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DEPARTMENT OF THE ARMY
U.S. ARMY CRIMINAL INVESTIGATION COMMAND
86th Military Police Detachment (CID)
3d MP Group, 7214 Gillespie Street, Fort Benning, Georgia 31905-378

26 Jul 2004

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL (C)/SSI - 0147-2004-CID013-64389 -
6E1D1 / 5C1B / 5C1N / 5Y2B0 / 9G1

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 01 MAR 2003, 0001 - 12 JUL 2003, 0000; UNKNOWN LOCATIONS, IRAQ

DATE/TIME REPORTED: 15 APR 2004, 0900

INVESTIGATED BY:

SA/

SA/

SUBJECT:

1. UNKNOWN SOLDIERS, ; 1/15TH INFANTRY, 3RD INFANTRY BRIGADE,
FORT BENNING, GA 31905; FC ; RAPE (INSUFFICIENT EVIDENCE), AGGRAVATED
ASSAULT (INSUFFICIENT EVIDENCE), AGGRAVATED ASSAULT (MISTREATMENT
OF ENEMY PRISONER OF WAR) (INSUFFICIENT EVIDENCE), VIOLATION OF
GENERAL ORDERS (RULES OF ENGAGEMENT) (INSUFFICIENT EVIDENCE) (NFI)

VICTIM:

1. UNKNOWN IRAQI FEMALE, ; CIV; RAPE (INSUFFICIENT EVIDENCE) (NFI)

2. UNKNOWN IRAQI MALE, ; CIV; AGGRAVATED ASSAULT (INSUFFICIENT
EVIDENCE) (NFI)

3. UNKNOWN IRAQI CITIZENS, ; CIV; VIOLATION OF GENERAL ORDERS
(RULES OF ENGAGEMENT) (INSUFFICIENT EVIDENCE) (NFI)

4. UNKNOWN IRAQI SOLDIERS, ; AGGRAVATED ASSAULT (MISTREATMENT
OF ENEMY PRISONER OF WAR) (INSUFFICIENT EVIDENCE) (NFI)

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Attached as Exhibit 30 is Polygraph
Examination Report (DA Form 2802). This
exhibit will be destroyed not later than 90
days after the date of the report of investigation
(para 2-6h, AR 195-6). The original, to include
related polygraph records, is at the U.S. Army
Crime Records Center, USACIDC, 6010 6th
Street, Fort Belvoir, VA 22060-5585.
Reproduction of this exhibit is prohibited.

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INVESTIGATIVE SUMMARY:

This investigation was initiated subsequent to a review of the May 2004 Playboy Magazine article titled "Death and Dishonor", wherein soldiers assigned to the 3rd Infantry Division, Fort Benning, GA 31905, alleged soldiers of the 1/15th Infantry Bn, 3d Brigade, 3d Infantry Division, Fort Benning, GA 31905, committed numerous war crimes against Iraqi Nationals while deployed in support of Operation Iraqi Freedom; and subsequent a request for investigation from the Commander, 3d Infantry Division, Fort Benning, GA 31905.

Investigation established there was insufficient evidence to prove or disprove the allegations occurred as written in the Playboy article. After conducting numerous interview of unit personnel assigned to B Co, 1/15th Inf Bn, 3d Brigade, 3d Infantry Division, Fort Benning, GA, it could not be determined if the alleged incidents actually occurred or did not occur. Soldiers assigned to the unit denied the allegations, and the alleged potential victims could not be identified, located or interviewed. Further, there were indications the author of the article did not verify or validate the information collected prior to publishing the article.

STATUTES:

ARTICLE 92, UCMJ: FAILURE TO OBEY ORDER OR REGULATION
ARTICLE 120, UCMJ: RAPE
ARTICLE 128, UCMJ: ASSAULT

EXHIBITS/SUBSTANTIATIONS:

ATTACHED:

1. Agent's Investigation Report (AIR) of SA [redacted] 23 Apr 04, detailing the initiation of this investigation; receipt of statements from CPT [redacted] and interviews of SPC [redacted] SPC [redacted], SPC [redacted] SGT [redacted] PFC [redacted] SGT [redacted] and SPC [redacted] *7C1 b6d1*
b6 b7C
2. Article, "Death and Dishonor", written by Mr. [redacted] published in the May 2004 issue of Playboy Magazine
3. Unsworn Statements of SGT [redacted] SPC [redacted] and SPC [redacted] 15 Apr 04, detailing their participation with the Playboy article. *7C4 b6d4 7C4 b6d4 7C4 b6d4*
4. Sworn Statement of SPC [redacted] 16 Apr 04, detailing his knowledge of the Playboy article. *AC b6 b7C*

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5. Rights Non-Waiver Certificate of SPC [REDACTED] 16 Apr 04.

b7c-4 b6-4

6. Sworn Statement of SPC [REDACTED] 19 Apr 04, detailing his knowledge of the Playboy article.

b7c-4 b6-4

7. Sworn Statement of SGT [REDACTED] 19 Apr 04, detailing his knowledge of the Playboy article.

b7c-4 b6-4

8. Sworn Statement of PFC [REDACTED] 21 Apr 04, detailing his knowledge of the Playboy article.

b7c-4 b6-4

9. Sworn Statement of SGT [REDACTED] 22 Apr 04, detailing his knowledge of the Playboy article.

10. Rights Waiver Certificate and Sworn Statement of SPC [REDACTED] 23 Apr 04, detailing his knowledge of the Playboy article and denying an Iraqi male was shot while trying to flee.

7c1 b6-4

11. AIR of SA [REDACTED] 7 May 04, detailing the interviews of SPC [REDACTED] Mr.

b7c-4 b6-4 [REDACTED] SPC [REDACTED], PFC [REDACTED] SSG [REDACTED] SPC [REDACTED] SGT [REDACTED] SPC [REDACTED] SGT [REDACTED] Mrs. [REDACTED] 1LT [REDACTED] SGT [REDACTED] CPT [REDACTED] SSG [REDACTED] SGT [REDACTED] SPC [REDACTED] SSG [REDACTED] 1SG [REDACTED] and SSG [REDACTED]

b7c-4 b6-4

12. Sworn Statement of SPC [REDACTED] 26 Apr 04, detailing his knowledge of the Playboy article.

b7c-4 b6-4

13. Sworn Statement of SPC [REDACTED] 26 Apr 04, detailing his knowledge of the Playboy article.

b7c-4 b6-4

14. Rights Warning Certificate and Sworn Statement of SPC [REDACTED] 27 Apr 04, detailing his knowledge of the Playboy article and admitting he had sex with an Iraqi prostitute.

b7c-4 b6-4

15. Sworn Statement of SGT [REDACTED] 28 Apr 04, detailing his knowledge of the Playboy article.

b7c-4 b6-4

16. Sworn Statement of SGT [REDACTED] 29 Apr 04, detailing his knowledge of the Playboy article.

b7c-4 b6-4

17. Sworn Statement of 1LT [REDACTED] 3 May 04, detailing his knowledge of the Playboy article.

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18. Sworn Statement of SGT [REDACTED] b7C-4 b6-4, 4 May 04, detailing his knowledge of the Playboy article.

19. Rights Non-Wavier Certificate and Unsworn Statement of SSG [REDACTED] b7C-4 b6-4, 4 May 04, detailing his knowledge of the Playboy article.

20. Sworn Statement of SGT [REDACTED] b7C-4 b6-4, 5 May 04, detailing his knowledge of the Playboy article.

21. AIR of SA [REDACTED] 7C1 b6-4, 44th Military Police Detachment (CID), Fort Lewis, WA, 5 May 04, detailing the interview of SPC [REDACTED] b7C-4 b6-4

22. Rights Wavier Certificate and Sworn Statement of SPC [REDACTED] b7C-4 b6-4, 5 May 04, detailing his knowledge of the Playboy article.

23. AIR of SA [REDACTED] 7C1 b6-4, 87th Military Police Detachment (CID), Fort Bragg, NC, 12 May 04, detailing the interview of SSG [REDACTED] b7C-4 b6-4

24. Rights Wavier and Sworn Statement of SSG [REDACTED] b7C-4 b6-4, 12 May 04, detailing his knowledge of the Playboy article.

25. AIR of SA [REDACTED] 7C1 b6-4, 15 Jun 04, detailing the interviews of Mr. [REDACTED] b7C-4 b6-4, Mr. [REDACTED], PV2 [REDACTED], PFC [REDACTED], CPT [REDACTED], SGT [REDACTED] and Mr. [REDACTED]

26. Sworn Statement of Mr. [REDACTED] b7C-4 b6-4, 10 May 04, detailing his knowledge of the Playboy article.

27. Rights Wavier Certificate of PFC [REDACTED] b7C-4 b6-4, 20 May 04.

28. Sworn Statement of CPT [REDACTED] b7C-4 b6-4, 21 May 04, detailing his knowledge of the Playboy article.

29. Rights Waiver Certificate of SGT [REDACTED] b7C-4 b6-4, 9 Jun 04.

30. Polygraph Report, 9 Jun 04, pertaining to SGT [REDACTED] 7C1 b6-4

31. AIR of SA [REDACTED] b7C-4 b6-4, 87th Military Police Detachment (CID), Fort Bragg, NC, 16 Jun 04, detailing the interview of SFC [REDACTED]

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32. Sworn Statement of SFC [REDACTED] ^{b7c-4 b6-4}, 16 Jun 04, detailing his knowledge of the allegations in the Playboy article.

33. AIR of SA [REDACTED] ^{7c1 b6-1}, 16 Jul 04, detailing coordination's with SJA and Chain of Command.

NOT ATTACHED:

Retained in the files of the U.S. Army Crime Records Center, Fort Belvoir, VA:

34. Polygraph Authorization (SGT [REDACTED] ^{7c4 b6-4}), 9 Jun 04

35. Polygraph Examination Statement of Consent (SGT [REDACTED] ^{7c6 b6-4}), 9 Jun 04.

The originals of Exhibits 1 and 3 through 32 are attached to the USACRC copy of this report.
The original of Exhibit 2 is maintained in the files of Playboy Magazine, 680 North Lake Shore Drive, Chicago, IL 60611.

STATUS: This is Final (C) report. This investigation was terminated in accordance with CID 195-1, Chapter 4-17 (6) in that the Special Agent in Charge determined that furtherance of this investigation would be of little or no value or leads remaining to be developed were not significant

REMAINING LEADS: Full identification and interviews of alleged victims and interviews of SGT [REDACTED], Ms [REDACTED], Ms [REDACTED], SPC [REDACTED], SPC [REDACTED], and 1LT [REDACTED] ^{7c2 b6-3}

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JUN 5

7c b6

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REPORT PREPARED BY

REPORT APPROVED BY

FCI b6/b7
[Redacted]
Special Agent

FCI b6/b7
[Redacted]
Special Agent-in-Charge

DISTRIBUTION:

Dir, USACRC, Ft Belvoir, VA
Commander, 3rd MP Group, USACIDC (Operations), Fort Gillem, GA
CHIEF CRIMINAL LAW (SJA)
PMO, (MP Operations), FT BENNING, GA
SPECIAL AGENT IN CHARGE, 86TH MP DET (CID)
WPC, 86th MP Det
THRU: Cdr, Benning CID Bn, ATTN: Operations
THRU: Cdr, 3d MP GP (CID), ATTN: Operations
TO: HQ USACIDC, ATTN: COIP-COP/CO
CDR, 3d Brigade, 3d Infantry Division
CDR, 1/15th Infantry, 3d Bde, 3d Infantry Division
PROVOST MARSHA, FT BENNING, GA
FILE

6

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JUN 6

7C b6 b2

DODDOACID 008346

CID Regulation 195-1

PAGE 1 OF 3 PAGES

This investigation was initiated subsequent to review of a May 2004 Playboy Magazine article titled "Death and Dishonor", wherein soldiers assigned to the 3rd Infantry Brigade, Fort Benning, GA 31905 alleged soldiers of the 1/15th Infantry Bn, 3rd Infantry Brigade, committed numerous war crimes against Iraqi nationals while deployed in support of Operation Iraqi Freedom; and subsequent a request for investigation by COL [REDACTED] 103663
Commander, 3rd Infantry Brigade, Fort Benning, GA 31905.

A review of the magazine article written by Mr [REDACTED] 103663, reflected soldiers of the 3rd Infantry Brigade alleged that while deployed to Iraq, several soldiers assigned to the 1/15th Infantry Bn, 3rd Infantry Brigade, committed numerous war crimes against Iraqi local nationals and soldiers. Soldiers who were quoted in the article alleged soldiers of the 3rd Infantry Brigade committed the below-cited crimes:

Raped Iraqi female nationals while on patrol and while guarding a mall in Baghdad.

Shot an unarmed Iraqi national in the leg while he was fleeing, hog-tied him and threw him into a Bradley Fighting Vehicle (BFV) where several soldiers physically assaulted him while hog-tied.

Assaulted several EPW's while in custody, and dug inside wounds of EPW's while they were incapacitated.

Committed Rules of Engagement (ROE) violations, by indiscriminately shooting unarmed civilian vehicles while operated and occupied by local Iraqi civilian women and children. Additionally, would "level everything in a four block radius" after other units had safely passed through the area.

The article also alleged possible Geneva Convention violations, specifically, shooting wounded Iraqi soldiers. Lastly, the article further alleged larceny violations and other misconduct violations. (See Playboy article for details)

About 1100, 16 Apr 04, CPT [REDACTED] 103663 Commander, B Co, 1/15th Inf Bn, Fort Benning, GA, provided statements prepared by SPC [REDACTED] SGT [REDACTED] and SPC [REDACTED] 103663 all of B Co, 1/15th Inf Bn, Fort Benning, GA which indicated they spoke to the Playboy reporter, but their comments were taken out of context and not written in the article they way there were initially stated. (See unsworn statements of SPC [REDACTED] 103663 SG [REDACTED] 103663 and SPC [REDACTED] 103663 for details)

Special Agent [REDACTED] 101661
b286th Military Police Det (CID)
Ft Benning, GA 31905Signature: [REDACTED] 101661
b2

Date: 23 Apr 04 Exhibit: 1

CID Form 94

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JUL 7

AGENT'S INVESTIGATION REPORT

0147-04-CID013-64389

CID Regulation 195-1

PAGE 2 OF 3 PAGES

7C31603
7C31603
About 1130, 16 Apr 04, SA [REDACTED] interviewed SPC [REDACTED] B Co, 1/15th Inf Bn, Fort Benning, GA, who provided a sworn statement that Mr. [REDACTED] (formerly SPC assigned to B Co, 1/15th Inf Bn, Fort Benning, GA, and currently incarcerated at Muscogee County Jail, Columbus, GA) informed him he had sex with an Iraqi female. He did not know if she was raped or a prostitute and believed other members of SPC [REDACTED] squad also had sex with the women. SPC [REDACTED] stated he did not witness any mistreatment of EPW's or killing of innocent civilians while he was in Iraq. (See statement for details)

7C1601
7C4404
About 1500, 16 Apr 04, SA [REDACTED] advised SPC [REDACTED] B Co, 1/15th Inf Bn, Fort Benning, GA of his rights which he invoked and requested legal counsel. (See non-wavier certificate for details)

7C1601
7C1604
About 1000, 19 Apr 04, SA [REDACTED] interviewed SPC [REDACTED] B Co, 1/15th Inf, Fort Benning, GA who provided a sworn statement pertaining to his comments in the Playboy article. SPC [REDACTED] stated he was informed the article would be about SPC [REDACTED] (deceased, formerly assigned to B Co, 1/15th Inf Bn, Fort Benning, GA). SPC [REDACTED] denied he was involved with or witnessed any of the incidents mentioned in the article. SPC [REDACTED] stated the article implied he stated he saw a "conversation circle" which has just been bombed, but in fact he told the reporter he saw a bunker with ashes, there we no bodies involved. SPC [REDACTED] stated he did not shoot anyone or witness anyone get killed while in Iraq. He further stated he did not witness the mistreatment of any EPW's, and did not know of any soldiers having sex while deployed. (See statement for details)

7C1601
7C1604
About 1330, 19 Apr 04, SA [REDACTED] interviewed SGT [REDACTED] 1/15th Inf Bn, Fort Benning, GA who provided a sworn statement pertaining to his comments in the Playboy article. SGT [REDACTED] stated he was unaware of any mistreatment of EPW's or raping of Iraqi women. SGT [REDACTED] stated his comments to the reporter were taken out of context and not printed the way he stated them. (See statement for details)

7C1601
7C1604
About 1115, 20 Apr 04, SA [REDACTED] interviewed PFC [REDACTED] Co, 1/15th Inf Bn, Fort Benning, GA who stated he was not in SPC [REDACTED] squad. PFC [REDACTED] provided information about his experiences in Iraq.

7C1601
7C1604
About 1036, 21 Apr 04, SA [REDACTED] obtained a sworn statement from PFC [REDACTED] pertaining to his previous interview. (See statement for details)

7C1601
b2
Special Agent [REDACTED]

86th Military Police Det (CID)
Ft Benning, GA 31905

Signature [REDACTED]

Date: 23 Apr 04 Exhibit: |

CID Form 94

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JUL 3

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AGENT'S INVESTIGATION REPORT

0147-04-CID013-64389

CID Regulation 195-1

PAGE 3 OF 3 PAGES

704661
About 1105, 21 Mar 04, SA [redacted] interviewed SGT [redacted] 704664
[redacted] 9, B Co, 1/15th Inf Bn, Fort Benning, GA who related his experiences while deployed. SGT [redacted]
[redacted] stated SPC [redacted] informed him that he had sex with a prostitute while in
Iraq. Further SGT [redacted] stated SPC [redacted] told him he had abused an EPW and SGT [redacted]
[redacted] stated he observed cigarette burns SPC [redacted] claimed to have made on the
EPW. SGT [redacted] stated they did kill women and children, but they were combatants,
firing upon them or not turning away from a roadblock after warning shots. SGT [redacted]
[redacted] stated they did not know at the time they were shooting women, as they were in
vehicles too far away, they discovered there were women and children in the car after the fact.
SGT [redacted] further stated they did shoot women who were taking weapons off of dead
soldiers and providing them to combatants or firing upon them.

704664
About 1200, 22 Apr 04, SGT [redacted] 704664-4 provided a sworn statement detailing what he
stated previously. (See statement for details)

704661
About 1600, 23 Apr 04, SA [redacted] advised SPC [redacted] 704664 Co,
1/15th Inf Bn, Fort Benning, GA of his rights which he waived and provided a sworn statement
denying he was involved with any type of EPW abuse while deployed. SPC [redacted] further 704664
stated he did speak to the Playboy reporter but the article attributed information to him that he
did not provide. SPC [redacted] stated they never shot an EPW in the leg and SPC [redacted] was
never on his Bradley to abuse any prisoners. (See rights waiver and statement for details)
704664
///LAST ENTRY///

704661
Special Agent, [redacted] 62

86th Military Police Det (CID)
Ft Benning, GA 31905

Signature [redacted] 704661

Date: 23 Apr 04 Exhibit: 1

CID Form 94

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Page(s)

10 - 20

Withheld due to:

☐ Foreign Language

☐ Photos depicting Americans

☐ Photos depicting foreign nationals

☒ Civilian Agency Records

Page(s)

21-29

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

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY:

Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1993 (SSN).

PRINCIPAL PURPOSE:

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

ROUTINE USES:

Your social security number is used as an additional/alternate means of identification to facilitate living and retirement.

DISCLOSURE:

Disclosure of your social security number is voluntary.

1. LOCATION

CID Office, Fort Benning, GA

2. DATE (YYYYMMDD)

2004-04-16

3. TIME

1239 1356

4. FILE NUMBER

0147-01 CID013

5. LAST NAME, FIRST NAME, MIDDLE NAME

704604

6. SSN

7. GRADE/STATUS

E-4 SFC

8. ORGANIZATION OR ADDRESS

B Co 1/5 INF, Fort Benning, GA 31905

9.

704604

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

while in Iraq [redacted] informed me he had sex with 1 of 2 women in a Iraqi mall we were guarding and his fellow soldiers did the same, I don't know their names. But they were in his PLT which was 3rd PLT B Co 1/5 INF on the patrol/guard that day not all of them did this but others did and I know the women were Iraqi, I however don't know if they were raped, or were prostitutes OR just wanted sex. I never witnessed POWs getting tortured or shot nor did I see civilians get shot or tortured but this morning I over heard a conversation that [redacted] stuck his fingers in a open wound of a POW After a group of religious fanatics ambushed some of my company in Baghdad. [redacted]

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF

5 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF

TAKEN AT _____ DATED _____

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

redacted
redacted
 STATEMENT OF *redacted* TAKEN AT BUILDING 108, FBGA, DATED
 16 Apr 04 CONTINUED:

Q: *redacted*

A: *redacted*

Q: Did you see the women *redacted* had sex with?

A: No.

Q: How do you know that other members of his platoon had sex with these women?

A: He told me himself that members of his platoon had sex with the women and he was with the younger of the two women.

Q: When did he tell you this?

A: When were in the last compound we stayed in while in Baghdad.

Q: Why did he tell you this?

A: I have no clue.

Q: Who was in *redacted* platoon at the time?

A: *redacted*, SSG *redacted*, SPC

7C
4
redacted PVT *redacted*, those are the only one I know that were in his platoon at the time.

Q: Do you know who specifically has sex with the women?

A: Just *redacted* everyone in his team was there and most likely his squad. So if they didn't have sex with them, they at least knew about it.

Q: Who was his squad leader?

A: I don't know.

Q: Was it common for soldiers to have sex with Iraqi women?

A: No, not that I know of, I know no one in my platoon would have, for safety reasons.

Q: Do you know anything about SGT *redacted* and prostitutes?

A: I know he was trying to find some. *redacted*

Q: How do you know that?

A: He told me.

Q: What did he say?

A: He had said for the past few days he had been trying to get prostitutes down there, but none had shown up.

Q: How was he trying to get prostitutes?

A: I don't know.

Q: Where did this occur?

A: In a mall in Baghdad. *redacted*

Q: Who told you *redacted* abused an EPW?

A: It was a group of people talking about it, I overheard them talking, but I don't remember who was there.

Q: Did they say they saw him abuse the EPW or heard about it?

A: I believe he said he saw it.

Q: Did you see a skull on a stick while at a technical college?

A: No.

Q: Were you at the technical college?

A: Yes.

INITIALS *redacted*

PAGE 2 OF 5

704b64
RUBIN
 STATEMENT OF [REDACTED] TAKEN AT BUILDING 108, FBGA, DATED
 16Apr 04 CONTINUED:

Q: Where you at the college when [REDACTED] was there?

A: No.

Q: Did you know of anyone firing at cars with women and children in them?

A: Yes, but the women were armed. There was a situation when a car of four women was firing RPG's at us, and they were killed. Later another platoon came behind us and there were children in the car as well. LT [REDACTED] was investigated for the incident and was cleared. I did not see it, it happened behind my vehicle, but I heard about. *704b64*

Q: Were you ever instructed to clear the area ("a four block radius")?

A: the orders were given to shoot anything that moves, but it wasn't meant to be taken literally. It was a pretty hot area and they meant to engage the enemy on our own. We saw civilians and did not shoot them. Meaning if we saw enemy we didn't have to get clearance to engage the target first.

Q: Did any other platoons shoot everyone they saw?

A: Third platoon shot a VW bug (car) that was empty and a dog that I heard of, but I didn't see it.

Q: Did you ever see any EPW's get abused?

A: No.

Q: Did you ever observe any soldiers having sex?

A: No. *RUBIN*

Q: Did you see [REDACTED] or individuals on his track shot a soldier/civilian in the leg?

A: No. If they were on another track you didn't really know what happened, and if they were in a different platoon you really didn't know what they did unless they told you.

Q: Did you ever guard an area with numerous tractor-trailers with ammunition?

A: No.

Q: Did you ever see any soldiers steal anything that did not belong to them?

A: No. *704b64*

Q: Did you ever see [REDACTED] with a jeweled box?

A: No.

Q: Did you take any photos while you were in Iraq/Kuwait?

A: No.

Q: What was Ambush Alley?

A: That is what the press is calling the Midtown Massacre.

Q: Were you at that battle?

A: No.

Q: If you fired upon a vehicle did you go back to check for any injured or just move on?

A: If we could go back, if there were no hostile forces, we would go and treat them. If we could not go back and check, the units behind us would check.

Q: What was your unit doing at the mall where [REDACTED] had sex with the Iraqi women? *704b64*

A: We had a patrol set up to stop vandalism and looting.

Q: What was your unit doing at the technical college?

A: Preventing looting and vandalism as well.

INITIALS [REDACTED] *704b64*

PAGE 3 OF 5

JUN 2002

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END

4

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reubel
 [REDACTED] *reubel*
 STATEMENT OF [REDACTED], TAKEN AT BUILDING 108, FBGA, DATED
 16 Apr 04 CONTINUED:

Q: Did you ever observe any criminal acts by soldiers while in Iraq?

A: No.

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

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

INITIALS [REDACTED]

PAGE 4 OF 5

JUN 03 2003

EXHIBIT 4

STATEMENT OF

TAKEN AT

CIS office FBGA

DATED

16 Apr 07

9. STATEMENT (Continued)

704604

704604

704604

AFFIDAVIT

WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT 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.

704604

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 16 day of April, 2007 at CIS Office, D8, 108, Fort Garry GA 31905

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

704604 SA

(Typed Name of Person Administering Oath)

Article 136 UCMJ
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

704604

PAGE 5 OF 5 PAGES

USAPA V1.00

NOTES WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AB 160-30; the proponent agency is ODCSOPS

0147-04-CID013-84389

0147-04-CID013-84389

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 CID Office, Fort Benning, GA 31905	2. DATE 16 Apr 04	3. TIME 1502	4. FILE NO 0147-04-CID013
5. NAME (Type or Print) [REDACTED] 7C41264	8. ORGANIZATION OR ADDRESS B Co, 1/15th Inf Bn Fort Benning, GA 31905		
6. SSN [REDACTED] 7C41264	GRADE/STATUS SPC/RA		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army

Criminal Investigation Command

and wanted to question me about the following offense(s) of which I am suspected: Rape, Aggravated Assault, Violation of General Order (Rules of Engagement)

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

I do not have to answer any question or say anything.

Anything I say or do can be used as evidence against me in a criminal trial.

(For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

(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.

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

5. COMMENTS (Continue on reverse side)

Have you been advised of your rights in the past 30 days? No

Section B. Waiver

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

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE
1a. NAME (Type or Print)		4. INVESTIGATOR [REDACTED] 7C41264
b. ORGANIZATION OR ADDRESS AND PHONE		
2a. NAME (Type or Print)		5. TYPED NAME OF INTERVIEWEE SA [REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR 86th MP Det (CID), 3d MP Group (CID) Fort Benning, GA 31905

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
[REDACTED] 7C41264

ATTACH THIS WAIVER CERTIFICATE TO ANY STATEMENT OR STATEMENT EXECUTED BY THE SUSPECT/ACCUSED

DA FORM 3881, NOV 89

EDITION OF NOV 84 IS OBSOLETE

JUN 05

USAPA 2 01

EXHIBIT

5

DODDOACID 008357

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY:

Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 /SSN/.

PRINCIPAL PURPOSE:

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

ROUTINE USES:

Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE:

Disclosure of your social security number is voluntary.

1. LOCATION

100 Office Bldg 108, Fort Benning GA

2. DATE (YYYYMMDD)

20040419 Z

3. TIME

700000

4. FILE NUMBER

0147-04-C10013

5. LAST NAME, FIRST NAME, MIDDLE NAME

[REDACTED] TC4604

6. SSN

[REDACTED]

7. GRADE/STATUS

E-4

8. ORGANIZATION OR ADDRESS

D Co 1st Inf 3rd Brigade Fort Benning GA

[REDACTED] TC4604, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

During Operation Iraqi Freedom I was the Commanding Officer's driver. My TC was specialist [REDACTED]. During the time from when we crossed the border to Dragon 4A we saw close to nothing as far as combat. During that time we had contact with POW's only once. I believe there were about five in total. As far as I was concerned they were treated well. I only had contact with them for about two hours while I guarded them after Dragon 4A. My battalion CSM took my vehicle, and I became the TC for the 1SG's driver and Spc [REDACTED] went back to 3rd A.T. From there to Baghdad we saw the aftermath of a few battles but nothing truly significant. Mostly Iraqi military vehicles that had been destroyed or the white pick-up trucks they seem to use alot. I saw alot of dead bodies but all were Iraqi militaries. I saw absolutely no guidance of anywar crimes of any nature from what I saw. TC 1-15 acted with honor and fought with courage. I have no knowledge of any warcrimes and the information in the article is all new to me, and it was the first I had heard of such things. The information I gave the writer of the article was given under the understanding that the article was going to be about Spc [REDACTED] and his life, not about the war. As far as the article goes my quotes for the most part are pretty accurate to what I told the writer. But he makes a reference to a bunker with the remains of a conversation circle that had been turned to ash, which is in no way true, other than me telling him about a bunker one and spc. Davis found what had ashes in it. [REDACTED] TC4604

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF ..."

TAKEN AT _____ DATED _____

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

704664
 [REDACTED] 704664
 STATEMENT OF [REDACTED] TAKEN AT BUILDING 108, FBGA,
 DATED 19 Apr 04 CONTINUED:

Q: [REDACTED] 704664

A: [REDACTED] 704664

Q: What is TC

A: Truck Commander. 704664

Q: Were you with [REDACTED] Baghdad?

A: No, we were in the same company, but we weren't in the same platoon at that point.

Q: Did you see any bodies in the bunkers that were mentioned in the article?

A: No.

Q: Were you at Ambush Alley or Midtown Massacre?

A: No.

Q: Did you ever see anyone get shot during the war?

A: I did not shoot anybody and I did not see anyone get killed.

Q: Did you see any dead women or children?

A: No.

Q: When you would come into a town that had already been secured, did your element check any vehicles for injured or EPW's?

A: No. I assumed it was done prior to us coming through. I was with the field trains and we had supplies and were in soft skinned vehicles, we would follow behind the Bradley's and Tanks.

Q: Did you ever see any EPW's get mistreated in any way?

A: No.

Q: Where you at the technical college where [REDACTED] allegedly has a skull on a stick?

A: No.

Q: In the article you stated [REDACTED] wanted to tell his father "war stories"; did he do anything to enhance his experiences to tell his father?

A: No.

Q: Do you know of any soldiers having sex while deployed?

A: No.

Q: Were you ever given direction to "clear a 4-block radius" or kill everyone so as not to take any EPW's?

A: No.

Q: Were you in an area that had 30 tractor-trailers?

A: No.

Q: Do you know of anyone stealing or looting?

A: No.

Q: Did you ever hear of soldiers raping Iraqi women?

A: No.

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

A: No. ///END OF STATEMENT/// [REDACTED] 704664

INITIALS [REDACTED] 704664

PAGE 2 OF 3

0000007

FOR OFFICIAL USE ONLY

EXHIBIT

6

DODDOACID 008359

STATEMENT OF

TAKEN AT CID Office FBGA DATED 19 Apr 04

9. STATEMENT (Continued)

7041604

7041604

AFFIDAVIT

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

[REDACTED] 7041604
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19 day of April, 2004 at Fort Benning CID Office Fort Benning GA

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

[REDACTED] 7041604
(Typed Name of Person Administering Oath)Article 136 UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

USAPA V1.00

JUN 03 08

EXHIBIT

6

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY:

Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).

PRINCIPAL PURPOSE:

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

ROUTINE USES:

Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE:

Disclosure of your social security number is voluntary.

1. LOCATION

CID Office Bldg 108, Fort Benning GA

2. DATE (YYYYMMDD)

20040119

3. TIME

1612

4. FILE NUMBER

0147-04-C10013

5. LAST NAME, FIRST NAME, MIDDLE NAME

[REDACTED]

6. SSN

[REDACTED]

7. GRADE/STATUS

E-5 / SGT

8. ORGANIZATION OR ADDRESS

BSO 1/15th 2nd PLT IN 3rd BCT 3rd ID.

9.

704664

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I spoke to [REDACTED] of Playboy on a article he was doing about my friend [REDACTED] who was murdered. The article was suppose to be about his life and experience during OIF. The story turned out to have comments about war crimes committed during the war. I have never witnessed nor did I have any knowledge of any rapes that occurred during the war. because as far as I know none ever happened. EPW's and noncombatants were never beaten or mistreated. Searching them and moving them in a quick manner required us to be rough but never abusive more than we had to be. The issue of shot up vehicles being unchecked is inaccurate for my platoon. If the vehicle was shot because it got danger close after the warning shots we would check it or Iraqi civilians would because they were closer. Double tapping is supposed to mean controlled prns into the enemy. when enemy or combatants were engaged they were always killed in the initial burst because the burst always came from [REDACTED] or [REDACTED] so therefore we would walk past them because they were already dead. [REDACTED] 704664

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF

5 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF"

TAKEN AT: DATED:

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

704664
STATEMENT OF [REDACTED] 704664 TAKEN AT BUILDING 108, FBGA, DATED 19
Apr 04 CONTINUED:

Q: [REDACTED] 701601

A: [REDACTED] 704664

Q: In the article you mentioned you would clear a "four block radius" what does that mean?

A: We would check the buildings inside and out, and check to see if there were any combatants inside.

Q: Were you ever instructed to kill everyone in the area?

A: No.

Q: Did you see any non-combatants get killed?

A: We saw a lot of combatants killed, so it would be hard to say if any were non-combatants, but I guess I did.

Q: Why do you say you guess you did?

A: When we would go through the dismount, we would see corpses but they would be in uniform. I don't recall seeing anyone not in uniform, but I can't remember.

Q: Did you see anyone from your platoon or squad kill a non-combatant?

A: No.

Q: So you may have seen dead non-combatants, but not killed by your section?

A: Yes.

Q: Where was that at?

A: I can't really remember.

Q: Did you take any EPW's personally?

A: One personally, the rest were escorting them from other soldiers that captured them.

Q: Did you see an EPW with one arm injured severely?

A: Yes.

Q: Did you see anyone digging into his wounds or acting inappropriately towards him?

A: No, he was at the underpass. I dropped off my EPW and departed, that is the only time I saw that guy.

Q: What platoon were you in during the war?

A: Second Platoon.

Q: Did you or your squad ever fire at women and children?

A: No.

Q: Did you or your squad ever shoot everyone so as to not take EPW's?

A: No. 704664

Q: Did you see SPC [REDACTED] attempted to steal a gold toilet?

A: No.

Q: What do you know about the gold toilet?

A: I heard him, I don't know if it was him alone or with his buddies, that he wanted to take it, but he was told not to.

Q: Did you see SPC [REDACTED] with a jeweled box?

A: Never. 704664

Q: In the article you mention that B Co doesn't mess around, what did you mean by that comment?

INITIALS [REDACTED] 704664

PAGE 2 OF 5

0000040

DODDOACID 008362

7

704664
STATEMENT OF [REDACTED], TAKEN AT BUILDING 108, FBGA, DATED 19
Apr 04 CONTINUED:

A: that we took everything serious about what we did, we took the enemy seriously and we didn't mess around.

Q: What did you mean by B Co, had to clean up other unit's messes?

A: We always had to support other unit that got ambushed and got in trouble, we would have to go and assist them to get out, or they would get and we would go in and secure the area.

Q: Was it policy to go back and check the vehicle fired upon for any wounded or EPW's?

A: I wouldn't say it was policy, we just did it on our own.

Q: Did you ever just shoot them and leave?

A: No.

Q: Even if they were shooting at you?

A: If they were coming towards us we would shoot warning shots to get them to turn around and about 90% of the time they did leave, but there were some that we would fire several warning shots and they would keep coming at us, we had no choice but to fire upon them. If we could we would go and check for wounded, but sometimes they would be a ways off and the civilians would go and get them.

Q: Did you see any civilians or soldiers get hog-tied?

A: I have seen EPW's with their feet tied together, but not tied to their hands.

Q: Did you see anyone that was bound get beaten?

A: No.

Q: Did you see the individual in the article that was shot in the leg?

A: No.

Q: The article mentions body parts stuck to the Bradley, can you explain that?

A: I think the reporter was mixing up his battles. There was an incident, not in a city, that a driver came past the Bradley's, someone over the radio asked if anyone was going to shoot him, but it was too late. The Bradley's have to fire from 65m away for the 25mm to arm, and this guy was close than that. They fired at him anyway, but it did not arm and went through the vehicle. He was a suicide bomber and ran straight into the Bradley, which left a mess and there were pieces of him stuck to the Bradley, but that was not in the city street.

Q: Did you take a picture of it?

A: No, but everyone had cameras. I don't recall who took a picture.

Q: Did any soldiers talk about having sex while in Iraq?

A: They talked about wanting to have sex all the time, but no one actually did have sex over there.

Q: Do you know of [REDACTED] or [REDACTED] having sex while in Iraq?

A: No.

Q: Did they tell you about having sex while in Iraq?

A: No.

Q: Did you see a skull on a stick while at the Technical College?

A: No, I heard after the article came out that it was a fake skull, like the ones used in a classroom or lab.

704664
INITIALS [REDACTED]

PAGE 3 OF 5

(FOR OFFICIAL USE ONLY)

100-3-11
EXHIBIT 7
DODDOACID 008363

704664
704664
0147-04-610013-04384
STATEMENT OF [REDACTED] TAKEN AT BUILDING 108, FBGA, DATED 19

Apr 04 CONTINUED:

Q: Do you know of anyone raping Iraqi women while in Iraq?

A: No.

Q: Do you know of anyone abusing EPW's while in Iraq?

A: No.

Q: Do you know of anyone shooting indiscriminately at cars of women and children while in Iraq?

A: No, never.

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

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

704664
INITIALS [REDACTED]

PAGE 4 OF 5

JUN 06 02

7
DODDOACID 008364

STATEMENT OF [REDACTED]

TAKEN AT

CID Off. Co. FBGA

DATED

19 Apr 07

9. STATEMENT (Continued)

704664

AFFIDAVIT

704664
 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. 70664

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19 day of April, 2004 at CID Office Bldg 108, Fort Benning, GA 31905

704
661 SA

(Typed Name of Person Administering Oath)

Article 136 UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

704664

PAGE 5 OF 5 PAGES

USAPA V1 00

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS 0147-PI-C16013-42303

PRIVACY ACT STATEMENT

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

1. LOCATION CID Office Fort Benning GA 31905	2. DATE (YYYYMMDD) 2004 04 21	3. TIME 1036	4. FILE NUMBER 0147-04-C16013
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED] 7C4664	6. SSN [REDACTED] 7C-4166-9	7. GRADE/STATUS E-3	
8. ORGANIZATION OR ADDRESS Bro's INF			
9. [REDACTED] 7C4664			

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

When we were doing a patrol down one of the streets we were stopped by an older man who was trying to tell us some information. A big group of people started gathering and one of the men went up to the older man and I guess he got mad that he was talking to us so he head butted him in the face. When that happened Sgt [REDACTED] started shooting, he fired about 3 rounds up in the air and the younger guy got scared and stopped fighting when that happened other members of the squad took him to the ground and zip tied his hands behind his back. After that they put him in the back of the truck and we moved out to a big dirt lot. They dropped the ramps and started asking him some questions. After about 15 min we raised our ramps and went back to our camp. The dirt lot was the last time I had seen him but I know that he didn't get beat up or shot, we were never given an order to just shoot everything cause it's easier that way nor did we ever level 4 blocks to the ground maybe when they were dropping the bombs before we crossed the border but never when we were in Iraq. I don't know if any women or children were killed it was hard to tell what they were because they were mostly burnt up. I don't know if anyone had sex over there either. [REDACTED] 7C4664

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED] 7C4664	PAGE 1 OF 4 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED]"
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

7C1264
STATEMENT OF [REDACTED]
DATED 20 Apr 04 CONTINUED:

TAKEN AT BUILDING 108, FBGA,

7C1264
Q: [REDACTED]

A: [REDACTED]
Q: Do you know what type of information the older Iraqi was trying to give you?

A: I'm not sure.

Q: How old was the younger guy that head butted him?

A: I would say about 23-24.

Q: How old was the older Iraqi

A: Probably late 40's.

Q: Is it possible one of the bullets from SGT [REDACTED] hit the younger Iraqi?

A: No he shot up in the air and about 2 seconds later they put him down on the ground and put him in the track.

Q: Did they bind his feet in anyway?

A: No.

Q: Was the younger Iraqi trying to run away?

A: He got startled when they shot in the air, he ducked down a little and then they got him and zip tied him.

Q: How far away were you from this action?

A: Probably no more than 50 feet away.

Q: Was he bleeding?

A: Not that I know of, I think he may have had blood from the old man on his face.

Q: Did you see anyone strike him at anytime?

A: No.

Q: Who's Bradley did they put him in?

A: The track that has SGT [REDACTED] I think second squads track.

Q: Who was in second squad?

A: SGT [REDACTED] SPC [REDACTED] SPC [REDACTED] and SPC [REDACTED]

Q: Was [REDACTED] in that squad?

A: He was in second or first squad.

Q: Did you see [REDACTED] around the younger Iraqi (that head butted the older guy)?

A: I think he was pulling security down the block.

Q: Did you ever observe anyone kill non-combatants?

A: No.

Q: Did you ever observe any women or children get shot at?

A: There was a van we shot at, but the occupants got out and ran away, they were not injured, and one of the occupants was a female.

Q: Were you at Ambush Alley (Midtown Massacre)?

A: Yes.

Q: What was your role there?

A: Help load ammunition, and pull security on the top of the roof.

Q: Did you see an EPW with an injured arm or missing arm?

A: I didn't actually see him, but they told me about him.

INITIALS [REDACTED]

PAGE 2 OF 4

FOR OFFICIAL USE

DODDOACID 008367

7Cbb4
[REDACTED] 7Cbb4
STATEMENT OF [REDACTED]

TAKEN AT BUILDING 108, FBGA,

DATED 20 Apr 04 CONTINUED:

Q: What did they tell you about him?

A: They said [REDACTED] kicked him. 7C4bb4

Q: Who told you that?

A: I'm not sure.

Q: What did they tell you? 7Cbb4

A: That [REDACTED] kicked him in the nuts.

Q: Did you ever see anyone loot or steal anything?

A: Some soldiers took some watches, but they were told to put them back.

Q: Did anyone ever tell you about having sex while deployed?

A: No.

Q: Did you ever see any women with soldiers?

A: When we did patrols they would come up and talk to us, but that is it.

Q: Did you see any women while guarding the mall?

A: People would come to the gate; sometimes women would come up and try to sell us sodas.

Q: Did you ever see any women inside the mall area?

A: No. 7Cbb4

Q: Did you see [REDACTED] or anyone with a skull on a stick at the Technical College?

A: No.

Q: Did you see that anywhere?

A: No.

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

A: No. ///END OF STATEMENT/// [REDACTED] 7Cbb4

INITIALS [REDACTED] 7Cbb4

PAGE 3 OF 4

50000000

EXHIBIT

8

70664

STATEMENT OF

TAKEN AT

CID Office, FBGA

DATED

21 Apr 07

9. STATEMENT (Continued)

70664

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.

70664

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21 day of April, 2004 at CID Office, Bldg 108, Fort Branning, GA 3905

70664

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

70664 SA

(Typed Name of Person Administering Oath)

Article 136, UCMJ
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

70664

PAGE 4 OF 4 PAGES

USAPA V1 00

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS 147-04-C1U013-64383

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 /SSN/.

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

ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION CID OFFICE, Fort Benning GA 31905

2. DATE (YYYYMMDD) 2004 04 22

TIME 1200

FILE NUMBER 647-04-C1DOW

5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]

6. SSN [REDACTED]

7. GRADE/STATUS E-5 / SGT

8. ORGANIZATION OR ADDRESS Bco 15 IN. [REDACTED]

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

I do not believe any women were being raped by any soldiers in Bco or in my PLT (Sgt). However I did see [REDACTED] many women selling sex. I do know that [REDACTED] did in fact have sex for cost to him with a woman. I believe it happened while his Squad was guarding the [REDACTED] I know many people (Iraqis) would sell Snakes And Whiskey to the Troops while on guard duty. And the women would sell sex or food. I never heard anyone talk about raping a woman until we got back. From the war and all these reporters started making up stories. In fact, the sex would have been so cheap to buy, to get sex forcefully would have been to much of a hassle - I mean, while on patrol you couldn't - And other than that (being on patrol) the only contact you had with the public was on guard duty And you would be stationary. The women would have to walk to your position And the only women that really were talking to the Troops at this point in the war were women selling sex. Because all the rest were kept under [REDACTED]

10. EXHIBIT

11. INITIALS [REDACTED] MAKING STATEMENT

PAGE 1 OF 7 PAGES

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

TAKEN AT [REDACTED] DATED [REDACTED]

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

STATEMENT OF: [REDACTED]

TAKEN AT: CD Office, FBGA

DATED: 22 Apr 01 CONTINUED: [REDACTED]

Look and key by their ~~family~~ family. Regarding
 the skull that [REDACTED] had - It was plastic taken
 from a school. He decorated it over a period of time.
 First he painted it with "tribal" type swags and
 lines. He then put a 320 patch on the forehead.
 wrapped some barbed wire around the forehead and
 hammered some nails in it. and stuck an AK-47 bayonet
 through the head. mounted it on a stick - that
 took a couple of days. when it was time to move
 position. He wanted to use the skull as a hood
 ornament on the [REDACTED] the LT said NO.
 I told him to throw it away - he did.
 A time later I saw it again. [REDACTED] had
 stuck it on to the Bradley with some equipment.
 [REDACTED] had it with his stuff. while at the
 Airborn barracks that we stayed at for a while.
 At that point I don't know where the plastic
 skull ended up.

AS FAR AS the killing of noncombatants
 women and children - I never saw to my
 best knowledge any member of Bco 115 3rd pl
 kill any women and children.

POW treatment in most cases was very
 good - the [REDACTED] many POWs that my unit took
 were all handled to the best of anyone's ability
 of the situation. One exception is when

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 7 PAGES

JUN 03

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EXHIBIT

9

DODDOACID 008371

STATEMENT OF: [REDACTED]

TAKEN AT: C/D OFFICE FBGA

DATED: 22 Apr 04 CONTINUED:

We had [REDACTED] [REDACTED] that were under guard
 by SFC [REDACTED] And I believe PFC [REDACTED]
 I was told to have the 2 men guarded and let it
 in a safe place & that we could continue mission
 I ordered [REDACTED] And [REDACTED] (I believe the other soldier to
 be [REDACTED]) to guard the POW's in a covered position
 When I retired to the place where I told
 them to guard the POW's. I was told by
 [REDACTED] that he had done things to the POW's.
 He thought it was funny that he had hit, put out
 cigarettes, put his thumb in the gun shot wound and
 stepped on the balls of the POW's. & then
 ordered [REDACTED] away from the POW's. And later guarded
 them. Minut later the order came down to have
 the POW's moved to another position. The POW's
 were escorted to the 156' [REDACTED] by another
 squad. I had never seen [REDACTED] Treat other POW's
 in the same fashion. And After A verbal reprimand
 from myself - I never saw or heard of him
 treating other POW's in that fashion. [REDACTED] respect

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 3 OF 7 PAGES

JUN 1950

JUN 1950

EXHIBIT 9

STATEMENT OF [REDACTED] TAKEN AT BUILDING 108, FBGA,
DATED 22 Apr 04 CONTINUED:

Q: [REDACTED] and [REDACTED] having sex with the Iraqi women?

A: No.

Q: Did they tell you directly that they had sex with the women?

A: [REDACTED] did, but everyone in the platoon knew about it, they were the only guys to get some in months.

Q: Do you know what occurred?

A: As far as I know it was just intercourse. I really didn't like [REDACTED] to talk to him much about it, he just told me they had sex.

Q: Do you know how much the paid for the sex?

A: I think it was around \$25.00 or so.

Q: Did any of the Iraqi women offer you sex?

A: Oh yeah, all the time.

Q: Do you know if anyone else in your Company had sex with the Iraqi women?

A: No, I don't know.

Q: Do you know how many women were involved with this incident?

A: Not really, when the hookers showed up the came in groups, so I don't know how many showed up that day.

Q: Did you see the plastic skull [REDACTED] had?

A: Oh yeah.

Q: Are you certain it was plastic?

A: It could have fiberglass, it definitely was not real. It didn't even look real.

Q: Did you ever see any women and children killed?

A: Yes.

Q: Describe the situation when this occurred?

A: If they were engaging us with weapons or picking weapons up off the battlefield, not just to clean up, but to return them to combatants, it was obvious what they were doing. There were women that would be cleaning up the area. They would take the weapons and put them on the street corner, and would bury the people right there, they did not get shot. There were other women who were coming just the take the weapon and run into a building to give it to the combatants or would fire at us, they were killed.

Q: Did you shoot any women and children in cars?

A: Yes.

Q: Describe why you would shot the women and children in cars?

A: If they didn't respond to the signs, the presence of troops or warning shots. We fired warning shots at everyone, they would speed up to come at us, and we would shot them. You couldn't tell who was in the car from where we were, we found that out later. Most to the vehicles had at least one man in the car. We didn't go through the cars digging around for stuff, we would just look in and you could see they were dead and could see there were women inside.

INITIALS [REDACTED]

PAGE 4 OF 7

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EXHIBIT

9

DODDOACID 008373

STATEMENT OF [REDACTED] TAKEN AT BUILDING 108, FBGA,
DATED 22 Apr 04 CONTINUED:

Q: Did you see any EPW's shot in the leg?

A: No.

Q: Did you see any EPW hog tied and put in the back of the Bradley?

A: No.

Q: Did you ever put any prisoners in your Bradley?

A: Yes, one time. A man was running from a group of people, it turned out he was an Iraqi Officer, we didn't take him as an EPW and eventually we sent him back out of the compound. The incident you read from the article never happened. [REDACTED] was on my Bradley and [REDACTED] was not. *7C4664*

Q: Did you see [REDACTED] mistreat the EPW's?

A: No. *7C4664*

Q: Did [REDACTED] tell you directly what he did to the EPW's?

A: Yes. *7C4664*

Q: What exactly did [REDACTED] tell you he did to the EPW's?

A: The guy with the shot up arm, he stuck his finger in his wound, and put cigarettes out on him, and I think he said he punched him a couple of time. The other guy, he only had a shirt on, other than that he was butt naked, he punched him and stepped on his balls.

Q: Did [REDACTED] state why he mistreated the EPW's?

A: No, he thought it was funny.

Q: Did you ever see him mistreat any other EPW's?

A: No, as far as I know he never had another opportunity.

Q: Did you see any injuries on the EPW's?

A: Other than the gun shot wounds. The one guy had cigarette burns on his face and I think his neck.

Q: How many cigarette burns did you see?

A: I think there was two.

Q: How do you know they were cigarette burns?

A: Because I have been burned by a cigarette before and know what they look like and he told me what he did.

Q: Did you ever see anyone else mistreat EPW's?

A: No. *7C4664*

Q: Did you observe SPC [REDACTED] punch any of the EPW's? *7C4664*

A: No, but [REDACTED] told me he was back with [REDACTED] guarding the EPW's.

Q: Were you ever instructed to kill everyone and not take EPW's?

A: No.

Q: Was there ever a time when you observed anyone kill a person so as to not take them as an EPW?

A: No.

Q: Were you ever instructed to "level a four block radius"?

A: No, not at all.

Q: Was there ever a time when you observed anyone level everything within a four-block radius?

INITIALS [REDACTED] *7C4664*

PAGE 5 OF 7

JUN 13 2004

EXHIBIT

9

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DODDOACID 008374

7C4604
 [REDACTED] *7C4604*
 STATEMENT OF: [REDACTED] TAKEN AT BUILDING 108, FBGA,
 DATED 22 Apr 04 CONTINUED:

A: No. It would have been impossible, even if the order was given it would have been impossible, but the order wasn't given.

Q: Why would it have been impossible?

A: We didn't have the equipment to do something like that.

Q: Did you ever kill everyone within a four-block radius?

A: No, that would have been hundreds and hundreds of people, thousands if it was in the inner city. SGT [REDACTED] *7C4604* stated he meant to clear the area for combatants, not kill everyone.

Q: Did you ever see anyone looting or stealing anything while deployed?

A: Not really, but soldiers did try to take some cigarettes from a store that the wall was blown in, but CPT [REDACTED] topped them and told them no.

Q: Did you see [REDACTED] with a jeweled box?

A: No. *7C4604*

Q: Did [REDACTED] *7C4604* attempt to take a gold toilet?

A: Yes, I guess he attempted he ripped it out and brought it outside, but LT [REDACTED] *7C4604* told him no.

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

A: No. ///END OF STATEMENT/// *7C4604*

7C4604
 INITIALS [REDACTED]

PAGE

6 OF 7

JUN 03

EXHIBIT

9

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30; the preparing agency is GDCSOPF

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 CID Office, Bldg 108, Fort Benning, GA 31905	2. DATE 23 Apr 84	3. TIME 16:15	4. FILE NO. 0147-04-CID013
5. NAME (Last, First, MI) [REDACTED] TC664	6. ORGANIZATION OR ADDRESS B Co, 1/15th Inf Bn Fort Benning, GA 31905		
6. SSN [REDACTED] TC664	7. GRADE/STATUS SPC		

PART I RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command and wanted to question me about the following offense(s) of which I am suspected: Rpae, Aggravated Assault, Violation of General Orders (Rules of Engagement)

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

I do not have to answer any question or say anything.
 Anything I say or do can be used as evidence against me in a criminal trial.
 I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me or 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.

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

5 COMMENTS (Continue on reverse side)

Have up been advised of your rights in the past 30 days? No TC664

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. TC664

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE [REDACTED] TC664
1a. NAME (Type or Print)	[REDACTED] TC664	4. SIGNATURE OF INVESTIGATOR [REDACTED] TC664
b. ORGANIZATION OR ADDRESS AND PHONE	[REDACTED]	5. SA [REDACTED]
2a. NAME (Type or Print)	[REDACTED] TC664	6. ORGANIZATION OF INVESTIGATOR 86th MP Det (CID), 3d MP Grp (CID) Fort Benning, GA 31905
b. ORGANIZATION OR ADDRESS AND PHONE	[REDACTED]	

Section C. Non-waiver

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

2. SIGNATURE OF INTERVIEWEE

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

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY:

Title 10 USC Section 301, Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).

PRINCIPAL PURPOSE:

To provide commanders and law enforcement officials with means by which information may be accurately 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

CID Office Bldg 104 Fort Benning GA

2. DATE (YYYYMMDD)

04 April 23

3. TIME

1815

FILE NUMBER

0147-04-C10013

5. LAST NAME, FIRST NAME, MIDDLE NAME

[REDACTED] TCB64

6. SSN

[REDACTED]

7. GRADE/STATUS

E-4

8. ORGANIZATION OR ADDRESS

Bco 1/5 Inf, Fort Benning GA 31905

9.

1. [REDACTED] TCB64

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

That I have no knowledge of the raping of women nor children during the war in Iraq. Nor have I participated in such actions in OIF. I have never shot and killed nor wounded prisoners of war or wrongfully harmed them in any way humanly possible. I have never shot a prisoner of war in the leg or treated him in any way other than how I would like to be treated. In this I have no knowledge of anyone doing such actions. No one was ordered to do so in any way harm prisoners of war to my knowledge. I have never witnessed anyone starting anything nor have I done so. I have no knowledge of the (Midtown Massacre) do to me not being there. Anything that I may know is from what I have read in magazines or what [REDACTED] has told me (CID). I have no knowledge of suicide bombers trying to kill us at the (Oracle) do to there was none. I never heard reports of suicide bombers over the radio. nor witnessed any such attacks on

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

[REDACTED] TCB64

PAGE 1 OF

6

PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF

TAKEN AT _____ DATED _____

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

STATEMENT OF: TC 604 TAKEN AT: CID Office, FBGA

DATED: 23 Apr 04 CONTINUED:

TC 604
 U.S. soldiers during my time in Iraq & and
 Kuwait. I have never been treated unfairly
 while I was in Kuwait. No one looked at
 treated me any different than they would have
 any other soldiers during this time and at peace
 time in garrison. I have never looked at myself
 or Fellow soldiers as rapists or murderers do to no
 actions as to my knowledge ever happened TC 604

INITIALS OF PERSON MAKING STATEMENT TC 604

PAGE 2 OF 6 PAGES

JUN 05 07

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EXHIBIT 10

DODDOACID 008379

7C4664
STATEMENT OF [REDACTED] TAKEN AT BUILDING 108, FBGA, DATED
23 Apr 04 CONTINUED:

Q: [REDACTED] 7C4664

A:

Q: Have you been advised of your rights?

A: Yes.

Q: Do you want a lawyer at this time?

A: No.

Q: Did you ever hear of any soldiers having sex while deployed?

A: No.

Q: Did you have a sex with anyone while deployed?

A: No.

Q: Did you ever see anyone abuse an EPW?

A: No.

Q: Did you observe a younger Iraqi strike and older Iraqi who was attempted to give information?

A: I don't know if it was information, but there were arguing.

Q: Approximately how old was the older Iraqi?

A: He had gray hair, maybe in his 60's or 70's.

Q: Approximately how old was the younger Iraqi?

A: Maybe 20's.

Q: Did anyone shot the younger Iraqi?

A: No.

Q: Did anyone shot warning shots?

A: Yes.

Q: Who?

A: SGT [REDACTED] 7C4664

Q: Is it possible one of the warning shots hit the Iraqi?

A: No.

Q: Did you restrain the younger Iraqi in any way?

A: No.

Q: Did you put him in your Bradley?

A: Yes, not me physically, but he rode in our Bradley.

Q: Did anyone strike him at anytime?

A: No. 67C-4, 66-4

Q: Was [REDACTED] present during this incident?

A: No. 67C-4, 66-4

Q: Was [REDACTED] ever assigned in your Bradley?

A: No. 67C-4, 66-4

Q: Was [REDACTED] in the area where this incident occurred?

A: Not to my knowledge, no.

Q: What happened to the younger Iraqi?

INITIALS [REDACTED] 7C4664

PAGE 3 OF 6

JUN 05 058

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EXHIBIT

10

DODDOACID 008380

70464
 [REDACTED] *70464*
 STATEMENT OF [REDACTED] TAKEN AT BUILDING 108, FBGA, DATED
 23 Apr 04, CONTINUED:

A: We got him, put him in the Bradley, drove back to the Iraqi airborne barracks where he stayed the night. I know we gave him water. I don't know what happened to him after that, if we let him go or if someone came to pick him up.

Q: Where you at Ambush Alley/Midtown massacre?

A: No.

Q: Where were you when that battle occurred?

A: I was at a training camp, in the rear on guard.

Q: Did [REDACTED] ever tell you about mistreating an EPW?

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

Q: Do you know of anyone who mistreated EPW's during your deployment?

A: No.

Q: What is the Oracle?

A: The area where the trucks were. *b7c-4, b6-4*

Q: Where you ever assigned any missions with [REDACTED] *b7c-4, b6-4*

A: No.

Q: Where you on a rooftop with [REDACTED] *b7c-4, b6-4*

A: No.

Q: Did you ever shoot at cars that were coming at roadblocks or restricted areas?

A: No.

Q: Did you ever see anyone shoot at cars that were going toward roadblocks or restricted areas?

A: I heard Bradley's shot at cars, and the stopped and turned away.

Q: Did you ever see them not stop?

A: No.

Q: Did you ever see any women/children dead in vehicles?

A: No.

Q: Did you ever see any women/children dead during the deployment?

A: No.

Q: Were you ever given instructions to kill everyone so as to not take EPW's?

A: No.

Q: Did you ever receive instructions to "level a four block radius"?

A: No, definitely not.

Q: Did you ever kill everyone in a four-block radius?

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

Q: Did you see [REDACTED] with a skull?

A: No.

Q: In the Playboy article it stated you used eight magazines while guarding the tractor-trailers, is that true?

A: No, I only used a half a magazine during the entire war.

Q: Did you shoot at anyone while guarding the tractor-trailers?

A: No, there was no one really driving around in that area.

INITIALS [REDACTED] *70464*

PAGE 4 OF 6

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JUN 1999

EXHIBIT

10

DODDOACID 008381

7C4664

7C4664

STATEMENT OF [REDACTED] AT BUILDING 108, FBGA, DATED

23 Apr 04 CONTINUED: 6764166-4

Q: Where you present when [REDACTED] attempted to steal a gold toilet?

A: No.

Q: Did you ever see [REDACTED] with a jeweled box?

A: No. 7C4664

Q: Did [REDACTED] or [REDACTED] ever tell you they had sex while in Iraq?

A: No.

Q: Did you ever hear anyone talking about them having sex while in Iraq?

A: No.

Q: Did you ever hear of anyone having sex while in Iraq?

A: No.

Q: Did you talk to the Playboy reporter?

A: Yes.

Q: Did you tell him you killed a lot of people?

A: No, but I did tell him a lot of people were killed, during the entire war. It wasn't meant to mean our platoon or our company.

Q: Have you talked to any other reporters?

A: No.

Q: Is this statement true?

A: Yes.

Q: Who provided the handwritten portion of this statement?

A: I did.

Q: Did you provide the answers to the typed portion of this statement?

A: Yes.

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

A: No. ///END OF STATEMENT/

7C664

INITIALS

7C664

PAGE 5 OF 6

JUN 60

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EXHIBIT 10

704 b64

704 b64

STATEMENT OF

TAKEN AT CID Office, FBGA DATED 23 Apr 07

9. STATEMENT (Continued)

704 b64

704 b64

AFFIDAVIT

704 b64
[REDACTED] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 6. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERSION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

704 b64

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23 day of April, 2007 at CID Office, Hqs 1054 First Beading GA 3900

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

PAGE 6 OF 6 PAGES

USAPA V1 00

JU: 01 EXHIBIT 10

AGENT'S INVESTIGATION REPORT

0147-04-CID013-64389

CID Regulation 195-1

PAGE 1 OF 8 PAGES

7C661
About 1000, 26 Apr 04, SA [REDACTED] interviewed SPC [REDACTED] B Co, 1/15th Inf Bn, Fort Benning, GA 31905 who provided a sworn statement detailing that PFC [REDACTED] B Co, 1/15th Inf Bn Fort Benning, GA (currently incarcerated at the Muscogee County Jail, Columbus, GA) and SPC [REDACTED] told him they had sex with Iraqi prostitutes. Further, SPC [REDACTED] informed SPC [REDACTED] that he accidentally put his hand in the shoulder of an injured EPW when he attempted to move him. (See statement for details). 7C4 7C661

7C4
b64
About 1430, 27 Apr 04, SA [REDACTED] conducted a telephonic interview of Mr. [REDACTED] Contract Reporter, 43 5th Ave, New York, NY 10003, who confirmed he wrote the article in Playboy magazine as a contract reporter. Mr. [REDACTED] stated he had been a journalist for nine years and did not want to discuss his relationship with Playboy magazine. Mr. [REDACTED] was hesitant to discuss the article and questioned the investigation. Mr. [REDACTED] made comments that the investigation was another attempt by the Army to squash the freedom of speech of the soldiers, and stated he was concerned that the soldiers that talked to him for the article were now under investigation. When asked about the comment pertaining to PFC [REDACTED] and SPC [REDACTED] having sex with Iraqi women Mr. [REDACTED] stated he was unclear if it was consensual or not, he had heard different things. He did not hear the women were prostitutes and could not say for certain if the encounter was consensual or not. When presented with information that Mr. [REDACTED] (formerly PFC assigned to B Co, 1/15th Inf Bn, Fort Benning, GA and currently incarcerated at the Muscogee County Jail, Columbus, GA) was not the individual who detained the two EPW's at Ambush Alley, Mr. [REDACTED] stated it was not a misprint and that was the information he received. When asked about the killing of women and children, as the article indicated they might not have known what was going on when they heard the warning shots, Mr. [REDACTED] stated that his sources indicated they couldn't tell the intent of the women and it was a question that people had. Mr. [REDACTED] did not elaborate on what people had that question. When questioned about the Iraqi skull that SPC [REDACTED] had displayed, and questioned if he was aware it was a plastic skull, Mr. [REDACTED] stated he never heard it was plastic and then indicated he wanted to terminate the conversation. Mr. [REDACTED] stated he stands behind what he wrote. When confronted with a passage in the article where he quoted SPC [REDACTED] as stating he shot an Iraqi in the leg that was attempting to run away, and SPC [REDACTED] denied he shot the individual or stating anyone shot him, Mr. [REDACTED] stated he would have to check his notes. Mr. [REDACTED] was asked about SPC [REDACTED] putting his hand in the wound of the EPW, and if he was informed it was an accident that he put his hand in the wound or intentional. Mr. [REDACTED] stated he was informed SPC [REDACTED] was putting his hand in the wound intentionally to mess with the EPW. When asked about SGT [REDACTED] comment about "leveling a four block radius" he stated he understood SGT [REDACTED] mean artillery and Air Strikes had leveled the area, not that the unit was going in and killing everyone in the area. Further he stated that SGT [REDACTED] 7C4 7C661 b64 b7C-9 b64

Special Agent, [REDACTED] 7C1 661 62

86th Military Police Det (CID)
Ft Benning, GA 31905

Signature: [REDACTED] 7C661

Date: 7 May 04 Exhibit: 11

CID Form 94

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EXHIBIT

DODDOACID 008384

AGENT'S INVESTIGATION REPORT

0147-04-CID013-64389

CID Regulation 195-1

PAGE 2 OF 8 PAGES

7C4
b6-4
b6-4
[redacted] indicated that B Co, wasn't going to run away from a fight but stating they didn't mess around. When asked about violation of Geneva Convention and killing the wounded rather than rendering assistance, Mr. [redacted] stated that in the heat of combat all bets are off and the soldiers were not concerned about prisoners, but about eliminating the threats. Mr. [redacted] went on to state that the Army still has not released the number of casualties and if it was a close call he believed that people probably got killed because everything changes under hostile fire. Mr. [redacted] was again asked if he had information that soldiers were killing noncombatants and Mr. [redacted] asked if the Battalion Commander killed noncombatants. Mr. [redacted] conversation had a political tone and Mr. [redacted] would not give a direct answer to any questions. 7C4 b6-4

7C4 b6-4
About 1530, 26 Apr 04, SA [redacted] interviewed SPC [redacted] B Co, 1/15th Inf Bn, Fort Benning, GA 31905 who provided a sworn statement detailing his knowledge of an EPW who was placed in his Bradley. SPC [redacted] stated they did encounter a younger Iraqi male who assaulted an older Iraqi male, Warning shots were fired to break up the argument and the younger male ran. SPC [redacted] stated he went after and captured the Iraqi. SPC [redacted] stated the Iraqi male was somewhat resistant and the soldiers had to force him to the ground. The Iraqi male was restrained with flexi cuffs, but his feet were not bound, nor was he hog-tied. SPC [redacted] stated they transported him to the area where they were staying. In the Bradley the Iraqi started to move around, so they held him down while in the Bradley, but they did not strike him or abuse him in anyway. (See statement for details) 7C4 b6-4

7C4 b6-4
About 1030, 27 Apr 04, SA [redacted] interviewed PFC [redacted] B Co, 1/15th Inf Bn, Fort Benning, GA 31905 who provided information pertaining to a young Iraqi male who was taken as a EPW. PFC [redacted] stated they were on patrol talking to the locals to get information. A young Iraqi male came up to an older Iraqi male and assaulted him. Warning shots were fired to break up the disturbance and the younger Iraqi fled. PFC [redacted] stated he was treating the older Iraqi's injuries while others went after the younger Iraqi to detain him. PFC [redacted] stated he was certain the young Iraqi was not shot or injured. The Iraqi was placed in flexi cuffs and placed in the back of the Bradley for transport. While in the Bradley it was crowded due to the amount of people and equipment. The soldiers in the Bradley did have their feet on the Iraqi to keep him still. He was provided water and placed in a holding facility. PFC [redacted] did not know the disposition of the EPW once he was released from his squads' custody. PFC [redacted] stated the EPW was never stuck and SPC [redacted] was not present during the incident. PFC [redacted] stated he did not shoot anyone during the war and never observed any women or children killed. PFC [redacted] stated he had no knowledge of the skull or toilet that SPC [redacted] was alleged to have had, and he did not know of anyone having sex while deployed. PFC [redacted] had nothing further to add to this investigation. 7C4 b6-4

Special Agent, [redacted]

86th Military Police Det (CID)
Ft Benning, GA 31905

Signature: [redacted]

Date: 7 May 04 Exhibit: 11

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AGENT'S INVESTIGATION REPORT

0147-04-CID013-64389

CID Regulation 195-1

PAGE 3 OF 8 PAGES

7C4
b64

7C4
b64

About 1345, 27 Apr 04, SA [REDACTED] interviewed SSG [REDACTED] [REDACTED], B Co, 1/15th Inf Bn, Fort Benning, GA 31905 who stated he was present when the younger Iraqi male assaulted the older Iraqi male. He stated they were fighting and SGT [REDACTED] [REDACTED] SWTC, Fort Bragg, NC (formerly assigned to B Co, 1/15th Inf Bn, Fort Benning, GA) fired warning shots to break up the disturbance. The younger male fled and was captured. He was flexi cuffed and placed in the Bradley. He was moving around in the vehicle so members of the squad held him down, but he was never shot or beaten. SSG [REDACTED] stated he was positive he was not shot because they searched him and there was no blood or wounds on him. SSG [REDACTED] stated SPC [REDACTED] was not present during this incident and he did not know the final disposition of the EPW, just that he was transported to another location the next day. SSG [REDACTED] stated he was not at Ambush Alley and did not see SPC [REDACTED] with any jeweled box. He stated some members of the company were caught and corrected for stealing things such as cigarettes and candy. SSG [REDACTED] did not know about any members having sex while deployed, but stated he did see a bus that he suspected contained dead women and children, but it had occurred prior to his unit coming into that area. The bus appeared to have been burned at some point, but was not burning at the time they discovered it. SSG [REDACTED] did not witness any other women or children killed during the deployment.

7C4
b64

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About 1500, 27 Apr 04, SA [REDACTED] interviewed SPC [REDACTED] [REDACTED] B Co, 1/15th Inf Bn, Fort Benning, GA 31905 who stated he observed the EPW's which were being guarded by SPC [REDACTED] but only for a short time as they moved to another area. SPC [REDACTED] stated he did not observe the EPW's being mistreated at that time. SPC [REDACTED] stated they never killed everyone they came in contact with, only combatants. He further stated they took many EPW's during the war and would not have killed someone just so they did not have to treat them as an EPW. SPC [REDACTED] stated there were cars coming at a restricted area and failed to slow down after warning shots. If vehicles failed to turn around when warned they were shot at. He was informed one of the vehicles that was shot at contained women and children, but he did not see them or know if that was true. They did not check the vehicle because they were receiving artillery fire at the time. SPC [REDACTED] stated he did not observe SPC [REDACTED] with a skull and did not witness the incident where the young Iraqi was detained while attempting to flee and placed in the Bradley. SPC [REDACTED] was then advised of his rights, which he waived and admitted he had sex with an Iraqi female. He stated SPC [REDACTED] and PFC [REDACTED] came to the rooftop at the mall and informed him there were two prostitutes inside. SPC [REDACTED] stated he went into the mall and saw two women, he paid one woman \$10.00 and they went into another room and engaged in sexual intercourse. SPC [REDACTED] stated he did not force the women and the act was consensual. (See rights wavier and sworn statement for details)

Special Agent [REDACTED]

86th Military Police Det (CID)
Ft Benning, GA 31905

Signature: [REDACTED]

Date: 7 May 04 Exhibit: 11

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AGENT'S COMMENT: The violations pertaining to prostitution were referred to the unit commander for further investigation.

704
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About 1100, 28 Apr 04, SA [redacted] interviewed SGT [redacted], B Co, 1/15th Inf Bn, Fort Benning, GA 31905 who provided a sworn statement detailing his knowledge of the allegations in the Playboy article. SGT [redacted] stated he was present when the young Iraqi male struck the older Iraqi and was subsequently taken into custody. SGT [redacted] stated the EPW was definitely not shot and was not beaten while inside the Bradley. The unit members were rough on him when detaining him but he was fighting them and resisting. SGT [redacted] further stated he observed SPC [redacted] butt stroke the one armed EPW while attempted to get vital information from him to protect soldiers. (See statement for details)

704
664
About 1445, 28 Apr 04, SA [redacted] interviewed SPC [redacted] B Co, 1/15th Inf Bn, Fort Benning, GA 31905 pertaining to his knowledge of the Playboy article. SPC [redacted] stated while on security patrols to gain information he observed a young Iraqi head butt and older Iraqi. SGT [redacted] fired some shots into the air and the some of the squad went after the younger Iraqi. SPC [redacted] stated he stayed and provided medical aid with PFC [redacted] to the older Iraqi. SPC [redacted] stated he observed the squad bring back the younger Iraqi and place him in the Bradley. He was not shot or hog-tied, he believed his hands were flexi cuffed behind his back, but he wasn't certain. He stated the EPW was not beaten in the Bradley and was not bleeding or shot. SPC [redacted] stated SPC [redacted] was not present during that incident. SPC [redacted] stated he did observe cars being shot at that ignored the roadblocks, but he did not see any women and children inside the vehicle. He stated the only vehicle he saw shot, which did not turn around, all of the occupants got out of the vehicle and ran away. SPC [redacted] stated he was not at Ambush Alley, nor did he see SPC [redacted] with a skull or jeweled box. SPC [redacted] stated he did hear about soldiers having sex while at the mall. He heard the soldiers that had sex were SPC [redacted] PFC [redacted] SPC [redacted] and PFC [redacted] deceased, formerly assigned to B Co, 1/15th Inf Bn, Fort Benning, GA). He stated he heard they took turns and paid \$10.00, but the women were not raped. SPC [redacted] had no further information pertaining to this investigation.

704
664
About 1500, 29 Apr 04, SA [redacted] interviewed SGT [redacted] B Co, 1/15th Inf Bn, Fort Benning, GA who provided a sworn statement detailing his knowledge of the Playboy article. SGT [redacted] stated he was present at the mall when SPC [redacted] PFC [redacted] and SPC [redacted] had sex with prostitutes. SGT [redacted] stated he saw

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664
Special Agent, [redacted]

86th Military Police Det (CID)
Ft Benning, GA 31905

Signature: [redacted]

Date: 7 May 04

Exhibit: R

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1400-65

AGENT'S INVESTIGATION REPORT

0147-04-CID013-64389

CID Regulation 195-1

PAGE 5 OF 8 PAGES

the women in the mall and they did not appear to be forced or in distress. (See statement for details)

7C1 b6 b1
7C4 b6 b1
About 1050, 2 May 04, SA [REDACTED] contacted Mrs. [REDACTED] CBS News, Research and Development, 48 Hours Investigates, New York, New York 10019, (who previously interviewed soldiers from B Co, 1/15th Inf Bn), to determine nature of her story. She stated she was not sure CBS was going to do a story, but it would not be soon. They wanted to include footage from the murder trial. She was vague about the way her story was going to be, and stated you never know where something was going to take you. She was familiar with the Playboy article, when asked if her story would have allegations such as that article, so this office could look into the issues, she stated she had heard similar stories, but she had not done anything to investigate them for accuracy, just what the soldiers had heard.

7C1 b6 b1
7C4 b6 b1
About 1400, 3 May 04, SA [REDACTED] interviewed 1LT [REDACTED] C Co, 3/75th Ranger Regiment (formerly assigned to B Co, 1/15th Inf Bn) Fort Benning, GA, who provided a sworn statement detailing his knowledge of the Playboy article. 1LT [REDACTED] stated he never witness or had information that any EPW's were being mistreated. 1LT [REDACTED] further stated he heard women were killed who refused to stop at a checkpoint, but he did not witness that first hand. (See statement for details)

7C1 b6 b1
7C4 b6 b1
About 1400, 4 May 04, SA [REDACTED] interviewed SGT [REDACTED] B Co, 1/15th Inf Bn, Fort Benning, GA who provided a sworn statement detailing his knowledge of the information in the Playboy article. SGT [REDACTED] stated he was present when the young Iraqi was taken into custody and he was definitely not shot or hog-tied. SGT [REDACTED] further stated he was in his Bradley during Ambush Alley/Midtown Massacre so he did not see the EPW's taken from that area. (See statement for details)

7C1 b6 b1
7C4 b6 b1
About 1500, 4 May 04, SA [REDACTED] telephonically interviewed CPT [REDACTED] (formerly assigned to B Co, 1/15th Inf Bn, Fort Benning GA). CPT [REDACTED] stated he was at the Airborne Barracks when they received a call that they were bringing in a young Iraqi male who had got into a fight with an older Iraqi male. When the individual was taken out of the Bradley, he was not hog-tied or shot. He was placed in a holding area, given a poncho, and released at the gate the following morning. CPT [REDACTED] stated the man was scared and didn't speak much English, but he was not crying or bloody in any way. CPT [REDACTED] stated the Iraqi's hands were flexi-cuffed behind his back and his feet were not restrained in any form.

Special Agent, [REDACTED]

86th Military Police Det (CID)
Ft Benning, GA 31905

Signature: [REDACTED]

Date: 7 May 04 Exhibit: 11

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AGENT'S INVESTIGATION REPORT

0147-04-CID013-64389

PAGE 6 OF 8 PAGES

CID Regulation 195-1

7C1 b6/1
About 1645, 4 May 04, SA [REDACTED] interviewed SSG [REDACTED] Drill Sergeant, NCOA (formerly assigned to B Co, 1/15th Inf) Fort Benning, GA, who provided an unsworn statement pertaining to his knowledge of the Playboy article. SSG [REDACTED] stated he was present at Midtown/Ambush Alley and did witness SPC [REDACTED] put his hand into the shoulder of the wounded EPW. He stated SPC [REDACTED] was attempting to get the EPW to keep moving, he was not certain if the act was on purpose or an accident. SSG [REDACTED] did not see any other EPW's mistreated. SSG [REDACTED] stated he did observe a car get shot at while at checkpoint, the car kept coming forward and was hit by the warning shots. He later heard there were women in the car, but was not certain if anyone went to check the vehicle. SSG [REDACTED] stated they did not have a policy to check all vehicles, due to the location and threat at the time. SSG [REDACTED] stated he did not see SPC [REDACTED] with a gold toilet or jeweled box. SSG [REDACTED] also stated the unit never killed everyone in the area and never observed anyone kill someone just so they didn't have to take them as an EPW. SSG [REDACTED] stated he was present when the prostitutes were at the mall. SSG [REDACTED] was then advised of his rights for dereliction of duty and misprision of an offense, for being the squad leader in charge during the incident involving the prostitutes. SSG [REDACTED] invoked his rights and requested not to be questioned further. (See statement for details). 7C4 b6/4

7C1 b6/1
About 0900, 5 May 04, SA [REDACTED] interviewed SGT [REDACTED] HHC, 1/15th Inf Bn, Fort Benning, GA (formerly assigned to B Co, 1/15th Inf Bn) who provided a sworn statement detailing his knowledge of the Playboy article. SGT [REDACTED] stated he did not witness any EPW's abused while deployed and never saw any women or children killed. SGT [REDACTED] stated he was present at the mall when soldiers from his squad had sex with prostitutes. (See statement for details) 7C4 b6/4

7C1 b6/1
About 1300, 5 May 04, SA [REDACTED] interviewed SPC [REDACTED] HHC, 1/15th Inf Bn, Fort Benning, GA (formerly assigned to B Co, 1/15th Inf Bn) who provided his knowledge of the Playboy article. SPC [REDACTED] stated he did witness the altercation between the young Iraqi and older Iraqi, and stated the younger Iraqi was taken into custody. SPC [REDACTED] stated the young Iraqi was not hog-tied and was not shot. He was transported in a different vehicle, but he did not see anyone mistreat him. SPC [REDACTED] stated SPC [REDACTED] was not present during that incident. He further stated he did not see the EPW's at Ambush Alley/Midtown. SPC [REDACTED] stated he never saw SPC [REDACTED] with a jeweled box and was not aware of any gold toilet. He stated he did not see any women and children killed, but did see a vehicle with burned remains of women and children, but that had occurred prior to 1/15th coming to the area. SPC [REDACTED] stated he did not fire any rounds during the deployment. 7C4 b6/4

Special Agent, [REDACTED] 7C1 b6/1
b286th Military Police Det (CID)
Ft Benning, GA 31905

Signature: [REDACTED] 7C1 b6/1

Date: 7 May 04 Exhibit: ||

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AGENT'S INVESTIGATION REPORT

0147-04-CID013-64389

CID Regulation 195-1

PAGE 7 OF 8 PAGES

7C1664
About 1100, 6 May 04, SA [REDACTED] interviewed SSG [REDACTED] E Co, 1/50th ITB (formerly assigned to B Co, 1/15th Inf Bn) Fort Benning, GA who related his knowledge of they Playboy article. SSG [REDACTED] stated he was a Bradley commander and rarely got out of the Bradley. SSG [REDACTED] stated he briefly saw the EPW's at Midtown/Ambush Alley being guarded by soldiers, but could not say who, he did not see them mistreated in the short time he observed them. SSG [REDACTED] stated he did see women killed, but they were charging roadblocks, taking weapons back into houses or were shot in crossfire. SSG [REDACTED] stated he never witnessed any killing of non-combatants. He stated they did not kill everyone in site, and they took several EPW's during the deployment. SSG [REDACTED] stated he was present when the young Iraqi was taken into custody. He was not involved with the situation and the Iraqi was not put on his Bradley. SSG [REDACTED] stated he did not see SPC [REDACTED] in the area with the young Iraqi prisoner. SSG [REDACTED] stated he did not see SPC [REDACTED] with a gold toilet or a jeweled box, and stated he had no knowledge of soldiers engaging in any sexual activity while deployed. 7C4664

7C
b6
4
About 1420, 6 May 04, SA [REDACTED] interviewed 1SG [REDACTED] HHC, 1/15th Inf Bn (formerly assigned to B Co, 1/15th Inf Bn) Fort Benning, GA 31905 who provided his knowledge of the Playboy article. 1SG [REDACTED] stated he only observed the EPW's at Midtown/Ambush Alley, after they were brought to the underpass. While in his presence he did not see anyone mistreat the EPW's. 1SG [REDACTED] stated he never witnessed any women and children killed but he heard there was an incident where some were killed when they didn't turn around at a checkpoint. 1SG [REDACTED] stated there was no standard policy to check the vehicle that disobeyed the checkpoint. He stated usually they turned around or the occupants would run from the vehicle once it was disabled. 1SG [REDACTED] stated the unit took looting very seriously and punished soldiers who were caught stealing cigarettes. He stated they checked the bags and vehicles thoroughly. 1SG [REDACTED] did not see SPC [REDACTED] with a gold toilet or jeweled box. 1SG [REDACTED] further stated he had no knowledge of the young Iraqi that was taken into custody or any soldiers having sex while deployed. 7C4664

7C4664
About 0900, 7 May 04, SA [REDACTED] interviewed SSG [REDACTED] (formerly assigned to B Co, 1/15th Inf Bn), Fort Benning, GA who stated he had not read the playboy article. SSG [REDACTED] stated he did briefly see the EPW's come out of the building at Midtown/Ambush Alley, but where they were being guarded was not in his sector, so he did not see them to say if they were mistreated. SSG [REDACTED] stated he did not see any women or children killed by his company, they did see a bus that had been burned that had women and children, but it occurred prior to the arrival of B Co, 1/15th. SSG [REDACTED] stated he did see SPC [REDACTED] with a plastic medical skull that he had painted, but he was certain it was not a real skull. He stated he did not see SPC [REDACTED] with a 7C4664

Special Agent, [REDACTED]

86th Military Police Det (CID)
Ft Benning, GA 31905

Signature: [REDACTED]

Date: 7 May 04 Exhibit: ||

CID Form 94

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AGENT'S INVESTIGATION REPORT

0147-04-CID013-64389

CID Regulation 195-1

PAGE 8 OF 8 PAGES

gold toilet or jeweled box. SSG [REDACTED] stated he did not believe it was possible for SPC [REDACTED] and SPC [REDACTED] to fire as many rounds as the article alleged, as the dismounted soldiers just didn't have much opportunity to fire at anything. SSG [REDACTED] stated he heard there were prostitutes in the area, and heard SPC [REDACTED] and PFC [REDACTED] had sex with them, but he did not confirm the information. ///LAST ENTRY///

7C4
b64

Special Agent, [REDACTED]

86th Military Police Det (CID)
Ft Benning, GA 31905

Signature: [REDACTED]

Date: 7 May 04 Exhibit: [REDACTED]

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SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS 011-04-61-013-6038

PRIVACY ACT STATEMENT

AUTHORITY:

Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).

PRINCIPAL PURPOSE:

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

ROUTINE USES:

Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE:

Disclosure of your social security number is voluntary.

1. LOCATION

CID Office, Fort Benning GA 31905

2. DATE (YYYYMMDD)

20010426

3. TIME

1125

4. FILE NUMBER

0147-04-C(DOI)

5. LAST NAME, FIRST NAME, MIDDLE NAME

6. SSN

7. GRADE/STATUS

E-4

8. ORGANIZATION OR ADDRESS

B Co, 415th Inf Bn, Fort Benning GA 31905

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

During the event of the "MOUNTAIN MASSACRE" our squad was tasked to clear a building. Upon clearing that building we entered another building. 3 IRACIS FERO AT OUR GRADLEY. WE WERE SEEN GOING INTO THE 2ND BUILDING. WE WENT TO THE BACK OF THE SECOND BUILDING WHERE WE ENCOUNTERED 3 MEN. ONE OF THOSE MEN WE SHOT THE OTHER TWO WERE DETAIN. WE HAD THEM UNDER. ONLY ONE OF THE TWO UNDER. THE OTHER REFUSED TO UNDER. THE ONE EPW THAT WAS NAKED FROM THE WAIST DOWN WENT OVER TO THE SOLDIER WE SHOT AND TURNED HIM OVER TO ENSURE THAT HE DID NOT HAVE ANY EXPLOSIVES. AFTER THAT WE TOOK THE TWO EPWS AROUND TO THE OTHER BUILDING. WE PULLED SECURITY OUT THEN UNTIL WE TOOK THEM WHERE THEY NEEDED TO GO. WHERE ONE OF OUR SECTIONS WAS TASKED TO GUARD THE SHOPPING CENTER. TO MY KNOWLEDGE 3 OF OUR SOLDIERS HAD INTERCOURSE WITH IRACI FEMALES. THE 3 WERE [REDACTED] AND [REDACTED]. [REDACTED] AND [REDACTED] WERE THE ONES WHO TOLD ME WHAT HAPPEN. [REDACTED] DID PAINT A SKULL, WRAPPED BARB WIRE AROUND IT AND STUCK A KNIFE INTO THE TOP OF IT. HE ALSO NEVER HAD A GOLD TOILET OR A JEWELLED TISSUE BOX.

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF

6

PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF

TAKEN AT DATED

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

STATEMENT OF: [REDACTED]

TAKEN AT: CID Office, FBGA

0147-04-010... 00381

DATED: 26 Apr 01 CONTINUED:

ONE GUY IN OUR COMPANY WAS DETAINED FOR
 STEALING A WATCH. SOME GUYS IN OUR PLATOON
 GOT INTERVIEWED FOR TAKING CIGARETTES FROM A STORE
 OUR SQUAD DID TAKE SOME WATCHES FROM A HOUSE
 BUT OUR COMMANDER TOLD US TO THROW ALL WATCHES
 IN A FIRE I DID TAKE SOME TRASH FROM [REDACTED] KID [REDACTED]
 ON ONE ACCOUNT OUR BRAVO SECTION WENT OUT ON
 A PATROL I WAS NOT THERE BUT WHAT I WAS TOLD
 WAS THAT AN OLD MAN AND A YOUNG MAN WERE
 ARGUING. THE YOUNG MAN HEADBUTTED THE OLD [REDACTED] KY
 MAN AND OUR GUYS HAD TO TAKE THE YOUNG [REDACTED] 004
 MAN BECAUSE WE DETAIN THEM. I NEVER SAW WITH
 MY OWN EYES ANY DEAD WOMEN OR CHILDREN.
 [REDACTED] DID ACCIDENTLY GRAB THE SCISSOR OF
 A WOUNDED EPW AND HIS FINGERS GOT INTO
 THE WOUND [REDACTED] KY
 004

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 6 PAGES

JUL 71

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EXHIBIT 12

DODDOACID 008393

STATEMENT OF [REDACTED]
DATED 26 Apr 04 CONTINUED:

Q: [REDACTED] b6 b7C

A: [REDACTED] 74664

Q: Who pulled security on the EPW's while you continued to clear the buildings?

Q: Who pulled security on the EPW's while you continued to clear the buildings?

A: [redacted] and [redacted] they took them around the front, we were done clearing the buildings, I was tasked to pull security in a different area.

[redacted] put his hand into the wound of the EPW?

Q: Did you see [REDACTED] put his hand into the wound of the EPW?

A: No.

Q: How do you know [REDACTED] put his hand in the wound accidentally?

A: [REDACTED] said he did.

Q: What did he tell you?

Q: What did he tell you?
A: When he grabbed the guys shoulder his fingers went into his wound.
Q: Did he grab the guys shoulder?

Q: Did he tell you why he grabbed the guys shoulder?

A: To move him.

Q: Was [REDACTED] laughing?

Q: Was [REDACTED] laughing?
A: It was more like it was crazy, not laughing because he did it.

Q: Did you see the EPW's after [redacted] and [redacted] were watching them?

A: We were in the same area, they were just behind me.

Q: Could you see or hear their interactions?

A: I could hear.

Q: Did you see or hear [REDACTED] burn the EPW's with a cigarette?

A: No.

Q: Did you see any burn marks on the EPW?

A: No.

Q: Did you see or hear [REDACTED] punch the EPW's

A: No.

Q: Did you see anyone abuse the EPW's?

A: No.

Q: If you were close enough to hear the interaction between [REDACTED] and the EPW's, how is it that you did not hear [REDACTED] when he put his hand in the guys wound (either the EPW or [REDACTED] saying it was nasty)?

A: Confusion, everything was happening so fast.

Q: Who told you about soldiers having sex while deployed?

Q: Did [redacted] tell you directly that he had sex?

Q: Did [REDACTED] tell you directly that he had sex?

A: No.

Q: How do you know [redacted] had sex?

A: [redacted] and [redacted] told me.

Q: Did [redacted] and [redacted] say if [redacted] had sex with the same women they did?

A: It was the same as one of them.

Q: Was it during the same time frame that [REDACTED] had sex with the women?

A: Yes.

~~INITIALS~~

PAGE 3 OF 6

704664
STATEMENT OF [REDACTED] TAKEN AT BUILDING 108, FBGA,
DATED 26 Apr 04 CONTINUED:

Q: Did anyone else have sex with these women?

704664 A: [REDACTED] but he died in a car accident since we returned.

Q: Did they say if they forced the women to have sex?

A: No, they told me they did not force them.

Q: What exactly did they tell you?

A: They said a man came to the gate, asked if they wanted some girls, they said yes, he came back with two girls, they gave him money, and the two girls went into the shopping center, they had intercourse, and then they sent the girls away.

Q: Did you see the girls?

A: No.

Q: How much did they pay for the girls?

A: I don't know.

704664 Q: Did [REDACTED] and [REDACTED] tell you directly that they did not force the women into having sex?

A: No, I assumed they did not force them.

Q: Did they tell you if [REDACTED] paid to have sex with the girl?

A: Yes.

Q: What did they tell you?

A: They said they all paid.

Q: Do you know of anyone else having sex while deployed?

A: No.

Q: Was the skull [REDACTED] painted real?

A: No.

Q: How do you know it wasn't real?

A: It was plastic.

Q: How do you know [REDACTED] never had a gold toilet or jeweled box?

A: I never seen it.

Q: How much Iraqi dinar did you take?

A: \$1000.00, it was four 250 dinars, which was less than \$1.00 US.

Q: Did you see any EPW's get shot in the leg?

A: No.

Q: Did you see any EPW's get hog-tied?

A: No.

Q: Did you ever fire at any vehicles with women or children in them?

A: We fired warning shots from far away.

Q: Did you ever see any vehicles with women and children get shot?

A: No.

Q: Were you ever given instructions to kill everyone so as to not take any EPW's?

A: No.

Q: Did you ever "clear a 4-block radius"?

A: We cleared a bunch of houses, it wasn't a four-block area, it was spread out and a lot of dirt, some were just being built.

INITIALS [REDACTED]

PAGE 4 OF 6

JUN 03 73

EXHIBIT 12

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7C664
[REDACTED] 7C664
STATEMENT OF [REDACTED] TAKEN AT BUILDING 108, FBGA,
DATED 26 Apr 04 CONTINUED:

Q: When you say you cleared them, what does that mean?

A: Go in and check to see if there are any enemy or weapons inside.

Q: Did you ever kill everyone in the buildings?

A: No, the buildings were empty.

Q: How much ammo did you fire through your weapon while deployed?

A: I had an automatic weapon and had three drums of ammunition, but I did not even use an entire drum.

Q: Did you talk to the Playboy reporter?

A: No.

Q: Did you talk to the 48-hours reporter?

A: Yes, she is not really a reporter, she is a researcher and developer.

Q: What did you discuss with her?

A: The personalities of the five involved with the murder case and what went on during the midtown massacre.

Q: Was her focus about the murder or about the war?

A: The murder.

Q: Who all was present for the 48 hours interview?

A: Me, [REDACTED] and [REDACTED] girlfriend. 7C664

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

A: No. ///END OF STATEMENT// [REDACTED] 7C664

7C664
INITIALS [REDACTED]

PAGE 5 OF 6

FOR OFFICIAL USE ONLY

JUNE 71
EXHIBIT

12

STATEMENT OF [REDACTED]

TAKEN AT

CID Office, SBA

DATED

26 Apr 04

9. STATEMENT (Continued)

7C4664

7C4664

AFFIDAVIT

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

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 26 day of April, 2004 at CID Office, SBA, Fort Benning GA

7C1

b4/ SA

(Signature)

(Typed Name of Person Administering Oath)

Article 136, UCMJ

(Authority To Administer Oaths)

PAGE 6 OF 6 PAGES

USAPA VI 00

SWORN STATEMENT

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

147 44-010013-34389

PRIVACY ACT STATEMENT

Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).

AUTHORITY:

PRINCIPAL PURPOSE:

ROUTINE USES:

DISCLOSURE:

To provide commanders and law enforcement officials with means by which information may be accurately identified.
Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
Disclosure of your social security number is voluntary.

1. LOCATION

CID Office, Fort Benning GA 31905

2. DATE (YYYYMMDD)

2004 04 26

3. TIME

1723

4. FILE NUMBER

0147-04-010013

5. LAST NAME, FIRST NAME, MIDDLE NAME

[REDACTED]

6. SSN

[REDACTED]

GRADE/STATUS

[REDACTED]

8. ORGANIZATION OR ADDRESS

Bro 1/5 Ft Benning GA 31905

9. [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: The night that we took the E.P.W. He was detained for starting a fight. We were on a patrol doing a presence stop. There were about 30 civilians talking to us. We were asking them if they were having problems with thieves, when an old man pointed at a younger man and called him a thief. The younger man attacked the older man. The fight started to spread, SGT [REDACTED] fired four shots in the air to break them up. I ask the PSG, SFC [REDACTED] three times if he wanted us to detain the young man who started it. He said yes so I ran toward the guy yelling "Kuff Kuff." I pointed my weapon at him, he spoped. I then pointed down to the ground and told him to get down. He got down, sitting with his legs crossed. I rubbed my stomach and pointed down. I was trying to have him lay on his stomach. SGT [REDACTED] and SPC [REDACTED] came over to assist me. SGT [REDACTED] used his hand to guide him to the ground. The young man jerked back, which was taken as resistance. SGT [REDACTED] was trying to force him to the ground but the young man wouldn't uncross his legs. SPC [REDACTED] helped SGT [REDACTED] by pulling the young man's legs out to lay him on the ground. They scratched him, they cuff his hands and placed him in the back of the [REDACTED] The E.P.W.

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 1 OF

5

PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF

TAKEN AT DATED

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

STATEMENT OF: [REDACTED] TAKEN AT: CID Office, FBGA

DATED: 26 Apr 04 CONTINUED:

was asking us were we were taking him. We told him we were taking him to jail. The EPW was sitting on the floor with his back to the turret door. He started to kick and sway. Due to all of the explosives in the Bradley we placed a foot on the top part of his thigh and a knee in his shoulder. We also placed a foot right above his knee cap. The EPW asked us for water, we gave him water. We returned to the Airborne Barracks where 1Lt [REDACTED] got him out of the Bradley and placed him on the ground. They then moved him to the room next to the gate. They sent a medic to check him out, and brought him a MRE. That is all I know [REDACTED]

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 5 PAGES

FOR OFFICIAL USE ONLY

EXHIBIT

13

DODDOACID 008399

Kubak
STATEMENT OF [REDACTED] TAKEN AT BUILDING 108, FBGA, DATED
26 Apr 04 CONTINUED

Q: [REDACTED]

A: [REDACTED]

Q: Is that the only EPW you took that day?

A: Yes.

Q: Describe the EPW you took that day?

A: he was probably about 5'8", about 135-140, he had dark hair, it was dark out, he had a little growth on his face, but not much. I don't know how old he was I would say early 20's.

Q: Did any of the shots fired by SGT [REDACTED] hit anyone?

A: No.

Q: Is it possible one of the shots hit the EPW?

A: No.

Q: Why did you ask three times if he should be taken?

A: Because of all the commotion people were scattering, I had my eye on him I asked my platoon sergeant who was asking on the radio at the same time. He finally answered me after the third time.

Q: What does "Kieff" mean?

A: Stop

Q: Did you flexicuff or restrain his feet in anyway?

A: No.

Q: Did you hog-tie him?

A: No.

Q: Did anyone strike him?

A: No.

Q: Was [REDACTED] in your track?

A: Yes.

Q: Could he have seen someone beat him that you did not see?

A: No, not where he was at.

Q: Was [REDACTED] present in your track?

A: No.

Q: Was [REDACTED] ever in your track?

A: No.

Q: Were you at Ambush Alley (Midtown Massacre)?

A: No.

Q: Where were you during that engagement?

A: Guard at the terrorist training camp.

Q: Did you ever see any EPW's mistreated while deployed?

A: No.

Q: Were you ever instructed to kill everyone so as to not take EPW's?

A: No.

Q: Did you ever level a four-block radius?

A: No.

INITIALS [REDACTED]

PAGE 3 OF 5

1000013

FOR OFFICIAL USE ONLY

FORM

13

DODDOACID 008400

704664
[REDACTED] STATEMENT OF [REDACTED] TAKEN AT BUILDING 108, FBGA, DATED
26 Apr 04 CONTINUED

Q: Did you ever see [REDACTED] with a skull?

A: No.

Q: Did you ever see anyone shoot or kill women/children?

A: No.

Q: Did you ever see women/children killed at a roadblock or restricted area?

A: No.

Q: Did you ever see any dead women or children?

A: No.

Q: Did you go and check vehicle to see if anyone was wounded?

A: No.

Q: Why not?

A: We weren't told to.

Q: Do you know of anyone who stole or looted while deployed?

A: No.

Q: Where you present when [REDACTED] attempted to steal a gold toilet?

A: No.

Q: Did you ever see [REDACTED] while a jeweled box?

A: No.

Q: Did you talk to any reporters?

A: No.

Q: Do you know of anyone having sex while deployed?

A: No, I did hear talk about prostitutes, but never saw anything. I was on the roof of the mall. I heard about the prostitutes after we left. I didn't hear who or what occurred.

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

A: No. ///END OF STATEMENT/// [REDACTED] *704664*

704664
INITIALS [REDACTED]

PAGE 4 OF 5

FOR OFFICIAL USE ONLY

EXHIBIT

13

DODDOACID 008401

STATEMENT OF

TAKEN AT

CID Office, FBGA

DATED

26 Apr 01

9. STATEMENT (Continued)

TC 1664

AFFIDAVIT

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

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 26 day of April, 2001 at CID Office, Bldg 108, Fort Benning GA 31905

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

PAGE 5 OF 5 PAGES

RIGHTS WARNING PROCEDURE / WAIVER CERTIFICATE

For use of this form, see AFI 1-2.20.15.

Agency is ODCSOPS

0147-04-CID013-0138

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY:

Title 10, United States Code, Section 3012(p)

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

CID OFFICE, BLDG 108, Fort Benning, GA 31905

2.

DATE 27 Apr 04

3. TIME

1538

4.

FILE NO.

0147-04-CID013

5. NAME (Last, First, MI)

[REDACTED] TC b6 4

6. SSN

[REDACTED] TC b6 4

7. GRADE/STATUS

SPC/RA

8. LOCATION OR ADDRESS

15th Inf Bn
Fort Benning, GA 31905

PART I - RIGHTS WAIVER/NO 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

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

suspected/

Rape

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

do not have to answer any question or say anything

anything I say or do can be used as evidence against me in a criminal trial.

3. For personnel subject to the UCMJ, I have the right to talk privately to a lawyer before and during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the UCMJ or both.

use a lawyer present with me
or waived for me at no expense to me.

BEST COPY AVAILABLE

4. (For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before and during questioning. I understand that this lawyer can be one that I arrange for at my own expense.

to have a lawyer present with me
and I want one, a lawyer

will be appointed for me before any questioning begins

asking questions at any time, or

IF I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I will speak privately with a lawyer before answering further, even if I sign the waiver below

5. COMMENTS (Continue on reverse side)

Have you been advised of your rights in the past 30 days? NO

Section B. Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation

ment talking to a lawyer first and without having a lawyer present with me

WITNESSES (If available)

1a. NAME (Type or Print)

b. ORGANIZATION OR ADDRESS AND PHONE

2a. NAME (Type or Print)

b. ORGANIZATION OR ADDRESS AND PHONE

OF INTERVIEWEE

OF INVESTIGATOR

OF INVESTIGATOR

15th ID, 3d MP Group (CID)
Fort Benning, GA 31905

Section C. Non-waiver

1. I do not want to give up my rights

☐ I want a lawyer

to be questioned or say anything

2. SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 26)

DA FORM 3881, NOV 89

FOR OFFICIAL USE ONLY

EXHIBIT 14

DODDOACID 008403

SWORN STATEMENT

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

147-04-C10013-663

PRIVACY ACT STATEMENT

AUTHORITY:

Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).

PRINCIPAL PURPOSE:

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

ROUTINE USES:

Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE:

Disclosure of your social security number is voluntary.

1. LOCATION C-15 OFFICE, FT. BENNING GA 31905	2. DATE (YYYYMMDD) 2004 04 27	3. TIME (73) 1605	4. FILE NUMBER 0147-04-C10013
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-4/RA	
8. ORGANIZATION OR ADDRESS B Co 1/15th Inf Fort Benning GA 31905			

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

IN REFERENCE TO THE KILLING OF WOMEN AND CHILDREN THE ONLY TIME I HEARD ABOUT IT WAS WHEN A CAR WAS COMING DOWN THE ROAD AT US, SHOTS WERE FIRED IN FRONT OF THE CAR IN AN ATTEMPT TO STOP IT. THE CAR DIDN'T STOP AND SHOTS WERE THEN FIRED INTO THE CAR. I LATER HEARD THE CAR CONTAINED A FAMILY, I'M NOT SURE WHO IF ANYONE CHECKED THE VEHICLE.

IN REFERENCE TO [REDACTED] BEATING PRISONERS. I WAS NOT IN A POSITION TO SEE WHAT HAPPENED BECAUSE I WAS MOVING DOWN THE ROAD.

IN REFERENCE TO HAVING SEX WITH IRAQI WOMEN, I HAD SEX WITH AN IRAQI PROSTITUTE FOR TEN DOLLARS. I WAS PULLING GAURD AT A MALE. I CAME OFF GAURD WENT INTO THE MALL HAD SEX WITH THE WOMAN AND THEN WENT BACK ONTO THE ROOF TO PULL GAURD.

10 EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF

PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF

TAKEN AT

DATED

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

STATEMENT OF [REDACTED] *7C4664* TAKEN AT BUILDING 108, FBGA, DATED
27 Apr 04 CONTINUED:

Q: [REDACTED] *7C4664*

A: [REDACTED] *7C4664*

Q: Where you present at Ambush Alley/Midtown Massacre?

A: Yes I was there.

Q: Did you see the two EPW's that were taken (one with a wounded arm/shoulder one that was naked)?

A: Yes.

Q: Did you see anyone abuse them?

A: No.

Q: Do you know who was assigned to guard the EPW's with [REDACTED]

A: Nope.

Q: Did you see [REDACTED] or anyone else punch, kick, burn, step on or injure the EPW's

A: No.

Q: How long were you able to observe the EPW's while being guarded?

A: A minute maybe.

Q: Did you hear [REDACTED] or anyone else say anything to the EPW's?

A: No.

Q: Did you actually see women and children in the car that was shot at the roadblock?

A: No.

Q: Did anyone exit the vehicle?

A: No.

Q: Did you see the vehicle get shot at?

A: Yes.

Q: Why was the vehicle shot at?

A: We fired warning shots, they didn't turn around, it was approaching our position and we felt it was a threat since it wouldn't turn around after the warning shots and it was fired on.

Q: Do you know if anyone was firing at you from the vehicle?

A: No, I don't know.

Q: Is it standard for anyone to go and check the vehicles?

A: I would assume normally yes, but due to the circumstances but we didn't have a chance. We should have checked it for weapons and explosives and stuff.

Q: Why could you not check that vehicle?

A: Artillery continued to fire and rifle rounds.

Q: Did you ever see the remains of the vehicle?

A: No.

Q: Did you ever see any other women and children who were killed?

A: Nope.

Q: Did you ever see any other dead women and children while deployed?

A: No, but it's not like you can see a lot from the back of a Bradley.

Q: Where did you have sex with the Iraqi women?

A: At the shopping center.

INITIALS [REDACTED] *7C4664*

PAGE 2 OF 6

100-583

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EXHIBIT

14

DODDOACID 008405

STATEMENT OF [REDACTED] TAKEN AT BUILDING 108, FBGA, DATED 27 Apr 04 CONTINUED:

Q: How did they get into the shopping center?

A: I don't know.

Q: How did you know about the women?

A: I don't know which one of the two told me, I think it was [REDACTED].

Q: What did he tell you?

A: He told me there were some prostitutes downstairs, \$10.00.

Q: Did [REDACTED] tell you he had sex with the women?

A: Yes.

Q: What did he tell you?

A: He just said he, I can't remember. I am sure he told me but I can't remember what he said. He told me he had sex, but I don't remember what his exact words were.

Q: Did [REDACTED] tell you he had sex with the women?

A: No, he said he didn't, because he was married, but it came out later that he did.

Q: Did he tell you later that he had sex with the women?

A: No he was bullshitting with [REDACTED] on the roof and I overheard.

Q: What did he say?

A: I don't even know. [REDACTED] said he didn't do it because he was married, [REDACTED] said bullshit and [REDACTED] probably smiled or something like that.

Q: Did you hear [REDACTED] say he has sex with the women?

A: No, just kind of [REDACTED] that [REDACTED] said bullshit and they both started laughing, it was pretty obvious.

Q: How many women were there?

A: Two.

Q: How many did you have sex with?

A: One

Q: How many did [REDACTED] have sex with?

A: I don't know.

Q: How many did [REDACTED] have sex with?

A: No idea.

Q: Did you force [REDACTED] in any way?

A: No.

Q: How do you know [REDACTED] consenting to the sexual activity?

A: She took my pants off.

Q: Did she take her clothes off?

A: Yes.

Q: Did she cry or yell during the incident?

A: No.

Q: Did she seem [REDACTED] to you?

A: No.

Q: Who did you [REDACTED] to?

A: Her.

BEST COPY AVAILABLE

PAGE 3 OF 6

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EXHIBIT

14

DODDOACID 008406

STATEMENT [REDACTED] TAKEN AT BUILDING 108, FBGA, DATED
27 Apr 04 CONTINUED

Q: How much did [REDACTED] pay?

A: \$10.00

Q: Was it US Currency?

A: Yep.

Q: Where was the other woman while you were having sex?

A: I have no idea. In [REDACTED] somewhere.

Q: How old was the [REDACTED]?

A: I have no idea.

Q: Where was [REDACTED] while you were having sex with this woman?

A: On the roof [REDACTED]

Q: Did anyone else [REDACTED] with these women?

A: [REDACTED] and [REDACTED] 7Cbb6

Q: Did anyone witness you having sex with this woman?

A: No.

Q: Did anyone see [REDACTED] off with this woman?

A: The other girl.

Q: Do you know [REDACTED] where to find her?

A: No.

Q: Did you have [REDACTED] women while deployed?

A: Can't say. 7Cbb6

Q: Do you know [REDACTED] had sex with any other women while deployed?

A: I have no idea.

Q: Do you know [REDACTED] sex while deployed?

A: No.

Q: Did you see [REDACTED] women or have sex with the women?

A: No.

Q: How do you [REDACTED] sex with the woman?

A: He told me.

Q: Do you think [REDACTED] was at the mall?

A: No.

Q: Did you see [REDACTED] while deployed?

A: No.

Q: Did you only [REDACTED] this woman?

A: Yes. 7Cbb6

Q: Do you know [REDACTED] raped the woman? 7Cbb6

A: No. I don't.

Q: Did you see [REDACTED] and [REDACTED] 7Cbb6

A: Yes.

Q: Did the [REDACTED] round them?

A: After I had [REDACTED] back out on the roof, [REDACTED] and [REDACTED]

[REDACTED] it is that they do. I needed to tell SGT [REDACTED] 7Cbb6

PAGE 4 OF 6

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100-...-05

14

DODDOACID 008407

STATEMENT
27 Apr 04 CO

TAKEN AT BUILDING 108, FBGA, DATED

some:
women.

go downstairs and I saw them talking to the

Q: Did SGT

in the area?

A: I don't think

7C664

Q: Did he know

has sex with the women?

A: I don't think

probably knows now.

Q: Were you

so as to not take any EPW's?

A: No.

Q: Did you

stant?

A: No.

Q: Did you kill

thus?

A: No.

Q: Did you see

A: No.

Q: Did you see

A: No.

Q: Were you

ed to steal a gold toilet?

A: No.

Q: Did you

A: No.

Q: Did you see

while attempting to run away?

A: No.

Q: Where you

his squad captured and EPW and placed him

in the back of

A: No.

Q: Do you

ment?

A: No. ///EN

BEST COPY AVAILABLE

PAGE 5 OF 6

EXHIBIT 14

DODDOACID 008408

STATEMENT OF [REDACTED] TAKEN AT CID Office, FBGA DATED 27 Apr 04

9. STATEMENT (Continued)

[REDACTED] TCB04
[REDACTED] TCB04

[REDACTED] TCB04
AFFIDAVIT
[REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 10. 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.

TCB04

WITNESSES.

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 27 day of April, 2004 at CID Office, Bldg 1084, Fort Bragg GA 31905

ORGANIZATION OR ADDRESS

TCB04

SA

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

Article 136, UCMJ

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

[REDACTED] TCB04

PAGE 6 OF 6 PAGES

USAPA V1.00

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION CID Office, Fort Benning, GA	2. DATE (YYYYMMDD) 2004 04 28	3. TIME 14151605	4. FILE NUMBER 014704 CID013
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED] Tckb4	6. SSN [REDACTED]	7. GRADE/STATUS E-5	
8. ORGANIZATION OR ADDRESS Bco 1-15 INFANTRY Ft. Benning GA 31905			
9. [REDACTED] Tckb4 WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:			

During the war in Iraq there were some instances that are being investigated by CID. During the midtown massacre did I see the one armed man and the naked man and if I did, did I see any abuse to them? During the midtown massacre we cleared some buildings in a whole platoon that I got split up with SPC [REDACTED] and SGT [REDACTED] to down load ammo out of two trucks so our engineers could pick it up. During this time I seen the two Epr's at first they weren't zip tied and I seen SPC [REDACTED] stroke him after a while I looked back over and seen them zip tied and sitting. I don't recall who was pulling guard on them but I think SPC [REDACTED] was. During the war was there an incident where there was forced sexual conduct? as far as I know there was no forced sexual conduct. I heard SPC [REDACTED] and PFC [REDACTED] talking to some soldiers about how there was some prostitutes at the market place were they paid guard and they paid them for sex, but I never heard them mention forcing them. Was there a Epr who was beat, shot in the leg and poked with sticks? During a evening random patrol we were out talking to the citizens, being friendly but trying to find large caches of ammo and enemy soldiers. I believe an old man started to talk to

10. EXHIBIT Tckb4	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 6 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF

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

7C664

0147- - 01013-84389

STATEMENT OF: 7C664

TAKEN AT: 443 CD OFFICE FBGA

DATED: 2004 04 28 CONTINUED:

my tank commander SSG 7C664 and my Plt SGT
SFC 7C664 when a man came up and started to
beat him up. I was there next to SSG 7C664 when
the first man came up but I was not there for the
fight but I was told that our sgt tried to
contain the man that he started to fight us,
SGC 7C664 was punching him and then kicking him
and SGT 7C664 fired a shot in the air to stop the
fight. There were more people there trying to stop
the fight but I don't know who they tried
the man and put him in our plt SGT's 7C664
later I was pulling gate guard where we also
had the prisoners, because the man my porco so to
use so he could sleep, he had some bruising on
his face but he was not shot and he had said
that the man was his father and he didn't
want him talking to us. as far as I know
the rear HA or MPs came and pick the Epr
up. I was also asked if this man was abused
in the back of the Bradley? I was not in that
Bradley but I do know that it is hard to move
in the 7C664 just with for 2 personell so I doubt
that this Epr was abused, stepped on is a different
story though it would have been impossible for the
Epr not to have been.

I don't think that we used to much

INITIALS OF PERSON MAKING STATEMENT 7C664

PAGE 2 OF 6 PAGES

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JUN 03

EXHIBIT 15

DODDOACID 008411

70664

0147-G...C10013-64381

70664

STATEMENT OF: 70664

TAKEN AT: 1413

CIN Office, FBGA

DATED: 20040428 CONTINUED:

force during the war to be considered a crime
there were times when I might have seen pushing
the line but these situations were pretty extreme
with fighting, screams and freedom fighters every one
had AK 47 and some had bombs strapped to their
chest. It was mainly that we need to get information
fast so we could find and eliminate the enemy at no time
did we kill EP-3 because we didn't want the
message I believe that all times we did was
professional especially for being shot at. 70664

70664

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 6 PAGES

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JUN 15 2004

DODDOACID 008412

7C664
STATEMENT OF [REDACTED] TAKEN AT BUILDING 108, FBGA,
DATED 28 Apr 04 CONTINUED:

Q: [REDACTED] 7C664

A: [REDACTED] 7C664

Q: Do you know why SPC [REDACTED] 7C664 stoked the EPW in the head?

A: As far as I know it was to get him to speak English. They said earlier that he was speaking English, but when then he acted like he couldn't speak English. I am sure he was trying to get information pertaining to where other enemy soldiers were hiding, because right after he spoke English again and we went into a building to look for other combatants.

Q: Did you see anyone else abuse the EPW's?

A: No, I really didn't consider that abuse.

Q: Why didn't you think that was abuse?

A: Because everything had to be done in a timely manner and I believe he already said there were other soldiers in the building. If you turn your back there are more soldiers on you and we needed the information in a timely manner to protect our soldiers. I heard about why he did it later, but if that was the situation then I would say that wasn't abuse because we needed to get the information and didn't need to play games.

Q: How long were the two EPW's at that location in your presence?

A: A while, at least half hour to 45 minutes. I can't remember if they came over before or after the guy had the bomb strapped to him.

Q: Do you know who was guarding the EPW's with SPC [REDACTED] 7C664

A: No I don't, I'm not even positive [REDACTED] 7C664 was with them.

Q: Did [REDACTED] 7C664 or [REDACTED] ever tell you directly they had sex while at the mall?

A: No, they were talking to other soldiers.

Q: Do you know who they were talking to?

A: Just other guys in the platoon.

Q: Did anyone else tell you they had sex while deployed?

A: That is all I know if those two. I know our squad was there, but I wasn't with them that night. I was on a different track.

Q: Pertaining to the fight between the older Iraqi and the younger Iraqi, did SGT [REDACTED] 7C664 fire the warning shot to break up a fight between the Iraqi's or between the Iraqi's and soldiers?

A: It was the soldiers and Iraqis as far as I know.

Q: Why was [REDACTED] 7C664 punching and kicking the Iraqi?

A: Basically to get him away from the guy and contain him because he was fighting back.

Q: How was the Iraqi zip-tied?

A: With his hands, how we zip tied everybody.

Q: Were his feet restrained?

A: No, because then we would have had to carry him.

Q: Was he struck after he was zip-tied?

A: Not that I know of, no.

7C664
INITIALS [REDACTED]

PAGE 4 OF 6

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EXHIBIT 15

DODDOACID 008413

7C664
STATEMENT OF [REDACTED] 7C664 TAKEN AT BUILDING 108, FBGA, DATED
28 Apr 04 CONTINUED:

Q: Was he struck while in the Bradley?

A: I don't know, he wasn't in my track. He probably would have been stepped on, but it is so tight in there to strike anyone.

Q: Was the young Iraqi shot?

A: No.

Q: Is there anyway one of the warning shots hit the Iraqi? 7C664

A: No, no, I gave the guy a poncho and was pulling guard, I would have seen a wound if he had one, he was talking to me while he smoked a cigarette, and he didn't say he was wounded.

Q: Was [REDACTED] around during the time the young Iraqi was in custody?

A: No.

Q: Did you see any women or children shot during the deployment?

A: Yes, basically we were at a checkpoint, we had two Arabic signs that said to turn around or be shot. Once the passed the first sign they fired a warning shot. If they passed the second sign they shot the vehicle. Sometimes there would be women and children in the car but usually it was soldiers. Sometimes it bothers me, "what if", what if they couldn't read the signs, but then what if they had a bomb in the car. We fired warning shots and they kept coming, so I think we did the right thing.

Q: Did you see [REDACTED] with a jeweled box?

A: No.

Q: Did you ever "level a four block radius"

A: No.

Q: Did you ever go through an area and kill everyone you found?

A: No.

Q: Did you ever witness or receive instruction to kill people so as to not take them as EPW's?

A: No, we took a lot of EPW's over there. If they had a weapon and intended to shot us we killed them, if they gave up we took them as EPW's.

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

A: No. ///END OF STATEMENT/// [REDACTED] 7C664

7C664
INITIALS [REDACTED]

PAGE 5 OF 6

JUN 92

EXHIBIT 15

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DODDOACID 008414

STATEMENT OF

TAKEN AT

CID Office, FBIA DATED 28 Apr 04

9 STATEMENT (Continued)

7C664

AFFIDAVIT

7C664
 I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 6. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

7C664
 [REDACTED]
 (Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 day of April, 2004 at [REDACTED] 1061 [REDACTED] GA 31705

ORGANIZATION OR ADDRESS

7C1
 1061 SA [REDACTED]

(Type Name of Person Administering Oath)

Article 136, UCMJ

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 6 OF 6 PAGES

USAPA V1.00

SWORN STATEMENT

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

LOCATION CID OFFICE, Fort Benning, GA	DATE 29 APR 04	TIME 1509	FILE NUMBER 047-04-C10813
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED] 7664	SOCIAL SECURITY NUMBER [REDACTED] 76664		GRADE/STATUS E-5 /SGT
ORGANIZATION OR ADDRESS B CO 1-15 INF, Fort Benning, GA 3905			

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

SGT [REDACTED] DURING OPERATION IRAQI FREEDOM WE DID NOT LEVEL EVERY-
THING IN A FOUR BLOCK RADIUS. I NEVER SAW ANYONE FIRE
ON WOMAN AND CHILDREN BUT I HEARD THAT IT HAPPENED AT
ANOTHER CHECK POINT BECAUSE THE CAR REFUSE TO STOP AND
KEPT MOVING TOWARDS OR THROUGH THE CHECK POINT. SPC [REDACTED]
HAD A FAKE SKULL THAT HE FOUND IN A SCHOOL THAT HAD
WEAPONS IN IT. THE SKULL WAS MADE OF PLASTIC I BELIEVE
AND HE WAS TOLD TO GET RID OF IT BECAUSE HE HAD STUCK
A KNIFE THROUGH IT AND WRAPPED ROBWIRE AROUND IT.

AT THE MONTOWN MASSACRE (OBS NEO) I NEVER SAW ANYONE
ABUSE THE PRISONERS OR STICK HIS FIST INTO A
PRISONERS WOUND. OUR MEDICS ALWAYS TOOK CARE OF EACH
E.P.O.W. THAT WAS WOUNDED. MY SQUAD NEVER FIRED ON
UPON ANYONE THAT WE COULD POSITIVELY IDENTIFY AS NON-
COMBATANTS. SOME ENEMY PERSONEL WORE CIVILIAN CLOTHING INSTEAD
OF IRAQI UNIFORMS.

7C 7664 WHILE ON GUARD DUTY AT A MALL THAT WAS CLOSED
BECAUSE OF LOOTING, SPC [REDACTED] PFC [REDACTED] & PFC 7664
HAD SEX WITH PROSTITUTES. I'M NOT COMPLETELY SURE
IF [REDACTED] HAD SEX OR NOT. I WAS GUARDING THE
ROOFTOP WHEN SOMEONE INFORMED MYSELF AND [REDACTED] THAT
THERE WERE TWO WOMEN AND THEIR FAMILIES DOWNSTAIRS.
WE WENT TO CHECK ON THE SITUATION AND I SAW TWO
IRAQI MEN, ONE OLDER WOMAN ABOUT 45 TO 50 YEARS OF AGE
AND TWO YOUNGER LADIES THAT WERE DRESSED IN AMERICAN
STYLE JOGGING OUTFITS. PFC [REDACTED] TOLD ME HE
HAD SEX WITH ONE OF THEM AND SPC [REDACTED] AND PFC [REDACTED]

EX-107	INITIALS OF PERSON MAKING STATEMENT [REDACTED] 7664	PAGE 1 OF 4 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE -HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED."
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE
INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE INITIALED OL-
AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823

SUPERSEDES DA FORM 2823, 1 JAN 88 WHICH WILL BE USED

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16