

sentence in English they could get someplace"(exhibit IX). There may be some sensitivity issues but remember, these guys couldn't speak English. Hence, they couldn't understand what was being said even if they were being sworn at which there is not enough evidence to support happened. Either way, even though it is just some guys blowing off steam, it warrants further discussion in recommendations for preventive measures.

6. **Operation Thunder Payback-** At first glance the name of the operation is ominous sounding. Visions of "take no prisoners speeches" are easy to see. However, nowhere in the Squadron OPORD in either the Mission Statement or CMDRs Intent does it make mention of "payback" or "revenge" for the death of Fox 6 even though it is obviously implied in the name of the operation(exhibit 13). I attempted to get an idea of the way the troops were briefed and what their role was in this operation by question 3 on my questionnaire that I gave out to some of the soldiers interviewed. What I concluded from that is that both the MPs from 1st Plt and 2nd Plt were under the same understanding as to the reasons for the raid(get the guys who killed Fox 6) and the behavior to be taken(same as any other raid, no special treatment). What I was looking for was some type of "motivational" speech which may have led me to believe that command wanted "special" treatment for these guys if caught. I found nothing of the sort(exhibit XIV). In fact, [redacted] stated that [redacted] the leader of the raid and a personal friend of FOX 6, went up to the detainee captured who was suspected of masterminding the attack after he was put in the vehicle and said his peace to him without raising his voice or any physical act then went about his business(exhibit XII). By all accounts, this raid was conducted in a professional manner.

7. **Treatment of detainees-**Based on the answers to my questionnaire and to my questions I am comfortable that our soldiers to have a better than average knowledge of and understanding of why detainees need to be treated humanely.

8. ~~**[redacted] refusal to waive rights, fill out a sworn statement or answer questionnaire-** After [redacted] requested to speak with an attorney after being read his rights waiver I was immediately suspicious. [redacted] informed me at the chow hall the next day that I could still ask [redacted] questions and that he could answer me willingly if he wished and that he did not have to answer anything he did not want to. I informed [redacted] of this and he agreed to listen to my questions and understood he only needed to answer ones he felt comfortable with. [redacted] did in fact answer my questions and his answers bolstered the case in his defense as well as [redacted] and further convinced me that a personality clash with [redacted] was the catalyst which caused this to roll forward, not actual witnessed mistreatment of detainees. It turns out [redacted] was worried about the effect of things and hence, his desire to speak to an attorney. If anything, [redacted] should be commended for his concern for the welfare of the detainees by being willing to tell his own soldiers not to kick the detainees without evidence that they were and by being willing to loosen the zip ties of a detainee when he complained about their being too tight.~~

08/16/03

b3r6-2
b6-5
b6-4

b3r6-2
b-6-5
b-6-4

08/16/03

Section V
Recommendations

1. While no wrongdoing was committed and subsequently, no grounds for further investigation or punishment is in order, the proper treatment of detainees is still something that we, as MPs need to make sure we are above reproach on. I believe that this situation can be used to reinforce the importance of correct treatment of detainees. While there is not evidence of any type of systemic problem, I believe that a mandatory 15 minute discussion/question answer session at squad level and above and overseen by an E-7 or above would help to reinforce the importance of, and correct procedures for treating detainees humanely. It is like continuing education for us. Plus, It would keep us sharp so we can help educate other soldiers on correct treatment of detainees. Two soldiers brought up in their answers that they had witnessed other 3ACR soldiers "mistreating" (subjective word)(specific instance not recalled) detainees. While the word is subjective, it is still a good thing for our soldiers to be up on proper treatment so they can spot check other soldiers if the need arises. It needs to be noted that if this recommendation is adopted that all soldiers know that it does not imply wrongdoing on the part of 2nd platoon soldiers, just that the situation brought to the company's attention the continuing importance of this subject.
2. All Soldiers involved in the incident need to sit down as soon as possible to discuss the situation. What they saw; what they perceived and the reasons for it. We cannot afford to have any bad blood between platoons. I would say all soldiers involved in all or part of the situation should be there: [redacted] and [redacted]. Preferably, as much of first and second as possible as most soldiers know what is going on and it's better for as little speculation as possible to take place. I think this all would have been avoided if this was done after the raid at an AAR and [redacted] and [redacted] hashed this miscommunication out. Also [redacted] had willingly offered to go with [redacted] to talk to [redacted]. Instead, soldiers went their separate ways and tempers seethed.
3. Soldiers need to be briefed on the importance of perception. What they do and how others may look at it and what the effects may be. They also should be briefed on the importance of analyzing before jumping to conclusions and attempt to look at situations which they themselves are involved in like an objective third party. This applies particularly to [redacted] as his heart was in the right place but he allowed himself to get a bit carried away. Also, the soldiers that [redacted] overheard, [redacted] and [redacted], if they were not saying anything, he would not have heard anything. [redacted], while he committed no wrongdoing, did not need to make the statement about speaking one sentence in English. (He should not be singled out). However, this should also be spoken about in the treatment of detainee Q&A session. If you say only what is absolutely necessary, not what you want to, you can't go wrong.

Q&A 6-7-71

b3+6-2
b6-5, b6-4

b3+6-2
b6-5
b6-4

b3+6-2
b6-5, b6-4

DA form 1574 Section III Explanation Sheet

A1a & A1e- The letter of Appointment is not numbered with a Roman numeral. Also, the privacy act statements and rights warning statements are not together but rather separated individually as the first page of the statement of each soldier interviewed. [REDACTED] is separate as he does not have a sworn statement. They are numbered consecutively with Roman numerals.

2/2/21

b3+b-2

		YES	NO ¹⁾	NA ²⁾
2	Exhibits (para 3-16, AR 15-6)			
	a. Are all items offered (whether or not received) or considered as evidence individually numbered or lettered as exhibits and attached to this report?	X		
	b. Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?	X		
	c. Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?	X		
	d. Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?			X
	e. Are descriptions or diagrams included of locations visited by the investigating officer or board (para 3-6b, AR 15-6)?			X
	f. Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim record?	X		
	g. If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit (para 3-16d, AR 15-6)?			X
3	Was a quorum present when the board voted on findings and recommendations (paras 4-1 and 5-2b, AR 15-6)?			X
B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)				
4	At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment (para 5-3b, AR 15-6)?			
5	Was a quorum present at every session of the board (para 5-2b, AR 15-6)?			
6	Was each absence of any member properly excused (para 5-2a, AR 15-6)?			
7	Were members, witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?			
8	If any members who voted on findings or recommendations were not present when the board received some evidence, does the inclosure describe how they familiarized themselves with that evidence (para 5-2d, AR 15-6)?			
C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)				
9	Notice to respondents (para 5-5, AR 15-6):			
	a. Is the method and date of delivery to the respondent indicated on each letter of notification?			
	b. Was the date of delivery at least five working days prior to the first session of the board?			
	c. Does each letter of notification indicate -			
	(1) the date, hour, and place of the first session of the board concerning that respondent?			
	(2) the matter to be investigated, including specific allegations against the respondent, if any?			
	(3) the respondent's rights with regard to counsel?			
	(4) the name and address of each witness expected to be called by the recorder?			
	(5) the respondent's rights to be present, present evidence, and call witnesses?			
	d. Was the respondent provided a copy of all unclassified documents in the case file?			
	e. If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?			
10	If any respondent was designated after the proceedings began (or otherwise was absent during part of the proceedings):			
	a. Was he properly notified (para 5-5, AR 15-6)?			
	b. Was record of proceedings and evidence received in his absence made available for examination by him and his counsel (para 5-4c, AR 15-6)?			
11	Counsel (para 5-6, AR 15-6):			
	a. Was each respondent represented by counsel?			
	Name and business address of counsel:			
	(If counsel is a lawyer, check here <input type="checkbox"/>)			
	b. Was respondent's counsel present at all open sessions of the board relating to that respondent?			
	c. If military counsel was requested but not made available, is a copy (or, if oral, a summary) of the request and the action taken on it included in the report (para 5-6b, AR 15-6)?			
12	If the respondent challenged the legal advisor or any voting member for lack of impartiality (para 5-7, AR 15-6):			
	a. Was the challenge properly denied and by the appropriate officer?			
	b. Did each member successfully challenged cease to participate in the proceedings?			
13	Was the respondent given an opportunity to (para 5-8a, AR 15-6):			
	a. Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent?			
	b. Examine and object to the introduction of real and documentary evidence, including written statements?			
	c. Object to the testimony of witnesses and cross-examine witnesses other than his own?			
	d. Call witnesses and otherwise introduce evidence?			
	e. Testify as a witness?			
	f. Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)?			
14	If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in arranging for the presence of witnesses (para 5-8b, AR 15-6)?			
15	Are all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an inclosure or exhibit to it (para 5-11, AR 15-6)?			

FOOTNOTES: 1) Explain all negative answers on an attached sheet.
2) Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

008185

SECTION IV - FINDINGS (para 3-10, AR 15-6)

The (investigating officer) (board), having carefully considered the evidence, finds:
SEE ATTACHED SHEET

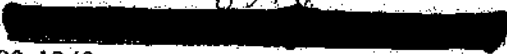
SECTION V - RECOMMENDATIONS (para 3-11, AR 15-6)

In view of the above findings, the (investigating officer) (board) recommends:
SEE ATTACHED SHEET

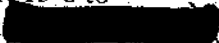

DEPARTMENT OF THE ARMY
94TH MILITARY POLICE COMPANY
LONDONDERRY AFRC
LONDONDERRY, NH 03053

AFRC-CMA-B-CO

01 August 2003

MEMORANDUM FOR  94th Military Police
Company, APO AE 09302-1343

SUBJECT: Appointment of Investigating Officer

1. You are hereby appointed an investigating officer pursuant to AR 15-6 to investigate the circumstances surrounding the allegations against  and  for mistreatment of a detainee while conducting Operation Thunder Payback on 29 July 2003.
2. In your investigation, all witness statements will be sworn. From the evidence, you will make findings whether the mistreatment of a detainee allegations are substantiated or unsubstantiated.
3. You will meet with SJA to review 15-6 investigation procedures prior to starting the investigation, and once again to review the Investigation Report.
4. Submit your final report to this headquarters, no later than 10 August 2003.
5. POC for this action is the undersigned at 559-0148.

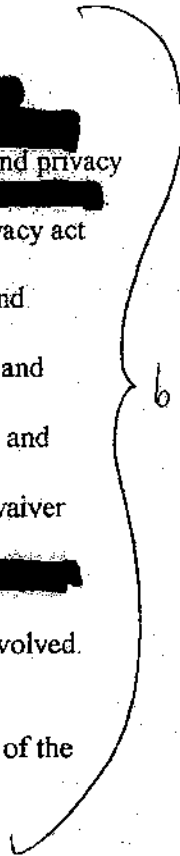

Commanding

008187

Itemized List of Evidentiary Exhibits

Aug 6, 70, 7d

- I - Initial statement by [REDACTED]
- II - Initial statement by [REDACTED]
- III- Statement of [REDACTED] upon initial questioning of [REDACTED]
- IV- Statement of [REDACTED] upon initial questioning of [REDACTED]
- V- Initial statement of [REDACTED] taken by [REDACTED] and privacy act statement and mandatory disclosure form taken by [REDACTED]
- VI- Initial statement of [REDACTED] taken by [REDACTED] and privacy act statement and mandatory disclosure form taken by [REDACTED]
- VII- Initial statement of [REDACTED] and privacy act statement and mandatory disclosure form taken by [REDACTED]
- VIII- Initial statement of [REDACTED] and privacy act statement and mandatory disclosure form taken by [REDACTED]
- IX- Initial statement of [REDACTED] and privacy act statement and mandatory disclosure form taken by [REDACTED]
- X- Initial statement of [REDACTED] and Rights warning waiver certificate taken by [REDACTED]
- XI- Rights warning waiver certificate (non-waiver) of [REDACTED] taken by [REDACTED]
- XII- Statement of [REDACTED] regarding questioning of all soldiers involved.
- XIII- Applicable portions of OPORD for Operation Thunder Payback
- XIV- Packet of 4 Questionnaires handed out to soldiers to get a general understanding of the view on treatment of detainees in general and of the events in this particular mission.



*b3+6-2
b6-4
b6-5*

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION Rifles Base Ar Ramadi Iraq	2. DATE (YYYYMMDD) 2003/07/31	3. TIME 1412	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS 94th MP CO Rifles Base Ar Ramadi Iraq			

b3+6-1

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 2003/07/29 at approx. 1630hrs I was in the company area of the 94th MP CO. I was speaking with [REDACTED] and [REDACTED]. [REDACTED] was talking about a raid he went on earlier in the day. [REDACTED] stated that he observed civilian detainees who were bound and on the ground, being guarded by [REDACTED] and [REDACTED]. [REDACTED] stated he observed [REDACTED] kick a detainee several times, approx. 3 times on or about the back and head, and stand on the detainee on or about the back and head. [REDACTED] said he was within a reasonable distance to observe this incident. [REDACTED] squad leader, told him to stay in [REDACTED] ordered [REDACTED] to stop. [REDACTED] said [REDACTED] that the detainee was protected under the Geneva Convention [REDACTED] said he told [REDACTED] that the detainee was protected under the Geneva Convention, so why should we! [REDACTED] said he was going to bring the incident up the soldiers involved Chain of Command.

b3+6-2

Q [REDACTED]
A [REDACTED]
Q Is there anything you would like to add to your statement?
Q No

////////////////////////////////////End statement////////////////////////////////////

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
-------------	---	-------------------

b3+6-2

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED]"

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

008189

STATEMENT OF [REDACTED] TAKEN AT Rifles Base DATED 2003/31/07

9. STATEMENT (Continued) b3+6-2 [REDACTED] Not Used

AFFIDAVIT

b3+6-2 [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] b3+6-2
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 31 day of July, 2003 at Rifles Base, Ar Ramadi Iraq

ORGANIZATION OR ADDRESS

[REDACTED] b3+6-2
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]
(Typed Name of Person Administering Oath)

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

INITIALS OF PERSON MAKING STATEMENT b3+6-2 [REDACTED]

PAGE 2 OF 2 PAGES

II

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION Rifles Base, Ar Ramadi	2. DATE (YYYYMMDD) 2003/07/30	3. TIME 1426	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	
8. ORGANIZATION OR ADDRESS 94TH MILITARY POLICE COMPANY, CAMP RIFLES, IRAQ			

9. [REDACTED] b3+6-2, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

In the late afternoon of 29 July 2003, the following information was told to me by company medic, [REDACTED] in the presence of [REDACTED] at Camp Rifles Base in the front yard of the company HQ location: In the morning of 29 July 2003 [REDACTED] was with the company 2nd platoon members that were assisting 3rd ACR soldiers conducting a raid. After several Iraqi's were detained and bound up he observed one of the 2nd platoon MP's physically abuse an Iraqi detainee that was [REDACTED] observed from approximately 100 meters away a US Army MP stepping on the back of an Iraqi detainee that was laying on the ground with his hands bound behind his back. The MP appeared to be kicking the detainee three different times. [REDACTED] asked those around him who the MP was and was told it was [REDACTED] from the company's 2nd platoon. When he stated the MP shouldn't be kicking the Iraqi [REDACTED] squad leader told him to stay in his lane. [REDACTED] then went over and in spite of what [REDACTED] had protested, proceeded to turn the detainee's face in the dirt. [REDACTED] that was close by to [REDACTED] made a comment that the Iraqi was probably the individual that had killed an American Army officer. Other soldiers made comments that the Geneva Conventions don't apply here. He could not identify who the other soldiers were.

[REDACTED] the 2nd Platoon Sgt was called to report to the company operations from his area of operations. Approx thirty minutes later upon his arrival [REDACTED] had already departed with the 1st platoon members he resides with. As I began informing [REDACTED] of what [REDACTED] had told me, he stated that [REDACTED] had reported to him immediately after returning from the mission that there may have appeared to have been an incident with an Iraqi detainee. [REDACTED] stated that [REDACTED] version of the incident was that the MP's were moving the detainee into a better position to adjust the bindings that were keeping his hands tied. I told [REDACTED] that because of the seriousness of the possibility that a violation had occurred our MPI would be looking into the incident.

Q. [REDACTED]
 A. [REDACTED]
 Q. Do you have anything you would like to add to your statement at this time?
 A. No
 //End Statement////////////////////////////////////

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
-------------	---	-------------------

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

008191

STATEMENT OF _____

TAKEN AT _____

DATED _____

9. STATEMENT (Continued)

Not used

b3+6-2

b3+6-2

AFFIDAVIT

I, [redacted] b3+6-2, 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] (Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 30 day of July, 2003 at Rifles Base

ORGANIZATION OR ADDRESS

[redacted] (Typed Name of Person Administering Oath)

[redacted] (Typed Name of Person Administering Oath)

Artical 136 (b)(4) UCMJ

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

[redacted] b3+6-2

PAGE 2 OF 2 PAGES

USAPA V1.00

III

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION Rifles Base, Ar Ramadi Iraq	2. DATE (YYYYMMDD) 2003/07/31	3. TIME 1409	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	
8. ORGANIZATION OR ADDRESS 94th MP CO Rifles Base Ar Ramadi			

9. I, [REDACTED] b3+r6-2, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On the 30th day of July 2003 [REDACTED] and I went to FOB Maddog to interview [REDACTED]. He told us that on the morning of the 29th he witnessed [REDACTED] kicking a detainee that was already "flex-cuffed" in the back, neck, and head. Upon seeing this he yelled out that if that soldier kicks the detainee anymore that he was going to kick the soldier. He also told [REDACTED] squad leader [REDACTED] the same. After this, [REDACTED] said he would take care of it and went towards [REDACTED]. Arriving at [REDACTED] location he said [REDACTED] knelt down on the detainee's back to change the flex-cuffs and while doing this rubbed the detainee's face in the dirt. [REDACTED] said that [REDACTED] came back to him and told him to "stay in his lane". When we the investigators asked [REDACTED] to put all of this in a statement he said that he didn't have a problem with [REDACTED] and expressed how he didn't want anybody getting in trouble. He just wanted some accountability in the company. He wrote a statement and said in the statement that [REDACTED] just had his foot on the detainee and was not kicking him. It seemed that when [REDACTED] realized we were there on an "official" capacity that his story softened up. Furthermore he went on to write that [REDACTED] only had his hand on the back of the detainees neck holding him down while he changed the flex-cuffs and not rubbing his face in the dirt like he had told us when we first started talking to him. The statement that [REDACTED] gave was more identical to the verbal statement we recieved from [REDACTED].

End statement

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF _____ PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

008193

IV

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION RIPULS BASE AR National Guard	2. DATE (YYYYMMDD) 20030730	3. TIME 2115	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	
8. ORGANIZATION OR ADDRESS 94th MP CO APO AE 09302-1313			

Ag 137
b3+c-2

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON 30 July while interviewing [REDACTED] about the incident involving 2nd PI [REDACTED] stated that he saw a soldier, later identified to be [REDACTED] appear to kick a detainee who was on his stomach and hands "zip-tied" behind his back and compliant. After [REDACTED] realized that [REDACTED] and myself were talking to him "obviously" he stated that maybe he was just putting his feet on him to get the detainees attention. [REDACTED] stated a few times he liked [REDACTED] and that he did not want anything to happen to him. Prior to writing his statement [REDACTED] said [REDACTED] had all of his weight, leaning into, the detainee with his foot on the detainees head and neck area. The more longer we talked to [REDACTED] the less severe the incident involving the detainee became. From possible kicking or stepping putting all of his weight to just getting the detainees attention. [REDACTED] Also stated that he was told to stay in his own lane by [REDACTED] when he said "I'm going to kick that soldier if he kicks him again".

b3+c-2

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 1 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

V

DATA REQUIRED BY THE PRIVACY ACT OF 1974

AUTHORITY: The solicitation of personal information in conjunction with this investigation is authorized under Title 10 USC 3012.

PURPOSE: The purpose for collecting this information is to obtain facts and make recommendations to assist the Commander in determining what action to take with regard to: Personnel Treatment of Detainees on 29 Jul 03

ROUTINE USES: Information obtained during the conduct of this investigation will be used to document relevant facts regarding the incident concerned. It will be used to determine the cause(s) leading to the incident, establish individual responsibilities, negligence, and make recommendations for corrective actions and/or appropriate administrative actions. Any information you provide is disclosable to members of the Department of Defense who have a need for it in the performance of their duties.

DISCLOSURE MANDATORY OR VOLUNTARY, AND THE EFFECT OF NOT PROVIDING INFORMATION:

The information you furnish is voluntary. There will be no adverse effect on you for not furnishing the information other than that certain facts or information might not be otherwise available to the Commander for his decision in this matter.

The information you furnish is mandatory. Failure to provide the requested information could result in disciplinary or other adverse action against you under Article 134, UCMJ.

I, [REDACTED], having been advised of the above provisions of the Privacy Act agree to provide information concerning the above cited incident.

b3 + b-2

[REDACTED]

06/21

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 295f; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

b3+b7

1. LOCATION: FOR M... 2. DATE (YYYYMMDD): 200730 3. TIME: 1757 4. FILE NUMBER:

5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED] 6. SSN: [REDACTED] 7. GRADE/STATUS: [REDACTED]

b3+b2

8. ORGANIZATION OR ADDRESS: 94th MP Co

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

DATE OF 09 JUL 07 DURING MY DEPLOYMENT WITH 94th MP Co IN AFGHANISTAN I WITNESSED A SQUAD LEADER AT LATEL BE OPERATING AS [REDACTED] USING PARADISE FORCE ON A SQUAD DETAINEE WHO WAS ZIP TIED AND IN THE [REDACTED] POSITION. AT THAT I THOUGHT THE MP WAS KICKING THE DETAINEE, BUT THEN REALIZED THAT THE SOLDIER WAS USING HIS RIGHT FOOT TO HOLD THE HEAD BACK, AND WHAT LOOK TO BE HIS KNEE TO THE GROUND. IT WAS APPROXIMATELY 50-75 METERS AWAY. AT THIS TIME, I WAS SEARCHING FOR THE IDENTITY OF THE SOLDIER, AND ALSO STATED THAT I WOULD LIKE TO KNOW THAT SOLDIER'S NAME, AT THE TIME OF THE INCIDENT I IDENTIFIED [REDACTED] AND [REDACTED] WHO WENT TO THAT LOCATION TO ATTAIN WHAT WAS GOING ON, I WITNESSED [REDACTED] CHANGE THE DETAINEE'S ZIP TIES, AND AFTER RETURN TO MY LOCATION HE STATED THAT NOTHING WAS GOING ON AND I WAS WRONG IN MY OBSERVATION OF ANY KICKING, AND THAT I SHOULD STAY IN MY LANE, SO I LET THE SITUATION DROP, LATER THAT DAY, WHILE AT PIPELS, [REDACTED] OVERHEARD MY COMMENTS AND HOW DISAPPOINTED I WAS WITH THE BEHAVIOR OF MP'S AS I WAS USING THE STORY TO EXPLAIN DESENSITIVITY TO THE SOLDIERS I SERVED, AND HOW THIS LOWERS OUR STANDARDS OF BEING ABLE TO DO THE BEST. NOW AS A MP WE ARE TO [REDACTED]

b3+b2

b3+b2

10. EXHIBIT: 11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED] b3+b2 PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED]

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

008196

STATEMENT OF

[REDACTED]

b3+62

TAKEN AT

Est. Hq. [REDACTED]

DATED

20070730

9. STATEMENT (Continued)

INSURE THAT DETAINEES, EPW'S ARE TREATED FAIRLY, HUMANITARIANLY AND IN ACCORDANCE WITH THE GENEVA CONVENTION, HOW AS A MP WE ARE RESPONSIBLE FOR SAFETY OF DETAINEES AND EPW'S. APPARENTLY MY POINT WAS LOST ON THE MEMBERS OF 2ND PCT WHO WERE AT THIS LOCATION, FOR THEY EXPRESSED HOW DETAINEES GOT WHAT THEY DESERVED! APPARENTLY THE RULES AND REGULATIONS OF THE GENEVA CONVENTION WHICH WE AS SOLDIERS ARE HELD TO DURING WAR MEANT NOTHING, WHEN BROUGHT TO THE ATTENTION OF THESE SOLDIERS AT THE TIME OF THIS INCIDENT. EVEN THE GUNNER (UNIDENTIFIED) IN THE 2ND PCT VEHICLE STATED THAT "THEY DON'T OBSERVE THE GENEVA CONVENTION, WHY SHOULD WE!"

Q. A.

[REDACTED]

b3+62

Q. When you first looked at the detainees did it appear the MP was kicking the detainees?

A. MY ATTENTION WAS BROUGHT TO THAT LOCATION BY MY OBSERVATION OF RAPID FOOT MOVEMENTS, I DID NOT SEE ANY KICKING, ONLY PERCEIVED BY THE POST AND LEG MOTION.

Q. Did you see [REDACTED] push the detainees face into the dirt while changing the detainees fixatures? AND, if observed [REDACTED] KICK ON THE DETAINEES WHILE CHECKING AND RELOADING THE DETAINEE, SEE CHART DID USE HIS LEFT HAND TO SURROUNDE THE DETAINEE WHILE AT GUN TO [REDACTED]

b3+62

Q. Where did he put his left hand?

A. FROM MY LOCATION IT LOOKED LIKE BETWEEN THE SHOULDER BLADES AND BASE OF THE NECK.

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

A. YES! THIS WAS NOT DONE OUT OF SPITE AND MALICE, BUT CONCERN FOR THE DETAINEES, AND ANTIWIDE OF THE MP'S WHO WERE INVOLVED, AND OR WITNESSED THIS CRIME.

END OF STATEMENT [REDACTED] b3+62

INITIALS OF PERSON MAKING STATEMENT

[REDACTED] b3+62

PAGE 2 OF 3 PAGES

206704

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

not used [redacted] b3+6-2

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.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

[redacted] b3+6-2
(Statement)

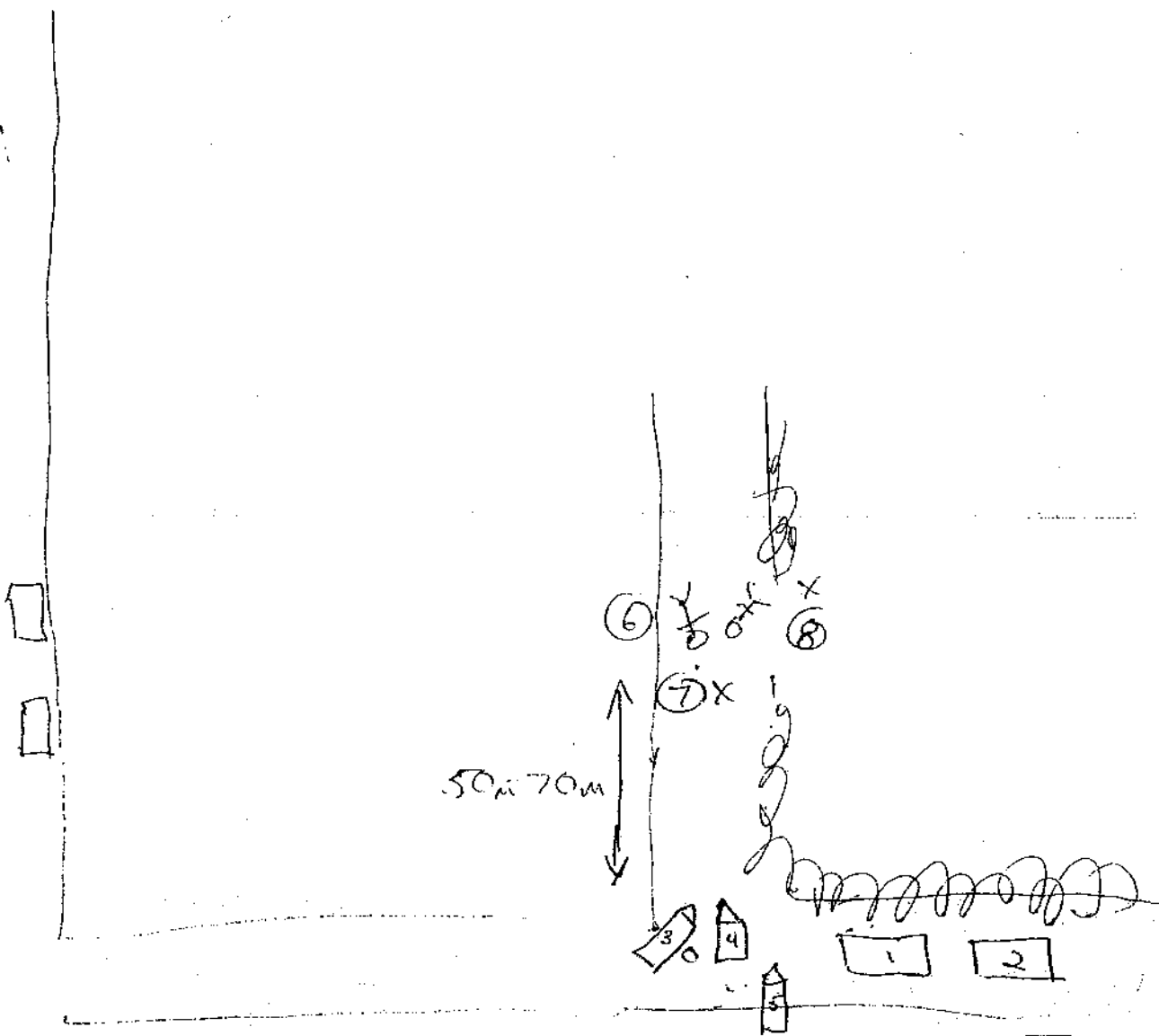
Subscribed and sworn to before me, a person authorized by law to administer oaths, this 30 day of July 2003 at

[redacted] b3+6-2
(Signature of Person Administering Oath)

[redacted] b3+6-2
(Typed Name of Person Administering Oath)
Article 136 (b)(6) UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES



1. [REDACTED]
2. SF
3. 2ND PCT VEH EMPTY [REDACTED] BESIDE IT
4. 2ND PCT [REDACTED] IN GUNNER POSITION
5. [REDACTED] GUNNER POSITION
6. DETAINEES
7. [REDACTED]
8. [REDACTED]

03067071

} 6 316-2

VI

DATA REQUIRED BY THE PRIVACY ACT OF 1974

AUTHORITY: The solicitation of personal information in conjunction with this investigation is authorized under Title 10 USC 3012.

PURPOSE: The purpose for collecting this information is to obtain facts and make recommendations to assist the Commander in determining what action to take with regard to: Possible MISTREATMENT OF Detainees on 29 Jul 03 on (Rail).

ROUTINE USES: Information obtained during the conduct of this investigation will be used to document relevant facts regarding the incident concerned. It will be used to determine the cause(s) leading to the incident, establish individual responsibilities, negligence, and make recommendations for corrective actions and/or appropriate administrative actions. Any information you provide is disclosable to members of the Department of Defense who have a need for it in the performance of their duties.

DISCLOSURE MANDATORY OR VOLUNTARY, AND THE EFFECT OF NOT PROVIDING INFORMATION:

The information you furnish is voluntary. There will be no adverse effect on you for not furnishing the information other than that certain facts or information might not be otherwise available to the Commander for his decision in this matter.

The information you furnish is mandatory. Failure to provide the requested information could result in disciplinary or other adverse action against you under Article 134, UCMJ.

I, [REDACTED], having been advised of the above provisions of the Privacy Act agree to provide information concerning the above cited incident.

b316.2

[REDACTED]

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION: Feb Maddox
2. DATE (YYYYMMDD): 20030730
3. TIME: 1630 hrs
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS: 94th MP Co 1st Plt

9. I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
On 29 July 2003 at approximately 0800 hrs my team Black Bear 3C was participating in a raid vicinity grid LC 438 033. While positioned on the southern perimeter near several elements of Nutcrusher platoon (second platoon), I heard on the radio that an element of Nutcrusher spotted several individuals, male Iraqis, on a dirt road in the vicinity of the raid who were acting furtive and ran off the road into the reeds. Nutcrusher went after them and, from what I heard on the radio, they effected the apprehension. Soon after this my team moved down to the area where Nutcrusher was detaining the three individuals. When I arrived on the scene there were several SF troops interrogating several suspects at a house. I walked over to the area to offer assistance. I was with [redacted] We took 2 suspects from the house and were escorting them to a soft back humvee for transport to a holding area when we walked past [redacted] and [redacted] with one other soldier whom I cannot recall the identity of at this time apparently guarding (3) detainees who were zip tied and face down on the ground. I noticed that they were being somewhat verbally abusive to the detainees. I overheard comments similar to "you got a fuckin' problem? Oh, the zip ties are too tight? Tough shit!" Beyond this they were putting their boots on the detainee's backs and heads in an apparent attempt to intimidate them. I did not witness them kicking or hitting the detainees. I escorted the detainee I had taken to the truck where SF was interrogating them. As I passed by my vehicle which was located about 20 meters from where [redacted] and [redacted] were guarding their detainees, I noticed my gunner, [redacted], in the turret of my vehicle. He was somewhat

10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT: [redacted]
PAGE 1 OF 3 PAGES

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

008201

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

not used [redacted] b3+b2

07/02

b3+b2

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] b3+b2
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 30th day of July, 2003 at

ORGANIZATION OR ADDRESS

[redacted] b3+b2
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[redacted]
(Typed Name of Person Administering Oath)
Artical 136(b)(4) UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[redacted] h-3+b2

PAGE 3 OF 3 PAGES

VII

DATA REQUIRED BY THE PRIVACY ACT OF 1974

AUTHORITY: The solicitation of personal information in conjunction with this investigation is authorized under Title 10 USC 3012.


PURPOSE: The purpose for collecting this information is to obtain facts and make recommendations to assist the Commander in determining what action to take with regard to: Asside MIST Treatment of Detainees 29 Jul 03 in Pail

ROUTINE USES: Information obtained during the conduct of this investigation will be used to document relevant facts regarding the incident concerned. It will be used to determine the cause(s) leading to the incident, establish individual responsibilities, negligence, and make recommendations for corrective actions and/or appropriate administrative actions. Any information you provide is disclosable to members of the Department of Defense who have a need for it in the performance of their duties.

DISCLOSURE MANDATORY OR VOLUNTARY, AND THE EFFECT OF NOT PROVIDING INFORMATION:

The information you furnish is voluntary. There will be no adverse effect on you for not furnishing the information other than that certain facts or information might not be otherwise available to the Commander for his decision in this matter.

The information you furnish is mandatory. Failure to provide the requested information could result in disciplinary or other adverse action against you under Article 134, UCMJ.

I, , having been advised of the above provisions of the Privacy Act agree to provide information concerning the above cited incident.

63+6-2



Exp 6/7/78

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION: RIFLES WEST RAMADI
2. DATE (YYYYMMDD): 20030704
3. TIME: 2050
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME:
6. SSN:
7. GRADE/STATUS:
8. ORGANIZATION OR ADDRESS: 94TH MP CO LONDONDERRY NH

9. I, [REDACTED] h3t6, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: ON 29 AUG 03 DURING THE RAID, 2 DETAINEES WERE ZIPCUFFED AND PLACED ON THE GROUND UNDER THE SUPERVISION OF [REDACTED] AND [REDACTED]. MY POSITION WAS IN THE TURRET OF VEHICLE MP 25 APPROX. 50 METERS OR LESS FROM THE DETAINEES. I OBSERVED [REDACTED] PLACE A FOOT ON THE SHOULDER OF ONE OF THE DETAINEES WHO BEGAN TRYING TO LIGHTER GET UP OR GET HIMSELF FREE FROM HIS ZIPCUFFS. AT THAT TIME, FROM BEHIND ME, I HEARD [REDACTED] BEGIN YELLING FOR [REDACTED]. AS [REDACTED] APPROACHED, [REDACTED] THREATEN TO LEAVE HIS POSITION IN THE TURRET AND PHYSICALLY HARM [REDACTED] WHEN ASKED WHY HE WAS YELLING, [REDACTED] REPLIED TO [REDACTED] THAT "AS MP'S WE ARE OBLIGATED TO PROTECT MP DETAINEES, NOT ABUSE THEM." [REDACTED] THEN ASK WHAT ABUSE DID HE SEE AND [REDACTED] REPLIED THAT HE SAW [REDACTED] KICK A DETAINEE. I WAS SURPRISED WITH HIS ANSWER SINCE I DIDN'T SEE ANYTHING SIMILAR TO A KICK, I SAW [REDACTED] PLACE A FOOT ON A DETAINEE TO LIMIT HIS MOVEMENT WHILE STILL HAVING BOTH HANDS ON HIS WEAPON FOR POSITIVE CONTROL. [REDACTED] TOLD [REDACTED] THAT HE MAY HAVE MISINTERPRETED [REDACTED] ACTIONS WHICH ONLY SEEMED TO INTURBATE [REDACTED] MORE. [REDACTED] TO CALM [REDACTED], WENT TO THE DETAINEES POSITION.

10. EXHIBIT:
11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED]
PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] 2050 TAKEN AT REQUEST DATED 20030704
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

24, 20, 2003

b3+6-2

STATEMENT OF [REDACTED] TAKEN AT 2050 DATED 20030704

9. STATEMENT (Continued)

HE THEN CALLED BACK TO [REDACTED], WHO WAS STILL ^{RM} CLAIMING TO BE WITNESSING ABUSE, WHERE HE DID HE SEE ABUSE TAKING PLACE. THE DETAINEE, ONCE AGAIN SQUERMED, SEEMINGLY TRYING TO GET OUT OF THE ZIP CUFFS. [REDACTED] CHECKED ON THE ZIP CUFFS.

b3+6-2

Also, SPECIAL FORCES TOLD [REDACTED] TO MAKE SURE THEY, BEING THE DETAINEES, STAYED IN THE POSITION THEY WERE LEFT IN AND TO ENSURE THEY DID NOT MOVE THEIR HEADS DUE TO OPERATIONS THEY WERE STILL PULLING OUT OF THE DETAINEES VIEW.

~~NOT USED~~

b3+6-2

AFFIDAVIT

[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 INCOUCEMENT.

[REDACTED SIGNATURE]

(Signature of P)

WITNESSES:

Subscribed and sworn to before me [REDACTED] to administer oaths, this 14th day of August, 2003 at [REDACTED]

[REDACTED]

ORGANIZATION OR ADDRESS

[REDACTED]

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)
ARTICLE 136 (B)(4) UCMJ
(Authority To Administer Oaths)

b3+6-2

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

VIII

DATA REQUIRED BY THE PRIVACY ACT OF 1974

AUTHORITY: The solicitation of personal information in conjunction with this investigation is authorized under Title 10 USC 3012.

PURPOSE: The purpose for collecting this information is to obtain facts and make recommendations to assist the Commander in determining what action to take with regard to: POSSIBLE MISTREATMENT OF DETAINEES ON 27 JUL 03

ROUTINE USES: Information obtained during the conduct of this investigation will be used to document relevant facts regarding the incident concerned. It will be used to determine the cause(s) leading to the incident, establish individual responsibilities, negligence, and make recommendations for corrective actions and/or appropriate administrative actions. Any information you provide is disclosable to members of the Department of Defense who have a need for it in the performance of their duties.

DISCLOSURE MANDATORY OR VOLUNTARY, AND THE EFFECT OF NOT PROVIDING INFORMATION:

The information you furnish is voluntary. There will be no adverse effect on you for not furnishing the information other than that certain facts or information might not be otherwise available to the Commander for his decision in this matter.

The information you furnish is mandatory. Failure to provide the requested information could result in disciplinary or other adverse action against you under Article 134, UCMJ.

I, [REDACTED], having been advised of the above provisions of the Privacy Act, agree to provide information concerning the above cited incident.

63+6-2

[REDACTED] 04 Aug 03

03/16/77

SWORN STATEMENT

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

LOCATION <i>Rifle West</i>	DATE <i>4 Aug 73</i>	TIME <i>2115</i>	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS [REDACTED]	
ORGANIZATION OR ADDRESS <i>94th MP Co.</i>			

6316-2

I, [REDACTED] *B316A*, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Myself + [REDACTED] were watching detainees during a raid on 29 July 03. There was 3-4 Detainees on the ground zipcuffed behind their backs. One detainee kept on moving around, his head + talking. There was a language barrier so we did not understand what he was saying. We told him to be quiet + turn his head. By pointing to our eyes and telling him to look the other way. He did not we used our hands to turn his head many times. This went on for 5 min maybe a little bit longer. He started to move his fingers and hands and looking back with his head to suggest something. We figured his cuffs were to tight.

At that time [REDACTED] started to walk up to our position and he said "Cops keep kicking the detainees". We turned around and disbelieved at the accusation. And we told him nobody is kicking him. [REDACTED] turn back and told [REDACTED] to get a new pair of glasses. And that his guard would not do such a thing - [REDACTED] proceeded back towards [REDACTED] + myself. We told [REDACTED], we think his cuffs are to tight. [REDACTED] then said lets cut them off and put new ones on. I stand guard while [REDACTED] put one knee on the detainee's shoulder to keep him from moving and doing any harm to us. While [REDACTED] held the detainees heads and cut them off with a pair of medics scissors. We then reapplied new zipcuffs. Which were checked by all of us. The detainee did not move or say any thing after that but thank you mister which he said a few times. The detainees were then brought back to the vehicles to be transported. [REDACTED] again asked us if any thing happened, did we kick him. We said no, nothing like that happened. He said okay I just want to be sore because [REDACTED]

6316-2

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED."
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

008207

b3+1-2

STATEMENT OF

[Redacted]

TAKEN AT

D. F. [Redacted] DATED 014 AUG 03

02067

9. STATEMENT (Continued)

[Redacted] was accusing us of kicking that individual
[Redacted] went back to [Redacted] and said my guys
were not kicking anyone. My guys are good and they would not
do anything like that. They are professional mp's are concerned
with our mission.

b316-

End of Statement [Redacted]

~~Nothing follows~~

AFFIDAVIT

I, [Redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT
WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE [Redacted]. 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)

WITNESSES:

b3+16-2

Subscribed and sworn to before me, a person authorized by law to
administer oaths, this 4th day of August, 2003
at [Redacted]

[Redacted Signature]

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[Redacted Name]

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

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

b3+16-2

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

IX

DATA REQUIRED BY THE PRIVACY ACT OF 1974

AUTHORITY: The solicitation of personal information in conjunction with this investigation is authorized under Title 10 USC 3012.

PURPOSE: The purpose for collecting this information is to obtain facts and make recommendations to assist the Commander in determining what action to take with regard to:

CIF DETAILS ON 29 JUL 03 POSSIBLE MISTREATMENT

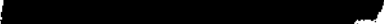
ROUTINE USES: Information obtained during the conduct of this investigation will be used to document relevant facts regarding the incident concerned. It will be used to determine the cause(s) leading to the incident, establish individual responsibilities, negligence, and make recommendations for corrective actions and/or appropriate administrative actions. Any information you provide is disclosable to members of the Department of Defense who have a need for it in the performance of their duties.

DISCLOSURE MANDATORY OR VOLUNTARY, AND THE EFFECT OF NOT PROVIDING INFORMATION:

The information you furnish is voluntary. There will be no adverse effect on you for not furnishing the information other than that certain facts or information might not be otherwise available to the Commander for his decision in this matter.

Exp 6, 7, 24

The information you furnish is mandatory. Failure to provide the requested information could result in disciplinary or other adverse action against you under Article 134, UCMJ.

I, , having been advised of the above provisions of the Privacy Act agree to provide information concerning the above cited incident.



63162

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION: Rattles Nest
2. DATE (YYYYMMDD): 20030804
3. TIME: 0620
4. FILE NUMBER:

5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED]
6. SSN: [REDACTED]
7. GRADE/STATUS: [REDACTED]

8. ORGANIZATION OR ADDRESS: 2nd PL, 94th MP Co

9. [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 29 July 03 at 0630 we provided a TCP for a raid. We captured 2 detainees that were hiding in the reeds. Myself and [REDACTED] and [REDACTED] were looking in the reeds for possible people, I spotted one man in the reeds [REDACTED] spotted the second man. We gave them commands to come out they where hesitant to come out. As soon as they came out we cross slung weapons and escorted them to flat ground, at this time the detainees were flex cuffed and placed on the ground. At this point ODA came to scene with 3 detainees and screened our 2 detainees claiming, the one was the lead guy they wanted. The ODA team had his brother, at this time ODA took our detainee and I escorted his brother. We placed the detainees in ODA humvees. At this time I went back to the scene. 1 detainee would not listen to our commands and complained speaking only in arabic. I said to the detainee if he can complete the sentence in english we can get some place. At this time we figured we would cut off the flex cuffs and put another pair on him. [REDACTED] In between I was dismounted moving inbetween the detainees location and the humvees of the ODA team which was 50 to 75 meters away from the detainees. As dismounted at any time did I see any detainee abused in any way.

10. EXHIBIT:
11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED]
PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED]

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

exp 1/2/03

b3+6-2

STATEMENT OF [REDACTED] TAKEN AT Rifles West DATED 4 Aug 03

9. STATEMENT (Continued)

~~NOT A SELF~~

b3+6-2

b3+6-2

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE [REDACTED] AND ENDS ON PAGE [REDACTED]. 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 of Person Making Statement)

b3+6-2

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 4th day of August, 2003 at Rifles West/SP

ORGANIZATION OR ADDRESS

[REDACTED]

b3+6-2

ORGANIZATION OR ADDRESS

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

INITIALS OF PERSON MAKING STATEMENT

[REDACTED] b3+6-2

PAGE 2 OF 2 PAGES

008211

X

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

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

DATA REQUIRED BY THE PRIVACY ACT

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

1. LOCATION: Rifles West Base, Iraq
2. DATE: 04 Aug 03
3. TIME: 2320
4. FILE NO.
5. NAME (Last, First, MI)
6. ORGANIZATION OR ADDRESS: 2/94M
7. GRADE/STATUS: E4/SP6

ekp67c

23467

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 Military Police and wanted to question me about the following offense(s) of which I am suspected/accused: MISTREATMENT OF DETAINEES

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.

1a. NAME (Type or Print)
1b. ORGANIZATION OR ADDRESS AND PHONE
2a. NAME (Type or Print)
2b. ORGANIZATION OR ADDRESS AND PHONE
3. SIGNATURE OF INTERVIEWEE
6. ORGANIZATION OF INVESTIGATOR: 4/94 Military Police Corps

63167

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 2923) 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 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 Rifles West, Iraq	2. DATE (YYYYMMDD) 20030805	3. TIME 1115	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	
8. ORGANIZATION OR ADDRESS 94th MP			

Exp 67
316-2

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

On the date in question when the two individuals were pulled from the needs myself [REDACTED] and [REDACTED] were present at the area the suspected incident took place. Once the detainees were searched and flex cuffed they were placed on the ground. Myself and [REDACTED] were together as [REDACTED] went to 2A's vehicle to contact Glement. [REDACTED] aided in moving other detainees. While myself and [REDACTED] had custody of the two men pulled from the needs one addressed me in English. Hoping that he could understand English I answered him to keep him as calm as possible. When I turned around towards the second man I saw that he was rolled towards his side with his back facing me. At this time I could clearly see that he was tampering with the flex cuffs. Assessing the scene I determined that in order to maintain control of the scene I should push this man on his chest. Due to the fact that he was messing with the flex cuffs I determined that I did not want the individual to gain control of my weapons, so I used my foot by placing it on his shoulder to place the individual chest down. At this point I had notified [REDACTED] of the situation, and knelt down maintaining positive control of my weapons, and checked the subjects flex cuffs. They seemed loose so I tightened them to a point where I could fit two fingers through. I checked the subjects capillary refill in his finger tips, and every thing seemed to be fine. A short while later I was approached by [REDACTED] who instructed me not to kick the detainees anymore. At this point I told [REDACTED]

316-2

316-2

9. SIGNATURE	10. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED]"

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

Statement of

[REDACTED]

taken at RIFTS WEST OKLAHOMA

6316-2

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 2. DATE (YYYYMMDD) 3. TIME 4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME 6. SSN 7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS

6316-2

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
That I never kicked the detainees, which was confirmed by [REDACTED]
[REDACTED] then proceeded to have an argument with
Sgt [REDACTED] When [REDACTED] returned to the subject who was temporarily
with the flex cuffs was complaining they were too tight, using gestures
and speaking Arabic. [REDACTED] then suggested we loosen the cuffs. This
is when [REDACTED] placed his knee/shin over the subjects shoulder
using only enough force to keep the subject restrained. He as well used
his hands to immobilize the subjects arms, also using minimal force.
Then used surgical shears to remove the old cuffs, and apply new
ones. Using only methods taught through AIT the subjects were restrained
and brought finally to the vehicle they were to be transported in.

6316-2

Q- [REDACTED]
A- [REDACTED]

Q- DID you at any time kick the detainees or did you at
any time witness SSS [REDACTED] Rub detainees Face in dirt or
Abuse in any way
A- NO

End of Statement
nothing follows [REDACTED]

10. EXHIBIT 11. INITIALS OF PERSON MAKING STATEMENT PAGE 2 OF 3 PAGES

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

008214

STATEMENT OF

[REDACTED]

TAKEN AT

Quilley West Hwy DATED 5 Aug 03

9. STATEMENT (Continued)

not used

[REDACTED] *b3+6-2*

b3+6-2

AFFIDAVIT

[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 COERCION, WITHOUT REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED]
[REDACTED]
[REDACTED]

b3+6-2

(Typed Name of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of August, 2003 at [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

b3+6-2

ORGANIZATION OF ADDRESS

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

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

INITIALS OF PERSON MAKING STATEMENT

[REDACTED] *b3+6-2*

PAGE 3 OF 3 PAGES

XI

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

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

DATA REQUIRED BY THE PRIVACY ACT

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

AP 4716

1. LOCATION Rifles West Base, IRAC	2. DATE 07 Aug 03	3. TIME 1257	4. FILE NO.
5. NAME (Last, First, MI) [REDACTED]	8. ORGANIZATION OR ADDRESS 94th military Police Company		
6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]		

3r62

PART 1 - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army military Police
 suspected/accused: [REDACTED] wanted to question me about the following offense(s) of which I am
 b 3+6-2

- 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) [REDACTED] signed here but did in fact waive his rights as he did request a lawyer and only answered

Section B. Waiver

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

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE
1a. NAME (Type or Print)		[REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE		
2a. NAME (Type or Print)		[REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE		
		6. ORGANIZATION OF INVESTIGATOR 94th military Police Company

b 3+6-2

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
- [REDACTED] b 3+6-2

ATTACHED IS WAIVER CERTIFICATE STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

XII

I, [REDACTED] questioned all soldiers known to be involved in the incident involving the raid on 29JUL03 and also questioned others whom I found witnessed enough to warrant investigation. I initially questioned [REDACTED] and then [REDACTED] very briefly for an understanding of background and then questioned [REDACTED] on his opinions and was informed that he felt [REDACTED] had attempted to backtrack on his initial statements at Rifles Base. I then questioned [REDACTED] and [REDACTED] who had already had statements taken by [REDACTED]. I questioned them on the contents of their statements as well as on secondary questions that I had. For context purposes, the first thing I did was have [REDACTED] walk me through the whole operation from preparation until ending. I then questioned him on his statement, what he witnessed and then any questions I had or discrepancies I noticed. Based on my questions I found out that he was very angry at what he perceived was kicking and that got him started. He could not say with certainty that he actually saw kicking as all he saw was foot movement from his peripheral vision. Also, he started to yell at a soldier near the detainee [REDACTED] and a soldier in the turret of the vehicle that was across from him yelled back (it turned out to be [REDACTED]). The two of them were yelling at each other and [REDACTED] was getting madder. I told him about the perception that [REDACTED] and [REDACTED] had that he had backtracked on his statements and questioned him about it. He explained that at this time he realized the seriousness of the situation and did not want to get soldiers in trouble. I had made it clear that his responsibility is to remember what he saw, not worrying about getting soldiers in trouble. He verified that he "perceived" actions but could not say that those particular actions actually took place. The only thing he knows he saw was "foot movement" and he cannot confirm that he saw [REDACTED] put a detainees head in the dirt. He also admitted he was very angry during and after the events due to his perception and his confrontations with the two soldiers [REDACTED] and [REDACTED]. He also told me that when he made the statements initially at Rifles base to [REDACTED] and [REDACTED] he remembers saying to them that it looked like the detainees were getting kicked. It was not verified. Same for the face in the dirt. I also asked him for a background on the mission itself to get an idea on how much, if any our soldiers had been briefed to go get the killers. He explained that that he was at the briefing and that it was briefed that they were going to get the FOX 6 killers but that this was not a vigilante mission. He also stated that the 5s were in fact briefed on treatment of detainees. He did mention that the [REDACTED] did state that he was a friend of Fox 6 but did not give any particular orders. Also, he said [REDACTED] confronted the suspected killer, talked to him and left, that's it. He also said he never spoke to any of the soldiers that were on the ground near the detainee and that after he got told to stay in his lane by [REDACTED] he did not speak to him again but remained very angry. [REDACTED] stated that he did not see any of the supposed kicking incidents but only heard it second hand from [REDACTED]. He did however state that he "heard profanities" coming from soldiers near the detainees but could not say what soldier was saying what. I also asked if he saw a soldier with his foot on a detainees head and he replied that he was moving but that he did see a soldier have his foot on the upper body of the detainee. [REDACTED] was also able to verify that a good brief did occur prior to the mission and that no specific instructions were given out for any type of vigilante justice and that proper treatment of detainees was covered. I now talked to 2nd Plt. [REDACTED] saw one of the soldiers put his foot on one of the detainees but did

63+67

63+67

not witness a kick nor did he see [redacted] later on put the detainees face in the dirt. He was involved in an argument across HUMVEE turrets with [redacted] and from his statements, he was attempting to counter what [redacted] was yelling to defend his own platoon's soldiers. He was the one arguing about the Geneva convention and also told [redacted] not to yell about the Geneva convention when he [redacted] was threatening his own soldiers. etp 6, 70, 7d

[redacted] did not witness [redacted] or [redacted] kick a detainee but did admit to talking to them as he was walking back and forth as security. He did make the statement that they (soldiers) would listen to them as long as they completed a sentence in English. He seemed very ^{open} and did not feel that any soldiers did anything wrong.

[redacted] denied that either he or [redacted] ever kicked a detainee. He was the dedicated security with him and only saw [redacted] put his foot on him to secure him when he went to tighten zip ties that it appeared the detainee was trying to get out of. He also stated that [redacted] came up and told them to stop kicking detainees and that he was surprised he would say that. He denied any wrongdoing and thought that the detainees were treated well. He also stated that [redacted] put new flexcuffs on the detainee and moved his head to stop the detainee from looking around. He also stated that he remembered the detainee saying "thank you mister" after [redacted] did this.

[redacted] asked a few questions about his rights waiver warning and when I explained the reasons, was more than willing to sign it and talk. He strongly denied kicking a detainee and explained that a detainee was moving and he moved his foot to position it on the detainee's back to roll him back over on his chest so he could reapply zipcuffs while maintaining control of his weapon. He also stated that [redacted] came up and told him and [redacted] to stop kicking the detainee and was surprised as they had not kicked anyone. He also denied seeing [redacted] rub a detainees face in the ground and explained that [redacted] willingly reapplied zipties himself when he realized they were too tight on the detainee. b3 + b-2

[redacted] seemed very concerned when read his rights warning waiver. I walked him through the sheet and the instructions by the numbers and eventually he did say he thought it best if he talk to a lawyer. The instructions clearly state not to coerce in any way so I held up all questions and we went to Rifles to find an attorney. After finding [redacted] at TOC he helped me find [redacted] in the chow hall. I explained the situation and was told that He would need to talk to TDS but that I could still ask him questions and he could listen and answer voluntarily. I informed [redacted] of this we moved to Patriot Base second floor. He did answer all questions I asked. The first question I asked was whether he saw any soldier kicking detainees and he said no. I then asked if he had rubbed a detainees face in the dirt and he emphatically denied it. He explained that he briefs his soldiers to take care of detainees and when he heard [redacted] accuse them of kicking a soldier went over and told them to stop. He explained that they were taken aback by the accusation and informed him that neither one was kicking a detainee. He then explained that he had knelt down with one knee between a detainee's shoulder blades because it was brought to his attention that the zip ties on the detainee were too tight. He explained that the detainee kept trying to look back at him and he kept turning his head back so he was facing forward and not observing him. He also expressed that he was very mad at [redacted] for calling him out in front of people. He told [redacted] he would willingly go see the First Sergeant with him if he had a problem. b3 + b-7

[redacted]

CG AUC 03

008218

BATES PAGES 8219 – 8221

(IDA: OTJAG – Administrative Law)

ARE NON-RESPONSIVE AND HAVE BEEN
REMOVED

XIV

exp-1

Date 4 AUG 03 REF: 29 JUL 03

Soldier

Questioner

b3r6-2

Did you take part in or see any portion of the incident being investigated which took place on the morning of 29AUG03 and if the answer is yes, what was your involvement?

YES, I WAS THE GUNNER FOR 1ST PLT, 3RD SQD, SGT [REDACTED]'S TEAM 3-C.

Did your higher command at this or any other time issue any directive on the way captured personnel are to be treated and if so, explain to the best of your ability.

YES, PERSONNEL CAPTURED BY KILLER TROOP WERE TO BE SEGREGATED, AS PER S-S's / ALSO MARKED ON BACK OF THE LEFT HAND WITH MAGIC MARKER AS TO WHICH / HOUSE OR LOCATION DETAINED.

Has your higher command at any time issued specific directives on treatment of detainees and did they for this raid? What was your understanding of the reasons for this operation and how did that affect your actions? YES THIS RAID WAS CONDUCTED ON INFORMATION COLLECTED THAT THE INDIVIDUALS WHO KILLED FOX 6 WERE AT THAT LOCATION,

- ① SEPARATE WOMEN AND CHILDREN
- ② ZIP TIE MEN OF MILITARY AGE, AND MARK THEM WITH LOCATION DETAINED (SEE REVERSE) #1

Do you believe that the actions you took or witnessed were justified and appropriate and based on your answer, why yes or no? THE RAID YES, THE INDIVIDUALS WHO WERE CAUGHT HIDING, NO, (THREE) INDIVIDUALS WERE

CAUGHT BY 2ND PLT, THEY WERE ZIP TIED, AND PUT IN THE PRONE POSITION, AFTER APPROXIMATELY 30 MIN. ONE WAS I.D. AS THE NUMBER ONE NAME ON THE RAID LIST FOR THAT MISSION (SEE REVERSE)

Have you ever seen other soldiers treating detainees in a way you consider to be inappropriate and if so, when and where? NO, BUT I HAVE SEEN

THE 3RD/3RD ACR, KILLER, GRIM, AND MADDOG TROOPS BE OVERLY AGGRESSIVE, AND UNPROFESSIONAL IN THE HANDLING OF CIVILIANS AT CHECK POINTS.

What is your understanding of the Geneva Conventions in regard to treatment of prisoners of war and how do you believe this applies to your situation? Has your leadership briefed you on this topic?

- ① Briefed NOT TO MY RECOLLECTION!
- ② GENEVA CONVENTION, TO SAFE GUARD AND PROTECT DETAINEES WHILE IN YOUR CUSTODY, TO PREVENT ANY HARM FROM CIVILIAN, OR MILITARY PERSONNEL.

008222

③ IF FIRED ARM RETURN FIRED
④ ONCE BUILDING WERE CLEARED, PANEL MARKERS WOULD BE
HUNG OUT.

② AS THE NUMBER ONE NAMED INDIVIDUAL WAS REMOVED
TWO MILITARY POLICEMEN, WERE LEFT TO GUARD THE TWO
REMAINING DETAINEES. AT THIS TIME A MP LATER I.D.
AS [REDACTED] WAS REFORMING WALKING SECURITY, AND
A MP LATER I.D. AS [REDACTED] WAS WATCHING THE
DETAINEES. I PERCEIVED [REDACTED] TO BE KICKING
THE DETAINEE ON THE RIGHT SIDE OF THE ROAD,
BUT AS IT TURNED OUT HE WAS USING HIS LEFT
FOOT TO HOLD THE DETAINEE IN PLACE, IT APPEARED
THAT HE HELD THE DETAINEE BY PLACING HIS FOOT
ON: A) SMALL OF HIS BACK
B) HEAD
C) NECK

I COULD NOT SEE THE DETAINEE, STRUGGLING, NOR
COULD I HEAR THE DETAINEE, I BELIEVE THERE WAS
NO JUSTIFIABLE REASON FOR [REDACTED] TO DO THIS.

6/16/77
6/16/77

04 AUG 03

Date 04 AUG 2003

Soldier _____

Questioner _____



Did you take part in or see any portion of the incident being investigated which took place on the morning of 29 AUG 03 and if the answer is yes, what was your involvement?

Yes, I overheard part of a conversation between [redacted] and [redacted] and witnessed [redacted] and [redacted] acting aggressively towards 3 zip tied detainees.

63162

Did your higher command at this or any other time issue any directive on the way captured personnel are to be treated and if so, explain to the best of your ability.

most of the briefings I have been to, commanders do not go into specifics of detainee handling (except with regard to paperwork and soldier safety (i.e. zip ties, searching, etc.) They did mention 5 S's

Has your higher command at any time issued specific directives on treatment of detainees and did they for this raid? What was your understanding of the reasons for this operation and how did that affect your actions?

My MP chain of command has directed us to treat detainees as professional police should, i.e. no excessive force, no verbal abuse, respect for their person, 5 S's.

Do you believe that the actions you took or witnessed were justified and appropriate and based on your answer, why yes or no?

No, I believe it demonstrates poor professionalism and further, US forces are supposed to set the example. Acting in this manner only makes us more like Saddam's Regime.

Have you ever seen other soldiers treating detainees in a way you consider to be inappropriate and if so, when and where?

yes, several TCP's with 3/3 Squadron, not just detainees but Iraqi nationals who were just passing thru a TCP.

What is your understanding of the Geneva Conventions in regard to treatment of prisoners of war and how do you believe this applies to your situation? Has your leadership briefed you on this topic?

yes, we have been briefed. The Geneva Convention has very specific guidelines for the treatment of prisoners, which revolves around respect for human rights and the rights of the individual.

008224

02p 6, 7c

Date 3 Aug 03

Soldier [REDACTED]

Questioner [REDACTED]

6316-2

Did you take part in or see any portion of the incident being investigated which took place on the morning of 29 AUG 03 and if the answer is yes, what was your involvement?

Yes, I aided in the search and guard of detainees.

Did your higher command at this or any other time issue any directive on the way captured personnel are to be treated and if so, explain to the best of your ability.

Yes, to treat them IAW the Geneva Conventions, humanly, and with the least amount of force necessary in order to achieve the goal of restraining via flex cuffs, searching for evidence, and keeping the area as calm as possible.

Has your higher command at any time issued specific directives on treatment of detainees and did they for this raid? What was your understanding of the reasons for this operation and how did that affect your actions?

No. We have always been taught to treat the detainees the same regardless of the reason for detaining them. The raid was to catch the killer(s) of Fox 6. That did not affect my actions, I acted as directed, and previously described.

Do you believe that the actions you took or witnessed were justified and appropriate and based on your answer, why yes or no?

Yes, I used minimum levels of force to achieve the desired goal, keeping in mind my surroundings, and possible safety risks stemming from possible actions.

Have you ever seen other soldiers treating detainees in a way you consider to be inappropriate and if so, when and where?

No.

What is your understanding of the Geneva Conventions in regard to treatment of prisoners of war and how do you believe this applies to your situation? Has your leadership briefed you on this topic?

The Geneva Conventions say we must humanely treat all detainees. Search and confiscate only material with possible intelligence, or danger. Provide them with food, water, and any safety equipment they came with. In my situation the detainees were treated fair and humane using minimum force to achieve goals, their comfort was taken into consideration and moved to a safer more comfortable location (the vehicle) as soon as practically possible. Yes the leadership of 2nd Plt. has frequently briefed us on Detainee Policy.

008225

Date 04 AUG 03

b3+6-2

Soldier [REDACTED]

Questioner [REDACTED]

Did you take part in or see any portion of the incident being investigated which took place on the morning of 29 AUG 03 and if the answer is yes, what was your involvement?

Yes, GUNNER pulling SECURITY APPROX 50 METERS from THE ALLEGED INCIDENT [REDACTED]

b3+6-2

Did your higher command at this or any other time issue any directive on the way captured personnel are to be treated and if so, explain to the best of your ability.

WHEN WE ENTERED THEATER, WE WERE TOLD, COMMON SENSE RULES OF NON ABUSE OF DETAINEES. AT THE TIME OF THE INCIDENT, NOTHING NEEDED TO BE SAID, THE SOLDIERS DID NOT ABUSE THE DETAINEES, THE RULES WERE FOLLOWED [REDACTED]

b3+6-2

Has your higher command at any time issued specific directives on treatment of detainees and did they for this raid? What was your understanding of the reasons for this operation and how did that affect your actions?

WE WERE GIVEN THE BASIC SPEAK GIVEN BEFORE ALL RAIDS, BE SAFE, DON'T MUZZLE, MOVE DETAINEES SWIFTLY AND SAFELY - FOR THEIR SAFETY AND OURS. THE REASON FOR THE RAID WAS TO CAPTURE THOSE RESPONSIBLE FOR AN IED ATTACK. IT DIDN'T CHANGE THE WAY I REACTED. EVERY RAID IS DONE AS SAFELY AS POSSIBLE [REDACTED]

b3+6-2

Do you believe that the actions you took or witnessed were justified and appropriate and based on your answer, why yes or no?

Yes, ABSOLUTELY, NO ABUSE OF DETAINEES EVER TOOK PLACE, THEIR MOVEMENT WAS LIMITED FOR THEIR SAFETY AS WELL AS THE SAFETY OF NEARBY SOLDIERS [REDACTED]

Have you ever seen other soldiers treating detainees in a way you consider to be inappropriate and if so, when and where?

NO [REDACTED] b3+6-2

What is your understanding of the Geneva Conventions in regard to treatment of prisoners of war and how do you believe this applies to your situation? Has your leadership briefed you on this topic?

MY UNDERSTANDING IS DETAINEES ARE TO BE TREATED HUMANELY AND WITH DIGNITY. NO PHYSICAL ABUSE IS ALLOWED ONCE DETAINED, PASSED WHAT IS NEEDED TO SAFELY SECURE THEM.

Yes, AS AN MP, I HAVE BE BRIEFED MANY TIMES ON THE EXPECTED TREATMENT OF DETAINEES [REDACTED]

b3-6-2

b(6)-5

DEPARTMENT OF THE ARMY
3d ARMORED CAVALRY REGIMENT
AR RAMADI, IRAQ (RIFLES BASE)
APO AE 91456

AFZC-RCO (640a)

MEMORANDUM FOR Commander, 3d Armored Cavalry Regiment, Ar Ramadi, Iraq (Rifles Base) APO AE 91456

SUBJECT: Acknowledgement of Receipt for Administrative Reprimand

1. I acknowledge receipt of the subject administrative memorandum of reprimand.
2. I ~~do~~ do not elect to submit matters in my behalf. If matters are submitted, they are attached as enclosures.


CPT, AR

008227



DEPARTMENT OF THE ARMY
HEADQUARTERS, 3d SQUADRON, 3d ARMORED CAVALRY REGIMENT
FORT CARSON, COLORADO 80913

REPLY TO
ATTENTION OF

AFZC-R-K-CO

18 July 2003

MEMORANDUM FOR [REDACTED] (Headquarters and Headquarters Troop) 3/3 ACR, b(6)-2
FOB Eden, Iraq, APO AE 09320-1469

SUBJECT: Duty Appointment for Informal AR 15-6 Investigation

1. You are hereby appointed an investigating officer pursuant to AR 15-6, to conduct an informal investigation into the allegations of misconduct against [REDACTED] b(6)-5
Commander [REDACTED] is b(6)-5
currently at FOB Buzz and is suspended from command until further notice.

2. In your investigation, use formal procedures under AR 15-6. You will make findings as to the cause of the accident and recommendations for preventing future occurrences.

3. If in the course of your investigation you come to suspect that certain people may have acted inappropriately, you must advise them of their rights under the UCMJ, Article 31, or the Fifth Amendment, as appropriate. In addition you must provide them a Privacy Act statement before you solicit any personal information.

4. Submit your findings and recommendations to me within 72 hours or notify me if an extension is needed.

FOR THE COMMANDER

[REDACTED]

CPT, FA
Adjutant

b(6)-2

DEPARTMENT OF THE ARMY
3D SQUADRON, 3D ARMORED CAVALRY REGIMENT
FORT CARSON, COLORADO 80913

AFZ-R-K-CO

21 July 2003

MEMORANDUM FOR: Commander, 3d Armored Cavalry Regiment, Rifles Base, Iraq

THRU: Commander, 3d Squadron, 3d Armored Cavalry Regiment, FOB Eden, Iraq

SUBJECT: Investigation of the allegations of misconduct against (CPT) [REDACTED] b(6)-5 exp 6
[REDACTED] Commander [REDACTED] b(6)-5. Currently (CPT) [REDACTED] b(6)-5
[REDACTED] is at Rifles Base, and is suspended from troop command.

1. Background:

- a. (CPT) [REDACTED] b(6)-5 has been the commander of [REDACTED] for over twelve months. He deployed with [REDACTED] with the Regiment in support of Operation Iraqi Freedom. (CPT) [REDACTED] b(6)-5 has been deployed to the western part of 3d Squadron's area of operations for the past 60 days. (CPT) [REDACTED] b(6)-5 troop has been operating independently, but a majority of their missions have been platoon-sized missions such as presence patrols and traffic control missions. However, [REDACTED] b(6)-5 has been operating from a forward operating base that includes another troop, the Squadron's Executive Officer, and frequent visits by the Squadron Commander.
- b. Between 9 and 16 July, [REDACTED] b(6)-5 conducted a series of missions and reacted to an improvised explosive device (IED) strike that included the inappropriate treatment of detainees. This inappropriate treatment included both physical and verbal actions taken towards detainees that were either already secured or actually already in a detainment facility. The primary events under investigation are detailed below.
- c. *11 Iraqis and blue Kamaz Trucks detained (on or about 5 July).* On approximately 5 July, (CPT) [REDACTED] b(6)-5 and his maintenance team detain between 11-9 people and their vehicles. (SSG) [REDACTED] b(6)-2 (maintenance team chief, (SSG) [REDACTED] b(6)-2) apparently hits one of the detainees that are already cuffed (exhibits I-IV). It is not known if (CPT) [REDACTED] b(6)-5 used force against a detainee during this incident. On 9 July both (SSG) [REDACTED] b(6)-2 and (CPT) [REDACTED] b(6)-5 see their troop medic (SGT) [REDACTED] b(6)-2 about both of them having hurt hands. According to (SGT) [REDACTED] b(6)-2, these hand injuries are likely the result of some type of boxing or hitting. Moreover, at the time of his visit to the medic, (SSG) [REDACTED] b(6)-2 claimed that his hand injury was the result of a fall on the way to the latrine (exhibits II-IV). However, in a second questioning SSG admits that the hand injury was the result of hitting a detainee; he admits that he lied to the medic. (exhibit II).
- d. *IED incident (11/12 July).* A wheeled vehicle from 4th Platoon, [REDACTED] b(6)-5 was struck by an IED on the evening of 11 July 2003. A portion of the troop was dispatched to provide area security at the site of the IED strike; the troop's maintenance section was tasked to provide recovery support. In the process of securing the site, a driver and occupant of an Iraqi fire truck that was in the area was detained for failing to turn off

their vehicle headlights. These two detainees were cuffed (zip strip) and secured facedown on the ground near the troop's on-site C2 element. According to statements (exhibits V-XV) at no point did the detainees offer any type of resistance other than failing to turn their headlights off promptly when they entered the area. However, multiple soldiers report (exhibits V-XV) (CPT) ██████ physically kicking and applying b(6)-5 pressure with his boot to the head and neck of one of the detainees; the detainees were cuffed and not resisting during this process. Moreover, soldiers report (exhibits V-XV) (CPT) ██████ holding a pistol to the head of one of the detainees and threatening to kill ("I am going to kill you mother fucker") the detainees. After attempting to extract information from the two detainees they were released that evening.

- b(6)-5
- e. *Welder Incident (13 July)*. Two days after the IED strike, it appears that (CPT) ██████ b(6)-5 personally focused his actions on trying to find information that could lead to who was involved with the IED strike. (CPT) ██████ b(6)-5 and his maintenance section went to b(6)-5 Ar Rutba and falsely led a local welder to believe that he was needed at L Troop's base camp to make some repairs. The welder was taken outside the city and then cuffed and blindfolded (exhibits XVI-XX). CPT ██████ b(6)-5 drove the welder out into the b(6)-5 desert and proceeded to forcefully interrogate him. He had the welder dig a pit; he led the man to believe that he was digging his own grave. Moreover, he had his soldiers stage an attempt to shoot this man; in this mock interruption of a shooting shots were actually fired by CPT ██████ b(6)-5 maintenance soldiers. CPT ██████ b(6)-5 verbally threatened to kill the man if he would not provide him with information about violence against coalition forces (exhibits XVI-XX).
- f. *White Nissan incident (13 July)*. In conjunction with the threatening of the welder, a white Nissan that was in the area was apprehended. Eight people were detained in this incident. The driver of the Nissan was separated from the remaining 7 detainees. CPT ██████ b(6)-5 kicked this driver, and using a captured pistol he fired a round in the b(6)-5 vicinity of the driver to scare the remaining seven detainees as to the fate of the driver (exhibits XVI-XX). CPT ██████ b(6)-5 had the remaining seven detainees released, and proceeded to threaten the Nissan driver and welder (same location) with the notion that he will give the loaded pistol (captured) to the two men to "sort it out" (exhibits XVI-XX). Eventually CPT ██████ b(6)-5 releases the welder and keeps the Nissan driver b(6)-5 for at least 24 hours. He uses the Nissan driver to obtain the location of another man's home. CPT ██████ b(6)-5 and his maintenance team go to a man's home and make b(6)-5 similar threats to kill this man (in front of the man's family) if he does not also provide information (exhibits XVI-XX).
- g. *Jail incident date cannot be confirmed*. At some point between 5 and 14 July CPT ██████ b(6)-5 and (SSG) ██████ b(6)-2 go to the Ar Rutba Police Station and attempt to interrogate three men that are detained there. In this incident, at a minimum, CPT ██████ b(6)-5 and b(6)-5 (SSG) ██████ hit at least one detainee at least two times. Potentially all three detainees were hit by both (SSG) ██████ b(6)-2 and CPT ██████ b(6)-2. Exhibits (XVI, XXI, and XX) illustrate that when at least one detainee left the interrogation he was severely beaten in the facial area. Moreover, these exhibits report that both (SSG) ██████ b(6)-2 and CPT ██████ b(6)-5 bragged about hurting their hands in this incident. b(6)-2

2. Essential facts to consider:

- a. CPT [redacted] consistently uses a baseball ball and his pistol when dealing with both detainees and engaging with the police leadership in Ar Rutbah (exhibits XXIII, XXIV). It is potentially common for CPT [redacted] to hold a pistol to the head of detainees as he questions them. b(6)-5
- b(6)-2 b. (SSG) [redacted] only admits to hitting one detainee two times in one event (Jail incident). However, exhibit I illustrates at least one other time that [redacted] has hit a detainee that is already secured. b(6)-5
- b(6)-5 c. CPT [redacted] and (SSG) [redacted] both have pressured soldiers to agree with their actions following the described events. (i.e. exhibit XX). b(6)-2, b(6)-5
- b(6)-5 d. CPT [redacted] and (SSG) [redacted] had instructed their soldiers the "have their stories straight" once they realized they were under investigation (exhibit I and interviews with soldiers in L Troop).
- b(6)-5 e. CPT [redacted] climate of command was one that was very controlling. He held most all decisions and information to himself; even information such as where a platoon was going and what their task was going to be was routinely withheld until the last moment (exhibit XXIV and interviews with platoon leaders and platoon sergeants). CPT [redacted] berated his platoon leaders and platoon sergeants excessively, even in front of the junior soldiers. Moreover, CPT [redacted] routinely would threaten the troop's leadership with their NCOERs and OERs. b(6)-5
- f. Currently some portion of the Troop's NCO channel does not appear to be functioning properly; this is primarily occurring in the maintenance section. Vehicles and barracks have Iraqi weapons, ammunition, and TA50 in them. This equipment could pose a risk to soldiers and could also have intelligence value.

3. Findings:

- a. On more than one occasion CPT [redacted] has used unnecessary and excessive force in dealing with restrained and secured detainees. Moreover, CPT [redacted] has on several occasions used physical and verbal threats to influence people in Ar Rutbah and the actions of detainees. b(6)-5
- b(6)-2 b. (SSG) [redacted] has used excessive force on at least one occasion in relation to a secured detainee. b(6)-5
- c. CPT [redacted] and (SSG) [redacted] have both coerced or intimidated subordinates to prevent subordinates from objecting to or testifying about the use of force in relation to detainees. As a result, some soldiers do not feel secure in providing statements in support of these incidents. b(6)-2
- d. There is a potential that other soldiers in [redacted] have also used unnecessary or excessive force with detainees. Some soldiers questioned have alluded to this, but have invoked their rights in lieu of providing names (exhibit IV and XXV). b(6)-5
- e. The actions of [redacted] have reduced the ability of [redacted] to be effective in conducting security and cooperation activities in the Ar Rutbah region in the near term. The leadership in Ar Rutbah has been degraded and threatened by CPT [redacted]. b(6)-5
- f. The living areas and vehicles of [redacted] on initial visual inspection, have weapons, ordnance, and TA50 related items in them that have been potentially confiscated. b(6)-5

during detainee security operations. This equipment poses a risk to soldiers and could have intelligence value.

- g. Most significant is that CPT [redacted] ^{b(6)-5} climate of command has reduced the authority of the officers and NCOs in [redacted]. The First Sergeant's ability to impact the Troop's functions and standards was even potentially reduced. It has also, potentially, reduced the initiative of the junior soldiers, and impacted the values and judgment of some of the junior soldiers and NCOs in [redacted] ^{b(6)-5} this exists primarily in the HQ and maintenance platoon.
- h. The four line platoons have been largely kept out of (potentially intentionally) most of the activities that deal with the unnecessary use of force with detainees. As a result, the four line platoons have been exposed to less and are still functioning well; their soldier's values appear to not have been impacted, and these platoons are cohesive and combat capable.

4. Recommendations:

a. [redacted] ^{b(5)-1} that he has fostered a command climate that: does not support ensuring the best interest of the soldiers; does not support the adequate development of the troop's officers and NCOs; does not endorse and support the authority of the subordinate leaders in [redacted]; and that includes potential coercion and the unnecessary use of force against detainees and the local population here in Iraq.

b. CPT [redacted] ^{b(6)-5 + b(5)-1} However, in the interest of rapidly getting this unit functioning and re-focused on mission requirements, I encourage the chain of command to consider the impacts.

c. SSG [redacted] ^{b(5)-1 + b(6)-2} poor judgment in the use of force in relation to detainees, and that he misused his authority in the treatment of his subordinates.

d. SSG [redacted] ^{b(5)-1 + b(6)-2} best determine if actually SSG [redacted] is guilty of unnecessary use of force against detainees and coercion or intimidation of subordinates. Moreover, this investigation could better determine if and what the level of involvement was from other soldiers and NCOs in the maintenance platoon. However, based on the nature of CPT [redacted] command, I would recommend [redacted] ^{SSG CPT}

e. (First Sergeant)

f.

g.

ex 6

5. POC for this investigation is the undersigned at DNVT 539-5303.



(6)-2

MAJ, AR
Investigating Officer


Attachments:

- Enclosure 1: Appointment Orders as a 15-6 Investigation Officer
- Enclosure 2: Exhibits I-XXV

DEPARTMENT OF THE ARMY
3d ARMORED CAVALRY REGIMENT
AR RAMADI, IRAQ (RIFLES BASE)
APO AE 91456

AFZC-RCO (640a)

21 Jul 03

MEMORANDUM FOR Captain  (3d Armored Cavalry Regiment), Ar Ramdi,
Iraq (Rifles Base) APO AE 91456

b(6)-5

SUBJECT: Administrative Reprimand

1. Between 9 July and 16 July 2003, you undertook a series of actions that included offensive treatment and unnecessary force against Iraqi detainees. This inappropriate treatment included both physical and verbal actions taken towards detainees who were already secured and in some cases already in a detention facility. On another occasion, you and other members of your unit forcefully interrogated an Iraqi national, forced him to dig a mock grave, and threatened to kill him if he did not provide you information about violence against coalition forces. You were witnessed holding a pistol to the head of one detainee and threatening to kill him. You were witnessed engaging detainees and police leadership in Ar Ruthah with your firearm and a baseball bat. You also pressured soldiers in your unit to "have their stories straight" when it became known that an investigation was proceeding. As a Commissioned Officer in the United States Army, you have displayed a serious lack of judgment and leadership in your actions. Your behavior has been detrimental to the Regiment's mission in rebuilding this country through our efforts working with the Iraqi people. You have also abused the human rights of these people whom we are tasked to protect. Finally, your behavior shows a clear lack of discipline and leadership skills and seriously hampers the credibility of the Officer Corps.
2. You are hereby reprimanded for your unprofessional behavior towards these detainees and for your attempts to coerce and intimidate members of your unit in order to sidetrack the investigation into these actions. You have put in question your authority and integrity and that of the Officer Corps. Your conduct raises serious concerns about your professionalism, judgment, integrity and leadership skills.
3. This is an administrative reprimand imposed under the provisions of AR 600-37, and is not punishment under Article 15, UCMJ. You have the opportunity to submit matters in extenuation or mitigation on your behalf. After reviewing the matters you submit, if any, I will decide whether to file this reprimand in your unit file or recommend that a general officer file it in your Official Military Personnel File (OMPF). You may seek legal assistance from the Rifles Base Legal Assistance Office or from civilian counsel at no expense to the Government.
4. You will acknowledge this memorandum by signing and dating the enclosed acknowledgment of receipt endorsement. Any matters you wish to submit for my consideration must be submitted, through your chain of command, to the Regimental S-1 within 10 calendar days of the date you receive this memorandum. If I do not receive a response from you within the 10-day period, I will assume that you have no matters to submit and will make my filing determination.



b(6)-2

COL, AR
70TH Colonel of the Regiment

008234

SWORN STATEMENT

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

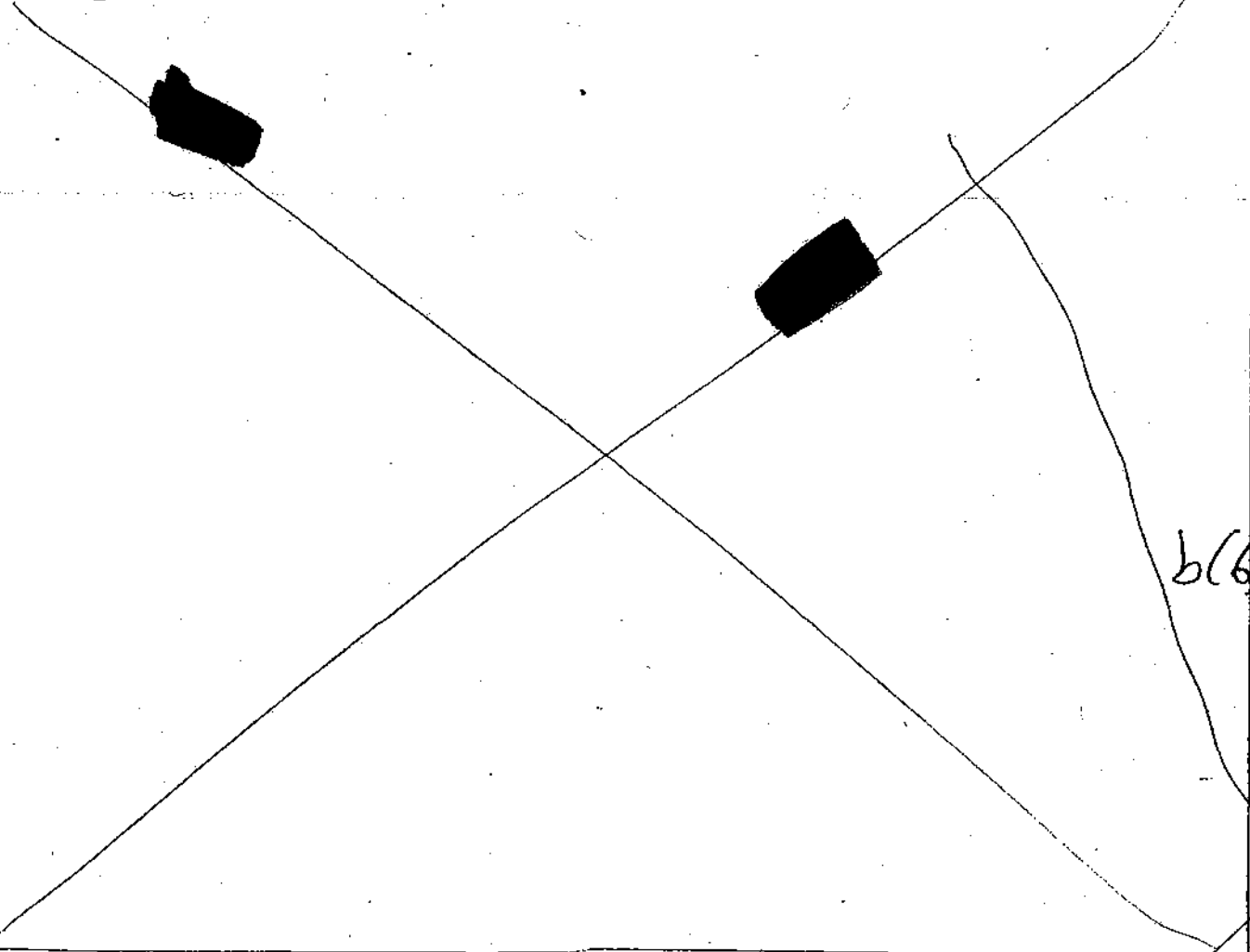
LOCATION FOB STING, IRAQ	DATE 13 JUL 03	TIME 1125	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS E-4	
ORGANIZATION OR ADDRESS [REDACTED] / 3 ACR			

b(6)-2

exhibit 7

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
 On the night of July 11th 2003 at the mine strike location, I witnessed two Iraqis brought from their red truck back toward the humvees where they were thrown to the ground. At that point Cpt [REDACTED] walked to them. Either by kicking or stepping on ^{them} Cpt [REDACTED] best came in contact with one of the Iraqis. And as I recalled Cpt [REDACTED] spoke to him saying: "What do you know about this?" "I'll kill you!" As a Medic it's my duty to treat injuries, even to the enemy. So I walked closer. I didn't notice any serious injuries and I wanted nothing further to do with the situation so I walked away.

b(6)-5
b(6)-5



b(6)-2

EXHIBIT A	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 12 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED."
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

[SWORN STATEMENT]

Location

FOB STING, IRAQ

DATE

15 Jul 03

Time

File #

NAME

b(6)-2 [REDACTED]

Soc. Sec. #

b(6)-2 [REDACTED]

GRADE

E-4

exp b, 7d

ORGANIZATION

b(6)-2 [REDACTED] 3/3 ACK

b(6)-2 I

[REDACTED] want to make the following statement under oath:

On the 15th of July Cpt [REDACTED] was at FOB Sting and requested me to go with him on a mission. Near 10:00am we left for [REDACTED] Rutbah with some of lightning's mechanics. At Rutbah Cpt [REDACTED]

b(6)-5 [REDACTED] w/ the interpreter questioned several people and was told the guy we were looking for was out for lunch. We returned near 1130 hrs. The Iraqi Cpt [REDACTED] was looking for [REDACTED] back. He (the Iraqi) was put inside the humvee I was riding on. Once out of town, Cpt [REDACTED] instructed that the Iraqi be zip tied and a bag put over his head, both were done without questioning. We continued driving for about 45mins to the middle of nowhere. I then witnessed the Iraqi being released and thrown into a small depression. Cpt [REDACTED] then throw a shovel at him and through the interpreter told the guy to start digging. They continued questioning the Iraqi and threatening him and telling him that he is digging his grave. After about 2hrs and nothing came out from the Iraqi, we headed to FOB Buzz to drop him off.

Around 0100hrs on the 15th of July I was sleeping in my room when Cpt [REDACTED] came in and woke me up. He began by asking me how I was and then started talking about the above event. By what he was saying it seemed like he was trying to justify it some. Saying

b(6)-2 [REDACTED] that it was needed to get information out of the Iraqi. He asked other questions such as, [REDACTED] if I talked to anyone about it. I can't remember in exact words, but he, Cpt [REDACTED] said that I shouldn't talk about it. I was asked if I had a problem with what he did, I said no, because no physical harm was done. After that he left. I felt as if I had to say no because he was standing right there and ope to a Cpt I wasn't gonna object to something he did right to his face after he spent 5-10 mins saying that it was necessary.

EXHIBIT

II

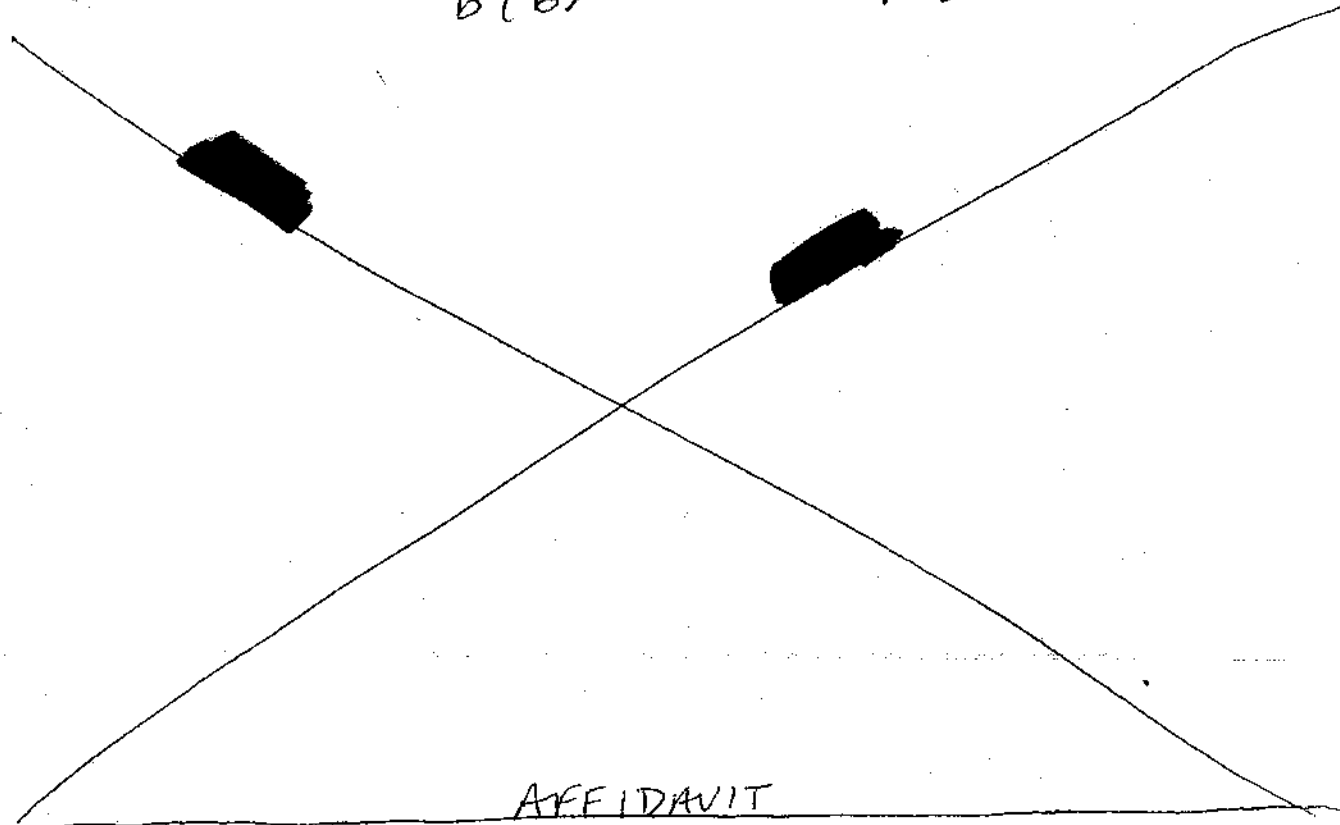
INITIALS OF PERSON MAKING STATEMENT

[REDACTED] b(6)-2

PAGE 1 of 2 pages

b(6)-2 whole page

Page 2 of 2



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. This statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward without threat of punishment, and without coercion, unlawful influence, or unlawful inducement.

WITNESS

SSG [REDACTED]
[REDACTED]
[REDACTED] / 3 A CR.

Subscribed & sworn to before me, a person authorized by law to administer oaths, this 15th day of July, 2003 at
FOB STING, IRAQ
ZLT [REDACTED]
ZLT [REDACTED]
UCMJ

INITIALS OF PERSON MAKING STATEMENT
[REDACTED]

PAGE 2 of 2 pages

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

Obj 6, 7d

1. LOCATION FOB BUZZ	2. DATE (YYYYMMDD) 20030717	3. TIME 2226	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-6/4b.17	
8. ORGANIZATION OR ADDRESS 3/3 ACR			

(b)-2

b(6)-2

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: The hitting of detainees that I saw happened under two occasions, the first was with CPT [REDACTED] after we chased down a white 4 door Nissan truck, when we arrived on the scene CPT [REDACTED] was mad cause we had to chase them and he got out of his hmvw he had his bat. in hand and jabbed the detainee with it. The second involved SSG [REDACTED] when we was with the rotba Police, the Police stopped two blue Kamaz trucks and there was 4 Iraqis in them, we detained them and after they was detained one of them kept looking back and was told to look straight ahead when he didn't after being told several times SSG [REDACTED] punched him in the jaw the next time he looked back. And this happened over a 4 week period. But that is the only incidents that I saw. And I was told by SSG [REDACTED] to have my story straight by SSG [REDACTED] if I was questioned.

(b)-5

b(6)-5

b(6)-2

b(6)-2



10. EXHIBIT I	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED 20030717

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

008238

b(6)-2 whole page

STATEMENT OF

[REDACTED]

TAKEN AT

Fob Buzz

DATED

11 July 03

9. STATEMENT (Continued)

[REDACTED]

AFFIDAVIT

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

[REDACTED]

WITNESSES:

[REDACTED]

ORGANIZATION OR ADDRESS

[REDACTED]

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19 day of July 03 at Fob Buzz

[REDACTED]

(Signature of Person Administering Oath)

[REDACTED]

(Typed Name of Person Administering Oath)

15-6 OFFICER

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 1 OF 2 PAGES

SWORN STATEMENT

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

LOCATION FOB STING, IRAQ	DATE 13 Jul 03	TIME 0930	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY NUMBER		GRADE/STATUS

ORGANIZATION OR ADDRESS
[REDACTED] 3/3 ACR

exp 7d

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

(b) - 2 I was pulling Security from about do west to do South the fire truck with 3 zipstriped detainees laying on the ground beside it was east beyond my western limit of fire. The soldiers that detained the detainees were pulling Security on them. When L6 rolled up along with L9 and the wrecker. They began moving the detainees back towards the humvies which were to my direct rear. I thought nothing of it so I kept scanning my sector of fire. About 5-10 minutes later, I turned around to look for my canteen. In the process of look for my canteen I heard some yelling. So I glanced up to see my (C.O.) Cpt. [REDACTED] b(6) - 5 kicking one of the detainees right in the side. I counted 2 kicks to the ribs and he stomped 3 times. Then I turned around to check my sector of fire to make sure it was clear and that none was trying to penetrate the perimeter. I heard "I will fucking kill you". So I looked back and saw Cpt. [REDACTED] b(6) - 5 leaning over and yelling at one of the detainees. At that time I turned around and continued my mission of pulling perimeter security.

(b) - 2

EXHIBIT XII	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ ON _____ 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.

008240

b(6)-2 whole page

Expo 7d

STATEMENT (Continued)

[Redacted area with large X]

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 Signature] (Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13 day of JULY, 2003 at FOB STING IRAQ

SSG [Redacted] 1/3 ACR

[Redacted Signature] (Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[Redacted Name] (Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION: FOB Buzz
2. DATE (YYYYMMDD): 20030715
3. TIME: 1446
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS: E-5/SGT
8. ORGANIZATION OR ADDRESS: LTRP 3/3 ACR FIST unit APO AE 09320-1472

b(6)-2

Aug 6, 2

b(6)-5

b(6)-5

b(6)-2

b(6)-5

b(6)-5

b(6)-2

I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
On 13 July, 2003 went on a mission at 1100 hours with Captain [redacted], I was act as Captain [redacted] "BG." or "Body Guard." We started off by going to Germantown. From there we were suppose to go pick up a suspect in the bombing of a humvee. We left Germantown at 1400 to pick up the suspect in AH Rutbah. We were told by Captain [redacted] that the suspect is going to be told that we need him to weld together a leaking water tank for us. We drive into Germantown to the welding shop at Germantown to pick up the suspect but he was not there. We told the other workers that we would come back in 30 minutes to pick him up. We came back 30 minutes later, which was about 1500, and picked up the suspect. The suspect thought he was coming with us to do a job. We drove half a mile down the road towards Germantown pulled over and told the man he was under arrest. We tied his hands together with zip ties. Captain [redacted] came forth and told the man, "we are taking you to the desert." Next, we ~~turn~~ turned around and started heading towards FOB Buzz. On Route 10 we were about 10 to 15 miles out of AH Rutbah and we then turned off and down a dirt road. We stopped in the middle of nowhere, pulled the man out of the humvee untied him and handed him a shovel. Captain [redacted] told him to start digging his grave while he was digging his grave he told me to hold my weapon on him. While I was doing that SSG [redacted] fired one round out of his M-4 away from the man digging. After that the interpreter ~~came~~ came to me and told me to fire one round out of m-4 over the suspects head. I asked him again what he just said, and this time he said "Captain [redacted] told me to fire one round over his head." So I did. When I did that the interpreter

10. EXHIBIT: XVII
INITIALS OF PERSON MAKING STATEMENT: [redacted] b(6)-2
PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [redacted] TAKEN AT [redacted] DATED [redacted]"

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

008242

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION FOB Buzz	2. DATE (YYYYMMDD) 2003 07 15	3. TIME 1446	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-5/SGT	
8. ORGANIZATION OR ADDRESS [REDACTED] / 3 ACR FTST Unit [REDACTED] APO AE 09320-1422			

Page 6, 7c

b(6)-2

b(6)-5

b(6)-5

b(6)-5

b(6)-2

9. I, _____, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

were. So we took him to the desert along with the suspect in the white nissan. ^{CPT [REDACTED]} ^{b(6)-5} to take the man whose house we raided out of the vehicle and started talking to him. Captain [REDACTED] pulled out a confiscated 9mm put one round in the chamber and shot it. He told the man that there was three rounds in the pistol now there is two. Captain [REDACTED] told him he was going to give the pistol to the other suspect and leave them two out there alone. We captain [REDACTED] ^{b(6)-5} didn't and he let suspect go. Then we left to go to FOB Buzz. I didn't ride with Captain [REDACTED] again after that

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 3 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

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

008243

SWORN STATEMENT

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

LOCATION FOB STING, IRAQ	DATE 12 Jul 03	TIME 1425	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS E-6/SSE
ORGANIZATION OR ADDRESS [REDACTED] 13 ACP			

exp 6,7

(b) 2

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On the 12 July in \approx around 0030 my section had ran over a UXO, mine, or Bomb. We called it up to hightening Base and a QRF was sent down to help secure the area. Once the QRF got there a fire truck was stopped and the two guys were detained and zip stripped and placed on the ground within our perimeter and guarded by two soldiers. After about 40 minutes L6, B9, and the wrecker arrived on the scene from Korea town. The detainees were then moved from there original spot and moved 75 meters closer to where the Humvee that ran over the UXO rested. The detainee's were still zip stripped and were placed face ~~down~~ down on the ground, I was approximately 25 meters from the detainees when I noticed that CPT [REDACTED] was kicking a detainee on the top of his back repeatedly, then he replared his foot on the back of his neck and apply alot of pressure, I didn't hear anything that was said, if anything was. Then CPT [REDACTED] used his foot and forced the detainee onto his back, at this point there was a group of soldiers gathering around, and I yelled for them to get away if they weren't involved in the situation. After I yelled I turned around for a minute or so, and that's when I noticed that both detainees were released and allowed to return to their fire truck and leave.

b(6)-5

b(6)-5

End of Statement

(b) 2

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

SWORN STATEMENT

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

LOCATION - FOB STING, IRAQ	DATE 13 JUL 03	TIME 1040	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS E-6	
ORGANIZATION OR ADDRESS [REDACTED] / 3 ACR			

Exp 6, 7d

W6/2

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON 11 JULY 03 I DEPARTED FOR STING TO ARRIVE AS BRF TO PROVIDE SECURITY FOR GREEN ONE'S VEHICLE THAT ~~HAD~~ ^{b(6)-2} SUPPOSEDLY HAD STRUCK A MINE. UPON ARRIVING I SET SECURITY IN PLACE, AND WAS TRYING TO GET ONCOMING VEHICLES TO SHUT OFF THEIR LIGHTS, SO SECURITY SOLDIERS WOULD BE ABLE TO USE NIGHT VISION GOGGLES. ONE OF THE LOCAL CIVILIANS WOULD NOT SHUT HIS LIGHTS OFF, SO I REMOVED HIM FROM THE TRUCK, SEARCHED HIM AND HAD A SECURITY TEAM DETAIN HIM. ONCE QRF'S MISSION WAS OVER, AND SOLDIERS WERE COLLAPSING BACK TO THEIR VEHICLES. I TOOK CONTROL OF THIS DETAINEE AND WALKED HIM TO WITHIN 15 METERS OF THE INNER PERIMETER AND ^{b(6)-2} HAD HIM TIE HIS STOMACH WITH HIS HANDS ZIP STRIPPED BEHIND HIS BACK. AT THIS POINT, I WAS LOOKING FOR LIGHTNING ^{b(6)-5} CAPT. [REDACTED]. AFTER FINDING ^{b(6)-2} THE CPT. [REDACTED] ^{b(6)-5} I EXPLAINED THAT THE DETAINEE DIDN'T WANT TO SHUT HIS LIGHTS OFF AND THAT, "THEY DIDN'T RESIST, BUT THEY SURELY DIDN'T HELP!" I NEEDED TO KNOW IF CAPT. [REDACTED] ^{b(6)-5} WANTED ME TO RELEASE THEM OR KEEP THEM FOR QUESTIONING. AT THIS POINT THE COMMANDER WALKED TOWARDS THE DETAINEE, IN WHICH I THOUGHT HE WAS GOING TO CUT THE ZIP STRIPS AND RELEASE. AT THIS TIME I SEEN MY COMMANDER KICK THIS MAN IN THE RIBS A MINIMUM OF 2 TIMES AND STOMP HIS BOOT ON THE BOUNDED DETAINEE'S NECK AND PART OF HIS FACE SAYING WORDS TO THE EFFECT OF, "TELL ME WHO DID THIS OR I WILL KILL YOU." AT THIS TIME I WAS STARRING IN DISBELIEF AND WENT TO GET HIS INTERPRETOR TO TRY TO DEFUSE THIS SITUATION. ONCE HIS INTERPRETOR WAS WHERE THE DETAINEE WAS, WORDS WERE EXCHANGED THAT I DIDN'T

EXHIBIT VII	INITIALS OF PERSON MAKING STATEMENT [REDACTED] ^{b(6)-2}	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

008245

SWORN STATEMENT

Location

FOB STING, IRAQ

DATE

13 July 03

Time

1350

Capt

b(6)-2

NAME

[REDACTED]

Soc. Sec. #

[REDACTED]

GRADE

E2

ORGANIZATION

[REDACTED] / 3 ACR

b(6)-2

I

[REDACTED],

want to make the following statement under

oath: I'm [REDACTED] was put on perimeter guard for the security of the humvee that the platoon was driving that had run over a home made explosive. I was pulling perimeter guard and I heard commotion going on behind me. I turn around to see what was happening I saw a detainee being put on the ground, he was placed face down. Then I saw Captain

b(6)-5

[REDACTED] the Company Commander of [REDACTED] kicking the detainee in the back and in the ribs, I saw no resistance from

b(6)-5

the detainee. I then heard Captain [REDACTED] yell at the detainee "I will fucking kill you" and his M9 pistol was drawn and pointed at the detainee. After that I turned my head back to my sector and continued to scan and I did not see what happened afterwards.

b(6)-2

[REDACTED]

[REDACTED]

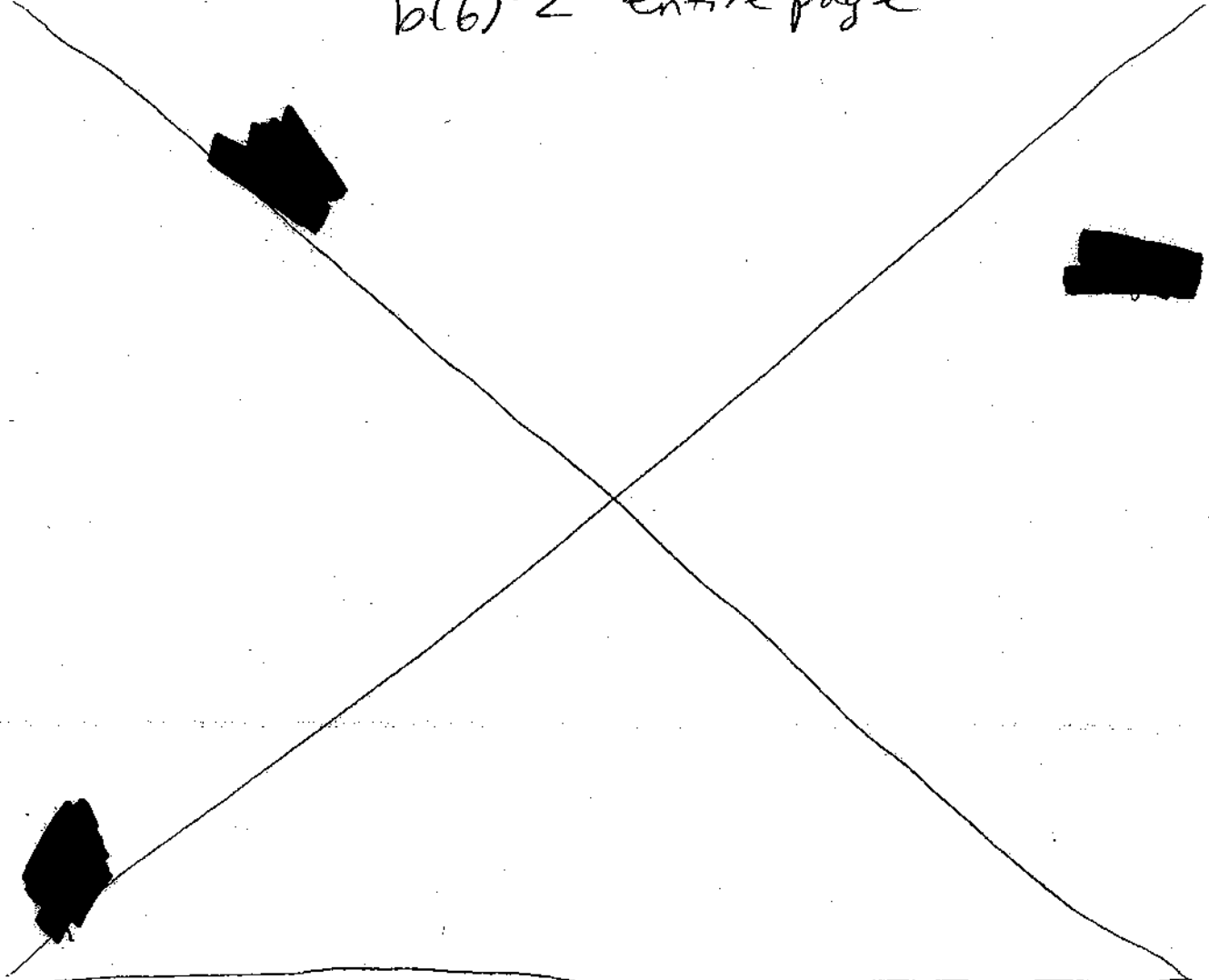
XIV

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

Page 1 of 2 pages

b(6)-2 entire page



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 to 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]

WITNESS:

SFC [redacted]
[redacted]
[redacted] / S ACR

Subscribed and sworn to me, a person authorized by law to administer oaths, this 13th day of July 2001 at FOB STING, IRAQ

2LT [redacted]
2LT [redacted]
UCM J

Initials of person making statement [redacted]

PAGE 2 of 2 pages

SWORN STATEMENT

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

LOCATION FOB STING, IRAQ	DATE 12 Jul 03	TIME 1625	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS O-1
ORGANIZATION OR ADDRESS [REDACTED] 13 ACR			

Page 6, 20

b(6)
b(6)-2

b(6)-2

b(6)-2

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 11 Jul 03 at approximately 2345 my unit at FOB STING, [REDACTED] was notified of an attack on one of our 4th Platoon vehicles. We responded by deploying 2 Bradleys and 2 Humvees to the attack site. On arrival, we set a defensive perimeter with 360° security. I remained in the center of the perimeter with one Humvee to conduct command and control. After approximately 5 minutes on site, we detained 2 male Iraqi civilians who were driving a red fire truck that attempted to drive through the center of our perimeter.

At approximately 0200 12 Jul 03, recovery vehicles arrived to recover the 4th platoon vehicle that was damaged during the attack. My commander, CPT [REDACTED] also arrived with the recovery vehicles. After the recovery vehicles were on site for about 45 minutes, I witnessed some soldiers carrying the two detainees down the road towards me. They then set the detainees down directly across the road from my position. I then quit paying attention to the detainees in order to report on the radio that recovery had been made and we were preparing to withdraw from the location.

When I finished with my report, I looked towards where the detainees had been placed. I saw CPT [REDACTED] pointing his pistol at one of the detainees who was zip stripped and lying on the ground. I then heard CPT [REDACTED] say to the detainee "what do you know about this. If you don't tell me, I swear I'll fucking kill you." While he said this statement, he was bending over pointing the pistol at the detainees head. I then heard CPT [REDACTED] call for the interpreter.

EXHIBIT IX	INITIALS OF PERSON MAKING STATEMENT [REDACTED] b(6)-2	PAGE 1 OF 2 PAGES
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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.

008248

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION AR [REDACTED]	2. DATE (YYYYMMDD) 19/5/03	3. TIME	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-4	
8. ORGANIZATION OR ADDRESS [REDACTED]			

9. [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: I HAVE NOT SEEN, BUT HAVE HEARD THAT SGT. [REDACTED] AND CPT. [REDACTED] HAVE HIT PRISONERS, THEN THIS WAS COMEING FROM BUYS THAT WAS NOT EVEN THERE. I NEVER TALKED TO EITHER ONE OF THEM TO SAY IF THEY HAD HIT ONE OF THEM, I DIDNT EVEN WANT TO KNOW. [REDACTED] b(6)-5

Q: What did you see the two CPT [REDACTED] and [REDACTED] went into the jail to question on Iraqi detainees?
A: I INVOLT MY RIGHTS. TO A LAWYER IS PRESENT

10. EXHIBIT XXII	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF

TAKEN AT

DATED

9. STATEMENT (Continued)

b(6)-2 whole page

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] (Signature of Person Making Statement)

WITNESSES:

[REDACTED] ORGANIZATION OR ADDRESS

[REDACTED] ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 9 day of Jul, 03 at FBI BUZZ

[REDACTED] (Signature of Person Administering Oath)

[REDACTED] (Typed Name of Person Administering Oath)

15-607725 (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION	2. DATE (YYYYMMDD) 2003-7-16	3. TIME	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN		7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS			

b(6)-2

at p 6, 7c

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Captain [REDACTED] b(6)-5 arrested the person called [REDACTED] b(6)-4
 order soldiers to handcuff him, the soldiers folded his
 eyes, then took him to the desert, soldiers took his
 eye fold and cut his handcuffs then Captain [REDACTED] b(6)-5
 gave the guy a shovel and told him to dig a
 his own grave and the guy start digging, Captain
 [REDACTED] b(6)-5 fired a shot from far away and ask
 any instrument with weapons or any body who
 have weapons and the [REDACTED] b(6)-4 denied so the
 Captain send me to the soldier who was guarding
 the guy while he was digging to stage that
 the guard was going to shoot him and fired a
 shot and I held the gun and lift it up which
 that what happened and still the guy denied any
 wrong doing so he called gave some water a cig
 brought to Konien town and was released.

10. EXHIBIT XVIII	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED] b(6)-2	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF

TAKEN AT DATED

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

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION FOB BUZZ, IRAQ	2. DATE (YYYYMMDD) 2003-7-16	3. TIME 1710	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS U.S. Contractor	
8. ORGANIZATION OR ADDRESS			

Copy 6,7

b(6)-2

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

statement about Beating 3 guys in the IRAQ police station who was jailed :-

b(6)-5
Called 3p

Captain [REDACTED] and his soldiers arrived at the rotba police and who they were involved in stealing and firing shots at the american forces

they were taken out of jail and took them across from the jail to an empty room one at a time while the other HOO were guarded outside by the soldiers.

1. First one ~~was~~ they got him inside got questioned and he denied any involvement with shooting or any acknowledgment about any person who did it so captain

b(6)-5 [REDACTED] and sgt b(6)-5 [REDACTED] beat up and punch him.

same thing happen with the second and third prisoner, after the prisoners were taken

Back to jail and we left.

b(6)-2

10. EXHIBIT III	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 1 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

SWORN STATEMENT

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

LOCATION FOB STING, IRAQ	DATE 13 JUL 03	TIME 1000	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS SSG	
ORGANIZATION OR ADDRESS [REDACTED] / 3 ACK			

b(6)-2

Ex 6,7

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

b(6)-2

ON THE 11th OF JULY 2003 I SSG [REDACTED] WAS CALLED UPON TO THE TOWN OF Rotbah to Assist, For Security For 4th Platoon [REDACTED] who had JUST BEEN HIT by AN explosive device. We came upon the scene AND I SEEN TWO IRAQI CIVILIANS ON the ground, but they were not zipped STRIPPED, I HAD SEC [REDACTED] Pull Security For me AS I zipped STRIPPED ONE OF THE TWO IRAQI CIVILIANS. ABOUT TWO HOURS AFTER OUR INITIAL ARRIVAL AT the scene we were Given orders by SFC [REDACTED] TO collapse AND Reconsolidate AND get ready to move BACK TO FOB STING. AT THIS TIME THE TWO IRAQI PERSONEL were still detained, SSG [REDACTED] HAD STARTED TO cut them loose from there zipp strips, UNTIL I SAID lets see what they want to do with them first. At this time I SEEN CPT [REDACTED] AND asked him what we were going to do with these two Iraqi civilians, this is when he asked me why they were detained. At this time I explained to him, best to my knowledge that they were not cooperative when they were told to turn AROUND AND to keep there lights OFF OR TO turn there lights OFF. AT THIS TIME CPT [REDACTED] CASUALLY walked over to one OF THE DETAINED Iraqi civilians AND kicked him in his back saying, "mother fucker DID you HAVE something to do with this" AND proceeded to kick him in his ribs AT LEAST AN ADDITIONAL three times. I HEARD SSG [REDACTED] SAY IF "you DO NOT HAVE anything to do with this shit move AWAY". I went TO TURN AWAY AND SEEN CPT [REDACTED] put his foot on the Iraqi CIVILIANS NECK AND SAID, "Dont you know I'll kill you Mother fucker". AT THIS TIME I consolidated back with the persons I initially came with AND got ready to move back to FOB STING.

b(6)-2

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

008253

SWORN STATEMENT

LOCATION

F03 STING, IRAQ

DATE

14 Jul 03

TIME

0935

FILE #

NAME

Soc. Sec. #

GRADE

SPC

exp 6, 7

ORGANIZATION

[REDACTED] /3 ACR

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

b(6)-2

IM SPC [REDACTED] APART OF 2ND PLATOON [REDACTED] [REDACTED] /3 ACR, ON THE NIGHT OF QUESTION. I WAS TASKED AS PART OF A QUICK REACTION FORCE TO PROVIDE SECURITY FOR HUMVEES AND GREEN PLATOON. WHAT I SEEN THAT NIGHT WAS, SGT [REDACTED] AND MYSELF WAS ESCORTING A EPW TO MY COMMANDER'S POSITION TO SEE WHAT WERE GOING TO DO WITH THE DETAINEE. WHEN MY COMMANDER (CAPTAIN [REDACTED]) WALKED UP AND SAID "WHO IS THIS GUY" SSG [REDACTED] TOLD HIM THAT THIS GUY WOULD NOT COOPERATE WITH US AND WE HAD TO ZIP STRIP HIM. WHAT DO YOU WANT US TO DO WITH HIM. CPT. [REDACTED] WALKED UP TO THE DRIVER AND PROCEEDED TO KICK HIM IN THE STOMACH AND HEAD. CPT [REDACTED] ASKED THE DRIVER TO THE BEST OF MY KNOWLEDGE: "WHAT DO YOU KNOW, I WILL KILL YOU MOTHERFUCKER." POINTED HIS 9MM PISTOL TO THE BACK OF HIS HEAD AND SAID "BRING ME THE INTERPRETER."

XV

INITIALS OF PERSON MAKING STATEMENT Page 1 of 2 pages

[REDACTED]

b(6)-2

b(6)-2 entire page

AFTER THAT I WAS TOLD TO GET IN THE BACK OF THE HUMVEE WE'RE ROLLING OUT.

~~[Redacted]~~

esp 7d

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 LAWFUL INDUCEMENT.

[Redacted Signature]
SIGNATURE OF PERSON MAKING STATEMENT

Subscribed + sworn to before me, a person authorized by law to administer oaths
this 14th day of July, 2003
at FOB STING, IRAQ

2 LT [Redacted]
2 LT [Redacted]

UCM J

Witness
SFC [Redacted]
[Redacted] / 3 ACK

INITIALS OF PERSON MAKING STATEMENT / Page 2 of 2 pages

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. **LOC** [REDACTED] **ACR Area** 2. **DATE (YYYYMMDD)** 20030716 3. **TIME** 2045 4. **FILE NUMBER**

5. **LAST NAME, FIRST NAME, MIDDLE NAME** [REDACTED] 6. **SSN** [REDACTED] 7. **GRADE/STATUS** E-9

8. **WORK/STATION/ZIP ADDRESS** [REDACTED] 13 ACR

9. [REDACTED]

b(6)-2

Page 6, 7.

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
around 9 July 2003 496 [REDACTED] (b)-5 approached me in reference to pain in his
(R) knee, he stated he had tripped on the way to piss in the middle of the
night. He complained of pain with movement and palpation in the distal 2nd metacarpal. I treated him with an anti-inflammatory and splint. Advise to
ice, elevate, and rest.

Nothing follows

b(6)-2

10. **EXHIBIT** III 11. **INITIALS OF PERSON MAKING STATEMENT** [REDACTED] PAGE 1 OF 1 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED 2003 07 14

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

008256

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION: ACR 4209 29th Feb
2. DATE (YYYYMMDD): 20030719
3. TIME: 1730
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED]
6. SSN: [REDACTED]
7. GRADE/STATUS: E-9
8. ORGANIZATION OR ADDRESS: [REDACTED] ACR

Page 6, 7c

b(6)

9. (Sgt) [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: b(6)-5

In or about 9 Jul 2003 I Examined SSG [REDACTED] and CPT [REDACTED] at separate times. Both appeared to have fractures often associated with punching or hitting with hands. I have also known them to use rightful force while apprehending and detaining suspects. At times they seem excessive, but that is merely my view which is from a medical standpoint, therefore b(6), [REDACTED]

b(6)

rest

Q: How long have you known about people [REDACTED] hitting detainees?

A: Over one month [REDACTED]

Q: Do you know of any other people in [REDACTED] hitting detainees?

A: Yes

Q: Will you identify who else?

A: No [REDACTED]

Nothing follows

10. EXHIBIT: TV
11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED]
PAGE 1 OF 7 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED 20030719

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

STATEMENT OF 447 [REDACTED] TAKEN AT 1930 BUZZ DATED 19 July 2003

9. STATEMENT (Continued)

b(6)-2 entire page

ex 26, 20

This page is blank

AFFIDAVIT

[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 [REDACTED] PUNISHMENT.

[REDACTED]
(Signature of Person Making Statement)

WITNESSES:

[REDACTED]
[REDACTED] ALX
ORGANIZATION OR ADDRESS

[REDACTED] 15351
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19 day of July, 03 at FUB BUZZ

[REDACTED]
(Signature of Person Administering Oath)

[REDACTED]
(Typed Name of Person Administering Oath)
15-6 OFFICER
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

SWORN STATEMENT

Location
FOB STING, IRAQ

DATE
14 July 2003

TIME
1010

Exp 6, 7d

NAME

Soc. Sec. #

GRADE

[REDACTED]

[REDACTED]

E-1

ORGANIZATION

[REDACTED] / 3 ACR

(b) 2 I, [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: ON 14 JULY 2003 IN THE EARLY MORNING HOURS, I ARRIVED ON THE SCENE WHERE 4TH PLT [REDACTED] / 3 ACR HAD BEEN ATTACKED BY SOME SORT OF EXPLOSIVE DEVICE. MY MISSION WHILE ON SCENE WAS TO PROTECT SECURITY. IN DOING SO A FIRE TRUCK FOR THE IRAQI CIVILIANS PULLED UP

(b) 2 WE, IN WE I MEAN SPC [REDACTED], AND MYSELF, ALONG WITH SSG [REDACTED] GAVE THE ORDER FOR THE DRIVER OF THE FIRE TRUCK TO STOP, AND TURN OFF THEIR LIGHTS APPROXIMATELY 2 TIMES WHEN THEY DID NOT OBEY WE REMOVED THE TWO INDIVIDUALS OUT OF THE TRUCK BY FORCE AND ZIP STRIPPED THEM. AFTER WE HAD THE DETAINEES ZIP STRIPPED, MYSELF PULLED GUARD ON ONE WHILE SGT. [REDACTED] b(6)-2 PULLED GUARD ON THE OTHER WHILE WE WAITED FOR THE RECOVERY VEHICLES TO ARRIVE. ONCE THE RECOVERY VEHICLES ARRIVED ALONG WITH

(b) 5 CPT. [REDACTED] COMMANDING OFFICER OF [REDACTED] / 3 ACR AND THE SITUATION WAS OVER AND WE WERE COLAPSING THE SECURITY CPT. [REDACTED] b(6)-5 ORDER THE DETAINEES OVER TO HIM. WHEN HE RECEIVED THE DETAINEES THEY WERE BOTH ON THEIR STOMACHS WITH HANDS ZIP STRIPPED BEHIND THEIR BACKS. CPT. [REDACTED] THEN BEGAN YELLING b(6)-5

AT THE DRIVER OF THE FIRE TRUCK, "WHAT DO YOU KNOW" THEN CPT. [REDACTED] BEGAN TO ASSAULT THE DRIVER BY KICKING HIM AND STEPPING ON THE BACK OF THE DETAINEES NECK. WITH CPT. [REDACTED] b(6)-5

XIII

INITIALS OF PERSON MAKING STATEMENT

[REDACTED] b(6)-2

PAGE 1 OF 2 PAGES

b(6)-5

Foot on the back of the drivers neck CPT. [REDACTED] yelled at the driver "I will fucking kill you" while holding the driver at gun point. I was pulling security on the driver while this was happening and SPC [REDACTED] was pulling security on the passenger. After CPT [REDACTED] was done assaulting the fire truck driver he asked for the interpreter. Once the interpreter arrived, CPT [REDACTED] told the interpreter to ask the driver "what they were doing here" and the drivers response I do not know but after a few more questions both detainees were released, and me and my unit headed to FOB STING.

[REDACTED]

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.

b(6)-2

WITNESS

SFC [REDACTED]
[REDACTED] / 3 ACR

[REDACTED]
(Signature of Person making statement)

Subscribed + sworn to before me, a person authorized by law to administer oaths, this 14th day of July, 2008 at FOB STING, IRAQ

2LT [REDACTED]
2LT [REDACTED]
UCMS

INITIALS OF PERSON MAKING STATEMENT
[REDACTED]

PAGE 2 OF 2 PA

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION: FOB BUZZ, IRAQ
2. DATE (YYYYMMDD): 2003 07 20
3. TIME: 1015
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME:
6. SSN:
7. GRADE/STATUS: O-1E
8. ORGANIZATION OR ADDRESS: 13 ACR

2006.7

(b)-2

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: AS A LT, I HAVE BEEN IN 2 TRP, UNDER CPT [REDACTED], SINCE 15 NOV 2002. I ARRIVED WITH THE UNIT IN KUWAIT ON 18 APR 2003 + I HAVE BEEN WITH THE UNIT CONTINUOUSLY SINCE THEN. FOR A PERIOD OF APPROXIMATELY ONE MONTH, FROM MID MAY UNTIL MID JUNE, I SERVED AS CPT [REDACTED] ARABIC TRANSLATOR, AND AS SUCH, I TRAVELED EVERYWHERE WITH HIM. ON MANY OCCASIONS I SAW HIM TREAT IRAQIS IN A VERY DISRESPECTFUL MANNER, TO INCLUDE LEADERS OF RUTBA, SUCH AS THE POLICE CHIEF. HE WOULD YELL AT THEM, CURSE THEM OUT, BELITTLE THEM IN FRONT OF THEIR SUBORDINATES, PUT HIS FINGER IN THEIR FACE, ETC. ON NUMEROUS OCCASIONS I SAW HIM DRAW HIS PISTOL + WAVE IT AROUND IN PEOPLE'S FACES AS HE YELLED AT THEM. THEY HAD PRESENTED NO THREAT TO US AND WERE INVOLVED IN NO ILLEGAL ACTIVITY. I HAVE HEARD HIM SAY ON NUMEROUS OCCASIONS HOW ALL IRAQIS ARE CROOKS + THIEVES AND HIS ACTIONS TOWARDS THEM WOULD INDICATE THAT HE TRULY BELIEVES THIS. I HAVE OFTEN APOLOGIZED TO IRAQIS FOR HIS TREATMENT OF THEM AND I HAVE BEEN TOLD BY MANY OF THEM, TO INCLUDE RUTBA POLICE, THAT THEY DO NOT LIKE HIM. THEY CLAIMED THAT EVERYONE IN TOWN KNOWS HIM AND OF HIS ACTIONS TOWARDS

(b)-2

10. EXHIBIT: AXIV
11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED]
PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED]"

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

b(6)-2

STATEMENT OF

[REDACTED]

TAKEN AT FOA BUZZ DATED 20 Jul 03

047d

9. STATEMENT (Continued)

THE SAME APPEAL TO THE MAINTENANCE SECTION. AFTER THE INCIDENT AT THE MINE STRIKE SITE, MANY SOLDIERS CAME TO ME + TOLD ME HOW SHOCKED THEY WERE AT THE CO'S ACTIONS. I HAD EACH OF THEM WRITE A SWORN STATEMENT WHILE IT WAS STILL FRESH IN THEIR MINDS. THERE WAS MUCH OUTRAGE AND INDIGNATION OVER ~~THE~~ THIS BECAUSE AN OFFICER HAD ALLEGEDLY DONE IT, THEY ASKED THAT SOMETHING BE DONE.

I CAN HONESTLY SAY THAT CPT [REDACTED] REMOVAL FROM COMMAND OF [REDACTED] IS IN THE BEST INTEREST OF EVERYONE. MORE IMPORTANTLY, IT SHOWS TO THE SOLDIERS THAT EVERYONE, EVEN OFFICERS, ARE HELD ACCOUNTABLE FOR THEIR ACTIONS.

[REDACTED] b(6)-2

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]
(Signature of Person Making Statement)

WITNESSES:

[REDACTED]
[REDACTED] ACR
ORGANIZATION OR ADDRESS
[REDACTED]
[REDACTED] 13 ACR
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 20 day of July, 03 at FOA BUZZ

[REDACTED]
(Signature of Person Administering Oath)
[REDACTED]
(Typed Name of Person Administering Oath)
15-6 OBERG
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 3 OF 3 PAGES

SWORN STATEMENT

For use of this form, see AR 190-46; the proponent agency is DDCSOPS

PRIVACY ACT STATEMENT

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

ex job 70

1. LOCATION: FOB BUZZ
2. DATE (YYYYMMDD): 2003 07 20
3. TIME: 09.14
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME:
6. SSN:
7. GRADE/STATUS: SFC / section leader
8. ORGANIZATION OR ADDRESS: 13 ACR

b(6)-2

9. I, SFC [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
I, SFC [redacted] as a member of [redacted] 13 I feel very bad that things in my opinion got out of hand with the treatment of Iraqi people, I know that there are some Iraqis that are killing and committing criminal act against U.S. soldiers but, we do not know who they are, that is why we can't treat everybody thinking that they all are criminals, there are a lot of good people here. Our soldiers need to know that, if you pull guns to their faces and talk bad to them and you are a leader of those troops, they will think that is ok for them to do it too. I did see b(6)-5 Cpt [redacted] one time do that to couple of civilians collecting wire at Rutbah and that was wrong. Why our leaders decided to come forward with statement was because we did not wanted any of our soldiers hurt because Cpt. [redacted] b(6)-5 was making people mad at him and our soldier for the things that he was doing at Rutbah.

b(6)-5

10. EXHIBIT: T/II
11. INITIALS OF PERSON MAKING STATEMENT: [redacted] b(6)-2
PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [redacted] TAKEN AT [redacted] DATED [redacted]

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

STATEMENT OF

TAKEN AT

DATED

9. STATEMENT (Continued)

b(6)-2 whole page

exp 7a

AFFIDAVIT

I, SFC [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]
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 20 day of July, 03 at FOB BUZZ

[REDACTED]
ORGANIZATION OR ADDRESS

[REDACTED]
(Signature of Person Administering Oath)

[REDACTED]
ORGANIZATION OR ADDRESS

[REDACTED]
(Typed Name of Person Administering Oath)

15-G OFF-11
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

SWORN STATEMENT

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

LOCATION FOB STING, IRAQ	DATE 13 JUL 03	TIME 1145	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS E-3/PFC	
ORGANIZATION OR ADDRESS [REDACTED] / 3 ACR			

b(6)-2

Reg 67

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

In the early morning of the 12th of July, I was sent out for security purposes right outside of Al Rutbah. As we were breaking down the site and getting ready to return to base, I was moved from my right flank position to set security around a hum-v. At this time when I saw two Iraqi civilians detained. Both were bound by zip strips behind their ~~heads~~ ^{b(6)-2} backs. ^{b(6)-2} [REDACTED] was pulling close security on one of the civilians, ^{b(6)-5} Cpt. [REDACTED] then walks up and begins to kick one of the detained repeatedly in the stomach, back, + head. As Cpt. [REDACTED] was kicking the civilian to the best of my ability he ^{b(6)-2} said "I will kill you motherfucker, what do you know?" and then he said to "get me a translator." After the translator spoke with the detainees, they were released.

b(6)-2

b(6)-5

b(6)-5

b(6)-2

b(6)-2

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

SWORN STATEMENT

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

LOCATION FOB STING, IRAQ	DATE 13 Jul 03	TIME 0930	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY NUMBER	GRADE/STATUS	
ORGANIZATION OR ADDRESS [REDACTED] 3/3 ACR			

b(6)-2

Ext 7d

b(6)-2

b(6)-5

b(6)-2

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was pulling Security from about 20 west to 20 South the fire truck with 3 zipstriped detainees laying on the ground beside it was just beyond my western limit of fire. The Soldiers that detained the detainees were pulling Security on them. When L6 rolled up along with L9 and the wrecker. They began moving the detainees back towards the humvies which were to my direct rear. I thought nothing of it so I kept scanning my sector of fire. About 5-10 minutes later, I turned around to look for my cantine. In the process of look for my cantine I heard some yelling. So I glanced up to see my C.O. Cpt. [REDACTED] kicking one of the detainees right in the side. I counted 2 kicks to the ribs and he stomped 3 times. Then I turned around to check my sector of fire to make sure it was clear and that none was trying to penetrate the perimeter. I heard "I will fucking kill you". So I looked back and saw Cpt. [REDACTED] leaning over and yelling at one of the detainees. At that time I turned around and continued mission of pulling perimeter security.

EXHIBIT

XII

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF

PAGES

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

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

0206, 2

1. LOCATION: FOB BUZZ, IRAQ
2. DATE (YYYYMMDD): 20030715
3. TIME
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS: E-3
8. ORGANIZATION OR ADDRESS: 3 ACR

b(6)-2

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

This sworn statement is about what I have seen or have been told by Cpt. [REDACTED] during the past two months.

The first incident is when we had to chase a stolen white nissan pickup. I could not keep up with him in my vehicle so

b(6)-5

SSG [REDACTED] pursued him in another confiscated nissan. When Cpt [REDACTED] and I got to where he had been stopped the suspects (2) had been detained. Cpt [REDACTED] got out of the vehicle with a baseball bat. He never swung the bat but he repeatedly jammed the end of it in one of the guys ribs and stomach.

b(6)-5

On another occasion we attempted to stop another nissan in Rutba. The suspect chose to drive away. With no regard to the houses behind the vehicle Cpt. [REDACTED] fired two shots from his 9mm.

The next incident takes place in the Rutba Police Station. A prisoner was escorted into a room with Cpt [REDACTED] and SSG [REDACTED]. About 10 minutes later I was told to get water

b(6)-5

10. EXHIBIT: ZVI
11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED] b(6)-2
PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED 20030715

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

PART II - RIGHTS WARNING PROCEDURE

THE WARNING

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

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

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

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

- or -

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

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

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

THE WAIVER

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

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

"Do you want a lawyer at this time?"

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

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

SPECIAL INSTRUCTIONS

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

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

PRIOR INCRIMINATING STATEMENTS:

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

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

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

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

COMMENTS (Continued)

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

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

DATA REQUIRED BY THE PRIVACY ACT

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

1. LOCATION FOB Buzza	2. DATE 16 Jul 03	3. TIME 1600	4. FILE NO.
5. NAME [REDACTED] b(6)-5	8. ORGANIZATION OR ADDRESS [REDACTED] 13 MAR b(6)-5		
6. SSN	7. GRADE/STATUS SSA/EL		

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

and wanted to question me about the following offense(s) of which I am

suspected/accused: **mis treatment of detainees; assaults; Conduct unbecoming; Conspiracy**

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
1a. NAME (Type or Print) [REDACTED] 1LT	[REDACTED]	[REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE [REDACTED] 13 ACR		
2a. NAME (Type or Print)	NAME OF INVESTIGATOR [REDACTED]	
b. ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR [REDACTED] 13 ACR	

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 DDCSOPS

PRIVACY ACT STATEMENT

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

1. LOCATION: FOB BUZZ IRAQ
2. DATE (YYYYMMDD): 20030715
3. TIME:
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME:
6. SSN:
7. GRADE/STATUS: E-3
8. GRADE/STATUS: ACE

(b) 2

05p 6, 7c

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
fired at the guys feet and one over his head. At this point ssg [redacted] spots another white 4dr Nissan Pickup. I am told to take Sgt [redacted] and Sgt [redacted] in L6 and chase the vehicle down. I caught the vehicle and it appeared to be stolen. The vehicle was searched and we found an AK with two magazines. We detained the eight passengers and returned to Cpt [redacted] location. When we arrived the welder was again detained in L9 with a stuff sack over his head. Cpt [redacted] takes the driver away from the rest of the guys and starts to question him. After a few moments he fires a shot like he killed him to scare the rest of the detainees Cpt [redacted] kicks the driver twice in the ribs and has me get him his bat and gloves. After a little bit, Cpt [redacted] comes back to the other 7 detainees cuts them loose and has them leave. The driver is detained and blind folded and put in the rear seat of the Nissan we

(b) 5

(b) 5

10. EXHIBIT: (b) 2
11. INITIALS OF PERSON MAKING STATEMENT: [redacted]
PAGE 1 OF 4 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

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

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION FOB Bazz, IRAQ	2. DATE (YYYYMMDD) 2003 07 15	3. TIME	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-3	

027676

b(6)-2

8. ORGANIZATION OR ADDRESS
[REDACTED] 3 ACC

9. [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On that same night on our return trip to FOB Bazz we find a blue government truck stopped in the east bound lane near Akashat exit. We stop our vehicles going the wrong way in the west bound lanes. Cpt. [REDACTED] fires one shot into the side of the truck. Before the first shot was fired the truck had just started to pull out. After the first shot the truck stopped and Cpt. [REDACTED] still fired another shot into the side of the truck.

Nothing Follows

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED] (b)(6)-2	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED]"
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

b(6)-5 entire page

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION	2. DATE (YYYYMMDD) 20030716	3. TIME	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-6	
8. ORGANIZATION OR ADDRESS [REDACTED] 3 PCR			

0406

9. (SSG) [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON The day in question, I arrived at the police station along with CPT. [REDACTED] set-up perimeter security and returned to my truck. CPT. [REDACTED] along with some police officers ordered the holding cell so then I followed. The detainee was lead to a room for questioning. CPT. [REDACTED] along with the translator entered. CPT. told me to enter as well I removed my gun and handed it to my driver. I entered the room and sat on the desk they questioned him about a shooting incident the night prior. The detainee was not in restraints while questioning went on. The translator kept talking they were speaking loudly back and fourth CPT. [REDACTED] and walk toward the door the detainee stood so I followed his action I told the translator to tell him to sit I motioned towards him I felt he was getting beligerent he made a move towards me and I struck him twice. (Nothing Follows)

[REDACTED]

10. EXHIBIT XXII	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 1 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.

RI'S WARNING PROCEDURE/WAIVER CERTIFICATE

or use of this form, see AR 190-30; the proponent agency is QDCSOPS

DATA REQUIRED BY THE PRIVACY ACT

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

1. LOCATION FOB Buzz	2. DATE 16 Jul 03	3. TIME 1600	4. FILE NO.
5. NAME (Last, First, MI) [REDACTED] b(6)-5	8. ORGANIZATION OR ADDRESS [REDACTED] /3 ACR b(6)-5		
6. SSN	7. GRADE/STATUS SSA/ELC		

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

and wanted to question me about the following offense(s) of which I am

suspected/accused: **mis treatment of detainees; assaults; conduct unbecoming; Conspiracy**

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.

(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. [REDACTED]
1a. NAME (Type or Print) [REDACTED]	b(6)-2	SIGNATURE OF INVESTIGATOR [REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE [REDACTED] /3 ACR		b(6)-2
2a. NAME (Type or Print)		5. PRINTED NAME OF INVESTIGATOR [REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR [REDACTED] /3 ACR

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

PART II - RIGHTS WARNING PROCEDURE

THE WARNING

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

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

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

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

- or -

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

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

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

THE WAIVER

"Do you understand your rights?"

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

"Have you ever requested a lawyer after being read your rights?"

(If the suspect/accused says "yes," find out when and where. If the request was recent (i.e., fewer than 30 days ago), obtain legal advice whether to continue the interrogation. If the suspect/accused says "no," or if the prior request was not recent, ask him/her the following question.)

"Do you want a lawyer at this time?"

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

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

SPECIAL INSTRUCTIONS

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

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

PRIOR INCRIMINATING STATEMENTS:

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

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

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

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

COMMENTS (Continued)

SWORN STATEMENT

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

b(6)-5 whole page

PRIVACY ACT STATEMENT

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

1. LOCATION
2. DATE (YYYYMMDD) 20030716
3. TIME
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS
9. (56) / 3 ACR

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

While sitting in the police station. CPT. [redacted] received word from C-5 that apprehension of the welder was a go we left the police station and proceeded to FOB sting where he mobilized 4th pl. for perimeter security during the apprehension. The first time we went the person was not available so we left and we went to see him, we returned to FOB sting. We went back about a half an hour later and waited until the person showed up. CPT. [redacted] told me he was riding in my truck the detainee that is. I ask him where we were going he told me FOB Buzz so we proceeded down Rt. 10 in route to FOB Buzz. Around the FS 06 east-west He took a left turn headed south my driver asked where in the hell are we going I replied I don't know maybe he saw something we traveled south about 5-7 km. and stopped. CPT. [redacted] walked up to my truck I asked him whats up he had the shovel in hand. He told us to bring him down and cut the zip strip my soldiers complied with the command. CPT. [redacted] and the translator walked about 100 meters away from my truck I told my soldiers to stay put and pull perimeter security I didn't leave my truck. I started to brush off my weapon check it over I had problems chambering one round earlier that day I yelled "test fire" and one round towards a rock on a sand hill in noones direction afterwards put my weapon on safe. I looked to see what CPT. [redacted] and the translator were doing they were talking and the welder was in a depression digging. I didn't know what he was digging for but I didn't leave my truck.

10. EXHIBIT III
11. INITIALS OF PERSON MAKING STATEMENT [redacted]
PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [redacted] TAKEN AT [redacted] DATED [redacted]"

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

SWORN STATEMENT

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

b(6)-5 whole

PRIVACY ACT STATEMENT

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

page

1. LOCATION	2. DATE (YYYYMMDD) 20030716	3. TIME	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS E-6	
8. ORGANIZATION OR ADDRESS 13 ACR			

Exp 6

9. [REDACTED] SSG WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
 We received word L-41's crew was struck by a landmine on the eastern most Bridge in Rotta. So I rallied my S-Tow wrecker crew and proceeded to the scene once I arrived on the scene I looked around the tank pits had the perimeter secure so then I went to the Hoanv assessed the damage, positioned my S-Tow and recovered the vehicle after the vehicle was hooked-up. I went back to my vehicle I talked to CPT [REDACTED] and 4th pit. pit. leader [REDACTED] asked about the soldiers in the bank on guard I returned to my vehicle CPT [REDACTED] then came to my vehicle and told me we're going to retrieve the soldiers on guard at the bank we took 4th Pit. Pit. Sgt. mobilize his crew I went back to check the rig on the hoanv all was good by this time my driver had positioned the vehicle behind me. I returned to my truck noticed cpt. [REDACTED] in front of me by a fire truck with two detainees on the ground soon after they were on their feet and released and we proceeded to retrieve the soldiers from the bank. (nothing follows)

Q. Did you see anyone assault or strike the detainees?
 A. I saw them moved from the truck and placed on the ground with CPT. [REDACTED] over them with his foot on one of the detainees

10. EXHIBIT VIII	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 1 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.

b(6)-5 whole page

USE THIS PAGE IF NEEDED. IF 3 PAGE IS NOT NEEDED, PLEASE PROCEED TO 4. PAGE OF THIS FORM.

STATEMENT OF

[REDACTED]

TAKEN AT

Ft B Buz

DATED

7-19-03

9. STATEMENT (Continued)

Because of all the rumors flying around etc.

~~How~~ who hit

Q: You hit a detainee. How many times?

A: 2 times. In the face. In solid detainee [REDACTED]

Q: How you hit any other detainees any other times?

A: No other times - no need to [REDACTED]

Q: How you ever find your weapon on a detainee?

A: No [REDACTED]

Q: I asked you ~~to~~ How many times you hit a detainee. You
see him ever at the Police Station.

A: No [REDACTED]

Q: One night you had hit several people. On that night did
you punch any detainees?

A: No I did not [REDACTED]

Q: Did you tell anyone of your soldiers that they needed to
have their shoes straight before being questioned?

A: No [REDACTED]

Q: Is there anything else you want to tell me or talk about?

A: I don't think CP [REDACTED] deserves what is going on.

(S) I believe he is a good commander & etc. [REDACTED]

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE

2 OF 3

PAGES

b(6)-5

STATEMENT OF

TAKEN AT

FOA BUZZ

DATE

7-19-03

9. STATEMENT (Continued)

b(6)-5

[Redacted]

AFFIDAVIT

I, SSG [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 Signature] b(6)-5
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19 day of July, 2003 at FOA BUZZ

[Redacted] b(6)-2
ORGANIZATION OR ADDRESS

[Redacted Signature] b(6)-2
(Signature of Person Administering Oath)

[Redacted] b(6)-2
ORGANIZATION OR ADDRESS

[Redacted Name] b(6)-2
(Typed Name of Person Administering Oath)

15-G OFFICER
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[Redacted Initials] b(6)-5

PAGE 3 OF 3 PAGES

BATES PAGES 8279 – 8285

(Administrative Disciplinary Records Related to the
Death of MG Mowhoush)

HAVE BEEN WITHHELD PURSUANT TO FOIA
EXEMPTION b7(A)

DEPARTMENT OF THE ARMY
3rd Brigade Combat Team, 4th Infantry Division
FT Carson, CO 80913

AFZC-FC

Date: 10-Jun-04

MEMORANDUM FOR: Commander, 3BCT

SUBJECT: Informal 15-6 Investigation into Allegations of 1-8 IN BN Prisoner Abuse

1. This memo is intended to serve the Commander, 3BCT, as a summary of my findings of an informal 15-6 investigation into allegations of prisoner abuse brought against 1-8 IN BN by [REDACTED] an Iraqi National. b6-4
b3+b-2
2. On 9 JUN 04, I was tasked by [REDACTED] to perform an informal 15-6 investigation into the aforementioned allegations. [REDACTED] forwarded to me an e-mail string from the III Corps JAG Office and the Chief of Staff, 4th ID as well as a written response to the allegations provided by [REDACTED]. These items are included as Enclosure 1. b3+b-2
3. I discussed the case with [REDACTED] who referred me to his [REDACTED] to arrange interviews with personnel in his command who had knowledge of the incident. MAJ [REDACTED] arranged interviews for me with [REDACTED] and [REDACTED], both members of the 1-8 IN S2 shop. [REDACTED] was very cooperative and offered me any assistance I needed during the investigation. b3+b-2
b3+b-2
b3+b-2
4. I took sworn statements from the three individuals listed above. These are included as Enclosures 2-4. The following is a synopsis of these sworn statements:
 - a. In January 2004, an Iraqi National named [REDACTED] was brought to FOB Eagle by the ICDC for possessing a large amount of Iraqi Dinar. The ICDC had placed him under arrest at a checkpoint on Highway 1 and had confiscated his money. b6-4
 - b. [REDACTED] and [REDACTED] inprocessed Mr. [REDACTED] and placed approximately 8 million Iraqi Dinar worth roughly 4,000 US Dollars in custody. b6-4
b3+b-2
 - c. [REDACTED] interrogated Mr. [REDACTED] and discovered that he was a goat herder and posed no threat to Coalition Forces. b3+b-2
 - d. After the interrogation, [REDACTED] offered to release Mr. [REDACTED] and returned his money to him. b3+b-2
b6-4
 - e. Mr. [REDACTED] became angry and wanted to know where the rest of his money was stating he had close to 23,000 US Dollars worth of Iraqi Dinar in his possession upon his arrest.
 - f. [REDACTED] told Mr. [REDACTED] that he gave him the entire amount of money that was taken from him upon inprocessing at FOB Eagle. b3+b-2
 - g. Mr. [REDACTED] stated that [REDACTED] the ICDC Commander must have taken his money upon his arrest and that he could not go home without all his money for fear that he would be killed by his tribe. b6-4
 - h. [REDACTED] allowed Mr. [REDACTED] to stay at FOB Eagle in a detention cell on non-detainee status for two weeks until Mr. [REDACTED] requested to leave. Mr. [REDACTED] was free to leave at any time during this two-week period, but elected to stay at FOB Eagle. During his stay, he was fed, clothed, and provided water per 1-8 IN BN's detainee standard operating procedure and in accordance with the tenets of the Geneva Convention. [REDACTED] asked Mr. [REDACTED] numerous times to submit a claim for the missing money through the 1-8 IN S5, but Mr. [REDACTED] never did. b3+b-2
b6-4
 - i. At no time during inprocessing or during his voluntary stay was Mr. [REDACTED] chastised, threatened with violent treatment, harmed physically, or forced to perform degrading acts. b6-4

008286

⁻⁶⁶⁻⁴
Mr. [REDACTED]'s clothes were not cut from his body on inprocessing and he was not forced to stand naked in the rain. Upon release, Mr. [REDACTED] was not offered any other thing of value in place of the money that was confiscated from him by 1-8 IN personnel.

5. POC is the undersigned.

[REDACTED]

63+6-2

INVESTIGATING OFFICER

Enclosure #1: E-mail and written response from [REDACTED]

Enclosure #2: Sworn statement of [REDACTED]

Enclosure #3: Sworn statement of [REDACTED]

Enclosure #4: Sworn statement of [REDACTED]

63+6-2



DEPARTMENT OF THE ARMY
HEADQUARTERS, 3d ARMORED CAVALRY REGIMENT
RIFLES BASE, IRAQ 09320



REPLY TO
ATTENTION OF

AFZC-R-RCO

DATE: 13 FEB 04

MEMORANDUM FOR Commander, 82d Airborne Division, Ar Ramadi, Iraq 09384

SUBJECT: Administrative Reprimand

1. I recommend filing the Administrative Reprimand pertaining to [REDACTED] 66th Military Intelligence Company, 3d Squadron, 3d Armored Cavalry Regiment, Rifles Base, Iraq 09320, in the:

b3 + 6-2

- Withdrawal of reprimand.
- Local File for one year or until your reassignment to another general court-martial jurisdiction.
- Official Military Personnel File.

2. Comments: _____

[REDACTED]

b3 + 6-2

Commanding

FROM THE BDE
COMMANDER:

1-8 IN ART 32 INVESTIGATION

Striker 6

008289

ENCLOSURE #1

[REDACTED] Fort Carson/HHC 3BCT

From: [REDACTED] /3BCT
Sent: Wednesday, June 09, 2004 11:46 AM
To: [REDACTED] Fort Carson/HHC 3BCT
Subject: FW: [REDACTED] 66-4

As requested.

(b3 + G-2
All)

-----Original Message-----

From: [REDACTED] Fort Carson/3BCT
Sent: Wednesday, June 09, 2004 9:09 AM
To: [REDACTED] Carson/3BCT
Subject: FW: [REDACTED] 66-4

As discussed.

[REDACTED]
Commanding

STRIKERS!

-----Original Message-----

From: [REDACTED] Fort Carson/3BCT
Sent: Tuesday, June 08, 2004 6:49 PM
To: Odierno, Raymond T MG--4ID CMD GRP
Cc: [REDACTED] --4ID 1BDE (PKI)
Subject: FW: [REDACTED] 66-4

Sir,
Attached is what I have on this matter. Unit denies all allegations other than [REDACTED] ⁶⁶⁻⁴ actually being detained for a period of time.

v/r
[REDACTED]
[REDACTED]

Commanding

STRIKERS!

-----Original Message-----

From: [REDACTED] Fort Carson/HQ 1-8 IN
Sent: Tuesday, June 08, 2004 5:31 PM
To: [REDACTED] Fort Carson/3BCT
Subject: [REDACTED]

Sir,

Here is the updated response answering your initial questions on this matter,

v/r, [REDACTED]

(63+6-2)
All

-----Original Message-----

[REDACTED]

Tried to call you about this. I informed the CG, he's enroute to Europe right now. He wants you to send him a note on all you know or may know about this alleged incident. Thanks.

[REDACTED]

[REDACTED]

**CHIEF OF STAFF
4th INFANTRY DIVISION**

[REDACTED]

-----Original Message-----

From: [REDACTED]--4ID OSJA
Sent: Friday, June 04, 2004 2:47 PM
To: [REDACTED]--4ID Chief of Staff (PKI); [REDACTED]--4ID SJA
Subject: FW: 4ID Detainee Abuse-FYI

Gentlemen: I send the msg below as a heads-up. We have already sent word to 1ID to keep us in the loop regarding the CID investigation and provide any other information they have. More to follow.

v/r

[REDACTED]

-----Original Message-----

From: [REDACTED]--4ID OSJA
Sent: Friday, June 04, 2004 1:06 PM
To: [REDACTED]--4ID OSJA
Subject: FW: 4ID Detainee Abuse

-----Original Message-----

From: [REDACTED]
Sent: Friday, June 04, 2004 1:00 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: 4ID Detainee Abuse

Ma'am:

This was reported to us yesterday by 1ID - an Iraqi national claims that a 4ID officer (last name

and position listed below) abused him while he was detained by U.S. Forces and possibly stole money from him.

b6-4

On 12 January 2004, [redacted] was stopped at a check point and detained by ICDC soldiers for possessing a large sum of money. The 30,000,000 ID were worth approximately 26,000 USD. The ICDC soldiers immediately turned him over to US forces. The detainee sells domestic animals throughout his province so it is normal for him to carry large amounts of money after selling the animals. He claims he was taken to an American base near Balad where his clothes were cut off by American soldiers and he and other detainees were forced to stand in the rain naked for twelve hours. After ten days he was released and told to come back the next day to claim his money. When he came back on 23 January he was offered 4000 USD or an impounded BMW. He refused both offers and [redacted] the 1-8 Infantry S-2 told him he must accept one of the offers or [redacted] would put him back in jail. [redacted] declined and said he wanted the 26000 USD he had when he was detained and no less. [redacted] put him back in detention for another sixteen days. He said [redacted] threatened him, told him not to file a claim, and if he did he would cut his tongue. On 15 May [redacted] filed a claim and this case is being investigated by CID.

esp 63

b3+6-2
b6-4

The 1ID Chief of Justice is cc'ed on this message. Based on the report, the case is under investigation by CID. I worked with [redacted] at Fort Sam Houston (the JAG Corps is a small family) -- he's a great officer who will keep you in the loop on this matter.

Thanks,

[redacted]

[redacted] MNC-I and III Corps
DNVT: [redacted] (DSN: [redacted])
"The United States wins its case whenever one of its citizens receives justice in its courts."

}

(b3+6-2)
All

(b3 + b-2)

All

b6-4 In January 2004, [redacted] b6-4 the Al-Ishaki ICDC Company Commander, stopped b6-4 [redacted] at the 64 northing ICDC checkpoint on Highway 1 for possessing a large sum of money. [redacted] and the ICDC soldiers reported that [redacted] b6-4 was moving this money for Fedayeen guerrillas.

Op 6, 7, 7.1

b6-4 [redacted] was brought to the 1-8 IN TOC, inprocessed, had approximately 4,000 USD (or closer to 8 million dinar) inventoried by [redacted] and [redacted] (all money seized or money on detainees was inventoried three times, all by separate individuals for redundancy), and was detained for questioning. Additionally, [redacted] observed the box with the dinar, but personally did not count it since three others had already done so. [redacted] the 1-8 Infantry S-2, questioned [redacted] that night and determined that [redacted] was a goat herder and did not pose a threat to US forces or Iraqi stability. [redacted] did state that [redacted] the ICDC Company Commander, had taken his money and he wanted it back. b6-4

b3 + b-2

b6-4 [redacted] did not have his clothes cut off him and no detainees at the TOC or any 1-8 IN Company FOB were ever forced to stand naked in the rain for 12 hours. At no time, did [redacted] threaten [redacted] or threaten to cut his tongue (though this tongue threat sounds amazingly familiar to an Arabic/Iraqi threat commonly posed to each other). In fact, while [redacted] was at the 1-8 IN TOC, he was provided his own shelter, blankets, water, and food daily. b6-4

b3 + b-2

After the initial 24 hours, [redacted] b6-4 was deemed as no threat, but begged to stay with us since he refused to return to his tribe with roughly 8 million dinar. [redacted] b6-4 remained at the 1-8 IN TOC in his separate cell in a non-detainee status for two weeks and then he asked to return to his family. He then left with the 8 million dinar, cab fare provided by us, seemed very happy, and we never heard from him again. We asked [redacted] numerous times during his stay if he wanted to file a claim for the extra money, but he refused. During this same time period, [redacted] questioned [redacted] and the ICDC about the money and the incident. [redacted] and the ICDC vehemently denied having ever taken the money. Additionally, [redacted] never produced proper documentation that accounted for all the money he claimed to have in his possession. b6-4

b6-4
b3 + b-2

b6-4 Note: Though [redacted] was the ICDC Company Commander for Al-Ishaki... he had been reprimanded twice before. First, for taking money (usually \$300-500) from detainee families with the promise that he could get detainees related to the family b6-4 released. We initially started receiving reports in October 2003 that [redacted] was taking bribes and he was immediately reprimanded. Second, in November 2003 and again in January 2004, he was suspected of stealing money several different times from motorists that passed through the Highway 1 ICDC checkpoint at the 64 northing. From these accusations, [redacted] b6-4 was reprimanded a second time in January 2004, relieved from his duties for a period of two weeks and then reinstated under probation.

ENCLOSURE # 2

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: HHC 1-8 IN, FT. CARSON, CO 80913
2. DATE (YYYYMMDD): 2004/05/06
3. TIME: 1711
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME:
6. SSN:
7. GRADE/STATUS: ACTIVE
8. ORGANIZATION OR ADDRESS: HHC 1-8 IN, FT. CARSON, CO 80913

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

IN JANUARY 2004, [REDACTED] WAS STOPPED AT AN ICDC CP (VIC THE 64 NORTHING ALONG HWY 1). THE ICDC COMMANDER [REDACTED] HAD HIS SOLDIERS DETAIN [REDACTED] CLAIMING THAT HE WAS RUNNING MONEY FOR FEDAYEEN SADDAM. [REDACTED] WAS BROUGHT TO THE 1-8 IN TOC TO BE INPROCESSED INTO OUR TEMPORARY HOLDING FACILITY. MYSELF, [REDACTED] (ALL FROM MY S-2 SHOP) INVENTORIED HIS "FEDAYEEN" MONEY WHICH CONSISTED OF ROUGHLY 4,000 USD. I PLACED THE MONEY IN THE S-2 SHOP FOR SAFE KEEPING. [REDACTED] THE NCOIC SAW THE BOX OF MONEY, BUT DIDN'T COUNT THE MONEY. THE MONEY WAS IN A SMALL YELLOW BOX, FILLED WITH 250 DINAR NOTES, AND USD. THAT NIGHT I QUESTIONED [REDACTED] AND DETERMINED THAT HE WAS A GOAT HERDER WHO POSED NO THREAT TO US FORCES. I RECOMMENDED TO THE COC IMMEDIATE RELEASE, WHICH WAS GRANTED, AND I WENT OUT TO THE HOLDING FACILITY TO RELEASE [REDACTED] WITH OUR APOLOGIES, AND AN ADDITIONAL 10-20 USD FOR A TAXI RIDE HOME. WHEN I PRESENTED [REDACTED] WITH HIS BOX OF MONEY, HE INVENTORIED IT, AND GREW INCENCED, STATING THAT "[REDACTED] TOOK MY MONEY," AS HE CLAIMED THAT HE HAD ORIGINALLY HAD MORE THAN THE 4,000 USD THAT I INVENTORIED. I ASKED HIM FOR PROOF THAT HE EVER HAD THE AMOUNT THAT HE CLAIMED; WHICH HE WAS UNABLE TO PRODUCE. HE THEN BEGGED ME TO GIVE HIM THE REMAINING MONEY, OF WHICH I REFUSED, AND TOLD HIM TO MAKE A CLAIM WITH OUR S-5 THE FOLLOWING TUESDAY AT THE CITY COUNCIL BUILDING. I THEN ATTEMPTED, WITH [REDACTED] HELP, TO ESCORT THE MAN OUT THE FRONT GATE, AT WHICH TIME HE FELL TO HIS KNEES, AND BEGGED ME TO STAY, STATING "IF I GO HOME WITHOUT ALL THE MONEY, MY TRIBE WILL KILL ME." OUT OF COMPASSION, WE LET THE MAN STAY IN A NON-DETAINEE STATUS IN OUR HOLDING FACILITY FOR ROUGHLY 2 WEEKS. AT THE END OF ROUGHLY 2 WEEKS [REDACTED] INFORMED ME THAT THE MAN WAS BEGGING TO TALK TO [REDACTED] WHEN I SPOKE WITH THE INDIVIDUAL, HE INFORMED ME THAT HE WAS READY TO GO AND HE WOULD FACE HIS TRIBE. I TOOK HIS BOX OF MONEY, CONCEALED IT IN A REPUBLICAN GUARD FIRST AID BAG, AND STRAPPED IT UNDER HIS ROBE, SO HE WOULD NOT BE ROBBED ON THE HIGHWAY AND GAVE HIM TAXI FARE. I, AGAIN, STRESSED TO THE MAN THAT HE SHOULD FILE A CLAIM WITH OUR S-5 AS SOON AS POSSIBLE. HE THANKED ME AS I LED HIM OUT THE GATE. AFTER HIS RELEASE WE NEVER HEARD FROM HIM AGAIN. DURING [REDACTED] 2 WEEK STAY I QUESTIONED [REDACTED] ABOUT THE MONEY, WHICH HE DENIED EVER TAKING, CLAIMING THAT HE PRODUCED ALL THE MONEY CONFISCATED FROM THE MAN. THIS WAS DOUBTFUL TO ME AS I HAD TALKED TO AT LEAST 6 INDIVIDUALS COMPLAINING TO ME THAT THEY HAD PAID [REDACTED] AS MUCH AS 300-500 USD, TO HAVE HIM TALK TO ME TO GET DETAINEES RELEASED FROM MY HOLDING FACILITY. THIS "BUSINESS" OF [REDACTED] HAS ALSO BEEN THE SUBJECT OF NUMEROUS THT REPORTS ON THE MAN, WHILE [REDACTED] HAD ROUTINELY CAME TO ME REQUESTING THE RELEASE OF PRISONERS, I NEVER RELEASED A SINGLE ONE TO HIM. IT HAD IN FACT BEEN MONTHS PRIOR TO THIS INCIDENT THAT [REDACTED] HAD EVEN BOTHERED ASKING ME FOR THE RELEASE OF DETAINEES. IT IS MY BELIEF THAT COUNTLESS OTHERS REALIZED THE FRUITLESSNESS OF [REDACTED] EFFORTS, AND HIS STEADY INCOME OF DETAINEE MONEY HAD DRIED UP, AND SO HE RESORTED TO HIGHWAY EXTORTION AT THE CP HE STEWARDED. ADDITIONALLY, [REDACTED] HAD BEEN REPRIMANDED SEVERAL TIMES UNDER THE SUSPICION OF STEALING MONEY FROM PASSING MOTORISTS ALONG THE HIGHWAY.

Q: DID YOU THREATEN [REDACTED] WITH VIOLENT TREATMENT, HARM HIM PHYSICALLY, OR FORCE HIM TO PERFORM DEGRADING ACTS?
A: NEVER

10. EXHIBIT:
11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED]
PAGE 1 OF 3 PAGES

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

Handwritten notes on the right margin: 63+6-2, 211, 66-4, 6-3+6-2, 66-4, 66-4, 66-4, 65162

008294

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

STATEMENT OF [REDACTED] TAKEN AT HHC, 1-8 IN DATED 2004/06/09

9. STATEMENT (Continued)

Q: DID YOU OFFER [REDACTED] AN IMPOUNDED BMW AS A CHOICE OVER HIS MONEY?

A: NO. *b6-7*

Q: WERE [REDACTED]'S CLOTHES CUT OFF OF HIS BODY UPON INPROCESSING AT FOB EAGLE AND WAS HE FORCED TO STAND NAKED IN THE RAIN FOR 12 HOURS?

A: NO.

Q: DO YOU WISH TO ADD ANYTHING ELSE?

A: NO.

[REDACTED]-----NOTHING FOLLOWS-----[REDACTED]

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 3 PAGES [REDACTED]

b3+b-2

b3+b-2

b3+b-2

STATEMENT OF [REDACTED]

TAKEN AT HHC, 1-8 IN

DATED 2004/06/09 [REDACTED]

9. STATEMENT (Continued)

NOT TRUE follows

b3+6-2

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]
(Signature of Person Making Statement)

WITH [REDACTED]

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 09 day of JUNE, 2004 at HHC 1-81W Ft Carson, CO 80913

Fort Carson, CO 80919
ORGANIZATION OR ADDRESS

[REDACTED]
(Signature of Person Administering Oath)

[REDACTED]
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT: [REDACTED]

PAGE 3 OF 3 PAGES

b3+6-2

b3+6-2

b3+6-2

b3+6-2

STATEMENT OF [REDACTED] TAKEN AT 1300 [REDACTED] DATED 2004/06/10 [REDACTED]

b3+6-2

9. STATEMENT (Continued)

NOTHING FOLLOWS

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] (Signature of Person Making Statement)

b3+6-2

WITNESSES:

b3+6-2

[REDACTED]

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 10 day of JUN 2004

FT CARSON, CO 80913 ORGANIZATION OR ADDRESS

[REDACTED] (Signature of Person Administering Oath)

[REDACTED] (Typed Name of Person Administering Oath)

b3+6-2

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 2 OF 2 PAGES

b3+6-2

ENCLOSURE #3

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 Ft. Carson, CO
2. DATE (YYYYMMDD) 2004/06/10
3. TIME 1300
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS HHC, 1-8 IN BN, Ft. Carson, CO

I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Sometime in January while occupying FOB Paliwoda near Balad Iraq, a prisoner named [redacted] was brought to the FOB by the Iraqi Civil Defense Corps (ICDC). The ICDC claimed that [redacted] had been running money for anti-coalition forces. The ICDC also brought money that they said was confiscated from [redacted] I counted the money which was approximately \$4000 worth of new Iraqi Dinar. [redacted] questioned the detainee and determined that he was a simple goat farmer who was taking money to a market. [redacted] was told that he was to be released and his money returned to him. When [redacted] was given the money, he insisted that he had more money and refused to leave until it was given to him. He stated that he would be killed by the people who he owed the money to. We allowed him to stay in the Eagle Jail for approximately two weeks until [redacted] finally decided to leave. We gave him all the money that had been given to us by the ICDC. I did not witness, and I have no reason to believe that the detainee was ever mistreated or threatened while in the custody of US forces.

Q: WAS [redacted] HELD AGAINST HIS WILL FOR THE TWO WEEKS AFTER HIS DETENTION OR DID HE STAY AT FOB EAGLE ELECTIVELY?

A: HE ELECTED TO STAY AT THE DETENTION FACILITY DESPITE BEING ALLOWED TO LEAVE.

Q: DID YOU THREATEN [redacted] WITH VIOLENT TREATMENT, HARM HIM PHYSICALLY, OR FORCE HIM TO PERFORM DEGRADING ACTS?

A: NO

Q: DID YOU OFFER [redacted] AN IMPOUNDED BMW AS A CHOICE OVER HIS MONEY?

A: NO

Q: WERE [redacted]'S CLOTHES CUT OFF HIS BODY UPON INPROCESSING AT FOB EAGLE AND WAS HE FORCED TO STAND NAKED IN THE RAIN FOR 12 HOURS?

A: NO

Q: DO YOU WISH TO ADD ANYTHING FURTHER?

A: NO

NOTHING FOLLOWS [redacted]

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT [redacted] TAKEN AT [redacted] DATED [redacted]"

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

008298

ENCLOSURE #4

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: 1-8 INF BN HQ, BLDG 2060, FT CARSON, CO
2. DATE (YYYYMMDD): 2004/06/10
3. TIME: 1310
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS: 1-8 INF BN S-2, FORT CARSON, CO 80913

9. [REDACTED] b3r6-2, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ICDC BROUGHT, [REDACTED] TO THE 1-8 INF BN TOC (LOCATED IN BALAD), WITH A LARGE AMOUNT OF MONEY IN HIS PROCESSION. [REDACTED] DID NOT HAVE ANY PAPERWORK INDICATING THE REASON FOR HAVING OR WHERE SAID MONEY WAS FROM. AFTER [REDACTED] WAS SEARCHED FOR ANY POTENTIAL WEAPON(S) IN THE EVENT HE WAS NOT SEARCHED. FINDING NO WEAPONS, [REDACTED] WAS ASSIGNED A NUMBER AND LOGGED IN THE TRACKING LOG FOR POSSIBLE BEING A MONEY RUNNER FOR A TERRORIST ORGANIZATION. HE WAS ISSUED A MRE AND BOTTLE OF WATER IN ACCORDANCE WITH THE BN DETAINEE SOP. WITHIN 1 HOUR OF ARRIVING, I COUNTED THE BOX OF MONEY THAT WAS HANDLED OVER WHEN HE WAS TURNED OVER TO 1-8 INF. I [REDACTED] DO NOT RECALL THE AMOUNT OF MONEY IN THE BOX, BUT BELIEVE IT WAS AROUND 7-8 MILLION IRAQI DINAR. THE DINAR AND ANY OTHER PERSONAL PROPERTY WAS LOGGED ON THE PROPERTY PAPERWORK TO BE FORWARDED WITH HIM TO HIGHER. WITHIN 4-6 HOURS OF [REDACTED] BRING BOUGHT TO 1-8 INF DETAINATION FACILITY. [REDACTED] ATTENDED THE INITIAL QUESTIONING OF [REDACTED] AT WHICH TIME HE CLAIMED TO BE A GOATHERDER FROM MOSUL. AFTER A FEW MORE QUESTIONS AND REVIEWING HIS IDENTIFICATION CARD, IT WAS DETERMINED THAT HE WAS BEING TRUTHFUL AND WAS NO THREAT TO U.S. FORCES. [REDACTED] THE BN S-2 AND MYSELF TRIED TO GIVE [REDACTED] THE BOX OF MONEY BACK AND RELEASE HIM. [REDACTED] REFUSED TO ACCEPT THE MONEY BACK, STATING A NUMBER OF TIMES THAT THE ICDC HAD TAKEN AN UNCERTAIN AMOUNT OF THE MONEY HE HAD. AT THE TIME NOR CURRENTLY DOES ANYBODY KNOW WHAT HAPPENED TO HIM OR HIS MONEY BEFORE HE WAS BROUGHT TO THE 1-8 INF DET FAC. HE ALSO STATED THAT IF HE RETURNED TO MOSUL WITHOUT THE AMOUNT OF MONEY HE CLAIMED TO HAVE HE WOULD BE KILLED. A NUMBER OF TIMES [REDACTED] WAS OFFERED THE CHANCE TO MAKE A CLAIM FOR HIS MONEY AND HE TURNED THE CHANCE DOWN REPEATEDLY. [REDACTED] WAS GIVEN HIS OWN DETENTION CELL AND GIVEN SHELTER AND BLANKETS IN ACCORDANCE TO THE BN SOP FOR TREATMENT OF DETAINEES. BOTH IN THE MORNING AND AFTERNOON WHEN HE WAS GIVEN A MRE AND BOTTLE OF WATER. [REDACTED] WAS TOLD REPEATEDLY THAT HE WAS NOT A DETAINEE AND WAS FREE TO GO AT ANYTIME. AFTER TWO (2) WEEKS, [REDACTED] ASKED TO SPEAK TO [REDACTED] (1-8 S2). BEFORE WE STATED QUESTIONING ANY DETAINEES THAT MIGHT HAVE CAME IN DURING THE LAST 12 HOURS, [REDACTED] STATED THAT HE WOULD TAKE THE BOX OF MONEY AND RETURN HOME TO HIS FAMILY. THE MONEY AND PERSONAL PROPERTY OF [REDACTED] WAS RETURNED AND HE WAS GIVEN TAXI FAIR TO RETURN HOME TO MOSUL. DURING [REDACTED] STAY AT 1-8 INF EAGLE JAIL, AT ALL TIMES HE WAS AFFORDED NON-DETAINEE STATUS, HE WAS KEPT IN A DETENTION CELL FOR THE SAFETY OF THE PERSONNEL WORKING THE EAGLE JAIL. AT NO TIME WAS HE EVER FORCED TO STAND IN THE RAIN, OR WAS HE EVER THREATENED WITH ANY HARM. A NUMBER OF TIMES HE PRAISED ALAH, FOR THE U.S. MAKING A DIFFERENCE IN IRAQ.

Q: DID YOU PHYSICALLY HARM [REDACTED] OR FORCE HIM TO PERFORM DEGRADING ACTS?

10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED] b3r6-2
PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT DATED

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

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

STATEMENT OF [REDACTED] TAKEN AT HHC, 1-8 IN DATED 2004/06/10 [REDACTED]

b3r6-2

9. STATEMENT (Continued)

A: NO

Q: OTHER THAN [REDACTED] OR [REDACTED], IS THERE ANYONE ELSE WITH SIGNIFICANT KNOWLEDGE OF THIS EVENT?

b3r6-2

A: NOT THAT I KNOW OF.

Q: DO YOU WISH TO ADD ANYTHING FURTHER?

A: I BELIEVE THIS IS ENTIRELY FOR FREE MONEY, AFTER THE PRISON ABUSE SOUTH OF BAGHDAD, AND IT BEING PUBICLY SAID THAT THE U.S. WOULD PAY MONEY TO COMPENSATE ANY DETAINEE MISTREATMENT.

NOTHING FOLLOWS [REDACTED]

b3r6-2

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

b3r6-2

PAGE 2 OF 3 PAGES

b3+6-2

STATEMENT OF [REDACTED] TAKEN AT HHC, 1-8 IN DATED 2004/06/10 [REDACTED] b3+6-2

9. STATEMENT (Continued)

NOTHING FOLLOWS [REDACTED] b3+6-2

AFFIDAVIT

[REDACTED] b3+6-2, 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] b3+6-2
(Signature of Person Making Statement)

WITNESSES:

b3+6-2

[REDACTED]

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 10 day of JUN 2004 at

FT CARSON, CO 80913
ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

S
[REDACTED]

[REDACTED] b3+6-2
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED] b3+6-2

PAGE 3 OF 3 PAGES