

DEPARTMENT OF THE ARMY
43RD MILITARY POLICE DETACHMENT (CID) (FWD)
10TH MILITARY POLICE BATTALION
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND
OPERATION IRAQI FREEDOM APO AE 09323-2647

CIRC-AB (43)

8 Aug 2003

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - INITIAL/FINAL (C) - 0088-03-CID469-60177-5N2B1

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 30 JUN 2003/0830 - 30 JUN 2003/0900; Traffic Control Point
12, Baqubah, Iraq.

DATE/TIME REPORTED: 25 JUL 2003, 0900

INVESTIGATED BY: SA [REDACTED] SA [REDACTED] SA [REDACTED] SA [REDACTED] *7/5 b65* *7/5 b65* *7/5 b61* *62*

7/5 b65 SUBJECT: 1. [REDACTED] PFC; [REDACTED] M; Black; C Company, 2/8th Infantry Bn, 4ID, Camp Scunion, Baqubah, Iraq; FC; [ROBBERY]

VICTIM: 1. Iraqi Local National (NFI); [ROBBERY]

INVESTIGATIVE SUMMARY:

This is an "Operation Iraqi Freedom" Report of Investigation. The delay in dispatching this report was due to intermittent communications abilities at forward sites in Iraq.

This office was notified by the Staff Judge Advocate, 2nd Brigade Combat Team (BCT), 4ID, Camp War Horse, Baqubah, Iraq, of a Robbery.

7/5 b65 Investigation established probable cause to believe PFC [REDACTED] committed the offense of Robbery, when he stole about \$750.00 and several thousand Iraqi Dinar from an unknown Iraqi Local National, who was traveling through the unit's traffic control point. PFC [REDACTED] then threatened the Iraqi man with his rifle, when he refused to leave without his money. The victim never came forward and was identified.

000 1

STATUTES:

Article 122, UCMJ: Robbery

EXHIBITS/SUBSTANTIATION:

ATTACHED:

15
205
1. Agent's Investigation Report (AIR) of SA ^{701 b61} [REDACTED] 5 Aug 03, documenting the initial notification, the interview of PFC [REDACTED], and the interviews of unit members who were at the TCP during the incident and afterward.

2. Packet comprised of statements provided by the unit, 30 Jun 03.

3. Waiver Certificate and Sworn Statement of PFC [REDACTED] 5 Aug 03, in which he admitted confiscating money from an Iraqi Local National and then refusing to return it to the Iraqi man, even though he was told by his leadership that no money would be confiscated.

215
195
4. Sworn Statement of PFC ^{704 b64} [REDACTED] Aug 03, in which he saw PFC [REDACTED] arguing with an Iraqi Local National about money PFC [REDACTED] had confiscated.

5. Sworn Statement of SGT ^{704 b64} [REDACTED] 5 Aug 03, in which he stated he saw PFC [REDACTED] and an Iraqi Local National arguing about money that PFC [REDACTED] had confiscated from the Iraqi man.

705 b65
704 b64
6. Sworn Statement of SGT [REDACTED] 5 Aug 03, in which he stated PFC [REDACTED] told him he over heard PFC [REDACTED] talking with SPC [REDACTED] ^{705 b65} about money behind his vehicle, and found Iraqi money stuffed in an MRE box.

215
195
7. Sworn Statement of SSG ^{704 b64} [REDACTED] 5 Aug 03, in which he stated he was told by an Iraqi Local National and some medics in the unit that PFC [REDACTED] had taken the Iraqi man's money and refused to return it to the man.

704 b64
705 b65
8. Waiver Certificate and Sworn Statement of SPC [REDACTED] 5 Aug 03, who stated he did not conspire with PFC [REDACTED] to steal the Iraqi Local National's money and then hide it inside an MRE box.

NOT ATTACHED:

SUBJECT: CID REPORT OF INVESTIGATION - INITIAL/FINAL (C) - 0088-03-CID469-60177-5N2B1

None.

The originals of Exhibits 1 and 3 through 8 are forwarded with the USACRC copy of this report. The originals of Exhibit 2 are retained in the files of the Staff Judge Advocate, D-Main, 4ID, Camp Iron Horse, Tikrit, Iraq.

STATUS: This is an Initial/Final (C) Report. This investigation is being terminated IAW CIDR 195-1, 4-17 (a)(6), in that the Special Agent in Charge has determined that furtherance of this investigation would be of little or no value or leads remaining to be developed are not significant. Leads remaining include the canvass interviews of unit members who worked the TCP.

Report Prepared By:

701 b61

[Redacted Signature]

Special Agent, [Redacted]

Report Approved By:

[Redacted Signature]

701 b61

Special Agent in Charge

DISTRIBUTION:

- 1 - Director, USACRC, 6010 6th Street, Fort Belvoir, VA 22060-5505 (Original)
- 1 - CDR, 10th MP BN (FWD), USACIDC, Baghdad, Iraq, (email copy only)
- 1 - Action Commander
 - THRU: Commander, 2/8th Infantry, 4ID
 - TO: Commander, B Company, 2/8th Infantry, 4ID
- 1 - SJA, 4ID, ATTN: MAJ [Redacted] D-Main Tikrit, Iraq (e-mail copy only) *703 b6 3*
- 1 - PM, 4ID, D-Main, Tikrit, Iraq (e-mail copy only)
- 1 - File

FOR OFFICIAL USE ONLY

AGENT'S INVESTIGATION REPORT CID Regulation 195-1	ROI NUMBER 0088-03-CID469-601
	PAGE 1 OF 2 PAGES

DETAILS

BASIS FOR INVESTIGATION: About 0900, 25 Jul 03, this office was notified by the Staff Judge Advocate, 2nd Brigade Combat Team (BCT), 4ID, Camp War Horse, Baqubah, Iraq, of a robbery at a traffic control point (TCP) by an infantry soldier. (See packet of statements for details)

About 0945, 5 Aug 03, SA ^{7C1 b61} [redacted] advised PFC ^{7C1 b64} [redacted] of his rights, which he waived, and rendered a sworn statement in which he admitted to confiscating money from an Iraqi Local National and then refusing to return it to the Iraqi man, even though he was told by his leadership that no money would be confiscated. PFC [redacted] denied he told the Iraqi man he would harm him with his rifle, if the Iraqi man did not leave. He also denied he intended to keep the money and stated he was going to turn the money in at the end of the mission; however, because the Iraqi man reported the incident, he lied to his leadership because he thought they would think he was trying to steal the money. (See Waiver Certificate and Sworn Statement for details)

About 0950, 5 Aug 03, SA ^{7C1 b61} [redacted] interviewed PFC ^{7C1 b64} [redacted] HHC, 1/67th Armor, 4ID, Camp Scunion, Baqubah, Iraq, who rendered a sworn statement in which he saw PFC [redacted] arguing with an Iraqi Local National about money PFC [redacted] had confiscated. PFC [redacted] stated he heard PFC [redacted] tell the Iraqi man he was not getting his money back and to leave or he (PFC [redacted]) would shoot him. (See Sworn Statement for details)

7C1
4

About 1027, 5 Aug 03, SA ^{7C1 b61} [redacted] interviewed SGT ^{7C1 b64} [redacted] HHC, 1/67th Armor, 4ID, Camp Scunion, Baqubah, Iraq, who rendered a sworn statement in which he stated he saw a PFC [redacted] and an Iraqi Local National arguing about money that PFC [redacted] had confiscated from the Iraqi man. (See Waiver Certificate and Sworn Statement for details)

About 1027, 5 Aug 03, SA ^{7C1 b61} [redacted] interviewed SGT ^{7C1 b64} [redacted] B Co, 2/8th Infantry, 4ID, Camp Scunion, Baqubah, Iraq, who rendered a sworn statement in which he stated PFC [redacted] had told him he over heard PFC [redacted] talking with SPC [redacted] about money behind his vehicle, and found Iraqi money stuffed in a MRE box. (See Sworn Statement for details)

2
45

7C1 b64

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA ^{7C1 b61} [redacted] ^{b2}	ORGANIZATION 43 rd MP Det (CID) (FWD), Camp Iron Horse, Iraq APO AE 09323-2647
SIGNATURE [redacted]	DATE 5 Aug 03
	EXHIBIT 1

DETAILS

7C1 b61
7C4 b64
 About 1047, 5 Aug 03, SA [REDACTED] interviewed SSG [REDACTED], C Co, 1/67th Armor, 4ID, Camp Scunion, Baqubah, Iraq, who rendered a sworn statement in which he stated he was told by an Iraqi Local National and some medics in the unit that PFC [REDACTED] had taken the Iraqi man's money and refused to return it to the man. (See Sworn Statement for details) *7C5 b65*

7C1 b61
7C4 b64
 About 1042, 5 Aug 03, SA [REDACTED] interviewed SPC [REDACTED], B Co, 2/8th Infantry, 4ID, Camp Scunion, Baqubah, Iraq, who stated he did not conspire with PFC [REDACTED] to steal the Iraqi Local National's money and then hide it inside an MRE box. (See Sworn Statement for details)

7C1 b61
7C4 b64
 About 1315, 5 Aug 03, SA [REDACTED] interviewed PFC [REDACTED], B Co, 2/8th Infantry, 4ID, Camp Scunion, Baqubah, Iraq, who stated while he was sitting in his vehicle, he overheard PFC [REDACTED] and SPC [REDACTED] talking about spending money. PFC [REDACTED] stated he heard over the radio just prior to them coming over to his vehicle that some money was taken from an Iraqi man, so he asked them not to put the money in his vehicle and that he did not want anything to do with the money. PFC [REDACTED] stated PFC [REDACTED] offered him some of the money if he would keep quiet and not report the incident, which he stated he declined. He stated he saw PFC [REDACTED] put the money inside an MRE box in the vehicle. He stated he notified an NCO who searched the MRE box and found Iraqi money inside. *7C5 b65*

7C1 b61
7C4 b64
 About 1330, 5 Aug 03, SA [REDACTED] interviewed 2LT [REDACTED], C Co, 1/67th Armor, 4ID, Camp Scunion, Baqubah, Iraq, who stated he was in charge of the TCP and prior to the mission put out to the NCOs what would be taken from Iraqis traveling through the TCP. He stated he recalled a soldier asking him about confiscating large sums of money, which he stated they were not confiscating money. ///END OF STATEMENT///

<small>TYPED</small> [REDACTED]	<small>ORGANIZATION</small> 43 rd MP Det (CID) (FWD), Camp Iron Horse, Iraq APO AE 09323-2647		
<small>STGN</small> [REDACTED]	<table style="width:100%;"> <tr> <td style="width:50%;"><small>DATE</small> 5 Aug 03</td> <td style="width:50%;"><small>EXHIBIT</small> 1</td> </tr> </table>	<small>DATE</small> 5 Aug 03	<small>EXHIBIT</small> 1
<small>DATE</small> 5 Aug 03	<small>EXHIBIT</small> 1		

Page(s)

6-28

Referred to:

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

MS JACQUELINE SCOTT
scottj@centcom.cmil.mil
(813) 827 5341/2830

0088-03-CID469-601

SWORN STATEMENT

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

7C4 b64

LOCATION	DATE	TIME	FILE NUMBER
	2003/06/30	1028	0088-03-420469
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY NUMBER	GRADE/STATUS	
7C4 b64	7C4 b64	E-5	
ORGANIZATION OR ADDRESS			
HHC 1-67 AR			

7C4 b64, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On the 30th of June 2003 at around 0830 I was standing on the ramp of my M113 Tracked ambulance when I heard on one of the walkie talkies that an infantryman who was eating lunch next to my track had on that they found \$900.00 on an Iraqi civilian and they were asking what to do. The soldier on the humvee told them to find Lt. [redacted] and ask him what to do. About 15 minutes later I saw a short black soldier walking in front of my track with an Iraqi Civilian who was arguing with him about some missing money. The soldier told kept telling him to leave the area and that the Americans confiscate any money found. Someone during all of this from the checkpoint he was guarding yelled out to the soldier by my track and asked him what he was doing. He replied that the Iraqi Civilian was upset about the service of his truck and then he left and went back to his checkpoint. The Iraqi civilian then left and went back to his blue truck and left the area. About 45 minutes later I heard on our company net Red 4 Golf calling Lt. [redacted] and asking him if he knew anything about anyone confiscating \$900.00. Lt. [redacted] stated that he had no knowledge on the subject. That is when I came up on the net and told Red 4 Golf that I overheard some infantrymen talking about finding \$900.00 on an Iraqi civilian. That is when SSG [redacted] came to my track with the same Iraqi Civilian that I saw earlier by my track arguing with the young black soldier. I told him what I knew and he and Lt. [redacted] went to the other checkpoint manned by the infantry from 2-8 to try and sort things out.

END OF STATEMENT 7C4 b64

7C4 b64
30 June 03

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF	PAGES
	7C4 b64	1	1

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

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Exhibit 2

STATEMENT (Continued)

30 Jun 03

30 Jun 03

rubbed

[Redacted]

rubbed

[Redacted]

30 Jun 03

30 Jun 03

704 b64

AFFIDAVIT

I, Sgt [Redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 1. 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. 704 b64

[Redacted Signature] (Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of AUG 2003 at Camp Stryker

[Redacted Signature] 704 b64 (Signature of Person Administering Oath)

Sgt [Redacted Name] 704 b64 (Typed Name of Person Administering Oath)
136 B [Redacted] (Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

704 b64

INITIALS OF PERSON MAKING STATEMENT

[Redacted Initials]

PAGE 1 OF 1 PAGES

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EXHIBIT 2

RIGHTS TRAINING PROCEDURE/WAIVER CERTIFICATE

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

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.

LOCATION Camp SCUNION, 1-67th AR TCX Ba'qubah Iraq	DATE 5 Aug 03	TIME 0945	FILE NO.
NAME (Last - First - MI) [REDACTED]	ORGANIZATION OR ADDRESS B Co, 1-67th AR, 41D 2-8 INF		
SOCIAL SECURITY NO. [REDACTED]	GRADE/STATUS 7C5665 PFC/E-3	Camp SCUNION Ba'qubah Iraq	

SECTION A - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

RIGHTS

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command (CID) and wanted to question me about the following offense(s) of

which I am suspected/accused: Robbery, Conspiracy //

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

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

or -

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. However, I understand that I must make my own arrangements to obtain a lawyer and this will be at no expense to the Government. I further understand that if I cannot afford to pay for a lawyer, one may be appointed to represent 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.

COMMENT (Continue on reverse side)

WAIVER

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me [REDACTED] 7C5665

WITNESSES (If available)	SIGNATURE OF INTERVIEWEE
1. NAME (Type or Print)	[REDACTED] 7C5665
ORGANIZATION OR ADDRESS AND PHONE	SIGNATURE OF INVESTIGATOR
2. NAME (Type or Print)	[REDACTED] 7C1661
ORGANIZATION OR ADDRESS AND PHONE	TYPED NAME OF INVESTIGATOR
	SA [REDACTED] 7C1661
	ORGANIZATION OF INVESTIGATOR
	43rd MP Det (CID) (FWD) APO AE 09323

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

JA FORM MAY 81 3881

EDITION OF MAY 78 IS OBSOLETE.

for official use only

Exhibit 3

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION 1-67 TOC, CP SCUNION, BAGUBAH IRAQ
2. DATE (YYYYMMDD) 5 AUG 03 1220hrs
3. TIME
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS PFC/E-3
8. ORGANIZATION OR ADDRESS B CO, 2-8 INF, 410 CP SCUNION, BAGUBAH IRAQ

7c b6 5

9. [REDACTED] 7c5b65 WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: SA [REDACTED] 7c5b61
A: PFC [REDACTED] 7c5b65
Q: Did you take the Iraqi man's money?
A: Yes. The sack I found in his vehicle contained \$750.00 and several stacks 250 dinari, which appeared to be over one million dinari. In the past, when working TCP's, I was instructed to confiscate \$100.00 and over without documentation, and one million dinari. I took the sack of money and told the Iraqi man I was confiscating it. I put the sack off to the side and walked over to the LT and told him about the money. He stated that we were not confiscating large amounts of money, only weapons. I went back to the TCP point and saw the Iraqi man had left. The money was still off the side. The Iraqi man then returned and I walked over to him and he asked for his money. I told him he would not get his money because I was confiscating it and he would have to go to Camp War Horse to get it. I didn't want to give him the money because I didn't believe his story about why he had all that money.
Q: Did unit members ask you about the money?
A: Yes, some NCO's and the LT asked me about the money. I said I didn't have it.
Q: What did you do with the sack of money?

10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT [REDACTED] 7c5b65
PAGE 1 OF 3 PAGES

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

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

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Exhibit 3

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

STATEMENT OF PKC [REDACTED] ⁷⁰⁵_{b65} TAKEN AT CP SCUNION DATED 5 Aug 03

9. STATEMENT (Continued)

A: After a search was conducted by the unit, the sack was never found where I had left it earlier. I wanted to get rid of the money, meaning I wanted it to be found. I took the money (still in the sack) and put it in a MRE Box, where it was found, shortly thereafter by the LT. ⁷⁰³⁴²³ ~~MRE Box was searched earlier, etc. [REDACTED]~~ ⁷⁰³⁴²³ ₇₀₃₄₂₄

Q: Did you talk with [REDACTED] about spending the money, while taking a break?

A: Yes we did talk about it, but knew it would not be worth it to take the money and get caught.

Q: Did you tell [REDACTED] you would give him some of the money?

A: No. we just talked about how we would spend that amount of money.

Q: Why did you keep the money, after the LT told you not to confiscate money?

A: Because I did not believe the Iraqi man about why he had that large amount of money. I knew it was wrong, and I made the wrong decision.

Q: Was it your intent to steal this Iraqi man's money?

A: No. I was going to turn it in. when it got blown out of proportion, I knew I could get in trouble and it looked like I was stealing the money. I lied because I was afraid I would get in trouble. I did not confiscate the money for my own, I wanted to turn it in.

Q: When the Iraqi man asked you for his money, did you threaten him with your weapon if he did not leave?

A: No. I told him I was confiscating the money. He tried to touch my arm and I told him if he touched me I would "break his wrists".

INITIALS OF PERSON MAKING STATEMENT [REDACTED] ⁷⁰⁵_{b65} PAGE 2 OF 3 PAGES

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Exhibit 3

STATEMENT OF Pfc [redacted] 7C5765 TAKEN AT CP SQUAD DATED 5 Aug 03

9. STATEMENT (Continued)

Q: Do you have any thing to add?

A: At the time I took the money, I thought I was doing the right thing, even after the LT said we were not confiscating money. I made the wrong choice, I didn't speak up later because the unit leader would have thought I was trying to steal the Iraqi man's money. I was only trying to do the right thing.

Q: Do you have any thing else to add?

A: No. // END OF STATEMENT // [redacted] 7C5765

7C5765

AFFIDAVIT

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

[redacted] 7C5765
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of Aug, 2003 at CP SQUAD

ORGANIZATION OR ADDRESS

[redacted] 7C1661
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA [redacted] 7C1661
(Typed Name of Person Administering Oath)
Art 136, UCMS
(Authority To Administer Oaths) U.S. 36

INITIALS OF PERSON MAKING STATEMENT

[redacted] 7C5765

PAGE 3 OF 3 PAGES

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Exhibit 3

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION: Camp Scunior, Bagdalah, Iraq
2. DATE (YYYYMM): 20030905
3. TIME: 0950
4. FILE NUMBER: 704, D64
5. [Redacted] 704, D64
6. [Redacted] 704, D64
7. GRADE/STATUS: E-31 RA
8. ORGANIZATION OR ADDRESS: HHC 1/67 Armor

[Redacted] 704, D64, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 30 Jun 2003 Sgt [Redacted] and me were the medics for a TCP, run by C. Co 1-67 AR. At about 0800-0900 while Sgt [Redacted] 704, D64 and me were watching the radios in our M-113 medic track an Infantry soldier and Iraqi stopped about 20 feet in front of our track. The Iraqi asked the soldier for his money and the soldier said, no, I'm not giving you your money. When the Iraqi asked again the ~~the~~ soldier said, I'm not giving you your money we have to take all american money. No leave or I'll shoot. At that time the Iraqi went right and the soldier went left back to his point at the [Redacted] 704, D64

Q: SA [Redacted] 704, D64
A: PFC [Redacted] 704, D64

Q: Can you describe the soldier yelling at the Iraqi man?
A: I do not know his name but he was the only Black Infantry soldier at the TCP. He's about 5'7" red build.

Q: How many soldiers where at the checkpoint?
A: Around 22 soldiers

Q: Did you see any money in the black soldiers hands?
A: No.

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

A: No!!! End of Statement!!! End of Statement [Redacted] 704, D64

10. EXHIBIT: [Redacted] 704, D64
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 BE INDICATED.

FOR OFFICIAL USE ONLY Exhibit 4

STATEMENT OF [REDACTED] TAKEN AT Camp Snuir DATED 5 Aug 03

9. STATEMENT (Continued) 705 b65

705 b65

AFFIDAVIT

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

[REDACTED] 705 b65
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of August, 2003 at Camp Snuir, Baghdad, Iraq

[REDACTED] 705 b65
(Signature of Person Administering Oath)

SA [REDACTED] 705 b65
(Typed Name of Person Administering Oath)

A, t 136 (b)(4) UCMJ
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT 705 b65

PAGE 2 OF 2 PAGES

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Exhibit 4

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION: Camp Scurion, Iraq
2. DATE (YYYYMMDD): 20030805
3. TIME: 0927
4. FILE NUMBER: 2088-03-420469
5. [Redacted] 7C4/b64
6. S [Redacted] 7C4/b64
7. GRADE/STATUS: ES/RA
8. ORGANIZATION OR ADDRESS: HHC, 1-67 Armor Battalion, Fort Hood, TX 76544 (deployed to Iraq.)

9. I, [Redacted] 7C4/b64, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: Do you recall who the infantry man was that was next to you with a walkie talkie?

A: THE INFANTRYMAN WAS A SGT, WHO WAS SITTING ON A HUMVEE WITH HIS BACK TURNED TO ME.

Q: In your statement you stated that the soldier in the Humvee told them to find LT. [Redacted] 7C4/b64 was this over the radio?

A: YES, THE SGT IN THE HUMVEE TOLD THE SOLDIER CALLING HIM TO FIND THE "LT." THAT WAS WALKING AROUND, & TO TAKE CARE OF IT.

Q: Do you recall the call sign used over the radio?

A: I DO NOT RECALL THE CALL SIGN EXCEPT FOR THE NUMBER 5 AFTER THE CALL SIGN. [Redacted] 7C4/b64

Q: you stated you saw a [Redacted] 7C4/b64 soldier speaking to a civilian, Did you notice a name tag on the soldier?

A: THE SOLDIER WAS ABOUT 15 FT. AWAY FROM ME & I WAS NOT LOOKING FOR A NAME TAG. [Redacted] 7C4/b64

10. EXHIBIT
11. NAME OF PERSON MAKING STATEMENT: [Redacted] 7C4/b64
PAGE 1 OF 3 [Redacted]

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

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EXHIBIT 5

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

STATEMENT OF Sgt [REDACTED] 704 1064 TAKEN AT Camp Swain DATED 5 AUG 03 See

9. STATEMENT (Continued)

Q: Describe the clothing the Iraqi civilian was wearing?

A: He was wearing a white article of clothing that covered his entire body all the way down to his ankles, 1 piece.

Q: ~~was~~ ^{was} there anyone else with the local national?

A: The only person I saw him with, was when he got into his blue pick-up truck.

Q: Have you seen the short black soldier before this incident?

A: NO

Q: Did you notice any rank or anything significant about this soldier?

A: I did not notice rank, he did not wear glasses that I could see, he seemed to look like he worked out on free weights.

Q: How do you know that the civilian was arguing about money with the soldier?

A: He kept repeating himself saying money, money, my money.

Q: Did you witness the initial stop of the civilian in the blue truck?

A: NO

Q: How far was the blue truck from your location?

A: ABOUT 100 METERS

Q: Did you witness the short black soldier take any money from the civilian Iraqi?

A: NO

INITIALS OF PERSON MAKING STATEMENT

704 1064

704 1064

PAGE 2 OF 3 PAGES

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EXHIBIT 5

STATEMENT OF SAT [redacted] TAKEN AT Camp Scurion DATED 5 AUG 03 SAG

9. STATEMENT (Continued)

7C4 b64

Q: Other than the radio communication, did you here any other soldier talking about the missing money?

A: NO

Q: You stated in your statement taken on 30 JUN 03 that around 0600 you were standing on your M113 track ambulance when you heard one of the workers talking to an infantryman next to you regarding finding 900.00 dollars on an Iraqi civilian. You also stated that you heard a soldier on a Humvee yell them over the radio to find Lt. [redacted] ask them what to do. You stated that about 5 minutes later you saw a black soldier speaking with an Iraqi civilian. The soldier kept telling them to leave. The Iraqi returned 45 minutes later after you heard over the radio regarding quarter of the missing money. You noticed Red 4 Golf that you overheard an infantryman talking about the 900.00 dollars found on the civilian. SSG [redacted] then came with the Iraqi civilian which you recognized as previously arguing with the short black soldier. Then they departed. Is this what you provided in your previous statement?

A: YES.

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

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

AFFIDAVIT

I, [redacted] 7C4 b64, 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. SAG

[redacted] 7C4 b64
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of AUG 2003

at Camp Scurion [redacted]
[redacted] 7C1 b61
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA [redacted] 7C1 b61
(Typed Name of Person Administering Oath)
136 210 701 661
(Authority To Administer Oath)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT [redacted]

PAGE 3 OF 3 PAGES

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Exhibit 5

SWORN STATEMENT

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

LOCATION CAMP SCUNION, BAQUBAH, IRAQ	DATE 5 JUN 03	TIME 10:27	FILE NUMBER 704664
LAST NAME FIRST NAME MIDDLE NAME [REDACTED] 704664	SOCIAL SECURITY NUMBER [REDACTED] 704664		GRADE/STATUS SGT/AD
ORGANIZATION OR ADDRESS B, 218 INFANTRY, 410, UNIT 92607, APO AE 09323-2607			

I, [REDACTED] 704664, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

AT 0630, 30 JUN 03, I WAS TASKED AT TCP 12. I WAS BRIEFED TO CONFISCATE WEAPONS AND MONEY, LARGE SUMS, FROM IRAQI'S WHO CAME THROUGH THE CHECKPOINT. ABOUT 0930, I FOUND A LARGE GARBAGE BAG OF IRAQI DINAR AND HAD PVT [REDACTED] ASK THE LT ON DUTY, CALL SIGN "RED ONE" ABOUT TAKING THE MONEY. THE LT SAID "NO" THERE WASNT A NEED TO TAKE IT. ABOUT 1 HOUR LATER, SSG [REDACTED] CAME BY TO SAY THAT AN IRAQI MAN STATED HE WAS MISSING ABOUT \$2000.00 IN AMERICAN MONEY. I SAW PFC [REDACTED] AND ASKED HIM WHAT WAS GOING ON AND PFC [REDACTED] SAID HE HEARD PVT [REDACTED] TALKING ABOUT THE MONEY BEHIND THE TAILGATE, NEAR A MRE BOX. I WENT TO THE MRE BOX AND FOUND SOME IRAQI DINAR ON TOP OF THE TRASH BUT I DID NOT SEE ANY AMERICAN MONEY.

Q: SA [REDACTED] 704664 A: SGT [REDACTED] 704664

Q: DID YOU SEE ANYONE TAKE ANY AMERICAN MONEY OR IRAQI DINAR FROM ANYONE DURING THE CHECKPOINT SEARCHES?

A: I DID NOT SEE ANYONE TAKE ANY MONEY.

Q: DID YOU SEE PVT [REDACTED] OR ANYONE ELSE PLACE ANY MONEY IN THE MRE BOX?

A: NO

Q: DURING THE SEARCH OF THE SOLDIERS, WAS ANY MONEY FOUND?

A: NOT ON THE SOLDIERS.

Q: WERE YOU AND THE OTHER SOLDIERS TOLD TO PROVIDE

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED] 704664	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

For Official Use only

Exhibit 6

THE LOCAL NATIONALS WITH RECEIPTS FOR THE ITEMS THAT WERE SEIZED?

A: No at the time, But later we will have to ~~an~~ CP.

Q: DID ANYONE COUNT THE DINAR THAT WAS FOUND ON THE MRE TRASH?

A: The LT ⁷⁰⁴⁶⁶⁴ [redacted] counted the money but was not told how much.

Q: ~~WAS QUIB~~ WHO WAS THE "LT" ON DUTY?
~~704664~~

A: [redacted]. this is his call sign.

Q: IN YOUR INITIAL STATEMENT, DATED 30 JUN 03, YOU STATED YOU TOLD PFC ⁷⁰⁴⁶⁶⁴ [redacted] THAT "SOMEONE HAS TO BE A BUDDY FUCKER." WHAT DID YOU MEAN?

A: That someone needs to do the right thing. I was not meaning he ⁷⁰⁴⁶⁶⁴ [redacted] was doing wrong But he has to tell on someone.

Q: DO YOU KNOW WHO STOLE THE MONEY FROM THE INAGI?

A: No I don't know how stole the money Because no one was ⁷⁰⁴⁶⁶⁴ [redacted] at any time.

Q: DO YOU WISH TO ADD ANYTHING TO THIS STATEMENT?

A: NO /// END OF STATEMENT ///. [redacted] 704664

FOR OFFICIAL USE ONLY

704664

Exhibit 4

INITIAL [redacted]

PAGE 2 OF 3 PAGES

STATEMENT (Continued)

704, 604
MULTI
[REDACTED] USED

AFFIDAVIT

I, [REDACTED] 704, 604, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3 AND 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 AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INC

WITNESSES:

[REDACTED] 704 604

to administer oaths, this 27 day of AUG. 2003 at CAMP SCUNION, IRAQ

3W

ORGANIZATION OR ADDRESS

[REDACTED] 704 604
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA [REDACTED] 704 604
(Typed Name of Person Administering Oath)

Article 136 UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 3 OF 3 PAGES

For OFFICIAL/USG ONLY

Exhibit 6

SWORN STATEMENT

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

LOCATION Camp Saurion, Bagdalah, Iraq	DATE 9 Aug 07	TIME 1047	FILE NUMBER 704, 1604
LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	GRADE/STATUS 704 E-6/RA	ORGANIZATION OR ADDRESS C Company 1/67	

[REDACTED] 704, 1604, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On or about 30 June 03 an IRAQI man approached me at a traffic control point to complain that another soldier on the opposite side of our check point had stolen his money at gunpoint and had also threatened to shoot him. At first I did not want to believe that one of our soldiers would do that but after about 1 hr of waiting the IRAQI man persisted and pleaded with me. He then told me again what had happened and I asked him if he would be able to point out the soldier. He said yes. I walked him back through the TCP when I then talked to the medics of C. Co 1-67 AA. I kept the IRAQI man about 10 meters away under guard and the medics told me the same story as the local national. This was done without the medics talking to him at all. The story was the same and the medics told me they heard a few guys on the radio and near by that they had confiscated a lot of American money from an IRAQI man that came through 705-660 our TCP. I then asked the man to point out the soldier and he pointed to Sgt [REDACTED] an infantry man from 2-8 inf. when I confronted him and asked him about the money he became slightly belligerent and denied it all saying "you can search me now" and that "your medics dont know shit." I never told him I talked to the medics. And also saying who do you believe me or an IRAQI? I then talked to his NCO and he confronted him. [REDACTED] 704, 1604 we stood there and he denied it. I talked with my Lt. [REDACTED] and SSG [REDACTED] 704, 1604 also talked to the NCO and soldier and again he flatly was denying taking any money. It [REDACTED] 704, 1604 stayed around the area and the driver of the Humvee told him to look into the MRE trash box. In the used portion of spatigatti; Lt [REDACTED] 704, 1604 found a large sum of money. of or around \$1,000. He then called myself, SSG [REDACTED] 704, 1604 and the soldiers NCO's and we talked. Everyone agreed that the soldier screwed up and that something needed to be done. When asked what I would do I said you want want my answer until I cool down, but at a minimum it needed to be reported. When we came back from the mission myself, SSG [REDACTED] 704, 1604 and Lt [REDACTED] 704, 1604 reported the issue to [REDACTED] 704, 1603 [REDACTED] 704, 1601 [REDACTED] 704, 1604 [REDACTED] 704, 1604

Q: What time did the Iraqi man approach you?
A: Between 10am and 12noon.
Q: What did the medics tell you?
A: The medics told me that they heard a group of soldiers bragging

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED] 704, 1604	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF ___ TAKEN AT ___ DATED ___ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE ___ OF ___ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

FOR OFFICIAL USE ONLY

Exhibit 7

STATEMENT (Continued)

about taking money (a large sum) from one of the Iraqis locals coming through the check point.

Q: Did the medics know who stole the money?

A: No they only heard them bragging about it, and laughing

Q: How did the money get into the MRE box?

A: Only the person who did it or the driver would know.

Q: How did the Iraqi man identify SPC [redacted] 7C5 b65

A: He spoke [redacted] 7C4 b64 & limited english and also pointed him out.

Q: What did the Iraqi say in english?

A: He described the Soldier in detail and 5 minutes later pointed him out.

He said "a dark soldier, built (muscular) and pronounced the first part of his name as [redacted] 7C5 b65

Q: Is there an SOP which states what to do with found money at the TCP's?

A: yes. Nothing is to be done with it.

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

A: Only that the soldier showed absolutely no remorse either before or after the money was found.

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

A: NO. // End of Statement. [redacted] 7C4 b64

7C4 b64

AFFIDAVIT

I, [redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT. 7C4 b64

[redacted signature]

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of August 2003 at Camp Sauron, Babil, Iraq

[redacted signature] 7C1 b61
(Signature of Person Administering Oath)

SA [redacted] 7C1 b61
(Typed Name of Person Administering Oath)

Article 136 UCMJ
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

[redacted] 7C4 b64

PAGE 2 OF 2 PAGES 64

For OFFICIAL USE ONLY

Exhibit 7

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE
For use of this form see AR 190-30: the proponent agency is ODCSOPS

DATA REQUIRED BY THE PRIVACY ACT

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

1. LOCATION <u>Camp Sincion, Iraq</u>	2. DATE <u>5 AUG 03</u>	3. TIME <u>1042</u>	4. FILE NO. <u>0088-03-020469</u>
6. SSN [REDACTED] <u>704 1064</u>	8. ORGANIZATION OR ADDRESS <u>B Co. 2/8th Infantry Battalion</u> <u>Fort Hood, TX 76544</u> <u>deployed to Iraq.</u>		

PART 1 - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation and wanted to question me [REDACTED] regarding offense(s) of which I am suspected/accused of Larceny of Private Funds / Conspiracy III

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

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

- or -

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

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

5. COMMENTS (Continue on reverse side)

Have you been advised of your legal rights within the past 30 days in what you report of false counsel? No

Section B. Waiver

I understand my rights as stated above. I am willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me. [REDACTED] 704 1064

WITNESSES (If available)

1a. NAME (Type or Print)	3. SIGNATURE OF INTERVIEWEE <u>[REDACTED] 7041064</u>
b. ORGANIZATION OR ADDRESS AND PHONE	4. SIGNATURE OF INVESTIGATOR
2a. NAME (Type or Print)	5. TYPE <u>SA [REDACTED] 701661</u>
b. ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR <u>43rd MP DET (C&D)(FWD), Tikrit, Iraq.</u>

Section C. Non-Waiver

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

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

2. SIGNATURE OF INTERVIEWEE

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

For Official Use only

Exhibit 8

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. 704 704

1. LOCATION Camp Seunon 2. DATE /YYYYMM 2003 08 05 3. TIME 12 16 4. FILE NUMBER 0088-03-220 469

5. LAST NAME FIRST NAME MIDDLE NAME [REDACTED] 704 1204 [REDACTED] 704/200 7. GRADE/STATUS E-4/RA

8. ORGANIZATION OR ADDRESS B Co. 2/8th Infantry, Fort Hood, TX 76544 deployed to Iraq.

9. [REDACTED] 704 1204, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: Did you On 30 Jun 03 while at the TCP I found out that [REDACTED] 704 1204 had confiscated some money. I saw him talking with an Iraqi civilian but didn't know what it was about. Later I went to urinate and I saw [REDACTED] with some money in his hand. I remember conversing with him but do not recall what the topic was about. Later it was said that some money was missing, it belonged to an Iraqi civilian. I don't know what happened to the money. I didn't hear about this incident anymore until I later wrote a statement.

Q: Did you steal any money from the Iraqi civilian?

A: No. 705 605

Q: Did you agree with PFC [REDACTED] to steal the money belonging to the Iraqi civilian?

A: NO. 704, 1204

10. EXHIBIT 11. [REDACTED] 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.

For Official Use Only Exhibit 8

STATEMENT OF [REDACTED] 704 b64 TAKEN AT Camp Sincin, Iraq DATED 5 Aug 03

9. STATEMENT (Continued)

Q: Did you know that the money PFC [REDACTED] 705 b65 had shown you belonged to the Iraqi civilian?

A: NO.

Q: Did you even touch the money?

A: No.

Q: Did you even discuss keeping money which was confiscated with PFC [REDACTED] 705 b65

A: Yes, However I never took any money from him. It was just said in jest.

Q: Do you know who places the money in the MRE Box?

A: No.

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

A: No. /// END OF STATEMENT /// [REDACTED] 704 b64

AFFIDAVIT

I, [REDACTED] 704 b64, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED] 704 b64 (Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of Aug 2003 at Camp Sincin, Iraq.

ORGANIZATION OR ADDRESS

[REDACTED] 701 b61 (Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA [REDACTED] 701 b61 (Typed Name of Person Administering Oath) ART 136 UCMJ (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED] 704 b64

47 PAGE 1 OF 2 PAGES

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Exhibit 8

