COMMANDER'S REPORT OF DISCIPLINARY OR ADMINISTRATIVE ACTION

For use of this form, see AR 190-45; the proponent agency is Office of the Provost Marshal General

SUSPENSE DATE *(YYYYMMDD)*: 20040407

PRIVACY ACT STATEMENT

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

1. THRU	2. TO	3. FROM
FZ	USACRC 6010 6TH STREET FT BELVOIR, VA22060-5585	OPERATIONS OFFICER 11TH MP BN (CID), 3RD MP GRP BAGHDAD, IRAQ APO 09342

4. USACRC CONTROL NUMBER	5. MP REPORT NUMBER	6. SUB-INSTALLATION IDENTIFIER
0144-04-CID259-80207 5H		

The first Lieutenant Colonel in the chain of command is responsible and accountable for completing DA Form 4833 with support documentation (copies of Article 15s, court-martial orders, reprimands, etc) for all USACIDC investigations. The unit and brigade commander or their equivalent will also receive a copy of the DA Form 4833 for all USACIDC investigations.

Company, troop, and battery level commanders are responsible and accountable for completing DA Form 4833 with supporting documentation in all cases investigated by MPI, civilian detectives employed by the Department of the Army, and the PMO. Accurate and complete DA 4833 disposition reports are required to meet installation, command, HQDA, DOD, and federal statutory reporting requirements. The data is used to identify crime trends, establish command programs in law enforcement and other activities, and to ensure that resources are made available to support commanders who must address issues of soldier and family member indiscipline.

In court-martial cases, a conviction of an offense at court-martial may be for a different, or lesser included offense. List the offense for which the individual was convicted at court-martial in the remarks section.

Block 5. Provost Marshals must enter the Military Police Report number for all cases referred to commanders.

Block 6. This block is used to enter report number from a civilian law enforcement agency police report. Other information on the civilian law enforcement agency (e.g. civilian law enforcement agency address) may be entered in the remarks section.

7. NAME OF SUBJECT *(Last, First, MI)*	8. GRADE	9. SSN	10. DATE OF BIRTH *(YYYYMMDD)*
[redacted]	CPT	[redacted]	[redacted]

11a. OFFENSE(s)	11b. DATE OF OFFENSE(s) *(YYYYMMDD)*	11c. ACTION TAKEN	11d. IF NO ACTION TAKEN, EXPLAIN:
MURDER (b)(6)(b)(7)(C)	20040521	YES ☑ NO ☐	
		YES ☑ NO ☐	
		YES ☐ NO ☐	

12. ACTION TAKEN *(check all that apply)*

* Subject was advised that although no action was taken, the report would be retained in Army records and that requests for amendment, correction, or expungement may be submitted IAW AR 190-45 (MP Reports) or AR 195-2 (CID Reports).

☐ a. NON-ADVERSE PERSONNEL ACTION REFERRAL:

REFERRED TO *(Check appropriate blocks)*	DATE REFERRED *(YYYYMMDD)*	DATE RESPONDED *(YYYYMMDD)*
☐ F = FAMILY ADVOCACY		
☐ D = DRUG/ALCOHOL ABUSE		
☐ S = SPECIAL REFERRAL		
☐ E = EQUAL OPPORTUNITY		
☐ L = LEGAL OFFICE		
☐ M = MENTAL HEALTH		
☐ R = RELIEF AGENCY		

☐ b. ADVERSE PERSONNEL ACTION:

☐ REPRIMAND ☐ ORAL ☐ WRITTEN
FILED: ☐ LOCALLY ☐ OMPF

☐ LETTER OF CONCERN/COUNSELING
☐ ADVERSE OER/NCOER COMMENT
☐ RELIEF FOR CAUSE OER/NCOER
☐ SUSPENDED SECURITY CLEARANCE OR OTHER ADVERSE ACTION REGARDING SECURITY CLEARANCE
☐ DISCHARGE PURSUANT TO AR 635-200 (ENLISTED)/AR 600-8-24 (OFFICER)
Regulation _____ Chapter _____ Characterization _____ Discharge Date _____

☐ c. NONJUDICIAL PUNISHMENT *(Article 15, UCMJ) (ATTACH COPY OF ARTICLE 15)*

☐ SUMMARIZED ☐ FIELD GRADE ☐ GCMCA IMPOSED
☐ COMPANY GRADE ☐ GENERAL OFFICER IMPOSED

☐ d. JUDICIAL *(If subject was tried by court-martial attach a copy of the court-martial order giving findings and sentences.)*

☐ SUMMARY COURT MARTIAL ☑ GENERAL COURT-MARTIAL
☐ SPECIAL COURT-MARTIAL ☐ CIVILIAN OR MAGISTRATE CRIMINAL COURT

024880 000001

13. JUDICIAL FINDINGS

[✔] GUILTY MISTAKE / NO FORFEITURES [ ] DISMISSED

[ ] NOT GUILTY [ ] OTHER *(For example, guilty of a lesser included offense. Explain in Remarks.)*

14. RESULTANT SENTENCES, PUNISHMENTS, OR ADMINISTRATIVE ACTION

[ ] a. REPRIMAND [ ] b. ADMONITION [ ] (1) ORAL [ ] (2) IN WRITING

[ ] c. DETENTION [ ] d. FORFEITURE [ ] e. FINED $ _____ / _____ MONTHS

[ ] f. REDUCE[redacted] _____ TO _____ [ ] g. EXTRA DUTY _____ DAYS [ ] h. RESTRICTED FOR _____ DAYS

[ ] i. CORRECTIONAL CUSTODY FOR _____ DAYS [ ] j. CONFINED _____ YEARS _____ MONTHS

[ ] k. SEPARATION: [ ] PUNITIVE [ ] OTHER

Type (b)(2)-5 Chapter: (b)(2)-5 Characterization: _____ Effective Date: _____

[✔] l. OTHER *(For example, suspension of driving privileges. Explain in Remarks.)*

15. REMARKS

DISMISSED FROM THE US ARMY.

16a. TYPED NAME AND GRADE OF COMMANDING OFFICER

SFC [redacted] Operations Sergeant (b)(6)-2

16b. SIGNATURE [redacted] (b)(6)-2

16c. DATE OF REPORT *(YYYYMMDD)*

20050407

16d. AKO ACCOUNT E-MAIL ADDRESS

[redacted]@US.ARMY.MIL

DA FORM 4833, JUN 2004

APD 9V1.000

024881 000002

DEPARTMENT OF THE ARMY
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND
3D MILITARY POLICE GROUP (CID)
78TH MILITARY POLICE DETACHMENT (CID) (FWD)
BAGHDAD, IRAQ, APO AE 09342

CIMPR-FR 12 Dec 2004

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: (U) CID REPORT OF INVESTIGATION-FINAL(C)/SSI - 0144-04-CID259-80207-5H1A

DATES/TIMES/LOCATIONS OF OCCURENCES:
1. (U) 21 MAY 2004/1400 – 21 MAY 2004/1500, AN NAJAF, IZ; (GRID MA 403464)

DATE/TIME REPORTED: (U) 25 MAY 2004, 1605

INVESTIGATED BY: (U) SA [redacted]; SA [redacted]

(b)(7)(C)-1 (b)(6)-1 (b)(2) (b)(6)-5 (b)(7)(C)-5

SUBJECT: 1. (U) [redacted]; CPT [redacted] COMPAY (A CO), 2/37TH ARMOR BATTALION (AR BN), AN NAJAF, IZ; (FREIDBERG, GERMANY); CT; [MURDER]

VICTIM: 1. (U) (UNKNOWN) (DECEASED); (NFI); [MURDER]

INVESTIGATIVE SUMMARY:

This is an "Operation Iraqi Freedom" investigation.

(U) Restricted Distribution: Due to the sensitive nature of this investigation, distribution of this report is restricted to USACIDC channels only.

(b)(6)-2 (b)(7)(C)-2

(U) On 25 May 04, this office was notified by MAJ [redacted] Chief Trial Counsel, Office of the Staff Judge Advocate, 1st Armored Division, Baghdad, IZ, that CPT [redacted] may have murdered an Iraqi non-combatant.

(U) Investigation established probable cause to believe CPT [redacted] committed the offense of Murder when he fired what appeared to be three shots and killed a wounded Iraqi lying on the ground.

STATUTES:

(U) Article 118 UCMJ: MURDER

EXHIBITS/SUBSTANTIATION:

ATTACHED:

1. (U) Agent's Investigative Report (AIR) of SA [redacted] 5 Jun 04, detailing initial notification; coordination with SJA; viewing of UAV tape; interviews of WO1 [redacted] MAJ [redacted] MAJ [redacted] and CW2 [redacted] coordination with CPT [redacted] canvas interviews; interviews of 2LT [redacted] and SPC [redacted] coordination with 1LT [redacted] interviews of SGT [redacted] SPC [redacted] and SGT [redacted] interviews of SGT [redacted] PFC [redacted] 1LT [redacted] SPC [redacted] and SSG [redacted] collection of evidence; interviews of SGT [redacted] SSG [redacted] 1LT [redacted] and 1LT [redacted] coordination with SJA; interview of CPT [redacted] and receipt of CRC results.

2. (S) 15-6, Report of Proceedings by Investigating Officer, 25 May 04, conducted by LTC [redacted]

3. (U) Sworn statement of WO1 [redacted] 27 May 04, detailing what he saw while reviewing UAV video of a cordon/search on 22 May 04.

4. (U) Crime scene sketch, 27 May 04, prepared by SA [redacted]

5. (U) Digital images of the deceased non-combatant and the black sedan provide by MAJ [redacted]

6. (U) Sworn statement of CW2 [redacted] 27 May 04, detailing what he saw while reviewing UAV video of a cordon/search on 22 May 04.

7. (U) Sworn statement of SGT [redacted] 28 May 04, detailing his knowledge of the incident.

8. (U) Sworn statement of SPC [redacted] 29 May 04, detailing his knowledge of the incident.

9. (U) Sworn statement of SGT [redacted] 29 May 04, detailing his knowledge of the incident.

10. (U) Sworn statement of SGT [redacted] 29 May 04, detailing clarifying information regarding his previous statement on 28 May 04.

11. (U) Canvas interview worksheet, 29 May 04, conducted by SA [redacted]

12. (U) Sworn statement of 1LT [redacted] 29 May 04, detailing his knowledge of the incident.

13. (U) Sworn statement of SGT [redacted] 31 May 04, detailing clarifying information pertaining to his two previous statements on 28 and 29 May 04.

14. (U) Sworn statement of SSG [redacted] 31 May 04, detailing his knowledge of the incident.

15. (U) Sworn statement of 1LT [redacted] 31 May 04, detailing his knowledge of the incident.

16. (U) Rights waiver certificate and sworn statement of 1LT [redacted] 31 May 04, detailing clarifying information of the incident.

17. (U) Non-rights waiver certificate of CPT [redacted] 5 Jun 04.

18. (U) AIR of SA [redacted] 6 Aug 04, detailing results of Biometrics Automated Toolset; coordination with SFC [redacted]; interviews of Detainee [redacted] and Detainee [redacted].

19. (U) EPW Screening Report, 16 Jul 04.

20. (U) Dossier Report pertaining to Detainee [redacted] undated

21. (U) AIR of SA [redacted] 27 Aug 04, detailing the interviews of Detainee [redacted] and Detainee [redacted].

22. (U) AIR of SA [redacted] 00 Sep 04, detailing coordination with SJA, and receipt of USACIL lab report.

23. (U) Crime Lab Examination Request, 1 Jul 04, requesting examination of the UAV video and to enhance image quality. (USACRC and file copy only).

24. (U) USACIL Lab report number 2004-CID131-1244, 6 Aug 04, documenting the completion of lab request. (USACRC and file copy only)

25. (S) Compact Disc 040144.259A and 040144.259B containing the completed lab results from USACIL. (USACRC copy only)

26. (U) DA Form 4137, Evidence/Property Custody Document, vouchers (VO) 0444-04, 30 May 04.

NOT ATTACHED:

Retained in the evidence depository of the 22D Military Police Battalion (CID) (FWD), Baghdad, IZ.

27. (S) Video Cassette, VO 444-04, Item 1

(U) The originals of Exhibits 1, 3, 4, 6 through 18, 21, 22, and 24 are attached to the USACRC copy of this report. The original of Exhibit 5, is retained in the files of CDR, 1/2nd Armored Calvary Regiment, 1st Armor Division, Fort Polk, LA. The originals of Exhibits 19 and 20 are retained in the files of Baghdad Central Confinement Facility, Abu Ghraib, 09342. The original of Exhibit 23 is retained in the files of the United States Army Criminal Investigation Laboratory, 4553 North 2D Street, Forest Park, GA 300050. The original of Exhibit 26 is retained in the evidence depository of the 22D Military Police Battalion (CID) (FWD), Baghdad, IZ.

(S) The original of Exhibit 2 is retained in the files of CDR, 1/2nd Armored Calvary Regiment, 1st Armor Division, Fort Polk, LA. The original of Exhibit 25 is attached to the USACRC copy of this report.

Status: (U) This is a Final (C) Report. This investigation is being terminated in accordance with CIDR 195-1, Section V, paragraph 4-17(a)(6), in that the special agent-in-charge has determined that furtherance of this investigation would be of little or no value and that leads remaining to be developed are not significant. Remaining leads include identify and locate victim; locate and interview doctor and family of victim, crime scene examination, and additional canvass interviews. Commander's Report of Disciplinary Action Taken (DA Form 4833) is pending.

Report Prepared By: (U) [redacted] (b)(7)(C)-1 (b)(6)-1

(U) [redacted]
(U) Special Agent, [redacted] b2

Report Approved By: (U) [redacted]

(U) [redacted]
(U) Special Agent in Charge

DISTRIBUTION:

1 - (U) Director, USACRC, 6010, 6th Street, Fort Belvoir, VA 22060-5506 (original)
1 - (U) Thru: CDR, 22D MP BN, APO AE 09342
(U) CDR: 3D MP Group (CID), APO AE 09342
(U) To: CDR, HQUSACIDC (ATTN: CIOP-ZA), Fort Belvoir, VA 22060-5506
1 - (U) CID LNO, MNC-I, APO AE 09335 (e-mail only/less exhibits)
1 -(U) SJA, OSJA HQ, 1ST Armor Division (Attn: MAJ [redacted] Unit 24039, APO AE 09096 (b)(6)-1 (b)(7)(C)-1
1 - (U) File

BASIS FOR INVESTIGATION: About 1605, 25 May 04, this office was notified by MAJ [redacted], Chief of Military Justice, Office of the Staff Judge Advocate (SJA), Headquarters (HQ), 1st Armored Division (AD), Baghdad International Airport (BIAP), IZ, that CPT [redacted], A Company (CO), 2/37th Armor (AR) Battalion (BN), 1st AD, FOB Hotel, An Najaf, IZ (Friedberg, GE) may have murdered an Iraqi non-combatant.

About 1430, 27 May 04, SA [redacted] coordinated with CPT [redacted], SJA, 1/2nd Armored Cavalry Regiment (ACR), 1st AD, FOB Duke, IZ (Fort Polk, LA), and obtained a copy of the 15-6 investigation report. (See 15-6 investigation report for details)

About 2010, 27 May 04, SA [redacted] and SA [redacted], this office, viewed the UAV tape, which recorded CPT [redacted] company during an operation on 21 May 04. The UAV tape showed a black sedan crashed into a wall, with a wounded man lying on the ground by the driver side of the car. The wounded man was moving his right arm and one of his legs. As the UAV moved around the car, you saw a soldier searching the car, and a soldier standing on the driver side to the rear of the vehicle. The soldier standing on the driver side of the vehicle then fired what appeared to be one shot in the direction of the wounded man. A few seconds later a second shot appeared to have been fired, and a third shot about 15 to 30 seconds after that. When the UAV moved back around to the driver side of the black sedan, the wounded man is no longer moving and a substantial amount of blood, and what appeared to be brain matter was spilled out onto the ground, blood and brain matter not previously there.

Agent's Comments: Agent's from this office viewed the UAV along with WO1 [redacted] and CW2 [redacted] both of 303rd Military Intelligence (MI) BN, 1st MI, Baghdad, IZ (Hohenfels, GE).

About 2053, 27 May 04, SA [redacted] interviewed WO1 [redacted] who stated he viewed the UAV tape along with CW2 [redacted] 21 May 04, in order to make a digital copy, when they viewed a soldier shoot a wounded non-combatant while he laid on the ground. (See sworn statement for details)

About 2118, 27 May 04, SA [redacted] drafted a rough sketch from observations made during the viewing of the UAV tape. (See sketch for details)

About 2131, 27 May 04, SA [redacted] interviewed MAJ [redacted], S-2, 1/2nd ACR, FOB Duke, IZ (Fort Polk, LA), who stated SSG [redacted] (NFI) provided him with four digital photographs of the deceased non-combatant and the black sedan.

About 2138, 27 May 04, SA [redacted] obtained the four digital photographs of the deceased non-combatant and the black sedan, from MAJ [redacted] (See digital images for details)

About 2142, 27 May 04, SA [redacted] interviewed MAJ [redacted], Fire Support Officer (FSO), 1/2nd ACR, FOB Duke, IZ (Fort Polk, LA), who stated WO1 [redacted] and CW2 [redacted] briefed him on their findings from the UAV tape on the morning of 22 May 04, and he then briefed LTC [redacted] XO, 1/2nd ACR, FOB Duke, IZ (Fort Polk, LA).

About 2147, 27 May 04, SA [redacted] interviewed 2LT [redacted] Tactical Intelligence Officer, 1/2nd ACR, FOB Duke, IZ (Fort Polk, LA), who stated she had never seen the UAV tape until WO1 [redacted] and CW2 [redacted] showed her the tape on the night of 21 May 04. She then briefed LTC [redacted] on the findings that same night.

About 2208, 27 May 04, SA [redacted] interviewed CW2 [redacted] who stated he viewed the UAV tape along with WO1 [redacted] on 21 May 04, in order to make a digital copy, when they viewed a soldier shoot a wounded non-combatant while he laid on the ground. (See sworn statement for details)

About 2302, 27 May 04, SA [redacted] and SA [redacted] coordinated with CW2 [redacted] to obtain the Military Internet Relay Chat (MIRC), of the incident in question. CW2 [redacted] related the system was down from 1407 hours through 1422 hours, and no log was recorded.

Agent's Comments: CW2 [redacted] stated the time on the UAV tape appeared to be Zulu Time, but it may have been off by a few minutes.

About 1324, 28 May 04, SA [redacted] coordinated with CPT [redacted], 2/37th AR BN, FOB Gulf, An Najaf, IZ (Friedberg, GE), and obtained a copy of the personal data of the two living detainees, Mr. [redacted] (Tribal name: [redacted]) and Mr. [redacted] (Tribal name: [redacted]). Additionally, the Report of Medical Examinations, Daily SITREP for 21 May 04, copies of photographs of deceased non-combatant and black sedan, and copies of aerial photographs of incident location were obtained.

About 1539, 28 May 04, SA [redacted] and SA [redacted] canvassed the local residents of An Najaf near the site of the incident, through Mr. [redacted], Interpreter, 2/37th AR BN, FOB Gulf, An Najaf, IZ. The residents all stated they knew about the U.S. Army's chase of the black sedan, and the ensuing gunfire, but none of them had knowledge of the deceased or the location of the remains.

Agent's Comments: Based on the current situation in An Najaf, IZ, and location of the incident, SA [redacted] determined that to process the crime scene would be to dangerous, and was therefore not conducted.

About 1606, 28 May 04, SA [redacted] through Mr. [redacted], interpreter, interviewed 2LT [redacted] Iraqi Police, An Najaf, IZ, who stated they were aware of the U.S. Army's pursuit of the black sedan, and of the driver who was killed. However, 2LT [redacted] stated they do not get involved in those actions, and their office did not collect the body. 2LT [redacted] further stated if there were militia in the area, they would have removed the body.

Agent's Comments: This Iraqi Police Station was the only one relatively close to the incident location.

About 1820, 28 May 04, SA [redacted] interviewed SPC [redacted] Radio/Telephone Operator (RTO), 2/37th AR BN, FOB Gulf, An Najaf, IZ, who stated he was working the radio at FOB Gulf TOC during the incident on 21 May 04. SPC [redacted] related he received the radio transmissions from FOB Hotel, and documented them on a DA Form 1594, Daily Staff Journal (Included in the 15-6 Investigation Report). FOB Hotel was in direct contact with A CO, 2/37th AR BN during the incident.

About 1935, 28 May 04, SA [redacted] and SA [redacted] coordinated with 1LT [redacted] Acting Commander, A CO, 2/37th AR BN, FOB Hotel, An Najaf, IZ (Friedberg, GE), and briefed him on this investigation.

About 2030, 28 May 04, SA [redacted] interviewed SGT [redacted] Medic, A CO, 2/37th AR BN, FOB Hotel, An Najaf, IZ (Friedberg, GE), who stated he examined the driver of the black sedan and noted he had a grazing wound along the top right side of his head and appeared unconscious. The driver made a "snoring" sound when breathing, and appeared to have possible internal injuries. Additionally, SGT [redacted] refuted the fact that CPT [redacted] informed him he (CPT [redacted]) planned to "euthanize" the driver. (See sworn statement)

About 0940, 29 May 04, SA [redacted] interviewed SPC [redacted] CO, 2/37th AR BN, FOB Hotel, An Najaf, IZ (Friedberg, GE), who stated he was searching the black sedan when he heard a shot fired and it startled him. Then he saw CPT [redacted] level his weapon in the direction of the wounded Iraqi, and fire a second shot. SPC [redacted] called out "friendly fire", and then continued the search of the vehicle when he believed he heard a third shot. (See sworn statement)

024888

Special Agent [redacted] (b)(2) 78th MP DET (CID)(FWD)
Baghdad, Iraq APO AE 09342

Signature: [redacted] Date: 5 Jun 04

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About 1100, 29 May 04, SA [redacted] interviewed SGT [redacted], A CO, 2/37th AR BN, FOB Hotel, An Najaf, IZ (Friedberg, GE), who stated SGT [redacted] had told him the driver was not going to live. (See sworn statement)

About 1144, 29 May 04, SA [redacted] interviewed SGT [redacted] who stated he believed the voice he heard calling out "friendly fire" was that of CPT [redacted]. He also heard at least two shots coming from the black sedan's location. (See sworn statement)

About 1155, 29 May 04, SA [redacted] canvassed members from 4th Platoon, A Troop, 1/2nd ACR, FOB Hotel, An Najaf, IZ (Fort Polk, LA), who were attached to A CO, 2/37th AR BN, none of who had any pertinent information regarding this investigation. (See canvass interview worksheet)

About 1222, 29 May 04, SA [redacted] interviewed SGT [redacted] 4th Platoon, A Troop, 1/2nd ACR, FOB Hotel, An Najaf, IZ (Fort Polk, LA), who stated he heard gunfire after the black sedan had crashed, but only one shot from the direction of the black sedan. He was told from the ground radio it was friendly fire, but could not discern who's voice came over the radio.

About 1228, 29 May 04, SA [redacted] interviewed PFC [redacted] 4th Platoon, A Troop, 1/2nd ACR, FOB Hotel, An Najaf, IZ (Fort Polk, LA), who stated he fired shots at a man trying to jump over a wall, and he heard other stray rounds, but nothing from the direction of the black sedan.

About 1236, 29 May 04, SA [redacted] interviewed 1LT [redacted] 4th Platoon, A Troop, 1/2nd ACR, FOB Hotel, An Najaf, IZ (Fort Polk, LA), who stated he heard CPT [redacted] come over the hand held Motorola radio and say he was going to put the wounded driver out of his misery, and then he heard two shots about a minute apart. Additionally, 1LT [redacted] believed he saw the wounded driver still breathing after he heard the two shots from CPT [redacted] (See sworn statement)

Agent's Comments: There were five other soldiers with Motorola radio's and 1LT [redacted] was the only one who heard CPT [redacted] state he was going to put the driver out of his misery.

About 1248, 29 May 04, SA [redacted] interviewed SPC [redacted] Platoon, A Troop, 1/2nd ACR, FOB Hotel, An Najaf, IZ (Fort Polk, LA), who stated he pulled rear security on the route the unit had came down. He heard the .50 cal engaging the black sedan as soon as he arrived on position. Later he heard two to three shots fired from the area of the black sedan. There was distant gunfire coming from the west.

SA [redacted]
Special Agent [redacted]
Signature [redacted]

78th MP DET (CID)(FWD)
Baghdad, Iraq APO AE 09342
Date: 5 Jun 04

024889

About 1305, 29 May 04, SA [redacted] interviewed SSG [redacted], 4th Platoon, A Troop, 1/2nd ACR, FOB Hotel, An Najaf, IZ (Fort Polk, LA), who stated he was pulling security on the roof of the house the black sedan crashed into when he heard CPT [redacted] come over the Motorola radio. He heard CPT [redacted] say something about this is his fire or friendly fire, and then he heard one shot. He heard a second shot once he reached the first floor of the house.

About 0902, 30 May 04, SA [redacted] collected the 8mm UAV tape as evidence, and documented the collection on an Evidence/Property Custody Document (EPCD). (See EPCD)

About 1135, 30 May 04, SA [redacted] briefed LTC [redacted] on this investigation.

About 1348, 31 May 04, SA [redacted] interviewed SGT [redacted], who stated he never heard CPT [redacted] come over 1LT [redacted] Motorola radio, and state that he planned to put the wounded driver out of his misery. He also refuted having a conversation with 1LT [redacted] about the wounded driver. (See sworn statement)

About 1532, 31 May 04, SA [redacted] interviewed SSG [redacted] who stated he heard CPT [redacted] over his Motorola radio, say something like "You're going to hear a shot." Then he heard a round fired from the direction of the black sedan. (See sworn statement)

About 1638, 31 May 04, SA [redacted] interviewed 1LT [redacted] who stated he was operating the radio at FOB Hotel TOC and relaying information to FOB Gulf (2/37th AR BN). CPT [redacted] reported to him from the incident site, that they had one enemy Killed in Action (KIA), and two detainees (one wounded). 1LT [redacted] further stated CPT [redacted] related to him that he informed "[redacted] (1LT [redacted] team)" that they would hear gunfire, and then "euthanized" the driver. (See sworn statement)

About 1942, 31 May 04, SA [redacted] advised 1LT [redacted] of his rights, which he waived, rendering a sworn statement, wherein he clarified he previous statement in that he never heard CPT [redacted] say he planned to put the wounded driver out of his misery, but rather he assumed that's what he was going to do when he heard CPT [redacted] call for friendly fire over the Motorola radio. (See Rights Waiver Certificate and sworn statement)

About 1430, 3 Jun 04, SA [redacted] briefed MAJ [redacted] SJA, on this investigation.

About 1920, 4 Jun 04, SA [redacted] MAJ [redacted], CPT [redacted] Trial Counsel, and LTC [redacted], Chief of SJA (NFI), viewed the UAV tape. MAJ [redacted] opined there was probable cause to believe CPT [redacted] committed murder.

SA [redacted]
Special Agent [redacted]
Signature: [redacted]

78th MP DET (CID)(FWD)
Baghdad, Iraq APO AE 09342
Date: 5 Jun 04

About 1438, 5 Jun 04, SA [redacted] advised CPT [redacted] of his rights, which he invoked. (See Rights Warning Certificate)

About 1615, 5 Jun 04, SA [redacted] received the results of the U.S Army Crime Records Center name check on CPT [redacted] which resulted in no derogatory information.
///Last Entry///

Page(s)

13 - 44

Referred to:

U.S. CENTRAL COMMAND
7115 SOUTH BOUNDARY BLVD
ATTN: CCJ6-DM
MACDILL AIR FORCE BASE
FLORIDA 33621-5101

Master Sergeant Pamela Andrews
andrewsp@centcom.smil.mil
(813) 827-5341/2830

024892

0144-04-CW59-80207

SWORN STATEMENT

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

LOCATION	DATE	TIME	FILE NUMBER
REGIMENTAL TOC, FOB DUKE, IZ	27 MAY 04	20:53-2131	

LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY NUMBER	RANK/STATUS
[redacted] (b)(6)-2	[redacted]	WO1 / RA

ADDRESS/ORGANIZATION (b)(7)(C)-2
ATTACHED: 1ST MI (HM UNIT: A CO, 303RD MI, 504TH MI BDE)

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

On or about 22 May 04 at approx 2030hrs chief [redacted] and I were attempting to make a digital copy of a UAV tape of a Cordon and Search to take a individual by the name of "[redacted]". While taping we came across what appeared to be a Wounded Man lying on the ground Next to a Vehicle, his arm was Moving and he appeared to be of no threat to the individuals Searching the Vehicle. After approx 5 min one Individual on the drivers side Walks over to the wounded person; talks at him and Levels his weapon; At that time the Soldier starts to back up and Stumbler over an old tire. Once he regains ~~his footing~~ levels his Weapon and Shots the wounded person, [redacted] Magizens (appears to) apply Sports and fires a Second Round and walks away like nothing happened. While all this was taking place his partner Continued search the Vehicle and paid no attention to the Killing. After watching this tape 2 or 3 more times to Confirm what we believed happened we approach MAJ [redacted] and told him what we had. MAJ [redacted] agreed and Asked CPT [redacted] from RJAG to Review the tape. We briefed LT [redacted] who in turned Brief the RXO which Reviewed the tape the following day. At the time I was watching this tape, I could not understand Why No One had brought this out before hand. I was thinking the whole time "this Man was Murdered", I was also thinking that this is not what I came in the Army to support. These Kind of Action undo everything we were sent HERE to set Straight.

(b)(6)-1 (b)(7)(C)-1 (b)(6)-2 (b)(7)(C)-2

Q: SA [redacted]

A: WO1 [redacted]

Q: How long have you been attached to 1st Military Intelligence?

A: Approx 6 weeks. I am not officially attached just working with THEM on special assignment. (SD.)

CONTINUED . . .

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 2 PAGES
	[redacted]	

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.

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DA FORM 2823, JUL 72 SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

[redacted]

024393
EXHIBIT 5

STATEMENT (Continued)

Q: DID YOU KNOW ANYONE ON THE UAV TAPE IN QUESTION?

A: No

Q: WHAT DOES UAV STAND FOR?

A: Unmanned Aerial Vehicle,

Q: DO YOU HAVE THE CAPABILITY TO EDIT THE 8mm UAV TAPE?

A: No, Not that I know of.

Q: AFTER THIS INCIDENT WAS BROUGHT FORWARD, WHO MAINTAINED CONTROL OF THE UAV TAPE?

A: Copy #1 went by helo to Div. Persons name Ukn. Orignial tape went to CPT [redacted], which Chief [redacted] handed to him.

(b)(6)-2
(b)(7)(C)-2

Q: FROM WHAT YOU SAW ON THE UAV TAPE DO YOU BELIEVE THE WOUNDED IRAQI WAS STILL ALIVE WHEN HE WAS SHOT TWO TIMES AS HE LAYED ON THE GROUND?

A: YES

Q: WHY?

A: On the UAV tape you are able to see the wounded mans arm moving Back and forth as if He were waving at Someone.

Q: DO YOU HAVE ANYTHING ELSE TO ADD TO YOUR STATEMENT?

A: No, Not at this time. /// END OF STATEMENT /// [redacted]

AFFIDAVIT

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

(b)(6)-2
(b)(7)(C)-2

[redacted] *(Signature of Person Making Statement)*

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 27TH day of MAY, 2004

at FOB DUKE, IT.

(b)(7)(C)-1

(b)(6)-1

[redacted]

ORGANIZATION OR ADDRESS

SA [redacted]

(Typed Name of Person Administering Oath)

Article 136 (b)(4) UCMJ

ORGANIZATION OR ADDRESS

(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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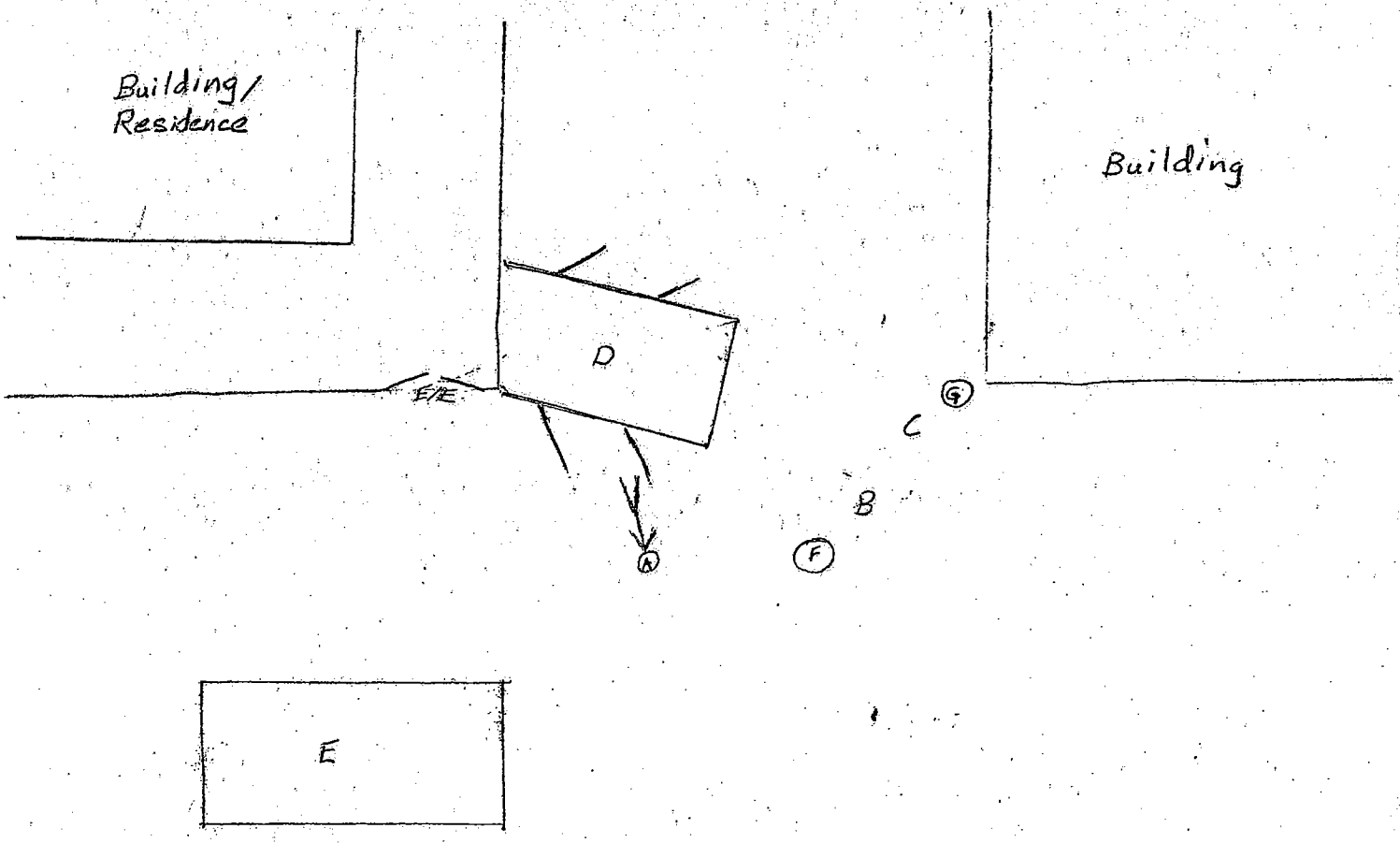
[redacted]

U.S. Government Printing Office: 1993 – 342-027/80494

EXHIBIT 3

0144-04-CID259-80207

CRIME SCENE SKETCH



LEGEND

A: Victim, face up
B: Approximate Location of first shot
C: Approximate Location of second shot
D: Black Sedan
E: White Sedan
F: Tire
G: Telephone pole

N

TITLE BLOCK

CASE NUMBER: 0144-04-CID259-80207
OFFENSE: MURDER
SCENE PORTRAYED: BLACK SEDAN CRASH
LOCATION: MA A03464
VICTIM: UNKNOWN
TIME/DATE BEGAN: 21:18 / 27 May 04
SKETCHED BY: SA [redacted] (5)(3)(6)-1
VERIFIED BY: SA [redacted]

NOT TO SCALE

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EXHIBIT 4 024895

LAW ENFORCEMENT SENSITIVE

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Page(s)

48 - 49 .

.

Referred to:

U.S. CENTRAL COMMAND
7115 SOUTH BOUNDARY BLVD
ATTN: CCJ6-DM
MACDILL AIR FORCE BASE
FLORIDA 33621-5101

Master Sergeant Pamela Andrews
andrewsp@centcom.smil.mil
(813) 827-5341/2830

024896

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS 0144-04-C1D258-80207

LOCATION	DATE	TIME	FILE NUMBER
REGIMENTAL TOC, FOB DUKE (b)(7)(C)-2	21 MAY 04	22:08 - 22:57	

LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY NUMBER	RANK/STATUS
[redacted] (b)(6)-2	[redacted]	CW2 / RA

ADDRESS/ORGANIZATION: A CO. 1ST MI (BALAD) (HM STATION: Hohenfels, GE)

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

ON OR ABOUT THE 21ST OF MAY 2004, I REPLACED 2LT [redacted] (b)(6)-2 (b)(7)(C)-2 AS OIC OF THE FORWARD DEPLOYED UAV DETACHMENT OF A/1ST MI TO 2ACR AT FOB DUKE. UPON ARRIVAL, I IMMEDIATELY SET INTO POST MISSION ANALYSIS, USING THE DIGITAL VIDEO CONVERSION DEVICE I BROUGHT FROM LSA ANACONDA. INITIALLY, I WAS TOLD OF THE CHASE AGAINST THE TGT, TO INCLUDE LETHAL FORCE USED AGAINST THE DRIVER OF A GETAWAY VEHICLE. USING THE 8mm TAPE PLAYER ON THE REMOTE VIDEO TERMINAL, WE BEGAN CRUNCHING THE VIDEO TO DIGITAL FORMAT. AFTER ONE HOUR (APPX) WE (WO1 [redacted] A IMAGERY TECH IN TRAINING TO BE A UAV MSN MANAGER) AND I BEGAN OUR PRODUCTION of SECONDARY VIDEO DISSEMINATION. AT APPX 10:20 (ON THE TAPE) I WATCHED A SOLDIER SHOOT WHAT APPEARED TO BE A DEFENSELESS AND ALREADY WOUNDED ~~NON-COMBATANT~~ CIVILIAN. I TURNED TO WO1 [redacted] AND SAID "THAT'S NOT RIGHT". WE REWOUND THE DIGITAL FILE, AND PLAYED AT 50% SPEED TO PICK OUT THE FINE DETAILS. I SAW THE SOLDIER FIRE HIS WPN AT A LIVE CIVILIAN; NOTICED THE LACK OF REACTION FROM HIS TEAMMATES THAT SHOULD HAVE INDICATED A SURPRISE DISCHARGE. WATCHED HIM PERFORM "SPORTS", FIRE TWICE MORE. NOT ONCE DID ANYONE SEARCH THE BODY FOR WPNS. THESE BEHAVIORAL INDICATORS AND THE DETAILS I OBSERVED CONFIRMED MY BELIEF I HAD WITNESSED A CRIMINAL ACT. AS AN OFFICER, AND MILITARY INTELLIGENCE OFFICER SUBJECT TO SIDs, I DETERMINED IT WAS MY DUTY TO REPORT THIS ACT. I MOTIONED FOR LT [redacted] (b)(7)(C)-2 TO CONFIRM, AND SHE BROUGHT MAJ [redacted] (b)(6)-2 TO THE VIDEO DISPLAY. AT THAT POINT, I NOTIFIED MY COMMANDER IN BALAD THAT I HAD WITNESSED A POSSIBLE WAR CRIME AND WOULD NOT RELEASE THE IMAGERY FROM THE MISSION UNTIL INSTRUCTED TO BY THE 2ACR JAG OFFICER CPT ([redacted]

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 2 PAGES

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

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EXHIBIT 6

(b)(7)(C)-2
(b)(6)-2

0144-04-CID259-80207

STATEMENT *(Continued)*

Q: WHAT WAS THE DATE YOU AND WO1 [redacted] MADE THE SECONDARY VIDEO?

A: APPX 2200 LOCAL 21MAY04.

Q: WAS THE TIME ON THE UAV TAPE ACCURATE TO REAL TIME?

A: THE UAV DOES NOT POSSESS AN ACCURATE INTERNAL CLOCK. THE OPERATORS MUST PRESET, STARS TIMES MANUALLY, AND OFTEN SKIP THAT STEP DURING FLIGHT. THUS, THE TIME IS NOT ACCURATE TO THE BEST OF MY KNOWLEDGE.

Q: WHAT TIME (APPROXIMATE) AND DATE DID YOU INFORM 2LT [redacted] AND MAJ [redacted] OF WHAT YOU OBSERVED ON THE UAV TAPE?

A: THAT NIGHT OR EARLY MORNING ON THE 22ND OF MAY. I WAS FOCUSED INTENSELY ON THE WORK AT HAND, AND NOT CLOCK-WATCHING.

Q: DO YOU BELIEVE THE WOUNDED IRAQI WAS STILL ALIVE, WHEN HE WAS SHOT TWO OR THREE MORE TIMES (FROM WHAT YOU OBSERVED FROM THE UAV TAPE)?

A: YES; THE TAPE SHOWS HIM WAVING HIS ARM REPEATEDLY BEFORE BEING SHOT; THE PATTERN AND VOLUME OF BLOOD IS INDICATIVE OF A LIVE VICTIM (CORPSES DON'T HAVE A HEART PUMPING OUT BLOOD) AND [redacted] (b)(6)-2 (b)(7)(C)-2

Q: DO YOU HAVE ANYTHING ELSE TO ADD TO YOUR STATEMENT?

A: ONLY THAT I BELIEVE THAT WHAT OCCURRED ON THE TAPE WAS IN VIOLATION OF THE ROE, AND OBVIOUSLY IN BLATANT DISREGARD OF THE LAWS OF LAND WARFARE.

Q: DO YOU HAVE ANYTHING ELSE TO ADD TO YOUR STATEMENT?

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

(b)(7)(C)-2
(b)(6)-2

AFFIDAVIT

I, [redacted] HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME: THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OR 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 21ST day of MAY, 2004

at FOB DUKE, IZ (b)(7)(C)-1

[redacted] (b)(6)-1

ORGANIZATION OR ADDRESS

SA [redacted]
(Typed Name of Person Administering Oath)

(b)(7)(C)-2 Article 136 (b)(4) UCMJ

ORGANIZATION OR ADDRESS

(b)(6)-2 [redacted]
(Authority to Administer Oaths)

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INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

000051

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EXHIBIT

SWORN STATEMENT

File Number : 0144-04-CID259-80207
Location : FOB HOTEL, IZ (AN-NAJAF)
Date : 28 MAY 04
Time : 2030-2239 TBC
Statement of : SGT [redacted]
Grade/Status : SGT/RA
SSN : [redacted] (b)(6)-2 (b)(7)(C)-2
Org/Address : A CO, 2/37 Armor BN

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

We was sitting in our position and the Cmdr told the driver to go to Red Cont. Was Relayed from higher the preado for saw a Black sedan coming in our direction CPT [redacted] stated our was to disable the car not destroy it. As soon as we saw the black sedan we took off the black car picked up speed we chased it through the housing area down several streets We Attempted to stop the car by firing shots we went under some power lines and lost our crew serve 50 cal machine gun We continued on we then our the car fired some shots and the car hit a concrete wall. We then got out of the car I Reloaded my M16 I dont Recall if I went straight up to the car or not but I went back and picked up the 50 cal before the locals would Retrieve it. ~~Then I went to the Black sedan~~ Then I carried it back to the Humvee and helped the gunner mount the 50 cal. Then I went to the black sedan and noticed the driver was still in the car with the car Running. I looked through the car looking for any paperwork cellphones, weapons or such. I then was told by CPT [redacted] to pull the driver out of the car which I did the PT was bleeding and had labored breathing or a snoring sound I told CPT [redacted] that he was not going to make it. Then I was told there was another PT inside the home where the car had crashed so I Ran back to the Humvee and grabbed my Aid Bag then I went and told them, I was going to see the wounded guy inside. I then packed him

(b)(6)-2 (b)(7)(C)-2 (b)(6)-2 (b)(7)(C)-2

EXHIBIT ___ INITIALS OF PERSON MAKING STATEMENT [redacted] PAGE 1 OF 7

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EXHIBIT 7

(b)(3)(C)-2
(b)(6)-2

0144-04-CID259-80207

STATEMENT OF: [redacted] TAKEN AT: FOB Hotel, An Najaf, IZ DATED: 28 May 04

up When I noticed 2 gunshot wounds to his Lower Left Back Area While I was inside the Home. CPT [redacted] yelled Friendly Shots fired. As soon as I got the guy that was inside patched up I moved and put him in the Humvee. Which was CPT [redacted] Humvee. I gave the PT some water and covered his eyes with a cravat and secured his hands. I then made several trips back to the sedan and also back to the Humvee to check on the PT. I was treating I was asked where everyone was going by the gunner of the CO's vehicle I then went back and found CPT [redacted] and asked did he want his vehicle he said yes Where he could use his radio. So I went and ground guided his vehicle to his general location. I then continued to treat the PT I had in the Humvee which I took out and put on the ground. I was told green scouts had a guy they had captured and I went over to check him out I noticed he had tissue cut over his Left ear which I got a bottle of water and poured on the small cut. I then went over to the other guy that was shot in the Lower Back and continued to check his status. I made several trips back to the sedan and searched, Looking for any information that our S-2 could use. I did search the [redacted] driver for any ID card or any other information. When the mission or search was called off we left the Car and the dead body in the the IP which lived in the house in which the Car hit. We escorted both guys back to CPT Bell and they was treated by the HHC/37 FAS. Then we Returned to Camp Hotel. We left all information we had found and also the 7 detainees at camp Gulf.

Q: SA [redacted] (b)(6)-1 (b)(3)(C)-1

A: SGT [redacted]

Q: WHEN YOU WENT BACK TO THE HUMVEE WITH THE .50 CAL, WHO WAS

(b)(6)-1 (b)(3)(C)-1

EXHIBIT ___ INITIALS OF PERSON MAKING STATEMENT [redacted] PAGE 2 OF 7

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LAW ENFORCEMENT SENSITIVE

EXHIBIT

STATEMENT OF: [redacted] TAKEN AT: FOB Hotel, AN Najaf, IZ DATED: 28 May 04

(b)(6)-2 (b)(7)(C)-2

IN THE HUMVEE?

A: When I went back to get the 50 cal I saw the scouts and asked the Apache Scouts if he had picked it up they said NO so I told SPC [redacted] to come with me and help me get it. When I got back to the Humvee Sgt [redacted] was in the Humvee in the Gunners hole and I helped him place the 50 cal back in the mount.

Q: WHEN YOU DEPARTED THE HUMVEE, AFTER HELPING REMOUNT THE .50 CAL, YOU WENT STRAIGHT TO THE BLACK SEDAN?

A: Yes I went to the black sedan

Q: WHO WAS STANDING AROUND THE BLACK SEDAN WHEN YOU APPROACHED?

A: CPT [redacted]

Q: What was the first thing you did over by the black sedan?

A: I started searching the car and shut it off

Q: DID you see the driver of the black sedan at this time?

A: Yes

Q: What did he look like and what did his medical condition appear to be?

A: he was bleeding head back with labored breathing of a snoring sound.

Q: WHO pulled the driver from the car?

A: Myself.

Q: WHERE DID you leave the driver once you pulled him from the car?

A: About 5-10 Feet from the car on his back

Q: When you searched the car and pulled the driver out of the car where was CPT [redacted] and SPC [redacted]? (b)(6)-2 (b)(7)(C)-2

A: CPT: [redacted] was beside the car, I am not sure about SPC [redacted]. (b)(6)-5 (b)(7)(C)-5

Q: AT ANYTIME DID you discuss the medical condition of the driver WITH CPT [redacted]

EXHIBIT ___ INITIALS OF PERSON MAKING STATEMENT [redacted] PAGE 3 OF 7

STATEMENT OF: [redacted] (b)(6)-2 TAKEN AT: Fob Hotel An Najaf, IZ DATED: 28 May 04 (b)(3)(C)-2

A: I told CPT [redacted] I did not think the driver was going to make it.

Q: You said the driver was bleeding, from where was he bleeding?
A: from the head on the Right Top side of the skull.
Q: Did it appear that the wound on the top right side of the drivers head had penetrated the skull?
A: it grazed it.
Q: Grazed the skull?
A: Yes
Q: When you removed the driver from the car did he have his seat belt on?
A: NO. I believe the [redacted] patient might have some internal organ damage and C-spine damage due to the impact. I didn't do a Full exam on the Patient because after I pulled him out of the car I was called inside for another Patient.
Q: What do you mean by "C-spine"?
A: Cervical spine also known as vertebrate
Q: When you left the driver to go inside the house to treat the wounded Iraqi, was the driver still alive?
A: Yes, he was labored breathing and [redacted] his Right Arm was moving around. (b)(3)(C)-2 (b)(6)-2
Q: After treating the Iraqi in the house, where did you go?
A: I escorted him out the house with LT [redacted], then I then escorted him to the Humvee
Q: When you were in the house you said you heard CPT [redacted] yell "Friendly shots fired", is that correct?
A: Yes
Q: Did you hear any shots after CPT [redacted] yelled this out?
A: Yes, 12 shots. (b)(6)-2 (b)(3)(C)-2
Q: From what direction did the shots appear to have come from?
A: In the area of the sedan.
Q: When you exited the house with the wounded Iraqi, did you

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EXHIBIT 7

STATEMENT OF: [redacted] (b)(6)-2 TAKEN AT: Fob Hotel, An Najaf, IZ DATED: 28 May 04 (b)(7)(C)-2

pass by the driver on the ground?

A: Yes.
Q: Did he appear any different from when you left him?
A: I didnot notice at that time.
Q: So, you did notice something different?
A: Not at that time.
Q: When did you notice something different with the appearance of the driver?
A: After I carried the wounded to the Humvee and Returned to the black sedan.
Q: What did you notice?
A: there was a large pool of blood at the Patients head and he was not moving or moving his Arm.
Q: Did you ever hear CPT [redacted] (b)(6)-5 say he planned to "euthanize" (b)(7)(C)-5 the driver?
A: I don't Recall
Q: You don't recall that he said it, or don't remember him saying anything?
A: NO. I don't
Q: Do you remember CPT [redacted] telling you or anyone else he planned to put the driver out of his misery or euthanize him?
A: NO.
Q: Do you believe CPT [redacted] shot the driver, while he laid on the ground?
A: Yes, to put him out of his misery.
Q: When you come out from the house with the wounded Iraqi who did you see by the black sedan?
A: I saw Cpt [redacted], not sure if anyone else was around.
Q: When you started moving towards the Humvee with the Iraqi who assisted you in moving him?
A: at some point I Remember SPC [redacted] helping me out. (b)(6)-2

EXHIBIT ___ INITIALS OF PERSON MAKING STATEMENT [redacted] PAGE 5 OF 7

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EXHIBIT 7

STATEMENT OF: [redacted] (b)(6)-2 TAKEN AT: FOB Hotel, An Najaf, IZ DATED: 28 May 04 (b)(7)(C)-2

Q: Did you tell anyone that the driver was wounded/severly wounded when you returned to FOB CULF?
A: Yes, I told the PA at HHC 2/37 briefly, but he didn't remember who he was questioned.
Q: What did you tell the PA? (Physicians Assistant)
A: that the driver in the car had been shot and was bleeding from the head and was labored breathing & snoring.
Q: Did you tell the PA that the driver was shot by CPT [redacted]
A: NO.
Q: Why did you not tell him? (b)(6)-5 (b)(7)(C)-5
A: So it would not come back on CPT [redacted] and I didn't observe him shoot the driver.
Q: Who from Apache Troop was at the incident that day?
A: SPC [redacted] helped me with the retrieving of the 50cal
1LT [redacted] helped me with the PT until I was passed the gate and he continued the search.
Q: Do you have anything else to add to your statement?
A: NO. /// END OF STATEMENT /// [redacted]

(b)(7)(C)-2
(b)(6)-2

EXHIBIT ___ INITIALS OF PERSON MAKING STATEMENT [redacted] PAGE 6 OF 7

STATEMENT OF: [redacted] TAKEN AT: FOB Hotel, An Najaf, IZ DATED: 28 May 04

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.

(b)(6)-2 (b)(7)(C)-2

[redacted]

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oath, this 28th day of MAY, 2004, at ~~Camp Arifjan, Kuwait~~ FOB HOTEL, IZ.

(b)(6)-1 (b)(7)(C)-1

[redacted]

(Signature of Person Administering Oath)

SPECIAL AGENT [redacted]
78th MILITARY POLICE DETACHMENT (CID)
~~CAMP ARIFJAN~~, ~~KUWAIT~~, APO AE ~~09366~~
BIAP IZ 09342

(Typed Name of Person Administering Oath)

ARTICLE 136 (b)(4) UCMJ (Military)
OR; 5 USC 303 (Civilian)

(Authority to Administer Oath)

WITNESSES:

(b)(6)-1 (b)(7)(C)-1

SA [redacted]

78th MPD HQ (FWD) BIAP

[redacted]

ORGANIZATION OR ADDRESS

EXHIBIT ___ INITIALS OF PERSON MAKING STATEMENT [redacted] PAGE 7 OF 7

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LAW ENFORCEMENT SENSITIVE

024905

000058

EXHIBIT 7

SWORN STATEMENT

File Number : 0144-04-CID259-80207
Location : FOB HOTEL, IZ
Date : 29 MAY 04
Time : 0940-1129
Statement of : SPC [redacted]
Grade/Status : SPC/RA (b)(6)-2 (b)(7)(C)-2
SSN : [redacted]
Org/Address : ACO, 2/37 ArmorBN.

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

ON THE 21ST OF MAY A-Co 2/37 WITH SCOUTSUPPORT WAS CALLED UP TO DISABLE A BLACK SEDAN. We see THE BLACK SEDAN FLYING DOWN THE ROAD AND ONE OF OUR TANKS OPENS FIRE (240.) THE TANK DOESNT HIT THE SEDAN SO WE END UP CHASING THE BLACK SEDAN DOWN A BACK ROAD. The SEDAN TRYS TO LOOSE US BY DRIVING UNDER SOME LOW POWER LINES BUT WE DROVE RIGHT THROUGH THEM (wires). OUR 50.CAL GETS CAUGHT AND FLYS OFF OF THE MOUNT BUT WE CONTINUE THE PURSUITE. THE SEDAN TWNS DOWN A ROAD AND I STOPED AT THE SAME ROAD THE SEDAN TURNED INTO AND OPENED FIRE. The SEDAN ENDS UP RAMING INTO A WALL AND OUR SCOUTS ADVANCED TO THE CRASH SITE. I LINK UP WITH DISMOUNTS AND WENT AROUND THE BLOCK TO FLANK ANYONE WHO TRIED TO FLEE FROM THE Scene. AS SOON AS THE DISMOUNTS were SET I RETUENED TO MY vehicle AND ASSISTED WITH THE REMOUNTING OF our 50. CAL AFTER THAT I APPROACHED THE CRASH SITE WITH SGT [redacted] AND WE BEGAN TO SEARCH THE vehicle FOR IMPORTANT DOCUMENTS. SGT [redacted] PULLS OUT THE WOUNDED DRIVER OUT OF THE SEDAN AND TRYS TO TREAT HIM WHILE CONTINUED MY SEARCH OF THE Vehicle. AS I SEARCHED THE SEDAN I HEAR 2 or 3 GUN SHOTS AND I CALL OUT FREINDLY FIRE. AFTER I SEEN THAT MY CO. WAS POINTING HIS WEAPON DOWN THE STREET FROM ME. SGT [redacted] EXITS THE HOUSE WITH A DETAINEE AND I GATHERED ALL OF WHICH I FOUND IN THE SEDAN AND HEADED BACK TO MY vehicle. AS SOON AS we TIED UP THE DETAINEE I REPOCITIONED MY vehicle ~~[illegible]~~ closer TO THE HOUSE AND REGROUPED. THEN WE HEADED TO [redacted] AND DROPED OFF EVERYTHING we FOUND.

Q: SA [redacted] (b)(6)-1 (b)(7)(C)-1
A: SPC [redacted] (b)(6)-2 (b)(7)(C)-2

(b)(7)(C)-2 (b)(6)-2

STATEMENT OF [redacted] TAKEN AT: FOB Hotel, An Najaf, IZ DATED: 28 May 04

Q: What unit was part of the claimants?
A: 2ND ACR ([redacted] PLT. [redacted] PLT.)
Q: IS IT POSSIBLE THEY WERE [redacted] AND NOT [redacted] (b)(2)-2
A: [redacted] WAS WITH US AND [redacted] CAME IN LATER.
Q: When you searched the vehicle was the driver still in the car?
A: Yes
Q: Who removed the driver from the car?
A: SGT [redacted] (b)(6)-2 (b)(7)(C)-2
Q: When you saw the driver in the car, what did he look like?
A: He HAD BLOOD ALL OVER THE BACK SIDE OF HIS HEAD AND IT SEEMED TO ME THAT HE WAS CHOKING ON SOMETHING.
Q: After SGT [redacted] pulled the driver from the car, what did he do next?
A: I CONTINUED TO SEARCH THE BLACK SEDAN AND [redacted] SGT [redacted] WAS CALLED INTO THE HOUSE. (b)(7)(C)-2 (b)(6)-2
Q: When you were searching the car, how many shots did you hear before you called out friendly fire?
A: AFTER TWO SHOTS.
Q: What did you do after you heard the first shot?
A: I JUMPED AND TRYED TO FIND OUT WHERE IT WAS COMING FROM.
Q: Did you see CPT [redacted] shoot the first shot?
A: NO. (b)(7)(C)-5 (b)(6)-5
Q: Did the first shot you heard appear very close?
A: yes.
Q: Did you see CPT [redacted] take a second shot?
A: I SEEN A MUZZLE FLASH (yes)
Q: SO, you did see CPT [redacted] shoot his weapon while he was standing by the black sedan? (b)(6)-5 (b)(7)(C)-5
A: yes
Q: After you seen that it was CPT [redacted] that was shooting, what did you say or do?

EXHIBIT ___ INITIALS OF PERSON MAKING STATEMENT [redacted] (b)(6)-2 (b)(7)(C)-2 PAGE 2 OF 5

STATEMENT OF: [redacted] TAKEN AT: Fob Hotel, An Najaf, IZ DATED: 29 May 04

(b)(7)(C)-2 (b)(6)-2

A: I CALLED OUT FRIENDLY FIRE SO THAT THE SCOUTS INSIDE THE HOUSE WOULD KNOW THAT THEIR NOT TAKEING FIRE FROM INSIDE.

Q: Did you hear CPT [redacted] call "Friendly fire" at any time?

A: NO

Q: Did CPT [redacted] TELL you he planned to "euthanize" the wounded Iraqi driver or put him out of his misery?

A: NO.

Q: After you called out friendly fire did you hear anymore shots?

A: MAYBE 1.

Q: In all then you heard 2, maybe 3 shots?

A: yes

Q: Did you see where CPT [redacted] was aiming his weapon on his second shot?

A: HE WAS STANDING ON THE DRIVERS SIDE MOVE TOWARDS THE BACK SIDE OF THE CAR AND HE WAS SHOOTING DOWN THE ALLEY.

Q: was CPT [redacted] shooting ~~towards~~ in the direction of the front of the car?

A: yes (b)(6)-5, (b)(7)(C)-5

Q: So, his (CPT [redacted]) rifle was pointed towards the front of the black sedan and not in the direction of the trunk?

A: yes (b)(6)-5 (b)(7)(C)-5

Q: AT That time did you see CPT [redacted] shoot the wounded Iraqi driver?

A: NO

Q: Did you suspect CPT [redacted] of possibly aiming ~~his~~ his weapon at the wounded driver or of shooting the driver?

A: NOT AT THE TIME.

Q: When did you come to suspect CPT [redacted] may have shot the driver while he laid on the ground?

A: I DIDNT SUSPECT THAT HE SHOT THE DRIVER UNTIL A WEEK LATER WHEN THE X.O. PUT OUT WHY THE CO WAS RELIEVED.

EXHIBIT ___ INITIALS OF PERSON MAKING STATEMENT [redacted] PAGE 3 OF 5

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EXHIBIT 8

STATEMENT OF: (b)(6)-2 (b)(7)(C)-2 TAKEN AT: FOB Hotel, An Najaf, IZ DATED: 29 May 04

Q: What did the Executive Officer (XO) tell everyone?

A: THAT FROM NOW ON HE(XO) WILL BE IN CHARGE OF ALL MISSIONS GOING OUT DO TO THE FACT THE our CO. WAS TO BE RELEIVED THAT DAY AND THE REASON FOR IT WAS BECAUSE HE MADE THE DECITION TO PUT THE DRIVER OF THE BLACK SEDAN OUT OF HIS MISERY. (b)(6)-2 (b)(7)(C)-2

Q: When you seen the driver on the ground, after CPT [redacted] fired his shots, what did you see?

A: I SEEN BRAIN MATTER AND BLOOD SPREAD ALL over THE GROUND.

Q: DID you ~~develop~~ take photographs of the driver?

A: yes

Q: Why?

A: THE CO TOLD ME TO SO THAT we CAN IDENTIFY THE DRIVER AND IF THE vehicle WAS THE RIGHT TARGET.

Q: From the way the blood was "spread all over the ground" did it appear to have come from gun fire or more of a bleeding wound?

A: POSSIBILITY IT [redacted] (b)(6)-2 (b)(7)(C)-2 CAME FROM A GUN SHOT.

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

A: NO. /// END OF STATEMENT /// [redacted]

EXHIBIT ___ INITIALS OF PERSON MAKING STATEMENT [redacted] PAGE 4 OF 5

STATEMENT OF: [redacted] TAKEN AT: Fob Hotel, An Najaf, IZ DATED: 29 May 04

(b)(6)-2 (b)(7)(C)-2

AFFIDAVIT

I, [redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 5. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[redacted]

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oath, this 29th day of MAY, 2004, at FOB HOTEL, IZ.

[redacted] (b)(6)-1 (b)(7)(C)-1

(Signature of Person Administering Oath)

SPECIAL AGENT [redacted]
78th MP DET (CID) (FWD)
BIAP, IRAQ APO AE 09342

(Typed Name of Person Administering Oath)

ARTICLE 136 (b)(4) UCMJ (Military)
OR; 5 USC 505 (Civilian)

(Authority to Administer Oath)

WITNESSES:

(b)(7)(C)-2
(b)(6)-2

EXHIBIT ___ INITIALS OF PERSON MAKING STATEMENT [redacted] PAGE 5 OF 5

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LAW ENFORCEMENT SENSITIVE

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EXHIBIT 8

SWORN STATEMENT

File Number : 0144-04-CID259-80207
Location : FOB Hotel, AN NAJAF, Iraq
Date : 29 May 04
Time : 1100
Statement of : [redacted] (b)(6)-2 (b)(7)(C)-2
Grade/Status : E-5 / ACTIVE
SSN : [redacted]
Org/Address : A. Co 2/37 AR BN, HQ Platoon (Friedberg, GE)

I, [redacted] (b)(6)-2 (b)(7)(C)-2 (b)(2)-2, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

(b)(2)-2 ON 21 May 04, our section was tasked to conduct a blocking position along with B-section 3rd Platoon and [redacted] Platoon. We heard over the net that a black sedan was enroute to our location and possibly held [redacted] We were ordered to disable the vehicle and detain the passengers. As the vehicle approached at a high rate of speed, the tank section opened with coaxial machine guns but were unable to stop the vehicle. We gave chase in our Humvee crewed by SPC [redacted] (driver), SGT [redacted] (medic-passenger), CPT [redacted] (TC), and myself on the gun. Once we began catching up to the vehicle, I opened with the M2 .50 caliber machine gun, aiming at the tail end of the vehicle. The sedan tried to lose us in back alleys and side streets. One of the alleys had some extremely low wires and tore the M2 and mounting pintle from the mount. We continued to chase the vehicle and used our rifles to try and disable it. The sedan made a turn that gave us the chance for the driver, passenger, and myself to mass fires on the vehicle. Moments later, the sedan crashed into a wall. I provided covering fire while the remaining personnel in my truck moved in on the sedan. SGT [redacted] then (b)(6)-2 retrieved the M2 and informed me that the driver had been hit and was too far gone to be saved. One detainee was brought to our truck. We then moved the vehicle to the courtyard just beyond the crash site where ground personnel were conducting a search of the area. Upon completion, we took the two detainees to Duke TOC.

Q. SA [redacted] (b)(6)-1 (b)(7)(C)-1

A. SGT [redacted] (b)(6)-2 (b)(7)(C)-2

Q. Did SGT [redacted] mention anything else about the driver?

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EXHIBIT 9

STATEMENT OF: [redacted] (b)(6)-2 (b)(7)(C)-2 TAKEN AT: Fob Hotel, An Najaf, IZ DATED: 29 May 04

A. SGT [redacted] said that we had put multiple rounds in the driver to include one in the head and that he could use every bandage he had and the guy would still die.

Q. When you mention SGT [redacted] do you mean SGT [redacted], The combat medic assigned to 4 Co 2/37 Armor Bn?

A. YES

Q. Describe the driver of the black sedan?

A. When we pulled up, all I saw was a body with brain matter next to it and blood in the vehicle. I didn't get a good look because I was still scanning rooftops and alleys.

Q. Was the driver alive when you saw him?

A. No. (b)(6)-2 (b)(7)(C)-2

Q. Did you see SGT [redacted] pull the driver from the black sedan?

A. No, I was oriented towards a different alley once personnel were at the sedan. We were still setting up security in the event that another passenger was trying to get away or any retaliation from locals in favor of the militia.

Q. How far away from the black sedan were you?

A. Initially, the sedan was approximately 50 meters to the vehicle's left. After we moved to the courtyard it was about 75 meters behind our truck.

Q. At any time during this incident did you hear anyone yell "Friendly shots fired"?

A. No [redacted] (b)(6)-2 (b)(7)(C)-2

Q. How [redacted] many shots did you hear coming from the direction of the black sedan?

A. By the time we stopped, my hearing was muffled due to previous weapons firing. I could not determine exactly where shots were being fired. Several rounds were fired from the direction of the courtyard/sedan, a few to my front (the alley), and a couple to my far right where the tanks were setting up.

Q. Did CPT [redacted] ever mention anything about shooting the driver

(b)(7)(C)-2 (b)(6)-2

EXHIBIT ___ INITIALS OF PERSON MAKING STATEMENT [redacted] PAGE 2 OF 4

STATEMENT OF: SGT [redacted] TAKEN AT: Fob Hotel, An Najaf, IZ DATED: 29 May 04

of the black sedan? (b)(6)-2 (b)(7)(C)-2

A. Not until the 15-6 investigation had started. At that point, he did tell me that he had shot the driver to end his pain since he could not be saved.

Q. Who searched the black sedan?

A. I was told that SPC [redacted] searched the sedan.

Q. Who told you that SPC [redacted] searched the sedan?

A. I think it was SPC [redacted] that told me.

Q. Who from Apache Green was at the incident that day?

A. The entire platoon was at the site, but I do not know exactly who was around the black sedan.

Q. Did you ever look over toward the black sedan?

A. No, I knew that we had friendlies there and was more concerned with covering the alley that only I had eyes on.

Q. When did you get a look at the driver?

A. As we repositioned the truck to the courtyard, we drove past the sedan and I could see the driver lying next to it.

Q. Did CPT [redacted] mention how many shots he fired at the driver?

A. I do not recall him mentioning how many shots he fired.

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

A. Nothing that has to do with the incident. /// End of Statement ///

(b)(7)(C)-2
(b)(6)-2

EXHIBIT ___ INITIALS OF PERSON MAKING STATEMENT [redacted] PAGE 3 OF 4

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EXHIBIT

STATEMENT OF: [redacted] (b)(6)-2 (b)(7)(C)-2 TAKEN AT: FOB Hotel, An Najaf, IZ DATED: 29 May 04

AFFIDAVIT

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

[redacted]
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oath, this 29 day of May, 2004, at ~~Camp Arifjan, Kuwait~~ FOB Hotel, Iraq

[redacted] (b)(6)-1 (b)(7)(C)-1
(Signature of Person Administering Oath)

SPECIAL AGENT [redacted]
78th MILITARY POLICE DETACHMENT (CID)
~~CAMP ARIFJAN, KUWAIT, APO AE 09366~~
Baghdad International Air Port Iraq
(Typed Name of Person Administering Oath)

ARTICLE 136 (b)(4) UCMJ (Military)
OR; 5 USC ~~505~~ 303 (Civilian)
(Authority to Administer Oath)

WITNESSES:

ORGANIZATION OR ADDRESS

EXHIBIT ___ INITIALS OF PERSON MAKING STATEMENT _____ PAGE 9 OF 4

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LAW ENFORCEMENT SENSITIVE

000067

EXHIBIT 9

SWORN STATEMENT

File Number : 0144-04-CID259-80207
Location : FOB Hotel, IZ (AN NAJAF)
Date : 29 May 04 TBC
Time : 1144 — 1209 TBC
Statement of : [redacted]
Grade/Status : E-5 / RA (b)(6)-2 (b)(7)(C)-2
SSN : [redacted]
Org/Address : A Co 2/37th Armor

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

This statement is to clarify my previous statement which was taken on 28 MAY 04 Around the time of 2030 - 2239 hours.

Q. SA [redacted] (b)(6)-1

A. SGT [redacted] (b)(6)-5 (b)(7)(C)-5

Q. Are you positive CPT [redacted] yelled "Friendly Shots Fired"?

A. I am not sure it was CPT [redacted] it sounded like his voice I was inside the house treating the casualty that had the gun shot wound to his lower left back.

Q. How many shots did you hear while you were in the house?

A. I know I heard at least 2 shots. I was inside the house with another casualty my concentration was not on what was going on outside.

Q. In what order did you hear the "Friendly Shot Fired" and the two shots?

A. As far as I can Remember it was someone I thought was CPT [redacted] yell Friendly shots fired and then at least 2 shots total being fired.

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

A. NO. /// End of Statement /// [redacted] (b)(6)-2 (b)(7)(C)-2

EXHIBIT ___ INITIALS OF PERSON MAKING STATEMENT [redacted] PAGE 1 OF 2

STATEMENT OF: [redacted] TAKEN AT: FOB Hotel, An Najaf, IZ DATED: 29 May 04

(b)(6)-2 (b)(7)(C)-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] (b)(6)-2 (b)(7)(C)-2

(Signature of Person Making

Subscribed and sworn to before me, a person authorized by law to administer oath, this 29 day of May, 2004, at ~~Camp Arifjan, Kuwait~~ FOB, Hotel, IZ

[redacted] (b)(6)-1 (b)(7)(C)-1

(Signature of Person Administering Oath)

SPECIAL AGENT [redacted]
78th MILITARY POLICE DETACHMENT (CID)
~~CAMP ARIFJAN, KUWAIT, APO AE 09366~~
BIAP, IZ

(Typed Name of Person Administering Oath)

ARTICLE 136 (b)(4) UCMJ (Military)
OR; 5 USC ~~505~~ 303 (Civilian)

(Authority to Administer Oath)

WITNESSES:

ORGANIZATION OR ADDRESS

(b)(6)-2

EXHIBIT ___ INITIALS OF PERSON MAKING STATEMENT [redacted] PAGE 2 OF 2

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EXHIBIT 10

CANVASS INTERVIEW WORKSHEET 0144-04-CID259-80207

DATE: 29 May 04

NAME/GRADE	SSN
SSG [redacted]	[redacted]
UNIT/ADDRESS A Trp. 4th Plt 1/2 ACR An NAJAF (FOB HOTEL)	WORK PHONE: HOME PHONE: [redacted] (FT. POLK, LA)
NAME/GRADE SPC [redacted]	SSN [redacted]
UNIT/ADDRESS A Trp. 4th Plt 1/2 ACR An NAJAF (FOB HOTEL)	WORK PHONE: HOME PHONE: [redacted] (FT. POLK, LA)
NAME/GRADE PFC [redacted]	SSN [redacted]
UNIT/ADDRESS A Trp. 4th Plt 1/2 ACR. "	WORK PHONE: HOME PHONE: [redacted] (FT. POLK, LA)
NAME/GRADE PV2 [redacted]	SSN [redacted]
UNIT/ADDRESS A Trp. 4th Plt 1/2 ACR. "	WORK PHONE: HOME PHONE: [redacted] HOME STATION (FORT POLK, LA)
NAME/GRADE SPC [redacted]	SSN [redacted]
UNIT/ADDRESS A Trp. 4th Plt 1/2 ACR "	WORK PHONE: HOME PHONE: [redacted] (FORT POLK, LA)
NAME/GRADE 2LT [redacted]	SSN [redacted]
UNIT/ADDRESS A Trp. 4th Plt 1/2 ACR "	WORK PHONE: HOME PHONE: [redacted] (FORT POLK, LA)
NAME/GRADE SGT [redacted]	SSN [redacted]
UNIT/ADDRESS A Trp. 4th Plt, 1/2 ACR "	WORK PHONE: HOME PHONE: N/A (FORT POLK, LA)

(b)(6)-2 (b)(6)-2

INVEST: SA [redacted] PAGE 1 OF 1 PAGES EXHIBIT 11

SWORN STATEMENT

File Number : 0144-04-CID259-80207
Location : FOB, Hotel, AN NAJAF, IZ
Date : 29 May 04
Time : 1236 – 1323
Statement of : [redacted]
Grade/Status : 1LT / RA
SSN : [redacted] (b)(6)-2 (b)(7)(C)-2
Org/Address : 4th PLT, A TROOP, 1/2nd ACR, Fort Polk LA

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

On (b)(6)-1 21 May (b)(7)(C)-1 2004, I was part of the blocking position to Contain [redacted] or other high-level Mehdi personnel. Around 1430 hours we had a black sedan stopped. It was crashed up against the front gate of a house. I immediately dismounted and came upon the scene. The driver of the car was behind the wheel, airbag deployed, and unconsciously gasping for air. I put together a stack team to enter the house in order to find the other occupants of the black sedan. We entered through the front gate and cleared the house. We identified a man among the family who had been in the black sedan, so I immediately separated him. SGT [redacted], I think, was with [redacted] (b)(6)-2 me assessing this man's injuries in the front room of the house when CPT [redacted] called me over the motorola radio and said he was going to put the driver out of his misery. SGT [redacted] told me that the driver was going to die very soon, and there was nothing we could do for him. I heard two shots, with about a minute in between them. When I came out of the house, the driver was layed out on the road, still barely breathing.

Q. SA [redacted] (b)(6)-1
A. 1LT [redacted] (b)(6)-2 (b)(6)-5 (b)(7)(C)-5
Q. Do you remember what CPT [redacted] said over the Motorola radio?
A. Yes. He said, "I'm going to put this guy out of his misery. There's nothing we can do for him."

EXHIBIT ___ INITIALS OF PERSON MAKING STATEMENT [redacted] PAGE 1 OF 3

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EXHIBIT 12

STATEMENT OF: 1LT [redacted] TAKEN AT: FOB Hotel, An Najaf, IZ DATED: 29 May 04

(b)(6)-2 (b)(7)(C)-2

Q. Did SGT [redacted] hear this on the motorola radio as well?

A. Yes. He was with me, and he replied, "Good, that guy doesn't have a chance. There is nothing I can do to help him now."

Q. Who else carried a Motorola radio?

A. SSG [redacted], SSG [redacted], SGT [redacted], SSG [redacted], SPC [redacted] I don't think that these men were aware of CPT [redacted] radio traffic regarding the driver because they were quite busy with house-clearing and vehicle maneuvering at the time.

Q. Did you hear anyone yell out "Friendly Shots ~~Fired~~"?

A. I yelled out as shots were fired, "Those are ~~friendly~~ [redacted] friendly!"

Q. Was the driver still alive when you came out of the house?

A. I think so. I saw his chest rise and fall a few times as I walked past his body.

Q. Was the rise and fall of the drivers chest rapid or slow?

A. It was very slow and shallow.

Q. Did you check the driver for signs of life, (i.e. pulse)?

A. No.

Q. Did CPT [redacted] ever mention the shooting of the driver after the incident?

A. yes. I asked him about it later that evening around 2200 hours why he shot twice. He said that the first shot didn't do it, so he tried again.

Q. Where did this conversation take place?

A. Outside on Camp Hotel.

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

A. NO. \\\ END OF STATEMENT \\\ [redacted]

(b)(6)-2 (b)(7)(C)-2

EXHIBIT ___ INITIALS OF PERSON MAKING STATEMENT [redacted] PAGE 2 OF 3 [redacted]

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EXHIBIT 12

STATEMENT OF: 1LT [redacted] TAKEN AT: FOB Hotel, An Najaf, IZ DATED: 29 May 04

AFFIDAVIT

I [redacted] (b)(6)-2 (b)(7)(C)-2, 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)

Subscribed and sworn to before me, a person authorized by law to administer oath, this 29 day of May, 2004, at ~~Camp Arifjan, Kuwait~~ FOB HOTEL, IZ

(Signature of Person Administering Oath)

SPECIAL AGENT [redacted] (b)(6)-1
78th MILITARY POLICE DETACHMENT (CID) (b)(7)(C)-1
~~CAMP ARIFJAN, KUWAIT, APO AE 09366~~
Baghdad International Air Port, IZ
(Typed Name of Person Administering Oath)

ARTICLE 136 (b)(4) UCMJ (Military)
OR; 5 USC ~~505~~ 503 (Civilian)
(Authority to Administer Oath)

WITNESSES:

ORGANIZATION OR ADDRESS (b)(7)(C)-2 (b)(6)-2

EXHIBIT ___ INITIALS OF PERSON MAKING STATEMEN[redacted] PAGE 3 OF 3

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EXHIBIT 12

SWORN STATEMENT

File Number : 0144-04-CID259-80207
Location : FOB HOTEL, TZ
Date : 31 MAY 04
Time : 1348 - 1454 TBC
Statement of : [redacted]
Grade/Status : SGT / RA
SSN : [redacted] (b)(6)-2, (b)(7)(C)-2
Org/Address : A co., 2/37 Armor BN.

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

This is to help clarify my two previous statements.
Q: SA [redacted] (b)(6)-1 (b)(7)(C)-1
A: SGT [redacted]
Q: WHEN you were in the house treating the wounded Iraqi that [redacted] who had been shot in the back, who was in the room with you?
A: Myself Sgt [redacted] and LT [redacted]
Q: Did either of you, yourself or LT [redacted] have a radio?
A: Yes, LT [redacted]
Q: AT ANY time while in the house did you hear CPT [redacted] voice come over the radio? (b)(6)-5 (b)(7)(C)-5
A: When I was treating the PT, I was only between 15-20 feet from CPT [redacted] SO I could have heard it come from Both directions.
Q: When you heard someone yell out "Friendly shots Fired" are you sure it was CPT [redacted]?
A: I am not a 100% sure I talked to SPC [redacted] the day after my second statement he told me he was the one who yelled "friendly shots fired." So it may have been SPC [redacted]
Q: AT ANY time while inside the house treating the wounded Iraqi, did you hear CPT [redacted] come over LT [redacted] radio and inform you and LT [redacted] that he (CPT [redacted]) planned to put the Iraqi driver out of his misery?
A: NO.
Q: At any time did you have a conversation, however short, with [redacted]

(b)(6)-2 (b)(7)(C)-2

EXHIBIT ___ INITIALS OF PERSON MAKING STATEMENT [redacted] PAGE 1 OF 23

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EXHIBIT 13

STATEMENT OF: SGT [redacted] TAKEN AT: FOB Hotel, An Najaf, IZ DATED: 31 May 04

ILT [redacted] about "euthanizing" the driver or CPT [redacted] putting the driver out of his misery? (b)(6)-5

A: NO (b)(7)(C)-5

Q: So you never told ILT [redacted] (in response to an alleged radio call from CPT [redacted]) "good, that guy doesn't have a chance. There is nothing I can do to help him now?

A: NO

Q: When you exited the house with the wounded Iraqi was ILT [redacted] with you?

A: Yes, the Ass.sted me until I exited the gate which was broken.

Q: Once you got through the gate where did ILT [redacted] go?

A: I am not sure because I transported the casualty that was in the house to the Humvee.

Q: When you exited through the gate did you see the drivers body on the ground?

A: I might have glanced at him but I know I didn't see any movement or signs of life from him.

Q: So, did you see wether his chest was moving?

A: I didn't see his chest moving.

Q: When you first pulled the driver from the car and CPT [redacted] took you about the wounded Iraqi inside the house did CPT [redacted] tell you he planned/was going to put the driver out of his misery?

A: NO.

Q: When you were in the house did you hear gunshots from the direction of the car?

A: Yes.

Q: How many?

A: I know I heard at least two shots.

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

A: NO. /// END OF STATEMENT /// [redacted]

(b)(6)-2 (b)(7)(C)-2

EXHIBIT ___ INITIALS OF PERSON MAKING STATEMENT [redacted] b6-4, b7C-4 PAGE 2 OF 23

FOR OFFICIAL USE ONLY

024922

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LAW ENFORCEMENT SENSITIVE

000075

EXHIBIT 13

STATEMENT OF: SGT [redacted] TAKEN AT: FOB Hotel, An Najaf, IZ DATED: 31 May 04

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.

(b)(6)-2
(b)(7)(C)-2

[redacted]

(Signature of Person Making

Subscribed and sworn to before me, a person authorized by law to administer oath, this 31 ST day of MAY, 2004, at FOB HOTEL, IZ.

(Signature of Person Administering Oath)

SPECIAL AGENT [redacted] (b)(6)-1
78th MP DET (CID) (FWD)
BIAP, IRAQ APO AE 09342 (b)(7)(C)-1

(Typed Name of Person Administering Oath)

ARTICLE 136 (b) (4) UCMJ (Military)
OR; 5 USC 505 (Civilian)

(Authority to Administer Oath)

WITNESSES:

(b)(7)(C)-2
(b)(6)-2

EXHIBIT ___ INITIALS OF PERSON MAKING STATEMENT [redacted] PAGE 3 OF 3

FOR OFFICIAL USE ONLY

SWORN STATEMENT

File Number : 0144-04-CID259-80207
Location : FOB Hotel, An Najaf, IZ
Date : 31 May 04 (b)(7)(C)-2
Time : 1532 — 1614 (3
Statement of : SSG [redacted] (b)(6)-2
Grade/Status : E-6 / RA
SSN : [redacted]
Org/Address : A Troop, 1/2 ACR, FOB Hotel (Ft Polk, LA)

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

On 21 MAY 2004 I entered a house in north-west Najaf to look for a suspect who had run out of a [redacted] car we chased. I went in the front door of the house and searched room to room. We encountered several family members and a man they said was a stranger in a back room. My platoon sergeant, SSG [redacted] instructed me to take 2 soldiers and search any remaining rooms and the roof. I took SPC [redacted] and PFC [redacted] up the stairs with me. We cleared the rest of the house and stayed on the roof to provide security. While on the roof I heard a message come over the Motorola radio I had clipped to my [redacted] vest on the shoulder. The message was something like "You're going to hear a shot". I then heard a round fired.

Q. SA [redacted] (b)(6)-1 (b)(7)(C)-1
A. SSG [redacted] (b)(6)-2 (b)(7)(C)-2
Q. Who's voice did you hear over the ~~re~~ Motorola radio?
A. CPT [redacted] (b)(6)-5 (b)(7)(C)-5
Q. From where did you hear a round being fired?
A. From the direction of the car that we had been chasing
Q. Did you hear any radio traffic pertaining to putting the drive out of his misery?
A. No.
Q. Did you hear any other radio traffic from CPT [redacted]?
A. Yes pertaining to searching for and keeping control of the suspects.
Q. At any time, did you see the driver of the black sedan?
A. Yes, when I first approached the car he had cuts on his face and head and was ~~bl~~ making a gurgling sound when he breathed

EXHIBIT ___ INITIALS OF PERSON MAKING STATEMENT [redacted] PAGE 1 OF 3

FOR OFFICIAL USE ONLY

STATEMENT OF: SSG [redacted] TAKEN AT: Fob Hotel, An Najaf, IZ DATED: 31 May 04

in and out. After I came out of the house the driver was on his back on the ground with a large wound on the back/right corner of his head with blood and brain matter coming out.

Q. Was the driver alive or deceased when you exited the house?

A. Deceased

Q How many rounds did you hear Fire after you heard the message over the motorola radio?

A. Two

Q. Did they both come from the same direction?

A. Yes

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

A. No. /// END of Statement /// [redacted] (b)(6)-2 (b)(7)(C)-2

EXHIBIT ___ INITIALS OF PERSON MAKING STATEMENT [redacted] PAGE 2 OF 3

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LAW ENFORCEMENT SENSITIVE

000078
EXHIBIT
024925 14

STATEMENT OF: SSG [redacted] TAKEN AT: FOB Hotel DATED:

(5)(6)-2 (5)(7)(C)-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)

Subscribed and sworn to before me, a person authorized by law to administer oath, this 3 day of May, 2004, at ~~Camp Arifjan, Kuwait~~ FOB HOTEL

[redacted] (5)(6)-1 (5)(7)(C)-1

(Signature of Person Administering Oath)

SPECIAL AGENT [redacted]
78th MILITARY POLICE DETACHMENT (CID)
CAMP ARIFJAN, KUWAIT, APO AE 09366

(Typed Name of Person Administering Oath)

ARTICLE 136 (b) (4) UCMJ (Military)
OR; 5 USC ~~505~~ 303 (Civilian)

(Authority to Administer Oath)

WITNESSES:

ORGANIZATION OR ADDRESS

EXHIBIT ___ INITIALS OF PERSON MAKING STATEMENT [redacted] PAGE 3 OF 3

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LAW ENFORCEMENT SENSITIVE

000079
EXHIBIT
024926 14

SWORN STATEMENT

File Number : 0144-04-CID259-80207
Location : FOB HOTEL
Date : 31 MAY 04
Time : 1638 - 1843 ~~AM~~
Statement of : [redacted]
Grade/Status : ILT/RA
SSN : [redacted]
Org/Address : A CO, 2/37 Armor Bn.

all except as noted
(b)(7)(c)-2
(b)(6)-2

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

I WAS THE C2 NODE FOR THE OPERATION THAT TOOK PLACE ON RTE AIKMAN & RTE LAW. I MONITORED ALL RADIO TRAFFIC ON COMPANY AND BATTALION NETS, SPEAKING WITH BOTH CPT. [redacted] & LTC [redacted] CPT [redacted] RELAYED TO ME THAT THEY HAD 1 ENEMY KIA (DRIVER) & 2 DETAINEE'S (1 WOUNDED). THEY TRA-SPORTED THE 2 DETAINEES TO FOB GOLF THEN TO FOB DUKE. THE DRIVER'S BODY WAS TURNED OVER TO A LOCAL IRAQI POLICE OFFICER. UPON HIS RETURN TO THE FOB CPT. [redacted] GAVE ME A BRIEF DESCRIPTION OF THE EVENTS. THE TANKS HAD ENGAGED THE SEDAN WITH COAX, BUT IT CONTINUED TO TRAVEL NORTH. CPT [redacted] HUMVEE GAVE CHASE ALONG WITH APACHE (b)(2)(2) [redacted] PLATOON'S 3 HUMVEE'S. FIRING WHILE CHASING, THE SEDAN FINALLY CRASHED INTO A WALL. CPT [redacted] WITH SGT [redacted] QUICKLY SEARCHED THE CAR FINDING ONLY THE DRIVER, GUNSHOT WOUND TO THE HEAD, WITH APACHE (b)(2)2 [redacted] NOW PREPARED TO ENTER THE HOUSE. A FRAG GRENADE WAS TOSSED INTO THE YARD. APACHE (b)(2)2 [redacted] ENTERED THE HOUSE LOOKING FOR THE SUSPECTS WHO HAD FLED THE SCENE. CPT [redacted] RETURNED TO THE SEDAN WHERE HE AND DOC [redacted] ATTEMPTED MEDICAL CARE ON THE DRIVER. DOC [redacted] ASSESSED THE DRIVER AND SAID HE WAST PAST MEDICAL ATTENTION. CPT [redacted] SAID HE NOTIFIED (b)(2)2 [redacted] THAT HE WOULD BE FIRING AND THEN EUTHANIZED THE DRIVER WITH 2 SHOTS. HE SAID THAT HE THEN FOUND THE OTHER 2 SUSPECTS AND WAS EXCITED ABOUT FINDING (b)(4)-4 (b)(6)-4 [redacted] BODYGUARD. I NEVER ASKED FOR MORE INFORMATION REGARDING THE SHOOTING AND HE NEVER REALLY SAID MUCH MORE ABOUT (b)(6)-4 WE JOKED (b)(7)(c)-4 ABOUT THE TANKERS MISSING WITH COAX AND FINDING [redacted] BODY GUARD. BUT AFTER THAT DISCUSSION, WE NEVER DISCUSSED IT AGAIN. I NEXT FOUND OUT ABOUT THE INVESTIGATION FROM DUKE 6 (LTC [redacted]) A FEW DAYS LATER.

EXHIBIT ___ INITIALS OF PERSON MAKING STATEMENT [redacted]

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LAW ENFORCEMENT SENSITIVE

000080

EXHIBIT

15

STATEMENT OF: 1LT [redacted] TAKEN AT: FOB Hotel, An Najaf, IZ DATED: 31 May 04

(b)(6)-2

Q: SA [redacted] (b)(6)-2

A: 1LT [redacted]

Q: What is "NOIC"?

A: I WAS THE COMMAND & CONTROL ELEMENT AT MY COMPANY LEVEL

Q: Do you know if CPT [redacted] Addressed any of the soldiers at the incident location about his shooting of the Iraqi driver?

A: I DON'T KNOW

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

A: NO. /// END OF STATEMENT /// [redacted]

EXHIBIT ___ INITIALS OF PERSON MAKING STATEMENT [redacted] PAGE 2 OF 3

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LAW ENFORCEMENT SENSITIVE

EXHIBIT 000081
15
024928

STATEMENT OF: 1LT [redacted] TAKEN AT: FOB Hotel, An Najaf, IZ DATED: 31 May 04

(b)(7)(C)-2

AFFIDAVIT

(b)(6)-2

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)

Subscribed and sworn to before me, a person authorized by law to administer oath, this 31st day of May, 2004, at FOB HOTEL, IZ.

[redacted]

(b)(6)-1

(b)(7)(C)-1

(Signature of Person Administering Oath)

SPECIAL AGENT [redacted]
78th MP DET (CID) (FWD)
BIAP, IRAQ APO AE 09342

(Typed Name of Person Administering Oath)

ARTICLE 136 (b)(4) UCMJ (Military)
OR; 5 USC 505 (Civilian)

(Authority to Administer Oath)

WITNESSES:

EXHIBIT ___ INITIALS OF PERSON MAKING STATEMENT [redacted] PAGE 3 OF 3

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LAW ENFORCEMENT SENSITIVE

EXHIBIT 000082
IS
024929

0144-04-CID259-80207

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

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

DATA REQUIRED BY THE PRIVACY ACT

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

1. LOCATION	2. DATE	3. TIME	4. FILE NO.
FOB Hotel	31 May 04	19:42	

5. NAME (Last, First, MI)	8. ORGANIZATION OR ADDRESS
[redacted] (b)(7)(C)-2	A Troop 1/2nd ACR FOB, Hotel, AN Najaf, IZ
6. SSN [redacted] (b)(6)-2	7. GRADE/STATUS ~~SGT/E-5~~ 1LT / RA

PART 1 - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

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

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

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

- or -

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

4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have 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 [redacted] (b)(6) (b)(7)(C)-2 (b)(6)-2

WITNESSES *(If available)*	3. SIGNATURE OF INTERVIEWEE
1a. NAME *(Type or Print)*	[redacted]
b. ORGANIZATION OR ADDRESS AND PHONE	4. SIGNATURE OF INVESTIGATOR [redacted] (b)(6)-1
2a. NAME *(Type or Print)*	5. TYPED NAME AND GRADE OR TITLE OF INVESTIGATOR SA [redacted] (b)(7)(C)-1
b. ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR 78th MP DET (CID) (FWD) (-) Camp Arifjan, Kuwait

Section C. Non-Waiver

1. I do not want to give up my rights:

☐ I want a lawyer. ☐ I do not want to be questioned or say anything.

2. SIGNATURE OF INTERVIEWEE

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

DA FORM 3881, NOV 80 PREVIOUS EDITIONS OBSOLETE

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EXHIBIT 16

SWORN STATEMENT

File Number :
Location : FOB Hotel
Date : 31 May 04
Time : 1942 - 2014
Statement of : [redacted]
Grade/Status : ILT / RA (b)(6)-2 (b)(7)(C)-2
SSN : [redacted]
Org/Address : A Troop 1/2nd ACR, FOB Hotel, An Najaf, IZ

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

This statement is to clarify my previous statement.

Q. SA [redacted] (b)(6)-1 (b)(7)(C)-1

A. ILT [redacted] (b)(6)-2 (b)(7)(C)-2 (b)(6)-5 (b)(7)(C)-5

Q. Explain what you heard CPT [redacted] say over the motorola radio?

A. I was in the front room of the house in which the black sedan was crashed into. I had the 1st suspect being looked at by SGT [redacted] for gunshot wounds, SSG [redacted] talking to the residents of the house, and my stack team searching the upstairs of the house. In retrospect, I believe that CPT [redacted] called on the motorola radio, "Hey, I'm going to fire some shots - friendly fire." SGT [redacted] then told me that the driver of the sedan had no chance of living, and I understood what the shots for.

Q. are you completely positive you saw the driver's chest rise and fall after leaving the house?

A. AS I was exiting the front gate, and went past the driver of the black sedan, I saw that his skull was cracked and brain matter was spilling onto the road. I remember seeing movement in his chest, and wondering how he could still be breathing. I observed this activity for no more than 1-2 seconds, as I was moving quickly to investigate another house.

Q. Why did you not check the driver for signs of life or render aid?

A. I was still conducting operations on the objective with my platoon. I moved quickly past the driver because I had to go to an

EXHIBIT ___ INITIALS OF PERSON MAKING STATEMENT [redacted] PAGE 1 OF 3

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EXHIBIT 16

000084

STATEMENT OF: 1LT [redacted] TAKEN AT: FOB Hotel, An Najaf, Iz DATED: 31 May 04

(b)(6)-2
(b)(7)(C)-2

an adjacent house to conduct a search for the other occupant of the car. The objective was not secure at the time.

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

A. No. \\\ END of Statements \\\ [redacted]

(b)(7)(C)-2
(b)(6)-2

EXHIBIT ___ INITIALS OF PERSON MAKING STATEMENT [redacted] PAGE 2 OF 3

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LAW ENFORCEMENT SENSITIVE

024932
EXHIBIT
16
000085

STATEMENT OF: ILT [redacted] TAKEN AT: FOB Hotel, An Najaf, IZ DATED: 31 May 04

(b)(7)(C)-2

AFFIDAVIT

(5)(6)-2

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)

Subscribed and sworn to before me, a person authorized by law to administer oath, this 31 day of May, 2004, at ~~Camp Arifjan, Kuwait~~ FOB Hotel, IZ

[redacted]

(5)(6)-1

(b)(7)(C)-1

(Signature of Person Administering Oath)

SPECIAL AGENT [redacted]
78th MILITARY POLICE DETACHMENT (CID)
~~CAMP ARIFJAN, KUWAIT, APO AE 09366~~
BIAP, IZ

(Typed Name of Person Administering Oath)

ARTICLE 136 (b)(4) UCMJ (Military)
OR; 5 USC ~~505~~ 303 (Civilian)

(Authority to Administer Oath)

WI[redacted]

(5)(6)-1

[redacted]

78TH MP DET (CID) (FWD)

BIAP, IZ

ORGANIZATION OR ADDRESS

(b)(7)(C)-2

(5)(6)-2

EXHIBIT ___ INITIALS OF PERSON MAKING STATEMENT [redacted] PAGE 3 OF 3

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LAW ENFORCEMENT SENSITIVE

024933
EXHIBIT
16

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE 0144-04-CID259-80207

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

DATA REQUIRED BY THE PRIVACY ACT

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

1. LOCATION	2. DATE	3. TIME	4. FILE NO.
78th MP DET (CID)(FWD), Baghdad, IZ (CID OFFICE D-MAIN)	5 Jun 04	1438	

5. NAME (Last, First, MI)	8. ORGANIZATION OR ADDRESS
[redacted]	2/37th AR BN, 1st AD
6. SSN: [redacted] (b)(6)-2 (b)(3)(C)-2	7. GRADE/STATUS: 03/RA

PART 1 - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

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

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

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

- or -

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

4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have 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. (b)(3)(C)-2

5. COMMENTS (Continue on reverse side)
Have you requested an attorney in the past 30 days? Yes [redacted] (b)(6)-2

Section B. Waiver

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

WITNESSES (*If available*)	3. SIGNATURE OF INTERVIEWEE
1a. NAME (*Type or Print*)	
b. ORGANIZATION OR ADDRESS AND PHONE	4. SIGNATURE OF INVESTIGATOR [redacted] (b)(6)-1
2a. NAME (*Type or Print*)	5. NAME OF INVESTIGATOR SA [redacted]
b. ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR 78th Military Police Detachment (CID)(FWD) Baghdad, IZ

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 [redacted]

ATTACH THIS WAIVER CERTIFICATE AND ANY SWORN STATEMENT (*DA form 2823*) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED.

DA FORM 3881, NOV 89 EDITION OF NOV 84 IS OBSOLETE

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EXHIBIT 17

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER 0113-04-CID789

PAGE 1 OF 1 PAGES

DETAILS

Basis of Investigation: On 15 Jul 04, this office received a Request For Assistance (RFA)(0144-04-CID259-80207) from the 78th Military Police (MP) Det. (CID), Camp Victory, Iraq, who requested this office locate, fully identify, and interview Detainees [redacted], National Detainee Reporting System (NDRS) #[redacted], and [redacted], NDRS #[redacted] pertaining to their knowledge of the driver of the black sedan.

About 2130, 15 Jul 04, SA [redacted] queried the Biometrics Automated Toolset (BATS) and obtained the EPW Screeing Report for Detainee [redacted], which stated he was processed under the name [redacted]. (See EPW Screeing Report)

About 1330, 16 Jul 04, SA [redacted] coordinated with SFC [redacted], 391st MP BN, Detainee In-Processing Section, BCCF, AGI, and obtained the dossier for Detainee [redacted] (See Dossier)

About 0900, 6 Aug 04, SA [redacted], with the assistance of Linguist [redacted], interviewed Detainee [redacted] who stated he did not know the driver of the vehicle. He stated he was only paying for a ride to Najaf, Iraq. He had agreed to pay between 750-1000 dinar for the ride, but never paid because of the incident. He did not know the neighborhood the driver was from, nor had he ever meet or seen him before. He stated that he was in the car first, before the other passenger joined the vehicle. He described the driver as a dark skinned, balding male with graying hair. He described the vehicle as a small, 4-door, black vehicle. He did not know of any possible leads to identify the driver.

About 0920, 6 Aug 04, SA [redacted] with the assistance of Linguist [redacted] interviewed Detainee [redacted] who stated he did not know the driver of the vehicle. He stated that he was a religious leader in the area and the driver offered him a ride to Najaf because of his status as a leader. He stated that he was picked up near the Al Kufa Mosque. He did not know the neighborhood the driver was from, nor had he ever meet or seen him before. He described the driver as a dark skinned, balding male with graying hair. He described the vehicle as a small, 4-door, black BMW. He stated that the driver might have been a member of the Al Kufa Mosque, only because he was driving in the area. He did not know of any possible leads to identify the driver.

AGENT'S COMMENT: Through previous investigations, it has been established that total strangers often give rides for money, much like a private taxi.

STATUS: Your RFA has been completed in enclosed attachments. No further investigative activity is anticipated by this office.

//LAST ENTRY//

TYPE AGENT'S NAME AND SEQUENCE NUMBER	ORGANIZATION
SA [redacted]	PRISONER INTERROGATION TEAM (PIT)(CID) Baghdad Central Confinement Facility, Abu Ghraib 09342
SIGNATURE [redacted]	DATE 6 Aug 04 / EXHIBIT 18

CID FORM 94

Page(s)

89 - 91 .

.

Referred to:

U.S. CENTRAL COMMAND
7115 SOUTH BOUNDARY BLVD
ATTN: CCJ6-DM
MACDILL AIR FORCE BASE
FLORIDA 33621-5101

Master Sergeant Pamela Andrews
andrewsp@centcom.smil.mil
(813) 827-5341/2830

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER 0142-04-CID789

PAGE 1 OF 1 PAGES

DETAILS

Basis of Investigation: On 21 Aug 04, this office received a Category 1 Request For Assistance (RFA)(0144-04-CID259-80207) from the 78th Military Police (MP) Det. (CID), Camp Victory, Iraq, who requested to re-interview Detainees [redacted], Internment Serial Number (ISN) [redacted] and [redacted], ISN [redacted] pertaining to their knowledge of the driver of the black sedan. (b)(6)-4 (b)(7)(C)-4

About 1030, 27 Aug 04, SA [redacted] with assistance of Linguist [redacted] SHO, interviewed Detainee [redacted] stated that as the car was driving the came under fire from the military trucks. He stated that he put his head down and the car came to a stop. He did not know how or why it stopped. He did not believe they hit a wall. He said he immediately jumped out of the car and ran. At no time did he see the driver's condition nor does he recall the driver saying anything. He stated if the driver was talking, he would not have heard, due to the large amount of gunfire. He said that while he was in the house hiding he did not hear any gunfire. He said after he was captured in the house, he was immediately placed in a military truck. He stated he did not see the black car or driver anymore after he ran from the car. He stated that he could not give any information as to the condition of the driver once the shooting started or afterwards. He stated he was not even aware the driver was dead until 16 days after arriving at BCCF, when he heard it on the news.

(b)(6)-4 (b)(7)(C)-4 (b)(6)-1 (b)(7)(C)-1

About 1100, 27 Aug 04, SA [redacted] with assistance of Linguist [redacted] interviewed Detainee [redacted] stated that as the car was driving the came under fire from the military trucks. He stated that he put his head down and the car began to slow. It slowly came to a stop when it barely touched a fence. He did not know how or why it stopped. He believed the driver was injured because most of the gunfire was on the driver's side, but he did not know the condition of the driver nor did the driver say anything. He said he immediately jumped out of the car and ran. He stated if the driver was talking, he would not have heard, due to the large amount of gunfire. He said that while he was in the house hiding he heard gunfire, but never individual shooting. He stated that even as the soldiers captured him, he still heard gunfire. He said the gunfire sounded as if it was coming from the black car and all around. He said after he was captured in the house, he was immediately placed in a military truck. He stated he did not see the black car or driver anymore after he ran from the car. He stated that he could not give any information as to the condition of the driver once the shooting started or afterwards.

//LAST ENTRY//

(b)(7)(C)-1

TYPE AGENT'S NAME AND SEQUENCE NUMBER (b)(6)-1 (b)(2)	ORGANIZATION
SA [redacted]	PRISONER INTERROGATION TEAM (PIT)(CID) Baghdad Central Confinement Facility, Abu Ghraib 09342
SIGNATURE [redacted]	DATE 27 Aug 04 / EXHIBIT 21

CID FORM 94

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024937

AGENT'S INVESTIGATIVE REPORT *CID Regulation 195-1* (b)(7)(C)-1 (b)(6)-1	ROI NUMBER 0144-04-CID259-80207 PAGE 1 OF 1 PAGES

DETAILS

About 0900, 2 Sep 04, SA [redacted] briefed MAJ [redacted] Chief of Military Justice, Office of the Staff Judge Advocate (SJA), Headquarters (HQ), 1st Armored Division (AD), Unit 24309, APO AE 09096 on all aspects of this investigation.

About 0900, 7 Sep 04, this office received the United States Army Criminal Investigation Laboratory Report number 2004-CID131-1244, with results from the Imaging and Technical Support Division. The Imaging and Technical Support Division located the area of interest and digitized, stabilized and magnified it to 150%. A direct copy and processed copy of the video were output as "direct and process montage.avi". Four still frames were captured and are labeled "frame 1.bmp", "fame 2.bmp", "frame 3.bmp", "victim.bmp". The video and the frames were written to the enclosed Digital Versatile Disc (DVD). (See USACIL lab report number 2004-CID131-1244, compact disc 040144.259A, and 040144.259B)

About 1224, 2 Dec 04, SA [redacted] briefed MAJ [redacted], on all aspects of this investigation. MAJ [redacted] opined there was probable cause to believe that CPT [redacted] committed the offense of Murder. ///Last Entry///

(b)(6)-1
(b)(7)(C)-1

(b)(6)-5
(b)(7)(C)-5

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA [redacted] (b)(6)-1 (b)(7)(C)-1	ORGANIZATION 78th Military Police Detachment (CID) (FWD) APO AE 09342	
SIGNATURE [redacted]	DATE 2 Dec 04	EXHIBIT 22

CRIME LAB EXAMINATION REQUEST

For use of this form, see AR 195-5; The proponent agency is the United States Army Crime Investigation Command

Referral Number

TO: (Include Zip Code)	FROM: (Include Zip Code)	RECEIVED	RETURNED
Director US Army Criminal Investigation Laboratory 4553 N. 2nd Street Forest Park, GA 30297-5122 ATTN: Imaging and Technical Support	Special Agent in Charge 22D MP BN (CID) (FWD) 78TH MP DET (CID) (FWD) APO AE 09342 Fax: none Email: [redacted]@us.army.mil (b)(6)-1 (b)(7)(C)-1	REGIS MAIL	REGIS MAIL
		RY EXP	RY EXP
		HAND	HAND
		DATE	DATE
		RECEIVED BY	
		EVIDENCE RECEIPT RECEIVED	INITIATED

1. CONTRIBUTOR CASE NUMBER	2. INVESTIGATOR'S NAME	3. AUTOVON AND PHONE NUMBER
0144-04-CID259-80215	SA [redacted]	DNVT: 302-537-[redacted]

4. SUSPECT(S) (Last, first and middle name(s))
CPT [redacted]
(b)(6)-5 . (b)(7)(C)-5

5. VICTIM(S) (Last, first and middle name(s))
Unknown

6. TYPE OF OFFENSE	7. ONE COPY OF EVIDENCE RECEIPT INCLOSED WITH EVIDENCE	8. OTHER EVIDENCE PREVIOUSLY SUBMITTED ON THIS CASE
Murder	YES	NO

9. IF "YES" IN ITEM 8, LIST OTHER SUSPECT(S), DATE SUBMITTED, UNIT CASE AND LABORATORY REFERRAL NUMBER(S)

10. EVIDENCE SUBMITTED

a. EXHIBIT	b. DESCRIPTION OF EXHIBIT
1	8MM video cassette tape; Voucher # 444-04, Item # 1

RC 025 21029145
REGISTERED MAIL
01 JUL 2004
FORWARDED TO USACIL FOR EXAMINATION

DA FORM 3655
1 AUG 74

REPLACES DA FORM 3655-R, 1 NOV 70, WHICH IS OBSOLETE

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EXHIBIT 23
024939
000094

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

CILA-EP 6 August 2004

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, 22D MILITARY POLICE BATTALION (CID), 78TH MILITARY POLICE DETACHMENT (CID) (FWD), APO AE 09342

SUBJECT: Forensic Division Report(s)
USACIL Case Number 2004-CID131-1244
Submitter Case Number 0144-04-CID259-80215

1. Enclosed are the Final Laboratory Exhibit List and Final Division Report for the Imaging and Technical Support Division

2. Two original reports have been produced. These reports were completed at or near the time of the forensic examination(s) and prepared in the ordinary course of business by the forensic examiner(s) assigned to the case. These reports were made by the regularly conducted activity as a regular practice of the United States Army Criminal Investigation Laboratory. One original report is enclosed and the other is kept in the official files of this laboratory and maintained IAW AR 25-400-2 and CIDR 195-1.

3. All items received in the laboratory for examination are returned to the submitting agency upon completion of laboratory testing.

4. IAW AR 195-2, requests and fund cites for court appearances of Laboratory Examiners will be made at least 10 working days prior to the date of court proceedings.

5. Point of contact is the Evidence Processing Division, DSN 797-[redacted], Commercial (404) 469-[redacted] Fax DSN 797-[redacted] or Email: usacil@usacil.army.mil.

(5)(a)(c)-1
(5)(4)-1

Encl

[redacted]
Deputy Records Custodian

AN ASCLD/LAB ACCREDITED LABORATORY (SINCE 1985)

EXHIBIT 24

CILA-EP
SUBJECT: Forensic Division Report(s)
USACIL Case Number 2004-CID131-1244
Submitter Case Number 0144-04-CID259-80215

RETURN REPORT AND EVIDENCE TO: COMMANDER, 22ND MILITARY POLICE BATTALION (CID), ATTN: EVIDENCE CUSTODIAN, APO AE 09342

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

CILA-IT 15 July 2004

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, 22D MILITARY POLICE BATTALION (CID), 78TH MILITARY POLICE DETACHMENT (CID), (FWD) APO AE 09342

SUBJECT: Imaging and Technical Support Division - Final Report
USACIL Case Number 2004-CID131-1244
Submitter Case Number 0144-04-CID259-80215

EXHIBIT:

1 - Video cassette tape (Item 1, Doc 444-04).

FINDINGS:

1. An examination of exhibit 1, revealed that it is a color aerial surveillance video in Hi 8 analog format, recorded in Standard Play mode.

2. The area of interest on Exhibit 1 was located, digitized, stabilized and magnified to 150%. A direct copy and processed copy of the video were output as "direct & process montage.avi". Four still frames were captured and are labeled "frame 1.bmp", "frame 2.bmp", "frame 3.bmp" and "victim.bmp" the video and frames were written to the enclosed Digital Versatile Disc (DVD) marked "data file format". Camera to subject distance, angle of view and camera shake are all factors that make it extremely difficult identifying the persons involved in the incident under investigation.

3. Per your request a larger area of the video totaling about 39 minutes was also captured and converted to Digital Video Disc format and was written to a second enclosed DVD labeled "DVD format". The processed montage was also converted to Digital Video format and added to this disc. This disc will play in any Digital Video Disc player.

EXHIBIT 24

CILA-IT
SUBJECT: Imaging and Technical Support Division – Final Report
USACIL Case Number 2004-CID131-1244
Submitter Case Number 0144-04-cID259-80215

4. It is recommended that the video clip(s) be copied from the disc labeled "data file format" to a folder on your computer hard drive for viewing as most DVD/CD drives cannot stream long video clips with sufficient speed. All digital video clips found on the enclosed DVD will open in Windows Media Player 7.0 or higher. The viewer is cautioned that at the time of this report the enclosed video is classified as "SECRET" and as specific protocols are to be followed when processing classified data on computers, you should consult with your unit security manager.

5. Two original reports have been produced. These reports were completed at or near the time of the forensic examination(s) and prepared in the ordinary course of business by the undersigned. These reports were made by the regularly conducted activity as a regular practice of the United States Army Criminal Investigation Laboratory. Point of contact is the Evidence Processing Division, DSN 797-[redacted], Commercial (404) 469-[redacted], Fax DSN 797-[redacted] or Email: usacil@usacil.army.mil.

(b)(6)-1 (b)(7)(C)-1

[redacted]
Forensic Video Examiner

Encl
AS

Page(s)

99 - 102 .

.

Referred to:

U.S. CENTRAL COMMAND
7115 SOUTH BOUNDARY BLVD
ATTN: CCJ6-DM
MACDILL AIR FORCE BASE
FLORIDA 33621-5101

Master Sergeant Pamela Andrews
andrewsp@centcom.smil.mil
(813) 827-5341/2830

For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command

CRD REPORT/CID ROI NUMBER: 80207

RECEIVING ACTIVITY	LOCATION
78TH MP DET (CID)(FWD)	BIAP, IZ APO AE 09342
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED ☐ OWNER ☒ OTHER CPT [redacted] (b)(6)-1 (b)(7)(C)-1	ADDRESS (*Include Zip Code*) FOB DUKE, IZ (FORT POLK, LA)
LOCATION FROM WHERE OBTAINED FROM THE HANDS OF CPT [redacted] WHILE ON FOB DUKE, IZ.	REASON OBTAINED: EVIDENCE TIME/DATE OBTAINED: 0902 / 30 MAY 04

ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES (*Include model, serial number, condition and unusual marks or scratches*)
1	1	VIDEO CASSETTE, HI8, BRAND NAME TDK, TITLED "CAR CHASE AND SEIGE + MORTAR CACHE, 21 MAY 04". PLACED IN A PLASTIC CONTAINER/ CASE FOR PROTECTION. CASSEITE MFID W/ 0902, 30 MAY 04, [redacted] ///
		/ LAST ITEM /

(b)(7)(C)-1
(b)(6)-1

CHAIN OF CUSTODY

ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1	30 MAY 04	SIGNATURE [redacted] NAME, GRADE OR TITLE [redacted] CPT TC	SIGNATURE [redacted] NAME, GRADE OR TITLE [redacted] SA	EVALUATION OF EVIDENCE
1	03 JUN 2004	SIGNATURE [redacted] NAME, GRADE OR TITLE [redacted] SA	SIGNATURE [redacted] NAME, GRADE OR TITLE SA [redacted]	RECEIVED BY EVIDENCE CUSTODIAN
		SIGNATURE NAME, GRADE OR TITLE	SIGNATURE NAME, GRADE OR TITLE	
		SIGNATURE NAME, GRADE OR TITLE	SIGNATURE NAME, GRADE OR TITLE	
		SIGNATURE NAME, GRADE OR TITLE	SIGNATURE NAME, GRADE OR TITLE	

DA FORM 4137
1 Jul 76

Replaces DA FORM 4137, 1 Aug 74 and DA FORM 41[illegible] Privacy Act Statement 26 Sep 75 Which are Obsolete.

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DOCUMENT NUMBER 444-04

EXHIBIT 26

DATE: 4 JUN 2004

FROM: SAC, 78TH MP DET (CID) (FWD)
TO: DIRECTOR, USACRC, USACIDC, FORT BELVOIR, VA
CDR, USACIDC //CIOP-ZA//, FORT BELVOIR, VA
CDR, 22ND MP BN (CID)(FWD)
CDR, 3RD MP GROUP (CID)
CDR, 78TH MP DET (CID) (FWD)

SUBJECT: CID REPORT - INITIAL/SSI - 0144-04-CID259-80207-5H1A

DRAFTER: SA [redacted] (b)(6)-1
RELEASER: SA [redacted] (b)(6)-1

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:
1. 21 MAY 2004/1400 – 21 MAY 2004/1500; AN NAJAF, IZ; (GRID MA 403464)

2. DATE/TIME REPORTED: 25 MAY 2004, 1605

3. INVESTIGATED BY: SA [redacted] (b)(2)

4. SUBJECT: 1. [redacted] (b)(6)-5 (b)(7)(C)-5 CPT [redacted], A COMPANY (A CO), 2/37TH ARMORED BATTALION (AR BN), AN NAJAF, IZ; (FREIDBERG, GERMANY) (NFI); CT; [MURDER]

5. VICTIM: 1. (UNKNOWN) (DECEASED); (NFI); [MURDER]

6. INVESTIGATIVE SUMMARY: THE INFORMATION IN THIS REPORT IS BASED UPON AN ALLEGATION OR PRELIMINARY INVESTIGATION AND MAY CHANGE PRIOR TO THE COMPLETION OF THE INVESTIGATION.

THIS IS AN "OPERATION IRAQI FREEDOM" INVESTIGATION.

DUE TO OPERATIONAL CONSTRAINTS, THIS OFFICE WAS UNABLE TO DISPATCH THIS REPORT IN A TIMELY MANNER.

ON 25 MAY 04, THIS OFFICE WAS NOTIFIED BY MAJ [redacted] (b)(6)-1, CHIEF TRIAL COUNSEL, OFFICE OF THE STAFF JUDGE ADVOCATE, 1ST ARMORED DIVISION, BAGHDAD, IZ, THAT CPT [redacted] MAY HAVE MURDERED AN IRAQ NON-COMBATANT. (b)(6)-5 (b)(7)(C)-5

RESTRICTED DISTRIBUTION: DUE TO THE SENSITIVE NATURE OF THIS INVESTIGATION, DISTRIBUTION OF THIS REPORT IS RESTRICTED TO USACIDC CHANNELS ONLY.

PRELIMINARY INVESTIGATION REVEALED THAT ON 21 MAY 04, IN AN-NAJAF, IZ, A CO, 2/37TH AR BN SUCCESSFULLY ENGAGED THE SUSPECTED BLACK SEDAN OF [redacted] WITH SMALL ARMS FIRE CAUSING THE VEHICLE TO CRASH INTO A WALL AT MA 403464. THE DRIVER OF THE BLACK SEDAN WAS DIAGNOSED BY SGT [redacted], MEDIC, A CO, 2/37TH AR BN, WHO DETERMINED THE DRIVER'S INJURIES WERE TERMINAL. SHORTLY AFTER SGT [redacted] DEPARTED THE AREA TO ASSIST ANOTHER WOUNDED DETAINEE, CPT [redacted] LOWERED HIS WEAPON AND FIRED WHAT APPEARED TO BE THREE SHOTS AT THE WOUNDED DRIVER LYING ON THE GROUND. THE SHOTS APPEARED TO STRIKE THE DRIVER AT THE BACK OF HIS HEAD, WHICH RESULTED IN HIS DEATH.

FURTHER INVESTIGATION REVEALED THE VICTIM WAS NOT IDENTIFIED, AND THE BODY WAS NOT COLLECTED. ALL EFFORTS TO IDENTIFY AND LOCATE THE BODY IN AN-NAJAF MET WITH NEGATIVE RESULTS.

EFFORTS ARE ON-GOING TO LOCATE AND CONDUCT A SUBJECT INTERVIEW CPT [redacted]

REQUEST USACRC NAME CHECK BE CONDUCTED ON CPT [redacted]

INVESTIGATION CONTINUES BY USACIDC.

7. COMMANDERS ARE REMINDED OF THE PROVISIONS OF AR 600-8-2 PERTAINING TO SUSPENSION OF FAVORABLE PERSONNEL ACTIONS AND AR 380-67 FOR THE SUSPENSION OF SECURITY CLEARANCES OF PERSONS UNDER INVESTIGATION.

8. CID REPORTS ARE EXEMPT FROM AUTOMATIC TERMINATION OF PROTECTIVE MARKING IN ACCORDANCE WITH CHAPTER 3, AR 25-55.

CID FORM 66

1. DATE	2. TIME RECEIVED	7. CASE NUMBER
25 May 2004	1605	0144-04-CID259-80207

3. OFFENSE (S)

MURDER

(b)(7)(C)-5

8. ASSIGNED TO

(b)(7)(C)
(b)(6)-7 SA [redacted]

4. SUBJECT

(b)(6)-5

CPT [redacted] 2/37th AR BN

9. TYPE OF ACTION

GC – SSI

5. VICTIM

Unknown male (NFI)

6. CASE DESCRIPTION

CPT [redacted] shot a wounded non-combatant approximately three times in the head as he lay on the ground, resulting in his death.

10. REPORTS

TYPE	SUSPENSE	
[redacted]		4JUN
[redacted]	21JUN	21JUN
[redacted]	5JUL	5JUL
[redacted]	19JUL	19JUL
[redacted]	2AUG	2AUG
[redacted]	16AUG	16AUG
[redacted]	31AUG	Ext
[redacted]	14Sep	14Sep
[redacted]	28Sep	

11. OTHER ACTION

12. CID FUNDS

ACTION	RQRD	COMPL	DATE	AMOUNT
CRIMINAL INFO				
EVIDENCE CUST				
RFA to BCF	Received 17Jul04	Completed 2AUG04		
RFA to BCF	21AUG04	30AUG-		

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INVESTIGATIVE PLAN

SEQUENCE NUMBER
0144-04-CID259-80207

DATE NOTED	PLANNED ACTIVITY (b)(7)(C)-5	SUSPENSE DATE	DATE COMPLETED
5 JUN 04	Interview of CPT [redacted] (b)(6)-5	5 JUN 04	5 JUN 04
7 JUN 04	Email AFIP about capabilities to review UAV		(COPY TO AFIP) 11 JUN 04
	tape and digital photos to determine death,		X
	how they may have died, ETC.		X
~~7 JUN 04~~	~~GET COPY OF UAV TAPE MADE PRIOR TO~~		DISREGARD
	~~SENDING TO AFIP~~		X
7 JUN 04	Coordinate with lab to see if they		1 JUL 04
	can enhance digital photos and to		X
	what extent. (OR TAPE; NOTED 22 JUN 04)		X
7 JUN 04	Coordinate with MAJ [redacted] (b)(6)-1 OR CPT (b)(7)(C)-1		21 JUN 04
	[redacted] REF INTERVIEW OF ISLO OFFICER.		X
7 JUN 04	LOCATE DF that the (2) Living Detainees		6 AUG 04
	were taken and have them questioned		X
	about identity of victim. (RFA?)		X
7 JUN 04	Need to re-interview [redacted] SGT (b)(6)-2 (b)(7)(C)-2		NA
22 JUN 04	Provide AFIP OR FSO POC for MAJ [redacted]		NA
13 JUL 04	Pending USACIL Lab Report		7 SEP 04
15 JUL 04	Pending RFA from Abu		30 AUG

VICTIM / WITNESS FORMS (DD Fm 2701) (annotate on AAS)

V	W	Last Name	Date Issued	V	W	Last Name	Date Issued	V	W	Last Name	Date Issued
☐	☐			☐	☐			☐	☐		
☐	☐			☐	☐			☐	☐		
☐	☐			☐	☐			☐	☐		

MISCELLANEOUS ACTIVITY

Action	Completed	Action	Completed
...lograph /fingerprint subjects		NCIC entry on stolen prop	
... submitted for contact sheet		Contact sheet submitted for photos	

CONTACTS / PHONE NUMBERS

(b)(7)(C)-1 (b)(6)-1

Activity / Person	Phone Number
CPT [redacted]	587- [redacted]
Mr [redacted] (IP Linguist 1st CAV)	0790-191- [redacted]
MAJ [redacted]	551- [redacted]
CPT [redacted]	(GE: 314-337- [redacted]) (GE: 314-324- [redacted])

INVESTIGATIVE STANDARDS

INTERVIEW VICTIM / EYE WITNESS	24 hours
EVIDENCE DEPOSITED	1 duty day
LAB REQUESTS	5 duty days
RFA'S SENT OUT	5 duty days
MEANINGFUL INV ACTIVITY	10 duty days
RFA FOLLOW UP	15 duty days
KNOWN SUBJ & UNFOUNDED FINALS	15 duty days
UNKNOWN SUBJ FINALS	30 work days
ACTION TAKEN FINALS	30 work days

AGENTS ACTIVITY SUMMARY (CID Regulation 195-1)	Control Number 0144-04-CID259-80207
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACITIVITY
1605, 25 May 04 [redacted]	BASIS FOR INVESTIGATION: About 1605, 25 May 04, this office was notified that CPT [redacted] may have murdered a non-combatant. (See AIR) (b)(6)-5 (b)(7)(C)-5
26 May 04 [redacted]	SA [redacted] conducted numerous coordinations to arrange flight of SA [redacted]
1430, 27 May 04 [redacted]	Coordinated with CPT [redacted] 2d Armored Cavalry Regiment (ACR), SJA, who provided a copy of 15-6 Investigation. (See AIR)
1528, 27 May 04 [redacted]	SA [redacted] and SA [redacted] headed for flight line. (b)(6)-1 (b)(7)(C)-1
1845, 27 May 04 [redacted]	SA [redacted] and SA [redacted] arrived at FOB Duke.
2010, 27 May 04 [redacted]	SA [redacted] SA [redacted] CW2 [redacted] and WO1 [redacted] viewed UAV tape from operation on 21 May 04. (See AIR) (b)(7)(C)-2 (b)(6)-2
2053, 27 May 04 [redacted]	Interview of WO1 [redacted] 1st MI, FOB Duke. (See AIR)
2118, 27 May 04 [redacted]	Drafted rough crime scene sketch from UAV tape. (See AIR)
2131, 27 May 04 [redacted]	Interview of MAJ [redacted], Regimental S-2, FOB Duke. (See AIR) (b)(7)(C)-2 (b)(6)-2
2138, 27 May 04 [redacted]	Obtained digital images of victim and black sedan from MAJ [redacted]. (See AIR)
2142, 27 May 04 [redacted]	Interview of MAJ [redacted] Regimental Fire Support Officer (FSO), FOB Duke. (See AIR)
2147, 27 May 04 [redacted]	Interview of 2LT [redacted], Tact Intelligence Officer, FOB Duke. (See AIR)
2208, 27 May 04 [redacted]	Interview of CW2 [redacted], 1st MI, FOB Duke. (See AIR)
2302, 27 May 04 [redacted]	Coordinated with CW2 [redacted] to obtain the Military Internet Relay Chat (MIRC), of the incident in question. CW2 [redacted] related the system was down from 1407 hrs – 1422 hrs, and no log was recorded. (See AIR)
0900, 28 May 04 [redacted]	Convoy to FOB Baker / Gulf postponed.
1148, 28 May 04 [redacted]	SA [redacted] and SA [redacted] departed for FOB Baker / Gulf. (b)(6)-1 (b)(7)(C)-1

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AGENTS ACTIVITY SUMMARY (CID Regulation 195-1)	CONTROL NUMBER 0144-04-CID259-80207

TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACITIVITY
1300, 28 May 04 [redacted]	SA [redacted] and SA [redacted] arrived at FOB Baker.
1324, 28 May 04 [redacted]	Coordinated with CPT [redacted] (b)(6)-2 (b)(7)(c)-2, 2/37th AR BN, S-2, and obtained detainee documents. (See AIR)
1347, 28 May 04 [redacted]	Coordinated with CPT [redacted] for interpreter and convoy to crime scene and Iraqi Police Station.
1539, 28 May 04 [redacted]	Canvassed neighborhood via interpreter [redacted] (b)(6)-4 (b)(7)(c)-4 (See AIR)
1606, 28 May 04 [redacted]	Interview of 2LT [redacted] Najaf Iraqi Police via interpreter [redacted] (See AIR)
1820, 28 May 04 [redacted]	Interview of SPC [redacted] (b)(6)-2 (b)(7)(c)-2 Radio Monitor S-3, FOB GULF. (See AIR)
1915, 28 May 04 [redacted]	SA [redacted] (b)(6)-1 and SA [redacted] (b)(7)(c)-1 departed for FOB Hotel.
1935, 28 May 04 [redacted]	SA [redacted] and SA [redacted] arrived at FOB Hotel and coordinated with 1LT [redacted] XO (NFI). (See AIR)
2030, 28 May 04 [redacted]	Interview of SGT [redacted] (b)(6)-2 (b)(7)(c)-2 A CO, 2/37th Armor Battalion. (See AIR)
0940, 29 May 04 [redacted]	Interview of SPC [redacted] (See AIR)
1100, 29 May 04 [redacted]	Interview of SGT [redacted] (See AIR)
1144, 29 May 04 [redacted]	Interview of SGT [redacted]. (See AIR)
1155, 29 May 04 [redacted]	Canvass Interviews of 4th Platoon, A Troop, assigned to Aggressor (A CO), 2/37th AR BN. (See AIR)
1222, 29 May 04 [redacted]	Interview of SGT [redacted] 4th Platoon, A Troop, 1/2nd ACR. (See AIR)
1228, 29 May 04 [redacted]	Interview of PFC [redacted] (b)(6)-2 (b)(7)(c)-2 A Troop, 1/2nd ACR. (See AIR)
1236, 29 May 04 [redacted]	Interview of 1LT [redacted] A Troop, 1/2nd ACR. (See AIR)

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CID FORM 28
1 Oct 80

PREVIOUS EDITIONS OF THIS FORM WILL BE USED UNTIL EXHAUSTED

AGENTS ACTIVITY SUMMARY (CID Regulation 195-1)	CONTROL NUMBER 0144-04-CID259-80207
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACITIVITY
1248, 29 May 04 [redacted]	Interview of SPC [redacted] A Troop, 1/2nd ACR. (See AIR) (b)(6)-2 (b)(7)(C)-2
1305, 29 May 04 [redacted]	Interview of SSG [redacted] A Troop, 1/2nd ACR. (See AIR)
0902, 30 May 04 [redacted]	Collected UAV tape as evidence. (See AIR)
1135, 30 May 04 [redacted]	Briefed LTC [redacted] this investigation. (See AIR)
1348, 31 May 04 [redacted]	Interview of SGT [redacted] (See AIR)
1532, 31 May 04 [redacted]	Interview of SSG [redacted] Troop, 1/2nd ACR. (See AIR)
1638, 31 May 04 [redacted]	Interview of 1LT [redacted] XO, A CO, 2/37th AR BN. (See AIR)
1942, 31 May 04 [redacted]	Rights advisement and interview of 1LT [redacted] (See AIR)
1430, 3 Jun 04 [redacted]	Briefed MAJ [redacted] investigation. (See AIR)
1048, 4 Jun 04 [redacted]	SA [redacted] conducted DEIDS check on CPT [redacted] (b)(6)-1 (b)(7)(C)-1
1245, 4 Jun 04 [redacted]	Completed Initial Report and provided to SAC.
1920, 4 Jun 04 [redacted]	SA [redacted], CPT [redacted] Chief of Military Justice; CPT [redacted] Trial Counsel; and LTC [redacted] Chief of SJA viewed the UAV tape. (See AIR)
2015, 4 Jun 04 [redacted]	Turned evidence into Evidence Custodian at 22d MP BN (CID).
1438, 5 Jun 04 [redacted]	Rights advisement and interview of CPT [redacted] (See AIR) (b)(6)-5 (b)(7)(C)-5
1615, 5 Jun 04 [redacted]	CRC name check on CPT [redacted]. (See AIR)
5-7 Jun 04 [redacted]	Updated case file.

024952

AGENTS ACTIVITY SUMMARY (CID Regulation 195-1)	CONTROL NUMBER 0144-04-CID259-80207
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACITIVITY

7 JUN 04
[redacted]

TO SAC FOR REVIEW.

7 JUN 04
[redacted]

SAC Review:
1. Good Job on Preliminary Investigation
2. SA [redacted] needs to provide his AR for his Investigative Activity & post to file.
3. Reassigned to Team 1 (SA [redacted]). Ensure you review case file. You should be familiar with his are.
4. Update IP.

TO SA [redacted] (b)(6)-1 (b)(7)(C)-1

7 JUN 04
[redacted]

DRAFTED AIR AND POSTED.

TO SA [redacted]

10 JUN 04
[redacted]

SA [redacted] WILL STAY ON GC AS TM #1 TC.
THIS CASE REASSIGNED TO SA [redacted]

1540, 11 JUN 04.
[redacted]

(b)(6)-2 (b)(7)(C)-2
Coordinated w/ CW3 [redacted] FSO, 22d MP BN (CID). WHO STATED WE WOULD CONTACT SA [redacted], FSO, USACIDC, AND REQUEST COPY OF VIDEO AND PHOTOGRAPHS BE PROVIDED TO AFIP FOR REVIEW. REVIEW TO Determine WETAER DRIVER WAS ALIVE OR DEAD PRIOR TO SHOOTING AND DETERMINATION OF DEATH AFTER SHOOTING. ALSO, MAJ ROTHWELL STATED FACTAN DID NOT NEED TO BE REINTERMENTED. NOTE: REQUESTED BY TRIAL COUNCELS (AFIP REQUEST).

20 JUN 04
[redacted]

AGENT ON PSU MISSION 15-19 JUN 04.

(b)(7)(C)-1
(b)(6)-1

21 JUN 04, 1000
[redacted]

SA [redacted] AND SA [redacted] COORDINATED W/ SJA. REF CASE AND PENDING ARTICLE 32 THIS FRIDAY 25 JUN 04. MAJ [redacted]/CPT [redacted] INTERVIEWED 15-6 OFFICER.
TO SAC.

AGENTS ACTIVITY SUMM. Y (CID Regulation 195-1)	Control Number 0144-04-CID259-80207

TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACITIVITY
21 JUN 04 [redacted]	SAC Review: 1. Stamp ROI, FOUO, L.E.S. on all docs 2. Locate other detainees involved in this incident, fully ID & interview. 3. Continue w/ IP. 4. Ensure this file is secured in SECRET Filing Cabinet. TO SA [redacted]
22 JUN 04 [redacted]	RESPONSE TO SAC REVIEW: 1. FOUO & LES stamp Done. 2. Will complete ROI #'ing. 3. Your #2; Noted. #3 & #4; NOTED.
22 JUN 04 [redacted]	COORD W/ WITH SA [redacted], FSO, CID BN. HE STATED A VHS TAPE WAS MAILED TO AFIP FOR REVIEW AND NOT SENT ON A CD as originally thought. AFIP STILL DOES NOT HAVE TAPE. SA [redacted] Further related the lab could enhance video images and create enhanced still photos from the same. CA will coord w/ SJA to determine if they want orginal TAPE SENT TO LAB.
24 JUN 04 [redacted]	EVIDENCE RM AT BN (22nd MP) IN THE MIDDLE OF INSPECTION. WILL DRAFT LAB REQUEST AND PROVIDE TO EVIDENCE CUSTODIAN, FOR MAILING UPON COMPLETION OF INSPECTION. (WENT TO BN)
25 JUN 04 [redacted]	(5)(6)-1 (5)(6)-1 [redacted] AND [redacted] WENT TO ART 32 AT [redacted] AD (BIAP). DID NOT TESTIFY AS MAJ [redacted] AND GOT [redacted] HERE DID NOT NEED US AT THAT TIME.

(5)(6)-1

(5)(6)-1

024954

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

AGENTS ACTIVITY SUMMARY (CID Regulation 195-1)	CONTROL NUMBER 0144-04-CID259-80207
TIME, DATE, AND AGENT	**SUMMARY OF INVESTIGATIVE ACITIVITY**
1100 29 Jun 04 [redacted]	coordinated with Maj [redacted] who request the 8mm be sent to USACIL for digital enhancement. Suggested to call to determine if request can be completed by USACIL.
1 Jul 04 [redacted]	Submitted Lab Request to Evidence Custodian. was mailed Registered Mail RC 025 21029145
5 Jul 04 [redacted]	To SAC For Review
5JUL04 [redacted]	SAC Review: 1. Coord w/ unit/BN CIC to determine if any other individuals were detained in this incident. If so, locate, fully ID & interview them 2. Generate Draft Final Report.
	To SA [redacted]
12 Jul 04 [redacted]	Acknowledged SAC Review 1) Requested SAC Email BN CIC For location of Detainees. 2) moved
13 Jul 04 [redacted]	Received info Repor From USACIL, Evidence received 9 Jul 04, USACIL case # 2004-CID131-1244
13 Jul 04 [redacted]	Re submitted [redacted] Detained info to SAC For BN CID CIC check. (b)(7)(c)-7 (b)(6)-4
13 Jul 04 [redacted]	Received info From BN CIC stating that [redacted] is at BCF, but was unable to locate Mr [redacted]

(b)(6)-1 (b)(7)(c)-1

024955

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6

CID FORM 28
1 Oct 80

PREVIOUS EDITIONS OF THIS FORM WILL BE USED UNTIL EXHAUSTED

AGENTS ACTIVITY SUMMARY (CID Regulation 195-1)	Control Number 0144-04-CID259-80201

TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACITIVITY
0900, 15 Jul 04 [redacted]	Received Info Report from USACIL stating still images are not possible for identification purposes.
0930 15 Jul 04 [redacted]	Emailed Maj [redacted] an update on all aspects of this investigation. (Pending Response)
1230, 15 Jul 04 [redacted]	Drafted RFA To Abu (BCCF) to interview detainees and determine Full identity of victim.
1250, 15 Jul 04 [redacted]	TO SAC Through TC For RFA approval.
15 JUL 04 [redacted]	Sent SAC [redacted] BCCF RFA
1159, 16 Jul 04 [redacted]	Sent (via email), USACIL update on Lab request.
1120, 17 Jul 04 [redacted]	Receive confirmation from BCCF that RFA was Received. Their case # 0113-04-CID789
0900, 19 Jul 04 [redacted]	TO SAC FOR Review
19 Jul 04 [redacted]	SAC Review: 1. Stay in contact w/BN CIC once a week to determine the location of Mr. [redacted] (b)(6)-4 2. Pending Info Report from BCCF (Ext of Mr. [redacted]) 3. Place ROI on all Docs. 4. Generate Draft FINAL by next SAC Review w/~~Enclosures~~ (Exhibits) of what you have so far. TO SA [redacted]

(b)(6)-4

024956

AGENTS ACTIVITY SUMMARY (CID Regulation 195-1)	Control Number

TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACITIVITY
19 Jul 04 [redacted]	Acknowledged. SAC Review 1) noted 2) noted 3) noted 4) noted
20 Jul 04 [redacted]	Received update from SJA, stating both detainees have been deposed. No info on results of deposition
24 Jul 04 [redacted]	To SAC for Review
24 JUL 04 [redacted]	Need to determine if SJA/unit obtained statements from these detainees & if they know where Mr. [redacted] was last seen. Collect all info related (b)(6)-4 (b)(7)(C)-4 to detainees from MAJ [redacted] 2) ~~Updated~~ CAT 1 SITREP covering this event TO SA [redacted]
24 Jul 04 [redacted]	Acknowledge SAC Review 1) noted 2) noted
31 Jul 04 [redacted]	Updated memo for CAT-1 sitrep. To SAC for distro (b)(6)2; (b)(7)(C)-2
2 AUG 04 [redacted]	SAC Review: 1. CA on priority mission 27-31 Jul 2. Coord w/ MAJ [redacted] to assist his office with recent request of additional leads to ensure successful prosecution. 3. Did 2AD collect statements from detainee? 4. ~~This is a priority investigation.~~ Stay on top of it. TO SA [redacted]

(b)(6)-1
(b)(7)(C)-1

AGENTS ACTIVITY SUMMARY
(CID Regulation 195-1)

CONTROL NUMBER 0144-04-CID259-80207

TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY
2 Aug 04 [redacted]	Received update from Maj [redacted] pertaining to media Reports of this investigation.
7 Aug 04 [redacted]	Received Info Report From Abu. (See AIR of SA [redacted]
12 Aug 04 [redacted]	Emailed Maj [redacted] SJA, an update on ~~case~~ all aspects of this investigation.
13 Aug 04 [redacted]	Received info Report From USACIL. Lab request is complete & has been mail-d, 9 Aug 04.
13 Aug 04 [redacted]	Drafted Final
14 Aug 04 [redacted]	TO TC For Review
14 Aug 04 [redacted]	CA on 4 day pass 14 Aug - 16 Aug
14 AUG 04 [redacted]	Updated/Sent CAT 1 JITREP to SA [redacted] (b)(6)-1 (b)(7)(C)-1 (b)(7)(C)-4 (b)(6)-4
16 AUG 04 [redacted]	SAC Review: 1. Mr. [redacted] & Mr. [redacted] were located, fully IDed & interviewed by BECF. Both described driver (deceased) but provided no other pertinent info. 2. Ensure you Draft Final Report in Secret format. See example to assist you. [redacted] 3. Update your IP. 4. Ensure all docs have ROI. 5. Continue coord w/ MAJ [redacted] SJA until we close file. TO SA [redacted]

(b)(7)(C)-1

AGENTS ACTIVITY SUMMARY (CID Regulation 195-1)	Control Number 0144-04-CID259-80207
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACITIVITY

18 Aug04 [redacted]
(b)(6)-1
(b)(7)(C)-1

Acknowledged SAC Review
1) noted
2) noted
3) IP updated
4) noted
5) noted

21 Aug04 [redacted]

Drafted + sent RFA TO BCCF
TO SAC Through TC For Review

21AUG04 [redacted]

SAC Reviews:
1. Made Corrections To RFA to BCCF.
2. Sent RFA to BCCF to re-interview MR. [redacted]
Mr. [redacted] (b)(6)-4
(b)(7)(C)-4

TO SA [redacted]

AGENTS ACTIVITY SUMM. Y (CID Regulation 195-1)	Control Number 0194-04-CID259-80207
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACITIVITY
24 Aug 04 [redacted]	Acknowledged SAC Reviews 1) noted 2) noted
24 Aug 04 [redacted]	Received Info Report From BCCF, their case # is 0142-04-CID 789
24 Aug 04 [redacted]	Received update from Maj [redacted] Requesting this office Locate & obtain Death certificate of victim.
28 Aug 04 [redacted]	To TC For Review.
28 Aug 04 [redacted]	TC Review: - Coordinate w/ IP Liasons for help w/ requested docs + info from MAJ [redacted] - Stay in contact w/ Atty
28AUG04 [redacted]	Sent BN a weekly update on this CAT 1 Priority Investigation.
30 Aug 04 [redacted]	Acknowledged TC Review 1) noted 2) noted

024960

000013

AGENTS ACTIVITY SUMMARY (CID Regulation 195-1)	Control Number 0144-04-CID259-80207

TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACITIVITY
30 Aug 04 [redacted]	coordinated with Mr [redacted] (b)(6)-4 (b)(7)(C)-4, Linquist, Iraqi Police, 1st Cav Div and requested he coordinate with the Najaf IP to obtain Death certificate and any medical Doc. pertaining to the vic of this case.
30 Aug 04 [redacted]	Received final Info Report. (SEE AIR of SA [redacted]
31 Aug 04 [redacted]	TO SAC for Review.
31 Aug 04 [redacted] (b)(6)-1 (b)(7)(C)-1	ASAC Review: - Extended Final "C" suspense and pending information coordinated w/ FP: - Updated: 66 - Pending LAB - Resuspensed
1 Sep 04 [redacted]	Acknowlegded ASAC Review 1) noted 2) noted 3) noted
2 Sep 04 [redacted]	Briefed SJA on all aspects of this investigation
7 Sep 04 [redacted]	Receive USACIL Lab Report. (see AIR)
9 Sep 04 [redacted]	coordinated with Mr [redacted] (b)(6)-4 (b)(7)(C)-4 Linquist, IP, 1st CAV who relate the Najaf IP are still woking this office's request.

024961

AGENTS ACTIVITY SUMMARY (CID Regulation 195-1)	Control Number 0144-04-CID 259-80207
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACITIVITY

11 Sep 04 [redacted]

TO TC For Review !

11SEP04 [redacted]

Where is your AIR? Need an AIR documenting all your investigative activity (MS entries)

11Sep04 [redacted]

Updated CAT 1 Report for reporting period 5-11 Sep 04. Submitted report to RV.

TO SA [redacted]

13 Sep 04 [redacted]

Acknowledged SAC Review
1) AIR will be Printed By next SAC Review
2) noted

13 Sep04 [redacted]

updated Draft Final

14 Sep04 [redacted]

TO SAC For Review

14 Sep04 [redacted]

ASAC Review:
- Ensure we coordinate w/ RI, weekly until this lead is resolved
- What did SJA say? Probable Cause? We are looking for an opine that is sufficient to prosecute
- Continue

(b)(6)-1 (b)(7)(C)

024962

000015

AGENTS ACTIVITY SUMMARY (CID Regulation 195-1)	Control Number 0144-04-CID259-80207
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACITIVITY
14 Sep 04 [redacted]	Acknowledged TC Review 1) noted 2) noted 3) noted
20 Sep 04 [redacted]	attempted check on status of IP Request, met with negative results as VIP was due in. (1st CAV)
22 Sep 04 [redacted]	coordinated with Mr. [redacted] (b)(6)-4 (b)(7)(C)-4, who related the request to the NajAF IP has been resent, and is waiting on confirmation of Receipt from Najaf.
23 Sep 04 [redacted]	Sent Email to Maj [redacted] briefing him on all aspects of this Investigation.
25 Sep 04 [redacted]	TO TC for Review
25 Sep 04 [redacted]	Sent CAT 1 Update to BN
25 Sep 04 [redacted]	TC Review: -Get clarification from SSA on the opine for probable cause - stay on IP lead
28 SEP 04 [redacted]	SAC Review: 1. Concur w/ TC Review - 25 Sep 04 2. Continue efforts w/ above-mentioned leads (TC [redacted] TO SA [redacted]

(b)(6)-1 (b)(7)(C)-1

024963

000016

AGENTS ACTIVITY SUMMARY (CID Regulation 195-1)	Control Number 0144-04-CID 259-80207
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACITIVITY

28 Sep 04 [redacted]

Acknowledged TC and SAC Review

TC
1) acknowledged.
2) noted

SAC
1) noted
2) noted

28 Sep 04 [redacted]

coordinated with Mr. [redacted] who related he had no new information to provide pertaining to Najaf.

30 Sep 04 [redacted]

Email SJA for opine.

1 OCT 04 [redacted]

Received email from SJA stating he was not yet ready to provide an opine. (b)(4)-4 (b)(7)(C)-4

4 OCT 04 [redacted]

coordinated with Mr [redacted] who related the Najaf Police are still working our request.

9 OCT 04 [redacted]

To TC for Review

9 OCT 04 [redacted]

TC Review:
- Continue effort w/ IP lead
- Discuss SJA opine w/ SAC. We will not hold this open pending SJA opine. Finish IP lead then recommend closure

9 OCT 04 [redacted]

Acknowledged TC Review
1) noted
2) noted

9 OCT 04 [redacted]

Resubmitted Request for Najaf as the chief of Police in Najaf Lost the original Request.

(b)(6)-1

024964

000017

AGENTS ACTIVITY SUMMA (CID Regulation 195-1)	Control Number 0144-04-~~AC~~CID259-80207
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACITIVITY
12 OCT 04 [redacted]	TO SAC For Review
12 OCT 04 [redacted]	ASAC Review: Continue efforts w/ RI lead. Begin to draft Final now.
12 OCT 04 [redacted]	Acknowledged ASAC Review 1) noted.
19 OCT 04 [redacted]	coordinated with mr. [redacted] who relate there was no new information From Najaf.
20 OCT 04 [redacted]	coordinated with Mr [redacted] who related, communication was down with Najaf, and to check back Later.
21 OCT 04 [redacted]	coordinated with Mr. [redacted] who related he still had no communication with Najaf.
23 OCT 04 [redacted]	TO TC For Review.
23 OCT 04 [redacted]	TC Review: Continue efforts
23 OCT 04 [redacted]	Acknowledged TC Review.
23 OCT 04 [redacted]	coordinated with Mr [redacted], who had no new information.
26 OCT 04 [redacted]	TO SAC For Review.

(b)(6)-1 (b)(7)(C)-1 (b)(7)(C)-2 (b)(6)-4 (b)(7)(C)-4

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000018

AGENTS ACTIVITY SUMMARY (CID Regulation 195-1)	Control Number 0144-04-CID259-80207
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACITIVITY

26 OCT 04 [redacted]

SAC Review:
1. Still pending info. from NAJAF Iraqi Police for the identity of victim/death certificate
2. Coord w/ MAJ [redacted] w/ status.

TO SA [redacted] (b)(6)-1 (b)(7)(C)-1

26 OCT 04 [redacted]

Acknowledged SAC Review.
1) noted
2) noted

27 OCT 04 [redacted]

coordinated with maj [redacted] who related our office should to begin to think about forwarding the evidence to Germany.

27 OCT 04 [redacted]

coordinated with Mr [redacted] who did not have anything new to provide. (b)(6)-4 (b)(7)(C)-4

2 NOV 04 [redacted]

coordinated with Mr [redacted] who was unable to make contact with NajOF IP. Mr [redacted] related he would coordinate with MOI to determine status on this office's request.

4 NOV 04 [redacted]

coordinated with Mr [redacted] who related Najaf has no record of our request to ID the victim. Mr [redacted] will resubmit request.

5 NOV 04 [redacted]

coordinated with BN CIC for IRAQI Army liason for najaf IP, who responded with 89th MP BN [redacted]

6 NOV 04 [redacted]

To TC for Review

6 Nov 04 [redacted]

TC Review:
Continue efforts of last kind

024966

(b)(6)-1 (b)(7)(C)-1

CID FORM 28
1 Oct 80

PREVIOUS EDITIONS OF THIS FORM WILL BE USED UNTIL EXHAUSTED

000019

17

AGENTS ACTIVITY SUMMARY (CID Regulation 195-1)	Control Number 0144-04-CID259-80207
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACITIVITY
9 Nov 04 [redacted]	TO SA For Review.
9 NOV 04 [redacted]	SAC Review: 1. Coordinate w/ USACIDC for assistance to possibly ID the victim & death certificate. Come See me.
	TO SA [redacted]
9 Nov 04 [redacted]	Acknowledged SAC Review
12 Nov 04 [redacted]	Emailed Maj [redacted] For assistance in coordinating with the An Najaf Police (b)(7)(C)-1
12 Nov 04 [redacted]	Emailed Mr [redacted] USACIDC, ~~USACIL~~, For assistance in identifying the victim. ([redacted]@us.army.smil.mil)
12 Nov 04 [redacted]	coordinated with CPT [redacted], ~~who~~ 89th MP, who related they have no contact with the An Najaf I P. (b)(7)(C)-2 (b)(6)-2
13 Nov 04 [redacted]	coordinated with Maj [redacted] who Forwarded this office Request to Col [redacted] Marine corps
13 Nov 04 [redacted]	coordinated with Col [redacted] who Bugged this office coordinate with BLT 1-4/11MEU/1MARDIV/1MEF on SIPR.
14 Nov 04 [redacted]	coordinated with Maj [redacted]

024967

000020

AGENTS ACTIVITY SUMMARY (CID Regulation 195-1)	Control Number 0144-04-CID259-80207
TIME, DATE, AND AGENT	**SUMMARY OF INVESTIGATIVE ACITIVITY**
23 NOV 04 [redacted]	TO ASAC For Review
23 NOV 04 [redacted]	ASAC Review: Received e-mail from CID CMD. They are attempting to locate Chicago Tribune to id (✓). Provided e-mail to CA
23 NOV 04 [redacted]	Acknowledged ASAC Review
23 NOV 04 [redacted]	Briefed May [redacted] SJA, on all aspects of this investigation
23 NOV 04 [redacted]	Delayed Entry: on 22 NOV 04 this office received an email USACIDC (Mr [redacted]) who related this office request to Identify the victim has been Forwarded to Mr [redacted] (CID PAO).
2 Dec 04 [redacted]	Received SJA opine (see AIR)
2 Dec 04 [redacted]	Received [redacted] email [redacted] from CID PAO relating the Chicago Tribune utilized "Sodar's people" to obtain victims name, and can be of no assistance.
2 Dec 04 [redacted]	Coordinated with Titan corporation, who could not provide any any assistance on locating [redacted]
6 Dec 04 [redacted]	Drafted Final to ASAC For Review

(b)(6)-4
(b)(7)(C)-4

(b)(6)-1
(b)(7)(C)-1

024968

00002

AGENTS ACTIVITY SUMMARY (CID Regulation 195-1)		Control Number 0144-04-CID259-80207
TIME, DATE, AND AGENT		SUMMARY OF INVESTIGATIVE ACITIVITY

7 Dec 04
[redacted] (b)(6)(b)(7)

10 Dec 04
[redacted] (b)(6)

11 Dec 04
[redacted]

ASAC Review:
- Reviewed Final. Docs missmarked or Rpt
- Exhibits not secret marked CLES
- Correct and provide back to SAC

Corrected Final to SAC For Review

SAC Review:
1. Reviewed FIN Report. Make corrections.
   Exh 2 - Mark all documents SECRET. Use a black marker to cover FOUO LES on front & back pages.
   Exh 3 - Need ROI in upper right corner & Exhibit stamp in lower right corner
   Exh 6 - Need ROI in upper right corner
   Exh 19/20 - Need Exhibit in lower right corner & place one line through case # that does not belong to this file.
   Exh 23 Need ROI in upper right corner & Exhibit in lower right - back side of document.

TO SA [redacted] (b)(6)(b)(7)

024969

000022

20

AGENTS ACTIVITY SUMMARY (CID Regulation 195-1)	Control Number 0144-04-CID259-80207
TIME, DATE, AND AGENT	**SUMMARY OF INVESTIGATIVE ACITIVITY**
11 Dec 04 [redacted]	Acknowledged SAC Review Exh 2 has been Marked accordingly Exh 3 has been marked accordingly Exh 6 has been Marked accordingly Exh 19/20 has been Marke accordinly Exh 23 has been Marked accordinly Final has been corrected...
(5)(6)-1-(5)(7)(c)-1 11 Dec 04 [redacted]	Reviewed FINAL C Report. File closed. This is a SECRET Report. Ensure Distro is conducted in accordance with double wrap SECRET and register mail. Come See me before you send this out. Evidence - Yes 4833 - Yes To ADMIN For Distro

024970

000023

DATA REQUIRED BY PRIVACY ACT

AUTHORITY: Title 10, United States Code Section 3012 (g)

ROUTINE USES: Your social security number and other personal information Are used as an additional/alternate means of identification to facilitate and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

DISCLOSURE: Disclosure of your social security # is voluntary

1. Rec Code:	2. Action Code:	3. Date: (b)(7)(C)-5	4. Rel to Case:	5. Control:	6. Sequence #	7. Year: - 04-	8. Office CID	9. ROI # - -	Offense:

INDIVIDUAL DATA

10. Last Name: [redacted] (b)(6)-5	11. First Name: [redacted]	12. Middle Name: [redacted]	13. Grade/Rank: 03 / RA

14. Social Security Number: [redacted]	15. Other ID Number:	16. Date of Birth: [redacted]	17. POB City: [redacted]	18. POB St: [redacted]	19. POB Zip:

20. Sex:	21. Race:	22. Ethnic:	23. Height:	24. Weight:	25. Hair:	26. Eye Color:	27. Citizen:	28. Educ:	29. Prior Record:	30. Marital:
M	C	—	68	170	BRN	BRN	US	16	—	M

31. MOS:	32. Job Description/Location:	33. MC:	34. Security Clr:	35. Physical Marks/ Tattoos:	36. Spouse Military: Yes:☒ No:☐	Branch:
12A	Armor Officer		SEC			Army

37. Alias/Nicknames:	38. Alias/Nicknames:	39. Alias/Nicknames:

40. Unit/ Organization:	41. Unit Phone Number: Home:	Cell/Pager:
A CO. 2/37TH AR		

42. Military Service:	43. Sub Unit:	44. Fort/City:	45. State:	46. Country:	47. Zip Code/APO:
Army					

48. Home Address:	49. City:	50. State:	51. Country:	52. Zip Code/APO:
[redacted]		GE	GERMANY	

FAMILY MEMBER DATA

53. JUV:	54. Family Rel:	55. Last Name:	56. First Name:	57. Middle Name:

58. Social Security: - -	59. Grade/Rank:	60. MC:	61. Unit:

62. City:	63. State:	64. ZIP/APO:	65. Phone: Wk:	Hm:

OFFENSE

66. Offense Code:	67. UFC:	68. Offense Code:	69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:	73. UFC:

ADMINISTRATIVE DATA

Telephone:	ETS:	PCS/DEROS:	Date / Time Interview START: Date: Time:
Place of Interview:			Date / Time Interview END: Date: Time:
Disposition:			

PROPERTY/VEHICLE DATA

74. Category:	75. Type:	76. Recovered: Yes:☐ No:☐	77. Value:	78. Insurer:	Policy:	Year/Date Exp: /

79. Year:	80. Make:	81. Model:	82. Vehicle Style:	83. # of Doors:	84. Color:	85. Size:

86. V.I.N:	87. License Plate:	88. State:	89. DOD Decal Number:

NOTES: HOR: (b)(7)(C)-5

CHICAGO, IL. (b)(6)-5

EMAIL: [redacted]@us.army.mil

LAST HIV TEST:

FOR OFFICIAL USE ONLY

CID FORM 44-R...Online version FHTX 1999 For Official Use Only

LAW ENFORCEMENT SENSITIVE

Law Enforcement Sensitive

024971

000024

DATA REQUIRED BY PRIVACY ACT

AUTHORITY: Title 10, United States Code Section 3012 (g)

ROUTINE USES: Your social security number and other personal information Are used as an additional/alternate means of identification to facilitate and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

DISCLOSURE: Disclosure of your social security # is voluntary

1. Rec Code:	2. Action Code:	3. Date:	4. Rel to Case:	5. Control:	6. Sequence #	7. Year:	8. Office	9. ROI #	Offense:
:		(b)(7)(C)-2					- 04- CID	-	-

INDIVIDUAL DATA

10. Last Name:	11. First Name:	12. Middle Name:	13. Grade/Rank:
[redacted] (b)(6)-2	[redacted]	[redacted]	1LT / RA

14. Social Security Number:	15. Other ID Number:	16. Date of Birth:	17. POB City:	18. POB St:	19. POB Zip:
[redacted]		[redacted]	[redacted]		

20. Sex:	21. Race:	22. Ethnic:	23. Height:	24. Weight:	25. Hair:	26. Eye Color:	27. Citizen:	28. Educ:	29. Prior Record:	30. Marital:
M	C		75"	200	Bro	HZL	~~DAUS~~	BA		S

31. MOS:	32. Job Description/Location:	33. MC:	34. Security Clr:	35. Physical Marks/ Tattoos:	36. Spouse Military: Yes:☐ No:☐ Branch:
19A	Autom LOR				

37. Alias/Nicknames:	38. Alias/Nicknames:	39. Alias/Nicknames:

40. Unit/ Organization:	41. Unit Phone Number:	Home:	Cell/Pager:
A Troop 1/2nd ACR			

42. Military Service:	43. Sub Unit:	44. Fort/City:	45. State:	46. Country:	47. Zip Code/APO:
RA		Polk	LA		

48. Home Address:	49. City:	50. State:	51. Country:	52. Zip Code/APO:

FAMILY MEMBER DATA

53. JUV:	54. Family Rel:	55. Last Name:	56. First Name:	57. Middle Name:

58. Social Security:	59. Grade/Rank:	60. MC:	61. Unit:
- -			

62. City:	63. State:	64. ZIP/APO:	65. Phone: Wk:	Hm:

OFFENSE

66. Offense Code:	67. UFC:	68. Offense Code:	69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:	73. UFC:

ADMINISTRATIVE DATA

Telephone:	ETS:	PCS/DEROS:	Date / Time Interview START: Date: Time:

Place of Interview:	Date / Time Interview END: Date: Time:

Disposition:

PROPERTY/VEHICLE DATA

74. Category:	75. Type:	76. Recovered: Yes:☐ No:☐	77. Value:	78. Insurer:	Policy:	Year/Date Exp: /

79. Year:	80. Make:	81. Model:	82. Vehicle Style:	83. # of Doors:	84. Color:	85. Size:

86. V.I.N:	87. License Plate:	88. State:	89. DOD Decal Number:

NOTES: HOR:

(b)(6)-2 (b)(7)(C)-2

[redacted]@hotmail.com

[redacted]@us.army.mil

LAST HIV TEST:

~~FOR OFFICIAL USE ONLY~~
For Official Use Only
LAW ENFORCEMENT SENSITIVE

024972

DATA REQUIRED BY PRIVACY ACT

AUTHORITY: Title 10, United States Code Section 3012 (g)

ROUTINE USES: Your social security number and other personal information Are used as an additional/alternate means of identification to facilitate and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

DISCLOSURE: Disclosure of your social security # is voluntary

1. Rec Code:	2. Action Code:	3. Date:	4. Rel to Case:	5. Control:	6. Sequence #	7. Year:	8. Office	9. ROI #	Offense:
		(5)(6)-2					-04- CID	-	-

SUBJECT DATA

10. Last Name:	11. First Name:	12. Middle Name:	13. Grade/Rank:
[redacted] (5)(6)-2	[redacted]	[redacted]	E-6 / SSG

14. Social Security Number:	15. Other ID Number:	16. Date of Birth:	17. POB City:	18. POB St:	19. POB Zip:
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	

20. Sex:	21. Race:	22. Ethnic:	23. Height:	24. Weight:	25. Hair:	26. Eye Color:	27. Citizen:	28. Educ:	29. Prior Record:	30. Marital:
M	C		5'7"	160	Bro	[redacted]	U.S.	HS		M

31. MOS:	32. Job Description/Location:	33. MC:	34. Security Clr:	35. Physical Marks/ Tattoos:	36. Spouse Military: Yes:☐ No:☐ Branch:
19D	Calvary Scout				

37. Alias/Nicknames:	38. Alias/Nicknames:	39. Alias/Nicknames:

40. Unit/ Organization:	41. Unit Phone Number: Home:	Cell/Pager:
A Troop 1/2 ACR (Fox Hotel 12		

42. Military Service:	43. Sub Unit:	44. Fort/City:	45. State:	46. Country:	47. Zip Code/APO:
		Polk			

48. Home Address:	49. City:	50. State:	51. Country:	52. Zip Code/APO:

AVIATION DATA

53. JUV:	54. Family Rel:	55. Last Name:	56. First Name:	57. Middle Name:

58. Social Security:	59. Grade/Rank:	60. MC:	61. Unit:
- -			

62. City:	63. State:	64. ZIP/APO:	65. Phone: Wk:	Hm:

OFFENSE

66. Offense Code:	67. UFC:	68. Offense Code:	69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:	73. UFC:

ADMINISTRATIVE DATA

Telephone:	ETS:	PCS/DEROS:	Date / Time Interview START: Date: 31 May 04 Time: 1532
Place of Interview:			Date / Time Interview END: Date: 31 May 04 Time: 1614
Disposition:			

PROPERTY/VEHICLE DATA

74. Category:	75. Type:	76. Recovered: Yes:☐ No:☐	77. Value:	78. Insurer: Policy:	Year/Date Exp: /

79. Year:	80. Make:	81. Model:	82. Vehicle Style:	83. # of Doors:	84. Color:	85. Size:

86. V.I.N:	87. License Plate:	88. State:	89. DOD Decal Number:

NOTES: HOR: [redacted]
Fort Polk LA 71459
(5)(6)-2 (5)(7)(C)-2
[redacted] @ AOL -

LAST HIV TEST:

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

DATA REQUIRED BY PRIVACY ACT

AUTHORITY: Title 10, United States Code Section 3012 (g)

ROUTINE USES: Your social security number and other personal information Are used as an additional/alternate means of identification to facilitate and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

DISCLOSURE: Disclosure of your social security # is voluntary

1. Rec Code:	2. Action Code:	3. Date:	4. Rel to Case:	5. Control:	6. Sequence #	7. Year:	8. Office	9. ROI #	Offense:
							- 04- CID	-	-

SUBJECT DATA

10. Last Name:	11. First Name:	12. Middle Name:	13. Grade/Rank:
[redacted] (b)(6)-2	[redacted]	[redacted]	LT / RA

14. Social Security Number:	15. Other ID Number:	16. Date of Birth:	17. POB City:	18. POB St:	19. POB Zip:
[redacted]	(b)(6)-2	[redacted]	[redacted]	[redacted]	

20. Sex:	21. Race:	22. Ethnic:	23. Height:	24. Weight:	25. Hair:	26. Eye Color:	27. Citizen:	28. Educ:	29. Prior Record:	30. Marital:
M	C	—	72	195	NONE (BAL)	GRN	US	16	—	S

31. MOS:	32. Job Description/Location:	33. MC:	34. Security Clr:	35. Physical Marks/ Tattoos:	36. Spouse Military: Yes:☐ No:☐ Branch:
19A	Tanker / Arm Officer		SEC		

37. Alias/Nicknames:	38. Alias/Nicknames:	39. Alias/Nicknames:

40. Unit/ Organization:	41. Unit Phone Number: Home:	Cell/Pager:
Aco. 2/37 Arm 1st AD		

42. Military Service:	43. Sub Unit:	44. Fort/City:	45. State:	46. Country:	47. Zip Code/APO:
		(b)(6)-2			

48. Home Address:	49. City:	50. State:	51. Country:	52. Zip Code/APO:
[redacted]	[redacted]		GE	[redacted]

NEXT OF KIN DATA

53. JUV:	54. Family Rel:	55. Last Name:	56. First Name:	57. Middle Name:

58. Social Security: - -	59. Grade/Rank:	60. MC:	61. Unit:

62. City:	63. State:	64. ZIP/APO:	65. Phone: Wk:	Hm:

OFFENSE

66. Offense Code:	67. UFC:	68. Offense Code:	69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:	73. UFC:

ADMINISTRATIVE DATA

Telephone:	ETS:	PCS/DEROS:	Date / Time Interview START: Date: Time:
Place of Interview:			Date / Time Interview END: Date: Time:

Disposition:

PROPERTY/VEHICLE DATA

74. Category:	75. Type:	76. Recovered: Yes:☐ No:☐	77. Value:	78. Insurer:	Policy:	Year/Date Exp: /

79. Year:	80. Make:	81. Model:	82. Vehicle Style:	83. # of Doors:	84. Color:	85. Size:

86. V.I.N:	87. License Plate:	88. State:	89. DOD Decal Number:

NOTES:

HOR: Kerrville, TX (b)(6)-2 (b)(7)(C)-2

EMAIL: [redacted]@yahoo.com

BNTV: 551-[redacted] (FOB HOTEL)

LAST HIV TEST:

FOR OFFICIAL USE ONLY

LAW ENFORCEMENT SENSITIVE

DATA REQUIRED BY PRIVACY ACT

AUTHORITY: Title 10, United States Code Section 3012 (g)

ROUTINE USES: Your social security number and other personal information Are used as an additional/alternate means of identification to facilitate and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

DISCLOSURE: Disclosure of your social security # is voluntary

1. Rec Code:	2. Action Code:	3. Date:	4. Rel to Case:	5. Control:	6. Sequence #	7. Year:	8. Office	9. ROI #	Offense:
	(b)(7)C-2					- 04-	CID	-	-

INDIVIDUAL DATA

10. Last Name:	11. First Name:	12. Middle Name:	13. Grade/Rank:
[redacted] (b)(6)-2	[redacted]	[redacted]	E5 / SGT

[redacted] Number:	15. Other ID Number:	16. Date of Birth:	17. POB City:	18. POB St:	19. POB Zip:
		[redacted]	[redacted]	[redacted]	[redacted]

20. Sex:	21. Race:	22. Ethnic:	23. Height:	24. Weight:	25. Hair:	26. Eye Color:	27. Citizen:	28. Educ:	29. Prior Record:	30. Marital:
MALE	WHITE		5'10"	140	BROWN	BLUE	YES	3YRS COLL	NO	DIVORCED

31. MOS:	32. Job Description/Location:	33. MC:	34. Security Clr:	35. Physical Marks/Tattoos:	36. Spouse Military: Yes:☐ No:☒ Branch:
19K20	TANK GUNNER			[redacted] WOLF ON RIGHT CHEST	

37. Alias/Nicknames:	38. Alias/Nicknames:	39. Alias/Nicknames:

40. Unit/ Organization:	41. Unit Phone Number: Home:	Cell/Pager:
A Co. 2/37 AR BN		

42. Military Service:	43. Sub Unit:	44. Fort/City:	45. State:	46. Country:	47. Zip Code/APO:
ARMY ACTIVE		FRIEDBERG, Roy Brks		GERMANY	09074

48. Home Address:	49. City:	50. State:	51. Country:	52. Zip Code/APO:
[redacted]	[redacted]	[redacted]	USA	[redacted]

SUBJECT DATA

53. JUV:	54. Family Rel:	55. Last Name:	56. First Name:	57. Middle Name:

58. Social Security: - -	59. Grade/Rank:	60. MC:	61. Unit:

62. City:	63. State:	64. ZIP/APO:	65. Phone: Wk:	Hm:

OFFENSE

66. Offense Code:	67. UFC:	68. Offense Code:	69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:	73. UFC:

ADMINISTRATIVE DATA

Telephone:	ETS:	PCS/DEROS:	Date / Time Interview START: Date: Time:

Place of Interview:	Date / Time Interview END: Date: Time:

Disposition:

PROPERTY/VEHICLE DATA

74. Category:	75. Type:	76. Recovered: Yes:☐ No:☐	77. Value:	78. Insurer: Policy:	Year/Date Exp: /

79. Year:	80. Make:	81. Model:	82. Vehicle Style:	83. # of Doors:	84. Color:	85. Size:

86. V.I.N:	87. License Plate:	88. State:	89. DOD Decal Number:

NOTES: HOR:

[redacted]@yahoo.com

(b)(6)-2

(b)(7)(C)-2

LAST HIV TEST:

FOR OFFICIAL USE ONLY

LAW ENFORCEMENT SENSITIVE

For Official Use Only
Law Enforcement Sensitive

024975

DATA REQUIRED BY PRIVACY ACT

AUTHORITY: Title 10, United States Code Section 3012 (g)

ROUTINE USES: Your social security number and other personal information Are used as an additional/alternate means of identification to facilitate and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

DISCLOSURE: Disclosure of your social security # is voluntary

1. Rec Code:	2. Action Code: (b)(7)(C)-2	3. Date:	4. Rel to Case:	5. Control:	6. Sequence #	7. Year: - 04 -	8. Office CID	9. ROI # - -	Offense:

SUBJECT DATA

10. Last Name: (b)(6)-2	11. First Name:	12. Middle Name:	13. Grade/Rank: E-4/SPC.
14. Social Security Number:	15. Other ID Number:	16. Date of Birth:	17. POB City: 18. POB St: 19. POB Zip:

20. Sex: M	21. Race:	22. Ethnic:	23. Height: 69 INCH	24. Weight: 164	25. Hair: BLK	26. Eye Color: BROWN	27. Citizen: U.S.	28. Educ: High Scho	29. Prior Record: —	30. Marital: S

31. MOS: 19K	32. Job Description/Location: TANKER	33. MC:	34. Security Clr: —	35. Physical Marks/ Tattoos:	36. Spouse Military: Yes:☐ No:☒ Branch:

37. Alias/Nicknames:	38. Alias/Nicknames:	39. Alias/Nicknames:

40. Unit/ Organization: A CO. 2/37. AR BN.	41. Unit Phone Number: Home: Cell/Pager:

42. Military Service:	43. Sub Unit:	44. Fort/City:	45. State:	46. Country:	47. Zip Code/APO:
48. Home Address:	49. City: FRIEDBERG		50. State:	51. Country: GE	52. Zip Code/APO:

FAMILY MEMBER DATA

53. JUV:	54. Family Rel:	55. Last Name:	56. First Name:	57. Middle Name:

58. Social Security: - -	59. Grade/Rank:	60. MC:	61. Unit:

62. City:	63. State:	64. ZIP/APO:	65. Phone: Wk: Hm:

OFFENSE

66. Offense Code:	67. UFC:	68. Offense Code:	69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:	73. UFC:

ADMINISTRATIVE DATA

Telephone:	ETS:	PCS/DEROS:	Date / Time Interview START: Date: Time:
Place of Interview:			Date / Time Interview END: Date: Time:
Disposition:			

PERSONAL PROPERTY/VEHICLE DATA

74. Category:	75. Type:	76. Recovered: Yes:☐ No:☐	77. Value:	78. Insurer: Policy:	Year/Date Exp: /

79. Year:	80. Make:	81. Model:	82. Vehicle Style:	83. # of Doors:	84. Color:	85. Size:

86. V.I.N:	87. License Plate:	88. State:	89. DOD Decal Number:

NOTES: HOR:

American Samoa. (b)(6)-2 (b)(7)(C)-2

EMAIL: [redacted]@Hotmail.com

LAST HIV TEST:

CID FORM 44-R...Online version FHTX, 1999

FOR OFFICIAL USE ONLY
For Official Use Only
LAW ENFORCEMENT SENSITIVE
Law Enforcement Sensitive

024976

000023

DATA REQUIRED BY PRIVACY ACT

AUTHORITY: Title 10, United States Code Section 3012 (g)

ROUTINE USES: Your social security number and other personal information Are used as an additional/alternate means of identification to facilitate and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

DISCLOSURE: Disclosure of your social security # is voluntary

1. Rec Code:	2. Action Code: (b)(7)(C)-2	3. Date:	4. Rel to Case:	5. Control:	6. Sequence #	7. Year: - 04-	8. Office CID	9. ROI # - -	Offense:

SUBJECT DATA

10. Last Name: [redacted] (b)(6)-2	11. First Name: [redacted]	12. Middle Name: [redacted]	13. Grade/Rank: SGT / RA
14. Social Security Number: [redacted]	15. Other ID Number: (b)(6)-2	16. Date of Birth: [redacted]	17. POB City: [redacted]

18. POB St: [redacted]	19. POB Zip: [redacted]

20. Sex: M	21. Race: C	22. Ethnic: —	23. Height: 71	24. Weight: 195	25. Hair: BRN	26. Eye Color: BRN	27. Citizen: US	28. Educ: 13	29. Prior Record: NO	30. Marital: M

31. MOS: 91W	32. Job Description/Location: Combat Medic	33. MC:	34. Security Clr: —	35. Physical Marks/ Tattoos:	36. Spouse Military: Yes:☐ No:☐ Branch:

37. Alias/Nicknames:	38. Alias/Nicknames:	39. Alias/Nicknames:

40. Unit/ Organization: A CO 2/37 Armor	41. Unit Phone Number: Home: [redacted] Cell/Pager:

42. Military Service:	43. Sub Unit:	44. Fort/City:	45. State:	46. Country:	47. Zip Code/APO:

48. Home Address: [redacted]	49. City: [redacted]	50. State: GE	51. Country: GE	52. Zip Code/APO:

FAMILY MEMBER DATA

53. JUV:	54. Family Rel:	55. Last Name:	56. First Name:	57. Middle Name:

58. Social Security: - -	59. Grade/Rank:	60. MC:	61. Unit:

62. City:	63. State:	64. ZIP/APO:	65. Phone: Wk: Hm:

OFFENSE

66. Offense Code:	67. UFC:	68. Offense Code:	69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:	73. UFC:

ADMINISTRATIVE DATA

Telephone:	ETS:	PCS/DEROS:	Date / Time Interview START: Date: Time:
Place of Interview:			Date / Time Interview END: Date: Time:
Disposition:			

PROPERTY/VEHICLE DATA

74. Category:	75. Type:	76. Recovered: Yes:☐ No:☐	77. Value:	78. Insurer:	Policy:	Year/Date Exp: /

79. Year:	80. Make:	81. Model:	82. Vehicle Style:	83. # of Doors:	84. Color:	85. Size:

86. V.I.N:	87. License Plate:	88. State:	89. DOD Decal Number:

NOTES: HOR:

DOTHAN, AL [redacted] MOTHERS #

(b)(6)-2 (b)(7)(C)-2

EMAIL: [redacted] @us.army.mil

[redacted] @yahoo.com

LAST HIV TEST:

FOR OFFICIAL USE ONLY

LAW ENFORCEMENT SENSITIVE

Law Enforcement Sensitive

024977

000030

DATA REQUIRED BY PRIVACY ACT

AUTHORITY: Title 10, United States Code Section 3012 (g)

ROUTINE USES: Your social security number and other personal information Are used as an additional/alternate means of identification to facilitate and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

DISCLOSURE: Disclosure of your social security # is voluntary

1. Rec Code:	2. Action Code:	3. Date:	4. Rel to Case:	5. Control:	6. Sequence #	7. Year: 8. Office	9. ROI #	Offense:
						- 04- CID	-	-

SUBJECT DATA

10. Last Name:	11. First Name:	12. Middle Name:	13. Grade/Rank:
[redacted] (b)(7)(c)-2	[redacted]	[redacted]	W01

14. Social Security Number:	15. Other ID Number:	16. Date of Birth:	17. POB City:	18. POB St:	19. POB Zip:
[redacted]	(b)(6)-2	[redacted]	[redacted]	[redacted]	

20. Sex:	21. Race:	22. Ethnic:	23. Height:	24. Weight:	25. Hair:	26. Eye Color:	27. Citizen:	28. Educ:	29. Prior Record:	30. Marital:
M	C	—	68	170	BRN	GRN	US	14	—	M

31. MOS:	32. Job Description/Location:	33. MC:	34. Security Clr:	35. Physical Marks/ Tattoos:	36. Spouse Military: Yes:☐ No:☐ Branch:
350D	IMAGERY TECH.				

37. Alias/Nicknames:	38. Alias/Nicknames:	39. Alias/Nicknames:

40. Unit/ Organization:	41. Unit Phone Number: Home: Cell/Pager:
A CO, 303RD MI, 504TH MI BDE	ATTACHED: 1ST MI

42. Military Service:	43. Sub Unit:	44. Fort/City:	45. State:	46. Country:	47. Zip Code/APO:

48. Home Address:	49. City:	50. State:	51. Country:	52. Zip Code/APO:
[redacted]	[redacted]	[redacted]		[redacted]

FAMILY MEMBER DATA

53. JUV:	54. Family Rel:	55. Last Name:	56. First Name:	57. Middle Name:

58. Social Security:	59. Grade/Rank:	60. MC:	61. Unit:
- -			

62. City:	63. State:	64. ZIP/APO:	65. Phone: Wk: Hm:

OFFENSE

66. Offense Code:	67. UFC:	68. Offense Code:	69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:	73. UFC:

ADMINISTRATIVE DATA

Telephone:	ETS:	PCS/DEROS:	Date / Time Interview START: Date: 27 May 04 Time: 2050
Place of Interview: TOC, FOB Duke, Iraq			Date / Time Interview END: Date: 27 May 04 Time: 2130
Disposition:			

PROPERTY/VEHICLE DATA

74. Category:	75. Type:	76. Recovered: Yes:☐ No:☐	77. Value:	78. Insurer: Policy:	Year/Date Exp: /

79. Year:	80. Make:	81. Model:	82. Vehicle Style:	83. # of Doors:	84. Color:	85. Size:

86. V.I.N:	87. License Plate:	88. State:	89. DOD Decal Number:

NOTES: **HOR:** TUSCON, AZ

(b)(6)-2 (b)(7)(c)-2

Email [redacted]@us.army.mil [redacted]@hotmail

POC: 559- [redacted]

LAST HIV TEST:

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE
For Official Use Only
Law Enforcement Sensitive

024978

DATA REQUIRED BY PRIVACY ACT

AUTHORITY: Title 10, United States Code Section 3012 (g)

ROUTINE USES: Your social security number and other personal information Are used as an additional/alternate means of identification to facilitate and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

DISCLOSURE: Disclosure of your social security # is voluntary

1. Rec Code:	2. Action Code:	3. Date:	4. Rel to Case:	5. Control:	6. Sequence #	7. Year:	8. Office	9. ROI #	Offense:
	(b)(7)(C)-2						- 04- CID	-	-

SUBJECT/VICTIM

10. Last Name:	11. First Name:	12. Middle Name:	13. Grade/Rank:
[redacted] (b)(6)-2	[redacted]	[redacted]	CW2

14. Social Security Number:	15. Other ID Number:	16. Date of Birth:	17. POB City:	18. POB St:	19. POB Zip:
[redacted]		[redacted]	[redacted]	[redacted]	

20. Sex:	21. Race:	22. Ethnic:	23. Height:	24. Weight:	25. Hair:	26. Eye Color:	27. Citizen:	28. Educ:	29. Prior Record:	30. Marital:
M	C	—	600	192	BRN	HZL	US	14	—	M

31. MOS:	32. Job Description/Location:	33. MC:	34. Security Clr:	35. Physical Marks/ Tattoos:	36. Spouse Military: Yes:☐ No:☐ Branch:
35OU	UAV OPER TECH		[redacted]		

37. Alias/Nicknames:	38. Alias/Nicknames:	39. Alias/Nicknames:

40. Unit/ Organization:	41. Unit Phone Number: Home:	Cell/Pager:
ACO, 1ST MI		

42. Military Service:	43. Sub Unit:	44. Fort/City:	45. State:	46. Country:	47. Zip Code/APO:

48. Home Address:	49. City:	50. State:	51. Country:	52. Zip Code/APO:
[redacted]	[redacted]	BAVARIA	GE	—

SUBJECT/VICTIM NEXT OF KIN

53. JUV:	54. Family Rel:	55. Last Name:	56. First Name:	57. Middle Name:

58. Social Security:	59. Grade/Rank:	60. MC:	61. Unit:
- -			

62. City:	63. State:	64. ZIP/APO:	65. Phone: Wk:	Hm:

OFFENSES

66. Offense Code:	67. UFC:	68. Offense Code:	69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:	73. UFC:

ADMINISTRATIVE DATA

Telephone:	ETS:	PCS/DEROS:	Date / Time Interview START: Date: ~~2150~~ 27May04 Time: 2150
Place of Interview:			Date / Time Interview END: Date: 27 May 04 Time: 2252
Disposition:			

PROPERTY/VEHICLE DATA

74. Category:	75. Type:	76. Recovered: Yes:☐ No:☐	77. Value:	78. Insurer:	Policy:	Year/Date Exp: /

79. Year:	80. Make:	81. Model:	82. Vehicle Style:	83. # of Doors:	84. Color:	85. Size:

86. V.I.N:	87. License Plate:	88. State:	89. DOD Decal Number:

NOTES: HOR:

(b)(6)-2 (b)(7)(C)-2

SIPRNET: [redacted] @us.army.smil.mil

EMAIL: [redacted] us.army.mil

DNTV: [redacted] ON/ABOUT 3rd–5th Jun.

LAST HIV TEST:

FOR OFFICIAL USE ONLY

LAW ENFORCEMENT SENSITIVE

DEPARTMENT OF THE ARMY
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND
3D MILITARY POLICE GROUP (CID)
78TH MILITARY POLICE DETACHMENT (CID) (FWD)
BAGHDAD, IRAQ, APO AE 09342

CIMPR-FR

21 Aug 04

MEMORANDUM FOR Special Agent-in-Charge, Baghdad Central Confinement Facility (CID), Abu Ghruyeb, IZ

SUBJECT: Request for Assistance (0144-04-CID259-80207)

1. **This is a CAT 1 Investigation. Results will be provided to the office of the origin within 24-hours of receipt. Reasons for non-compliance with the 24-hour response time limit will be expeditiously provided to this office.**

2. This office is currently conducting an investigation into the murder of an unidentified Iraqi non-combatant.

3. Preliminary investigation revealed that on 21 May 04, in An-Najaf, IZ, A Co, 2/37th AR BN successfully engaged the suspected black sedan of [redacted] with small arms fire causing the vehicle to crash into a wall at MA 403464. The driver was diagnosed by SGT [redacted], medic, A Co, 2/37th AR BN, who determined the driver's injuries were terminal. Shortly after SGT [redacted] departed the area to assist another wounded detainee, CPT [redacted] lowered his weapon and fired what appeared to be three shots at the wounded driver lying on the ground. The shots appeared to strike the driver at the back of his head.

4. Further investigation revealed that [redacted] were detained during a cordon search after fleeing the black sedan. Detainee [redacted] was taken to Baghdad Central Confinement Facility (BCCF) and detainee [redacted] was medavaced to Babylon, IZ for medical care as he was shot in the buttocks and later taken to BCCF.

5. Detainee [redacted] were both previously interviewed by BCCF CID on 6 Aug 04 to determine the identity of the driver of the black sedan. Neither detainees knew the identity of the driver.

6. Request your office locate and interview detainee [redacted] and detainee [redacted] to determine the extent of their knowledge pertaining to this incident. Please include the following questions during your interviews.

a. Did you see who shot the driver of the black sedan?
b. What was the condition of the driver upon crashing into the wall?

CIMPR-FR
SUBJECT: RFA 0144-04-CID259-80207

c. Did you see the driver when you were taken from the house?
d. What was the condition of the drive? (was he dead or alive)
e. Did you hear gunfire while you were in the house?
f. From which direction did it come from?

Conduct any other investigative activity you deem necessary. Please confirm receipt of this RFA by telephone or email.

7. Point of contact for this office is SA [redacted], at DNVT 318-822-[redacted] or email [redacted]@us.army.mil. (b)(3)(10)-1 (b)(6)-1

[redacted]

Encls 1
1. Initial Report

CW2, MP
Special Agent in Charge

DEPARTMENT OF THE ARMY
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND
3D MILITARY POLICE GROUP (CID)
78TH MILITARY POLICE DETACHMENT (CID) (FWD)
BAGHDAD, IRAQ, APO AE 09342

CIMPR-FR

15 Jul 04

MEMORANDUM FOR Special Agent-in-Charge, Baghdad Central Confinement Facility (CID), Abu Ghruyeb, IZ

SUBJECT: Request for Assistance (0144-04-CID259-80207)

1. This office is currently conducting an investigation into the murder of an unidentified Iraqi non-combatant.

2. Preliminary investigation revealed that on 21 May 04, in An-Najaf, IZ, A Co, 2/37th AR BN successfully engaged the suspected black sedan of [redacted] with small arms fire causing the vehicle to crash into a wall at MA 403464. The driver was diagnosed by SGT [redacted] medic, A Co, 2/37th AR BN, who determined the driver's injuries were terminal. Shortly after SGT [redacted] departed the area to assist another wounded detainee, CPT [redacted] lowered his weapon and fired what appeared to be three shots at the wounded driver lying on the ground. The shots appeared to strike the driver at the back of his head.

3. Further investigation revealed that [redacted] unknown, were detained during a cordon search after fleeing the black sedan. Mr. [redacted] was taken to Baghdad Central Confinement Facility (BCCF) and Mr. [redacted] was medavaced to Babylon, IZ for medical care as he was shot in the buttocks.

4. Request your office locate and interview [redacted] to determine the full identity of the drive of the black sedan. Conduct any other investigative activity you deem necessary. Please confirm receipt of this RFA by telephone or email.

5. Point of contact for this office is SA [redacted], at DNVT 302-537[redacted] or email [redacted]@us.army.mil.

[redacted]
CW2, MP
Special Agent in Charge

Encls
None

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LAW ENFORECEMENT SENSITIVE

024982

000035

DEPARTMENT OF THE ARMY
Prisoner Interrogation Team (PIT)(CID)(FWD)
75th Military Police Detachment (CID)(FWD)(-)
22nd Military Police Battalion (CID)(FWD)
Baghdad Central Confinement Facility (BCCF)
Abu Ghraib, Iraq APO AE 09342

CIRFR-PIT

6 Aug 04

MEMORANDUM FOR Special Agent in Charge, 78th Military Police (MP) Detachment (CID), Camp Victory, Baghdad, Iraq APO AE 09342

SUBJECT: Final Information Report (0113-04-CID789)

1. Reference your RFA (0113-04-CID259-80207), dated 15 July 04, is complete.

2. Man-hours expended were as follows:

a.	Investigative:	4
b.	Administrative:	2
c.	Travel:	0
d.	.0015 Funds	0
e.	Privacy Act Disc.	0

(b)(7)(C)-1

(b)(6)-1

3. If these detainees are no longer required to remain on CID Hold, please notify CW2 [redacted] 22nd MP Battalion (CID), at 302-550-[redacted].

4. Point of contact for this report is SA [redacted] at DNVT 550-[redacted] or e-mail: [redacted]@us.army.mil.

(b)(7)(C)-1

(b)(6)-1

Encls
1. AIR of SA [redacted]
2. Dossier of [redacted]
3. EPW Screening Report of [redacted]

(b)(6)-1

(b)(7)(C)-1

[redacted]
CW2, MP
Special Agent in Charge

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024983

000036

DEPARTMENT OF THE ARMY
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND
3rd MILITARY POLICE GROUP (CID)
78th MP DET (FWD) (CID)
BAGHDAD, IRAQ APO AE 09342

CIMPR-FR

21 Aug 04

MEMORANDUM THRU:

Commander, 3rd Military Police Group (CID), ATTN: Operations, 4699 North 1st Street, Forest Park, GA 30297-5119

FOR Headquarters, USACIDC, ATTN: CIOP-ZA, Fort Belvoir, VA 22060

SUBJECT: Thirteenth Update of Catergory I Monitorship ROI 0144-04-CID259-80207

1. References:

a. CIDR 195-1, CID Operations, Paragraph 4-6

b. CIDMAIL Message CIOP-CO, 25 May 04/1527, Subject: Commander's Update

2. In accordance with above cited references, the following update is provided:

a. Subject identified to date: [redacted] CPT; [redacted] A CO, 2/37th ARMORED BN, AN NAJAF, IZ; (FREIDBERG, GM) (NFI); CT;

b. Investigative activity conducted during the reporting period (15 Aug 04 – 21 Aug 04):

1. On 20 Aug 04, this office received information from the 22nd Military Police Battalion that an additional RFA needs to be sent to the BCCF to reinterview detainee [redacted] and detainee [redacted] to determine if they witnessed the crime.

2. On 21 Aug 04, this office drafted an RFA to BCCF.

CIMPR-FR
SUBJECT: Thirteenth Update of Catergory I Monitorship ROI 0144-04-CID259-80207

c. Investigative activities to be conducted and/or considered:

1. None.

d, Problem Areas: None.

2. Point of contact is the undersigned at DNVT 318-[redacted] or email at [redacted]@iraq.centcom.smil.mil.

(b)(6)-1 (b)(7)(C)-1

/s/

[redacted]
CW3, MP
Trainer Abuse Task Force

DEPARTMENT OF THE ARMY
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND
3rd MILITARY POLICE GROUP (CID)
78th MP DET (FWD) (CID)
BAGHDAD, IRAQ APO AE 09342

CIMPR-FR 18 Sep 04

MEMORANDUM THRU:

Commander, 3rd Military Police Group (CID), ATTN: Operations, 4699 North 1st Street, Forest Park, GA 30297-5119

FOR Headquarters, USACIDC, ATTN: CIOP-ZA, Fort Belvoir, VA 22060

SUBJECT: Seventeenth Update of Category I Monitorship ROI 0144-04-CID259-80207

1. References:

a. CIDR 195-1, CID Operations, Paragraph 4-6

b. CIDMAIL Message CIOP-CO, 25 May 04/1527, Subject: Commander's Update

2. In accordance with above cited references, the following update is provided:

a. Subject identified to date: [redacted]; CPT; [redacted] A CO, 2/37TH ARMORED BN, AN NAJAF, IZ; (FREIDBERG, GM) (NFI); CT;

b. Investigative activity conducted during the reporting period (12 Sep 04 – 18 Sep 04):

1. On 13 Sep 04 this office resubmitted a request to the Iraqi Police, LNO, 1st CAV DIV, to coordinate with the Iraqi Police in An Najaf to verify the identity fo the victim, obtain medical documents, and interview family.

c. Investigative activities to be conducted and/or considered:

1. Pending results of Najaf Iraqi Police's investigative activity reference the victim's medical treatment records.

c. Problem Areas: None.

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CIMPR-FR
SUBJECT: Seventeenth Update of Catergory I Monitorship ROI 0144-04-CID259-80207

2. Point of contact is the undersigned at DNVT 318-[redacted] or email at [redacted]@iraq.centcom.smil.mil.

(b)(6)-1 (b)(7)(C)-1

/s/
[redacted]
CW2, MP
Special Agent-in-Charge

DEPARTMENT OF THE ARMY
Prisoner Interview/Interrogation Team (PIT)(CID)(FWD)
75th Military Police Detachment (CID)(FWD)(-)
22nd Military Police Battalion (CID)(FWD)
Baghdad Central Confinement Facility (BCCF)
Abu Ghraib, Iraq APO AE 09342

CIRFR-PIT

28 Aug 04

MEMORANDUM FOR Special Agent in Charge, Detainee Abuse Task Force (DATF) 78th Military Police (MP) Detachment (CID), Camp Victory, Baghdad, Iraq APO AE 09342

SUBJECT: Final Information Report (0142-04-CID789)

1. Reference your RFA (0144-04-CID259-80207), dated 21 Aug 04, is complete.

2. Man-hours expended were as follows:

a.	Investigative:	3
b.	Administrative:	1
c.	Travel:	0
d.	.0015 Funds	0
e.	Privacy Act Disc.	0

3. Point of contact for this report is SA [redacted] at DNVT 550-[redacted] e-mail: [redacted]@us.army.mil.

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

[redacted]

Acting Special Agent-in-Charge

Encl
1. AIR of SA [redacted]

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024988

000041

[redacted] CW2 MNC-I Special Agent to Chage

From: [redacted] CW2 MNC-I 22ND MP BN/Criminal Intel
Sent: Tuesday, July 13, 2004 3:51 PM
To: [redacted]
Subject: 161157

[redacted]

I can't find the second guy. Maybe talking to the unit, MI or DIFF will show he was released or something????

Seem like the guy you're looking for?

161157.doc

Respectfully,

//s// [redacted]

CW2, MP
Criminal Intelligence Coordinator
DVNT: 302-550-[redacted]

"Serving America and those who serve our great country!"

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Law Enforcement Sensitive

[redacted] CW2 MNC-I Special Agent to Chage

From: [redacted] CW2 MNC-I 22ND MP BN/Criminal Intel
Sent: Tuesday, July 13, 2004 3:21 PM
To: [redacted]
Subject: Biometrics Automated Toolset Online

(b)(6)-1

(b)(6)-4 (b)(7)(C)-4

[redacted] *s believe. I can't find the other guy. I'm still looking.*

Biometrics
Automated Toolset O.

(b)(6)-1 (b)(7)(C)-1

[redacted] (b)(6)-1

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024990

000043

From [redacted]@usacil.army.mil>
Sent Wednesday, July 14, 2004 10:07 am
To "[redacted]@us.army.mil" <[redacted]@us.army.mil>
Cc
Bcc
Subject FW: 0144-04-CID259 USACIL # 04-1244

(b)(6)-1
(b)(3)(C)-1

Subject: 0144-04-CID259 USACIL # 04-1244

"For Official Use Only - Law Enforcement Sensitive"

SA [redacted],
I have received ex 1, 8mm video tape. I located the area of interest on the tape.
I have converted about 10 minutes of the tape to a digital AVI file which can be written to DVD and viewed in Microsoft Media Player.
I will take about 1 min 40 seconds of that area and stabilize the video and magnify the area of interest. Although still frames can be captured and written out as Bitmaps, it is not possible to capture and magnify to the point of identification photographs. Camera to subject distance, angle of view, camera shake (in this case the aircraft movement), are all factors that preclude magnification to the point of rendering a photograph with sufficient detail to allow a suspect or victim identification.

Do you have any further information concerning the projected court date of 31 Jul 04? Has there been an Art 32 hearing?

Thank you,

[redacted] (b)(6)-1
Forensic Audio/Video Examiner
US Army Crime Lab

PH# 404-469[redacted]

"For Official Use Only - Law Enforcement Sensitive"

From [redacted] <[redacted]@usacil.army.mil>
Sent Wednesday, July 14, 2004 10:18 am
To "[redacted]@us.army.mil'" <[redacted]us.army.mil>
Cc
Bcc (5)(6)-1
Subject FW: 0144-04-CID259 USACIL # 04-1244

For Official Use Only - Law Enforcement Sensitive"

SA [redacted]
Can you check with whomever classified the tape and determine if the 10 minute portion that I have extracted needs to be classified "Secret" ?
if so the DVD's that I will author will need to be "Secret".

Normally a copy of the DVD is returned to the submitter with a copy of the report, in this case Maj [redacted] SJA, in Germany will also receive two copies per your request.

Thank You, (5)(7)(C)-1

[redacted] (5)(6)-1
Forensic Audio/Video Examiner
US Army Crime Lab

PH# 404-469-[redacted]

"For Official Use Only - Law Enforcement Sensitive"

-----Original Message-----
From: [redacted]
Sent: Wednesday, July 14, 2004 11:07 AM
To: [redacted]@us.army.mil'
Subject: FW: 0144-04-CID259 USACIL # 04-1244

Subject: 0144-04-CID259 USACIL # 04-1244

"For Official Use Only - Law Enforcement Sensitive"

SA [redacted]
I have received ex 1, 8mm video tape. I located the area of interest on the tape.
I have converted about 10 minutes of the tape to a digital AVI file which can be written to DVD and viewed in Microsoft Media Player.
I will take about 1 min 40 seconds of that area and stabilize the video and magnify the area of interest. Although still frames can be captured and written out as Bitmaps, it is not possible to capture and magnify to the point of identification photographs. Camera to subject distance, angle of view, camera shake (in this case the aircraft movement), are all factors that preclude magnification to the point of rendering a photograph with sufficient detail to allow a suspect or victim identification.

Do you have any further information concerning the projected court date of 31 Jul 04? Has there been an Art 32

hearing?

Thank you,

(b)(7)(C)-1

[redacted] (b)(6)-1

Forensic Audio/Video Examiner
US Army Crime Lab

PH# 404-469[redacted]

"For Official Use Only - Law Enforcement Sensitive"

From [redacted]@us.army.mil>
Sent Friday, July 16, 2004 2:59 am
To [redacted]@usacil.army.mil
Cc [redacted]@usacil.army.mil
Bcc (b)(6)-1 (b)(7)(C)-1
Subject 0144-04-CID259 USACIL # 04-1244

Mr. [redacted] (b)(6)2;(b)(7)(C)-2

I have been try to contact SJA reference to your questions. MAJ [redacted] re-deploying back to Germany so I will not be able to contact anyone from SJA till then.

Pertaining to the conversion of the tape. You mentioned that you have converted about 10 minutes of the tape (the area of interest). Is it too late to request conversion of the tape from the point everyone leave the mosque and the individuals enter the black sedan up until about 10 minutes after the "area of interest"?

The stabilization and magnification of the area of interest should be fine.

Pertaining to the Still frame images, can you attempt to obtain the best possible still frame images of the subject, victim, witness, and the impact of the shots. I understand this will not be able to identify anyone.

The copies will have to be classified Secret as well, it is not the images in-and-of themselves, but the capabilities of the UAV that classifies the tape.

I have no further information pertaining to the ART 32 hearing. As soon as I am able to contact MAJ [redacted] I should know more. I will keep you updated as I learn anything new.
(b)(6)2;(b)(7)(C)-2

Thank you for all of you support and expediting this process.

SA [redacted]

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024994

0144-04-CID259-80207

From [redacted]@usacil.army.mil>
Sent Monday, July 12, 2004 12:02 pm
To "[redacted]@us.army.mil" <[redacted]@us.army.mil>
Cc
Bcc (b)(6)-1 (b)(7)(C)-1
Subject EVIDENCE SUBMISSION ACKNOWLEDGMENT

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

MEMORANDUM FOR [redacted]

SUBJECT: Evidence Submission Acknowledgment

Your Case Number: 0144-04-CID259-80215

USACIL Case Number: 2004-CID131-1244

Method of Receipt: REGISTERED MAIL: RC 025 210 291 US

Received on: 9 JULY 04

1. Your recent evidence submission has been received at the United States Army Criminal Investigation Laboratory.

2. Please cite both your case number and the above laboratory referral number on any future correspondence for this case. Please include your office Fax number and E-mail address on any future lab requests.

3. Your case is currently being processed as Routine___ Expedite_X_ and the projected routing as:

Trace Evidence ___

Serology/DNA ___

Forensic Document ___

Latent Print ___

Drug Chemistry ___

Firearms

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024995

0144-04-CID259-80207

Imaging & Tech Support X

4. If you have any questions concerning the status of the case, or if you need to expedite/cancel the case, please contact us by phone, FAX, or E-mail. The numbers are as follows:

Telephone: Commercial (404) 469-[redacted]

DSN 797-[redacted]

FAX Commercial (404) 469-[redacted]

DSN 797-[redacted]

E-mail mailto:usacil@usacil.army.mil or undersigned direct

(b)(6)-1 (b)(7)(C)-1 [redacted]

USACIL Laboratory Operations Assistant

mailto:[redacted]@usacil.army.mil

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From [redacted]@usacil.army.mil>
Sent Thursday, July 29, 2004 12:41 pm
To [redacted]@us.army.mil'" [redacted]@us.army.mil>
Cc
Bcc
Subject Fox News Ref [redacted]

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SA [redacted]

I guess we have a little more time, see Fox news report dtd 28 Jul 04.

[redacted]
Forensic Audio/Video Examiner
US Army Crime Lab

PH# 404-469[redacted]

Page(s)

51 - 52 .

.

Withheld due to:

____ Foreign Language

____ Photos depicting Americans

____ Photos depicting foreign nationals

__X__ Civilian Agency Records

____ Polygraph

Page(s)

53 - 56 .

.

Referred to:

U.S. ARMY OFFICE OF
THE JUDGE ADVOCATE GENERAL
ATTENTION: DAJA-AL, ROOM 1E739
2200 ARMY PENTAGON
WASHINGTON, DC 20310-2200

MAJOR NELSON VAN ECK
Nelson.VanEck@hqda.army.mil
(703) 588-6787

024999

From [redacted]@usacil.army.mil>
Sent Thursday, August 12, 2004 9:20 am
To [redacted]@us.army.mil" [redacted]@us.army.mil>
Cc
Bcc
Subject RE: 0144-04-CID259 USACIL #04-1244
Attachments 04IT2.doc 52K

[redacted]

I completed the work last week, I believe everything was mailed out according to the instructions on your request on Monday, 9 Aug 04.
Two copies of the DVD's were sent registered mail to Germany. The evidence to one location ATTN: evidence Custodian, the report and one copy of the DVD's to your detachment.

Do you know if the Art 32 officer viewed the video prior to leaving Iraq?
I noticed in a Fox news report the Art 32 was being held in open hearing with news reporters, this along with the suspects attitude and statements caused me to wonder if the Art 32 officer has viewed the recording or knows of its existence.

If you don't receive your evidence and report by 24 August let me know and I can send you the Registered mail numbers.

Keep your head down !!

(b)(6)-1 (b)(7)(C)

[redacted]
Forensic Audio/Video Examiner
US Army Crime Lab

PH# 404-469-[redacted]

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-----Original Message-----
From: [redacted]@us.army.mil [redacted]@us.army.mil]
Sent: Thursday, August 12, 2004 2:17 AM
To: [redacted]usacil.army.mil
Subject: 0144-04-CID259 USACIL #04-1244

Mr. [redacted]

Just wanted to send a message to find out about the estimated time of completion for the lab request. Thanks

SA [redacted]

0144-04-CID259-80207
0144-CID2

[redacted] W2 MNC-I Special Agent to Chage

From: [redacted]@us.army.smil.mil
Sent: Saturday, August 21, 2004 4:50 PM
To: [redacted] CW2 MNC-I Special Agent to Chage
Subject: Re: CAT 1 RFA 0144-04-CID259-80207

(b)(6)-4
(b)(7)(c)-4

Untitled Attachment

Yeah, thanks...we got it. Apprectiate it. [redacted]

(b)(6)-4
(b)(7)(c)-4

Our case number is 0142-04-CID789

[redacted]

[redacted]
CW2, MP
Special Agent in Charge
75th MP Det (CID)(-)
BCCF-Abu Ghraib, Iraq
APO AE 09342
DNVT 550-[redacted]

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025001

000058

----- Original Message ----- (5)(6)-1 (5)(7)(C)-1
From [redacted]@us.army.mil
Date: Thursday, July 15, 2004 10:31 am
Subject: 0144-04-CID259

> Greetings Sir,
>
> USACIL has received the 8MM tape and has began to stabilize the
> video and magnifying the area of interest. They are expediting the
> request, but had some questions. They have told me that still
> frames are not possible in terms of magnifying to the point of
> identification photographs. They will be sending two copies to
> your office upon completion (which will be on compact disk as an
> digital AVI file and can be viewed in Microsoft Media Player).
>
> Do you still want the sill frame photographs?
>
> Do you have any further information concerning the projected court
> date or completion of the Art 32 hearing?
>
> Is there anything else you want the lab to do with the video

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> before I send them an update?
>
> In addition, I have located one of the detainees that was in the
> car. I will be sending a request for assistance to attempt to have
> the victim identified (requested from my higher). No projected
> time of completion on that one as of yet. Aside from the Lab
> request and the identification of the victim I have no other leads
> pertaining to this investigation and will be closing the case upon
> receipt of the aforementioned leads.
>
>
> SA [redacted] (5)(6)-1
> 78th MP DET (CID)(FWD) (5)(7)(C)-1
> APO AE 09342
>
>

[redacted] CW2 MNC-I Special Agent to Chage

om: [redacted]@us.army.smil.mil
nt: Thursday, December 02, 2004 2:44 PM
: [redacted] CW2 MNC-I Special Agent to Chage
ubject: Re: RE: 0144-04-CID259-80207

nally got a response from [redacted], CID PAO, as follows:

nally got a call back from the reporters working this article. They have been out of the country apparently. The porter, mr. [redacted], genuinely seemed to want to assist but said they obtained their information and got their nterview access via "[redacted] people."
he reporter said they had to send an Iraqi to seek out the sources through [redacted] people, and they don't have any ocations/addresses they could share like other news agencies have done in the past.

he reporter said he thinks it would be "very difficult" for our investigators to get to these people as they (the hicago Tribune) reporters did. However, he did promise to do some asking around to see if he could come up with nything that may help develop leads.

ot this in yesterday, but had to make another run down towards Fort Bragg and did not get in until late.

[redacted]
ATF

---- Original Message ----
rom: [redacted] D CW2 MNC-I Special Agent to Chage <[redacted]@iraq.centcom.smil.mil>
ate: Monday, November 22, 2004 11:37 pm
ubject: RE: 0144-04-CID259-80207

[redacted]

Thank you, I appreciate the assistance.

-----Original Message-----
From: [redacted]@us.army.smil.mil
[redacted]@us.army.smil.mil]
Sent: Monday, November 22, 2004 11:36 PM
To: [redacted]@iraq.centcom.smil.mil
Subject: 0144-04-CID259-80207

Sir,

Just a heads up that we forwarded your request, 12 Nov 04, to coordinate with the reporter with the Chicago Tribune regarding their identification of the victim.

Mr. [redacted], CID PAO advised he has a request for the information out but has not received a reply as of this date.

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025003
000060

Just wanted to let you know we did not forget about your request.

SA [redacted] (b)(6)-2 (b)(7)(C)-2
Detainee Assessment Task Force
(703) 806-[redacted]

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(5)(7)(C)-1
(5)(6)-1

[redacted] CW2 MNC-I Special Agent to Chage

m: [redacted]s@us.army.smil.mil
it: Monday, November 22, 2004 11:36 PM
[redacted]@iraq.centcom.smil.mil
oject: 0144-04-CID259-80207

:,

st a heads up that we forwarded your request, 12 Nov 04, to coordinate with the reporter with the Chicago Tribune
garding their identification of the victim.

. [redacted] CID PAO advised he has a request for the information out but has not received a reply as of this date.

st wanted to let you know we did not forget about your request.

[redacted]
tainee Assessment Task Force
03) 806-[redacted]

025005

000062

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CID001 CRC(sc)

From: [redacted] CW3 [redacted] @[redacted].army.smil.mil]
Sent: Thursday, October 07, 2004 11:18 AM
To: CRC (E-mail)
Subject: FW: 0144-04-CID259 1

0144-04-259-80207
-Tab A.pdf

> -----Original Message-----
> From: [redacted] CW2 MNC-I 22ND MP BN (CID) Criminal Intel
> Sent: Saturday, September 25, 2004 5:13 PM
> To: 3 CID EOC (E-mail)
> Subject: 0144-04-CID259 1
>
>
>
> (5)(6)-1 (5)(7)(C)-1
> _____
> From: [redacted] CW2 MNC-I 22ND MP BN (CID) Criminal Intel
> Sent: Saturday, September 25, 2004 9:09 PM
> To: 3 CID EOC (E-mail)
> Subject:
>
> FOIA REQUEST - TASKER 1 (PART 1 OF 0144-04-259)
>
> <<0144-04-259-[redacted]-Tab A.pdf>>
>
> Respectfully,
>
> //s//
> [redacted]
> CW2, MP
> Criminal Intelligence Coordinator
> 22D MP Battalion (CID) - Truth Seekers
> DNVT: 302-550-[redacted]
>
> "Truth exists; only falsehood has to be invented."
>
> WARNING: This message is intented for the individual or entity to which it
> is addressed and may contain information that is priviledged, law
> enforcement sensitive, and exempt from disclosure under applicable law.
> If the reader of this message is not the intended recipient or the
> employee or agent responsible for delivering this message to the intended
> recipient, you are hereby notified that any dissemination, distribution or
> copying of this communication is strictly prohibited. If you have
> received this communication in error, please notify us immediately by
> reply or by telephone DNVT (302) 550-[redacted] and immediately delete this
> message and all its attachments. Thank you.
>

From: [redacted] CW2 MNC-I 22ND MP BN (CID) Criminal Intel
[redacted]@iraq.centcom.smil.mil]
Sent: Saturday, September 25, 2004 5:11 PM
To: 3 CID EOC
Subject: 0144-04-CID259

0144-04-259-C.pdf 0144-04-259-B.pdf

<<0144-04-259-C.pdf>> <<0144-04-259-B.pdf>>

Respectfully,

//s//
[redacted]
(b)(6)-1
(b)(7)(C)-1
CW2, MP
Criminal Intelligence Coordinator
22D MP Battalion (CID) - Truth Seekers
DNVT: 302[redacted]

"Truth exists; only falsehood has to be invented."

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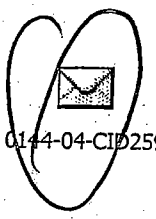
CID001 CRC(sc)

(5)(7)(C)-1
(5)-(6)-1

From: [redacted] - CW3 [redacted]@[redacted].army.smil.mil]
Sent: Friday, October 01, 2004 8:33 AM
To: CRC (E-mail)
Subject: 0144-04-CID259-80207


0144-04-CID259

0144-04-CID259

<<0144-04-CID259>> <<0144-04-CID259>>

025008

000065

[redacted] CW2 MNC-I Special Agent to Chage

From: CID001 CRC(sc) [redacted]@SBELVOIRDMS.ARMY.SMIL.MIL]
Sent: Friday, June 04, 2004 4:15 PM
To: [redacted] CW2 MNC-I Special Agent to Chage'
Subject: RE: NAME CHECK 0144-04-CID259-80207 Initial/SSI

Record checks disclosed the following:

(b)(6)-2

[redacted] Favorable NAC 1995/01/25

-----Original Message-----
From: [redacted] D CW2 MNC-I Special Agent to Chage
[mailto: [redacted]@iraq.centcom.smil.mil]
Sent: Friday, June 04, 2004 7:34 AM
To: [redacted] CW2 MNC-I; [redacted] W4 MNC-I Operations Officer; 'Cid001crcsc (E-mail) (E-mail) ' (E-mail); [redacted] CW5; 'CW5 [redacted] CW3 MNC-I 22ND MP BN/FSO
Cc: [redacted] CW2 MNC-I Special Agent to Chage
Subject: 0144-04-CID259-80207 Initial/SSI

(b)(6)-1 (b)(7)(C)-1

Here it is. I kept this one restricted due to the sensitive nature.

<<Initial Report-0144.doc>>

[redacted]
Special Agent In Charge
78th MP DET (CID) (FWD)
Baghdad, Iraq
APO AE 09342

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LAW ENFORCEMENT SENSITIVE
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Law Enforcement Sensitive

> > -----Original Message----- (b)(6)-1 (b)(7)(C)-1
> > From: [redacted] CW2 CJTF7-Special Agent to Chage
> > Sent: Tuesday, May 25, 2004 6:46 PM
> > To: [redacted] MAJ (1AD SJA MILITARY JUSTICE CHIEF); [redacted]](b)(6)2;(7)(C)2
> > [redacted] LTC (1AD SJA CDR)
> > Cc: [redacted] CW4 CJTF7-Operations Officer
> > Subject: CPT [redacted]
> >
> > Sir, (b)(6)-2 (b)(7)(C)-2
> >
> > Per our discussion regarding the 15-6 findings of CPT [redacted]
> I will
> > provide two of my agents to conduct this investigation. Could
> you provide
> > me with a copy of the 15-6 Report to include the enclosures?
> Could we get
> > air support to Najaf and back to BIAP to conduct this investigation?
> > Please let me know when you need my guys standing by. Thank You.
> >
> > [redacted] (b)(6)-1 (b)(7)(C)-1
> >
> > [redacted]
> > Special Agent In Charge
> > 78th MP DET (CID) (FWD)
> > Baghdad, Iraq
> > APO AE 09342
> >
>

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LAW ENFORCEMENT SENSITIVE

025010

-----Original Message-----
From: [redacted]us.army.mil [redacted]us.army.mil] (b)(6)1,(7)(C)-1
Sent: [redacted] September 30, 2004 11:58 AM
To: [redacted] MAJ (1AD SJA WWAF Chief Military Justice) -(b)(6)2;(7)(C)2
Subject: 0144-04-CID259-80207

Maj [redacted] (b)(6)-2 (b)(7)(C)-2

Bosses wanted me to send an email for an onpine.

Do we have PC for Murder?

and

Is there sufficient evidence to prosecute?

I know we are still pendinging the one lead in Najaf.

[redacted] (b)(6)1,(7)(C)1

025011

000068

-----Original Message-----
From: [redacted]@vcmain.hq.c5.army.mil [mailto:[redacted]@vcmain.hq.c5.army.mil] (b)(6)1,(b)(7)(C)1
Sent: Wednesday, October 27, 2004 2:22 PM
To: [redacted]@1ad.army.mil (b)(6)2,(7)(C)2
Subject: Update on 0144-04-CID259

MAJ [redacted] (b)(6)2-7(C)2-4(b)(6)

Still no word from Najaf Police on the identity of the victim. I've been checking everyday with the Iraqi Police (IP) liaison and they have lost communication with the Najaf IP. I have had to resubmit the request three times already. I'm not sure any progress is being made. I will continue to check on the request, but the more time that goes by the less possibility of them identifying the victim.

Any update on the trial?

SA [redacted] (b)(6)1,(b)(7)(C)1
22nd MP BN CID (FWD)
78TH MP DET CID (FWD)
APO AE 09342

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10/28/2004

025012

000069

-----Original Message-----
From: [redacted] SGT MNC-I CID Special Agent
Sent: Friday, November 12, 2004 10:03 AM
To: [redacted] MAJ MNC-I EFFECTS IPS ACTIONS OFFICER
Subject: Request for Assistance from CID

Sir,

Our office is investigating a murder that occurred in An Najaf a few months ago. The victim was an Iraqi noncombatant who has not been identified. Recently the Chicago Tribune published an article identifying the victim as [redacted]. My task now is to verify if the victim is in fact [redacted] and need to know if you have contact with the An Najaf Police. I need them to verify the identity of the victim. If this is possible please let me know and I can provide you with more information pertaining to the Victim and the Case.

Thank You

SA [redacted]
22nd MP BN CID (FWD)
78TH MP DET CID (FWD)
APO AE 09342

-----Original Message-----
From: [redacted] SGT MNC-I CID Special Agent
Sent: Friday, November 12, 2004 10:03 AM
To: [redacted] MAJ MNC-I EFFECTS IPS ACTIONS OFFICER
Subject: Request for Assistance from CID

Sir,

Our office is investigating a murder that occurred in An Najaf a few months ago. The victim was an Iraqi noncombatant who has not been identified. Recently the Chicago Tribune published an article identifying the victim as [redacted] My task now is to verify if the victim is in fact [redacted] and need to know if you have contact with the An Najaf Police. I need them to verify the identity of the victim. If this is possible please let me know and I can provide you with more information pertaining to the Victim and the Case.

0144-04-CID259-80207

Thank You

SA [redacted]
22nd MP BN CID (FWD)
78TH MP DET CID (FWD)
APO AE 09342

025014

(b)(7)(C)-1
(b)(6)-1

-----Original Message-----
From: [redacted]@vcmain.hq.c5.army.mil [mailto[redacted]@vcmain.hq.c5.army.mil]
Sent: Thursday, November 18, 2004 1:08 PM
To: [redacted]@1ad.army.mil (b)(6)-2;(7)(C)-2
Subject: RE: Update on 0144-04-CID259[redacted] (b)(6)-5 - 7(C)-5

MAJ [redacted] (b)(6)-2;(7)(C)-2

The lead with the IP has run dry. The IP Liason at 1st CAV can not make contact with the IP in Najaf or the Najaf IP never respond and coordination via the military side of the house has met with negative results. I don't believe this lead can be closed. Please let me know if you have any additional leads and an update on the courtmartial.

(b)(6);(7)(C)1

-----Original Message-----
From: [redacted]@vcmain.hq.c5.army.mil [mailto[redacted]@vcmain.hq.c5.army.mil]
Sent: Wednesday, October 27, 2004 2:22 PM
To [redacted]1ad.army.mil (b)(6)2;(7)(C)2

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Subject: Update on 0144-04-CID259

0144-04-CID259-80207

~~MAj~~ [redacted] (b)(6)-2;(7)(C)2

Still no word from Najaf Police on the identity of the victim. I've been checking everyday with the Iraqi Police (IP) liaison and they have lost communication with the Najaf IP. I have had to resubmit the request three times already. I'm not sure any progress is being made. I will continue to check on the request, but the more time that goes by the less possibility of them identifying the victim.

Any update on the trial?

SA [redacted] (b)(6)-4;(7)(C)1
22nd MP BN CID (FWD)
78TH MP DET CID (FWD)
APO AE 09342

025016

000073

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

-----Original Message-----
From: [redacted]@vcmain.hq.c5.army.mil [mailto:[redacted]@vcmain.hq.c5.army.mil]
Sent: Tuesday, November 30, 2004 12:09 PM
To: [redacted]@1ad.army.mil (b)(6)-2;(7)(C)-2
Subject: RE: Update on 0144-04-CID259 [redacted] (b)(6)5;(7)(C)5

Sir,

Any luck with the name of the interpreter with Titan?

I've still have no work form CID PAO.

SA [redacted] (b)(6)1;(7)(C)1
22nd MP BN CID (FWD)
78TH MP DET CID (FWD)
APO AE 09342

-----Original Message-----
From: [redacted]@vcmain.hq.c5.army.mil
[mailto:[redacted]@vcmain.hq.c5.army.mil]
Sent: Tuesday, November 23, 2004 8:23 AM
To: [redacted]@1ad.army.mil
Subject: RE: Update on 0144-04-CID259[redacted]

(b)(7)(C)-1 (b)(6)-1 (b)(6)2; (7)(C)-2 (b)(6)-5 (b)(7)(C)-5

Sir,

0144-04-CID259-80207

Regarding the Interpreter at that was supposedly with them that day. If you have a name, I can check with Titan to see if he still works with them. CID PAO has sent a request to the Chicago Tribune regarding their identification of the victim. No word on that as of yet, but I will keep you informed. Pertaining to the evidence, I will talk with the evidence custodian today to see what the procedures are.

SA [redacted] (b)(6)1-7(C)1

025018

000075

(5)(6)(7)(C)-1
(5)(6)-1

-----Original Message-----
From: [redacted]@vcmain.hq.c5.army.mil [mailto:[redacted]@vcmain.hq.c5.army.mil]
Sent: Wednesday, December 01, 2004 7:46 AM
To: [redacted]@1ad.army.mil (6)(6)-2,(7)(C)-2
Subject: RE: Update on 0144-04-CID259[redacted] (5)(6)-5

(5)(7)(C)-2

My apologies Sir, why is it that you need to talk with him?

SA [redacted] (6)(6)1,(7)(C)1
22nd MP BN CID (FWD)
78TH MP DET CID (FWD)
APO AE 09342

----- Original Message ----- (b)(6)-1
From [redacted]@us.army.mil (b)(7)(C)-1
Date: Thursday, July 15, 2004 10:31 am
Subject: 0144-04-CID259

> Greetings Sir,
>
> USACIL has received the 8MM tape and has began to stabilize the
> video and magnifying the area of interest. They are expediting the
> request, but had some questions. They have told me that still
> frames are not possible in terms of magnifying to the point of
> identification photographs. They will be sending two copies to
> your office upon completion (which will be on compact disk as an
> digital AVI file and can be viewed in Microsoft Media Player).
>
> Do you still want the sill frame photographs?
>
> Do you have any further information concerning the projected court
> date or completion of the Art 32 hearing?
>
> Is there anything else you want the lab to do with the video

> before I send them an update?
>
> In addition, I have located one of the detainees that was in the
> car. I will be sending a request for assistance to attempt to have
> the victim identified (requested from my higher). No projected
> time of completion on that one as of yet. Aside from the Lab
> request and the identification of the victim I have no other leads
> pertaining to this investigation and will be closing the case upon
> receipt of the aforementioned leads.
>
>
> SA [redacted] (b)(6)-1
> 78th MP DET (CID)(FWD) (b)(7)(C)-1
> APO AE 09342
>
>

Page(s)

78 - 87 .

.

Referred to:

U.S. CENTRAL COMMAND
7115 SOUTH BOUNDARY BLVD
ATTN: CCJ6-DM
MACDILL AIR FORCE BASE
FLORIDA 33621-5101

Master Sergeant Pamela Andrews
andrewsp@centcom.smil.mil
(813) 827-5341/2830

025021

SHT AND

LEFT HAND

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025022
000088

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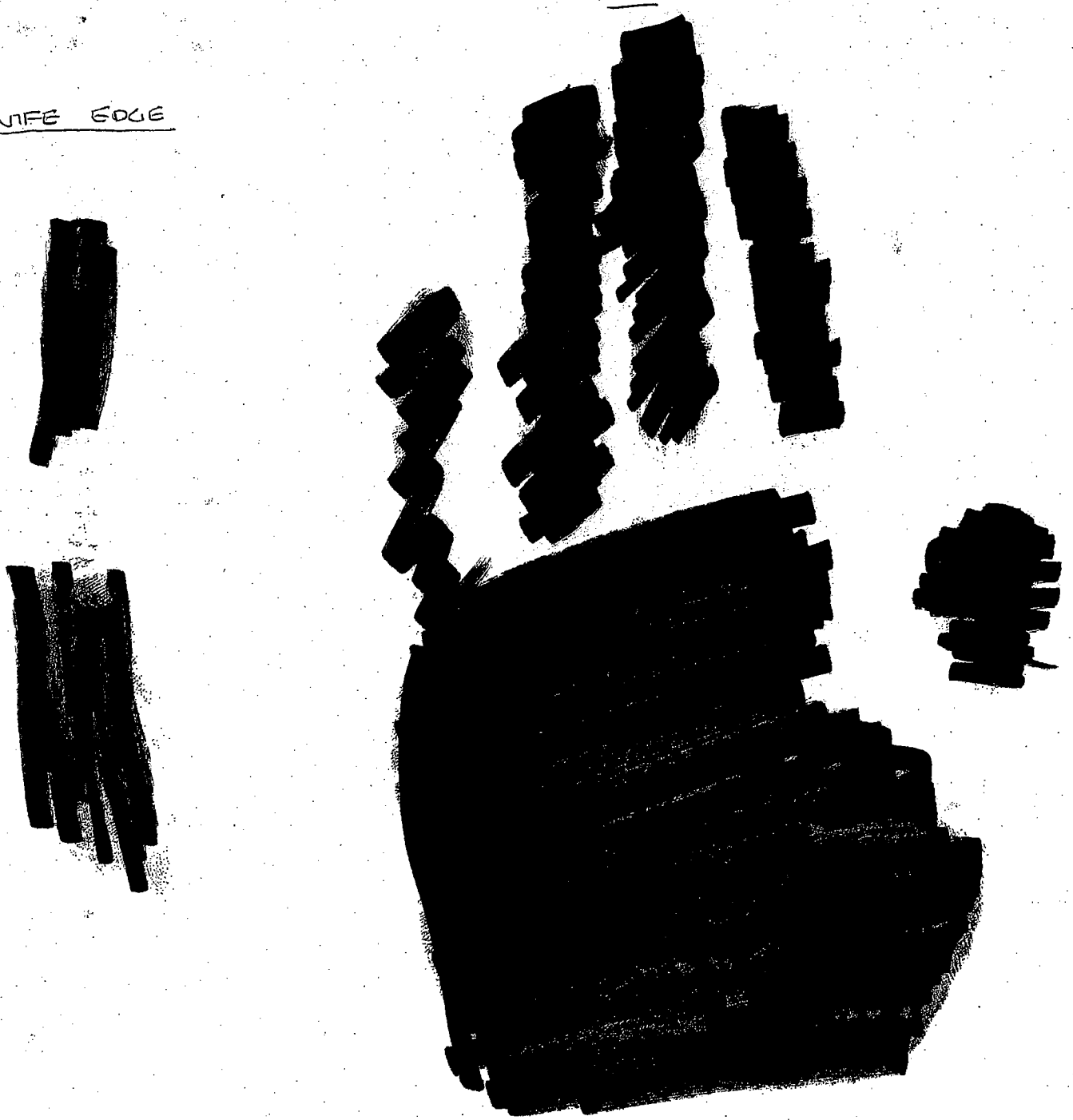
LAW ENFORCEMENT SENSITIVE

LEFT HAND

LEFT HAND

PALM

KNIFE EDGE

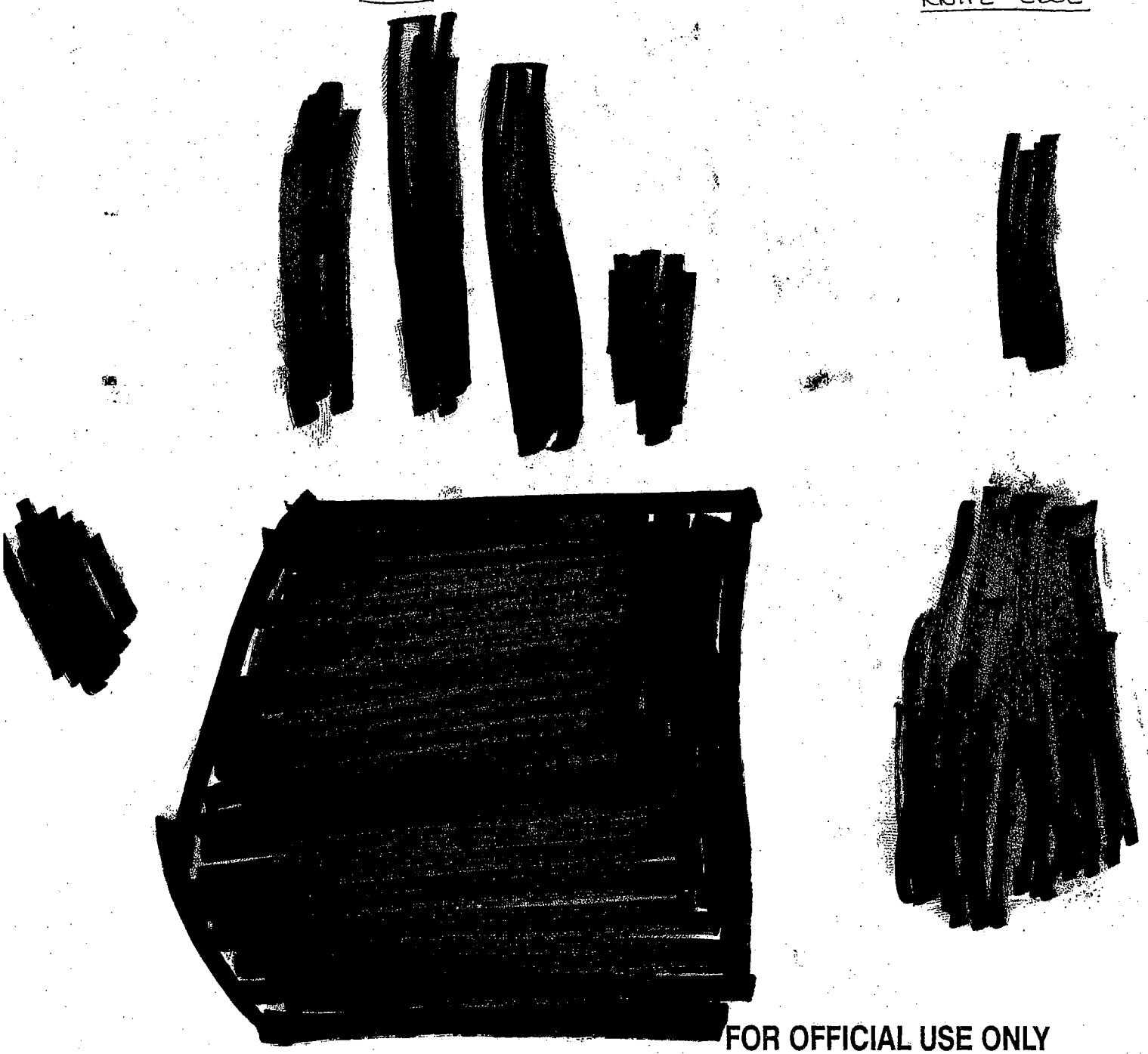


025024

RIGHT HAND

PALM

KNIFE EDGE



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AW ENFORCEMENT SENSITIVE

STATE USAGE	SUBMISSION	APPROXIMATE CLASS	AMPUTATION	SCAR
(b)(3)(b)-1 (b)(6)-1				

LAST NAME, FIRST NAME, MIDDLE NAME, SUFFIX

[redacted]

SIGNATURE OF PERSON FINGERPRINTED

[redacted]

SOCIAL SECURITY NO.

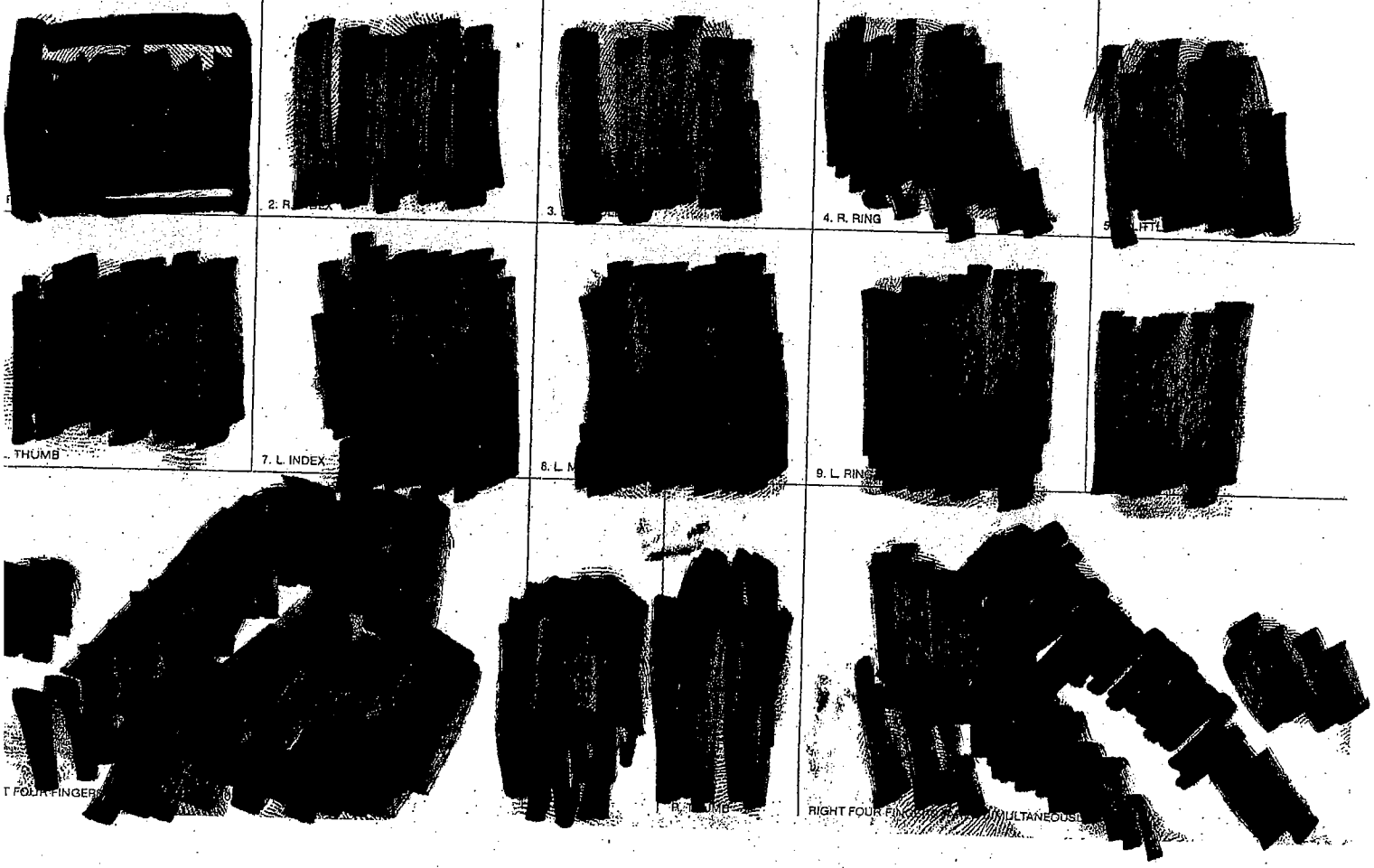
[redacted]

LEAVE BLANK

(b)(6)-2
(b)(3)(b)-2

ALIASES/MAIDEN
LAST NAME, FIRST NAME, MIDDLE NAME, SUFFIX

FBI NO.	STATE IDENTIFICATION NO.	DATE OF BIRTH MM DD YY	SEX	RACE	HEIGHT	WEIGHT	EYES	HAIR
		[redacted]	M	Hispanic				



025026

Page(s)

93 – 105 .

.

Referred to:

U.S. ARMY OFFICE OF
THE JUDGE ADVOCATE GENERAL
ATTENTION: DAJA-AL, ROOM 1E739
2200 ARMY PENTAGON
WASHINGTON, DC 20310-2200

MAJOR NELSON VAN ECK
Nelson.VanEck@hqda.army.mil
(703) 588-6787

025027

Page(s)

106 – 108

Referred to:

U.S. CENTRAL COMMAND
7115 SOUTH BOUNDARY BLVD
ATTN: CCJ6-DM
MACDILL AIR FORCE BASE
FLORIDA 33621-5101

Master Sergeant Pamela Andrews
andrewsp@centcom.smil.mil
(813) 827-5341/2830

025028

Page(s)

109 – 110

Referred to:

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

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

Page(s)

111 – 112

Referred to:

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

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

025030

Page(s)

113 – 121 .

English Translation: .

Withheld due to:

____ Foreign Language

____ Photos depicting Americans

____ Photos depicting foreign nationals

X Civilian Agency Records

____ Audio/Video depicting foreign nationals and Americans