

COMMANDER'S REPORT OF DISCIPLINARY OR ADMINISTRATIVE ACTION

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

SUSPENSE DATE (YYYYMMDD)

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. THRU Commander 1/327th Infantry Regiment Fort Campbell, KY 42223	2. TO Commander A Co, 1/327th Infantry Regiment Fort Campbell, KY 42223	3. FROM Special Agent-in-Charge 31st MP Det (CID), 3d MP Group, USACIDC, Fort Campbell, KY 42223
4. USACRC CONTROL NUMBER 0050-03-CID389-61657	5. MP REPORT NUMBER	6. SUB-INSTALLATION IDENTIFIER

To be completed by the commander or supervisor of the subject identified below and in corresponding MP/CID report. Check all applicable blocks. Briefly explain circumstances not covered by blocks. For multiple offenses resulting in more than one type of action taken or action taken for offenses not listed in the report, explain in block 15, Remarks, which offenses apply to blocks checked and action taken for other offenses. Retain last copy and return all others to addressee indicated in "TO" block on completion of final action.

7. NAME OF SUBJECT (Last First MI) 705 D05	8. GRADE E-4	9. SSN 705 D05	10. DATE OF BIRTH (YYYYMMDD) 70-5-06-5
11a. OFFENSE(s)		11b. DATE OF OFFENSE(s)	
Article 129, UCMJ: Burglary Article 128, UCMJ: Aggravated Assault		2003/06/07	
Article 121, UCMJ: Larceny of Private Funds Article 107, UCMJ: False Official Statements		2003/06/07	
Article 92, UCMJ: Failure to Obey a Lawful Order		2003/06/07	

12. ACTION TAKEN

a. * NONE (1) INSUFFICIENT EVIDENCE (2) OTHER (Explain in Remarks)

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

b. ADMINISTRATIVE

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

c. NONJUDICIAL (Article 15, UCMJ)

COMPANY GRADE FIELD GRADE SUMMARIZED
 GCM AUTHORITY GENERAL OFFICER

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

SUMMARY COURT MARTIAL GENERAL COURT-MARTIAL
 SPECIAL COURT-MARTIAL CIVIL COURT

13. JUDICIAL FINDINGS

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

14. RESULTANT SENTENCES, PUNISHMENTS, OR ADMINISTRATIVE ACTION

a. REPRIMAND b. ADMONITION (1) ORAL (2) IN WRITING
 c. DETENTION d. FORFEITURE e. FINED \$ _____ / _____ MONTHS
 f. REDUCED FROM CPL TO PVT g. EXTRA DUTY FOR _____ DAYS h. RESTRICTED FOR _____ DAYS
 i. CORRECTIONAL CUSTODY FOR _____ DAYS j. CONFINED 3 YEARS _____ MONTHS
 k. PUNITIVE DISCHARGE ADJUDGED TYPE: BCD
 l. ADMINISTRATIVE DISCHARGE EFFECTIVE DATE 2003/12/21
 m. OTHER (For example, suspension of driving privileges. Explain in Remarks.)

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705 D05

15. REMARKS

16a.

MAJ 7C-6
b6b6

GRADE OF COMMANDING OFFICER

Chief of Criminal Law

16c. DATE OF REPORT (YYYYMMDD)

2004/01/04

7C 66

0000002

COMMANDER'S REPORT OF DISCIPLINARY OR ADMINISTRATIVE ACTION

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

SUSPENSE DATE (YYYYMMDD)

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7. NAME OF SUBJECT (Last, First, MI) <u>7C5 665</u>	8. GRADE E-3	9. SSN <u>7C5 665</u>	10. DATE OF BIRTH (YYYYMMDD) <u>7C5 665</u>
11a. OFFENSE(s)		11b. DATE OF OFFENSE(s)	
Article 129, UCMJ: Burglary Article 128, UCMJ: Aggravated Assault		2003/06/07	
Article 121, UCMJ: Larceny of Private Funds Article 107, UCMJ: False Official Statements		2003/06/07	
Article 92, UCMJ: Failure to Obey a Lawful Order		2003/06/07	

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R = RELIEF AGENCY		

c. NONJUDICIAL (Article 15, UCMJ)

COMPANY GRADE FIELD GRADE SUMMARIZED
 GCM AUTHORITY GENERAL OFFICER

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 c. DETENTION d. FORFEITURE e. FINED \$ _____ / _____ MONTHS
 f. REDUCED FROM PFC TO PVT g. EXTRA DUTY FOR _____ DAYS h. RESTRICTED FOR _____ DAYS
 i. CORRECTIONAL CUSTODY FOR _____ DAYS j. CONFINED 4 YEARS _____ MONTHS
 k. PUNITIVE DISCHARGE ADJUDGED TYPE: BCD
 l. ADMINISTRATIVE DISCHARGE _____ EFFECTIVE DATE 2003/08/28
 m. OTHER (For example, suspension of driving privileges. Explain in Remarks.)

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15. REMARKS

16a.
MAJ

for
7C6

GRADE OF COMMANDING OFFICER
Chief of Criminal Law

7C6

16c. DATE OF REPORT (YYYYMMDD)

2004/01/04

7C6

JUN 04

COMMANDER'S REPORT OF DISCIPLINARY OR ADMINISTRATIVE ACTION

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7. NAME OF SUBJECT (Last, First, Middle Initial) <u>TC 5 665</u>	8. GRADE E-3	9. SSN <u>725 665</u>	10. DATE OF BIRTH (YYYYMMDD) <u>725 665</u>
11a. OFFENSE(s)		11b. DATE OF OFFENSE(s)	
Article 129, UCMJ: Burglary Article 128, UCMJ: Aggravated Assault		2003/06/07	
Article 121, UCMJ: Larceny of Private Funds Article 107, UCMJ: False Official Statements		2003/06/07	

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<input type="checkbox"/> F = FAMILY ADVOCACY		
<input type="checkbox"/> D = DRUG/ALCOHOL ABUSE		
<input type="checkbox"/> S = SPECIAL REFERRAL		
<input type="checkbox"/> E = EQUAL OPPORTUNITY		
<input type="checkbox"/> L = LEGAL OFFICE		
<input type="checkbox"/> M = MENTAL HEALTH		
<input type="checkbox"/> R = RELIEF AGENCY		

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 GCM AUTHORITY GENERAL OFFICER

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 c. DETENTION d. FORFEITURE e. FINED \$ _____ / _____ MONTHS
 f. REDUCED FROM _____ TO _____ g. EXTRA DUTY FOR _____ DAYS h. RESTRICTED FOR _____ DAYS
 i. CORRECTIONAL CUSTODY FOR _____ DAYS j. CONFINED _____ YEARS _____ MONTHS
 k. PUNITIVE DISCHARGE ADJUDGED TYPE: _____
 l. ADMINISTRATIVE DISCHARGE Chapter 10 Discharge EFFECTIVE DATE 2003/12/24
 m. OTHER (For example, suspension of driving privileges. Explain in Remarks.)

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15. REMARKS

16a MA. *7C6* GRADE OF COMMANDING OFFICER
Chief of Criminal Law

b6-b

16c. DATE OF REPORT (YYYYMMDD)

2004/01/04

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JUN 05

COMMANDER'S REPORT OF DISCIPLINARY OR ADMINISTRATIVE ACTION

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7. NAME OF SUBJECT (Last First MI) <u>RC5 b65</u>	8. GRADE E-1	9. SSN <u>RC5 b65</u>	10. DATE OF BIRTH (YYYYMMDD) <u>RC5 b65</u>
11a. OFFENSE(s)		11b. DATE OF OFFENSE(s)	
Article 129, UCMJ: Burglary Article 128, UCMJ: Aggravated Assault		2003/06/07	
Article 121, UCMJ: Larceny of Private Funds Article 107, UCMJ: False Official Statements		2003/06/07	
Article 92, UCMJ: Failure to Obey a Lawful Order Article 113, UCMJ: Misbehavior of a Sentinel		2003/06/07	

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 f. REDUCED FROM PVT TO PVT g. EXTRA DUTY FOR _____ DAYS h. RESTRICTED FOR _____ DAYS
 i. CORRECTIONAL CUSTODY FOR _____ DAYS j. CONFINED 3 YEARS _____ MONTHS
 k. PUNITIVE DISCHARGE ADJUDGED TYPE: BCD
 l. ADMINISTRATIVE DISCHARGE EFFECTIVE DATE 2003/11/02
 m. OTHER (For example, suspension of driving privileges. Explain in Remarks.)

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15. REMARKS

16a. MA: *IC 4* GRADE OF COMMANDING OFFICER
Chief of Criminal Law

16c. DATE OF REPORT (YYYYMMDD)
2004/01/04

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JUN 03



DEPARTMENT OF THE ARMY
 31ST MILITARY POLICE DETACHMENT (CID) (FWD)
 3d MILITARY POLICE GROUP (CID) (FWD)
 UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND
 APO AE 09325-6169

REPLY TO
 ATTENTION OF

CIRC-CFC (195-2)

12 July 2003

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL - 0050-03-CID389-61657- 7C1B
 5Y2K1/7G2A1/7C1B/5Y2B/5C1Q1/5M3A

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 6 JUN 2003/2330 – 7 JUN 2003/0100; VICINITY OF GRID COORDINATE 38S LE 6491 9014, PATROL COMPOUND, A COMPANY, 1/327TH INFANTRY REGIMENT, GUWAIRE, MAKHMOUR, IRAQ
2. 7 JUN 2003/0200 – 7 JUN 2003/0210; VICINITY OF GRID COORDINATE 38S LE 64578 90504, VILLAGE OF GUWAIRE, MAKHMOUR, IRAQ
3. 7 JUN 2003/0215 – 7 JUN 2003/0215; VICINITY OF GRID COORDINATE 38S LE 64596 90446, VILLAGE OF GUWAIRE, MAKHMOUR, IRAQ
4. 7 JUN 2003/0230 – 7 JUN 2003/0235; VICINITY OF GRID COORDINATE 38S LE 64697 90422, VILLAGE OF GUWAIRE, MAKHMOUR, IRAQ
5. 7 JUN 2003/0235 – 7 JUN 2003/0240; VICINITY OF GRID COORDINATE 38S LE 64963 90530, VILLAGE OF GUWAIRE, MAKHMOUR, IRAQ
6. 7 JUN 2003/0300 – 7 JUN 2003/0305; VICINITY OF GRID COORDINATE 38S LE 64990 90436, VILLAGE OF GUWAIRE, MAKHMOUR, IRAQ
7. 12 JUN 2003/0930 – 12 JUN 2003/ 1317; 1ST BRIGADE TACTICAL OPERATIONS CENTER (TOC), QAYYARAH, IRAQ,

DATE/TIME REPORTED: 10 JUNE 2003, 1700

INVESTIGATED BY: SA 7C1 b61 b2 SA 7C1 b61 SA 7C1 b61 SA 7C1 b61

SUBJECT: 1. 7C5 b65 SPC; 7C5 b65
7C5 b65; BLACK; A COMPANY, 1/327TH INFANTRY REGIMENT, (MAKHMOUR, IRAQ) FORT CAMPBELL, KY 42223; FC; [BURGLARY] [LARCENY OF PRIVATE FUNDS] [FAILURE TO OBEY A GENERAL ORDER] [AGGRAVATED ASSAULT] [FALSE OFFICIAL STATEMENTS]

2. 7C5 b65 PFC 7C5 b65
7C5 b65; WHITE; A COMPANY, 1/327TH INFANTRY REGIMENT, (MAKHMOUR, IRAQ) FORT CAMPBELL, KY 42223; FC; [BURGLARY] [LARCENY OF

~~FOR OFFICIAL USE ONLY~~

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JUL 2003

CIRC-CFC

SUBJECT: CID REPORT OF INVESTIGATION - FINAL - 0050-03-CID389-61657-5Y2K1/7G2A1/7C1B/5Y2B/5C1Q1/5M3A

PRIVATE FUNDS] [FAILURE TO OBEY A GENERAL ORDER] [AGGRAVATED ASSAULT] [FALSE OFFICIAL STATEMENTS]

3. 7C5 b65 PFC 7C5 b65
7C1/b65 M; WHITE; A COMPANY, 1/327TH INFANTRY REGIMENT, (MAKHMOUR, IRAQ) FORT CAMPBELL, KY 42223; FC; [BURGLARY] [LARCENY OF PRIVATE FUNDS] [AGGRAVATED ASSAULT] [FALSE OFFICIAL STATEMENTS]

4. 7C5 b65 PVT 7C5 b65
7C5 b65 M; WHITE; A COMPANY, 1/327TH INFANTRY REGIMENT, (MAKHMOUR, IRAQ) FORT CAMPBELL, KY 42223; FC; [MISBEHAVIOR OF A SENTINEL] [BURGLARY] [LARCENY OF PRIVATE FUNDS] [FAILURE TO OBEY A GENERAL ORDER] [AGGRAVATED ASSAULT] [FALSE OFFICIAL STATEMENTS]

VICTIM: 1. 7C4 b64 M; OTHER;
[ASSAULT] IRAQ; ZZ; [BURGLARY] [AGGRAVATED

2. 7C4 b64 M; OTHER;
[ASSAULT] IRAQ; ZZ; [BURGLARY] [AGGRAVATED

OTHER: 3. 7C4 b64 M;
[OF PRIVATE FUNDS] IRAQ; ZZ [BURGLARY] [LARCENY

4. 7C4 b64 M; OTHER; 7C4/b64
IRAQ; ZZ; [BURGLARY] [AGGRAVATED ASSAULT]

5. 7C4 b64 M; OTHER; 7C4/b64
IRAQ; ZZ; [BURGLARY] [AGGRAVATED ASSAULT]

6. U.S. GOVERNMENT (A COMPANY, 1/327TH INFANTRY REGIMENT, (MAKHMOUR, IRAQ) FORT CAMPBELL, KY 42223); [MISBEHAVIOR OF A SENTINEL] [FAILURE TO OBEY A GENERAL ORDER] [FALSE OFFICIAL STATEMENTS]

INVESTIGATIVE SUMMARY:

"This is an Operation Iraqi Freedom Investigation"

This investigation was initiated when MAJ 7C3 b63 Office of Staff Judge Advocate, 101st Airborne Division, Qayyarah, Iraq, reported that SPC 7C5 b65 PFC 7C5 b65 PFC 7C5 b65 and PVT 7C5 b65 stole approximately 56,000.00 Iraqi Dinar from the residence of an Iraqi citizen.

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CIRC-CFC

SUBJECT: CID REPORT OF INVESTIGATION - FINAL - 0050-03-CID389-61657-5Y2K1/7G2A1/7C1B/5Y2B/5C1Q1/5M3A

The investigation established SPC 705 665 PFC 705 665 PFC 705 665 and PVT 705 665 committed the offenses of aggravated assault, burglary, and larceny of private funds when they entered several Iraqi residences during the hours of darkness, armed with weapons, and stole approximately 56,000.00 Iraqi Dinar.

The investigation established SPC 705 665 PFC 705 665, PFC 705 665 and PVT 705 665 committed the offense of False Official Statement when they provided statements regarding the incident which they knew to be false.

The investigation established SPC 705 665, PFC 705 665 and PVT 705 665 committed the offense of Failure to Obey a General Order when they consumed alcohol in violation of CENTCOM General Order 1A.

The investigation established PVT 705 665 committed the offense of Misbehavior of a Sentinel when he left his assigned guard post to assist the others in the commission of the burglary, aggravated assault, and larceny of private funds.

STATUTES:

- Article 129, UCMJ: Burglary
- Article 128, UCMJ: Aggravated Assault
- Article 121, UCMJ: Larceny of Private Funds
- Article 113, UCMJ: Misbehavior of a Sentinel
- Article 107, UCMJ: False Official Statements
- Article 92, UCMJ: Failure to Obey a General Order

EXHIBITS/SUBSTANTIATION:

Attached:

1. Agent's Investigation Report (AIR) of SA 701 001 10 Jul 03, detailing the Basis for Investigation; interview of victims and subjects, crime scene verification, subject re-interviews, coordination with unit commander, and coordination with SJA.
2. Waiver Certificate and Sworn Statement of PFC 705 665 12 Jun 03, wherein he admitted he entered and stole money from an Iraqi residence.
3. Waiver Certificate and Sworn Statement of SPC 705 665 12 Jun 03, wherein he admitted he entered and stole money from an Iraqi residence.
4. Waiver Certificate and Sworn Statement of PFC 705 665 12 Jun 03, wherein he admitted he provided security with a weapon while PFC 705 665 and SPC 705 665 entered two Iraqi residences.

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JUN 11 2003

CIRC-CFC

SUBJECT: CID REPORT OF INVESTIGATION - FINAL - 0050-03-CID389-61657-5Y2K1/7G2A1/7C1B/5Y2B/5C1Q1/5M3A

5. Waiver Certificate and Sworn Statement of PVT 75/b65 12 Jun 03, wherein he admitted to serving as an armed look-out while PFC 75/b65 and SPC 75/b65 illegally entered two Iraqi residences.

6. Compac disc containing digital images of Crime Scene. (1 thru 48)

7. Crime Scene Sketches (1-5), 18 Jun 03, depicting Iraqi residences.

8. Waiver Certificate of SPC 75-b65 20 Jun 03.

9. Waiver Certificate and Sworn Statement of PFC 75, b65 20 Jun 03, wherein he admitted he observed PFC 75, b65 with a weapon when PFC 75, b65 left the compound.

10. Waiver Certificate of PFC 75/b65 20 Jun 03.

11. Aerial Map, depicting aerial view of A Company, 1/327th Infantry Regiment Compound and Iraqi national residences, 22 Jun 03.

The original of Exhibits 1 through 11 will remain in the files of this office pending adjudication.

STATUS: This is a Final Report. Commander's Report of Disciplinary Action Taken (DA Form 4833) is pending.

Report Prepared By:

Report Approved By:

7C1
b61
b2

7C1
b61

Special Agent in Charge

DISTRIBUTION:

- 1 - Director, U.S. Army Crime Records Center, USACIDC, Attn: CICR-CR, 6010 6th Street, Fort Belvoir, VA 22060-5506 (Original)
- 1 - Commander, U.S. Army Criminal Investigation Command, Attn: CIOP-ZA, 6010 6th Street, Fort Belvoir, VA 22060
- 1 - Commander, 10th MP Battalion (CID) (FWD), 3rd Military Police Group (CID), Attn: Operations Officer, Baghdad, Iraq
- 1 - Commander, 3d Military Police Group (CID), Attn: Operations Officer, USACIDC, Camp Arifjan, Kuwait

~~FOR OFFICIAL USE ONLY~~

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JUN 2003

DOD-DOACID000014

CIRC-CFC

SUBJECT: CID REPORT OF INVESTIGATION - FINAL - 0050-03-CID389-61657-
5Y2K1/7G2A1/7C1B/5Y2B/5C1Q1/5M3A

- 1 - Commander, A Company, 1/327th Infantry Regiment, 101st Airborne Division (Air Assault)
- 1 - Division Provost Marshal's Office, 101st Airborne Division (Air Assault)
- 1 - Chief of Staff, 101st Airborne Division (Air Assault)
- 1 - Staff Judge Advocate, 101st Airborne Division (Air Assault)
- 1 - File

~~FOR OFFICIAL USE ONLY~~

5

JUN 13

DOD-DOACID000015

AGENT'S INVESTIGATIVE REPORT <small>CID Regulation 128-1</small>	ROI NUMBER 0050-03-CID389-61657
	Page 1 of 6 Pages

DETAILS

BASIS FOR INVESTIGATION: About 1700, 10 Jun 03, this office was notified by MAJ [redacted] Trial Counsel, Office of Staff Judge Advocate, Fort Campbell, KY 42223 (FWD), of four U.S. Soldiers who committed burglary and larceny from a local national's residence. MAJ [redacted] provided sworn statements from the victims and suspects.

About 0950, 12 Jun 03, SA [redacted] advised PFC [redacted] of his legal rights, which he waived and provided a sworn statement in which he admitted he entered and stole money from a Iraqi residence. (See Waiver Certificate and Sworn Statement of PFC [redacted] for details.)

About 0950, 12 Jun 03, SA [redacted] advised SPC [redacted] of his legal rights, which he waived and provided a sworn statement in which he admitted he entered and stole money from a Iraqi residence. (See Waiver Certificate and Sworn Statement of SPC [redacted] for details.)

About 1124, 12 Jun 03, SA [redacted] advised PFC [redacted] of his legal rights, which he waived and provided a sworn statement in which he admitted he provided security with a weapon, while PFC [redacted] and SPC [redacted] entered two Iraqi residence. (See Waiver Certificate and Sworn Statement of PFC [redacted] for details.)

About 1203, 12 Jun 03, SA [redacted] interviewed SSG [redacted] A CO, 1/327th INF REGT, Fort Campbell, KY 42223 (FWD) who had no direct knowledge of the incident, but heard the four soldiers broke into some homes outside the company compound.

About 1210, 12 Jun 03, SA [redacted] and SA [redacted] advised PVT [redacted] of his legal rights, which he waived and provided a sworn statement in which he admitted he provided security with a weapon, while PFC [redacted] and SPC [redacted] entered two Iraqi residences. (See Waiver Certificate and Sworn Statement of PFC [redacted] for details.)

About 1243, 12 Jun 03, SA [redacted] coordinated with MAJ [redacted] and briefed him regarding the facts and circumstances of the investigation. MAJ [redacted] opined there was probable cause to believe PFC [redacted] SPC [redacted] PFC [redacted] and PVT [redacted] committed burglary and larceny. MAJ [redacted] also opined there was probable cause to believe PFC [redacted] SPC [redacted] and PVT [redacted] committed a violation of a general order by consuming alcohol. [redacted] further opined there was probable cause to believe PVT [redacted] committed Misbehavior of a Sentinel, when he deserted his post.

TYPED AGENT'S NAME AND SEQUENCE NUMBER [redacted]	ORGANIZATION 31 st Military Police Detachment (CID)(FWD), USACIDC APO AE 09525-6169	
SIGNATURE _____	DATE 10 Jul 2003	EXHIBIT /

CID FORM 91-1

JUN 2003

AGENT'S INVESTIGATIVE REPORT <small>III Regulation 131-1</small>	ROI NUMBER 0050-03-CID389-61657
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DETAILS

About 1100, 16 Jun 03. SA *701 b01* interviewed PFC *704 b04* A CO. 1/327th INF REGT. Fort Campbell, KY 42223 (FWD) who stated he was assigned guard duty from 0100-0300 on 7 Jun 03 on the rear wall with PVT *705 b05* PFC *704 b04* stated PVT *705 b05* PFC *705 b05* SPC *705 b05* and PFC *705 b05* left the camp by climbing the wall near his guard post about 0100. PFC *704 b04* also stated PFC *705 b05* and PFC *705 b05* climbed over the wall around 0200 and went to talk to someone on the roof and then went back over the wall into town. All four returned to the camp about 0245. PFC *704 b04* stated they were all wearing their DCU's and PVT *705 b05* and PFC *705 b05* both had their M-4 rifles with attached tactical lights when they left the compound.

About 1100, 16 Jun 03. SA *701 b01* conducted canvass interviews of 2LT *703 b03* SSG *703 b03* and PFC *703 b03*, all of A CO, 1/327th INF REGT. Fort Campbell, KY 42223. 2LT *703 b03* stated their mission in Guwaire was to provide security stabilization for the city, traffic controls points, and provide a guard force for the compound. 2LT *703 b03* also stated he thought SPC *705 b05* was the roving guard for the 0100-0300 guard shift on 7 Jun 03. SSG *703 b03* verified SPC *705 b05* was the roving guard for that time shift and he relieved PFC *704 b04* at 0100, 7 Jun 03. SSG *703 b03* further stated the roving guard's responsible for checking on the soldiers on guard duty throughout their shift; and if a NCO were not the roving guard, then an NCO would be on guard. PFC *704 b04* stated he was relieved by SPC *705 b05* at 0100, 7 Jun 03, for the roving guard shift.

About 1020, 18 Jun 03. SA *701 b01*, SA *701 b01* and SA *701 b01* interviewed Mr *704 b04* *704 b04*, Guwaire, Makhmour, Iraq, with the assistance of Mr *703 b03* Interpreter (A CO, 1/327th INF REGT), Guwaire, Makhmour, Iraq. Mr *704 b04* stated he was sleeping on his roof, when about 0200, 7 Jun 03, his son saw two soldiers insider their home and two soldiers standing outside their home. Mr *704 b04* stated the two soldiers, a black soldier and a white soldier, searched his home and stole 65,000 Iraqi Dinar from a jacket hanging on the wall. Mr *704 b04* further stated he did not confront the soldiers since they all had weapons and he was in fear for his family and himself. Mr *704 b04* stated none of his family was hurt.

About 1030, 18 Jun 03. SA *701 b01*, SA *701 b01* and SA *701 b01* interviewed Mr *704 b04* Guwaire, Makhmour, Iraq, with the assistance of *703 b03* Mr *704 b04* stated his family was sleeping outside and he was awake reading the Holy Quran about 0215, 7 Jun 03. Mr *704 b04* stated he moved his family inside to sleep when about 0230, 7 Jun 03, he heard voices. Mr *704 b04* stated he saw two soldiers inside his home and one soldier on the watching the police station. Mr *704 b04* stated he told the soldiers to get out of his home and the black soldier pointed his rifle at him and told him to stop. Mr *704 b04* stated his

TYPED AGENT'S NAME AND SEQUENCE NUMBER <i>701 b01 DV</i>	ORGANIZATION 31 st Military Police Detachment (CID)(FWD), USACIDC APO AE 09325-6169	
SIGNATURE <hr/>	DATE 10 Jul 2003	EXHIBIT

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1000005

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wife heard the voices, came outside, and she fainted. Mr *7C1 b61* stated the black soldier and a white soldier, with sideburns, were inside; however, they did not search or steal anything and left. Mr *7C1 b61* stated none of his family was hurt by the soldiers, but his wife has been sick because she was afraid.

About 1045, 18 Jun 03, SA *7C1 b61*, SA *7C1 b61* and SA *7C1 b61* interviewed Mr *7C4 b64* *7C4 b64* Guwaire, Makhmour, Iraq, with the assistance of Mr *7C4 b64* Mr *7C4 b64* stated he was sleeping outside with his family and about 0300, 7 Jun 03, one soldier put a rifle up to his face and told him not to move. Mr *7C4 b64* stated the other soldier searched his home using the light on his rifle. Mr *7C4 b64* stated the soldiers did not steal anything. Mr *7C4 b64* stated his family was scared, but the soldiers did not harm any of them.

About 1100, 18 Jun 03, SA *7C1 b61*, SA *7C1 b61*, and SA *7C1 b61* interviewed Mr *7C4 b64* *7C4 b64* Guwaire, Makhmour, Iraq, with the assistance of Mr *7C4 b64* Mr *7C4 b64* stated he and his wife were sleeping out side, when about 0215, 7 Jun 03, his wife woke him up because she saw a soldier on the wall after having heard a brick fall from the wall. Mr *7C4 b64* stated the black soldier pointed his rifle and told him to get back, while another soldier was on the wall. Mr *7C4 b64* stated the other soldier jumped in and the two soldiers stopped him from opening the door. Mr *7C4 b64* stated the black soldier appeared to get mad and both soldiers forced him and his wife to leave their room and sit in the middle of the court area. Mr *7C4 b64* stated the soldiers searched his home and the black soldier had broken a cupboard door. Mr *7C4 b64* stated the two soldiers walked up the stairs to the roof and then he noticed the third soldier on the wall. Mr *7C4 b64* stated one soldier jumped out and then the other two soldiers jumped off the wall at the same time. Mr *7C4 b64* stated they all had weapons. Mr *7C4 b64* stated none of his family was hurt by the soldiers, but they were very afraid. Mr *7C4 b64* stated his wife has been sick and taking medication since the incident.

About 1115, 18 Jun 03, SA *7C1 b61*, SA *7C1 b61* and SA *7C1 b61* interviewed Mr *7C4 b64* *7C4 b64* Guwaire, Makhmour, Iraq, with the assistance of Mr *7C4 b64* Mr *7C4 b64* stated his family was sleeping outside and about 0230, 7 Jun 03, his wife heard a sound and saw a soldier jump over the wall of their home and saw someone in the bathroom. Mr *7C4 b64* stated his wife initially thought it was he until she saw him sleeping and then woke him up. Mr *7C4 b64* stated a soldier pointed a rifle with a light on it at him and pulled the handle and a bullet fell from the rifle to the ground. Mr *7C4 b64* stated another soldier came over the wall and began searching the ground for the bullet. Mr *7C4 b64* went with the soldier to search through his home. Mr *7C4 b64* stated the two soldiers, a black soldier and a white soldier, did not take anything. Mr *7C4 b64* stated he believed the black soldier was drunk because he could smell the Iraqi liquor on his breath. Mr *7C4 b64* stated the soldiers did not harm his family, but his wife is now afraid.

TYPED AGENT'S NAME AND SEQUENCE NUMBER <i>7C1 b61</i>		ORGANIZATION 31 st Military Police Detachment (CID)(FWD), USACIDC APO AE 09325-6169	
SIGNATURE _____		DATE 10 Jul 2003	EXHIBIT /

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JUN 18 2003

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About 1150, 18 Jun 03, SA *7C1 b61 E*, SA *7C1 b61*, and SA *7C1 b61* I conducted a Crime Scene Verification at Mr. *7C3 b63* residence located in the vicinity of 38S LE 64990 90436. The residence consisted of a walled compound. The wall was approximately 6 feet high and constructed of mud and rock. A galvanized gate was located in the west wall of the compound providing access to the compound. The compound consisted of central courtyard area surrounded by four rooms. The rooms were utilized as a living room, a kitchen, and two storage rooms. The central courtyard area was the family sleeping area. (See Photographs and Sketch for details.)

Agent's Note: Mr *7C3 b63* pointed to an area on the wall to the left of the entrance to show where the soldiers climbed the wall to enter his residence. The wall appeared to have been damaged recently.

About 1200, 18 Jun 03, SA *7C1 b61 E*, SA *7C1 b61*, and SA *7C1 b61* conducted a Crime Scene Verification at Mr *7C4 b64* residence located in the vicinity of 38S LE 64963 90530. The residence consisted of a walled compound. The wall was approximately 6 feet high and constructed of mud and rock. A steel gate was located in the south wall of the compound providing access to the compound. The compound consisted of two central courtyard areas separated by a chain link fence. There were two rooms in the northern courtyard of the compound and the rooms were utilized as a living room, and a bedroom. There were two rooms and an earthen baking oven in the southern courtyard of the compound and the rooms were utilized as a kitchen, and storage rooms. The central courtyard/garden area contained two beds utilized as a sleeping area. (See Photographs and Sketch for details.)

Agent's Note: Mr *7C4 b64* pointed to an area on the wall to the right of the entrance to show where the soldiers climbed the wall to enter his residence. The wall appeared to have been damaged recently.

About 1210, 18 Jun 03, SA *7C1 b61*, SA *7C1 b61*, and SA *7C1 b61* arrived at the Guwaire Police Station, in the vicinity of *7C4 b64* and interviewed Mr *7C3 b63* Police Officer, who stated four soldiers came to the police station and attempted to take their weapons from them, which they refused to give up. Mr *7C3 b63* stated the soldiers had rifles and one pistol; and the soldiers were wearing their helmets. Mr *7C3 b63* stated the soldiers were at the police station for about half an hour.

About 1230, 18 Jun 03, SA *7C1 b61*, SA *7C1 b61*, and SA *7C1 b61* conducted a Crime Scene Verification at Mr *7C3 b63* residence located in the vicinity of *7C4 b64*. The residence consisted of a walled compound. The wall was approximately 6 feet high and constructed of mud and rock. A steel gate was located in the north wall of the compound providing access to the compound. The compound consisted of a courtyard surrounded by three rooms with a staircase leading to the roof of

TYPED AGENT'S NAME AND SEQUENCE NUMBER <i>7C1 b61 b2</i>		ORGANIZATION 31 st Military Police Detachment (CID)(FWD), USACIDC APO AE 09325-6169	
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JUL 2003

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DETAILS

the compound. The two rooms on the southern edge of the courtyard were utilized as a living room and a sleeping room. The room adjacent to the entrance and the stairwell was utilized as a storage room. (See Photographs and Sketch for details.)

Agent's Note: Mr. ~~Zhou~~ pointed to an area on the wall where a soldier was lying on the wall pointing his weapon towards the local national police station.

About 1240, 18 Jun 03, SA ~~7C1 b61~~, SA ~~7C1 b61~~ I, and SA ~~7C1 b61~~ conducted a Crime Scene Verification at Mr. ~~7C3 b63~~'s residence located in the vicinity of ~~7C4 b64~~. The residence consisted of a walled compound. The wall was approximately 6 feet high and constructed of mud and rock. A steel gate was located in the east wall of the compound providing access to the compound. The compound consisted of a courtyard surrounded by three rooms with a staircase leading to the roof of the compound. The two rooms on the eastern edge of the courtyard were utilized as a living room, and the room on the southern wall was utilized as a kitchen. (See Photographs and Sketch for details.)

Agent's Note: Mr. ~~7C3 b63~~ pointed to the area on the wall to the left of the entrance to show where the soldiers climbed the wall to enter his residence.

About 1245, 18 Jun 03, SA ~~7C1 b61~~, SA ~~7C1 b6-1~~, and SA ~~7C66-1~~ conducted a Crime Scene Verification at Mr. ~~7C b63~~'s residence located in the vicinity of ~~7C b6-1~~. The residence consisted of a walled compound. The wall was approximately 6 feet high and constructed of mud and rock. A steel gate was located in the north wall of the compound providing access to the compound. The compound consisted of a courtyard surrounded by five rooms. The room on the east wall of the compound was a bedroom. The two rooms on the west end of the compound were utilized as a kitchen. The two rooms on the north end of the compound were utilized as storage rooms. (See Photographs and Sketch for details.)

Agent's Note: Mr. ~~7C3 b63~~ pointed to the area on the east wall of the compound to show where the soldiers climbed the wall to enter his residence. The wall appeared to have been damaged recently on both the inside and outside of the wall.

About 0925, 20 Jun 03, SA ~~7C1 b61~~ and SA ~~7C1 b61~~ briefed MAJ ~~7C3 b63~~ on this investigation.

About 1010, 20 Jun 03, SA ~~7C1 b61~~ advised SPC ~~7C5 b65~~ of his legal rights, which he waived. SPC ~~7C5 b65~~ denied having a weapon upon entry into any of the family dwellings.

TYPED AGENT'S NAME AND SEQUENCE NUMBER 7C1 b61 b2		ORGANIZATION 31 st Military Police Detachment (CID)(FWD), USACIDC APO AE 09325-6169	
SIGNATURE _____		DATE 10 Jul 2003	EXHIBIT /

CID FORM 94-1

JUL 10 2003

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About 1040, 20 Jun 03, SA 7C1 b61 advised PFC 7C4 b64 of his legal rights, which he waived and rendered a sworn statement, wherein he stated PFC 7C4 b64 had a weapon and he was not sure if SPC 7C4 b64 had a weapon. PFC 7C4 b64 denied that he went into any of the family dwellings. PFC 7C4 b64 further stated they only went to three family dwellings when he was with SPC 7C4 b64 and PVT 7C4 b64 (See Sworn Statement for details.)

About 1220, 20 Jun 03, SA 7C1 b61 advised PFC 7C4 b64 of his legal rights, which he waived. PFC 7C4 b64 denied having a weapon upon entering any of the family dwellings. PFC 7C4 b64 admitted to entering three family dwellings, but not five family dwellings.

About 1400, 22 Jun 03, SA 7C1 b61 coordinated with G-2 to obtain a map of the A Company 1/327th Infantry Regiment compound located at 38S LE 64876 90218, and the local national residences located at (1) 38S LE 64578 90504 (2) 38S LE 64990 90436 (3) 38S LE 64697 90422 (4) 38S LE 64596 90446 (5) 38S LE 64963 90530. The compound was outlined and each residence was circled with a number in the center. (See Map for details)

About 1700, 9 Jul 03, SA 7C1 b61 conducted a name check with the U.S. Army Crime Records Center.

E 7C-5 b6-5

About 1448, 10 Jul 03, SA 7C1 b61 coordinated with MAJ 7C3 b63 who stated there was sufficient evidence to Courts Martial SPC 7C5 b65 and PVT 7C5 b65 for aggravated assault, burglary, larceny, and failure to obey a general order. MAJ 7C3 b63 stated he was initiating a Bad Conduct Discharge for PFC 7C5 b65 and PFC 7C5 b65

////////////////////////////////////LAST ENTRY////////////////////////////////////

REPORTING AGENT'S NAME AND SEQUENCE NUMBER 7C1 b61 b2		ORGANIZATION 31 st Military Police Detachment (CID)(FWD), USACIDC APO AE 09325-6169	
SIGNATURE		DATE 10 Jul 2003	EXHIBIT /

CID FORM 94-F

JUL 2003

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>IRAQ</u>	2. DATE <u>7C 66</u> <u>12 JUN 05</u> 1 TIME <u>7C 66</u> <u>1005</u> 1 FILE NO
3. <u>7C5 66-5</u>	8. ORGANIZATION OR ADDRESS <u>A COMPANY, 1/327TH INFANTRY REGIMENT</u> <u>FORT CAMPBELL, KY 42223</u>
5. <u>7C-5 - 66-5</u>	GRADE/STATUS <u>E-3 / FID</u>

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army CRIMINAL INVESTIGATION
COMMAND AS A SPECIAL AGENT and wanted to question me about the following offense(s) of which I am
 suspected/accused BURGLARY, LARCENY III/II

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

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

5. COMMENTS (Continue on reverse side)

Section B. Waiver

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

WITNESSES (If available) <u>1 0</u> 1a. NA <u>SA 7C1 661</u>	3. SIGNATURE OF INTERVIEWEE <u>7C5 66-5</u>
b. ORGANIZATION OR ADDRESS AND PHONE <u>31ST MP DET (CID)(FWD)</u> <u>FORT CAMPBELL, KY 42223</u>	4. <u>7C5 665</u>
2a. NAME (Type or Print)	5. TYPED NAME OF INVESTIGATOR <u>SA 7C1 661</u>
b. ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR <u>31ST MP DET (CID)(FWD)</u> <u>FORT CAMPBELL, KY 42223</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

JUN 20 2005

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 IRAQ
2. DATE (YYYYMMDD) 20030612
3. TIME 1155
6. SSN
7. GRADE/STATUS E-3/AD

8. ORGANIZATION OR ADDRESS A COMPANY, 1/327TH INFANTRY REGIMENT, FORT CAMPBELL, KY 42223

9. WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON THE NIGHT OF JUNE THE 6TH MYSELF, PVT. 703663, I Cpl. 705665 CONSUMED ABOUT 1 1/2 PINTS OF ALCOHOL IN OUR COMPANY COMPOUND AREA. AFTER THIS WE DECIDED TO LEAVE THE COMPOUND & WALK AROUND THE TOWN. ON OUR WAY OUT OF THE COMPOUND WE SAW PFC. 705665 WHO SAID THAT HE WANTED TO GO ALONE, SO WE LEFT OUT OVER THE BACK WALL, PVT. 703663 ARMED WITH AN M-4 RIFLE & PFC. 705665 ARMED WITH AN M-9 HANDGUN. ONCE AWAY FROM THE COMPOUND THE FIRST PLACE WE WENT TO WAS THE POLICE STATION. WE MET THE POLICE, THEY MADE TEA FOR US ALL & WE SAT WITH THE POLICE DRINKING TEA & TALKING FOR ABOUT 40 MINUTES. THEN WE LEFT THE POLICE STATION AND STARTED WALKING AROUND THE TOWN WHEN SUDDENLY Cpl. 705665 JUMPED UP AND OVER SOMEONES WALL AND INTO THEIR HOUSE I IMMEDIATELY JUMPED OVER WITH HIM TO SEE WHAT HE WAS DOING. WHEN I GOT TOGETHER WITH HIM HE WAS JUST

10. EXHIBIT
11. INITIALS (70665) STATEMENT
PAGE 1 OF 9 PAGES

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

JUN 21

STATEMENT OF 7C5 665 TAKEN AT IRAQ DATED 20030612

9. STATEMENT (Continued)

LOOKING AROUND NOT DOING ANYTHING IMPARTICULAR JUST
 LOOKING AT EVERYTHING ON THE WALLS. SO WE BOTH LOOKED
 AT EACH OTHER AND SAID LETS GO, JUMPED BACK OVER THE
 WALL WHERE ^{PFC} 7C5 665 AND PVT 7C5 665 WERE AND CONTINUED
 WALKING. THEN AGAIN CPT. 7C5 665 JUMPED INTO SOMEONES
 HOUSE SO I WENT WITH HIM. IN THIS HOUSE WE NOTICED
 SOME MONEY THAT WAS LAYING ON THE SHELF, SO WE
 GRABBED IT. AFTER THAT, WE JUMPED BACK OVER THE
 WALL AND LEFT THE AREA. CONTINUING UP THE STREET
 PVT. 7C5 665 AND PFC. 7C5 665 DECIDED THAT THEY
 WANTED TO GO INTO A HOUSE, SO THEY GAVE CPT.
 7C3 663 AND MYSELF THEIR WEAPONS AND JUMPED
 UP ONTO SOMEONES WALL. BUT BEFORE THEY COULD
 MAKE IT OVER THE WALL AND DOWN ON THE OTHER SIDE
 THEY EITHER SAW SOMETHING OR HEARD SOMETHING, I
 DON'T KNOW AND THEY GOT DOWN. THEN WE ALL
 WENT BACK TO THE COMPANY COMPOUND. 7C3 663
 HAD GUARD. 7C3 663 WENT TO BED & MYSELF AND
 CPT. 7C5 665 STAYED UP PLAYING DICE BECAUSE WE
 HAD GUARD LATER. SO WE DID OUR GUARD & WENT

INITIALS OF PERSON MAKING STATEMENT

7C5 665

PAGE 2 OF 9 PAGES

STATEMENT OF 705 bbs TAKEN AT IRAQ DATED 20030612

9. STATEMENT (Continued)

TO BED THE NEXT MORNING THE COMPANY HAD A FORMATION AND SOME ONE SAID THAT THEY WERE LOOKING FOR SOME MONEY THAT WAS TAKEN LAST NIGHT. SO MYSELF AND Cpl 705 bbs GOT THE MONEY TOGETHER AND PUT IT UP WHERE NO ONE WOULD FIND IT, UNTIL THEY HAD A BIG LINE UP AND PEOPLE HAD IDENTIFIED THAT US FOUR ~~WHE~~^{705 bbs} WERE THE PEOPLE FROM LAST NIGHT. SO AFTER THAT I WENT WITH THE XO OF OUR COMPANY AND GAVE HIM OVER THE MONEY THAT THEY WERE LOOKING FOR. THEY THEN TOOK US FOUR AND HAD GUARDS ON US AT ALL TIMES, AND SEPERATED US BY OURSELVES WITH ONLY OUR SLEEPING PAD AND PONCHO LINER, UNTIL THE NEXT AFTERNOON WHEN THEY MOVED US FROM THE TOWN AND BACK TO ^{705 bbs} WHERE HHC COMMAND WAS. AND WE'VE BEEN WITH THERE EVER SINCE.

Q: SA 701 bbs

A: PFC 705 bbs

Q: What does 'E' mean?

A: AND

INITIALS OF PERSON MAKING STATEMENT

705 bbs

PAGE 3 OF 9 PAGES

STATEMENT OF

706 605

TAKEN AT

IRAQ

DATED

20030612

9. STATEMENT (Continued)

Q: Who purchased the Alcohol?

A: MYSELF AND PVT 705 605

Q: Where did you purchase it from?

A: 703 603 A PERSON WE MET WHILE ON GUARD.

Q: Did he approach you at the gate?

A: YES

Q: How much did you pay for the Alcohol?

A: FORTY DOLLARS US

Q: What did it look like?

A: BOTTLE WITH A LABEL THAT SAID "BLACK JACK"

Q: How did it make you feel?

A: INTOXICATED

Q: WHAT TIME DID YOU LEAVE THE COMPOUND?

A: AROUND 0100 IN THE MORNING OF JUNE 07

Q: WAS IT DARK OUTSIDE?

A: YES

Q: What were you wearing?

A: DCUS

Q: Did you have any weapons or sensitive items?

A: NO

INITIALS OF PERSON MAKING STATEMENT

706 605

PAGE

4

OF

7 PAGES

STATEMENT OF 705 005 TAKEN AT IRAQ DATED 20030612

9. STATEMENT (Continued)

Q: DESCRIBE THE WALL YOU AND 705-005 WENT OVER FOR THE FIRST RESIDENCE?

A: CONCRETE WALL, MAYBE 6 1/2 FT. TALL.

Q: DESCRIBE THE RESIDENCE EXTERIOR?

A: I DON'T REMEMBER EXCEPT THAT IT WAS CONCRETE.

Q: WERE THERE ANY LIGHTS ON IN THE HOUSE?

A: YES

Q: DID YOU SEE ANY OCCUPANTS INSIDE THE HOUSE?

A: NO

Q: HOW DID YOU ENTER THE HOUSE?

A: BY CLIMBING OVER A WALL

Q: WERE THERE ANY DOORS TO PREVENT ENTRY INTO THE HOUSE?

A: NO. ONCE OVER THE WALL IS THE HOUSE/LIVING ROOM AREA.

Q: DESCRIBE ~~IT~~ ^{THE} INSIDE OF THE HOUSE?

A: RUGS ON THE FLOOR. NO COUCH. ~~OR TABLE~~ ^{705 005} SMALL TABLES AND SHELVES

Q: WAS ANYTHING TAKEN FROM THE FIRST HOUSE?

A: No

INITIALS OF PERSON MAKING STATEMENT 705 005

PAGE 5 OF 9 PAGES

FOR OFFICIAL USE ONLY

JUN 25
EXHIBIT 2

STATEMENT OF 705 h65 TAKEN AT IRAQ DATED 20030612

9. STATEMENT (Continued)

Q: DESCRIBE THE WALL TO THE SECOND HOUSE?

A: CONCRETE

Q: DESCRIBE THE RESIDENCE EXTERIOR?

A: CONCRETE. MAYBE TWO STORY, NOT SURE

Q: WERE THERE ANY LIGHTS ON IN THE HOUSE?

A: YES

Q: DID YOU SEE ANY OCCUPANTS IN THE HOUSE?

A: NO

Q: HOW DID YOU ENTER THE HOUSE?

A: BY CLIMBING OVER THE WALL

Q: DESCRIBE THE INTERIOR OF THE HOUSE?

A: NO FURNITURE EXCEPT FOR SMALL TABLES AND SHELVES
THERE WAS A MIRROR ON THE WALL AND ^{yes big} HAND PICTURES

Q: WAS ANYTHING TAKEN FROM THE HOUSE?

A: YES, MONEY I DON'T KNOW EXACTLY HOW MUCH.

THERE WERE TWO STACKS WITH RUBBER BANDS AROUND THEM ON A SHELF.

Q: WHO TOOK THE MONEY?

A: MYSELF AND CPT 705 h65

Q: WHERE DID YOU PUT THE MONEY?

INITIALS OF PERSON MAKING STATEMENT

705 h65

PAGE 6 OF 9 PAGES

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JUN 12 2003
EXHIBIT 2

STATEMENT OF 7CS 665 KEEN AT IRAQ DATED 20030612

9. STATEMENT (Continued)

A: IN OUR POCKETS CPT. 7CS 665 TOOK ONE STACK AND I TOOK THE OTHER. AND PUT IT IN OUR CARGO POCKETS.

Q: WHAT DID YOU DO AT THE THIRD HOUSE?

A: MYSELF AND CPT. 7CS 665 TOOK PFC. 7CS 665 AND PUT 7CS 665 WEAPONS AND WATCHED WHILE 7CS 665 AND 7CS 665 TRIED TO CLIMB OVER THE WALL.

Q: DID 7CS 665 AND 7CS 665 KNOW YOU AND STOLE MONEY?

A: NO

Q: WHERE DID YOU HIDE THE MONEY IN THE COMPANY COMPOUND?

A: ON A WINDOW SILL IN A ROOM WHERE NO ONE WAS.

Q: WHO DID YOU TAKE TO THE MONEY AFTER YOU WERE IDENTIFIED AS ONE OF THE ^{7CS 665} SOLDIERS WHO TOOK MONEY FROM A LOCALS HOUSE?

A: 1LT 7CS 665, THE COMPANY XO.

Q: WAS ALL THE MONEY RETURNED?

A: WHEN ~~WE~~ ^{7CS 665} MYSELF AND 7CS 665 PUT THE MONEY UP. WE ALSO PUT UP OUR MONEY ALSO THAT WE HAD EXCHANGED FOR OUR U.S. DOLLARS PRIOR

INITIALS OF PERSON MAKING STATEMENT

7CS 665

PAGE 7 OF 10 PAGES

STATEMENT OF 705 VOS TAKEN AT IRAQ DATED 20070612

PM
3
Q: STATEMENT (Continued)

TO THIS. SO WHEN THE YO GOT THE MONEY, WE GAVE HIM MORE MONEY THAN WAS TAKEN BECAUSE SOME OF THE MONEY WAS CURS.

Q: DID YOU KNOW IT IS WRONG TO TAKE SOMEONE ELSE'S PROPERTY?

A: YES IT WAS WRONG AND WE ALL KNEW THAT. AND YES IT WAS STUPID TOO. IT WAS A REALLY STUPID MISTAKE. WE WISH TO APOLOGIZE TO THE PEOPLE WHOSE MONEY WE TOOK AND TELL THEM THAT WE ARE SORRY. BELIEVE IT OR NOT WE ALL ARE GOOD SOLDIERS. ⁷⁰⁵ ₅

Q: WHAT WERE YOU GOING TO DO WITH THE MONEY?

A: I DON'T KNOW. I DIDN'T HAVE ANY PLANS ON WHAT I WOULD DO WITH IT.

Q: WHY DID YOU HIDE THE MONEY?

A: WE WERE SCARED BECAUSE WE DIDN'T WANT TO GET IN TROUBLE.

Q: HAVE YOU EVER DONE ANYTHING LIKE THIS BEFORE?

A: NO

Q: DO YOU KNOW OF ANYONE ELSE WHO HAS DONE THIS TO LOCALS IN THAT AREA?

INITIALS OF PERSON MAKING STATEMENT 705

PAGE 8 OF 9 PAGES

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JUN 12 2007

EXHIBIT 2

STATEMENT OF 705 bbs TAKEN AT IRAQ DATED 20030612

9. STATEMENT (Continued)

A: No

Q: DID YOU ENTER THE BUILDINGS WITH WEAPONS?

A: No

Q: DID YOU HURT OR THREATEN ANYONE IN THE BUILDINGS?

A: NO WE NEVER EVEN SAW ANYONE.

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

A: I'm SORRY FOR MY ACTIONS AND FOR BRINGING SHAME TO MY UNIT AND MYSELF. WHAT WE DID WAS PURE STUPIDITY AND I WOULD GIVE ANYTHING TO TAKE BACK MY ACTIONS. /// END OF STATEMENT ⁷⁰⁵ bbs

AFFIDAVIT

I, 705 bbs HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 9. 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.

705 bbs
(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12TH day of JUNE, 2003 at IRAQ

ORGANIZATION OR ADDRESS

701 bbs
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA 701 bbs
(Typed Name of Person Administering Oath)
ARTICLE 136, UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

705 bbs

PAGE 9 OF 9 PAGES

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AF 100-30; 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 <i>IFAG</i>	2. DATE <i>12/1/03</i>	3. TIME <i>0957</i>	4. FILE NO.
5. <i>7C5 b65</i>	8. ORGANIZATION OR ADDRESS <i>A Company, 1/507 + Fort Campbell</i>		
6. <i>7C5 b65</i>	7. GRADE/STATUS <i>SOC/07</i>		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army *Central Postal Dir.* and wanted to question me about the following offense(s) of which I am suspected/accused: *Bedding and Laundry*

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

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

5. COMMENTS (Continue on reverse side)

Section B. Waiver

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

WITNESSES (If available)		3.
1a. NAME (Type or Print)		<i>7C5 b65</i>
b. ORGANIZATION OR ADDRESS AND PHONE		<i>7C5 b65</i>
2a. NAME (Type or Print)		5. TYPED NAME OF INVESTIGATOR <i>SA 7C1 b61</i>
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR <i>31st AF (CD) Fort Campbell, KY 42223</i>

Section C. Non-waiver

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

2. SIGNATURE OF INTERVIEWEE

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

DA FORM 3881, NOV 89

EDITION OF NOV 64 IS OBSOLETE

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JUN 20
EXHIBIT

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: Q-WEST, IRAQ; 2. DATE (YYYYMMDD): 12 June 03; 3. TIME: 1146; 4. FILE NUMBER; 7. GRADE/STATUS: SPC / AD

8. ORGANIZATION OR ADDRESS: A Company, 1/327th Infantry, Ft Kelly

9. [Handwritten initials]

INTENT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Early that day (June 6) while had patrol in the town it was me [initials] SGT [initials] and 2 other persons when we got done with our patrol on our way back I bought a bottle of soda to drink. When [initials] saw me drinking the soda he got mad and went off on me because we were told not to buy any bottle of soda. We came back to the Company Compound around 1800 that's the time [initials] told my plt SSG that I was drinking soda from the bottle. My plt SSG got mad and decided to talk to the four squad leaders after that my squad leader called me and told me to never EVER drink soda from the bottle and he also told me to

10. EXHIBIT; 11. INITIALS OF PERSON MAKING STATEMENT: [initials]; PAGE 1 OF 4 PAGES

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

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

STATEMENT OF

705 105

TAKEN AT

D-Whit

DATED

12 June 03

9. STATEMENT (Continued)

Never leave the Company Compound without him. So that night of June 6, 03 about 2100 to 2130 I was sitting listening to My CD player. When pfc 705 105 came to me and said that they had some liquid on the roof so I was him who all is on the roof and he told me it was him, 705 105 and 703 603. So I told him I am not going up there cause if at all I do, I will do something bad to 703 603 for snatching on my ~~day~~ day. So pfc 705 105 told me that he will come and get me as soon as 703 603 leaves, when 703 603 left from on top of the roof pfc 705 105 came and got me that's the time I went and put my CD player away and went on the roof when I got up there they had some liquid in the water bottles at that time we started drinking it then me 703 603 and 703 603 when we got done drinking, decided to go to the town

INITIALS OF PERSON MAKING STATEMENT

705 105

PAGE 2 OF 6 PAGES

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JUN 03

EXHIBIT

STATEMENT OF 705 065 TAKEN AT D. W. P. H. DATED 12 June 03

9. STATEMENT (Continued)

When we got ready to take off we met
703 063 he had his M-9 pistol and had
had his M-4 cover he had guard at 0100 or
at 0200 that I am not too sure of. So on our
way, T-shirt decided for us to go to the
police station, so when we got to the police
station they asked us whether we wanted some
tea and we told them that we could so they
brought us some tea after we got done drinking
the tea we sat down for a while and talked
to them and we also watch ~~them~~ with them too
we were almost at the station for 30 to 45
min after that we went to the town while
walking around I decided to climb over this
wall when 703 063 saw me he followed when
I got over the wall and in the first
room he looked around for about 1-2 min and
he left while the rest of us were kicking
around, 703 063 had my self went over the
2nd building wall when we got over the wall in the

INITIALS OF PERSON MAKING STATEMENT 705 065 PAGE 3 OF 6 PAGES

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USAP 7' 00
JUN 03
EXHIBIT 3

STATEMENT OF 705 bbs TAKEN AT D-First DATED 17 June 03

9. STATEMENT (Continued)

From from there the three of us saw some money
 705 bbs took one piece and I took the rest after
 he took the money we left and link up with our
 buddies on the outside, our buddies on the outside
 703 bbs & 703 bbs never knew about the money while
 on our way back, 703 bbs and 703 bbs said that it
 was their time to go over so 705 bbs and myself
 agree at this time the both of them gave us their
 weapon to hold while they climb the wall on
 their way up 703 bbs said that he heard
 somebody moving and talking so they got back
 down and we all decided to go back to the
 company compound when we get back 703 bbs
 went back to bed 703 bbs went back on
 guard while 705 bbs and myself roll duty while
 rolling duty, that's the time we put all the
 money together and shared it equally after that
 we still had many shots all the both of us
 got tired and we went to bed about
 0430 0500 on June 7 03

INITIALS OF PERSON MAKING STATEMENT 705 bbs PAGE 14 OF 6 PAGES

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1411-04 USAPA V: 00 EXHIBIT 3

705 b65

D - 1st DATED

12 June 03

9. STATEMENT (Continued)

Q: Where is the money now?

A: It was given back to the people we took it from. Our chain of command took care of it after the people told the quote guys what happened. The people told CPT 705 b65 and then we told him what happened.

Q: Was it dark when you illegally entered the home of the Targets?

A: yes

Q: Did you intend to take the money while you were in the home?

A: yes.

Q: Did you plan on giving the money back?

A: At the time we did not plan on giving it back.

Q: Did anyone see you while you were in the house?

A: not that I know of.

Q: Did you have any weapons when you entered the homes?

AFFIDAVIT

I, 705 b65, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 5. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT FEAR OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

705 b65

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to

administer oaths, this _____ day of _____

at _____

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

705 b65

PAGE 5 OF 6 PAGES

STATEMENT OF 705 b65 TAKEN AT D-2151 DATED 12 Jun 01

9. STATEMENT (Continued)

A: No, we did not even have weapons with us.

Q: Did anyone point a weapon at any time that night?

A: No.

Q: Did you take anything else?

A: No.

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

A: NO /// END of Statement ///

705 b65 OATH

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 UNLAWFUL INDUCEMENT.

705 b65
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12 day of Jun, 01 at D-2151

701 b61
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA 701 b61
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Ad 130
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT 705 b65 PAGE 6 OF PAGES 6

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USDA 6 V1 00
JUN 01
EXHIBIT

RIGHTS WAIVERING 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 7C5 bbs	2. DATE 12 JUN 05	3. TIME 1130	4. FILE NO.
7. GRADE/STATUS E-3/A1	8. ORGANIZATION OR ADDRESS Aco 4/327 INF Fort Campbell, KY		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army CRIMINAL INVESTIGATION COMMAND and wanted to question me about the following offense(s) of which I am suspected/accused: BURGLARY AND LARCENY

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

- 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.

6. COMMENTS (Continue on reverse side)

Section B. Waiver

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

WITNESSES (If available)		3. S
1a. NAME (Type or Print)		7C5 bbs
b. ORGANIZATION OR ADDRESS AND PHONE		
2a. NAME (Type or Print)		7C1 b61
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR 31 mg Det (CDX/F-11)

Section C. Non-waiver

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

2. SIGNATURE OF INTERVIEWEE

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

DA FORM 3881, NOV 89

EDITION OF NOV 84 IS OBSOLETE

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JUN 05
EXHIBIT 5

DOD-DOACID000039

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: 7C 5 b6 5
2. DATE (YYYYMMDD): 12 JUN 2003
TIME: 1247
4. FILE NUMBER: OOSD-03-CA-389
6. SSN:
7. GRADE/STATUS: E-3/HU

8. ORGANIZATION OR ADDRESS: A Co 1/327 INF

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
ON THE NIGHT OF JUNE 6 2003, I [redacted] CPL [redacted] PFC [redacted] [redacted] TO THE BACK OF THE COMPOUND, I STOPPED AND TALKED TO THEM, THEY SAID THAT THEY WERE GOING OUT TO THE TOWN. I TOLD THEM THAT I WOULD GO TO SO I WENT TO THE BATHROOM AND WENT BACK TO MY SLEEPING AREA. I PUT MY BDU TOP ON AND CHANGED MY MG (GARM) ON E-POU. I WENT TO THE BACK OF THE COMPOUND WHERE THE REAR GUARD POST WAS, THERE I MET UP WITH CPL [redacted] PFC [redacted] ID PFC [redacted] WAS ON GUARD, WE HEARD OUT OF THE COMPOUND I BELIEVE A LITTLE AFTER ONE (ONE) I TOLD THEM WE SHOULD GO TO THE POLICE STATION BECAUSE I HAD BEEN THERE BEFORE ON PATROLS AND WE COULD HAVE CH(TEA). THE FOUR PEOPLE WHO LEFT WERE MYSELF, CPL [redacted] PFC [redacted] & PFC [redacted] ON THE WAY TO THE POLICE STATION I COULD TELL THAT CPL [redacted] HAD BEEN DRINKING BECAUSE HE WASNT ACTING LIKE HIMSELF. WE GOT TO THE POLICE STATION AND SHOOK HANDS WITH THEM. [redacted]

10 EXHIBIT:
11 INITIALS OF PERSON MAKING STATEMENT: [redacted]
PAGE 1 OF 4 PAGES

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

STATEMENT OF JOE HOS TAKEN AT _____ DATED 13 JUN 2003

9. STATEMENT (Continued)

THAT THEY WENT INTO THE HOUSE AND WERE IN THE
 ROOM JUST OPPOSITE APARTMENT (A) ^{706B} ~~5~~ AND DEC ^{706B} ~~5~~ STREET AREA
 OF US ABOUT 30 METERS & THEN JUMPED UP ON THE WALL. THEY TOLD
 US THEY WOULD BE RIGHT BACK, SO MYSELF AND ~~DE~~ ^{DU} ~~706B~~ ⁵ STAYED OUT-
 SIDE AND MAINTAINED SECURITY. DURING THE TEN MINS THEY WERE IN THERE I DIDN'T
~~HEAR~~ ^{HEAR} THEM BUT SAW THEM ENTER WHEN ONE OF THEM WENT UP THE SIDE
 STEPS OF THE HOUSE & LOOKED AT THE ROOF, I COULDN'T TELL WHO IT WAS
 BECAUSE OF HOW DARK IT WAS, WHEN THEY CAME BACK OVER THEY REALLY
 DIDN'T SAY MUCH, SAID THEY WERE IN THE COURTYARD & LOOKED AROUND AFTER
 ABOUT 5 MINS WE STOPPED AGAIN AND THEY SAID THEY WERE GOING TO DO IT
 AGAIN. THEY DIDN'T SAY ANYTHING ABOUT TO COME WITH THEM OR STAY SO I
 JUST SAT DOWN BY THE WALL, THEY WERE OVER THERE MAYBE FOR 5-10 MINS
 I DIDN'T SEE THEM AT ALL BUT I HEARD A VOICE OF SOMEONE AND THAT'S WHEN
 THEY HOPED OVER AND TOOK OFF FAST, I ASKED WHY WE TOOK OFF SO
 FAST AND THEY SAID COME ON, SOMEONE ISN'T ACT SURE SAID MYSELF ^{706B} ~~5~~
 SHOULD GO OVER ONE, I KNEW THAT I DIDN'T WANT TO GO OVER BECAUSE
 I ~~WOULD~~ ^{WOULD} ~~BE~~ ^{BE} SCARED I DIDN'T WANT TO GO INTO SOMEONES HOME
 AND I WAS REAL FREAK OUT I WENT DOWN THE SIDE OF THE HOUSE
 AND ~~WENT~~ ^{WENT} ~~TO~~ ^{TO} ~~SEE~~ ^{SEE} ~~THE~~ ^{THE} ~~GUYS~~ ^{GUYS} ~~AND~~ ^{AND} ~~HELP~~ ^{HELP} ~~THEM~~ ^{THEM} ~~MAKE~~ ^{MAKE} ~~THE~~ ^{THE} ~~PLACE~~ ^{PLACE}

INITIALS OF PERSON MAKING S 706B PAGE 2 OF 4 PAGES

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USAPA 11 00
 JUN 2003
 EXHIBIT

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

ME. I WAS TRYING TO THINK OF A WAY TO SAY NO I COULD
 THINK OF ONE SO I STARTED TO LIFT MYSELF UP AND HAD MY
 CHEST ON THE TOP OF THE WALL AND I SAW A DOG OR A CAT, SO
 I DROPPED OFF THE WALL AND TOLD THEM THERE PEOPLE MOVING AROUND
 AND I COULD HEAR THEM TALKING. THIS IS WHILE WE ARE RUNNING/
 JOGGING AWAY, WE WERE ONLY ABOUT 100 METERS FROM THE COMPOUND
 SO WHEN THEY SLEWED DOWN AND STARTED WALKING I JUST JOGGED BACK
 TO THE COMPOUND AND WENT TO THE PER TUBE, THEN STRAIGHT BACK TO
 MY SLEEPING QUARTERS PUT MY WEAPON & KEULAR AWAY AND ~~WENT~~ ⁷⁰⁴⁵ DOWN ⁷⁰⁴⁵ ~~7045~~ ⁷⁰⁴⁵

Q: WHAT TIME WAS IT WHEN YOU LEFT THE COMPOUND?

A: A LITTLE AFTER ⁷⁰⁴⁵ 5 ⁷⁰⁴⁵

Q: WHAT WERE YOU WEARING WHEN YOU LEFT THE COMPOUND?

A: DCU TOP & BOTTOM, KEULAR, AND MY WEAPON

Q: WHO ELSE HAD A WEAPON?

A: PUT ⁷⁰⁴⁵ (MY), CPL ⁷⁰⁴⁵ ~~7045~~ HAD NO WEAPON, NOT SURE ON PFC ⁷⁰⁴⁵ ~~7045~~

Q: DID ANYONE DISCUSS GOING INTO ANY OF THESE HOMES?

A: NO

Q: DID YOU TELL 7045 ~~7045~~ OR 7045 ~~7045~~ NOT TO GO INTO THOSE HOMES?

A: NO

Q: DOES 7045 ~~7045~~ OR 7045 ~~7045~~ TELL YOU THAT THEY TOOK ANYTHING

PERSON MAKING STATEMENT ⁷⁰⁴⁵ ~~7045~~ PAGE 3 OF 4 PAGES

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JUN 93
EXHIBIT

9. STATEMENT (Continued)

FROM THOSE HOMES?

A: NO

Q DID YOU KNOW IT WAS WRONG TO ALLOW 705 b65 AND 705 b65 TO ENTER THOSE HOMES?

A: YES

Q DO YOU KNOW IT WAS WRONG TO TELL SECURITY WHILE 705 b65 AND 705 b65 WENT INTO THOSE HOMES?

A: YES.

Q DO YOU WISH TO ADD ANYTHING TO THIS STATEMENT?

A I KNOW IT WAS WRONG AND I FAILED MY FELLOW SOLDIERS BY LETTING THEM GO OVER THOSE WALLS. I'M SORRY FOR WHAT I DID. I DISGRACED MY BATTALION & THE WHOLE ARMY. // END STATEMENT / 705 b65

AFFIDAVIT

I, 705 b65, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, WITHOUT COERCION, UNLAWFUL INFLUENCE OR UNLAWFUL INDUCEMENT.

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12 day of JUNE, 2003 at _____

701 b61

(Signature of Person Administering Oath)

Typed Name of Person Administering Oath:

AFI 156 UCM 5

(Authority To Administer Oaths)

INITIALS 705 b65 STATEMENT

PAGE 4 OF 4 PAGES

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JUN 11 EXHIBIT

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.

Form with fields: 1. LOCATION (IRAQ), 2. DATE (12 JUN 03), 3. TIME (1718), 4. FILE NO, 7. GRADE/STATUS (PV T/E-1), 8. ORGANIZATION OR ADDRESS (A CO, 1/527 INF REGT, FORT CAMPBELL, KY 42223 (FWD))

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army CRIMINAL INVESTIGATION COMMAND AS A SPECIAL AGENT and wanted to question me about the following offense(s) of which I am suspected/accused: BURGLARY, LARCENY, DERELICTION OF DUTY II

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.
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) without having a lawyer present with me

WITNESSES (If available)

1a. NAME (Type or Print) SA [Signature]

b. ORGANIZATION OR ADDRESS AND PHONE 31ST MP DET (CID)(FWD) FORT CAMPBELL, KY 42223

2a. NAME (Type or Print) [Signature]

b. ORGANIZATION OR ADDRESS AND PHONE 31ST MP DET (CID)(FWD) FORT CAMPBELL, KY 42223

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

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSW).
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 IRAQ
2. DATE (YYYYMMDD) 20030612
3. TIME 1317
4. FILE NUMBER
5. L. 705 665 705 665
7. GRADE/STATUS PVT/E-1
8. ORGANIZATION OR ADDRESS A CO 1/327th INF REGT

705 665

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH.

705 665

EARLIER THAT DAY WHILE ON GUARD I WAS APPROACHED BY A CIVILIAN MAN WHO SAID ME SOME WHISKEY I TOLD 705 665 AND 705 665 I HAD A BOTTLE AND THAT NIGHT WE DRANK IT ON THE ROOF WHEN I HAD GUARD AGAIN WE THEN CAME UP WITH A STUPID IDEA TO GO WALK AROUND THE TOWN WE RAN INTO 705 665 AND TOLD HIM AND HE SAID HE'LL COME TO WHEN I WENT TO GUARD LATER WE TOLD THE OTHER GUY ON GUARD WITH ME WE WERE GOING TO WALK AROUND THE TOWN WE WENT TO THE POLICE STATION DRANK TEA AND LEFT I DONT WFKS IDEA IT WAS BUT 705 665 AND 705 665 JUMPED OVER A WALL WHILE ME AND 705 665 FULL ED SECURITY IN THE THIRD HOUSE ME AND 705 665 LOOKED OVER THE WALL AND HEARD SOMETHING SO WE ALL WENT BACK TO THE compound

10. EXHIBIT
SIGNATURE OF PERSON MAKING STATEMENT
PAGE 1 OF 6 PAGES

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

STATEMENT OF TC5 b65 TAKEN AT IRAQ DATED 20030612

TC5 b65 STATEMENT (Continued)

Q. Who purchased the alcohol that was drunk?

A. I DID

Q. Where did you buy this alcohol?

A. AT THE BAKERY

Q. Who did you buy the alcohol from?

A. I DON'T KNOW HIS NAME A CIVILIAN FROM THE TOWN

Q. How much did it cost?

A. \$20.00 FOR A 1/5

Q. How did it make you feel after drinking it?

A. HAPPY AND BUZZED

Q. What was the date that this occurred?

A. I'M NOT SURE BUT I THINK THE 7TH OF JUNE

Q. What time did you start drinking?

A. ABOUT 2330

Q. What time was your scheduled guard shift?

A. 0100 - 0300

Q. What time did you and the other soldiers leave the compound?

A. ABOUT 10 MINUTES AFTER 0100

Q. Did you leave your guard position without ^{being} properly relieved?

A. YES BUT THE OTHER GUARD WERE STILL THERE TC5 b65

INITIALS OF PERSON MAKING STATEMENT TC5 b65

PAGE 2 OF 6 PAGES

JUN 12 2003

FOR OFFICIAL USE ONLY

EXHIBIT _____

STATEMENT OF 7CS bbs TAKEN AT IRAQ DATED 20030612

STATEMENT (Continued)

CS
bbs

Q. Where did you go first after leaving the compound?

A. THE POLICE STATION

Q. What were you wearing when you left the compound?

A. DCU'S AND MY M-4

Q. Who all had weapons?

A. MYSELF (M-4) AND 7CS bbs (M-9)

Q. What did you all do at the police station?

A. DRANK TEA AND TALKED

Q. Where did you go after the police station?

A. WALKED AROUND THE TOWN

Q. What did you and the others do while you walked around the town?

A. 7CS bbs AND 7CS bbs JUMPED A WALL WHILE ME AND 7CS bbs PULLED SECURITY 2 HOUSES AND THE LAST ONE ME AND 7CS bbs CROOKED OVER A WALL AND HEARD A NOISE SO WE LEFT

Q. What did 7CS bbs and 7CS bbs do while they were in the homes?

A. I DON'T KNOW I WAS OUT ON THE STREET PULLING SECURITY

Q. Was anything taken from the homes?

A. I LATER FOUND OUT THEY TOOK SOME MONEY FROM A HOUSE 7CS bbs

INITIALS OF PERSON MAKING STATEMENT 7CS bbs PAGE 3 OF 6 PAGES

FOR OFFICIAL USE ONLY

JUN 15
EXHIBIT

STATEMENT OF 705 b05 TAKEN AT IRAQ DATED 20030612

STATEMENT (Continued)

Q. Did you ever see the money that 705 b05 and 705 b05 took?

A. NO

Q. Describe the houses you went to.

A. I DON'T REMEMBER BUT FROM POEM'S PATROLS THEY ALL WERE

A LIKE ONE STORE STAIRS GOING TO THE ROOF AND AN ADOBE

WALL AROUND IT

Q. How would a person enter the wall?

A. EITHER THROUGH A GATE OR JUMP IT THEY'RE ONLY ABOUT

6 FT TALL

Q. Did the walls that were jumped have gates?

A. YES

Q. Where the gates locked?

A. I DON'T KNOW WE DIDN'T TRY

Q. Where there any lights on any in any of the homes?

A. NO NOT THAT I REMEMBER

Q. Did you ever see any of the occupants of these homes?

A. NO I DIDN'T

Q. Did you ever talk to any of the occupants?

A. NO I DIDN'T

Q. What time of day was it when you went to these houses? 705 b05

INITIALS OF PERSON MAKING STATEMENT 705 b05

PAGE 4 OF 6 PAGES

JUN 12 2003

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EXHIBIT

STATEMENT OF TC5 hws TAKEN AT IRAQ DATED 20030612

STATEMENT (Continued)

A. NIGHT TIME

Q. Did anyone enter the homes with weapons?

A. NO

Q. Did you ever enter another person's home on 7 Jun 03?

A. NO

Q. Have you ever done something like this before while in Iraq?

A. NO

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

A. NOTHING !!! END OF STATEMENT !!! TC5 hws

INITIALS OF PERSON MAKING STATEMENT

TC5 hws

PAGE 5 OF 6 PAGES

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JUN 12 2003
EXHIBIT

9 STATEMENT (Continued)

Lined area for the statement content, mostly blank with a diagonal line across it.

NOT USED 7C5 b65

AFFIDAVIT

I, 7C5 b65, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, OR UNLAWFUL INDUCEMENT.

7C5 b65

1 

(Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12TH day of JUNE, 2003 at IRAQ

7C1 b61

(Signature of Person Administering Oath)

SA 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:

7C5 b65

PAGE 4 OF 6 PAGES

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JUN 13

EXHIBIT

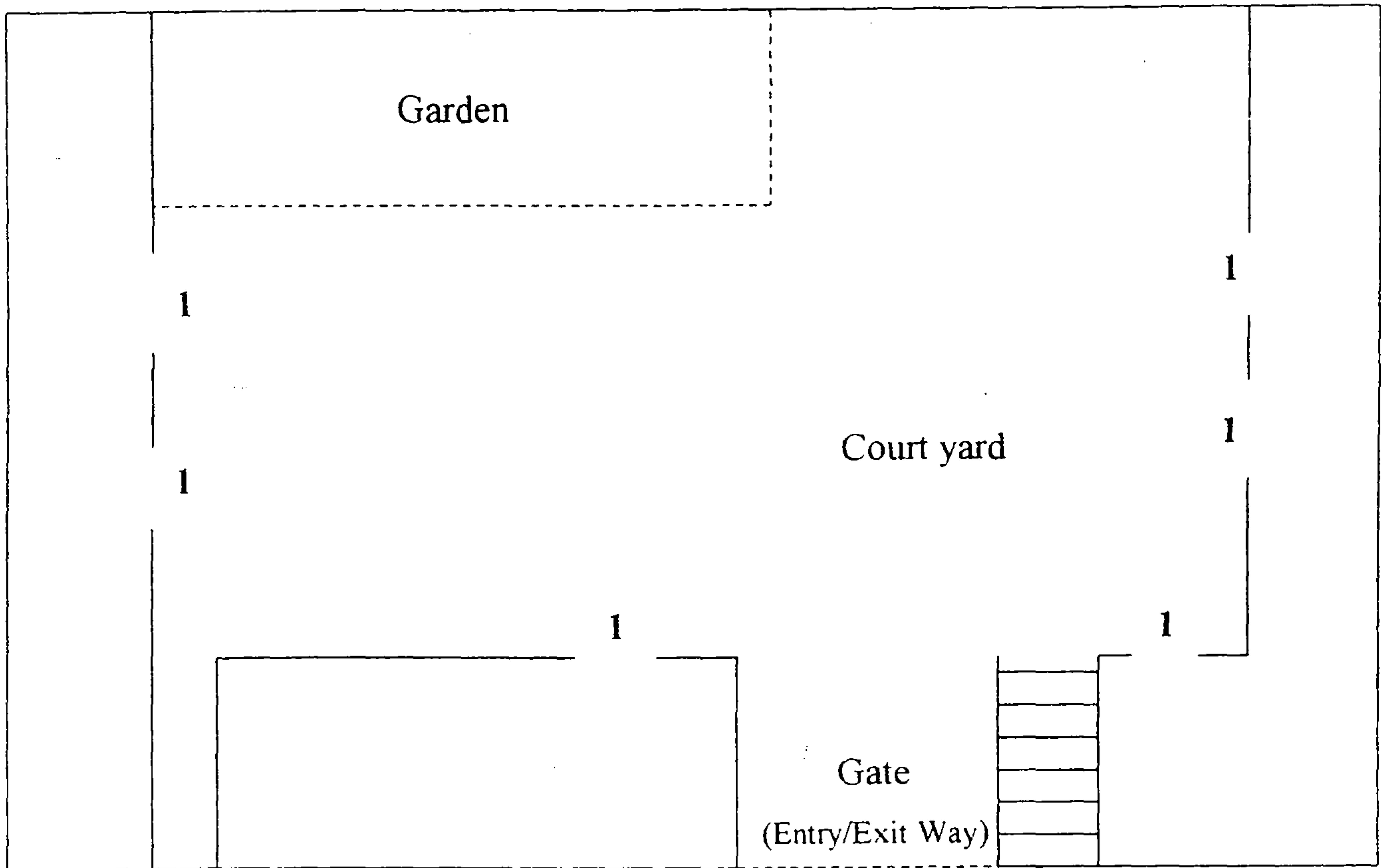
0050-03-C10389-61657

Verbatim

0050-03-C10389-61657
6

ER 6 JUN 2003

Crime Scene Sketch



Legend

1: Entry/Exit Way to various rooms



N

Not to Scale

Title Block

Case #: 0050-03-CID389-61657

Offense: Burglary/Larceny

Scene Portrayed: House in the vicinity of

Grid Coordinate 38S LE 64990 90436

Location: Gwaire, Iraq

Victim: *704 664*

Time/Date Began: 1150/18 Jun 03

Sketched By SA

Verified By SA

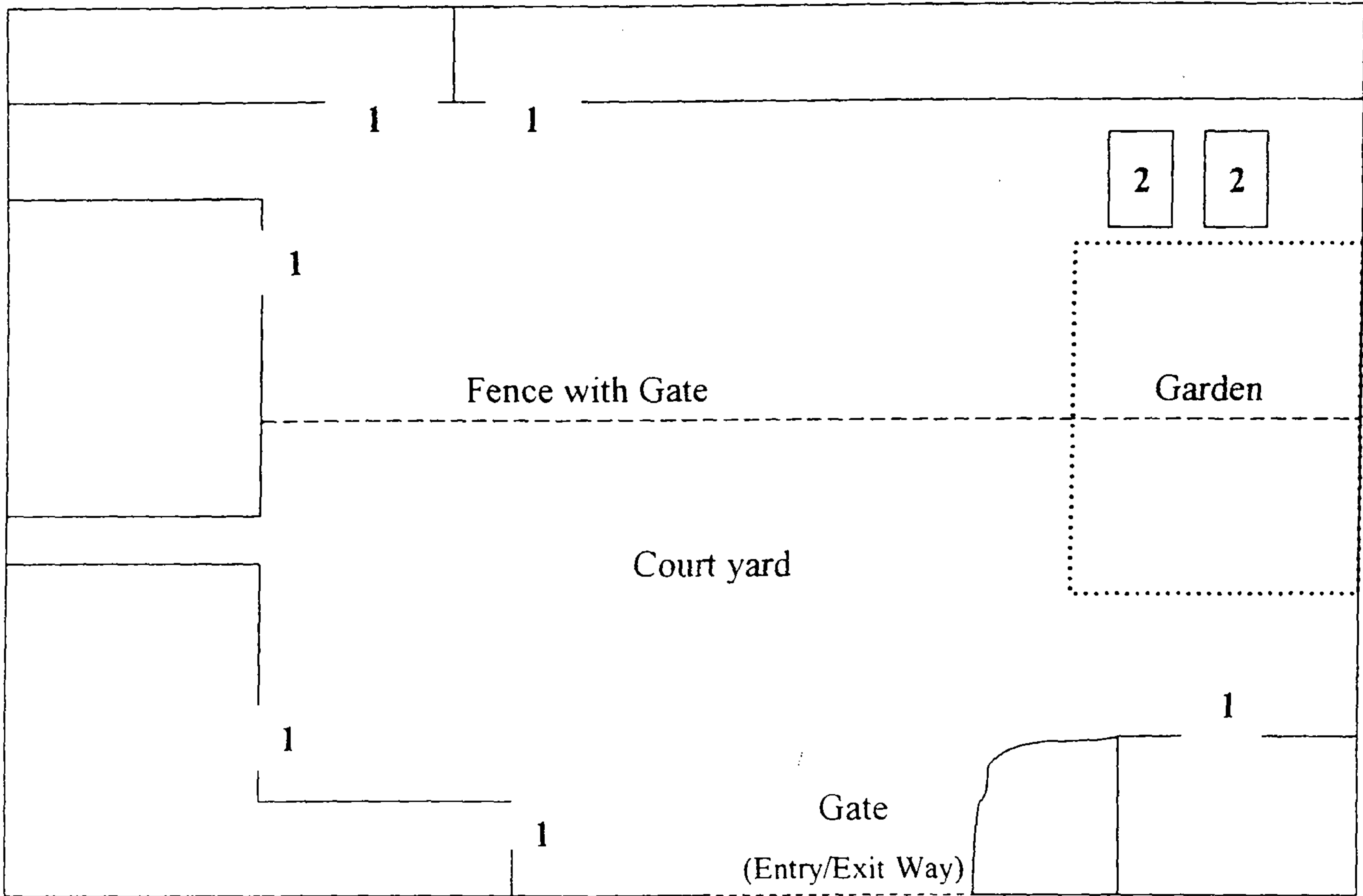
701 661

FOR OFFICIAL USE ONLY

EXHIBIT _____

JUN 18 2003

Crime Scene Sketch



Legend

- 1: Entry/Exit Way to various rooms
- 2: Bed



N

Not to Scale

Title Block

Case #: 0050-03-CID389-61657

Offense: Burglary/Larceny

Scene Portrayed: House in the vicinity of

Grid Coordinate 38S LE 64963 90530

Location: Gwaire, Iraq

Victim: Mr *TC4 1064*

Time/Date Began: 1200/18 Jun 03

Sketched By: SA *TC1 1061*

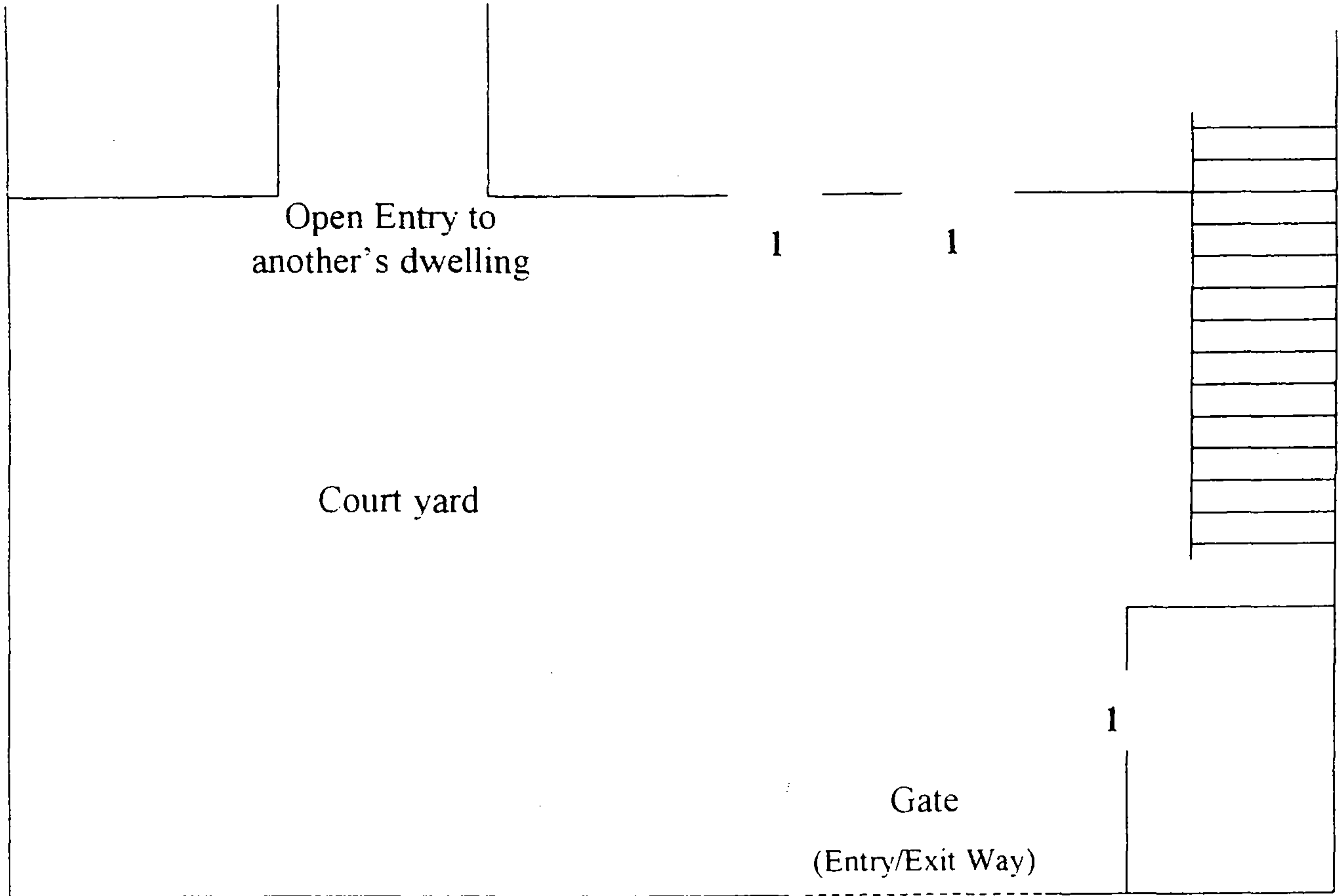
Verified By: SA

FOR OFFICIAL USE ONLY

EXHIBIT

JUN 18 2003

Crime Scene Sketch



Legend

1- Entry/Exit Way to various rooms



N

Not to Scale

Title Block

Case #: 0050-03-CID389-61657

Offense: Burglary/Larceny

Scene Portrayed: House in the vicinity of

Grid Coordinate 38S LE 64697 90422

Location: Gwair, Iraq

Victim: 7C4 b64

Time/Date Began: 1230/18 Jun 03

Sketched By: SA

7C1 b61

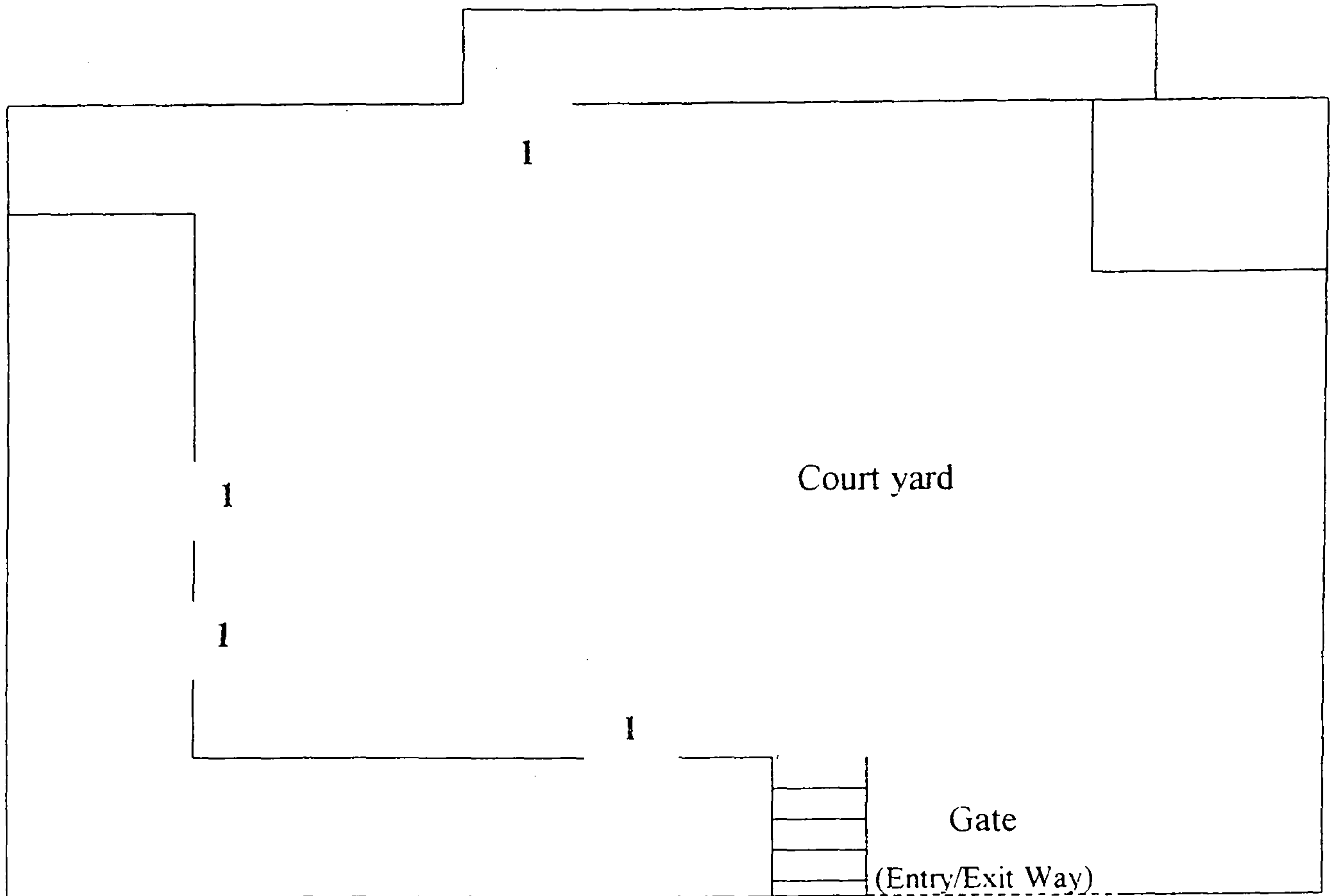
Verified By: SA

FOR OFFICIAL USE ONLY

EXHIBIT

JUN 18 2003

Crime Scene Sketch



Legend

I: Entry/Exit Way to various rooms



N

Not to Scale

Title Block

Case #: 0050-03-CID389-61657

Offense: Burglary/Larceny

Scene Portrayed: House in the vicinity of

Grid Coordinate 38S LE 64578 90504

Location: Gwaire, Iraq

Victim: 704 1064

Time/Date Began: 1240/18 Jun 03

Sketched By: SA 701 1061

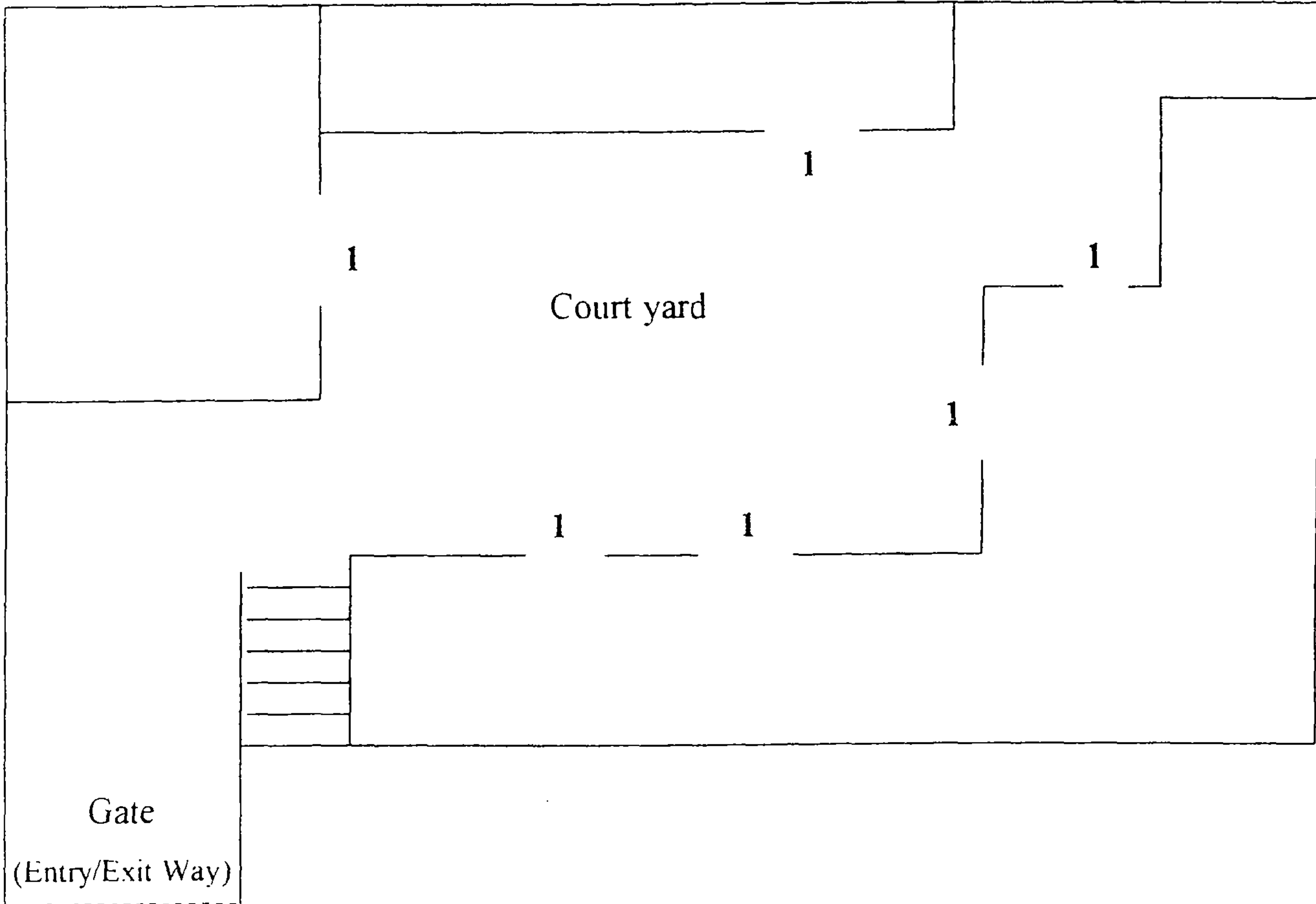
Verified By: SA 701 1061

FOR OFFICIAL USE ONLY

EXHIBIT

June 03

Crime Scene Sketch



Legend

1: Entry/Exit Way to various rooms



N

Not to Scale

Title Block

Case #: 0050-03-CID389-61657

Offense: Burglary/Larceny

Scene Portrayed: House in the vicinity of

Grid Coordinate 38S LE 64596 90446

Location: Gwaire, Iraq

Victim: 704 b64

Time/Date Began: 1245/18 Jun 03

Sketched By SA 701 b61

Verified By SA 701 b61

FOR OFFICIAL USE ONLY

EXHIBIT _____

JUN 18 2003

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: IRAQ
2. DATE: 20 JUN 03
3. TIME: 1016
4. FILE NO:
5. NAI: 7C5 065
6. GRADE/STATUS: E-4/AD
8. ORGANIZATION OR ADDRESS: A COMPANY, 1/327TH INFANTRY REGIMENT (FWD) FORT CAMPBELL, KY 42223

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army CRIMINAL INVESTIGATION COMMAND AS A SPECIAL AGENT and wanted to question me about the following offense(s) of which I am suspected/accused: Burglary, Larceny, Assault, False Official Statements

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.
(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.
4 If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

Section B. Waiver

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

WITNESSES (If any)
1a. NAME: SA 7C4 0601
b. ORGANIZATION OR ADDRESS AND PHONE: 31ST MP DET (CID) (FWD) FORT CAMPBELL, KY 42223
2a. NAME (Type or Print): 7C-1 06-1
b. ORGANIZATION OR ADDRESS AND PHONE: 31ST MP DET (CID) (FWD) FORT CAMPBELL, KY 42223

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

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

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

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.

Form with fields: LOCATION (TRAD), DATE (20 JUN 83), TIME (1044), FILE NO, ORGANIZATION OR ADDRESS (A COMPANY, 1/327TH INFANTRY REGIMENT (FWD), FORT CAMPBELL, KY 42223), GRADE-STATUS (E-3/AD)

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army CRIMINAL INVESTIGATION COMMAND AS A SPECIAL AGENT and wanted to question me about the following offense(s) BURGLARY, LARCENY, AGGRAVATED ASSAULT, FALSE OFFICIAL STATEMENTS

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

5. COMMENTS (Continue on reverse side)

Section B. Waiver

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

Form with fields: WITNESSES (1a. NAME SA, 1b. ORGANIZATION OR ADDRESS AND PHONE 31ST MP DET (CID)(FWD), FORT CAMPBELL, KY 42223, 2a. NAME, 6. ORGANIZATION OF INVESTIGATION 31ST MP DET (CID)(FWD), FORT CAMPBELL, KY 42223)

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

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 IRAQ
2. DATE (YYYYMM) 7E 20030620 125
3. TIME 2E 1216 125
4. FILE NUMBER
7. GRADE/STATUS E-3/AD

8. ORGANIZATION OR ADDRESS A COMPANY, 1/327TH INFANTRY REGIMENT, FORT CAMPBELL, KY 42223 (FWD)

9. WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH.

Q: SA 7C1 1001

A: PFC 7C5 1065

Q: ON 7 JUNE 03, WHO HAD WEAPONS WHEN YOU LEFT THE COMPANY COMPOUND.

A: MYSELF (GMM/MG) 7C5 1065 (M4), 7C5 1065 (M4).

Q: WHAT HAPPENED AT THE FIRST IRAQI NATIONAL'S HOUSE?

A: PFC 7C5 1065 WENT OVER THE WALL, TAKING MYSELF, 7C5 1065 STAYED ON THE STREET SIDE. WHILE THEY WERE OVER THERE I SAW THEM WALK THE STAIRS TO THE ROOF AND LOOK ON THE ROOF, AFTER BEING OVER THERE FOR 5-10 MINS THE TWO CAME BACK OVER THE WALL.

Q: DID 7C5 1065 AND 7C5 1065 HAVE WEAPONS WHEN THEY WENT OVER THE WALL INTO THE IRAQI HOUSE?

A: YES 7C5 1065 (M4), 7C5 1065 (M4)

10. EXHIBIT 7C5 1065 STATEMENT PAGE 1 OF 7 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF" TAKEN AT DATED
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF 705 D65 TAKEN AT IRAQ DATED 20030620

9. STATEMENT (Continued)

Q: WHERE DID THEY CLIMB OVER THE WALL AT THE FIRST HOUSE?

A: THEY CLIMBED UP THE WALL ⁷⁰⁰⁶ ON THE SIDE WHERE THERE IS NO DOOR OR GATE

Q: WAS THIS HOUSE NEAR THE POLICE STATION?

A: YES

Q: WHAT DID YOU HEAR FROM INSIDE THE HOUSE AFTER 705 D65 AND 705 D65 WERE INSIDE?

A: ALL I SAW WAS THEM RO ON THE ROOF.

Q: WHERE WAS 705 D65

A: ^{OUTSIDE} ~~INSIDE~~ THE OTHERSIDE OF THE WALL, OUTSIDE THE IRAC HOUSE.

Q: DID 705 D65 HAVE HIS M-4?

A: WHEN I LAST SAW HIM HE HAD HIS WEAPON

Q: WHERE DID YOU ^{GO} GO NEXT?

A: HEADED BACK IN THE DIRECTION OF THE COMPOUND

Q: DID 705 D65 AND 705 D65 ENTER A SECOND HOUSE ON THE WAY BACK TO THE COMPOUND?

A: YES

Q: DESCRIBE WHAT HAPPENED AT THE SECOND HOUSE?

INITIALS OF PERSON MAKING STATEMENT

70 D65

PAGE 2 OF 7 PAGES

FOR OFFICIAL USE ONLY

JUL 03

EXHIBIT

STATEMENT OF TC 5 b6S TAKEN AT IRAQ DATED 2003/06/20

9. STATEMENT (Continued)

A: TC 5 b6S WENT OVER THE WALL THERE WAS A GATE IN THE MIDDLE. INSIDE OF THE HOUSE I WAS ABOUT 15-20 METERS FROM THE WALL AND THE GATE. TC 5 b6S WAS ON THE OUTSIDE OF THE TREE HOUSE RIGHT NEXT TO THE GATE.

Q: DID TC 5 b6S AND TC 5, b6S HAVE WEAPONS WHEN THEY WENT INSIDE THE IRAQI HOUSE?

A: I HAD MY GMM A FROM WHERE I WAS TC 5 b6S HAD HIS WEAPON IN HIS HANDS, I COULDN'T SEE IF TC 5 b6S PASSED HIS WEAPON OFF.

Q: WHAT DID YOU HEAR FROM INSIDE THE IRAQI HOUSE?

A: AT FIRST ONE WENT AND LOOKED ON THE ROOF, AFTER THAT I HEARD A MAN SPEAKING (ARABIC/CURDISH). I COULD HEAR AN AMERICAN TALKING SAYING SHUT-UP, I'M NOT GOING TO HURT YOU.

Q: WHAT HAPPENED AFTER YOU HEARD THOSE VOICES IN THE IRAQI HOUSE?

A: ABOUT 3/4 MINS AFTER THE MAIN GATE TO THE HOUSES WAS OPEN AND TC 5 b6S, TC 5 b6S CAME OUT IN A HURRY.

Q: WHAT HAPPENED NEXT?

A: WE WERE CLOSE TO THE IMPROVED AND THEY SAID THAT

INITIALS OF PERSON MAKING STATEMENT TC 5 b6S PAGE 3 OF 7 PAGES

FOR OFFICIAL USE ONLY

JUN 03
EXHIBIT

STATEMENT OF

705 065

EN AT IRAQ

DATED 20030620

9. STATEMENT (Continued)

MYSELF & 705 065 SHOULD GO IN A HOUSE. I HAD NO
 DESIRE TO GO IN A HOUSE, THEY HAD SCOPED AND
 TOLD US GO OVER THIS ONE. I HAD HANDED
 705 065 MY PISTOL WHILE I LIFTED MYSELF UP TO
 CHASE LEVEL WITH THE WALL, WAS UP ON THE
 WALL FOR 10 SECONDS DROPPED DOWN AND TOLD THEM
 THERE WERE PEOPLE INSIDE MOVING AROUND, WHICH
 IN ROUTE BACK TO THE COMPOUND, I WAS THE
 FIRST ONE BACK TO THE GUARD POST WHERE YOU GO
 OUT.

Q: AFTER RETURNING TO THE COMPANY COMPOUND
 DID YOU LEAVE AGAIN?

A: NO.

Q: DO YOU KNOW IF ^{IF} ~~IF~~ 705 065 AND
 WENT BACK OUT OF THE COMPOUND?

A: I DON'T KNOW.

Q: TELL ME WHAT HAPPENED AT THE POLICE
 STATION?

A: WHEN WE GOT THERE I WENT INSIDE AND UP TO
 THE ROOF, I WAS WALKING INTO THE COMPOUND AND

INITIALS OF PERSON MAKING STATEMENT

705 065

PAGE 4 OF 7 PAGES

STATEMENT OF

105 105

TAKEN AT

IRAQ

DATED

20030620

9. STATEMENT (Continued)

COULD SEE HIM ON THE ROOF. DURING THE TIME OF
HAVING CH(IRA) AND WATCHING TV, MYSELF AND ONE
OF THE POLICE OFFICER WERE TRYING TO HAVE A CONVERSATION
AS BEST AS POSSIBLE. I HANDED HIM MY NINE (9MM) WITH
THE MAGAZINE IN IT AND HE GAVE ME AN AK-47 AND
I WAS TALKING TO HIM. DURING THIS TIME I CAN'T
ACCOUNT FOR THE OTHER 3 EXCEPT THAT THEY WERE BACK
AND FORGOT IN A CORNER OF THE BUILDING.

Q: DESCRIBE THE PATH YOU TOOK ONCE YOU LEFT
THE COMPANY COMPOUND, WHERE YOU STOPPED,
AND WHAT TIME YOU GOT BACK?

A: LEFT THE BACK OF THE COMPOUND A LITTLE AFTER 0100
HEADED DOWN THE ROAD WENT TO THE POLICE STATION,
THREE BLOCKS DOWN. WENT TO THE FIRST HOUSE
WHICH WAS BELOW THE POLICE STATION HEADED BACK TOWARDS
THE COMPOUND THREW THE 10.90S AND WENT TO THE
SECOND ONE. THE THIRD HOUSE WAS RIGHT BY THE
COMPOUND. WHEN I WENT BACK OVER THE COMPOUND
WALL IT WAS ABOUT 0315.

Q: WHAT DID YOU LIE ABOUT IN YOUR ^{FIRST} STATEMENT

INITIALS OF PERSON MAKING STATEMENT

10005

PAGE 5 OF 7 PAGES

STATEMENT OF 765 1065 TAKEN AT IRAQ DATED 20030620

9. STATEMENT (Continued)

TO SA 701 1061

A: ABOUT THE WEAPON THAT 705 1065 WAS CARRYING.

Q: WHY DID YOU LIE ABOUT THE WEAPON 705 1065 CARRIED?

A: BECAUSE I WAS REALLY ^{NOT, IN} ~~NOT~~ THINGS AND WHEN I GOT DOWN TO IT I THOUGHT ABOUT IT I KNOW HE DID I JUST DON'T KNOW HOW HE USED IT.

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

A: NO!!!

INITIALS OF PERSON MAKING STATEMENT

705 1065

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JUL 02 EXHIBIT 7

STATEMENT OF

7C5 b65

IN AT

TRAG

DATED

20030620

9. STATEMENT (Continued)

~~7C5 b65~~

~~AVOT~~

~~USGPO~~

~~7C5 b65~~

AFFIDAVIT

7C5 b65
WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE

7C5 b65
I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT
I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE

BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CONNECTIONS AND HAVE INITIALED
STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to
administer oaths, this 20TH day of JUNE, 2003
at TRAG

ORGANIZATION OR ADDRESS

7C1 b61

ORGANIZATION OR ADDRESS

ARTICLE 156, UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

7C5 b65

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JUN 03
EXHIBIT

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.

Form with fields: LOCATION (IRAQ), DATE (20 JUN 05), TIME (12 25), FILE NO, ORGANIZATION OR ADDRESS (A COMPANY, 1/327TH INFANTRY REGIMENT (FWD) FORT CAMPBELL, KY 42223), GRADE/STATUS (E-3/AD)

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

Investigator whose name appears below told me that he/she is with the United States Army CRIMINAL INVESTIGATION COMMAND AS A SPECIAL AGENT and wanted to question me about the following offense(s) of which I am suspected/accused BURGLARY, LARCENY, AGGRAVATED ASSAULT, FALSE OFFICIAL STATEMENTS ///
he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights
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
I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me.
(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one a lawyer will be appointed for me before any questioning begins.
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 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

Form with fields: WITNESSES (NAME, ORGANIZATION OR ADDRESS AND PHONE), SIGNATURE OF INTERVIEWEE (705 b05), ORGANIZATION OF INVESTIGATOR (31ST MP DET (CID)(FWD) FORT CAMPBELL, KY 42223)

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

101st ABN DIV (AASLT) DREAR 02 OIF 2003
CIB 1:5 K (1 meter) - Equal Arr



JUN 22 03

Apr 14 2001

101st ABN DIV (AASLT) DREAR 02 OIF 2003

Printed Jun 22 2003 12:33

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DEPARTMENT OF THE ARMY
 31ST MILITARY POLICE DETACHMENT (CID) (FWD)
 3D MILITARY POLICE GROUP (CID) (FWD)
 UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND
 APO AE 09325-6169

REPLY TO
 ATTENTION OF

CIRC-CFC (195-2)

15 JUNE 2003

MEMORANDUM FOR

DIRECTOR, U.S. ARMY CRIME RECORDS CENTER, FORT BELVOIR, VA 22060
 OPERATIONS OFFICER, 10TH MILITARY POLICE BATTALION (CID)(FWD)
 OPERATIONS OFFICER, 3D MILITARY POLICE GROUP (CID)(FWD)
 CHIEF OF STAFF, 101ST AIRBORNE DIVISION (FWD)
 COMMANDER, 1/327TH INFANTRY REGIMENT (FWD)
 PROVOST MARSHAL, 101ST AIRBORNE DIVISION (FWD)
 STAFF JUDGE ADVOCATE, 101ST AIRBORNE DIVISION (FWD)

SUBJECT: CID REPORT OF INVESTIGATION-INITIAL-0050-03-CID389-61657-
 5Y2K1/7G2A1/7C1B/5Y2B

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 7 JUN 2003/0100 – 7 JUN 2003/0300; VICINITY OF GRID COORDINATE 38S LE
 712 602, ADJACENT THE PATROL COMPOUND OF A COMPANY, 1/327TH IFANTRY
 REGIMENT, MAKHMAR, IRAQ

2. DATE/TIME REPORTED: 10 JUN 2003, 1700

3. INVESTIGATED BY: SA

7C1 b6 b2

4. SUBJECT: 1. *7C6 066* ; SPC; *7C5 b65*
7C5 b65 I; BLACK; A COMPANY, 1/327TH INFANTRY REGIMENT,
 (MAKHMAR, IRAQ) FORT CAMPBELL, KY 42223; FC; [BURGLARY] [LARCENY OF
 PRIVATE FUNDS] [FAILURE TO OBEY A GENERAL ORDER]

2. *7C5 b65* PFC; *7C5 b65*
7C5 b65 M: WHITE: A COMPANY, 1/327TH INFANTRY REGIMENT,
 (MAKHMAR, IRAQ) FORT CAMPBELL, KY 42223; FC; [BURGLARY] [LARCENY OF
 PRIVATE FUNDS] [FAILURE TO OBEY A GENERAL ORDER]

3. *7C5 b65* *7C5 b65*
7C5 b65 M: WHITE; A COMPANY, 1/327TH INFANTRY REGIMENT. (MAKHMAR,

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JUN 03

CIRC-CFC

SUBJECT: CID REPORT OF INVESTIGATION-INITIAL-0050-03-CID389-61657-5Y2K1/7G2A1/7C1B/5Y2B

IRAQ) FORT CAMPBELL, KY 42223; FC; [BURGLARY] [LARCENY OF PRIVATE FUNDS]

4. *7C5 1065* *7C5-1065*
7C5 1065 M; WHITE; A COMPANY, 1/327TH INFANTRY REGIMENT, (MAKHMAR, IRAQ) FORT CAMPBELL, KY 42223; FC; [MISBEHAVOIR OF A SENTINEL] [BURGLARY] [LARCENY OF PRIVATE FUNDS] [FAILURE TO OBEY A GENERAL ORDER]

5. VICTIM: 1. *7C4 1064* ; M; OTHER; *7C4 1064* : ZZ; [NFI] [BURGLARY]

2. *7C4 1064* ; OTHER; *7C4 1064* ZZ; [NFI][BURGLARY]

3. *7C4 1064* OTHER; *7C4 1064* ZZ; [NFI] [BURGLARY] [LARCENY OF PRIVATE FUNDS]

4. U.S. GOVERNMENT (A COMPANY, 1/327TH INFANTRY REGIMENT, (MAKHMAR, IRAQ) FORT CAMPBELL, KY 4222); [MISBEHAVOIR OF A SENTINEL] [FAILURE TO OBEY A GENERAL ORDER]

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

"THIS IS AN OPERATION IRAQI FREEDOM INVESTIGATION"

THIS INVESTIGATION WAS INITIATED WHEN MAJ *7C3 1063* , OFFICE OF STAFF JUDGE ADVOCATE, 101ST AIRBORNE DIVISION, QAYYARAH, IRAQ, REPORTED THAT SPC *7C5 1065* , PFC *7C5 1065* , PFC *7C5 1065* , AND PVT *7C5 1065* STOLE APPROXIMATELY 56,000.00 IRAQI DINAR FROM THE RESIDENCE OF AN IRAQI LOCAL NATIONAL.

PRELIMINARY INVESTIGATION REVEALED SPC *7C5 1065* , PFC *7C5 1065* PFC *7C5 1065* AND PVT *7C5 1065* LEFT THEIR UNIT COMPOUND WITHOUT AUTHORIZATION AND ENTERED THE LOCAL IRAQI COMMUNITY. PVT *7C5 1065* LEFT HIS OFFICIAL POST AS A GUARD IN ORDER TO JOIN THE OTHERS AND ALL BUT PFC *7C5 1065* CONSUMED ALCOHOL PRIOR TO THE DEPARTURE.

WHILE IN TOWN, SPC *7C5 1065* AND PFC *7C5 1065* ENTERED SEVERAL PRIVATE IRAQI DWELLINGS WITHOUT PERMISSION, WHILE PFC *7C5 1065* AND PVT *7C5 1065* PULLED SECURITY SERVING AS LOOK-OUTS OUTSIDE THE

CIRC-CFC

SUBJECT: CID REPORT OF INVESTIGATION-INITIAL-0050-03-CID389-61657-
5Y2K1/7G2A1/7C1B/5Y2B

DWELLINGS. WHILE INSIDE ONE OF THE HOMES, SPC ~~75 W5~~ AND PFC
~~705 W5~~ ;TOLE APPROXIMATELY 56,000 IRAQI DINAR. THE CURRENCY HAS
SINCE BEEN RETURNED TO THE VICTIM.

ON 12 JUN 03, CID PERSONNEL INTERVIEWED ALL FOUR SUBJECTS, EACH OF
WHOM CONFESSED TO THEIR ROLE IN THE COMMISSION OF THE OFFENSES.

INTERVIEWS OF THE IRAQI VICTIMS ARE PENDING.

INVESTIGATION CONTINUES BY USACIDC.

USACRC NAME HAS BEEN COMPLETED.

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

8. CID REPORTS ARE EXEMPT FROM AUTOMATIC TERMINATION OF PROTECTIVE
MARKINGS IN ACCORDANCE WITH CHAPTER 3, AR 25-5.

701 1061
CW2, MP
SPECIAL AGENT IN CHARGE

JUN 16 2003

