

A: No, but I did see soldiers chamber a round on weapons when people were approaching our position. This would make the people not trust us so I told the soldier not to do that.

Q: Did you also serve as an interpreter in Samara, Iraq?

A: No.

Q: Did you witness detainees placed on the ground where they were stung by scorpions?

A: Yes, the ground is full of scorpions all the time. Soldiers would make detainees lay on the ground and they would get stung. The soldiers did not purposely make the people get stung but they should not have been placed on the ground. In Umquesar, there was not enough facility to house everyone so the detainees were made to lay and sit on the ground. This caused them to get stung by scorpions.

Q: Can you identify any detainees you ever witnessed physically abuse by US forces?

A: No.

Q: Can you identify any US forces personnel you witnessed physically abuse detainees?

A: No.

Q: You previously reported being mistreated by your Commander in Iraq, can you describe what happened? b7c-3, b6-3

A: I was forced to work sometimes 24 hours, 7 days a week. I did not complain until I was abused by Chief [REDACTED] b7c-3, b6-3 and SGT [REDACTED] b7c-3, b6-3

Q: How were you abused by [REDACTED] b7c-3, b6-3 and [REDACTED] b7c-3, b6-3?

A: I was being disrespected in front of sources and called a liar as [REDACTED] b7c-3, b6-3 pointed his finger in my face. I went to LTC [REDACTED] b7c-3, b6-3 and told him I did not want to work with [REDACTED] b7c-3, b6-3 team any longer. The next day I was fired by LTC [REDACTED] b7c-3, b6-3

Q: What is [REDACTED] b7c-3, b6-3 and [REDACTED] b7c-3, b6-3 first names?

A: I don't know, but they were in the 223d MI Bn.

Q: What reason were you given for being fired?

A: Because I declined to make a translation for Chief [REDACTED] b7c-3, b6-3

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

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

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 3 PAGES

STATEMENT OF [REDACTED] b7c-4, b6-4 TAKEN AT Fort Belvoir, VA DATED 2004/09/23

9. STATEMENT (Continued)

NOT USED [REDACTED] b7c-4, b6-4

AFFIDAVIT

I, [REDACTED] b7c-4, b6-4, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3 I FULLY 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 b7c-4, b6-4

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

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23 day of September, 2004 at Fort Belvoir, VA 22060

ORGANIZATION OR ADDRESS

[REDACTED] b7c-4, b6-4  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA [REDACTED] b7c-4, b6-4  
(Typed Name of Person Administering Oath)  
Art 136 (b) 4 UCMJ  
(Authority To Administer Oaths)

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

PAGE 3 OF ~~3~~ PAGES

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0139-03-CID469-60206

PAGE 1 OF 3 PAGE

## DETAILS

About 1230, 25 AUG 04, SA [REDACTED] b7C-1, b6-1 conducted telephonic interview of Mr. [REDACTED] b7C-3, b6-3, or [REDACTED] b7C-4, b6-4 who stated he did know SGT [REDACTED] b7C-4, b6-4 and spoke to the papers about the treatment SGT [REDACTED] b7C-4, b6-4 received. MR [REDACTED] b7C-3, b6-3 stated he was deployed to Iraq with the 223<sup>rd</sup> MI BN and attached to a California guard unit from Mar 03 to Mar 04. He deployed to Anaconda and then to Baquba, Iraq. MR [REDACTED] b7C-3, b6-3 met SGT [REDACTED] b7C-4, b6-4 sometime in mid to late Mar 03 and got to know him while they were in Kuwait in Apr 03. Stated he saw [REDACTED] b7C-4, b6-4 from approximately 25 Apr 03 to 11 Jul 04. SGT [REDACTED] b7C-4, b6-4 team got moved to Samara sometime in May and his team would come back about once a week to Anaconda. MR [REDACTED] b7C-3, b6-3 stated no one in SGT [REDACTED] b7C-4, b6-4 team ever mentioned any prisoner abuse and he never personally spoke with any members of the team. Sometime in late June 03, CPT [REDACTED] b7C-4, b6-4 told MR [REDACTED] b7C-3, b6-3 "You're gonna get [REDACTED] b7C-4, b6-4 and he's your responsibility." MR [REDACTED] b7C-3, b6-3 had heard rumors that someone had made accusations of abuse but did not know who had made them at that point. MR [REDACTED] b7C-3, b6-3 stated his first day with SGT [REDACTED] b7C-4, b6-4 he figured out that SGT [REDACTED] b7C-4, b6-4 had made the accusations. Stated SGT [REDACTED] b7C-4, b6-4 first night back at Anaconda, he looked confused because he was just relieved of his position and his weapon was taken away. MR [REDACTED] b7C-3, b6-3 was told to watch him. MR [REDACTED] b7C-3, b6-3 and SGT [REDACTED] b7C-4, b6-4 went to the MWR tent and started talking. MR [REDACTED] b7C-3, b6-3 tried to be discreet without coming out and asking SGT [REDACTED] b7C-4, b6-4 if he was the one accusing his team members of prisoner abuse. SGT [REDACTED] b7C-4, b6-4 stated, "They relieved me of my command but what I said was the truth." MR [REDACTED] b7C-3, b6-3 stated on SGT [REDACTED] b7C-4, b6-4 second day back, CPT [REDACTED] b7C-4, b6-4 told MR [REDACTED] b7C-3, b6-3 to take SGT [REDACTED] b7C-4, b6-4 to the Stress Management counselor. MR [REDACTED] b7C-3, b6-3 stated he did not hear what was said between SGT [REDACTED] b7C-4, b6-4 and CPT [REDACTED] b7C-4, b6-4 because it was a one on one conversation and confidential between SGT [REDACTED] b7C-4, b6-4 and CPT [REDACTED] b7C-4, b6-4. Later that day, SGT [REDACTED] b7C-4, b6-4 told MR [REDACTED] b7C-3, b6-3 "This is what I saw and they think I'm crazy but they're wrong." MR [REDACTED] b7C-3, b6-3 stated maybe later that day or the third day, CPT [REDACTED] b7C-4, b6-4 told him to go with him to the Stress Management tent. MR [REDACTED] b7C-3, b6-3 stated he was embarrassed and offended by what he saw. MR [REDACTED] b7C-3, b6-3 stated he was present for the meeting and heard CPT [REDACTED] b7C-4, b6-4 state, "There's nothing that I saw or heard that leads me to think SGT [REDACTED] b7C-4, b6-4 is mentally imbalanced." MR [REDACTED] b7C-3, b6-3 stated CPT [REDACTED] b7C-4, b6-4 stood up, edged forward, and leaned towards CPT [REDACTED] b7C-4, b6-4. CPT [REDACTED] b7C-4, b6-4 stated in a loud command voice, "I don't care what you saw or heard, he is imbalanced, and I want him out of here." MR [REDACTED] b7C-3, b6-3 stated he observed CPT [REDACTED] b7C-4, b6-4 flinch and he could see the pressure in her eyes, like she had never had that kind of pressure put on her previously. MR [REDACTED] b7C-3, b6-3 stated the next day CPT [REDACTED] b7C-4, b6-4 went back and changed her diagnosis. MR [REDACTED] b7C-3, b6-3 stated he heard rumors that there was an incident in SGT [REDACTED] b7C-4, b6-4 tent the previous night and that SGT [REDACTED] b7C-4, b6-4 was gone. MR [REDACTED] b7C-3, b6-3 did not know what the incident was. MR [REDACTED] b7C-3, b6-3 left for Baquba, Iraq on 11 Jul 04 and when he would visit Anaconda, SGT [REDACTED] b7C-4, b6-4 was not there. MR [REDACTED] b7C-3, b6-3 stated he heard that the company command had conducted their own investigation on SGT [REDACTED] b7C-4, b6-4 accusations but he did not know the outcome. MR [REDACTED] b7C-3, b6-3 stated he never said anything about SGT [REDACTED] b7C-4, b6-4 treatment until he re-deployed to the states at which time he told the press. MR [REDACTED] b7C-3, b6-3 stated the soldiers in Iraq had a general disbelief that abuse was occurring and he personally

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED]

ORGANIZATION

Fort Hood Resident Agency, 6<sup>th</sup> MP GRP (CID), Fort Hood, TX 76544

SIGNATURE

[REDACTED] b7C-1, b6-1, b2

DATE

04 Oct 04

EXHIBIT

36 00 91

CID FORM 94  
(Automated)

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Protective Marking is Excluded From  
Automatic Termination (Para 13, AR 34-16)

DODDOACID 008870

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0139-03-CID469-60206

PAGE 2 OF 3 PAGE

## DETAILS

did not believe prisoner abuse had happened. MR [REDACTED] stated he did think the treatment SGT [REDACTED] received was wrong. MR [REDACTED] stated an investigator had not spoken to him previously about the incident. MR [REDACTED] stated he never heard any rumors that people in his unit were abusing prisoners except from SGT [REDACTED] and that he never personally saw any prisoner abuse. MR [REDACTED] stated he was never in Samara with SGT [REDACTED]. MR [REDACTED] stated he has a notebook he kept with specific dates and incidents that occurred while he was deployed to Iraq. He kept the notebook in his work office. Stated I would contact MR [REDACTED] on 26 Aug 04 to discuss what his notebook contained and possibly obtaining a copy of his notebook.

About 0900, 14 Sep 04, SA [REDACTED] received a faxed copy of Mr. [REDACTED] notebook from Mr. [REDACTED]. Review of the notebook did not reveal any further pertinent information. (See copy of notebook for details)

About 1420, 1512, 1603, and 1641, 8 Sep 04, SA [REDACTED] attempted to contact Mr. [REDACTED], SGT [REDACTED] attorney. Mr. [REDACTED] has been uncooperative and not returning phone calls.

About 0900, 17 Sep 04, SA [REDACTED] contacted SA [REDACTED], 170th Military Police (MP) Detachment (DET) (CID), 4726 Saratoga Avenue, Suite 214, Los Alamitos, CA 90720-5167 who coordinated with CPT [REDACTED], S-2, 223rd MI BN, San Francisco, CA. CPT [REDACTED] stated the 223rd MI did not retain records of detainees and could not recall the unit who relieved them in Samarra.

SA [REDACTED] stated he interviewed SGT [REDACTED] on 17 Sep 04 and SGT [REDACTED] provided the name [REDACTED], a Kurdish translator for the U.S. Army, reported the same abuse. SGT [REDACTED] provided telephone number [REDACTED] for Mr. [REDACTED].

About 1120, 21 Sep 04, SA [REDACTED] telephonically interviewed Mr. [REDACTED]. Mr. [REDACTED] stated he did witness abuse while he was deployed to Iraq with the 223rd MI BN, Samarra, Iraq. Mr. [REDACTED] stated he mostly witnessed abuse in the detainee's homes when the U.S. forces would raid the homes. He stated it was always early in the morning and the people would come out in their pajamas with their hands up. The U.S. forces would twist the detainee's hands behind their backs. Mr. [REDACTED] stated he also witnessed abuse while at the detention facilities. He stated they would beat them (NFI), and force them to lie down on the dirty ground where they would get poisoned by the scorpions. Mr. [REDACTED] also stated that he was abused by his commander, Chief [REDACTED] (NFI) who made him work 7 days a week, 24 hours a day. Mr. [REDACTED] stated he reported the abuse to everyone around him but never got to speak directly to LTC [REDACTED]. LTC [REDACTED] would refer him to the team sergeants but no one payed attention to him. Mr. [REDACTED] stated after he complained about working long hours, he was

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED]

ORGANIZATION

Fort Hood Resident Agency, 6<sup>th</sup> MP GRP (CID), Fort Hood, TX 76544

SIGNATURE

DATE

04 Oct 04

EXHIBIT

310-000-92

CID FORM 94  
(Automated)

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Protective Marking is Excluded From  
Automatic Termination (Para 13, AR 34-16)

DODDOACID 008871

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0139-03-CID469-60206

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## DETAILS

given one day off at which time, his lieutenant called him to interpret. Mr. [REDACTED] <sup>b7c-4, b6-4</sup> stated he told the lieutenant it was his day off and the lieutenant stated, "Oh, you do not want to work anymore," and he was fired.

AGENT'S COMMENT: While speaking to Mr. [REDACTED] <sup>b7c-4, b6-4</sup> his impression of what constitutes abuse and the legal definition of abuse are different. Mr. [REDACTED] <sup>b7c-4, b6-4</sup> stated the U.S. Forces disrespected the detainees and did not know enough about the culture. He stated the army was great at fighting wars but not at interrogating. He also stated he thought it was abuse to pull team sergeants from their jobs to clean the bathrooms because that was not their mission. They have specific people who do those jobs.

About 0900, 24 Sep 04, SA [REDACTED] <sup>b7c-1, b6-1</sup> coordinated with SA [REDACTED] <sup>b7c-1, b6-1</sup>, Wiesbaden Resident Agency, Giessen, Germany, who contacted the 205th MI BN, Giessen, Germany. The 205th MI stated they did not keep any records of detainees. They forwarded all records to the 4th Infantry Division (4ID), Fort Hood, TX 76544 (FHTX).

About 0915, 28 Sep 04, SA [REDACTED] <sup>b7c-1, b6-1</sup> coordinated with SGM [REDACTED] <sup>b7c-3, b6-3</sup>, 1/66 Armor Battalion, 4ID, FHTX who stated his BN arrived in Samarra in May 03. Stated their record keeping was poor due to them just arriving in Iraq. SGM [REDACTED] <sup>b7c-3, b6-3</sup> stated the 401st MP Company, 720th MP BN, 89th MP BDE, FHTX was with them and kept good records.

About 0945, 28 Sep 04, SA [REDACTED] <sup>b7c-1, b6-1</sup> coordinated with LTC [REDACTED] <sup>b7c-3, b6-3</sup>, 720th MP BN, FHTX who stated, due to Freedom of Information Act (FOIA) requests, his records were all purged and sent to the 1st Brigade Combat Team (1BCT), 4ID, FHTX.

About 1519, 28 Sep 04, SA [REDACTED] <sup>b7c-1, b6-1</sup> coordinated with SSG [REDACTED] <sup>b7c-3, b6-3</sup>, HHC, 1BCT, 4ID, FHTX who stated a search of her database revealed no records pertaining to Mr. [REDACTED] <sup>b7c-3, b6-3</sup>. SSG [REDACTED] <sup>b7c-3, b6-3</sup> stated they handed all records to their relief in Iraq.

AGENT'S COMMENT: A search for detainee records in previous cases revealed that all records follow a detainee to each facility they are transferred to. At each facility, they are assigned a new number. If the detainee is released, like Mr. [REDACTED] <sup>b7c-3, b6-3</sup> it is unknown what happens to their records.

About 1300, 4 Oct 04, SA [REDACTED] <sup>b7c-1, b6-1</sup> coordinated with CPT [REDACTED] <sup>b7c-3, b6-3</sup>, Staff Judge Advocate (SJA), 4ID, FHTX, who opined there was Insufficient Evidence to prove or disprove the offense(s) of Assault and Cruelty and Maltreatment occurred as alleged.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED] <sup>b7c-1, b6-1, b2</sup>

ORGANIZATION

Fort Hood Resident Agency, 6<sup>th</sup> MP GRP (CID), Fort Hood, TX 76544

SIGNATURE

DATE

04 Oct 04

EXHIBIT

36 - 000 - 93

CID FORM 94  
(Automated)

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## Referred to:

Department of Treasury  
Internal Revenue Service  
Director, Freedom of Information  
Office of Disclosure  
1111 Constitution Avenue, Northwest  
Washington, DC 20224

Mr. Thomas Marusin  
(202) 622-6250

CIFA-I  
CM2  
Crystal City  
703 [redacted]

**CIFA-I**

**Fax**

To: Mr. [redacted] *b7c-1, b6-1* From: [redacted] *b7c-3, b6-3*

Fax: 703 806-0307 Pages: 5

Phone: [Click here and type phone number] Date: 9/20/2004

Re: Iraq Detainee abuses CC: [Click here and type name]

Urgent     For Review     Please Comment     Please Reply     Please Recycle

• Comments:

Mr. [redacted] *b7c-1, b6-1*

Similar to the last information I faxed you, we are sending this to you to ensure this gets to the appropriate people in CID. Pls call if you have any questions. Thanks

[redacted] *b7c-3, b6-3*

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EXHIBIT 30

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U.S. CENTRAL COMMAND  
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Master Sergeant Pamela Andrews  
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**Referred to:**

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105-174

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