AR 15-6 Investigation Report

Kristopher Macaroz
MEMORANDUM FOR Commander, 2d Armored Cavalry Regiment

SUBJECT: Relief for Cause,

The Regimental Commander's recommendation that [redacted] be relieved for cause is denied.
MEMORANDUM FOR

SUBJECT: Notification of AR 15-6 Investigating Officer's Report

1. I have reviewed the Investigating Officer's report into alleged detainee abuse by soldiers in your platoon. I concur with investigating officer's findings. While serving as the platoon sergeant, you mistreated Iraqi detainees who were under your control.

2. I have provided you with a copy of this AR 15-6 investigation. Before I take final action on this matter, you will be afforded an opportunity to submit a reply to the investigating officer's report in writing and submit relevant rebuttal materials. I will review and evaluate your response before I take final action on this report. You will have three days from the date you receive this memorandum to submit your reply and rebuttal.

3. You are suspended from your platoon sergeant duties pending resolution of this matter.

Encl.
MEMORANDUM FOR RECORD

SUBJECT: Chain of command recommendations of relief for cause of :

1. On 28 AUG 2003, the soldier's company commander, recommended that be relieved for cause.

2. On , the soldier's squadron commander, recommended that be relieved for cause.

3. On 28 AUG 2003, the soldier's regimental commander, recommended that be relieved for cause.

4. POC is the undersigned at

[Signature]
MEMORANDUM FOR Commander, 2d Armored Cavalry Regiment

SUBJECT: Investigating Officer’s Report

I acknowledge receipt of the AR 15-6 investigating officer’s report and accompanying memorandum from the Commander, 2d ACR. I acknowledge that I will have three days from today’s date to reply to this report and to submit relevant rebuttal materials on my behalf.

I waive my rights to reply to this investigation in writing and to submit any rebuttal materials.

I request an opportunity to reply to this investigation in writing and submit rebuttal materials on my behalf.

DATE: 25 Aug 2003
MEMORANDUM FOR COMMANDER, 2ND ARMORED CAVALRY REGIMENT

SUBJECT: Response to 15-6 Investigation

During the first week of June 2003, we first detained looters from the back of Camp Marlboro. At the time we (EN 27, EN22) took the looters to the CMOC, they told us they could not take them at the time, and told us to take them out and scared them. I told my translator to tell the looters they are going to the jail. After we told them they are going to jail, we took them to their house next to Camp Marlboro, turned them over to their family, and witnessed the detainee’s father beat them from us. When I saw this, I told all my squad leaders when we detain any looters we will take them back to their family. The second time we detained looters, I took them back to their house located down an alley. I didn’t feel comfortable going down the alleyway and I didn’t want my platoon to get ambushed, so I decided that the next time we detained looters I wasn’t going to take them back to their house.

In mid June 2003, my platoon was on a mission to retrieve copper wire and drop off in the back of Camp Marlboro. We again detained looters from the back of Camp Marlboro. Instead of taking them to their house, I took them to the CMOC. At the time our ROE was not to shoot the looters. Only time we were authorized to shoot or kill anyone was when we felt our life or another soldier’s life was in danger, i.e.; someone is pointing weapon at you or get shoot at. That’s what I understood about our ROE. It wasn’t true because Bulldog elements shot and killed one looter, and wounded at least two other people. When they shot and killed the looter, they put the dead body on the hood of a vehicle and took the body into Al-Thawra. When I took the looters from the back of Camp Marlboro I could have shot and killed them when they tried to run, but I didn’t. I attempted to turn them over to Bulldog elements and let them take care of it. When I walked into the CMOC (same location as Bulldog TOC) I saw , and told him I have detained the looters for them. At that time , told me, “just take them back and beat the fuck out of them”. I was shocked at what he just told me to do. was standing next to me and heard what was said. I walked out and told the squad leaders what ; had just told me. I was going to just take them out of Camp Marlboro and release them. At that time told me, “if you want to teach them a lesson, why don’t you strip them and send them away. When I told me I really wasn’t thinking about stripping the looters, but while I was taking the looters to the back of the camp, I realize these looters will return and possibly be killed by Bulldog elements. I didn’t want that to happen to them, so when we stopped at the back of Camp Marlboro there was an empty building we went to. I wanted to just release them but I feared that they would return. I made a bad decision and told : to strip the detainee. I know that it was not the right thing to do, but at the same time I wanted for the detainee to never want to return to our camp to steal. I never saw the same looters again after that striping.

On 3 July 2003 we had a mission to pick up sodas for the squadron 4th July party. When we were coming back from picking up the sodas we saw looters at the back of Camp Marlboro. We tried to detain them, but they got away. EN22 had a flat tire, so I told EN22, EN23 to return back to camp. When EN23 came in to our AO, told me he had detained a looter after all. I told him we would just take him back later since dinner chow was almost ending. I told them to go to the chow, then we will take the looter back to the CMOC. didn’t want to eat so he stayed back and watched the detainee. After I returned from chow, I was sitting on my cot, was bouncing a soccer ball on the detainee’s head. I went to the back of the AO and asked : what the hell he was doing and told him not to do that again. We took the detainee to the CMOC. When the entire platoon was back at our AO, I told them we would not abuse or miss treat detainees. When we do pick up any detainees in future we will just take them to the COMC.
Around mid July 2003, while we were returning from the RTOC, I saw a person on the top of the telephone pole cutting wire. We stopped and detained them. I was with EN26, SIGO, when I detained the individuals and took them to the CMOC turning them over to Bulldog elements.

On 19 July 2003, we were going to the ASP. I saw a person pointing to a vehicle and copper wire on the sidewalk. It looked like someone stole the wire. I told EN21, EN22 to stop. When I walked up with my translator to try to find out where they got this copper wire, my translator told me it was stolen. I was trying to talk to the Iraqi citizen who owned the vehicle to find out where he got this wire from when he tried to push me or grab me. I felt like he was going for my weapon. I grabbed him and told my Driver to handcuff him. While we were trying to put the handcuffs on, I heard gun shots coming from my left. I told stay and cuff the detainee. When I walked over to the vicinity the gunshot came from, I saw a person with an AK-47 ready to shoot again. The individual was aiming at EN21, I fired 3 shots and took him down. When I walked over to the body, I saw that it was a female, she was trying to get to the AK-47 she dropped. I took the AK-47 and took her to Camp Marlboro. I gave the shooter first AID, and she lived. Later we found out, from our translator who escorted the women through the medical channels, that the woman's brother was the shooter. After he ran she thought he was shot and brought out another AK-47. I feel that if I had not taken the actions I did, that she would have shot and possibly killed members of my platoon who could not see her.

I know that what I did was wrong, I made a bad judgement call on stripping the looters. I am ready to take responsibility for my action.
MEMORANDUM FOR COMMANDER, 2ND ARMORED CAVALRY REGIMENT

SUBJECT: Response to 15-6 Investigation

was assigned to about two weeks after I took over as the Platoon Leader. Since his first day, he has mentored and coached me to be a leader. His emphasis on taking care of the soldier and living the Army values has set a base for my development as an officer. During Operation Iraqi Freedom, has demonstrated his ability to react to any situation, ranging from helping a depressed soldier to calming upset citizens of Iraq. When the platoon started detaining looters, was the first to make sure they were treated right. He would give water to the thirsty and when informed of possible mistreatments, he talked to the platoon to make sure it would not happen. For a brief period, looters were being shot when looter on the back of Camp Marlboro. When told to rough up, scare, and release detainees felt it necessary to embarrass them to the point they would not return to loot and possibly get shot. His decision was to make the detainee strip and walk home nude. The decision may not have been the best, but it worked. is aware that he made a bad choice, but in that choice had saving the lives of the looters in his mind. He is a great asset to the platoon and should not be punished to the point of losing his position as Platoon Sergeant.
United States v. — Redacted Charge

VIOLATION OF THE UCMJ, ARTICLE 92:

SPECIFICATION 1: In that , U.S. Army, at or near Baghdad, Iraq, between 15 January 2003 and 15 July 2003, was derelict in the performance of his duties in that he willfully directed his soldiers to strip all clothing from a detainee, a person whose name is unknown, and release said detainee naked in public, when it was his duty not to do so.

SPECIFICATION 2: In that , U.S. Army, at or near Baghdad, Iraq, between 15 January 2003 and 15 July 2003, was derelict in the performance of his duties in that he willfully failed to process through the Civilian Military Operations Center (CMOC), a detainee in his custody, a person whose name is unknown, when it was his duty to do so.
UNITED STATES

v.

PRETRIAL AGREEMENT
(offer to plead guilty)

8 January 2004

I. I, the accused in a court-martial now pending, have examined the charges preferred against me, and all of the supporting evidence thus far provided by the government. After consulting with my defense counsel, and being fully advised that I have a legal and moral right to plead not guilty and to place the burden of proving my guilt beyond a reasonable doubt upon the prosecution, I offer to plead guilty to the following offenses:

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<th>CHARGE</th>
<th>ARTICLE</th>
<th>SPEC</th>
<th>PLEA</th>
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<td>92</td>
<td>1</td>
<td>Guilty</td>
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<tr>
<td>2</td>
<td></td>
<td></td>
<td>Guilty</td>
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</table>

2. I offer to plead guilty, provided that the convening authority will approve the terms attached hereto as Appendix I. I understand that the terms of the Appendix are binding upon the convening authority only if my plea is accepted and if findings and sentence are entered pursuant to that plea. In offering to plead guilty, I state the following:

a. I agree upon acceptance of this offer, to enter into a written stipulation of fact with the trial counsel as to the circumstances of the offenses. This stipulation may be used pursuant to this agreement to determine the providence of my plea and to inform the summary court martial officer of matters pertinent to an appropriate sentence. If my plea is not accepted, this offer to stipulate and the stipulation is null and void.

b. This offer to plead guilty originated with me, and no person or persons have made any attempt to force or coerce me into making this offer to plead guilty.

c. My defense counsel has advised me of the meaning and effect of my guilty plea, and I understand the meaning and effect thereof.

d. I understand that I may request to withdraw this plea at any time before sentence is announced, and the summary court martial officer determines whether the request should be granted.

e. I further understand that this agreement may become null and void upon the occurrence of any of the following events:
offer to plead guilty as stated in the Offer to
Plead, provided the convening authority agrees to refer my case to a summary court
martial. As part this offer to plead any other lawful punishment adjudged at the summary
court martial may also be approved.

I, (signature), hereby offer to plead guilty as stated in the Offer to
Plead, provided the convening authority agrees to refer my case to a summary court
martial. As part this offer to plead any other lawful punishment adjudged at the summary
court martial may also be approved.

8 January 2004

UNITED STATES

APPEXIX I TO

OFFER TO PLEAD GUILTY

(b)(6), b(9)
i) failing to agree upon the contents of a stipulation of fact with the trial counsel;

ii) my withdrawal from the agreement prior to trial;

iii) the refusal of the summary court martial officer to accept my plea of guilty.

3. This agreement shall not be affected by dismissal of any specifications or charges by the summary court martial officer or upon motion by defense counsel.

4. I agree to be tried by a summary court martial officer. By doing so, I freely choose not to exercise my forum right to have a panel of officers, commissioned or warrant, or a panel consisting of at least one-third enlisted members, to decide my guilt or innocence and determine an appropriate sentence.
MEMORANDUM FOR Commander, 2nd Armored Cavalry Regiment, 1st Armored Division

SUBJECT: United States v. 

1. I have reviewed the redacted charge. The accused now faces two specifications of willful dereliction under Article 92 of the Uniform Code of Military Justice.

2. I have also reviewed the offer communicated by defense counsel dated 8 January 2004. The accused has agreed to plead guilty as charged at a summary court-martial.

3. I accept the accused’s offer to plead guilty.
15-6 Report
Maltreatment of Detainees
July – August 2003
REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS

For use of this form, see AR 15-6; the proponent agency is OT.

IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS

SECTION I - APPOINTMENT

Appointed by ________________________________  
(Appointing authority)

on 28 JULY 2003  
(Date)

(Attach enclosure 1: Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6.)

SECTION II - SESSIONS

The (investigation) (board) commenced at Camp Marlboro, Baghdad, Iraq at ____________ on 29 July - 8 Aug 03  
(Place)  
(Time)

(If a formal board met for more than one session, check here D. Indicate in an inclosure the time each session began and ended, the place, persons present and absent, and explanation of absences, if any.) The following persons (members, respondents, counsel) were present: (After each name, indicate capacity, e.g., President, Recorder, Member, Legal Advisor.)

The following persons (members, respondents, counsel) were absent: (Include brief explanation of each absence.) (See paras 5-2 and 5-8a, AR 15-6.)

The (investigating officer) (board) finished gathering/hearing evidence at 1800hrs on 8 August 2003  
(Time)  
(Date)

and completed findings and recommendations at 1600hrs on 10 August 2003  
(Time)  
(Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
<th>NA</th>
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Inclusions (para 3-15, AR 15-6)

Are the following included and numbered consecutively with Roman numerals: (Attached in order listed)

a. The letter of appointment or a summary of oral appointment data?

b. Copy of notice to respondent, if any?  
(See item 9. below)

c. Other correspondence with respondent or counsel, if any?

d. All other written communications to or from the appointing authority?

e. Privacy Act Statements (Certificate, if statement provided orally)?

f. Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?

g. Information as to sessions of a formal board not included on page 1 of this report?

h. Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?

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

- If yes, indicate yes in the appropriate column.
- If no, indicate no in the appropriate column.
- If not applicable, indicate na in the appropriate column.

Age 2 of 4 pages, DA Form 1574, Mar 83

USAFA V1.20

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

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

... soldiers of 2nd Platoon, 84th Engineers Company have committed detainee abuse.

The first incident was on or about the middle of June 03. An Iraqi civilian was detained in the fields behind Camp Marlboro. The Iraqi was trying to steal copper wire. He was arrested by members of 2nd Platoon. The detainee was then brought to the Civilian Military Operations Center (CMOC) for processing into the detention center. Upon 2nd Platoon's arrival at the CMOC, Sergeant that he did not want any detainees at the CMOC. It was better for him to take the detainee away and to release him. recommended that the detainee be scared, beaten, or whatever the Platoon wanted to do to him. then decided to take the detainee to an abandoned building behind Camp Marlboro. When they arrived : took the detainee inside the building. They yelled and screamed at him. gave an order to: to remove all the clothing of the detainee. released the detainee after all of his clothing was removed. Exhibits M, T, & U support these facts.

The second incident occurred a few days to a week later. The Platoon had detained two looters trying to steal copper wire. They took the detainees to the same building behind Camp Marlboro. : told to remove all of the clothing of the detainees. The detainees were released once all of their clothing was removed. Exhibits A, D, E, M, O, Q, T, & U support these facts.

The third incident occurred on the 3rd of July. The Platoon was tasked to get sodas for the Squadron's fourth of July party. On their way back to Camp Marlboro with the sodas, they were tasked to chase looters away from the back fields. ENG23 captured a looter. ENG23 was then told to take the detainee back to the Engineers barracks on Camp Marlboro. ENG23 arrived at the barracks and the detainee was removed from the back of the truck and placed up against the wall. : bounced a soccer ball off the head of the detainee. He was primanded by both . y. In addition, admitted to hitting the detainee and stated in his sworn statement that others also hit the detainee. Exhibits B, D, E, G, H, J, K, L, M, O, Q, R, T, U, Z, & AA support these facts.

Three soldiers wrote sworn statements of the use of an M34 blasting device to shock Iraqi detainees. Exhibits B, D, I, W, & Y support these statements. However, during further investigation, the accused denied any use of the M34 blasting device to shock any Iraqi detainee. Exhibits M, U, V, X, & Z support these statements.

In addition, during the course of this investigation, was implicated in numerous alleged questionable actions. These actions are serious and are detrimental to the overall mission. Exhibit T supports this statement.

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

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

1. Enforce patrol and mission debriefs at the Troop level at a minimum. For more significant events a debrief should be conducted by the S-2.

2. Reprimand for his poor judgement, lack of battlefield composure, and loss of military discipline and professionalism as a senior noncommissioned officer. Continued performance like this could result in an uprising of the citizens of Iraq against US Forces.

3. Refine and clarify the ROE and treatment of detainees. Conduct a stand down day to refocus the Troops and establish clear procedures for processing detainees.

4. Appoint an Investigating officer in commensurate grade or higher to conduct an inquiry of alleged actions.
THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE. (If any voting member or the order fails to sign here or in Section VII below, indicate the reason in the space where his signature should appear.)

<table>
<thead>
<tr>
<th>(Recorder)</th>
<th>(Investigating Officer) (President)</th>
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**SECTION VII - MINORITY REPORT** (para 3-13, AR 15-6)

To the extent indicated in Inclosure _________, the undersigned do(es) not concur in the findings and recommendations of the board. (In the inclosure, identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur. State the reasons for disagreement. Additional/substitute findings and/or recommendations may be included in the inclosure.)

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**SECTION VIII - ACTION BY APPOINTING AUTHORITY** (para 2-3, AR 15-6)

The findings and recommendations of the (investigating officer) (board) are (approved) (disapproved) (approved with following exceptions/substitutions). (If the appointing authority returns the proceedings to the investigating officer or board for further proceedings or corrective action, attach that correspondence (or a summary, if oral) as a numbered inclosure.)

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MEMORANDUM FOR RECORD

SUBJECT: Appointment of Investigating Officer

1. you are hereby appointed an investigating officer pursuant to AR 15-6 to conduct an informal investigation into the circumstances involving alleged detainee abuse by soldiers assigned to the 84th Engineer Company.

2. In your investigation, all witness statements will be sworn. From the evidence, you make findings of fact.

3. Submit four copies of your findings on DA form 1574 to this headquarters, ATTN: AFZX-C-RS1, within 3 days.

FOR THE COMMANDER:
DATA REQUIRED BY THE PRIVACY ACT

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 means of identification to facilitate filing and retrieval.

Disclosure: Disclosure of your Social Security Number is voluntary.

1. LOCATION

2. DATE

3. TIME

4. FILE NO.

5. NAME (Last, First, Mil)

6. SEN

7. RANK/STATUS

PART I - RIGHTS WAIVER

WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he is with the United States Army and wanted to question me about the following offense(s) of which I am suspected.

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

1. I do not have to answer any question or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. (For personnel subject to 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 my own expense to the Government or a military lawyer detailed for me at no expense to me, or both.
   - or -
   (For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.
4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

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.

Section C. Non-waiver

I do not want to give up my rights.

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

ATTACH THIS WAIVER CERTIFICATE TO ANY SIGNED STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED.
### DATA REQUIRED BY THE PRIVACY ACT

**Title:** United States Code, Section 30121

**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 means of identification to facilitate filing and retrieval.

**Disclosure:**
Disclosure of your Social Security Number is voluntary.

### DATA REQUIRED BY THE PRIVACY ACT

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<th>Location</th>
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<td>Name</td>
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<td>Social Security Number</td>
<td>1234567</td>
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### PART I - RIGHTS WAIVER/NO-WAIVER CERTIFICATE

**Section A. Rights**

The Investigator who spoke to me told me that I was with the United States Army and wanted to question me about the following offense(s) to which I am suspected:

- Strangling, FALSE IMPRISONMENT
- Beating, FALSE IMPRISONMENT

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

1. I do not have to answer any question or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. If the person subject to 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 or a military lawyer detailed for me at no expense to me, or both.

   
4. If I am not subject to 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. If I understand that this lawyer can be either the 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.
5. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

**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)

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<thead>
<tr>
<th>Name (Type or Print)</th>
<th>Signature of Interviewee</th>
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### Section C. Non-waiver

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

### SIGNATURE OF INTERVIEWEE

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<th>Signature of Interviewee</th>
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### ORGANIZATION OF INVESTIGATOR

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### SIGNATURE OF INVESTIGATOR

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### SIGNATURE OF INVESTIGATOR

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**ATTACH THIS WAIVER CERTIFICATE TO ANY SIGNED STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACUSED**
AUTHORITY: Title 10, United States Code, Section 3312(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 means of identification to facilitate filing and retrieval.

DISCLOSURE: Disclosure of your Social Security Number is voluntary.

DATA REQUIRED BY THE PRIVACY ACT

LOCATION: IRAQ

DATE: 1 MWO3

TIME: 15:54

FILE NO.

NAME (Last, First, MI)

ARTICLE 38C

PART I - RIGHTS WAIVER/NO-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he is with the United States Army and wanted to question me about the following offenses(s) of which I am suspected or charged: Striping of Iraqi citizens and Beating Iraqi citizens.

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

1. I do not have to answer any question or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. If for personal 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 my own expense to the Government or a military lawyer detailed for me at no expense to me, or both.

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

If I am now willing to discuss the offenses(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.

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)

NAME (Type or Print)

ORGANIZATION OR ADDRESS AND PHONE

SIGNATURE OF INTERVIEWEE

SECTION B

NAME (Type or Print)

ORGANIZATION OR ADDRESS AND PHONE

SIGNATURE OF INVESTIGATOR

SECTION C

I do not want to give up my rights:

☐ I want a lawyer

☐ I do not want to be questioned or say anything

SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED
**Part I - Rights Waiver/Non-Waiver Certificate**

### Section A. Rights

The investigator who nome person below told me that I am with the United States Army and wanted to question me about the following offense(s) of which I am suspected/accused:

- [ ] [ ] [ ] [ ] [ ]

Before I asked me any questions about the offense(s), I was made clear to me that I have the following rights:

1. I do not have to answer any question or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. For personnel subject to 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:

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

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

### 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)**

1. **Name (Type or Print)**
   - [ ]
2. **Organization or address and phone**
   - [ ]

**Signature of Agnewee**

1. **Signature of Investigator**
   - [ ]
2. **Typed Name of Investigator**
   - [ ]

### 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

**Signature of Investigee**

**Attach this waiver certificate to any sworn statement (DA Form 3881) subsequently executed by the inspect/accused**
**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.

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### Part I - Rights Waiver/Non-Waiver Certificate

**Section A. Rights**

The investigating officer where my apprehension occurred, MCRSS, DOE, and wanted to question me about the following offense(s) of which I am suspected:

**Defense Abuse**

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

1. I do not have to answer any question or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. If convicted 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 my own expense to the Government or a military lawyer detailed for me at no expense to me, or both.

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

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

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

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**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.

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**Witnesses** (If available)

<table>
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<th>NAME (Type of Print)</th>
<th>ORGANIZATION OR ADDRESS AND PHONE</th>
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**Signature of Interviewee**

**Signature of Investigator**

---

**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

**Signature of Interviewee**

---

*ATTACH THIS WAIVER CERTIFICATE TO ANY SIGNED STATEMENT (DA FORM 282) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED*

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**DA FORM 3881, NOV 89** Edition of Nov 84 is OBSOLETE

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**001436**
### WARNING PROCEDURE/WAIVER CERTIFICATE

**AUTHORITY:** Title 10, United States Code, Section 2012a

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

**DATA REQUIRED BY THE PRIVACY ACT**

1. **LOCATION**
   - Camp Freedom, Baghdad, Iraq
2. **DATE**
   - 8 Aug 03
3. **TIME**
   - 1030 Hr

**DISCLOSURE:** Disclosure of your Social Security Number is voluntary.

### RIGHTS WAIVER/NO-WAIVER CERTIFICATE

**PART I - RIGHTS WAIVER/NO-WAIVER CERTIFICATE**

**Section A. Rights**

I, ____________________________, hereinafter referred to as the interviewee, have been told that I belong to the United States Army and wanted to question me about the following offense(s) of which I am suspected.

The interviewee was asked any questions about the offense(s), however, the interviewee made it clear to me that I have the following rights:

1. I do not have to answer any question or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. If convicted of the offense(s) 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 civilian not subject to the UCMJ I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

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

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

**Section B. Waiver**

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

**WITNESSES (if available)**

1a. **NAME** (Type or Print)

   b. **ORGANIZATION OR ADDRESS AND PHONE**

   2a. **NAME** (Type or Print)

   b. **ORGANIZATION OR ADDRESS AND PHONE**

**Section C. Non-waiver**

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

2. **SIGNATURE OF INTERVIEWEE**

**ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT DA FORM 2823/ SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACUSED**

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**DA FORM 3881, NOV 89**

**EDITION OF NOV 84 IS OBSOLETE**

**001437**
AUTHORITY: Title 10, United States Code, Section 3112b

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

RVNTIOUS USES: Your Social Security Number is used as an additional means of identification to facilitate filing and retrieval.

DISCLOSURE: Disclosure of your Social Security Number is voluntary.

PART I - RIGHTS WAIVER/WAIVER CERTIFICATE

Section A. Rights

The investigator who appears below told me that I was in uniform and wanted to question me about the offenses(s) of which I am accused:

Defendant's Name: Defendant House

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

1. I do not have to answer any questions or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. 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 my 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 if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

4. If I am now willing to discuss the offenses(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.

Section B. Waiver

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

Section C. Non-waiver

I do not want to give up my rights:

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

SIGNATURE OF INTERVIEWEE

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

DA FORM 3881, NOV 89
EDITION OF NOV 84 IS OBSOLETE
I. HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE ___. I UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT INDUCEMENT.

WITNESSES:

ORGANIZATION TO WHOM STATEMENT WAS SUBMITTED

(Handwriting of Person Administering Oath)

(Handwriting of Person Administering Oath)

INITIALS OF PERSON MAKING STATEMENT

PAGE DE __ OF 3, DA FORM 2823, DEC 1998
SWORN STATEMENT

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

PRIVACY ACT STATEMENT

Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9357 dated November 22, 1943 (SSN).

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
   CAMP MARLBORO BAGHDAD IRAQ

2. DATE
   01 Aug 2003

3. TIME
   12:22

4. FILE NUMBER

5. LAST NAME, FIRST NAME, MIDDLE NAME

6. SSN

7. GRADE STATUS

8. ORGANIZATION OR ADDRESS

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

   ON THE THIRD OF JULY, THE SUPPOSED TIME A CERTAIN INCIDENT MAY HAVE HAPPENED, I WAS ON MY WAY TO THE BAY, TO CHECK A BUSTED HUB SEAL AND A CLASS TWO TRANSFER LEAK. AFTER WAITING AN HOUR AND 1/2, I WAS BUMPED INTO A SLOT IN THE BAY WHERE I WAS TURNED AWAY, AFTER IN MY WAY SO THAT I CAN PARK MY VICTOR IN THE DESIGNATED SPOT. SOME TIME AFTER THE 4TH OF JULY, ACTUAL DATE, I DON'T RECALL, MY PLATOON CAME IN CONTACT AND 27D CAME OVER COUGAR NET AND SAID THE WERE SHOT AT AND RETURNED FIRE. 22 CAME ON GAVE AN EXPLANATION OF THE SHOOTING AND الموجودة point, later that Dan Sapper 6 talked to the men involved, one-on-one, then the whole platoon about not beating Iraqis and just take them to the c-mock, but about the shooting, he was pleased no one was hurt and we detained the shooter.

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

ADDENDA PAGE MUST CONTAIN THE HEADING "STATEMENT OF ________ TAKEN AT ________ DATED ________

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

DA FORM 2823, DEC 1998
STATEMENT OF __________________________________________ TAKEN AT _______________ DATED ___________ b(6), b(2)

9. STATEMENT (Continued)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 1st day of August, 2003, at Camp Northam, Ranch, __________.  

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 1st day of August, 2003, at Camp Northam, Ranch, __________.  

(Witnesses: )

(ORGANIZATION OR ADDRESS)  

(INITIALS OR PERSON MAKING STATEMENT)  

PAGE 3, DA FORM 2823, DEC 1998  

PAGE 001441  

DODDOA 026855
As far as mistreatment of Iraqi civilians, all I've seen is discomfort and embarrassment. On two separate occasions an Iraqi had been stripped and then released for with no clothes as punishment for stealing from 2/2 AD's scrap yard. Also an Iraqi detainee picked up for the same offense was bought to the sapper AD ten by 23 and detained for 20 minutes, sat against a well flexed coffed with a sandbag over his head and then brought to the CWO. I was not in sight of him for the whole time but I didn't see any mistreatment while I did see him. Regarding the shooting of an armed Iraqi civilian, we stopped because a large amount of wire was stowed in a truck. An Iraqi in the crowd pushed so he was detained. Another Iraqi armed with an AK-47 was shot multiple times. I did see if she fired or not. She was then taken to medics at camp Norfolk and treated.
I, [Name], have read or have had read to me this statement which begins on page 1 and ends on page [Page Number]. 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.

(Signature of Person Making Statement)

WITNESSES:

[Signature of Witnesses]

Affiant:

I, [Name], was sworn to before [Name of Person Administering Oath) on [Date] at [Location].

(Subscribed and sworn to before me, a person authorized by law to administer oaths.)

[Signature of Person Administering Oath)

Organization or Address:

[Address]

Page 3 of 3

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

PAGE

DA Matt 2823, DEC 1993

DODDOA 026858
The day we arrived to our AO with an Iraqi, I was unloading the trailer of sand. I saw people take an Iraqi out of 27 and sit him against a wall. I then went to go and eat in the chow hall, when I returned, they were putting the Iraqi back into 27 and the vehicle then left our AO.

One day I was cleaning on the 50 cal of EN22. We arrived at a building behind our compound that I had never been to before. I stepped down into the back of 22 for a moment to drink some water and load my M-16. When I stepped back up to the 50 cal, I noticed a naked Iraqi run by the vehicle. I took a double take and then we left the area and returned to Camp Mariboro.
STATEMENT OF ___________________________ TAKEN AT ___________________________ DATED ___________________________

9. STATEMENT (Continued)

AFFIDAVIT

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

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12th day of August, 2003 at Camp Maribo, Bogota, D.C.

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES
In the month of June 2003, 27/22 and 23 were pulled up in a designated spot behind Camp Condor to deal off an ambush.

I dismounted and chased the losers with my AK-47. I stepped over the bodies and found a guy in their direction. I removed his clothes and continued running away.

The bodies were about 200 meters ahead of us. While chasing them, I received backup from the other group. We continued running away.
In mid June 2003, my platoon was on a mission to retrieve copper wire and drop it off in the rear fields of Camp Marlboro. The squads that were with me were ENG22, ENG23, & my truck of ENG27. We were heading back from picking up wire when we found some looters in the back field of Camp Marlboro. We ended detaining one looter. We took the looter to the said that we should take the looter and drive around a while, scare him, beat him up, or whatever that we wanted to do. So, we took the looter to an empty building in the rear field of Camp Marlboro. Myself, took the detainee inside the building yelled and screamed at him then had to make a decision of what I should do next. I heard that a looter was shot and killed earlier this month and the guys who shot him was not punished. I didn't want to kill him so I decided that I needed to teach him a lesson. So, I told to strip the man and make him run home and hopefully he would encure some embarrassment but at least he would be alive. We had another incident to where we detained two looters in the rear field of Camp Marlboro and instead of taking to CMOC we took them to the same building and then Myself, had the two guys take their clothes off and run home.

On the 3rd of July my platoon was tasked to pick up sodas for the SQDN Fourth of July party. On our way back to Camp Marlboro we were told to help pick up looters in the rear field. We ended up catching one looter. ENG23 actually caught the looter. ENG23 ended up bringing the detainee back to our AO. I spoke with told to watch the guy. ENG23 had a flat tire so they were fixing the tire during this time. I told the platoon to go to chow. had bounced a soccerball of the head of the detainee, chewed him out then told me and I again chewed him out. We took the detainee to the CMOC. I told the Squad Leaders that we are going to tone this stuff down. Two weeks later we had another incident that we shot an Iraqi woman because she had fired numerous rounds with an AK-47. We returned fire on the woman. She received four to five gunshot wounds to the chest. We applied first aid and took her to the Camps Aid Station. came and spoke to the Platoon that afternoon about how we had followed the ROE and did a good job.
SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

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

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

DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION CAMP MARLBORO, BAGHDAD, IRAQ
2. DATE (YYYYMMDD) 2003/08/01
3. TIME 1700
4. FILE NUMBER

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

8. ORGANIZATION OR ADDRESS

I, , WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

During Operation Scorpion we had finished picking up wire in Eagle's sector. We were headed back to Camp to drop off the wire when we saw looters in the rear field behind Camp Marlboro. We chased them down and picked up a total of 7 detainees. We had them download the wire from the back of the trailers and then took them to the CMOC. We were out on mission again and caught one looter stealing the copper wire. We took him to the CMOC to turn him in when we were told by , to take him out and beat him or do whatever you want to with him. So, we took this guy to a building in field behind the camp.

.. , to strip the detainee of his clothes. He followed his orders. Then we released the detainee to go home. So he ran outside and went home. We had another incident a few days later to where we detained two looters. We took them to the building again and stripped them of their clothes and made them run home. In both incidents , and myself were in the building. On the 3rd of July we had to go get sodas for the 4th of July party for SQDN. On our way back we checked the field for looters. There were looters in the back field so we tried to catch them. While trying to catch these looters my truck got a flat tire. So we went back to Camp Marlboro and I told my guys to get the tire fixed. When we got back ENG23 came into our AO with a detainee in the back of the truck. I wasn't around much after that because I wanted to get the tire on my truck fixed. After the tire got changed ENG27 took the detainee up to CMOC.
<table>
<thead>
<tr>
<th>INITIALS OF PERSON MAKING STATEMENT</th>
<th>PAGE OF PAGES</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

PAGE 3, DA FORM 2823, DEC 1998

DODDOA 026867
I have not, nor have not witnessed any Iraqi detainees get shot, stripped, punched, kicked or beaten. — Nothing follows —
WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I now retract what I stated in my last statement. I wrote that I saw a tall, dark-haired Iraqi. I am now confirming this in this statement.

I did not see any persons or persons walk to the back of the warehouse. I heard rumors that the Iraqi was being abused.

This morning around 0930, a fellow came to me and asked me what I was going to say and said we all need to have the same story.
STATEMENT OF ____________________________ TAKEN AT ____________________________ DATED ____________________________

9. STATEMENT (Continued)

I, ____________________________, have read or have had read to me this statement which begins on page ______, and ends on page ______. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence, or unlawful inducement.

(Signature of Person making statement)

WITNESSES: __________________________________________________________

______________________________________________________________

______________________________________________________________

ORGANIZATION OR ADDRESS

______________________________________________________________

______________________________________________________________

INITIALS OF PERSON MAKING STATEMENT

PAGE 3, DA FORM 2823, DEC 1998

PAGE ______ OF ________

USA PA V1.00

001458
**SWORN STATEMENT**

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

<table>
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- **Location:**
  - [Name Redacted]

- **Date (YYYYMMDD):**
  - [Date Redacted]

- **Time:**
  - [Time Redacted]

- **File Number:**
  - [File Number Redacted]

- **SSN:**
  - [SSN Redacted]

- **Grade/Status:**
  - [Grade/Status Redacted]

- **Organization or Address:**
  - [Address Redacted]

- **Exhibit:**
  - [Exhibit Indicated]

**Statement:**

I did not use m34 to shock a Iraqi person. 
I did not hit, kick, or punch a Iraqi person. 
No one came to me to make the stories the same. 
I am not aware of anyone trying to make the stories the same.

**Initials of Person Making Statement:**

---

**ADDITIONAL PAGES MUST CONTAIN THE HEADING**

**STATEMENT TAKEN AT DATED**

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

WITNESSES:

SUBSCRIBED AND SWORN TO ME, A PERSON AUTHORIZED BY LAW TO ADMINISTER Oaths, this, day of

AUTHORIZED TO ADMINISTER OATHS

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

STATEMENT OF TAKEN AT DATED

ORGANIZATION OR ADDRESS

(Authority to Administer Oaths)

(Typed Name of Person Administering Oath)

STATEMENT OF (Continued)

PAGE 3, DA FORM 2623, DEC 1996
I saw a black bag with a blasting machine. I saw two Iraqi soldiers use their feet to the chest of an Iraqi. I knew that the P56 had gone off into its own. I had seen the P56 burst and felt it shake itself. The P56 had taken the Eurs off its own. We were trying to find out what had happened. One of my soldiers brought it to my attention. I knew that the P56 and I were. We first understood it. We discussed it before. In my first sworn statement, I denied a warning shot at the ground off its own and got it into the Iraqi to stop.

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

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

LOCATION
Camp Mariboro

DATE (YYYYMMDD)
20190808

TIME
1135

FILE NUMBER

LAST NAME, FIRST NAME, MIDDLE NAME

SSN

GRADE/STATUS

ORGANIZATION OR ADDRESS

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT PAGE 1 OF 1 PAGES

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

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BE A BE INDICATED.

DA FORM 2823, DEC 1998 DA FORM 2823, JUL 72, IS OBSOLETE

001461
**SWORN STATEMENT**

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

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**LOCATION**

Camp Madoco, Baghdad, Iraq

**DATE (YYYYMMDD)**

20130805

**TIME**

12:40

**FILE NUMBER**


**I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:**

The platoon picked up a few detainees. We then went to the back of the camp where we searched them and then told them to strip them. Another incident was at the AO where a detainee was brought. I didn't see anyone beat him, but scared him. There was no collaboration of stories for this investigation.

**EXHIBIT Z**

**PERSON MAKING STATEMENT**


**ADDITIONAL PAGES MUST CONTAIN THE HEADING “STATEMENT” TAKEN AT DATED.**

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

DA FORM 2823, DEC 1998

DA FORM 2823, JUL 72, IS OBSOLETE
STATEMENT (Continued)

STATEMENT OF \n
TAKEN AT \n
DATED \n
I, \n
HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT \n
WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE \n
I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE \n
BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE \n
CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPES OF BENEFIT OR REWARD, WITHOUT \n
THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL \n

WITNESSES:

INITIALS OF PERSON MAKING STATEMENT

PAGE 3, DA FORM 2823, DEC 1998

PAGE OF PAGES
In the morning of a day which I can not recollect, but do know that it was prior to the Fourth of July, three trucks (22, 23, 27) from the 2nd Platoon, 84th ENG CO went on a mission to pick up sodas for the Squadron Fourth of July festivities. I myself was riding on the back of 27 as rear security. When returning from the mission, one of our trucks spotted looters on the eastern side of RTE Keros. We then began to chase the looters out into open fields, but after fifteen minutes of chasing, decided to head back to Camp Marmonte. Upon returning to the camp, 23 called 27 on the net and asked him what he should do with his detainee. Until we were inside the gates, 27 had negative knowledge of any detainees. What orders to 23 were unclear. Once we returned to the warehouse, I dismounted from the back of 27 and went to my cot to lay down. A few minutes later, I got up and went back to where the trucks were parked so that I could get some water out of 21. When I got to the back of the warehouse, I heard a commotion, and several other members of my platoon which I can not remember were hitting, kicking, and tearing at the clothes of the Iraqi detainee. My feelings at the time were excitement. I went to my bunk to get a camera, but when I returned, took the camera, I turned and went to my truck, 21, to get the water which I had initially gone to the back for.
I then decided to go back to where the detainee was. I was alone with the detainee. I
coaxed me into coming over and hitting the detainee. I went over and thumped the detainee on the head very lightly, which made him laugh and call me a pussy. I can't begin to express how bad I felt for only that. That is when I went back to my cot for good.

Roughly fifteen minutes later, 27 called for 21 and 23 to come and escort him to the open area behind Camp Marlboro. We escorted 27 and the detainee out to an abandoned building where the detainee would be stripped and later released. I myself was driving 21 at the time, and when we arrived at the building, I exited the truck and pulled security. I do not know who made the call to strip the detainee, but I do know that we were in the building with the detainee. If there was someone else in the building, it is not to my knowledge. Once the detainee was released, we all went back to the warehouse.

On another occasion, which occurred several weeks after the first incident, three trucks (21, 22, 27) left Camp Marlboro to explode several UXO at the Dragoon ASP. When returning from the ASP, one of our trucks again sighted a couple of looters. We then began to chase them. The looters managed to escape safely, but decided to stop and investigate further. At the time, I was driving 21, and upon stopping I got out and pulled security. Several minutes later, I walked to the back of my truck and witnessed the windshield and mirrors, slashing the tires, and ripping wires out from under the hood. At the time, I had no idea why...
they were doing this. My thoughts were that they had lost their minds. Several minutes later, we mounted back on our trucks and drove across the street. Again, I dismounted to further investigate the stolen wire. I again pulled security for 21. y and I went to a nearby home and took from the owner a cooler and a burlap tarp of some sort. They then came to my truck and took my 5-gal. can of fuel, which they used to burn the cooler and the bag. It wasn't until we had returned to the warehouse at Camp Marshall that I was informed as to why they had done these seemingly uncivil acts. Apparently, the truck which they had destroyed was carrying wire in the back. The cooler contained fuel which the thieves used to burn the wire, and the tarp is what the thieves used to hide the wire. After this incident, no other incidents took place to my knowledge.

AFFIDAVIT

I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 8th day of August, 2003 at Camp Marshall, Okla. (Signature of Person Administering Oath)

Typed Name of Person Administering Oath

(Authority To Administer Oaths)
MEMORANDUM FOR Commander, 2d Armored Cavalry Regiment, APO AE 09322

SUBJECT: Transmittal of Court-Martial Charges in the case of

1. The attached court-martial charges against [Redacted] have been reviewed. The specifications allege offenses under the Uniform Code of Military Justice and are supported by the evidence attached. The charges are forwarded in accordance with R.C.M. 403, MCM (2002), for appropriate disposition.

2. I recommend:
   a. _Trial by ___ Summary Court-Martial, ( ) Special Court-Martial, ( ) Special Court-Martial empowered to adjudge a Bad Conduct Discharge, or ( ) General Court-Martial.

   b. ___ Nonjudicial punishment under Art. 15.

   c. ___ Nonpunitive administrative action. ( ) Relief of duties for cause, ( ) Letter of concern/nonpunitive reprimand, or ( ) Administrative discharge proceedings.

   d. ___ That no action be taken at this time.

3 Encls
1. Charge Sheet
2. Allied Papers
3. Enlisted Record Brief
MEMORANDUM FOR Commander, 1st Armored Division, Baghdad, Iraq, APO AE 09324

SUBJECT: Transmittal of Court-Martial Charges in the case of

1. The attached court-martial charges against have been reviewed. The specifications allege offenses under the Uniform Code of Military Justice and are supported by the evidence attached. The charges are forwarded in accordance with R.C.M. 404, MCM (2002), for appropriate disposition.

2. I recommend:

   a. Trial by ( ) Summary Court-Martial, ( ) Special Court-Martial, ( ) Special Court-Martial empowered to adjudge a Bad Conduct Discharge, or ( ) General Court-Martial.

   b. Nonjudicial punishment under Art. 15.

   c. Nonpunitive administrative action. ( ) Relief of duties for cause, ( ) Letter of concern/nonpunitive reprimand, or ( ) Administrative discharge proceedings.

   d. That no action be taken at this time.

3 Encls
1. Charge Sheet
2. Allied Papers
3. Enlisted Record Brief
MEMORANDUM FOR Commander, 2d Squadron, 2d Armored Cavalry Regiment, APO AE 09322

SUBJECT: Transmittal of Court-Martial Charges in the case of

1. The attached court-martial charges against have been reviewed and are forwarded in accordance with R.C.M. 401, MCM (2002), for appropriate disposition.

2. Summaries of expected testimony and documentary evidence upon which the charges are based are attached.

3. All material witnesses are expected to be available at the time of trial.

4. Personal data of the accused is attached as a copy of the accused's Enlisted Record Brief.

5. The following additional personal data of the accused is provided:
   a. Number of dependents in command: Two.
   b. Previous disciplinary actions: None.

6. There is no record of prior court-martial convictions.

7. The soldier is not currently pending separation action under the provisions of AR 635-200.

8. I recommend:
   a. Trial by ( ) Summary Court-Martial, ( ) Special Court-Martial, ( ) Special Court-Martial empowered to adjudge a Bad Conduct Discharge, or ( ) General Court-Martial.
   b. Nonjudicial punishment under Art. 15.
   c. Nonpunitive administrative action. ( ) Relief of duties for cause, ( ) Letter of concern/nonpunitive reprimand, or ( ) Administrative discharge proceedings.
   d. That no action be taken at this time.

3 Encels
1. Charge Sheet
2. Allied Papers
3. Enlisted Record Brief
ATTORNEY WORK PRODUCT

here's my charging suggestion based on my review of the 15-6 investigation:

VIOLATION OF THE UCMJ, ARTICLE 92:

SPECIFICATION 1: In that , U.S. Army, at or near Baghdad, Iraq, between 15 January 2003 and 15 July 2003, was derelict in the performance of his duties in that he willfully directed his soldiers to strip all clothing from a detainee, a person whose name is unknown, and release said detainee naked in public, when it was his duty not to do so.

SPECIFICATION 2: In that , U.S. Army, at or near Baghdad, Iraq, between 15 January 2003 and 15 July 2003, was derelict in the performance of his duties in that he willfully failed to process through the Civilian Military Operations Center (CMOC), a detainee in his custody, a person whose name is unknown, when it was his duty to do so.

Have you dismissed / withdrawn the 6 DEC 03 charges without prejudice? I'll need a copy of that for the file, please.

Please let me know when is done with . Got a cohiba with your name on it up here when you come up.

Thx.

v/r,
CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED (Last, First, Ml)
2. SSN
3. GRADE OR RANK
4. PAY GRADE

5. UNIT OR ORGANIZATION

6. CURRENT SERVICE
   a. INITIAL DATE
   b. TERM

7. PAY PER MONTH
   a. BASIC
   b. SEA/FOREIGN DUTY
   c. TOTAL

8. NATURE OF RESTRAINT OF ACCUSED

9. DATE(S) IMPOSED
   a. BASIC
   b. SEA/FOREIGN DUTY
   c. TOTAL

None. N/A

II. CHARGES AND SPECIFICATIONS

SPECIFICATION 1: In that
U.S. Army, did, at or near Baghdad, Iraq, on or about between 15 June 2003 and 15 July 2003, wrongfully solicit to commit an assault consummated by battery against a detainee by unlawfully shocking the detainee with a blasting device.

SPECIFICATION 2: In that
U.S. Army, did, at or near Baghdad, Iraq, on or about between 15 June 2003 and 15 July 2003, wrongfully solicit a person subject to his orders and whose name is unknown, to malintent.

SPECIFICATION 3: In that
U.S. Army, did, at or near Baghdad, Iraq, on or about between 15 June 2003 and 15 July 2003, wrongfully solicit a person subject to his orders and whose names are unknown, to strip the detainee of his clothing.

CHARGE II: VIOLATION OF THE UCMJ, ARTICLE 93.

SPECIFICATION: In that
U.S. Army, did, at or near Baghdad, Iraq, on or about between 15 June 2003 and 15 July 2003, wrongfully maltreat two Iraqi detainees by stripping them of their clothing.

III. PREFERENCE

11a. NAME OF ACCUSER (Last, First, Ml)
11b. GRADE
11c. ORGANIZATION OF ACCUSER

11d. SIGNATURE OF ACCUSER

11e. DATE

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this day of , , , , , , , , , and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.

Typed Name of Officer

Organization of Officer

(See R.C.M. 307(b) - must be a commissioned officer)

DD FORM 458, MAY 2000

PREVIOUS EDITION IS OBSOLETE.
b(6), b(3)

12.
On __07 DEC__, 2003, the accused was informed of the charges against him/her and of the name(s) of The accuser(s) known to me (See R.C.M. 308 (a)). (See R.C.M. 308 if notification cannot be made.)

Typed Name of Immediate Commander

Organization of Immediate Commander

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13.
The sworn charges were received at 1335 hours, 7 Dec, 2003 at __Designation of Command or__

Officer Exercising Summary Court-Martial Jurisdiction (See R.C.M. 403)

For the __________

Typed Name of Officer

Position of Officer

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY

b. PLACE

c. DATE (YYYYMMDD)

Referred for trial to the __________________ court-martial convened by ________________

__________, subject to the following instructions:

By __________________ of ________________

Typed Name of Officer

Official Capacity of Officer Signing

Grade

Signature

15.
On ____________, I (caused to be) served a copy hereof on (each of) the above named accused.

Typed Name of Trial Counsel

Grade or Rank of Trial Counsel

Signature

FOOTNOTES: 1 — When an appropriate commander signs personally, inapplicable words are stricken.

2 — See R.C.M. 601(e) concerning instructions. If none, so state.
DD Form 458, ...

Item 10, continued:

CHARGE: VIOLATION OF THE UCMJ, ARTICLE 92. (20 DEC 03)

SPECIFICATION 1: In that [name], U.S. Army, who knew or should have known of his duties at or near Baghdad, Iraq, on or about between 15 June 2003 and 15 July 2003, was derelict in the performance of his duties in that he willfully failed to prevent from committing assault consummated by battery, as it was his duty to do.

SPECIFICATION 2: In that [name], U.S. Army, who knew or should have known of his duties at or near Baghdad, Iraq, on or about between 15 June 2003 and 15 July 2003, was derelict in the performance of his duties in that he willfully failed to prevent from committing assault consummated by battery, as it was his duty to do.

THE SPECIFICATION: In that [name], U.S. Army, did, at or near Baghdad, Iraq, on or about between 15 June 2003 and 15 July 2003, unlawfully strike a detainee, a person whose name is unknown.
MEMORANDUM FOR
09322

SUBJECT: Recommendations for Action Regarding AR 15-6 Investigation

1. I have reviewed the AR 15-6 investigation into detainee abuse by soldiers in the
   and concur with the investigating officer's findings.

2. Based upon this investigation, I have recommended that the
   use for maltreating detainees.

3. In accordance with your recommendations, I am returning full authority to you to discipline
   in a manner that you believe is appropriate.

4. Finally, I am concerned that soldiers from the did not understand the
   Rules of Engagement for handling detainees and for using deadly force against intruders within
   your base camp. I direct you to evaluate your subordinates' understanding of the Rules of
   Engagement. Based upon your review, you may want to consider additional training on the
   Rules of Engagement and the law of war.
MEMORANDUM FOR RECORD

SUBJECT: Chain of command recommendation of relief for cause:

1. On 8 AUG 2003, the soldier's recommended that be relieved for cause.
2. On 8 AUG 2003, the soldier's recommended that be relieved for cause.
3. On 8 AUG 2003, the soldier's recommended that be relieved for cause.
4. POC is the undersigned at

b(6), b(3)
MEMORANDUM FOR

SUBJECT: Response to 15-6 Investigation

During Operation Scorpion Sting our whole platoon was attached to Eagle Troop. We assisted them in cleaning up the streets from copper wire in their sector. We spent two days doing that, and we would take at least 15 truck loads of copper wire to the back of the camp each day. About one week later, we got a call from Cougar x-ray to go link up with Eagle Troop to go pick up some copper wire. When we got there we loaded up the copper wire into our trailers, and headed back to the camp. We had put the copper wire from the week before. As we arrived, we had put the copper wire the week prior. We didn't catch them, so we headed back where everyone else was at. About 20 minutes later, I told the platoon sergeant that I wanted to go after them again. He said ok. When we got back from going after the looters, he came back with five detainees. We downloaded them and had them help the other two unload the trailers. I stayed at my truck because I was hurting from the heat. I also explained to my soldiers why we need to give the detainees water. Then, after we had them finish downloading the trailers, we took them to the CMOC.

That day at 4:00 pm they said they saw me shock a detainee. The statements were false, I did not shock a detainee. After we brought back the five detainees, we were on the 27 truck as a M249 gunner. I stayed at my truck like I did because I also was hurting from the heat. All of our trailers were about thirty feet apart at the site facing the opposite way from each other pulling security.

Periodically we would go in the back entrance of the camp to see if we could catch looters in the back of the camp. On two occasions we detained looters. The first time, we took them to the CMOC where we attempted to hand them over to Bulldog elements. Bulldog 6 told my platoon sergeant that he didn't want them there. Then he told the platoon sergeant to “take them out back and beat the fuck out of them.” I thought he was serious because every time we had crossed the berm, it appeared that he had it out for the Iraqi people. We took the detainees to a building in back of the camp, and a team leader in the platoon told the platoon sergeant that he wanted to teach them. He should strip them and send them on their way. We could have shot them because they said that they were breaching the outer perimeter. At the time we were beyond the outer perimeter. We didn't make the outer perimeter until the first week in August. The ROE was to only shoot when you felt your life or another soldier's life was threatened or when fired upon. The Bulldog element was shooting the looters. I thought that was too extreme at the time. Therefore, the platoon sergeant didn't want to shoot them and that is why they got stripped.

July 3, 2003 was the day that I fought back a detainee to the warehouse where we lived. I don't now why he did that, or what he was thinking when he brought him back. That day we went to go get cokes for the 4th of July party at the camp. When we headed back to the camp we entered into the back gate because I believe the front gate was closed due to the threat. As we entered the back gate, there were Iraqi people running from where the copper wire was at. As we started to chase them I got a flat tire, so my truck stopped and we waited for the other trucks. We headed back to the camp and I went to get the spare tire so my squad could fix the flat tire. When I came back I had pulled in with a detainee in the back of his truck. We unloaded him and put him next to the wall. The platoon sergeant sent everyone to chow sense it was about to be over. I told him I would watch him while we go to chow.
two soldiers of mine also stayed back that day so they change the tire. When soldiers in the platoon found out that caught back the detainee, they were going back there to take pictures. I told them to stop. I don’t know what happened while I was at chow, but when we got done with chow, we took the detainee to the CMOC. When you come in the way we enter into the building, you can not see to the other half of the warehouse due to a camo net set up between were we parked our trucks and were we live. So when I came back I couldn’t see if anything was happening around the trucks.

I don’t understand why only two people in the platoon said they saw me do something I didn’t do. Everyone else in the platoon said they didn’t see me do any of those things.

I admit to participating in the stripping of an Iraqi national. I know this was wrong. I am sorry for this and am fully prepared to take responsibility for my actions and the consequences. I have not beat, kicked, or otherwise physically abused Iraqi nationals at any point in time during my time in theatre.

I have been in the Regiment for six of the seven years I have been in the Army. I deployed ahead of the Regiment with . Due in large part to my expertise in engineer operations and ability to make quick and sound judgments, I was selected as one of 10 engineers to accompany the squadron. My service to the country and Regiment is a source of great pride for me. I look forward to continuing to serve both as soon as possible.
MEMORANDUM FOR

SUBJECT: Response to 15-6 Investigation

I have worked with a soldier for approximately one year. During that year he served as the platoon leader, performing well above the standards. When I received deployment orders, I was chosen to deploy ahead of the rest of the platoon, performing well above the standards. He was selected based on his knowledge of engineer tasks and his ability to make quick, sound decisions. These characteristics saved numerous lives of Iraqi citizens by destroying DPICM submunitions and other UXO’s from neighborhoods in Iraq. He always had the best interest of the locals in mind. The platoon started assisting Bulldog Company with looters on Camp Marlboro’s “back 40” around mid June 2003. During this time, I was involved with detaining several looters from the back 40. On one occasion, that I was present for, 3-4 looters were detained. We attempted to hand them off to Bulldog personnel and were told to take the looters out and sensationalize them. I return to our platoon area and sent the others trucks out to return the looters. Just a day or two earlier a looter had been shot and killed on the back 40, therefore the decision was made to make the detainee strip. This was done to embarrass the looter so he would not return to be shot and possibly killed. The decision may not have been the right one politically, but was effective on saving the lives of those looters. I realize that the wrong decision was made and is prepared to accept the consequences of my actions.
MEMORANDUM FOR

SUBJECT: Response to 15-6 Investigation

During the first week of June 2003, we first detained looters from the back of Camp Marlboro. At the time we (EN 27, EN22) took the looters to the CMOC, they told us they could not take them at the time, and told us to take them out and scared them. I told my translator to tell the looters they are going to jail. After we told them they are going to jail, we took them to their house next to Camp Marlboro, turned them over to their family, and witnessed the detainee’s father beat them front of us. When I saw this, I told all my squad leaders when we detain any looters we will take them back to their family. The second time we detained looters, I took them back to their house located down an alley. I didn’t feel comfortable going down the alleyway and I didn’t want my platoon to get ambushed, so I decided that the next time we detained looters I wasn’t going to take them back to their house.

In mid June 2003, my platoon was on a mission to retrieve copper wire and drop off in the back of Camp Marlboro. We again detained looters from the back of Camp Marlboro. Instead of taking them to their house, I took them to the CMOC. At the time our ROE was not to shoot the looters. Only time we were authorized to shoot or kill anyone was when we felt our life or another soldier’s life was in danger, i.e., someone is pointing weapon at you or get shot at. That’s what I understood about our ROE. It wasn’t true because Bulldog element shot and killed one looter, and wounded at least two other people. When they shot and killed the looter, they put the dead body on the hood of a vehicle and took the body into Al-Thawra.

When I took the looters from the back of Camp Marlboro I could have shot and killed them when they tried to run, but I didn’t. I attempted to turn them over to Bulldog elements and let them take care of it. When I walked into the CMOC (same location as Bulldog TOC) I saw and told him I have detained the looters for them. At that time, I told the squad leaders what I had just told me, I was going to just take them out of Camp Marlboro and release them. At that time I said, if you want to teach them a lesson, why don’t you strip them and send them away. When I told him I really wasn’t thinking about stripping the looters, but while I was taking the looters to the back of the camp, I realize these looters will return and possibly be killed by Bulldog elements. I didn’t want that to happen to them, so when we stopped at the back of Camp Marlboro there was an empty building we went to. I wanted to just release them but I feared that they would return. I made a bad decision and told to strip the detainees. I know that it was not the right thing to do, but at the same time I wanted for the detainees to never want to return to our camp to steal. I never saw the same looters again after that stripping.

On 3 July 2003 we had a mission to pick up sodas for the squadron 4th July party. When we were coming back from picking up the sodas we saw looters at the back of Camp Marlboro. We tried to detain them, but they got away. EN22 had a flat tire, so I told EN22, EN23 to return back to camp. When EN23 came in to our AO, I told him he had detained a looter after all. I told him we would just take him back later since dinner hour was almost ending. I told them to go to the chow, then we will take the looter back to the CMOC. I didn’t want to eat so he stayed back and watched the detainee. After I returned from chow, I was sitting on my cot, I told me was bouncing a soccer ball on the detainees’ head. I went to the back of the row and asked what the hell he was doing and told him not to do that again. We took the detainee to the CMOC. When the entire platoon was back at our AO, I told them we would not abuse or mistreat detainees. When we do pick up any detainees in future we will just take them to the COMC.
Around mid July 2003, while we were returning from the RTOC, I saw a person on the top of the telephone pole cutting wire. We stopped and detained them. I was with EN26, SIGO, when I detained the individuals and took them to the CMOC turning them over to Bulldog elements.

On 19 July 2003, we were going to the ASP. I saw a person pointing to a vehicle and copper wire on the sidewalk. It looked like someone stole the wire. I told EN21, EN22 to stop. When I walked up with my translator to try and find out where they got this copper wire, my translator told me it was stolen. I was trying to talk to the Iraqi citizen who owned the vehicle to find out where he got this wire from when he used to push me or grab me. I felt like he was going for my weapon. I grabbed him and told my Driver to handcuff him. While we were trying to put the handcuffs on, I heard gun shots coming from my left. I told him stay and cuff the detainee. When I walked over to the vicinity the gunshot came from, I saw a person with an AK-47 ready to shoot again. The individual was aiming at EN21, I fired 3 shots and took him down. When I walked over to the body, I saw that it was a female, she was trying to get to the AK-47 she dropped. I gave the AK-47 and took her to Camp Marlboro. After she recovered, she lived. Later we found out, from our translator who escorted the women through the medical channels, that the woman's brother was the shooter. After he ran she thought he was shot and brought out another AK-47. I feel that if I had not taken the actions I did, that she would have shot and possibly killed members of my platoon who could not see her.

I know that what I did was wrong, I made a bad judgement call on stripping the looters. I am ready to take responsibility for my action.
MEMORANDUM FOR
SUBJECT: Response to 5-6 Investigation

was assigned to it about two weeks after I took over as the Platoon Leader. Since his first day, he has mentored and coached me to be a leader. His emphasis on taking care of the soldier and living the Army values has set a base for my development as an officer. During Operation Iraqi Freedom, has demonstrated his ability to react to any situation, ranging from helping a depressed soldier to calming upset citizens of Iraq. When the platoon started detaining looters, was the first to make sure they were treated right. He would give water to the thirsty and when informed of possible mistreatments, he talked to the platoon to make sure it would not happen. For a brief period looters were binned when looter on the back of Camp Marlboro. When told to rough up, scare, and release detainees: felt it necessary to embarrass them to the point they would not return to loot and possibly get shot. His decision was to make the detainee strip and walk home nude. The decision may not have been the best, but it worked. is aware that he made a bad choice, but in that choice had saving the lives of the looters in his mind. He is a great asset to the platoon and should not be punished to the point of losing his position as:
## ITS WARNING PROCEDURE/WAIVER CERTIFICATE

**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.

**DATA REQUIRED BY THE PRIVACY ACT**

<table>
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<tr>
<th>LOCATION</th>
<th>DATE</th>
<th>TIME</th>
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<tr>
<td>Camp Mainboor, Bagram, Iraq</td>
<td>3 Aug 2003</td>
<td>1130 hours</td>
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**DISCLOSURE:** Disclosure of your Social Security Number is used as an additional alternate means of identification to facilitate filing and retrieval.

**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.

**FILE NO.**

**LOCATION**

**NAME**

**SOCIETY**

**ADDRESS AND PHONE**

**WITNESSES (if available)**

**SIGNATURE OF INTERVIEWEE**

**SIGNATURE OF INVESTIGATOR**

**ORGANIZATION OF INVESTIGATOR**

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

**DA FORM 3881, NOV 89**

**EDITION OF Nov 84 IS OBSOLETE**

**DODDOA 026897**
I. LOCATION

Camp Murchison, Baghdad, Iraq

II. DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY:
Title 10, United States Code, Section 5010(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.

III. PART I - RIGHTS WAIVER/NO-WAIVER CERTIFICATE

Section A. Rights

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

1. [Accused Name]

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

1. I do not have to answer any question or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. If I am not subject to the Uniform Code of Military Justice (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 my own expense or a military lawyer detailed for me at no expense to me, or both.

   or

   If I am 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 at no expense to me.

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

5. COMMENTS (Continue on reverse side)

Section B. Waiver

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

WITNESSES (If available)

1a. NAME (Type or Print)
1b. ORGANIZATION OR ADDRESS AND PHONE

3. SIGNATURE OF INTERVIEWEE

4. SIGNATURE OF INVESTIGATOR

2a. NAME (Type or Print)
2b. ORGANIZATION OR ADDRESS AND PHONE

5. TYPED NAME OF INVESTIGATOR

6. ORGANIZATION OF INVESTIGATOR

Section C. Non-waiver

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

2. SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2822) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED.

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

[Signature]

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

[Signature]

[Signature]
**WARNING PROCEDURE/WAIVER CERTIFICATE**

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

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

Disclosure of 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.

**DATA REQUIRED BY THE PRIVACY ACT**

**AUTHORITY:**

**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 of your Social Security Number is voluntary.

**DATE**

1/3/03

**TIME**

12:54

**FILE NO.**

**LOCATION**

Camp Maribor, Baghdad, Iraq

**NAME (Last, First, MI)**

**SSN**

**GRAD/STATUS**

---

**PART I - RIGHTS WAIVER/NO-WAIVER CERTIFICATE**

**Section A. Rights**

The investigator, (type of rank), and wanted to question me about the following offense(s) which I am suspected of:

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

1. I do not have to answer any question or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. (For persons subject to 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.
4. (For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.
5. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

**Section B. Waiver**

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

**WITNESSES (if available)**

1a. **NAME** (Type or Print)

2a. **NAME** (Type or Print)

**SIGNATURE OF INTERVIEWEE**

**Section C. Man waiver**

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

2. **SIGNATURE OF INTERVIEWEE**

**ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECTED/ACUSED**

**DA FORM 3881, NOV 89**

**EDITION OF NOV 84 IS OBSOLETE**

001485
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<th>Index of all Exhibits</th>
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<tbody>
<tr>
<td>Exhibit A</td>
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<td>Exhibit AA</td>
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SWORN STATEMENT
For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

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

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

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

DISCLOSURE: Disclosure of your social security number is voluntary.

LOCATION
CAMP DRAGON BAGHDAD ROAD

DATE
2003 07 28

TIME
1930

FILE NUMBER

LAST NAME, FIRST NAME MI MI E NAME

SSN

GRADE/STATUS

ORGANIZATION OR ADDRESS

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON 19 JUNE 2003, IT WAS BROUGHT TO MY ATTENTION THAT A SOLDER UNDER MY COMMAND HAD GONE TO THE CHAPLINS FOR RECOVERY OF THE POSSIBLE MIS-TREATMENT OF IRAQI CIVILIANS. UPON FINDING THIS OUT, I WENT TO THE CHAPLINS AND RECEIVED THE INFORMATION FROM THEM. UPON HEARING THE POSSIBLE ALLEGATIONS, I WENT TO THE PLATOON LEADER AND SERGEANT TO GET AN INITIAL REACTION. THEY BOTH SAID THEY HAD HEARD RUMORS OR TALK BUT NOT OFFICIALLY. I THEN TALKED WITH A COUPLE OF SOLDIERS.

I WAS THE SOLDIER THAT WENT TO THE CHAPLINS AND HE CONFIRMED WHAT THE CHAPLIN HAD TOLD ME. HE SAID THAT THE PLATOON HAD STRIPPED AN IRAQI CIVILIAN, SHOCKED AN IRAQI CIVILIAN WITH AN M34 BLASTING DEVICE AND PULLED A CIVILIAN UP IN THEIR 400. I ALSO TALKED WITH THE NCO WHO STATED THAT THE PLATOON PROVIDED A LOT OF THINGS, AND BOTH SOLDIERS STATED THE PLATOON WAS DOING THINGS THEY SHOULD NOT BE DOING. THE FOLLOWING DAY, 20 JUNE 2003, I HAD THE CHANCE TO SPEAK TO A COUPLE OF THE PMI AND THE NCO IN THE COMPANY. I THEN Began ASKING THEM QUESTIONS.

I ALSO TALKED TO MY COMPANY COMMANDER, WHO STATED THAT THE COMPANY HAD BEEN HEARING RUMORS, BUT NOT OFFICIALLY. HE STATED THAT HE HAD HEARD nothing OFFICIALLY FROM HIS COMPANY COMMANDER, BUT HE STATED THAT THE COMPANY HAD BEEN HEARING RUMORS, BUT NOT OFFICIALLY.

I THEN Began ASKING THEM QUESTIONS.

Upon my questionnaires, I gathered the following information: To the best of my knowledge, all incidents happened in the absence of the platoon. He stated he had no knowledge and had heard some talk but had not seen any of the above stated incidents. After initial questioning, admitted to being present for all and directly implementing the incident. It seems that there are present for all and took part in the stripping and shocking incident. The other soldiers to the best of my knowledge have denied or done. So from the
9. STATEMENT (Continued)

Information that I gathered the stripping incident happened twice, there was one shocking incident and one possible ripping up incident. With all soldiers questioned only one mentioned the ripping up, and one admitted seeing it (s m). The NCO's present / accused said they performed these acts as a means to teach them a lesson, by not shooting wide and not shooting their. Upon questioning all NCO's and officers I read them their rights. Soldiers were not read their rights hence with the reason for only mentioning two names, I am under on the total number of incidents. It may be three separate but to my knowledge I believe it to be three incidents / allegations and only two individuals. Prior to this incident the NCO's in question had all my confidence and support. To me they were good NCO's and possibly went too far and took on more of a situation than they should have. NOTHING FOLLOWS

AFFIDAVIT

I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME, THE STATEMENT IS TRUE, I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE OR INFLUENCE.

[Signature of Person Making Statement]

WITNESSES:

[Signature of Person Administering Oath]

[Typical Name of Person Administering Oath]

[Authority To Administer Oaths]
SWORN STATEMENT

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

<table>
<thead>
<tr>
<th>PRIVACY ACT STATEMENT</th>
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<td>ROUTINE USES: Your social security number is used as an additionalalternate means of identification to facilitate filing and retrieval.</td>
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<td>DISCLOSURE: Disclosure of your social security number is voluntary.</td>
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1. LOCATION
2. DATE (YYYYMMDD)
3. TIME
4. FILE NUMBER

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<th>7. GRADE/STATUS</th>
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9. I, want to make the following statement under oath:

On or about 2 weeks prior to the 4th of July, I witnessed acts against an Iraqi civilian that I, along with other soldiers, felt was wrong. 3 of the platoon trucks had gone on a mission to buy drinks for the 4th of July (trucks 27, 23, 22). On the way back from the mission, they went through the back forty to look for looters. One Iraqi boy was apprehended (between 16-18 years old) and brought back to Camp Marshall. Instead of taking him to be turned in the Pfc. Sgt called the truck with the prisoner and told them to go directly to the 4th Warehouse without dropping off the prisoner. The translator was dropped off at the translator office, and they all met at the warehouse. While everyone was unloading the drinks, the prisoner was taken off the truck and leaned up against the wall. The Pfc. Sgt walked up and asked the prisoner if he wanted water, then proceeded to pour water all over the prisoner. Then took a blasting machine and shocked the prisoner on his feet, neck while he was in zip cuffs. I then left the area and told what was happening. He went to the Pfc. Sgt and told him that it was not right. I returned to the warehouse about 1 hour

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

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

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BE INDICATED.
9. STATEMENT (Continued) and 20 minutes later, they loaded the prisoner on the Sgt's truck and 21, 22, and 22 visitors left the camp with the prisoner and went back to the back side of Camp Maribor. There, the prisoner was taken off the truck and taken into a building. While he was inside, I could not see him at first but heard lots of yelling. Then I could see him and watched as they stripped him of his clothing. They made him start walking away naked and then sprayed pepper spray on his clothing that was all in the building. Then they said that will surprise him if he comes back to get his clothes. Then returned to the trucks and we all returned to Camp Maribor. For speaking up, k was talked badly about behind his back by most of the prisoners and was not allowed to go on missions with the Sgt unless there was no other option.

AFFIDAVIT

I have read or have had read to me this statement which begins on page 1, and ends on page 2. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence, or unlawful inducement.

(Signature of Person Making Statement)

WITNESSES:

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

PAGE 3, DA FORM 2823, DEC 1998

CORR-101, dl/9 Nov 01
A few days after July 4th at about 1500hrs I came to me and said you won't believe what I saw. I said what he told me that they had caught an Iraqi stealing. He told me that they had taken a 4 millimeter pistol and hit him with it and knocked him unconscious and left him there bleeding and in zip cufls. Then walked up to me and told me the same thing and that he had watched it happen.
STATEMENT OF ___________________________ TAKEN AT ___________________________ DATED ___________________________

9. STATEMENT (Continued)

AFFIDAVIT

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

(Signature of Person Making Statement)

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 28 day of July 2023, at Regiment PX, Baghdad, Iraq.

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

PAGE 1 OF 1 PAGES
SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

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

ROUTINE USES: DOD personnel are not to use the social security number of any individual

DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION

Camp Marfino, Baghdad, Iraq

2. DATE (YYYYMMDD)

20030729

3. TIME

1730

4. FILE NUMBER

5. ORGANIZATION OR ADDRESS

6. SSN

7. GRADE/STATUS

On or about 15 Jul 03, I was approached by _____ concerning treatment of Iraqi detainees. It was brought to my attention that one of my soldiers approached him and told him about mistreatment of the Iraqis. Upon hearing this information I went to my platoon sergeant and informed him that there are rumors of mistreatment of detainees, and that if it is happening, it needs to stop. I acknowledged and said it was not happening and won’t happen. Though the initial investigation by _____, I found out that since approx 2 weeks prior to myself talking to _____, all detainees were detained and taken directly to Bulldog X-Ray at Camp Marfino. The allegations brought to my attention by _____ were: forcing detainees to strip, shocking with a blasting machine, and excessive beating. I personally was unaware of these actions if they were occurring. I was with _____ and another squad while detaining 3 or 4 individuals on approx 2nd or 3rd week of June. During this process, the Iraqis were flex cuffed and put into the trunk. They were then taken to Bulldog X-ray at Camp Marfino to be booked off to Bulldog Battery. Upon arriving the mother of one of the boys came to the camp and her son left in her custody. We were then instructed that nothing could be done right then, so our choppers were to here the detainees in the holding cell at Camp Marfino, or to take them out, drive around and release them. We chose to take them out and release the detainees. I stayed at Camp Marfino and sent my other 2 trucks out to release the detainees. I am aware of one instance of a detainee being brought to our warehouse. My second squad vehicle had a flat tire, so while the tire was being fixed, my platoon sergeant drove back to the warehouse with the detainee in the back. One of the soldiers in the back had bounced a soccer ball off the detainee’s head. We were then instructed that nothing could be done right then, so our choppers were to here the detainees in the holding cell at Camp Marfino, or to take them out, drive around and release them. We chose to take them out and release the detainees. I am aware of one instance of a detainee being brought to our warehouse. My second squad vehicle had a flat tire, so while the tire was being fixed, my platoon sergeant drove back to the warehouse with the detainee in the back. One of the soldiers in the back had bounced a soccer ball off the detainee’s head, and told him we didn’t like the way the Iraqi was being treated. Since that time, we made sure no Iraqis were mistreated again. I am not aware of any shocking with a blasting machine. I have talked with my soldiers and no individuals have seen or done this action. I have heard the possibility of 2 Iraqis being forced to strip and walk home, but have not seen this. Nothing follows—

10. EXHIBIT

C

11. INITIALS: IF PERSON MAKING STATEMENT

PAGE 1 OF 2 PAGES

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

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.
I, [Name of Person Making Statement], hereby certify that I have read or have had read to me this statement which begins on Page 1 and ends on Page [Page Number]. 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 duress.

(Signature of Person Making Statement)

WITNESSES:

[Signature]

[Signature]

ORGANIZATION OR ADDRESS

[Address]

[Address]

INITIALS OF PERSON MAKING STATEMENT

Page 2 of 2 Pages
SWORN STATEMENT
For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

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

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

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

DISCLOSURE: Disclosure of your social security number is voluntary.

LOCATION

CAMP MARIBO BEACHFRONT

DATE (YYYYMMDD)

20080629

TIME

0100

FILE NUMBER

20080629

LAST NAME

 initial

SSN

GRADE/STATUS


ORGANIZATION OR ADDRESS


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

Before the 4th of July, my PlT was called to pick up a bunch of copper wire from Eagle Stream Sector. We came back to Camp Maribo Beachfront at the break of dawn and saw a bunch of prisoners. We closed them in and got to route areas one of them was making fun of us so we ran away. We got back to our vehicles and our PlT had 2 Detainees. So the driver started the car back so my squad dropped our trailer and went out to the camp. As the time we caught 2 more prisoners. We brought them back and one of the Detainees was the one making fun of us. They took him off the truck, took him to the point of entry, straddled him, and forced him up. Put their foot in his chest.

I saw... I кроме him with a blastin machine. We took one and dropped others off at Eagle Stream. When we got back the PlT asked me if it was there; I answered yes. The general occasion we picked up Detainees at the same place. We then drove to a building near the beach. When they pulled the charges out of the truck and...

10. EXHIBIT D

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 2 PAGES

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

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BE INDICATED.
9. STATEMENT (Continued)

At the finish of the game, I was present for we caught one of the players who wanted his dog with him. He told me to bring him to the warehouse. When we got there, I went out and turned his trainer off and stayed outside for about 10 min. When I walked in, all was well and I told him that they were all going well. I walked to the door and saw a soccer ball on the floor. I told him to stop and pulled the PS6 off the floor and told him what had happened was wrong. He told me that he would have it down.

A day or so later, he started me out without happening again.

I 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 improper inducement.

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29 day of July, 2003 at Camp Assistant, Bay Area, Tex.

(Signature of Person Administering Oath)

Typed Name of person Administering Oath

Authority to Administer Oaths
We arrested 2 Iraqi Looters running from inside the spot where the SQn was keeping the stolen copper. I was kind of surprised that they were not shot before they made their way to us. The day before the guard tower shot a looter and killed him and to our understanding the SQN was charged to shoot the looters. After the arrest we brought them to an abandoned house behind Camp Marlboro. That is when the with were brought into the house. I had no responsibility of my sector of fire on the gun so I have no knowledge of what happened in the house. After a short time the looters ran, one after the other, nude across the street to another house.

EN23 brought what seemed to be a looter back to the Platoon AO for a reason I did not know. It was my day off so I was washing clothes and just seen the truck pull in. I walked outside to wash clothes and upon my return the looter was on back of one of the trucks and the Platoon left for their mission.
AFFIDAVIT

I, ____________________________________________, have read or have had read to me this statement which begins on page 1, and ends on page ______. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence, or unlawful inducement.

____________________________
(Signature of Person Making Statement)

WITNESSES:

_____________________________________________________

_____________________________________________________

_____________________________________________________

ORGANIZATION OR ADDRESS

______________________________________________________

______________________________________________________

INITIALS OF PERSON MAKING STATEMENT

PAGE 3, DA FORM 2823, DEC 1998

PAGE OF PAGES
Prior to the 4th of July, EN22, EN23, EN27 seen isolating. We detained 1 of them. We then went behind Camp Marlboro. They believed they stripped the Iraqi of his clothes. While this was going on I was on EN23 pulling security on the .50 cal. Then I seen the Iraqi run out of the building. Then we left and came back to Camp Marlboro.

Did you see the Iraqi run out of the building and pass your truck naked?  

Yes
STATEMENT OF ______________________________ TAKEN AT ____________________ DATED ________________

9. STATEMENT (Continued)

AFFIDAVIT

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

(Signature of Person Making Statement)

WITNESSES:

__________________________

__________________________

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this __________ day of __________, 20__ at __________________, __________________.

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE __ OF __ PAGES

PAGE 3, DA FORM 2823, DEC 1998

PAGE 3, DA FORM 2823, DEC 1998

001500
I want to make the following statement under oath:

Around the beginning of July a incident took place in the warehouse where EN23 brought in an Iraqi Civilian apparently for stealing and me and [redacted] was changing the tire on EN22, when they came in and took him out the back of the truck, he was zip tied and blindfolded with a sand bag. When I looked up to see what's going on he was sitting against the wall and they were yelling at him for stealing an hour bad it was. Then when we were finished with EN22, us and EN27 brought the Iraqi to the building in the back 40 and I got out to smoke a cigarette and then I seen the box coming out without any clothes on, I just turned around and then we loaded back into vehicles and came back to the warehouse.
STATEMENT OF ___________________________ TAKEN AT ___________________________ DATED ___________________________

8. STATEMENT (Continued)

AFFIDAVIT

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

WITNESSES:

__________________________

ORGANIZATION OR ADDRESS

__________________________

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this ______ day of __________, 2003, at _______.

__________________________

(Signature of Person Administering Oath)

__________________________

(Typed Name of Person Administering Oath)

__________________________

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3, DA FORM 2823, DEC 1998
I, [Redacted], want to make the following statement under oath:

The day a detained Iraqi prisoner was brought back to our AO I took my Humvee to the repair bay to fix a flat tire. When I returned we loaded him up and took him back to the C-MOC. The trucks were EN22, EN27, EN03.
STATEMENT OF ___________________________ TAKEN AT ______________ DATED ______________

9. STATEMENT (Continued)

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

(Signature of Person Making Statement)

WITNESSES: __________________________________________

______________________________

ORGANIZATION OR ADDRESS: ________________________________

______________________________

ORGANIZATION OR ADDRESS: ________________________________

INITIALS OF PERSON MAKING STATEMENT:

______________________________

PAGE OF PAGES

PAGE 3, DA FORM 2823, DEC 1998
SWORN STATEMENT
For use of this form, see AR 190-45; the proponent agency is OODSOPS

PRIVACY ACT STATEMENT

TITLE 10 USC Section 301; TITLE 5 USC Section 2351; E.O. 9397 dated November 22, 1943 (SSN).

AUTHORITY:

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

ROUTINE USES:
Disclosure of your social security number is voluntary.

DISCLOSURE:

LOCATION
Camp Marzbro Bushing Iraq

DATE (YYYYMMDD) 20030730

TIME 1645

FILE NUMBER

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was gunner on 27. 19 truck drivers were coming to the back gate when we saw letters stealing copper wire. We asked
them 3 letters and detained them. I also caught 3 looters
and brought them to our location. They got put on perimeter guard.
We were making the letters up and went up. I was told to go check and
make sure they were unlading wire. As I passed by
truck I saw a shot a looter with the M14inging machine.
The day I was moved from the squad that night
held a meeting and said that if anything came down from
what I heard could take full blame for

Additional:

Wrote earlier we 27 22 caught 3 kids looting and
took them to the back and
after took them inside the building and took all
their clothes and made them run home with no clothes.

DA FORM 2823, DEC 1998
APRIL

I, [Name of Person Making Statement], do hereby solemnly swear and declare that I have read or have had read to me this statement which bears my signature, that the statement is true, that I have initialed all corrections and have initialed the bottom of each page containing the statement, that I have made this statement freely, without fear of punishment, threat of punishment, and without coercion, unlawful influence, or unlawful inducement.

WITNESSES:

[Signature of Witness]

[Signature of Other Witness]

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14th day of July, 2013.

[Typed Name of Person Administering Oath]

[Authority To Administer Oath]

PAGE OF PAGES

PAGE 3, DA FORM 2823, DEC 1998

USAPA V1.00
That when the local was brought into our warehouse under flex cuffs was and began over his head to prevent a failure in security. Also that and stated that they were the ones who were going to take that account the punishment due to an opponent last the fact that they were the highest ranking NCO's at the time brought up.

Nothing Follows
WITNESSES:

ORGANIZATION OR ADDRESS

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

Organization or Person Administering Oaths

Typed Name of Person Administering Oaths

Authority To Administer Oaths

INITIALS OF PERSON MAKING STATEMENT.

PAGE OF PAGES
I saw 22, 23, + 27 come into the back of the warehouse with a 15 yr old Iraqi male. I proceeded to take him out of the truck and put him against the western side wall of the warehouse. They were whispering things in his ear while he was handcuffed + blindfolded. The PSG then told us to go to chow. Other people were unloading bodies out of 23 but + I went to chow. When we came back, the blindfold was off, they were taking off the handcuffs because they were too tight + they were getting ready to take the bag to either the coke or outside Camp Maribo.

At a platoon meeting the PSG told us to not worry about the scoring situation, they would take care of it.

In another meeting he was telling us... was a traitor for babbling about the stuff going on + that he would get him back because he had died on...
STATEMENT OF   

TAKEN AT   

DATED   

9. STATEMENT (Continued)

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

[Signature of Person Making Statement]

WITNESSES:

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

PAGE 3, DA FORM 2823, DEC 1998
SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.U. 9397 dated November 22, 1943 (SMW).

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 identifier of identification to facilitate filing and retrieval.

DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION

Camp Marjorie, Baghdad, Iraq

2. DATE (MM/DD/YYYY)

2003-06-23

3. TIME

2130

4. FILE NUMBER


5. LAST NAME, FIRST NAME, MIDDLE NAME


6. SSN


7. GRADE/STATUS


8. ORGANIZATION OR ADDRESS


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

During the month of June 2003, myself and other 2nd Pit elements have captured and detained looters stealing or burning wire. The first few cases, we brought the looters back to Camp Marjorie and attempted to turn them in to Bulldog troop. We were told by Bulldog personnel that they didn't want to do anything because it was too much paperwork for such a small thing. They instructed us to take them out, drive around for a while, tell them they're going to jail, scare them, put them up, or whatever we wanted. We blindfolded them, drove around for about 12 hours, yelling at them and let them go. After the first couple cases, we stopped taking them to Bulldog. We would take them to an abandoned gas station, yell at them, make a lot of noise, banging on walls and a metal box, instructed my V-16 to remove their clothing, so I did so. We then took off the zip cuffs & blindfold and made them run down the street naked while we drove away. One case, we chased some looters and they ran through very rural terrain and got away. When we returned to Camp Marjorie, called , and said he had 1 prisoner, he was going to drop off to Bulldog... told him to hurry.

10. EXHIBIT

M

11. INITIALS OF PERSON MAKING STATEMENT


ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF __________ TAKEN AT ______ DATE ____________

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

DA FORM 2823, DEC 1998

DA FORM 2823, JUL 72, IS OBSOLETE

901511
9. STATEMENT (Continued)

Up and got back to the warehouse. A few minutes later, Z3 pulled up with the prisoner still in the truck. I took the prisoner out of the truck and made him sit against the wall. I told him to watch him while everyone was at dinner. The prisoner kept trying to get up, and I had to repeatedly push him back to sitting down. He was trying to show me his right hand. When I looked at it, it was turning purple and swollen, so I removed the zip tight that was on too tight and his blindfold. I then put a new cloth on him, not so tight. He looked around and saw a football near by. He said, "Mr. football," I grabbed the ball and said, "You like football?" and bounced it off his forehead. I told him I was going to take care of bozos anymore and that we can't do stuff like that. That night, I told everyone that we weren't going to take care of bozos anymore and from that point on, we would just give them to Bulldogs and let them handle it how they wanted. We've caught 2 Iraqi personnel stealing electricity since then, and they were [redacted] to Bulldogs. [Redacted]
SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION
   Camp Maxey
2. DATE (YYYYMMDD)
   20020731
3. TIME
   1940
4. FILE NUMBER

5. LAST NAME, FIRST NAME, MIDDLE NAME

6. SSN

7. GRADE/STATUS

8. ORGANIZATION OR ADDRESS

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

   Before the 4th of July, I can't remember the exact date, but our truck 23 and the rest of the trucks except 26 went out to round up looters. We picked up 2 or 3 looters in the camp, but I guess the camp didn't want them. Then we drove back to the open field with some buildings. Once we stopped I got out and pulled security. We wanted a little while. I guess some people got out and went into the building. I didn't see who exactly, but noticed that some people weren't in their trucks, only the people who were out pulling security. Next thing I noticed I naked kids ran past my field of fire. Then we got in the trucks and left.

   On another occasion when we were chasing looters we ended up picking up one looter. We took him to camp, but for some reason we didn't drop him off. He ended up driving back to the warehouse with us. Once back at the warehouse they took him out of the truck, set him against the wall. Most of the platoon went to see.

   went out to play volleyball with another unit.

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

ADDIITIONAL PAGES MUST CONTAIN THE HEADER "STATEMENT TAKEN AT DATED "

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

DA FORM 2823, DEC 1998

DA FORM 2823, JUL 72, IS OBSOLETE

001514
I, [Name], have read or have had read to me this statement which begins on page [Page] and ends on page [Page]. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward, without threat of punishment, and without coercion, influence, or threat of any kind. I have subscribed and sworn before a person authorized by law to administer oaths, this [Date], [State].

WITNESSES:

[Signature]

[Name]

[Title]

[Date]

[State]

[Location]
STATEMENT OF __________________________ TAKEN AT __________________________ DATED __________________________

9. STATEMENT (Continued)

AFFIDAVIT

[Signature of Person Making Statement]

WITNESSES:

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 3; DA FORM 2823, DEC 1998
I, ,

I, take the following statement under oath:

During July 3rd 2003 we received a mission to go buy sodas for the 4th of July events, the truck that we were chosen to go were 21, 22, 23, and 27. We got to the soda place and bought them then we returned back to camp, on the way back we were told to police up the looters by Camp Marlboro we caught one and brought him back to the gate at the time when I asked if we were to turn him in to the chimoe somebody said to take him to the warehouse so we drove to the warehouse all the time I saw the 51st signal playing volleyball and told he said to go ask for next game and come back to down load sodas as soon as we stopped we got to the warehouse and parked I then went to the volleyball court and asked for next game and returned to download sodas when I came back the looter we caught was sitting down at the wall in between 26 and 27. We finished down loading sodas and we went to wait for the next game. During our play in the second
STATEMENT OF

9. STATEMENT (Continued)

Came and asked if any sodas fell off the truck because there was 10 cases of sodas missing. I said no and told him to count them again 2 minutes later. Told me to go and count them so I went to the rear of the warehouse and on the way in I told me we were good. It was a

miscount. I partially counted them and started to head out to play again on the way out I heard the Iraqi scream. I then looked and caught a glimpse of our medic pouring water on him I left and started to play again. There was another incident that involved 2 naked guys. We had a mission which I can fully remember what it was but it was a bullish, mission on our way back to camp we heard over the radio the platoon not to go get some looters so we proceeded to go after them the truck I was in (23) we didn't get nobody because our driver was inexperienced when there were no looters but we followed the rest of the trucks (27, 22) to see

shucks our truck waited and everyone else dismounted some to smoke and others to do whatever they did. Well as we waited an Iraqi

runned passed us naked I started laughing and

did to about 5 min later another

Iraqi started running naked past our truck again and that is all I can and know about that incident.
MEMORANDUM FOR

SUBJECT: Investigating Officer’s Report

I acknowledge receipt of the AR 15-6 investigating officer’s report and accompanying memorandum from the Commander, 2d ACR. I acknowledge that I will have three days from today’s date to reply to this report and to submit relevant rebuttal materials on my behalf.

I waive my rights to reply to this investigation in writing and to submit any rebuttal materials.

I request an opportunity to reply to this investigation in writing and submit rebuttal materials on my behalf.

DATE: 25 Aug 2003
9:00 hrs

601520
MEMORANDUM FOR

SUBJECT: Investigating Officer's Report

I acknowledge receipt of the AR 15-6 investigating officer's report and accompanying memorandum from the Commander, 2d ACR. I acknowledge that I will have three days from today's date to reply to this report and to submit relevant rebuttal materials on my behalf.

I waive my rights to reply to this investigation in writing and to submit any rebuttal materials.

I request an opportunity to reply to this investigation in writing and submit rebuttal materials on my behalf.

DATE: 25 Aug 2003
0910 hrs
MEMORANDUM FOR: 


1. I have reviewed the Investigating Officer's report into alleged detainee abuse by soldiers in your platoon. I concur with investigating officer's findings. You mistreated Iraqi detainees who were under your control.

2. I have provided you with a copy of this AR 15-6 investigation. Before I take final action on this matter, you will be afforded an opportunity to submit a reply to the investigating officer's report in writing and submit relevant rebuttal materials. I will review and evaluate your response before I take final action on this report. You will have three days from the date you receive this memorandum to submit your reply and rebuttal.

Encl.
MEMORANDUM FOR

SUBJECT: Notification of AR 15-6 Investigating Officer’s Report

1. I have reviewed the Investigating Officer’s report into alleged detainee abuse by soldiers in your platoon. I concur with investigating officer’s findings. While serving as the platoon sergeant, you mistreated Iraqi detainees who were under your control.

2. I have provided you with a copy of this AR 15-6 investigation. Before I take final action on this matter, you will be afforded an opportunity to submit a reply to the investigating officer’s report in writing and submit relevant rebuttal materials. I will review and evaluate your response before I take final action on this report. You will have three days from the date you receive this memorandum to submit your reply and rebuttal.

3. You are suspended from your platoon sergeant duties pending resolution of this matter.

Encl.