

DEPARTMENT OF THE ARMY  
286<sup>th</sup> MILITARY POLICE DETACHMENT (CID)  
22<sup>nd</sup> MILITARY POLICE BATTALION, 3<sup>rd</sup> MILITARY POLICE GROUP  
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND  
APO AE 09392

CIRB-KAW

30 April 2004

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID <sup>Final</sup> ~~Interim~~ Report -- 0040-04-CID469-79638-5H1A/5M3/9G1

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 28 FEB 2004/0855; GRID COORDINATE 38S LE825101, TAAL AL JAL, IRAQ
2. 1 MAR 2004/1810/29 MAR 2004/1419; FOB WARRIOR, KIRKUK, IRAQ

DATE/TIME REPORTED: 28 FEB 04, 1800

INVESTIGATED BY: SA <sup>701 b6/b7 b2</sup> [REDACTED] SA <sup>701 b6/b7 b2</sup> [REDACTED]

SUBJECT: 1. <sup>7c b6 b5</sup> [REDACTED] PFC; <sup>7c b6 b5</sup> [REDACTED]  
[REDACTED] M; WHITE; HEADQUARTERS AND HEADQUARTERS COMPANY (HHC), 1/27 IN BN,  
25<sup>th</sup> ID (HOME BASE: SCHOFIELD-BKS, HI), FORWARD OPERATING BASE (FOB)  
MCHENRY, IRAQ, APO AE 09347; CT; [MURDER][FALSE OFFICIAL STATEMENT]

VICTIM: 1. KADIR, MUHAMAD HUSAIN; LOCAL IRAQI NATIONAL, TAAL AL JAL,  
IRAQ; ZZ; (NFI); [MURDER]

2. U.S. GOVERNMENT; [FALSE OFFICIAL STATEMENT]

INVESTIGATIVE SUMMARY:

This is an "Operation Iraqi Freedom" investigation.

This office was notified by the Staff Judge Advocate (SJA), 4<sup>th</sup> Infantry Division, Camp Iron Horse, Tikrit, Iraq, APO AE 09323, of a soldier who shot and killed a local national who was flexi cuffed.

Investigation established probable cause to believe PFC <sup>7c b6 b5</sup> [REDACTED] committed the offense of Murder when he shot and killed Mr KADIR while he was flexi cuffed and detained by unit personnel following a cordon and search in Taal Al Jal, Iraq.

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Further, investigation established probable cause to believe PFC [REDACTED] committed the offense of False Official Statement when he knowingly provided a false written statement to this office, which stated he (PFC [REDACTED]) did not know Mr KADIR was flexi cuffed when he shot him.

STATUTES:

Article 118, UCMJ: Murder  
Article 107, UCMJ: False Official Statement

EXHIBITS/SUBSTANTIATION:

Attached:

1. Agent's Investigation Report (AIR) of SA [REDACTED] 5 Mar 04, detailing the Basis for Investigation; unit coordination; witness interviews of CPT [REDACTED] SPC [REDACTED] PFC [REDACTED] SPC [REDACTED] CPL [REDACTED] SPC [REDACTED] SGT [REDACTED] and SGT [REDACTED] subject interview of PFC [REDACTED] collection of evidence and coordination with SJA.
2. Serious Incident Report, dated 28 Feb 04 and bearing SIR number 4ID04052.
3. 15-6 investigation packet containing the statements containing the statements of CSM [REDACTED], DA form 3881 and statement of SGT [REDACTED] statement of CPT [REDACTED] DA form 3881 and statement of PFC [REDACTED] statement of 2LT [REDACTED] Handwritten statement of PFC [REDACTED] Handwritten statement of SGT [REDACTED]
4. Photographic packet depicting the crime scene comprised of 8 photos.
5. Compact Disc containing all photographic images of the originals of Exhibit 4. (USACRC Copy only).
6. Sworn Statement of SPC [REDACTED] 1 Mar 04, detailing his knowledge of this incident.
7. Sworn Statement of PFC [REDACTED] 1 Mar 04, detailing his knowledge of this incident.
8. Sworn Statement of PFC [REDACTED] 1 Mar 04, detailing his knowledge of this incident.
9. Sworn Statement of SPC [REDACTED] 1 Mar 04, detailing his knowledge of this incident.
10. Sworn Statement of CPL [REDACTED] 1 Mar 04, detailing his knowledge of this incident.
11. Sworn Statement of SPC [REDACTED] 1 Mar 04, detailing his knowledge of this incident.
12. Sworn Statement of SGT [REDACTED] 1 Mar 04, detailing his knowledge of this incident.

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b65  
13. DA form 3881, Rights Warning Waiver Certificate and DA form 2823, Sworn Statement of PFC [REDACTED] dated 1 Mar 04, wherein; PFC [REDACTED] admitted to killing Mr KADIR an Iraqi National, however, PFC [REDACTED] denied he knew Mr KADIR was flexi cuffed at the time of the shooting.

70664  
14. DA form 2823, Sworn Statement of SGT [REDACTED] 1 Mar 04, detailing what he witnessed and observed during this incident.

705 b65  
15. Waiver Certificate and Sworn Statement of PFC [REDACTED] 29 Mar 04, wherein; PFC [REDACTED] admitted he killed Mr KADIR knowing he was flexi cuffed at the time of the shooting.

70-1, b6-1  
705 b65  
16. AIR of SA [REDACTED] 16 Apr 04, detailing the re-interview of PFC [REDACTED] and coordination with the SJA and unit commander.

70. b65  
17. Polygraph Examination Report pertaining to PFC [REDACTED] 30 Mar 04.

18. DA Form 4137, Evidence/Property Custody Document, 8 Nov 03, voucher #252-04.

Not Attached:

Retained in the files of the evidence depository, 22<sup>nd</sup> Military Police Battalion (CID), Baghdad International Airport, Baghdad, Iraq:

705 b65  
19. M-4 Carbine bearing serial number WO55444 (PFC [REDACTED]), Voucher #252-04

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

705 b65  
20. Polygraph authorization (PFC [REDACTED]) 29 Mar 04.

705 b65  
21. Polygraph examination statement of consent (PFC [REDACTED]) 29 Mar 04.

705 b65  
22. Seven polygraph charts (PFC [REDACTED]) 29 Mar 04.

The originals of Exhibits 1 through 16 are forwarded with the USACRC copy of this report. The original of Exhibit 17 is maintained in the files of the United States Army Crime Records Center (UDACRC). The original of Exhibit 18 is maintained in the files of the 22<sup>nd</sup> Military Police Battalion (CID), Baghdad International Airport, Baghdad, Iraq.

STATUS: This is a Final "C" Report. This investigation is being terminated in accordance with Section V, paragraph 4-17(6), CIDR 195-1, in that the Special Agent in Charge has determined that furtherance of this investigation would be of little or no value and that leads remaining to be developed are not significant. Remaining leads include additional canvass interviews and full identification of Mr KADIR. Commander's Report of Action (DA Form 4833) is pending.

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Report Prepared By:

[Redacted] 7C1 b61  
Special Agent [Redacted] 02

Report Approved By:

[Redacted] 7C1  
[Redacted] b61  
Special Agent-in-Charge

DISTRIBUTION:

- 1- USACRC (original)
- 1-CDR, HHC, 1/27 IN BN, 25<sup>th</sup> ID
- 1-THRU: CDR, 22<sup>ND</sup> MP BN (CID), BLAP, IZ
- THRU: CDR, 3rd MP Group (CID), ATTN: OPS, Ft Gillem, GA
- TO: HQUSACIDC, ATTN: CIOP-COP-CO, Fort Belvoir, VA 22060-5505 (email only)
- 1-Director, Armed Forces Institute of Pathology, Attn: Armed Forces Medical Examiner, 1413 Research Blvd, Annex Building 102, Rockville, MD 20850 (w/exhibits)
- 1-PMO, 1<sup>st</sup> ID (email only)
- 1-PMO, CJTF-7 (email only)
- 1- SJA, 1<sup>st</sup> ID (Attn: MAJ [Redacted] 7C3 b6 3)
- 1-Chief of Staff, 1<sup>st</sup> ID
- 1-File

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<b>AGENT'S INVESTIGATION REPORT</b>	ROI NUMBER 0040-04-CID469-79638
CID Regulation 195-1	PAGE 1 OF 4 PAGES

**DETAILS**

**BASIS FOR INVESTIGATION:** About 1800, 28 Feb 04, this office was notified by the Staff Judge Advocates Office, 4<sup>th</sup> Infantry Division (4ID), Camp Iron Horse, Tikrit, Iraq APO AE 09323 of a soldier who shot and killed a local Iraqi national, which the Iraqi was handcuffed.

About 2000, 28 Feb 04, SA [redacted] <sup>7C1 b61</sup> coordinated with MAJ [redacted] <sup>7C4 b64</sup> [redacted], 1-27<sup>th</sup> Infantry Battalion (IN BN), 25<sup>th</sup> Infantry Division (25ID), Forward Operating Base (FOB) McHenry, Iraq who stated while members of 1-27<sup>th</sup> Infantry were conducting a cordon and search in Taal Al Jal, Iraq to capture anti-coalition forces and mortar caches the 1-27<sup>th</sup> Mortar Platoon was positioned at a traffic control point (TCP) north of the village. The platoon had instructions <sup>7C1 b61</sup> to detainee any local Iraqis trying to flee the village. MAJ [redacted] stated while the platoon was at the TCP a call came out over the radio to detainee any Iraqi males in their vicinity. MAJ [redacted] stated the TCP observed one Iraqi male (NFI) in a field so SGT [redacted] and PFC [redacted] <sup>7C1 b65</sup> both of Headquarters and Headquarters Company (HHC), 1-27<sup>th</sup> IN BN, FOB McHenry, Iraq approached the Iraqi to detainee him. MAJ [redacted] <sup>7C1 b64</sup> stated while SGT [redacted] was attempting to place flexi-cuffs on the Iraqi the Iraqi started to resist. When the Iraqi started to resist PFC [redacted] raised his weapon in the high cover position to protect SGT [redacted] in case the Iraqi overpowered him. MAJ [redacted] <sup>7C1 b64</sup> stated SGT [redacted] was able to flexi-cuff the Iraq and began to move the Iraqi when PFC [redacted] <sup>7C1 b65</sup> fired one round which struck and killed the Iraqi. MAJ [redacted] <sup>7C4 b64</sup> stated PFC [redacted] was looking through his sites when he thought he observed the Iraqi lunged at SGT [redacted] <sup>7C4 b64</sup> so he fired at the Iraqi. MAJ [redacted] further stated when SGT [redacted] <sup>7C4 b64</sup> was questioned about the incident he stated the Iraqi never lunged at him.

About 2050, 28 Feb 04, SA [redacted] <sup>7C1 b61</sup> coordinated with MAJ [redacted] <sup>7C4 b64</sup> to determine if the body of the local Iraqi was in United States custody. MAJ [redacted] stated the body was brought back to FOM McHenry and release to the local tribe leader of the village.

About 0730, 29 Feb 04, this office received a Serious Incident Report (SIR), 28 Feb 04, detailing the incident. (See SIR for Details)

**DODDOACID-005403**

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA [redacted] <sup>7C1 b61</sup>	ORGANIZATION 43 <sup>rd</sup> MP DET (CID) (FWD) APO AE 09323, Operation Iraqi Freedom
SIGNATURE [redacted] <sup>7C1 b64 b2</sup>	DATE 5 Mar 04
	EXHIBIT /

**AGENT'S INVESTIGATION REPORT**

ROI NUMBER

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DETAILS

*7C1 b61* *7C4 b64*  
 About 1645, 29 Feb 04, SA *7C1 b61* coordinated with CPT *7C4 b64* *7C4 b64* HHC, 1-27<sup>th</sup> IN BN, 25ID, FOB Warrior, Kirkuk, Iraq who stated the Rules of Engagement (ROE) are briefed before every mission so the soldiers are fully aware of them. CPT *7C4 b64* stated the only time one would engage a detainee is if one was in a direct hostile threat. CPT *7C4 b64* further stated he has never had a problem with PFC *7C4 b64* prior to this incident.

*7C1 b61* *7C4 b64*  
 About 2143, 29 Feb 04, SA *7C1 b61* coordinated with MAJ *7C4 b64* who stated the name of the Iraqi killed was Mr Muhamad Husain KADIR, Mosul, Iraq (NFI).

*7C1 b61* *7C4 b64*  
 About 1110, 1 Mar 04, SA *7C1 b61* interviewed CPT *7C4 b64* *7C4 b64* A Company, 1-27<sup>th</sup> IN BN, 25ID, FOB McHenry, Iraq who provided a verbal statement in which he stated during the mission, he was contacted by SGT *7C4 b64* and notified that an Iraqi had been killed. He stated arrived to the scene and questioned PFC *7C4 b64* about what had happened. He stated PFC *7C4 b64* told him he shot the Iraqi because he thought the man had lunged at SGT *7C4 b64*. PFC *7C4 b64* also related he did not realize the Iraqi was flexi-cuffed when he fired his weapon.

*7C1 b61* *7C4 b64*  
 About 1135, 1 Mar 04, SA *7C1 b61* obtained from CPT *7C4 b64* the original statements from the 15-6 investigation and photographs of the scene. (See Sworn Statements, Photographic Packet and Compact Disk for Details)

*7C1 b61* *7C4 b64*  
 About 1130, 1 Mar 04, SA *7C1 b61* interviewed SPC *7C4 b64* *7C4 b64* Medic, HHC, 1-27<sup>th</sup> IN BN, 25ID, FOB McHenry, Iraq who provided a sworn statement in which he stated when he arrived the access the Iraqi he checked for a pulse, which met with negative results. (See Sworn Statement for Details)

*7C1 b61* *7C4 b64*  
 About 1145, 1 Mar 04, SA *7C1 b61* interviewed PFC *7C4 b64* *7C4 b64* HHC, 1-27<sup>th</sup> IN BN, 25ID, FOB McHenry, Iraq who provided a sworn statement in which he stated he heard the shot being fired but did not see anything. (See Sworn Statement for Details)

**DODDOACID-005404**

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA <i>7C1 b61</i>		ORGANIZATION 43 <sup>rd</sup> MP DET (CID) (FWD) APO AE 09523, Operation Iraqi Freedom	
SIGNATURE <i>7C1 b61</i>		DATE 5 Mar 04	EXHIBIT /

**AGENT'S INVESTIGATION REPORT**

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DETAILS

About 1146, 1 Mar 04, SA <sup>7C661</sup> [REDACTED] collected as evidenced one M16 Rifle, serial number W055444. The M16 Rifle was documented on an Evidence/Property Custody Document (EPCD), voucher number 009/04. (See EPCD for Details)

<sup>7C661</sup> About 1243, 1 Mar 04, SA [REDACTED] interviewed PFC <sup>7C664</sup> [REDACTED] HHC, 1-27<sup>th</sup> IN BN, 25ID, FOB McHenry, Iraq who provided a sworn statement in which he stated he was pulling security while the two soldiers went to detainee the Iraqi in the field. (See Sworn Statement for Details)

<sup>7C661</sup> About 1255, 1 Mar 04, SA [REDACTED] interviewed SPC <sup>7C664</sup> [REDACTED] HHC, 1-27<sup>th</sup> IN BN, 25ID, FOB McHenry, Iraq who provided a sworn statement in which he stated he heard the shot fired but did not see anything. (See Sworn Statement for Details)

<sup>7C661</sup> About 1323, 1 Mar 04, SA [REDACTED] interviewed CPL <sup>7C664</sup> [REDACTED] HHC, 1-27<sup>th</sup> IN BN, 25ID, FOB McHenry, Iraq who provided a sworn statement in which he stated he was in charge of searching vehicle when he heard a shot come from the opposite direction. (See Sworn Statement for Details)

<sup>7C661</sup> About 1350, 1 Mar 04, SA [REDACTED] interviewed SPC <sup>7C664</sup> [REDACTED] B Battery, 1-62nd Air Defense Artillery (ADA), 25ID, FOB McHenry, Iraq who provided a sworn statement in which he stated he did not observe or hear anything. (See Sworn Statement for Details)

<sup>7C661</sup> About 1358, 1 Mar 04, SA [REDACTED] interviewed SGT <sup>7C664</sup> [REDACTED] B Battery, 1-62<sup>nd</sup> ADA, 25ID, FOB McHenry who provided a sworn statement in which he did not observe or hear anything. (See Sworn Statement for Details)

<sup>7C661</sup> About 1440, 1 Mar 04, SA [REDACTED] advised PFC <sup>7C665</sup> [REDACTED] of his rights, which he waived and provided a sworn statement in which he confessed to shooting and killing a local Iraqi national. PFC <sup>7C665</sup> [REDACTED] further stated

DODDOACID-005405

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED] <sup>7C661</sup>

ORGANIZATION

43<sup>rd</sup> MF DET (CID) (FWD)  
APO AE 09323, Operation Iraqi Freedom

SIGNATURE

[REDACTED SIGNATURE]

DATE

5 Mar 04

EXHIBIT

1

<b>AGENT'S INVESTIGATION REPORT</b>	ROI NUMBER 0040-04-CID469-79638
<i>CID Regulation 195-1</i>	PAGE 4 OF 4 PAGES

**DETAILS**  
 he did not know the Iraqi was flexi-cuffed and he shot the Iraqi when he perceived to lung at SGT [REDACTED]. (See Waiver Certificate and Sworn Statement for Details) *7C1604*

Agent's Comment: During the interview, PFC [REDACTED] displayed no remorse for his actions even though he incorrectly thought the Iraqi man was attacking SGT [REDACTED] and stated he was just trying to do his job and protect SGT [REDACTED] *7C1605*

About 1720, 1 Mar 04, SA [REDACTED] interviewed SGT [REDACTED] who provided a sworn statement in which he stated he flexi-cuffed the Iraqi and was proceeded to move the Iraqi to the TCP when PFC [REDACTED] shot and killed the Iraqi. (See Sworn Statement for Details) *7C1604*

About 1929, 1 Mar 04, SA [REDACTED] received a check of the Defense Clearance and Investigations Index (DCII) which revealed no derogatory information pertaining to PFC [REDACTED] *7C1605*

About 0945, 5 Mar 04, SA [REDACTED] coordinated with MAJ [REDACTED] Staff Judge Advocate, 4ID, FOB Iron Horse who stated the rifle collected as evidence did not have to be submitted to the United States Army Criminal Investigation Laboratory for examination.///LAST ENTRY/// *7C1606 3*

*7C1603*

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA [REDACTED] <i>7C1601 12</i>		ORGANIZATION 43 <sup>rd</sup> MP DET (CID) (FWD) APO AE 09323, Operation Iraqi Freedom	
SIGNATURE [REDACTED] <i>7C1601</i>		DATE 5 Mar 04	EXHIBIT 1



Page(s)

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Referred to:

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

MS. JACQUELINE SCOTT  
[scottj@centcom.smil.mil](mailto:scottj@centcom.smil.mil)  
(813) 827-5341/2830

**PHOTOGRAPHIC PACKET**

**CASE NUMBER: 0040-04-CID469-79638**

**NUMBER:**

**DESCRIPTION OF PHOTOGRAPH**

1	Photograph depicting where the remains of Mr KADIR lay after he was shot
2	Photograph depicting the flexi-cuffs bound to Mr KADIR's wrists
3	Photograph depicting a close-up image of the Flexi-cuffs
4	Photograph depicting the front side of Mr KADIR
5	Photograph depicting the front side of Mr KADIR
6	Photograph depicting the head of Mr KADIR
7	Photograph depicting injuries to the head of Mr KADIR
8	Photograph depicting the spent cartridge, rifle and the remains of Mr KADIR from the shooting

**EXHIBIT 4**

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EXHIBIT 5

# SWORN STATEMENT

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

LOCATION FOB Warrior, Kirkuk, Iraq	DATE 1 Mar 2004	TIME 1130	FILE NUMBER 0040-04-CID469-79638
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED] 7C664	SOCIAL SECURITY NUMBER [REDACTED] 7C664		GRADE/STATUS E-4/RA
ORGANIZATION OR ADDRESS HHC, 1-27 Infantry Battalion, FOB McHenry, Iraq			

I, [REDACTED] 7C664, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:  
 On 28 Feb 04 around 1100 SGT [REDACTED] received a call over the radio requesting a medic to come to there location, which was at a Traffic Control Point (TCP) north of the village. I was presently in the village of Taal Al Jal waiting for the cordon and search to be conducted. I was standing by in case someone needed medical treatment. After the call came over the radio I ran over to the location of the TCP with CPT [REDACTED]. The area was about three hundred meters away. When I arrived at the TCP I observed one Iraqi male lying in a field with his face up. I proceeded to assess the Iraqi male and verified the Iraqi was shot in the back of the head. I checked for a pulse on the Iraqi, which met with negative results. [REDACTED] 7C664

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- Q: SA [REDACTED] 7C664  
 A: SPO [REDACTED] 7C664  
 Q: Describe the injuries sustained by the Iraqi?  
 A: Gunshot wound to the upper left side of his head. The size of the entrance wound was approximately the size of a 5.56MM round. I did not observe any exit wounds. While I was observing the eyes on the Iraq I could see what appeared to be brain matter coming out from the eyes.  
 Q: Did you provide any treatment to the Iraqi male who was shot?  
 A: I just checked for a pulse, which he did not have.  
 Q: Describe what the Iraqi male looked like?  
 A: He was wearing a green sweat top with a red and white scarf, black leather shoes and sweat pants. He had black hair, a black beard, approximately 5'9, 170. I could not tell what color his eyes were.  
 Q: Was the Iraqi male bound with flexi-cuffs?  
 A: Yes, they were bound behind his back.  
 Q: When you arrived at the scene how was everything acting?  
 A: The people were mad because the Iraqi was shot while he was flexi-cuffed.  
 Q: How far away was the body of the Iraqi male in relation to the TCP?  
 A: About 200 meters north of the TCP.  
 Q: Do you have anything else to add to this statement?  
 A: No /// End of Statement!!! [REDACTED] 7C664

DODDOACID-005410

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED] 7C664	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED."  
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823  
1 JUL 72

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

EXHIBIT

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*704664*

STATEMENT OF SPC [REDACTED] TAKEN AT FOB Warrior Iron Horse DATED 1 March 2004 CONTINUED:  
STATEMENT (Continued)

[Large empty rectangular area for the statement content]

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*704664* AFFIDAVIT

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

*704664*  
[REDACTED]  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 1st day of March, 2004 at **FOB Warrior, Kirkuk, Iraq**

*704664*  
[REDACTED]  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA [REDACTED] *704664*  
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Article 136(b)(4), UCMJ  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED] *704664*

PAGE 2 OF 2 PAGES

EXHIBIT to

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Ex

**SWORN STATEMENT**

LOCATION SJA, 2nd ACD, 25 INF DIV		DATE 1 MAR 04	TIME 1145	FILE NUMBER DPM-DN-020464-79638
LAST NAME FIRST NAME MIDDLE NAME ██████████ ████ ████		GRADE/RATE PFC/E-3		

I, ██████████ of the 25th INF 70104 70104 WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

#1 gun, along with PFC ██████████ (gunner for #2 gun) and Sgt ██████████ from F.D.C. went out with Alpha Co. 1-27 to provide water security for us said that they were conducting. We arrived at the raid site at approx. 0500 hrs. Our mission was to block the main road to the town from the village from vehicles coming in or out and to watch for people running from the raid site. There were no sign of any activity till about 0800 hrs. We had some fears that some post us and we had been told not to worry about the farmers. At about 0835 we received a call from Alpha Co. that said detain all male coming in or out of the village to include farmers. As soon as the call came down, Sgt ██████████ and PFC ██████████ headed about 150 meters to the right hand side of the road to detain a male that was herding cattle. While they were detaining this man, myself, Sgt ██████████ PFC ██████████ and ██████████ 1 sgt. from A Co. who was starting to come in to the village. At that time I heard a shot from the direction of the field. I turned around to see what ██████████ and ██████████ happened. During all this I had to feed about 50 meters down the road to stop a vehicle that was attempting to enter the village. It was not until about an hour later that I found out that someone had been shot. No one could give any reasons for what happened or how it was later back at the F.O.B that I got the specifics.

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70104

Q: SA ██████████ 701041  
 A: DFC ██████████ 704044

Q: Did members of your team receive a use of force brief prior to this mission?

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT <u>██████████</u> 7064	PAGE 1 OF 3	PAGES
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70464  
STATEMENT OF PFC [REDACTED]

TAKEN AT STA, 20 OCT 25 INF

FILE NUMBER: 2000-91-CE0469-79079  
DATED 1 MAR 01 CONTINUED

A: Was [REDACTED] in a brief on the R.O.E from [REDACTED] that the rules were the same. What you use deadly force only if you feel your life is in danger or the life of your teammates, fellow soldiers etc. What you do not fire your weapon unless you are fired upon.

Q: Would there be any reason [REDACTED] would have had his weapon on "Fire" as he and SGT [REDACTED] were dealing with the Iraqi man?

A: No. There is no reason that his weapon should have been set the high ready or left safe. The only reason he should have his weapon left safe is if he was going to engage a target.

70465  
Q: Had [REDACTED] give any indications that he was looking forward to "engaging the enemy" or that he wanted to fire his weapon during this mission?

A: No. Not during this mission. On the part he had joked and bragged about different scenarios that he would do this and that and different things that had could happen in a mission or convoy.

Q: How was his demeanor after the incident?

A: I only saw him for a few seconds, but he seemed more concerned about the punishment facing him than his actions.

Q: Prior to this mission, had [REDACTED] have any accidental discharge incidents with this weapon? 70465

A: No.

Q: Do you have any thing to add to this statement?

A: NO. // END STATEMENT // [REDACTED] 70464

DODDOACID-005413

EXHIBIT 7

70464  
[REDACTED] For Official Use Only

50  
page 2 of 3 Ex

STATEMENT OF PFC [REDACTED]  
STATEMENT (Continued)

7/20/04  
TAKEN AT SSA, 2 BCT, 25 INF FILE NUMBER: 0040-01-120460-79635  
DATED / MAR 04 CONTINUED:

Lined area for the statement, mostly crossed out with a diagonal line. Contains handwritten word "NEVER" and a signature "7/20/04" next to a redaction.

DODDOACID-005414

7/20/04  
AFFIDAVIT

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

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

[REDACTED]  
Subscribed and sworn to before me, a person authorized by law to administer oaths, this 1 day of MAR, 2004 at SSA, 2 BCT, 25th INF, Fort Benning, GA.

SA [REDACTED]

7/20/04  
7/21/04  
[REDACTED]  
SA [REDACTED]  
Avt 1361 OCMs  
(Authority To Administer Oaths)

EXHIBIT 7

7/20/04  
[REDACTED] For Official Use Only

page 3 of 3

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EX



# SWORN STATEMENT

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

LOCATION FOB Warrior, Kirkuk, Iraq	DATE 1 Mar 2008	TIME 12 43	FILE NUMBER 0040-04-CID-69-79638
LAST NAME, FIRST NAME, MIDDLE NAME [redacted] 704 064	SOCIAL SECURITY NUMBER [redacted]		GRADE/STATUS E-3/RA
ORGANIZATION OR ADDRESS HHC, 1st Infantry Division			

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

On 28 Feb 04 my squad (1st), was detailed out to provide a traffic control point west of the village of Taal Al Jal, Iraq. My squad consisted of four personnel plus we had two additional personnel attached to us. While we were at the TCP a call came over the radio to detainee all Iraqi males in the area. When this call came out we observed an Iraqi cow herder out in a field about 200 meters south of the TCP. SGT [redacted] and PFC [redacted] preceded out to detainee the Iraqi male in the field. SGT [redacted] instructed me to pull security for them since I was the only gunner at this TCP. I pointed my M249 in the direction of the detainee and observed SGT [redacted] and PFC [redacted] walk out to the Iraqis location. From my location I could not determine who was placing the flexi-cuffs on the Iraqi male. I then observed the Iraqis hands behind his back and a soldier escorting him to my location. The soldiers and the Iraqi took a few steps towards my location and I heard a shot being fired. I was scanning the areas to my left and right on various occasions so I did not see the shot fired. Once I heard the shot I looked towards them and I observed the Iraqi fall to his knees and then to his face. A few seconds later a call came over the radio requesting information on where the shots were being fired. SPC [redacted] proceeded to the location of the Iraqi to relieve SGT [redacted] so he could make the call back to higher about the shooting. SGT [redacted] came back to the TCP and reported to higher that PFC [redacted] shot an Iraqi detainee in the head and the detainee was flexi-cuffed at the time of the shooting. About ten minutes later the 1SG and Commander came to the location to verify the incident. About 40 minutes later they called up and stated they needed a body bag so I grabbed one and took it to the body. Once I dropped off the body bag I returned to the TCP and manned the M249 again.

- Q: SA [redacted] 701 061
- A: PFC [redacted] 704 064
- Q: Who was located at the TCP?
- A: SGT [redacted], SPC [redacted], PFC [redacted], CPL [redacted], PFC [redacted] and myself. There was also two personnel in the avenger vehicle, but I don't know their names.
- Q: Did you observe the Iraqi Cow Herder out in the field prior to the call coming over the radio to detainee any Iraqi males?
- A: Yes, He was there since daybreak.
- Q: Did the Iraqi Cow Herder do anything suspicious throughout the day?
- A: No.
- Q: How far away were you pulling security when SGT [redacted] and PFC [redacted] were detaining the Iraq?
- A: 200 meters.
- Q: When you heard the shot fired and looked to that direction where was everyone located?
- A: The three were in a line walking towards the northwest. I saw one soldier in front of the detainee pulling the detainee by the shirt and the other soldier was right behind the detainee.
- Q: Did you get a Rules of Engagement (ROE) Brief prior to this mission?
- A: Yes, SGT [redacted] gave us the brief and he stated if people are running from the village shoot them.
- Q: Was deadly force authorized if a detainee was flexi-cuffed?
- A: No.
- Q: When would deadly force be authorized?
- A: When a hostile threat towards coalition forces is made.
- Q: Did PFC [redacted] receive the ROE brief?
- A: Yes
- Q: What kind of person is PFC [redacted] 706 065
- A: He is an asshole because he thinks he is better than everyone.

DODDOACID-005415

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

For official use only

701b04

STATEMENT OF PFC [REDACTED] TAKEN AT FOB WARRIOR DATED 1 March 2004 CONTINUED:  
STATEMENT (Continued)

- Q: Did PFC [REDACTED] ever state before this incident that he wanted to kill an Iraqi?  
A: Yes on numerous occasions. I could not tell if he was joking but he would always see any Iraqi and ask if he could shoot them. 701b04
- Q: Has PFC [REDACTED] shot any Iraqis prior to this incident?  
A: No. 701b04
- Q: Did PFC [REDACTED] make any indication he was going to shot and kill an Iraqi on the mission you were conducting on 28 Feb 04?  
A: No.
- Q: When you went out to the location of the Iraqi to drop off the body bag what did the Iraqi look like?  
A: I was about 25 meters away and the only thing I could see is that the Iraqi had flexi-cuffs bound behind his back and he was laying face down. I could also see that his head was bloody. 701b04
- Q: While you were pulling security for SGT [REDACTED] and PFC [REDACTED] did the Iraqi struggle with anyone?  
A: Not that I noticed. 701b04
- Q: Do you have anything else to add to this statement?  
A: No//End of Statement// [REDACTED] 701b04

DODDOACID-005416

AFFIDAVIT

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

WITNESSES:

[REDACTED] 701b04  
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 1st day of March, 2004

at FOB WARRIOR, KIRKUK, IRAQ

[REDACTED] 701b01  
(Signature of Person Administering Oath)

SA [REDACTED] 701b01  
(Typed Name of Person Administering Oath)

Article 136(b)(4), UCMJ  
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES  
EXHIBIT 2

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SWORN STATEMENT

For use of this form, see AR 180-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

LOCATION SJA, 3 BCT, 25th INF  
Kirkuk Iraq

DATE

MAR 04

TIME

1255

FILE NUMBER

0441-04-020404-79638

LAST NAME, FIRST NAME, MIDDLE NAME

SOCIAL SECURITY NUMBER

GRADE/STATUS

SPC/E-4

ORGANIZATION/UNIT

442 1st BCT

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

That during we went on a mission to secure the outskirts of a little town while P.S.O did a raid. We were to set up a check point on a road leading into the city with the average. After the company we had our area of responsibility and stayed with the average and gotten security. We turned the incoming women and outgoing women back and made some more of the on-site patrol the city. After about first light we received a call over the net saying to follow all major cause they were looking for two people. Well a former was out in the field, it was the same one from earlier that it's [redacted] about shooting, so [redacted] and [redacted] went to detain him. At that moment 3 women on a tractor tried to get through our check point and [redacted] and [redacted] went to turn them around a few minutes later we heard a shot fired from my right rear. We turned and looked at one guy and saw two figures standing and one leaning down. I tried to [redacted] of hope [redacted] didn't shoot that guy. At that time [redacted] waved for someone to get over to him. He said put security till I get back. I said okay. I walked over to [redacted] and asked what happened he said [redacted] was putting the plastic cuffs on and the guy turned his head and then jumped at [redacted] and shot him in the back of the head. I said damn not back. I went back at the body and [redacted] that the woman hands were behind his back. I looked at [redacted] and called if there was [redacted] and he replied of [redacted] know I was watching his head. I told him he was flipped cuff and that man [redacted] was [redacted]. He went over to the body and started to touch it. I told him not to and to smoke a cigarette till [redacted] returned. At that time [redacted] 1SG [redacted] and [redacted] came over and [redacted] asked who shot him. [redacted] said I did. He then asked me if I was

701664

701664

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5

701664

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

[redacted] R+ 064

PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_ CONTINUED

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EXHIBIT 9

EX 00 54

DODDOACID-005417

701064

Q: I said no, he then said take his weapons and go  
away, I took his knife but [REDACTED] took his bag and 150  
[REDACTED] out of my hand, [REDACTED] the truck and parked securely.  
A: SA [REDACTED] 701061  
B: SPC [REDACTED] 701064

Q: Was your team provided a brief on use of force prior to  
the mission?

A: Yes, on an earlier mission the Sgt [REDACTED] and Lt [REDACTED] briefed about  
only when you are shot at. The COE of this mission was if you  
saw a man fleeing the city, armed or not, take him down, don't  
shoot at women or children.

Q: Did any members on your team have to fire their weapon  
at fleeing Iraqi men?

A: No

Q: Prior to or during this mission, did [REDACTED] indicate  
that he was wanting to "engage the enemy" or have the  
opportunity to shoot or fire his weapon?

A: Since the orders came down he has stated that he wanted to shoot  
some dogs and then that morning he saw the man walking his arms  
and asked Sgt [REDACTED] if he could shoot him even though he is not fleeing  
the city.

Q: Did he appear to be serious when he made this remark  
about shooting the Iraqi man?

A: In my opinion, yes he had a serious look on his face and was not  
laughing. 701065

Q: What was [REDACTED]'s demeanor after the incident? DODDOACID-005418

A: After the shot and I came over I tried to calm him down and asked  
him what happened he said that the guy came he turned and  
jumped at Sgt [REDACTED], I said good then I noticed the guy was  
flinching and asked if he was flinching he said I don't know I  
was watching his hands I told him with the guy being cuffed you  
are flinching. He stepped closer to look at the body and I told him  
to not touch it and smoke a cigarette. The way they were standing.

701065

EXHIBIT 9



7C 11004

STATEMENT OF SPC

TAKEN AT SJA, 2 OCT, 25 INF

FILE NUMBER: 0040-01-00014-79076

DATED 1 MAR 04 CONTINUED

STATEMENT (Continued)

When I first looked after the blood and when the body was it  
didn't seem right to me cause Sgt [redacted] was all shaking and  
[redacted] seemed to not even really care, he just was worried  
more about what would happen to him.

Q: Do you have any thing to add to this statement?

A: No // END OF STATEMENT // [redacted] 7C 11004

7C 11005

DODDOACID-005419

7C 11004

AFFIDAVIT

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

WITNESSES:

[redacted] 7C 11004  
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law  
to administer oaths, this 1 day of MAR, 2004  
at SJA, 2 OCT, 25 INF, KICKING STAG

ORGANIZATION OR ADDRESS

[redacted] 7C 11001  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA [redacted] 7C 11001  
(Typed Name of Person Administering Oath)

Art 136, UCMJ  
(Authority To Administer Oaths)

7C 11004

EXHIBIT 9

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Page 3 of 3

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EX

# SWORN STATEMENT

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

LOCATION FOB Warrior, Kirkuk, Iraq	DATE 1 Mar 2004	TIME 1325	FILE NUMBER 0040-04-CID468-79638
LAST NAME: FIRST NAME: MIDDLE NAME ██████████ ██████████ ██████████	SOCIAL SECURITY NUMBER ██████████		GRADE/STATUS E-4/RA
ORGANIZATION OR ADDRESS HHC 1-27 <sup>th</sup> Infantry Battalion			

On 28 Feb 04 I was working at a Traffic Control Point (TCP) for a mission and unit was conducting. My main responsibility was to search the vehicles, which approached the TCP. Around 1100 a call came over the radio to detainee any Iraqi males in the area. There was one Iraqi male in the field herding cows so SGT ██████████ and PFC ██████████ went out to the Iraqi's position to detainee him. While the soldiers wait out to the Iraqi's position I observed two trucks coming from the east and west so I kept eyes on to see where they were going. While I was watching the trucks I heard a shot fired. I did not know where the shot came from so I began to scan the area, when I heard a call over the radio requesting information on who fired the shot. I then observed SGT ██████████ in the field motioning over to us to send someone out to his location. I also saw the Iraqi male lying on the ground but I could not tell if he was shot. SPC ██████████ proceeded to SGT ██████████ location to relieve him so he could call higher about the incident. When SGT ██████████ arrived to the TCP he stated to me he had detained the Iraqi and flexi-cuffed his hands behind his back and was walking the Iraqi detainee towards the TCP when he heard a shot fired. SGT ██████████ stated to me he could hear the round go by his head and it was shot by PFC ██████████ who was behind the detainee and me. SGT ██████████ then called in the incident to black six, who is CPT ██████████. Once the call was made the 1SG and CSM should up at the scene. I continued to look out for vehicle approaching the TCP while the chain of command took care of the Iraqi.

- Q: SA ██████████
- A: CPL ██████████
- Q: Did PFC ██████████ ever state he wanted to kill an Iraqi? 705665
- A: Nothing that I have heard.
- Q: How far away from the TCP was the Iraqi at when he was shot?
- A: 200 Meters north of the TCP.
- Q: How many shots did you hear?
- A: Just one.
- Q: Where you briefed on the Rules of Engagement prior to this mission?
- A: Yes, by SGT ██████████
- Q: What was briefed on the aspect of deadly force?
- A: When the initial raid took place if anyone was seen fleeing the village deadly force was authorized.
- Q: When did the initial raid take place?
- A: At 0500.
- Q: How long was the Iraqi cow herder out in the field?
- A: 30 minutes.
- Q: Did the Iraqi cow herder make any threats towards coalition forces at any time?
- A: No.
- Q: Do you have anything else to provide to this statement?
- A: No.//End of Statement

DODDOACID-005420

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

DA FORM 2823  
1 JUL 72

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

EXHIBIT

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10  
Ex 57

704604

STATEMENT OF [REDACTED] TAKEN AT FOB Warrior DATED 1 March 2004 CONTINUED:  
STATEMENT (Continued)

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**AFFIDAVIT**

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

WITNESSES:

[REDACTED] 704604  
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 1st day of March, 2004 at FOB Warrior, Kirkuk, Iraq

ORGANIZATION OR ADDRESS

[REDACTED] 701601  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA [REDACTED] 701601  
(Typed Name of Person Administering Oath)

Article 138(b)(4), UCMJ DODDOACID-005421  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED] 704604

PAGE 2 OF 2 PAGES

EXHIBIT 10

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EX

**SWORN STATEMENT**

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

LOCATION S'DA, 2 BCT, 25 INF, KIRKUK, IRAQ

LAST NAME, FIRST NAME, MIDDLE NAME

74  
664

DATE 7/6/04

TIME

1350

FILE NUMBER

0440-04-GENMGR-79039

SOCIAL SECURITY NUMBER

GRADE/STATUS

SPC/E-4

74664  
B. Barry, E-62 (attached to 1-27) Fab McHenry  
74664

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

My mission was to block the South entrance of the village while a company raided the suspected houses in search of members wanted on the black list and caches of weapons. When we arrived the road was blocked off by the mortar team than us in that order. A couple of hours into the mission we had only found 3 so we were told to detain all males in the area we had 2 cars with 1 male in the first 2 males in the second and a man in the field walking. The mortars Sgt and 1 soldier as far as I could tell went out to detain the man when the [redacted] [redacted] had my social pointed in that direction. I heard no gun shots because my CVC helmet was on. Than Dan pound 5 came over the net and said I see my KIA. SO I than faced in that general direction and saw soldier standing out there. Later the commander of Alpha Company arrived and they took pictures of the body than the body was put in a body bag.

Q: SA [redacted] 74664

A: SAC [redacted] 74664

Q: Prior to or during the mission, did you hear any of the team member talking about wanting to shoot an Iraqi?  
A: No

Q: Did your team members receive a use of force brief prior to the mission?  
A: Yes

Q: Did you have anything further to add to this statement?  
A: NO /// END OF STATEMENT /// [redacted] 74664

DODDOACID-005422

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

[redacted] 74664

PAGE 1 OF 2 PAGES

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

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EXHIBIT 11  
EX 06 59



704604  
STATEMENT OF SA [REDACTED]

TAKEN AT SIA, 2 OCT, 25 1/2

FILE NUMBER: 0040-01-029009-79038

STATEMENT (Continued)

DATED 1 MAR 07 CONTINUED

[Lined area with a large diagonal slash and handwritten text "NOT USED" and "704604"]

DODDOACID-005423

704604  
**AFFIDAVIT**

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

WITNESSES:

[REDACTED] 704604  
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 1 day of MAR, 2007 at SIA, 2 OCT, 25 1/2 WILKINSON ST

ORGANIZATION OR ADDRESS

701 061 [REDACTED]  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

701 061 SA [REDACTED]  
(Typed Name of Person Administering Oath)

Art 136, UCMJ

(Authority To Administer Oaths)

EXHIBIT 11

704604  
[REDACTED]  
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Page 2 of 2  
FOL 60  
EX

# SWORN STATEMENT

For use of this form, see AR 150-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

LOCATION FOB Warrior, Kirkuk, Iraq	DATE 1 Mar 2004	TIME 13:58	FILE NUMBER 0041-04-CEMAG-79678
LAST NAME, FIRST NAME, MIDDLE NAME ██████████ 7C4604	SOCIAL SECURITY NUMBER ██████████		GRADE/STATUS E-5/RA
ORGANIZATION OR ADDRESS B Battery, 1/82 <sup>nd</sup> Air Defense Artillery, FOB McHenry, Iraq			

7C4  
604

██████████ 7C4604 WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:  
On 28 Feb 04 I was attached to 1-27<sup>th</sup> Infantry for an operation they were conducting in the village of Taal Al Jal, Iraq. SPC ██████████ and myself are Air Defense Artillery and the main reason 1-27 needed us was because we have a 50 Caliber machine gun mounted to the avenger we drive. During the mission I was at a Traffic Control Point located southwest of the village. My mission was to block off the road so the infantry could conduct their mission. We did not let anyone out or into the village while the operation was going on. Around 1000 I heard a call come over the radio to detainee any Iraqi males in the area. After the call came over the radio I observed one vehicle approaching my location with one Iraqi male inside the vehicle. I detained the male driving the vehicle when a second vehicle approached. The vehicle contained two Iraqi males, one female and five children. I then detained the two Iraqi males and the rest of the people sat in their vehicle because they did not know they could leave. After the two Iraqi males were detained I walked back to my vehicle and attached my CVC helmet cord back in so I could hear the radio traffic. When I attached the cord I heard on the radio that shots have been fired. About one minute later a call came over the radio, which stated one shot had been fired at an Iraqi and he was killed. After that I continued to sit inside of my vehicle and watch my area for approaching vehicles and the detainees we had previously detained. ██████████

- Q: SA ██████████ 7C1501
- A: SGT ██████████ 7C4604
- Q: Did you hear the shot fired?
- A: No because I had my CVC helmet on so I could not hear.
- Q: Did you see who shot the Iraqi male?
- A: No.
- Q: Prior to this operations did you met PFC ██████████ 7C5665
- A: No.
- Q: Did someone brief the Rules of Engagement to you?
- A: Yes, CPT ██████████ We also have the ROE cards on us at all time. 7C4604
- Q: What did CPT ██████████ brief that was different to the ROE cards you have?
- A: He stated when the mission took place if we could positively identify any Iraqi males fleeing from the city deadly force was authorized.
- Q: Did anyone flee the village?
- A: No.
- Q: When did you first see the Iraqi Cow herder in the field?
- A: When SGT ██████████ and PFC ██████████ started to walk to his location.
- Q: How far away was the Iraqi Cow Herder from the TCP?
- A: 200 meters. 7C4604 7C5665
- Q: Did the Iraqi Cow Herder make any threats towards coalition forces in the area?
- A: Not that I saw.
- Q: Do you have anything else to add to this statement?
- A: No.///End of Statement/// 7C4604

DODDOACID-005424

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT ██████████ 7C4604	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF ██████████ TAKEN AT ██████████ DATED ██████████ CONTINUED."  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE  
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LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823  
1 JUL 72

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

For Official Use Only

EXHIBIT

70664  
STATEMENT OF [REDACTED] TAKEN AT FOB Warrior DATED 1 March 2004 CONTINUED:  
STATEMENT (Continued)

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DODDOACID-005425

70664

AFFIDAVIT

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

WITNESSES:

[REDACTED] 70664  
(Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 1st day of March, 2004 at FOB Warrior, Kirkuk, Iraq

ORGANIZATION OR ADDRESS

[REDACTED] 70664  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA [REDACTED] 70661  
(Typed Name of Person Administering Oath)

Article 136(b)(4), UCMJ  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

70664  
[REDACTED]

PAGE 2 OF 2 PAGES

EXHIBIT 0

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EX-006 62

# RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

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

## 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 Fort Wainwright, Alaska, Iraq	2. DATE 1 MAR 04	3. TIME 1440	4. FILE NO. BMD-04-024469-70189
5. NAME (Last, First, MI) [REDACTED]	6. ORGANIZATION OR ADDRESS HHC, 1-27 <sup>th</sup> INF BN FOG MCHARRY, Iraq		
6. SSN [REDACTED]	7. GRADE/STATUS E-3/IA		

## 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 and wanted to question me about the following offense(s) of which I am suspected/accused: MURDER

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

1. I do not have to answer any question or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. (For personnel subject to 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 willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

#### WITNESSES (If available)

1a. NAME (Type or Print) [REDACTED]	3. SIGNATURE OF INTERVIEWER [REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE [REDACTED]	4. SIGNATURE OF WITNESS [REDACTED]
2a. NAME (Type or Print) [REDACTED]	5. TYPED NAME OF WITNESS [REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE [REDACTED]	6. ORGANIZATION OF INVESTIGATOR 434 <sup>th</sup> MP DET (CD), Tikrit, Iraq

### 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

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EXHIBIT 13

EX-63

DODDOACID-005426

# SWORN STATEMENT

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

LOCATION FOB Warrior, Kirkuk, Iraq	DATE 1 Mar 2004	FILE NUMBER 0040-01-CID-400-70838
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED] 705605	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS E-4RA
ORGANIZATION OR ADDRESS 1-27 <sup>th</sup> Infantry Battalion, FOB McHenry, Iraq		

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 26 Feb 04 around 0600 I was attached to 1<sup>st</sup> squad as a gunner and I went with this squad to a Traffic Control Point (TCP) west of the city of Taal Al Jal. The squad was supporting A Company, 1-27<sup>th</sup> Infantry Battalion and was conducting a cordon and search operation to search for weapons and selected personnel. The squad's main responsibility was to insure that nobody left the village and came into the village while the operation was being conducted. This operation had no time limit so we were never told when it would end. When we arrived at the TCP it was still dark and very foggy so we could not see very far away. We could see about 20 meters utilizing our night vision devices. Once daybreak came we began to see the town and could hear the radio being conducted. Around 0800 we began to see local Iraqi nationals walking around in the fields herding their cows and sheep's. The Iraqis herding there cows and sheep did not pose a threat to us or the Infantry men conducting the raid so we left them alone. About 0900 we received a call over the radio, which stated any males in the area must be detained. There was never a reason given to why these Iraqis are being detained. Once the call came in we observed one male Iraqi Cow Herder about 200 meters away from the TCP. I saw this same farmer come out of the city and start herding his cows around 0800, but once we received the call to detainee all Iraqis myself and SGT [REDACTED] went out to the farmers location to detainee him. Once we saw this herder after the call came over the radio I told SGT [REDACTED] I would go detainee him with you. SGT [REDACTED] told me "lets go detainee this Iraqi herder". So SGT [REDACTED] and myself proceeded to the Iraqi Herders location. While we were walking towards the Iraqi SGT [REDACTED] stated to me that I would be the security for him and that he would be putting the flexi-cuffs on the Iraqi. Once we arrived to the location of the Iraqi SGT [REDACTED] informed the Iraqi to place his hands behind his back. The Iraqi just kept pointing back to the village and seemed upset that we were out at his location. Since the Iraqi did not understand English SGT [REDACTED] grabbed his hands and attempted to place them behind his back. The Iraqi complied with SGT [REDACTED] and his hands were placed behind his back; however, when SGT [REDACTED] attempted to place the flexi-cuffs around his wrists the Iraqi started to resist by moving his arms. SGT [REDACTED] then stated to me "place my weapon on his head and if he so much as moves shot him", which I did. I originally had my weapon pointed at the Iraqis chest, but when SGT [REDACTED] told me to place it by the Iraqis head so I did. Once I directed my weapon towards the Iraqis head I started looking through the scope and site just in case I had to shoot the Iraqi. I wanted to get a good site picture because I knew SGT [REDACTED] was close by and I did not want to shoot him. While I was looking through the scope and site I saw the Iraqi spin around to the left and lung towards SGT [REDACTED] so I shot and killed him. I shot him in the back of the head. Once I shot the Iraqi he dropped to the ground. The position of the Iraqis body when he fell to the ground was his chest was facing up and his head was turned to the left. After I shot the Iraqi SGT [REDACTED] complained to me that he could not hear anything because of the gunshot then he proceeded to go to the TCP to call this incident to higher. I was the only one there for about 5 minutes then SPC [REDACTED] came to my location. SPC [REDACTED] asked me if I was OK and if I wanted to smoke a cigarette. So I did. SPC [REDACTED] asked me if the Iraqi was flexi-cuffed, but I told him I did not no. We then sat around and waited for someone to give me guidance. About 20 minutes after I shot the Iraqi CPT [REDACTED], the 1SG for A Company and some other people I did know should up at my location. The 1SG then seized my weapon and told me to go sit down. About two hours later I went back to FOB McHenry. Once I arrived at FOB McHenry GSM [REDACTED] told me to wait in the Chaplains tent, which I did for about eight hours. From the chaplains tent I went back to my platoon for the night and then the following day I was transported to FOB Warrior.

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705  
ble 5

Q: SA [REDACTED] 705605  
A: PFC [REDACTED]  
Q: At anytime did you ever state that you were going to kill an Iraqi?  
A: Yes, but everyone talk s about that.  
Q: Why would you say you would kill an Iraqi?

DODDOACID-005427

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED] 705605	PAGE 1 OF 5 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.		

DA FORM 2823  
1 JUN 72

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

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EXHIBIT 13  
Ex 64

*7C4664*  
 STATEMENT OF PFC [REDACTED] TAKEN AT FOB Warrior DATED 1 March 2004 CONTINUED

- A: Because some of them are trying to kill us.  
 Q: Did you want to kill an innocent Iraqi?  
 A: No.  
 Q: What position was the Iraqi being detained at when SGT [REDACTED] *7C4664* was attempting to place the flexi-cuffs on him?  
 A: His right side was facing me. He was at a slight angle so some of his front was also facing me.  
 Q: Did you know the Iraqi was flexi-cuffed?  
 A: No, I found out after I shot him.  
 Q: Did SGT [REDACTED] *7C4664* tell you he finished placing the flexi-cuffs on the Iraqi?  
 A: No.  
 Q: When the Iraqi was getting flexi-cuffed what were you observing?  
 A: In the beginning I was observing everything around us, but after the Iraqi started to resist I focused on his head.  
 Q: When you were focusing on the Iraqis head what did you see?  
 A: I was focusing on the right side of the Iraqis head. I don't know the exact spot but it was above the Iraqis ear.  
 Q: What could you see through the scope of your weapon when SGT [REDACTED] *7C4664* was attempting to flexi-cuff the Iraqi?  
 A: As far as I remember all I could see was the Iraqis chest and up.  
 Q: What part of the chest could you see?  
 A: I could see from the pectoral region and up, but I was only focused on the Iraqis head.  
 Q: How did you see the chest on the Iraqi if you were focused on his head?  
 A: That is what I could see looking through the scope. I was mostly focused on the red dot from my scope, which was placed on the Iraqis head.  
 Q: Did you intend on killing the Iraqi?  
 A: I did not intend on killing the Iraqi when we went out to detainee him; however I intended on killing the Iraqi when he lunged at SGT [REDACTED] *7C4664*  
 Q: Why did you kill the Iraqi when you thought he lunged at SGT [REDACTED] *7C4664*  
 A: I felt the Iraqi was attacking SGT [REDACTED] *7C4664* I felt SGT [REDACTED] *7C4664*'s life was in danger so I shot to kill the Iraqi.  
 Q: While you were looking through your scope on your weapon could you see the Iraqis arms?  
 A: Not fully.  
 Q: What part of the arms could you see?  
 A: I could see the shoulders on the Iraqi.  
 Q: Were the shoulders on the Iraqi canted to the front of his body?  
 A: I don't know.  
 Q: Were the shoulders in a way that you could tell the Iraqis arms were behind him?  
 A: I could not tell.  
 Q: When was the last time you saw the Iraqis hands behind his back?  
 A: When SGT [REDACTED] *7C4664* told me to raise my weapon to his head and shot him if he moves.  
 Q: While you were looking through your scope on your weapon could you see SGT [REDACTED] *7C4664*  
 A: No.  
 Q: How did you know the Iraqi was lunging towards SGT [REDACTED] *7C4664*  
 A: Because the way the Iraqi turned I thought he was attempted to attack SGT [REDACTED] *7C4664*  
 Q: Describe to me what you saw when the Iraqi lunged?  
 A: I saw his head and shoulders quickly turn to the left and I also saw the Iraqi move forward.  
 Q: Did the Iraqi say anything when he was lunging forward?  
 A: No.  
 Q: Did the Iraqi have anything covering his eyes?  
 A: No.  
 Q: How far away from the detainee were you standing?  
 A: About one to two meters.  
 Q: What is the name of the scope you have on your weapon?  
 A: M68.  
 Q: What is the M68 used for?  
 A: It is an aiming device and it puts a red dot on the target.  
 Q: Does the M68 have any type of magnification?  
 A: No.  
 Q: Why were you looking through your scope of your weapon when you were so close to the detainee?

INITIALS OF PERSON MAKING STATEMENT: [REDACTED] *7C4664*

PAGE 2 OF 5 PAGES

DODDOACID-005428

For OAC's VA Only

EXHIBIT 13

704 b64  
STATEMENT OF PFC [REDACTED] TAKEN AT FOB Warrior DATED 1 March 2004 CONTINUED

A: Because over the last week are chain of command stressed to us that anytime we took a shot it had to be aimed. Plus, I wanted to make sure I was taking an aimed shot so I did not shot SGT [REDACTED]

Q: If you did not know where SGT [REDACTED] was why did you fire your weapon? 704 b64

A: When I want to fire my weapon I opened my left eye and saw SGT [REDACTED] standing on the side.

Q: What type of firer are you? 704 b64

A: Right handed.

Q: Which eye do you use to site in an object?

A: Right. 704 b64

Q: You say you observed SGT [REDACTED] before you fired your weapon, did you see his hands?

A: No, I just took a quick glance to confirm SGT [REDACTED] was out of the way.

Q: Why did you shoot the detainee?

A: I felt like he was attempting to kill SGT [REDACTED]

Q: Why did you feel like the Iraqi was going to kill SGT [REDACTED] 704 b64

A: He originally resisted being flexi-cuffed, we did not search him yet, the raid being conducted focused on old Iraqi army personnel who do not like coalition forces, and I did not know he was flexi-cuffed. So when the Iraqi lunged towards SGT [REDACTED] I took that as a direct threat against his life.

Q: Was the detainee searched prior to being flexi-cuffed?

A: No.

Q: Why wasn't the detainee search before he was flexi-cuffed?

A: I don't know. I was just the security personnel.

Q: Why did you not know the detainee was flexi-cuffed?

A: Because SGT [REDACTED] never gave me any indication the Iraqi was flexi-cuffed and I never saw the flexi-cuffs on the Iraqi. 704 b64

Q: When you shot your weapon was it your intent to kill the Iraqi?

A: Yes.

Q: After the Iraqi was shot did you recover any weapons from him?

A: No.

Q: Why did you shot the Iraqi? 704 b64

A: He made a threat against SGT [REDACTED]

Q: Describe to me what your definition of lung is?

A: Shift movement towards something.

Q: What threat did you perceive the Iraqi was making?

A: I thought he was going to stab SGT [REDACTED] 704 b64

Q: What was the Iraqi wearing?

A: He was wearing a brown coat, which was open in front. I can't remember anything else.

Q: Why did you think the Iraqi was going to stab SGT [REDACTED]?

A: Because I could not see his hands so I thought he wasn't flexi-cuffed.

Q: Did the Iraqi make any indication he was pulling something out of his coat?

A: I could not see that area.

Q: Did you see the Iraqi lung at SGT [REDACTED] 704 b64

A: All I saw was the Iraqi moving towards SGT [REDACTED]

Q: Could it be possible that SGT [REDACTED] was pulling the Iraqi?

A: Yes. 704 b64

Q: Did you see SGT [REDACTED] pull the Iraqi?

A: No, because I could not see SGT [REDACTED] arms.

Q: When the Iraqi lunged at SGT [REDACTED] what did you see?

A: I saw the Iraqis head and shoulders move towards SGT [REDACTED] 704 b64

Q: How did you know the Iraqi lunged at SGT [REDACTED]?

A: I assumed he was lunging towards SGT [REDACTED] because SGT [REDACTED] was in the direction the Iraqi was lunging to. 704 b64 704 b64

Q: Did the Iraqi touch SGT [REDACTED] when he lunged towards him?

A: No. 704 b64

Q: Was this killing unlawful?

A: No. 704 b64

INITIALS OF PERSON MAKING STATEMENT: [REDACTED] 704 b64

DODDOACID-005429

7C4664

STATEMENT OF PFC [REDACTED] TAKEN AT FOB Warrior DATED 1 March 2004 CONTINUED

Q: Why wasn't the killing of the Iraqi unlawful?

A: According to the Rules of Engagement card I have it states a hostile intent directed towards coalition forces authorizes coalition forces to use deadly force.

Q: What was the hostile intent directed towards SGT [REDACTED] 7C4664

A: The way I perceived the situation I thought the Iraqi was going to kill SGT [REDACTED] 7C4664

Q: Do you feel remorseful about killing the Iraqi?

A: No.

Q: When did you find out the Iraqi was flexi-cuffed?

A: When CPT [REDACTED] arrived and they began to look at the body.

Q: Why did you feel the Iraqi was a threat?

A: Because there were hostile forces in the area, he wasn't searched and I did not know he was flexi-cuffed.

Q: When you shot your weapon at the detainee did you know you would kill him if you shot him?

A: Yes

Q: When did you place your weapon onto fire?

A: After I saw the Iraqi make a sudden movement towards SGT [REDACTED] 7C4664

Q: What type of weapon did you shoot the Iraqi with?

A: M4

Q: Were you coerced into providing this statement?

A: No

Q: How were you treated while you were being interviewed?

A: Good

Q: Were you given breaks throughout the interview?

A: Yes

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

A: No.///End of Statement/// [REDACTED] 7C4664

DODDOACID-005430

7C4664

INITIALS OF PERSON MAKING STATEMENT: [REDACTED]

PAGE 4 OF 5 PAGES 67

EXHIBIT 13

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EX



704664

STATEMENT OF [REDACTED] TAKEN AT FOB Warrior DATED 1 March 2004 CONTINUED:  
STATEMENT (Continued)

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704664

**AFFIDAVIT**

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

WITNESSES:

[REDACTED] 704 664  
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 1st day of March, 2004

ORGANIZATION OR ADDRESS

[REDACTED] 701 661  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA [REDACTED] 701 661  
(Typed Name of Person Administering Oath)

Article 136, UCMJ  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED] 704664

PAGE 5 OF 5 PAGES

EXHIBIT 13 00 68  
EX

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SWORN STATEMENT

For use of this form, see AR 190-46; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2081; E.O. 9397 dated November 23, 1949 (SSSI)
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION SJA, 2BCT 25 INF, Kirkuk, Iraq
2. DATE (YYYYMMDD) 2004/03/01
3. TIME 1730
4. FILE NUMBER 2004-04-00164-74638

5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED] TCH 064
6. SSN [REDACTED]
7. GRADE/RATIS [REDACTED]
8. SGT

9. ORGANIZATION OR ADDRESS HHC 127 Inf. Mortars FOB McHenry

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

My mission given in the OPORDER by Cpt. [REDACTED] was to set up a traffic control point on the north side of the village. My team and I were to search all traffic coming in or out of the village, and to deny entry or exit of the village. If we were to find any weapons, or anything that looked suspicious we were to detain the individual, and call it in to Red 6 (IC [REDACTED]). I was also told in the OPORDER, that if we saw any adult male running from, or fleeing the village we were to put him down. Kill him. When I briefed my team on the mission, I told them Cpt. [REDACTED] exact words. I then added that in my opinion, the mission sounded serious, and that the unit was going into houses and detaining alot of adult males. I said that the chance of us seeing someone fleeing could be possible. I told them the fields looked large on both sides of us, and if they saw someone fleeing, or running they were to tell me, and I would be the deciding factor on whether or not we fired. They all said they understood they were to notify me of anyone running or fleeing. I then briefed them on the ROE that our Platoon leader, Cpt. [REDACTED] briefed us on. I covered IED's on the way there, and our ROE on contact with the enemy. I said we fire no warning shots, and we shoot only when our lives or equipment are in danger, with the exception of what Cpt. [REDACTED], and my guidance was on fleeing males. I asked them if they understood or had any questions. They said they understood the mission and ROE, and had no questions. When we got to our position the next morning, I set up the TCP. I placed Pfc. [REDACTED] on left side security, Pfc. [REDACTED] on right side security, Pfc. [REDACTED] on the M249, mounted on a gunmount in the back of the HMMWV, overwatching both sides. Cpl. [REDACTED], and Spc [REDACTED] were the soldiers searching vehicles. I was going to be monitoring the radio, and supervising what was going on. At about 0730 I heard over the net that we where to detain all males in the village. I called Black 6, the one who made the call to detain over the net, and explained to him my situation. My situation was that I was at a TCP with cars lining up, and I had what seemed to be just a few farmers in my area. I was told by Black 6 that I was to detain all males in my area. I told Cpl. [REDACTED] to take charge of detaining all males that approached in cars. I looked around and saw a male standing in the field that Pfc. [REDACTED] was pulling security on, about 200 meters away. I told Pfc. [REDACTED] that we were going to go detain him. Spc [REDACTED] told Pfc. [REDACTED] that I would be detaining him, and he would pull security. He said OK and handed me the cuffs. At this time I had my weapon slung at my side, and Pfc. [REDACTED] had his weapon at the walking, low ready. As we approached the male his back was facing away from us. As we got about 50 to 30 meters away the male noticed we were coming, and turned towards us. He started to speak in arabic to us, he seemed to be angry that we were coming towards him, I think he knew he was going to be detained, and was mad. As we were walking to him I put both my hands in the air to signal him to do the same, he did so but only for a few seconds. He then put his hands down. I signaled again, and he put his arms up halfway, and out to the sides. when we got over to him I told [REDACTED] to pull security and pointed where I wanted him to stand. It was about 3 feet away from the male, on the males left side. At this time [REDACTED] weapon was still at the low ready. I quickly ran my hands over the males arms and upper torso checking for large weapons. The male still seemed very upset with us. I then signaled for him to turn around, he did so. I then grabbed his left arm and pulled down, signaling him to put his hands behind his back. He then started to struggle lightly with me not giving me his hand. He still seemed upset and angry, and was beginning to resist being detained. I told [REDACTED] to put his weapon up. [REDACTED] put his weapon at the high ready, about centermass of the male. The male then stopped resisting and gave me his hands. When I tried to put the cuffs on him he started to resist again. He would not let me put his hands in the cuffs. After a brief struggle I got his hands in the cuffs. He then relaxed. I patted him on the right shoulder to try and assure him he was ok. I turned to [REDACTED] and said "he's good, let's go" I saw [REDACTED] begin to bring down his weapon to start walking. I grabbed the male by the left arm and we turned to the left and started walking. [REDACTED] was behind us. The male and I took about 2 steps, and I heard a vey loud gunshot, I dug down and looked back at [REDACTED]. My first thought was that we were being shot at. I said "what the hell was that?" I saw [REDACTED] still facing me, he said something on the lines of "he jumped at you". I saw the male had been shot in the head. I said to [REDACTED] that he was ok, and I was going to call it in on the radio. I waved over to the TCP for someone to come over and stay with [REDACTED] and pull security. I ran over to to TCP and called Gunlinger 6 (Cpt. [REDACTED]) on the radio, and told him I had a civilian KIA at my location.

TCH 064
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TC 164
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10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT [REDACTED] TCH 064
PAGE 1 OF 3 PAGES

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

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EXHIBIT 4 69

DODDOACID-005432

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

STATEMENT OF SGT [redacted] 704664 TAKEN AT SJA, 2nd BCT DATED 2004/03/01

9. STATEMENT (Continued)

Q: SA [redacted] 701101

A: SGT [redacted] 704664 75665

Q: Did you indicate to [redacted] that the Iraqi man had been flexi-cuffed?

A: Yes, After I cuffed him, I told [redacted] that he was good and let's go.

Q: Did he acknowledge to you that he heard this?

A: As I was saying this, I was looking at him and he began to lower his weapon.

Q: When you looked at him, was he looking in his scope?

A: He was looking over the top of it, and looking at the Iraqi man.

Q: From his angle, do think he would have seen that the Iraqi man was cuffed?

A: I would think he should have.

Q: While you were attempting to cuff the Iraqi man, did you tell [redacted] to point his weapon at the man's head and shoot him if he moves? 705668

A: I told [redacted] to get his weapon up at the man as a show of force in order to prevent him to further resist me.

Q: When [redacted] raised his weapon, where on the man was the weapon pointed at?

A: It was pointed at the man's shoulder/chest area.

Q: Was he looking through the scope at this time?

A: Not when I was looking at him. He may have looked through the scope when I was busy cuffing the man.

Q: When you stated that the Iraqi man was ready to be taken back and you pulled him with you, did the Iraqi man show any signs of resistance or try to lunge towards you?

A: No, the only movement he made was when he took his first step and slightly lost his balance and leaned into me.

Q: Was it a sudden move, that could have been mistaken to be that he was lunging at you?

A: From my point of view, no. I did not perceive that movement as threatening.

Q: Was [redacted] looking through his scope when he fired? 705668

A: I don't know, just before I turned with the Iraqi man, I remember seeing [redacted] beginning to lower their weapon. As we turned, I could no longer see [redacted], as he was behind me. After the shot, and I looked at him, he had the weapon almost pointed to the ground and had a look of shock.

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

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

DODDOACID-005433

INITIALS OF PERSON MAKING STATEMENT [redacted] 704664

PAGE 2 OF 3 PAGES

EXHIBIT IV USAPA V1.00

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Ex 66 70

STATEMENT OF SGT [REDACTED] 7C4664 TAKEN AT SJA, 2BCT DATED 2004/03/01

9. STATEMENT (Continued)

[REDACTED STATEMENT CONTENT]

NOT USED

[REDACTED] 7C4664

DODDOACID-005434

AFFIDAVIT

I, [REDACTED] 7C4664, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED SIGNATURE] (Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 1 day of Mar, 2004 at SJA, 2BCT, Kirkuk, Iraq

ORGANIZATION OR ADDRESS

[REDACTED SIGNATURE] 7C601

ORGANIZATION OR ADDRESS

SA [REDACTED] 7C1661 (Typed Name of Person Administering Oath)

Art 136, UCMJ (Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED INITIALS] 7C1 001

PAGE 3 OF 3 PAGES

**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

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

LOCATION: Kirkuk, Iraq DATE: 29 Mar 04 TIME: 1005  
FILE NUMBER: 0040-04-CIDM69-29638  
NAME (Last, First MI): [REDACTED] SSAN: [REDACTED] GRADE / STATUS: PFC  
ORGANIZATION OR ADDRESS: EHC, 1st Infantry Battalion, FOB McNary, APO, AE 9711 [REDACTED]

**RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

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 of: Murder, False Official Statements, False Swearing

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:

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- 1. I do not have to answer 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.

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5

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

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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.

Witness: [REDACTED] 7C 66 1  
Signature of Witness: [REDACTED]

[REDACTED] 7C 66 5  
Signature of Interviewee: [REDACTED]

Witness = 2  
Signature of Witness: [REDACTED]

[REDACTED] 7C 66 1  
Signature of Interviewee: [REDACTED]  
SA [REDACTED]  
1st MP BN (CID)  
APO, AE 09342

**NON-WAIVER CERTIFICATE**

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

Signature of Interviewee: \_\_\_\_\_

DA Form 3881-E

DODDOACID-005435

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EXHIBIT 1500 72

SWORN STATEMENT

LOCATION: Kirkuk, Iraq

FILE NUMBER: 0040-04-CID469-79638

DATE: 29 Mar 04

TIME: 1419

NAME: [REDACTED] 725665

SSAN: [REDACTED]

GRADE/RANK: EFC

ORGANIZATION OR ADDRESS: HHC, 1-27<sup>th</sup> Infantry Battalion, FOB McHenry, Kirkuk, Iraq,

APO, AE 09347

[REDACTED] 725665 want to make the following statement under oath:

I provided a sworn statement on 1 Mar 04 concerning the incident in which I shot and killed an Iraqi farmer during a raid. Looking back on the entire situation, I would like to make some corrections to that statement at this time. Prior to the raid, the rules of engagement were put out that if anyone tried to flee the villiage, we were to shoot them. After arriving to the villiage and setting up, I could hear some shotgun blasts going off in the villiage where the raid was taking place. I then noticed an Iraqi male walking his cattle away from the villiage. Since the rules of engagement were put out that we were to shoot anyone fleeing the villiage, I asked if I should shoot the farmer because he was leaving the villiage. I was told by SGT [REDACTED] not shoot him. About an hour later, someone, maybe CPT [REDACTED] put out over the radio to apprehend all males leaving the villiage. At that time, we decided to apprehend the farmer. Myself and [REDACTED] each had a set of flexicuffs and began walking into the field where the farmer was still with his cattle. My adrenaline was already pumping because of the raid and then even more so as we approached the farmer to apprehend him. Myself and [REDACTED] decided that [REDACTED] would place the flexicuffs on the farmer, while I stood guard. The farmer seemed to be directing our attention to something else as we approached him, and then as SGT [REDACTED] began placing the flexicuffs on him, he started resisting. Already at that point I had a lot of adrenaline going through my system and [REDACTED] shouted at me to point my rifle at the Iraqi's head. I then pointed my rifle at his head and he stopped resisting. In my previous statement I put in that I did not realize the Iraqi was wearing flexicuffs when I shot him. Looking back now, I think it would be more accurate to say that I did not register in my mind that he was wearing flexicuffs. The adrenaline was affecting my perception of the situation. I remember seeing [REDACTED] putting flexicuffs on him and I saw him with his arms behind his back as I pointed my rifle at his head. I had to know he had on flexicuffs before I shot him, but it just did not register in my mind at the time. Also in my previous statement, I said that the Iraqi lunged at [REDACTED]. Again, looking back on it now, I don't think the Iraqi actually lunged. What happened is [REDACTED] turned him to walk away; however, because of the adrenaline, when [REDACTED] moved the Iraqi out of my sight picture, I just reacted by shooting him. I would have never shot that man had I been thinking clearly. I would never shoot someone who was wearing flexicuffs if I registered in my mind that they were wearing them. It is everything combined between the pressure of the raid, the new rules of engagement, the Iraq resisting his detention, and the whole situation in general that caused me to not be react like I normally would.

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INITIALS OF PERSON MAKING STATEMENT [REDACTED] 725665

PAGE 1 OF 2 PAGES

DA Form 2823-E

[REDACTED] 725665

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EXHIBIT \_\_\_\_\_

73

DODDOACID-005436

7C5 b65  
Sworn Statement of PFC [redacted] taken at Kirkuk, Iraq, 29-Mar-04,  
CONTINUED:

- 75608  
Q. SA [redacted] 7C1 b61  
A. PFC [redacted] 7C5 b68  
Q. Did you hear [redacted] tell you "he's good, let's go"?  
A. No. He might have said it, but if he did, I did not hear it because of the adrenaline and the situation. It just did not register.  
Q. How do you feel you were treated today?  
A. Good.  
Q. Were you given the opportunity to drink, eat, and use the restroom today?  
A. Roger.  
Q. Is there anything else you would like to add to this statement?  
A. No. End of Statement!! [redacted] 74 b64

AFFIDAVIT

[redacted] have read or have had read to me this statement which begins on page 1 and ends on page 2. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence or unlawful inducement. [redacted] 7C5 b68

Witness #1:  
[redacted] 7C1 b61

[redacted] 7C5 b65  
(Signature of Person Making Statement)

Subscribed and sworn before me, a person authorized by law to administer oaths, this 29th day of March 2004, at Kirkuk, Iraq

Witness #2:  
\_\_\_\_\_  
\_\_\_\_\_

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

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

Article 136 (b) (4) UCMJ  
(Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT [redacted]

PAGE 2 OF 2 PAGES [redacted]

DA Form 2823-E

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EXHIBIT \_\_\_\_\_

00 74  
DODDOACID-005437

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0040-04-CID469-79638

PAGE 1 OF 1 PAGES

## DETAILS

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About 1005, 29 Mar 04, SA [redacted] <sup>7C1 b61</sup>, 22<sup>nd</sup> Military Police Battalion (CID), APO AE 09342, advised PFC [redacted] of his legal rights, which he waived and provided a Sworn Statement and admitted to shooting Mr KADIR knowing at the time of the shooting, he was flexi cuffed. Further, PFC [redacted] admitted to providing a False Official Statement to this office when he knowingly provided a sworn statement to this office he knew to be false (See Waiver Certificate and Sworn Statement of PFC [redacted] for details).

7C661 7C663 7C2 b63  
About 1230, 4 Apr 04, SA [redacted] coordinated with MAJ [redacted] Office of the Staff Judge Advocats, 1<sup>st</sup> Infantry Division, who opined there was probable cause to believe PFC [redacted] committed the offenses of Murder and False Official Statement. <sup>7C665</sup>

7C661 7C3 b63  
About 1500, 16 Apr 04, SA [redacted] coordinated with CPT [redacted], HHC, 1/27 IN BN, FOB McHenry, Kirkuk, Iraq, who related that the night of the incident the Rules of Engagement were to shoot and kill any personnel observed leaving the village with a weapon. ///LAST///

DODDOACID-005438

TYPED AGENT'S NAME AND SEQUENCE NUMBER

Special Agent [redacted] <sup>7C1 b61 b2</sup>

ORGANIZATION

286<sup>th</sup> MP Det, 22<sup>nd</sup> MP Battalion, Tikrit, Iraq, APO AE 09392

SIGNATURE [redacted] <sup>7C1 b6</sup>

DATE

16 Apr 04

EXHIBIT

16

CID FORM 94

1 FEB 77

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ITEM NO.	DESCRIPTION	QUANTITY	UNIT	PRICE	AMOUNT	TAX	TOTAL	REMARKS
1								

DODDOACID-005439

Exhibit 18

FOUO

DATE: 30 MAR 04

FROM: CDR, 286<sup>TH</sup> MP DET (CID), TIKRIT, IZ

TO: DIR, USACRC, USACIDC, FT BELVOIR VA  
CDR, USACIDC //CIOP-ZA//  
CDR, 22D MP BN (CID)//OPS//  
CDR, 3D MP GROUP (CID)//OPS//  
CDR, 1/27<sup>TH</sup> INF BN, 25ID, KIRKUK, IZ  
SJA, 2BDE, 25ID, KIRKUK, IZ  
1ID CHIEF OF STAFF, TIKRIT, IZ  
1ID PROVOST MARSHAL, TIKRIT, IZ  
1ID, SJA, TIKRIT, IZ

SUBJECT: CID REPORT OF INVESTIGATION -3RD STATUS/SS1 - 0040-04-  
CID469-79638 -5H1A/5M3/9G2C

DRAFTER: [REDACTED]

RELEASER: [REDACTED]

*7C1 b61*

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 28 FEB 2004/0855 - 28 FEB 2004/0900; GRID COORDINATE 38S LE 825 101, TAAL AL JAL, IRAQ
2. 1 MAR 2004/1440 - 29 MAR 04/1419, FOB MCHENRY, KIRKUK, IRAQ

2. DATE/TIME REPORTED: 28 FEB 04, 1800

3. INVESTIGATED BY: SA [REDACTED]

*7C1 b61*

4. SUBJECT: 1. [REDACTED]

*7C5 b65*

FC: [REDACTED]

*7C5 b65*

*7C5 b65* [REDACTED] M; WHITE; HEADQUARTERS AND HEADQUARTERS COMPANY (HHC), 1-27<sup>TH</sup> IN BN, 25<sup>TH</sup> ID (HOME BASE: SCHOFIELD BKS, HI), FORWARD OPERATING BASE (FOB) MCHENRY, IRAQ, APO AE 09347; CT; [MURDER] [FALSE OFFICIAL STATEMENT]

5. VICTIM: 1. KADIR, MUHAMAD HUSAIN; LOCAL IRAQI NATIONAL, TAAL AL JAL, IRAQ; ZZ; (NFI); [MURDER]

2. U.S.GOVERNMENT: [FALSE OFFICIAL STATEMENT]

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

"THIS IS AN OPERATION IRAQI FREEDOM II INVESTIGATION"

DODDOACID-005440

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3RD STATUS:

THIS STATUS REPORT IS GENERATED TO ADD THE OFFENSE OF FALSE OFFICIAL STATEMENT, TO ADD THE US GOVERNMENT AS THE VICTIM OF THAT OFFENSE, AND TO DOCUMENT A FURTHER CONFESSION STATEMENT OF [REDACTED]

ON 29 MAR 04, PFC [REDACTED] <sup>7C5665</sup> WAS RE-ADVISED OF HIS RIGHTS, WHICH HE WAIVED, AND PROVIDED A WRITTEN STATEMENT IN WHICH HE ADMITTED HE WAS NOT TRUTHFUL IN THE FIRST STATEMENT HE PROVIDED THIS OFFICE.

[REDACTED] <sup>7C5665</sup> ADMITTED HE OBSERVED SGT [REDACTED] PLACE FLEXICUFFS ON MR KADIR PRIOR TO THE SHOOTING, AND ADMITTED MR KADIR DID NOT LUNGE AT SGT [REDACTED] AS ALLEGED IN HIS INITIAL STATEMENT.

2<sup>ND</sup> STATUS:

THIS STATUS REPORT IS BEING GENERATED TO FURTHER IDENTIFY PFC [REDACTED] <sup>7C5665</sup> AND MR KADIR.

ON 1 MAR 04, PFC [REDACTED] <sup>7C5665</sup> WAS INTERVIEWED. PFC [REDACTED] <sup>7C4664</sup> ADMITTED SHOOTING AND KILLING MR KADIR WHILE SGT [REDACTED] <sup>7C5665</sup> HC, 1-27<sup>TH</sup> IN BN, FOB MCHENRY, IRAQ ATTEMPTED TO WALK MR KADIR TO A SECURED AREA AFTER HAVING SECURED MR KADIR'S HANDS BEHIND HIS BACK WITH FLEXICUFFS. PFC [REDACTED] <sup>7C4664</sup> EXPLAINED HE THOUGHT MR KADIR LUNGED TOWARD SGT [REDACTED] <sup>7C4664</sup> IN AN ATTEMPT TO HARM HIM AND CLAIMED HE DID NOT KNOW MR KADIR WAS CUFFED WHEN HE SHOT AND KILLED HIM.

ON 1 MAR 04, SGT [REDACTED] <sup>7C4664</sup> WAS INTERVIEWED. SGT [REDACTED] <sup>7C4664</sup> STATED HE DETAINED MR KADIR AND WAS ATTEMPTING TO MOVE THE VICTIM TO A DIFFERENT LOCATION WHEN PFC [REDACTED] SHOT AND KILLED MR KADIR.

INVESTIGATION CONTINUES BY THE USACIDC.

INITIAL:

THIS OFFICE WAS NOTIFIED BY THE STAFF JUDGE ADVOCATES OFFICE, 4<sup>TH</sup> INFANTRY DIVISION, CAMP IRON HORSE, TIKRIT, IRAQ, APO AE 09323, OF A UNITED STATES SOLDIER WHO SHOT AND KILLED A LOCAL IRAQI NATIONAL, WHILE THE IRAQI WAS FLEXI-CUFFED.

PRELIMINARY INVESTIGATION REVEALED MEMBERS OF THE 1-27<sup>TH</sup> INFANTRY BATTALION WERE CONDUCTING A CORDON AND SEARCH IN TAAL AL JAL, IRAQ TO CAPTURE ANTI-COALITION FORCES AND MORTAR

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DODDOACID-005441

CACHES. WHILE THE CORDON AND SEARCH WAS BEING CONDUCTED THE 1-27<sup>TH</sup> MORTAR PLATOON WAS POSITIONED AT A TRAFFIC CONTROL POINT (TCP) NORTH OF THE VILLAGE. THE PLATOON HAD INSTRUCTIONS TO DETAINEE ANY LOCAL IRAQIS TRYING TO FLEE THE VILLAGE. WHILE THE PLATOON WAS AT THE TCP A CALL OVER THE RADIO TO DETAINEE ANY IRAQI MALES IN THEIR VICINITY. THE TCP OBSERVED ONE IRAQI MALE (NFI) IN A FIELD SO SGT [REDACTED] -27<sup>TH</sup> INFANTRY, FOB MCHENRY, IRAQ (NFI) AND PFC [REDACTED] APPROACHED THE IRAQI TO DETAINEE HIM. WHILE SGT [REDACTED] WAS ATTEMPTING TO PLACE FLEXI-CUFFS ON THE IRAQI HE STARTED TO RESIST. WHEN THE IRAQI STARTED TO RESIST PFC [REDACTED] RAISED HIS WEAPON IN THE HIGH COVER POSITION TO PROTECT SGT [REDACTED] IN CASE THE IRAQI OVERPOWERED HIM. SGT [REDACTED] WAS ABLE TO FLEXI-CUFF THE IRAQI WITHOUT INCIDENT AND BEGAN TO MOVE THE IRAQI WHEN PFC [REDACTED] THOUGHT HE OBSERVED THE IRAQI LUNG AT SGT [REDACTED] SO HE FIRED ONE ROUND, WHICH STRUCK AND KILLED THE IRAQI.

7C4664  
7C5665  
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7C4664

7C4664

7C5665

THE REMAINS OF THE LOCAL IRAQI NATIONAL WERE RELEASED TO A LOCAL TRIBE LEADER IN THE CITY OF TAAL AL JAL, IRAQ.

\*\*\*REQUEST USACRC NAME CHECK OF PFC [REDACTED]

7C5665

7. COMMANDERS ARE REMINDED OF THE PROVISIONS OF AR 600-8-2 PERTAINING TO SUSPENSION OF FAVORABLE PERSONNEL ACTIONS AND AR 300-67 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 25-55.

DATE: 3 MAR 04

FROM: CDR, 43<sup>RD</sup> MILITARY POLICE DETACHMENT (CID)

TO: DIR, USACRC, USACIDC, FT BELVOIR VA  
CDR, 22<sup>ND</sup> MILITARY POLICE BATTALION (CID)  
PROVOST MARSHAL, 4<sup>TH</sup> INFANTRY DIVISION  
SJA, 4<sup>TH</sup> INFANTRY DIVISION  
CHIEF OF STAFF, 4<sup>TH</sup> INFANTRY DIVISION

SUBJECT: CID REPORT OF INVESTIGATION - 2<sup>ND</sup> STATUS/SS1 - 0040-04-  
CID469-79638 -5H1A

DRAFTER: [REDACTED]

RELEASER: [REDACTED]

*7C1661*

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 28 FEB 2004/0855 - 28 FEB 2004/0900; GRID COORDINATE 38S LE 825  
101, TAAL AL JAL, IRAQ

2. DATE/TIME REPORTED: 28 FEB 04, 1800

3. INVESTIGATED BY: [REDACTED]

*7C1661 02*

4. SUBJECT: 1. [REDACTED]

*7C57665*

PFC; [REDACTED]

*7C57668*

[REDACTED], M; WHITE; HEADQUARTERS AND HEADQUARTERS  
COMPANY (HHC), 1-27<sup>TH</sup> IN BN, 25<sup>TH</sup> ID, FORWARD OPERATING BASE (FOB)  
MCHENRY, IRAQ; CT; [MURDER]

*7C57665*

5. VICTIM: 1. KADIR, MUHAMAD HUSAIN; LOCAL IRAQI NATIONAL, TAAL  
AL JAL, IRAQ; ZZ; (NFI); [MURDER]

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

"THIS IS AN OPERATION IRAQI FREEDOM INVESTIGATION"

2<sup>ND</sup> STATUS:

THIS STATUS REPORT IS BEING GENERATED TO FURTHER IDENTIFY PFC  
[REDACTED] AND MR KADIR.

ON 1 MAR 04, PFC [REDACTED] WAS INTERVIEWED. PFC [REDACTED]  
ADMITTED SHOOTING AND KILLING MR KADIR WHILE SGT [REDACTED]  
[REDACTED] HHC, 1-27<sup>TH</sup> IN BN, FOB MCHENRY, IRAQ ATTEMPTED  
TO WALK MR KADIR TO A SECURED AREA AFTER HAVING SECURED MR  
KADIR'S HANDS BEHIND HIS BACK WITH FLEXICUFFS. PFC [REDACTED]

*7C57665*

*7C24664*

*7C57668*

*7C46664*

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EXPLAINED HE THOUGHT MR KADIR LUNGED TOWARD SGT [REDACTED] IN AN ATTEMPT TO HARM HIM AND CLAIMED HE DID NOT KNOW MR KADIR WAS CUFFED WHEN HE SHOT AND KILLED HIM. *704604*

ON 1 MAR 04, SGT [REDACTED] WAS INTERVIEWED. SGT [REDACTED] STATED HE DETAINED MR KADIR AND WAS ATTEMPTING TO MOVE THE VICTIM TO A DIFFERENT LOCATION WHEN PFC [REDACTED] SHOT AND KILLED MR KADIR. *704604*  
*705165*

INVESTIGATION CONTINUES BY THE USACIDC.

INITIAL:

THIS OFFICE WAS NOTIFIED BY THE STAFF JUDGE ADVOCATES OFFICE, 4<sup>TH</sup> INFANTRY DIVISION, CAMP IRON HORSE, TIKRIT, IRAQ, APO AE 09323, OF A UNITED STATES SOLDIER WHO SHOT AND KILLED A LOCAL IRAQI NATIONAL, WHILE THE IRAQI WAS FLEXI-CUFFED.

PRELIMINARY INVESTIGATION REVEALED MEMBERS OF THE 1-27<sup>TH</sup> INFANTRY BATTALION WERE CONDUCTING A CORDON AND SEARCH IN TAAL AL JAL, IRAQ TO CAPTURE ANTI-COALITION FORCES AND MORTAR CACHES. WHILE THE CORDON AND SEARCH WAS BEING CONDUCTED THE 1-27<sup>TH</sup> MORTAR PLATOON WAS POSITIONED AT A TRAFFIC CONTROL POINT (TCP) NORTH OF THE VILLAGE. THE PLATOON HAD INSTRUCTIONS TO DETAINEE ANY LOCAL IRAQIS TRYING TO FLEE THE VILLAGE. WHILE THE PLATOON WAS AT THE TCP A CALL OVER THE RADIO TO DETAINEE ANY IRAQI MALES IN THEIR VICINITY. THE TCP OBSERVED ONE IRAQI MALE (NFI) IN A FIELD SO SGT [REDACTED] 1-27<sup>TH</sup> INFANTRY, FOB MCHENRY, IRAQ (NFI) AND PFC [REDACTED] APPROACHED THE IRAQI TO DETAINEE HIM. WHILE SGT [REDACTED] WAS ATTEMPTING TO PLACE FLEXI-CUFFS ON THE IRAQI HE STARTED TO RESIST. WHEN THE IRAQI STARTED TO RESIST PFC [REDACTED] RAISED HIS WEAPON IN THE HIGH COVER POSITION TO PROTECT SGT [REDACTED] IN CASE THE IRAQI OVERPOWERED HIM. SGT [REDACTED] WAS ABLE TO FLEXI-CUFF THE IRAQI WITHOUT INCIDENT AND BEGAN TO MOVE THE IRAQI WHEN PFC [REDACTED] THOUGHT HE OBSERVED THE IRAQI LUNG AT SGT [REDACTED] SO HE FIRED ONE ROUND, WHICH STRUCK AND KILLED THE IRAQI. *705165*  
*704604*  
*705165*  
*704604*  
*704604*

THE REMAINS OF THE LOCAL IRAQI NATIONAL WERE RELEASED TO A LOCAL TRIBE LEADER IN THE CITY OF TAAL AL JAL, IRAQ.

\*\*\*REQUEST USACRC NAME CHECK OF PFC RICHMOND\*\*\*

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

FOR OFFICIAL USE ONLY

DATE: 29 FEB 04

FROM: CDR, 43<sup>RD</sup> MILITARY POLICE DETACHMENT (CID)

TO: DIR, USACRC, USACIDC, FT BELVOIR VA  
CDR, 22<sup>ND</sup> MILITARY POLICE BATTALION (CID)(FWD)  
CDR, 3D MILITARY POLICE GROUP (CID) (FWD)  
PROVOST MARSHAL, 4<sup>TH</sup> INFANTRY DIVISION  
SJA, 4<sup>TH</sup> INFANTRY DIVISION  
CHIEF OF STAFF, 4<sup>TH</sup> INFANTRY DIVISION

SUBJECT: CID REPORT OF INVESTIGATION - INITIAL/SSI - 0040-04-CID469-79638 -5H1A

DRAFTER: [REDACTED]

RELEASER: [REDACTED] *7016201*

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 28 FEB 2004/0855 - 28 FEB 2004/0900; GRID COORDINATE 38S LE 825 101, TAAL AL JAL, IRAQ

2. DATE/TIME REPORTED: 28 FEB 04, 1800

3. INVESTIGATED BY: [REDACTED] *7016201 62*

4. SUBJECT: 1. [REDACTED] *7016206* PFC; [REDACTED] *7016205* M; 1-27<sup>TH</sup> INFANTRY, 25<sup>TH</sup> INFANTRY DIVISION, FORWARD OPERATING BASE MCHENRY, IRAQ; CT; (NFI); [MURDER]

5. VICTIM: 1. LOCAL IRAQI NATIONAL, TAAL AL JAL, IRAQ; ZZ; (NFI) [MURDER]

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

"THIS IS AN OPERATION IRAQI FREEDOM INVESTIGATION"

THIS OFFICE WAS NOTIFIED BY THE STAFF JUDGE ADVOCATE OFFICE, 4<sup>TH</sup> INFANTRY DIVISION, CAMP IRON HORSE, TKRIT, IRAQ, APO AE 09323, OF A UNITED STATES SOLDIER WHO SHOT AND KILLED A LOCAL IRAQI NATIONAL, WHILE THE IRAQI WAS RESTRAINED WITH FLEXI-CUFFS.

PRELIMINARY INVESTIGATION REVEALED MEMBERS OF THE 1-27<sup>TH</sup> INFANTRY BATTALION WERE CONDUCTING A CORDON AND SEARCH IN TAAL AL JAL, IRAQ TO CAPTURE ANTI-COALITION FORCES AND MORTAR CACHES. WHILE THE CORDON AND SEARCH WAS BEING CONDUCTED THE 1-27<sup>TH</sup> MORTAR PLATOON WAS POSITIONED AT A TRAFFIC CONTROL POINT

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(TCP) NORTH OF THE VILLAGE. THE PLATOON HAD INSTRUCTIONS TO  
DETAINEE ANY LOCAL IRAQIS TRYING TO FLEE THE VILLAGE. WHILE THE  
PLATOON WAS AT THE TCP INSTRUCTIONS WERE RECEIVED VIA RADIO TO  
DETAIN ANY IRAQI MALES IN THEIR VICINITY. THE TCP OBSERVED ONE  
IRAQI MALE (NFI) IN A FIELD AND SGT [REDACTED] 1-27<sup>TH</sup> INFANTRY, FOB *24604*  
MCHENRY, IRAQ (NFI) WITH PFC [REDACTED] APPROACHED THE IRAQI TO *25605*  
DETAINEE HIM. WHILE SGT [REDACTED] WAS ATTEMPTING TO PLACE FLEXI-  
CUFFS ON THE IRAQI, THE DETAINEE STARTED TO RESIST. PFC [REDACTED] *25605*  
RAISED HIS WEAPON IN THE HIGH COVER POSITION TO PROTECT SGT  
[REDACTED] IN CASE THE IRAQI OVERPOWERED HIM. SGT [REDACTED] WAS  
ABLE TO COMPLETE THE CUFFING PROCEDURE WITHOUT INCIDENT, THEN  
BEGAN TO MOVE THE IRAQI WHEN PFC [REDACTED] THOUGHT HE *25605*  
OBSERVED THE IRAQI LUNGE AT SGT [REDACTED] PFC [REDACTED] *25605*  
RESPONDED BY FIRING ONE ROUND FROM HIS RIFLE, WHICH STRUCK AND  
KILLED THE IRAQI.

THE REMAINS OF THE LOCAL IRAQI NATIONAL WERE RELEASED TO A YET  
UNIDENTIFIED LOCAL TRIBAL LEADER IN THE CITY OF TAAL AL JAL, IRAQ.

FURTHER INVESTIGATION IS PENDING RESPONSE TO THE UNIT'S  
LOCATION ON 29 FEB 04.

INVESTIGATION CONTINUES BY THE USACIDC.

\*\*\*REQUEST USACRC NAME CHECK OF PFC [REDACTED] *25605*

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



# INVESTIGATIVE PLAN

SEQUENCE NUMBER  
0040-04-CID469-79638DATE:  
9 Mar 04OFFENSE:  
MurderSUBJECT: PFC RICHMOND  
VICTIM: ██████████ *ye/bw*ASSIGNED TO:  
SA ██████████ *K1 b/w*

DATE NOTED	PLANNED ACTIVITY	DATE COMPLETED
9 Mar 04	Coordinate with SJA	29 Mar 04
9 Mar 04	Poly on PFC ██████████	29 Mar 04
9 Mar 04	Determine is weapon needs to go to USACIL	25 Mar 04
9 Mar 04	Write final and close	16 Apr 04
4 Apr 04	USACIL Lab Report	N/A

### MISCELLANEOUS ACTIVITY

ACTION	COMPLETED	ACTION	COMPLETED
Obtain MP Report		Sources targeted	
NCIC entry on stolen prop		Medical records requested	
Film submitted for contact sheet		Name check dispatched	
Contact sheet submitted for photos		Name check results received	

### CONTACTS/PHONE NUMBERS

ACTIVITY/PERSON	PHONE NUMBER

### INVESTIGATIVE STANDARDS

VICTIMS INTERVIEWED	24 hours
EYE WITNESSES INTERVIEWED	24 hours
EVIDENCE DEPOSITED	1 duty day
LAB REQUESTS	5 duty days
RFA'S SENT OUT	5 duty days
MEANINGFUL INV. ACTIVITY	10 duty days
RFA FOLLOW UP	15 duty days
KNOWN SUBJ FINALS	15 duty days
UNFOUNDED FINALS	15 duty days
UNKNOWN SUBJ FINALS	30 cal days
ACTION TAKEN	30 cal days

Fort Lee Resident Agency Form 1. 25 Oct 95

INVESTIGATIVE PLAN

SEQUENCE NUMBER  
0041-04-CE0410-79138

DATE: 28 Feb 04  
OFFENSE: Murder  
SUBJECT/VICTIM: PFC [REDACTED] 70565  
ASSIGNED TO: [REDACTED] 703163

DATE/TIME	INVESTIGATIVE ACTIVITY	DATE COMPLETED
28 Feb 04	Interview PFC [REDACTED] 70565	1 Mar 04
28 Feb 04	Interview SGT [REDACTED] 704664	1 Mar 04
28 Feb 04	Canvass members at the TCP	1 Mar 04
28 Feb 04	Collect weapons as evidence	1 Mar 04
28 Feb 04	STA Coord.	
28 Feb 04	Interview medical	1 Mar 04
28 Feb 04	Obtain 15-b & photos from [REDACTED] 704664	1 Mar 04
28 Feb 04	lab request	3 Mar 04
1 Mar 04	submit poly request on PFC [REDACTED] 70565	

DODDOACID-005448

MISCELLANEOUS ACTIVITIES

ACTION	COMPLETED	ACTION	COMPLETED
Obtain MP Report	<input type="checkbox"/>	Sources targeted	<input type="checkbox"/>
NCIC entry on stolen prop	<input type="checkbox"/>	Medical records requested	<input type="checkbox"/>
Film submitted for contact sheet	<input type="checkbox"/>	Name check dispatched	<input type="checkbox"/>
Contact sheet submitted for photos	<input type="checkbox"/>	Name check results received	<input type="checkbox"/>

CONTACTS/PHONE NUMBERS

ACTIVITY/PERSON	PHONE NUMBER
MAT [REDACTED] (SIA to [REDACTED])	523-3553
CPT [REDACTED] (STA)	11

INVESTIGATIVE STANDARDS

VICTIMS INTERVIEWED	24
WITNESSES INTERVIEWED	24
EVIDENCE DEPOSITED	0
LAB REQUESTS	0
ASSENT NOT	0
MEANINGFUL INACTIVITY	0
RE-FOLLOW UP	0
KNOWN SUBJECTS	0
UNFOUNDED FINALS	0
UNFOUNDED SUB-FINALS	0
ACTION TAKEN	0

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AGENT ACTIVITY SUMMARY  
(CID Regulation 195-1)

CONTROL NUMBER

0040-64-CF0069-79638

TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY
1800/28 Feb 04 ██████████ 7C1 b64	DFI: Notified by SJA of a soldier who shot & killed a local Iraqi national while the Iraqi was flexculted. (See AIR for details)
2000/28 Feb 04 ██████████ 7C1 b64 E:15 TLO	coord with MAT ██████████ 1-27 In1 who provided the details to the incident (See AIR for details)
2000/28 Feb 04 ██████████ 7C1 b64 E:15 TLO	coord with G-3 AIR to set up a possible flight to Kirkuk. Flight scheduled for 1520/29 Feb 04.
2050/28 Feb 04 ██████████ 7C1 b64 E:15 TLO	coord with MAT ██████████ 7C1 b64 who stated the body of the Iraqi was released back to the local tribe leader.
2100/28 Feb 04 ██████████ 7C1 b64	attempted to e-mail MAT ██████████ 7C1 b64. Siper was down.
0730/29 Feb 04 ██████████	received SIR via Siper net. (See SIR for details)
0900/29 Feb 04 ██████████	coord with G1 to obtain full ID of ██████████ could not obtain due to EATS being down.
1000/29 Feb 04 ██████████	Dispatched initial report.
1610/29 Feb 04 ██████████ E:15 TLO	coord with MAT ██████████ CPT ██████████ 7C1 b64 SJA and briefed him on all aspects of the case.
1645/29 Feb 04 ██████████ E:10 INV: TVL: 740	interview of CPT ██████████ HHC 1-27 (See AIR for details)

DODDOACID-005449

AGENT ACTIVITY SUMMARY  
(CID Regulation 195-1)

CONTROL NUMBER

0040 -04-CID469-79638

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

2143/ 29 Feb 04  
[redacted] JCI  
[redacted] bbl

received e-mail from mar [redacted] which provided the name of the victim (see AIR for details) (added to file)

2157/ 29 Feb 04  
[redacted] JCI  
[redacted] bbl

received e-mail from mar [redacted] who stated all personnel involved in the incident will be at FOB Warrior on 1 Mar 04. (added to file)

0900/ 1 Mar 04 JCI  
[redacted] bbl  
I:5 T:0

Coord with mar [redacted] who stated the personnel are enroute to FOB Warrior.

1101/ 1 Mar 04 JCI  
[redacted] bbl  
I:25 T:0

interview of CPT [redacted] (see AIR for details)

1130/ 1 Mar 04 JCI  
[redacted] bbl  
I:10 T:0

obtained 15-6 report + photographs from CPT [redacted] (see 15-6, photo packet + CI for details)

1130/ 1 Mar 04 JCI  
[redacted] bbl  
I:40 T:0

interview of SPC [redacted] (see sworn statement + AIR for details)

1145/ 1 Mar 04 JCI  
[redacted] bbl  
I:30 T:0

interview of PFC [redacted] (see sworn statement + AIR for details)

1146/ 1 Mar 04 JCI  
[redacted] bbl  
I:5 T:0

obtained as evidence one rifle (see EPCO for details)

1243/ 1 Mar 04 JCI  
[redacted] bbl  
I:69 T:0

interview of PFC [redacted] (see sworn statement + AIR for details)

1255/ 1 Mar 04 JCI  
[redacted] bbl  
I:50 T:0

interview of SPC [redacted] (see sworn statement + AIR for details)

1323/ 1 Mar 04 JCI  
[redacted] bbl  
I:30 T:0

interview of CPL [redacted] (see sworn statement + AIR for details)

DODDOACID-005450

**AGENT ACTIVITY SUMMARY**  
(CID Regulation 195-1)

CONTROL NUMBER

0040 -03-CID469- 79638

TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY
1350 / 1 Mar 04 [redacted] E: 110 [redacted] T: 10	interview of SFC [redacted] (See sworn statement + AIC for details)
1355 / 1 Mar 04 [redacted] E: 135 [redacted] T: 10	interview of SGT [redacted] (See sworn statement + AIC for details)
1440 / 1 Mar 04 [redacted] E: 240 [redacted] T: 10	interview of PFC [redacted] (See waiver cert, sworn statement + AIC for details) [redacted] further agreed to undergo a poly exam.
1720 / 1 Mar 04 [redacted] E: 120 [redacted] T: 10	interview of SGT [redacted] (See sworn statement + AIC for details)
1830 / 1 Mar 04 [redacted] E: 120 [redacted] T: 6	briefed CPT [redacted] on all aspects of the case & provided him copies of the statements.
1900 / 1 Mar 04 [redacted] E: 110 [redacted] T: 10	briefed CPT [redacted] on all aspects of the case & provided him copies of the statements.
1920 / 1 Mar 04 [redacted] E: 115 [redacted] T: 10	obtained mug photo + fingerprints from PFC [redacted]
1929 / 1 Mar 04 [redacted] [redacted]	received name check results on PFC [redacted] (See AIC for details)
1600 / 2 Mar 04 [redacted] E: 110 [redacted] T: 10	submitted one rifle to the evidence custodian. (UN 010104)

DODDOACID-005451

AGENT ACTIVITY SUMMARY  
(CID Regulation 195-1)

CONTROL NUMBER

0040 -04-010-53- 79638

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

1900/ 2 Mar 04  
[REDACTED]

updated case file.

2160 [REDACTED] T10

1140/ 3 Mar 04  
[REDACTED]

prepared lab request.

2110 [REDACTED] T10

1155/ 3 Mar 04  
[REDACTED]

submitted lab request to evidence custodian

2115 [REDACTED] T10

1215/ 7 Mar 04  
[REDACTED]

prepared 2nd status report. To SAC for deto review.  
report is on my Thumb drive.

2115 [REDACTED] T10

1545/  
[REDACTED]

REVIEW & SHIPPED 2d STAT. TO C/A w/  
PRINT OUT.

4 Mar 04  
[REDACTED]

Incoming SAC Reviews:

[REDACTED] 7C1661

- AIR needs signed
- Pending possible Lab for rifle unless SJA says otherwise.
- SJA/Command Final Coord on what they determine to pursue.
- Pending poly of [REDACTED] 7C1661
- Crime scene exam.
- Case # on all documents.
- To SAC [REDACTED] for coord w/ case Agent.  
7C1661

AGENT ACTIVITY SUMMARY  
(CID Regulation 195-7)

CONTROL NUMBER

00 40 -04-CID469- 79638

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

1815/4 MAR 04  
[redacted]  
701661

NOTED COMMENTS OF INV-COMENL SAC:  
1) SIGN AIR  
2) GET SJA COPIES OF ALL EXHIBITS;  
SORT THEM + GET THEIR OPINION ON  
THAT WEARN GOING TO LAB.  
3) INTENT TO PURSUE IS IMMATERIAL  
AT THIS POINT  
4) I SEE NO NEED FOR POLY. FACTS  
OF CASE SPEAK FOR THEMSELVES.  
5) NOTED- GET CASE # ON ALL DOCS.

4 MAR 04  
[redacted]  
701661

Received. Reviewed SAC comments

1. in regards to the crime scene, the location of the scene was not accessible and we were unable to travel to that location at the time. we ensured the unit took photographs and document/obtain any evidence - in this case, the weapon, which we have. To SA [redacted]  
701661

41 041 1700  
[redacted]  
701661

Comments to SAC review:

- 1. will sign AIR
- 2. will coord with SJA and provide copies of case to them.
- 3. roger
- 4. poly is a possibility, but really not needed.
- 5. will place case # on all documents

AGENT ACTIVITY SUMMARY  
(CID Regulation 195-1)

CONTROL NUMBER

0040 -04-CID469-79638

TIME DATE, AND AGENT

SUMMARY OF INVESTIGATION

0900/ 6 Mar 04  
[REDACTED]

provided MAT [REDACTED] GJA, UIC) copies of the case file.

I: 30 7C1661 T: 0

0945/ 6 Mar 04  
[REDACTED]

coord with MAT [REDACTED] who stated there was no need to send the rifle to the lab. (See ATR for details)

I: 10 7C1661 T: 0

1000/ 6 Mar 04  
[REDACTED]

placed case number on all documents & signed ATR, To SAC for review.

I: 20 7C1661 T: 0

7 Mar 04  
[REDACTED]

SAC REVIEW:

- OK. Discussed w/ SAC [REDACTED] 7C1661. Agreed poly on [REDACTED] immaterial at this point.
- Assigned to TM1 [REDACTED] 7C1661. Get w/ CA & get up to speed asap. Make sure we have all digits & POC's. ~~Get~~

DODDOACID-005454



TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

2205, 11 Mar 2004  
20 min  
SA [REDACTED]

*703  
703  
703*

*701601*

TC REVIEW: Reviewed case file and related investigative activity. Reviewed CDR review of Mr [REDACTED] on 7 Mar 04. A re-interview of PFC [REDACTED] is scheduled for the middle of the month with either Mr [REDACTED] or Mr [REDACTED]. Upon completion of the re-interview, SJA will be fully briefed and provided all pertinent documents for their review. Also noted during the review that the weapon used in the commission of this crime was not forwarded to USACIL for examination. This decision was made by the previous SAC. Coordination with Mr [REDACTED] will be completed on this issue and a determination will be made to either send the weapon or maintain it in the evidence depository, Baghdad.

*703  
703*

1045, 13 Mar 2004  
10mins  
SA [REDACTED]

*701601*

SA [REDACTED] coordinated with Mr [REDACTED] Commander, 286<sup>th</sup> MP DET, and through this coordination, Mr [REDACTED] advised that coordination with the supporting SJA should be completed pertaining to the weapon issue.

*701601*

1725, 16 Mar 2004  
[REDACTED]  
10mins

*701601*

SA [REDACTED] coordinated with CPT [REDACTED] Office of the Staff Judge Advocate (SJA), and he advised through previous discussion with MAJ [REDACTED] the SJA is seeking a Courts Martial pertaining to PFC [REDACTED]

*701601*

*703603*

*703603*

0935, 21 Mar 2004  
[REDACTED]

*701601*

Pending Technical interview of PFC [REDACTED] pertaining to was he ~~asked~~ or know the victim was handcuffed when he engaged him and shot him. Mr [REDACTED] is scheduled to arrive this office in the near future and he will review this ROI. TO Mr [REDACTED] for review.

*703603*

*703603*

21 Mar 04

*701601*

*- Get weapon out to LAB asap!  
- Which SJA did you talk to? IID. 25th?*

DODDOACID-005455

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY *TC 2663*

1040, 24 Mar 2004  
20 min  
SA [redacted] *TC 1661*

TC REVIEW: Reviewed case file and Mr [redacted] guidance. SA [redacted] was coordinated with SA [redacted] on the issue of the weapon and submitting it to USACIL for a forensic analysis. Further, MAJ [redacted] is the supporting Trial Counsel for FOB DANGER, which is 1<sup>st</sup> ID SJA. 25<sup>th</sup> ID is not here, only elements of the division are here, therefore 1<sup>st</sup> ID SJA is the convening authority for PFC [redacted] *TC 5665*

1130, 24 Mar 04  
20 min  
SA [redacted] *TC 1661*

SA [redacted] has been trying to find an email address for the Evidence Custodian in Baghdad. Provided lab request and initial report to SA [redacted] to send rifle to the lab. Will travel to Kirkuck at the end of the week for re-interview of PFC [redacted] *TC 5665*

24 Mar 04  
[redacted] *TC 1661*

Reviewed:

- OK, SJA for 25<sup>th</sup> is MAJ [redacted] *TC 3663*  
I'll get you his contact info... OK,  
DNVT is 523-[redacted], ASJA is  
CPT [redacted] (same DNVT), NCOIC is  
SSG [redacted], same DNVT and  
email @ [redacted]@us.army.mil

1330/24 Mar 04  
[redacted] *TC 1661*

- Contacted by OPS [redacted] *TC*  
full ID on [redacted] *TC 5665*; provided  
[redacted]; KADIR and SSG  
[redacted]; BN needed for bi weekly brief  
to LTG [redacted] *TC 2663*

*W*

DODDOACID-005456

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TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

1600, 25 Mar 04  
10 min  
SA [redacted] 7C1 b61

7C1 b61  
Provided lab request to SA [redacted] Evidence Custodian, for transmittal to Baghdad and then to USACIL for examination of weapon per SAC guidance.

1000, 26 Mar 04  
10 min  
SA [redacted] 7C1 b61

Will coordinate with SJA and unit prior to going to Kirkuck for re-interview of [redacted] Will also keep SAC apprised of all developments so OPS can be briefed. 7C5 b65

1020, 28 Mar 04  
10 min  
SA [redacted] 7C1 b61

7C3 b63  
Coordinated with SPC [redacted] 25<sup>th</sup> ID, SJA, and arranged for the interview of PFC [redacted] 7C5 b65

0730, 29 Mar 04  
120 min  
SA [redacted] 7C1 b61

Traveled to Kirkuck Air Base for the interview of PFC [redacted] 7C5 b65

1005, 29 Mar 04  
480 min  
SA [redacted] 7C1 b61

7C5 b65  
Advised PFC [redacted] of his legal rights, which he waived and he provided a Sworn Statement admitting to knowing the Iraqi National was flexi cuffed. (See AIR of SA [redacted] for details)

1430, 29 Mar 04  
20 min  
SA [redacted] 7C1 b61

7C3 b63  
Briefed MAJ [redacted] 25<sup>th</sup> ID SJA, regarding the interview of PFC [redacted] Also provided copy of the case file. 7C5 b65

1600, 29 Mar 04  
120 min  
SA [redacted] 7C1 b61

Returned to FOB Danger, Tikrit, IZ

30 Mar 04  
[redacted] 7C1 b61

- Reviewed 3d STAT/SSI. Minor changes made. Dispatched. Cy to file.

DODDOACID-005457

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TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

0900, 4 Apr 04  
10 min  
SA [redacted] 7C1661

All leads complete, pending receipt of USACIL lab report and then close. To TC / SAC for scheduled review.

4 APRIL 04  
[redacted] 7C1661

TC Review: Reviewed, pending Lab on weapon functionality and upon receipt will discuss with supporting SJA + [redacted] will also interview CPT [redacted] (see statement) of PFC [redacted] on what he said during/prior to incident on the Roe, TO Mr [redacted] 7C5665

4 Apr 04  
[redacted]  
7C1661

SAC REVIEW: 7C3663  
- Reviewed; Discussed with MAJ [redacted] Chief, Mil Justice, OSTA IID. He requested weapon NOT be sent to lab, but maintain in EVID depository, 22d MP BN, SA [redacted] coordinated w/ SA [redacted] EVID Custodian, 22d MP BN, and cancelled Lab Request per my instructions.  
- Pending interview of CPT [redacted] 7C3663  
Get that done asap and close.

DODDOACID-005458

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PREVIOUS EDITIONS OF THIS FORM WILL BE USED UNTIL EXHAUSTED

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

0900, 5 Apr 04  
10 min  
SA [redacted] 7C1 b61

Response to SAC comments:  
1. Will not send weapon to lab  
2. Will interview CPT [redacted] ASAP

1030, 6 Apr 04  
10 min  
SA [redacted] 7C1 b61

Rec'd technical interview report and posted to file

1230, 8 Apr 04  
10 min  
SA [redacted] 7C1 b61

Attempted to call CPT [redacted] he was not there, will try to call again later.

1312, 12 Apr 04  
10 min  
SA [redacted] 7C1 b61

Coordinated with SPC [redacted] SJA, Kirkuk, to coordinate the telephonic interview of CPT [redacted] HE will try to contact CPT [redacted]

1330, 12 Apr 04  
5 min  
SA [redacted] 7C1 b61

Upon completion of interview will write final and close.

1500, 16 Apr 04  
10 min  
SA [redacted] 7C1 b61

Interviewed CPT [redacted] via telephone. He related during the night in question the ROE was changed to shoot at anybody seen leaving the village with a weapon. (See AIR of SA [redacted] for details)

2000, 18 Apr 04  
10 min  
SA [redacted] 7C1 b61

Drafted final report; to SAC for review.

21 April 04  
[redacted] 7C1 b61

SAC Res: Spoke with SA [redacted] and was advised There will be no deal with [redacted] and probably a courts martial.

DODDOACID-005459

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

1630, 30 April  
2004, SA [REDACTED]  
*RCI 601*

SAC REVIEW; Reviewed final report and attached exhibits. Minor corrections to final. SA [REDACTED] signed final report. TO SA [REDACTED] for 4833 completion, forwarding fingerprints of PFC [REDACTED] to the FBI and for distribution.  
*RCI 601 R565*

2300, 3 May 04  
[REDACTED] *RCI 601*

Made copy of final and 4 copies of final on CD's for distro. TO SA [REDACTED] for distro.  
*RCI 601*

17 MAY 04  
[REDACTED] *RCI 601*

Reviewed and sent/dispatched Final Report, see distro,

DODDOACID-005460

CID FORM 66

1. DATE: 28 Feb 04

2. TIME RECEIVED: 1800

3. OFFENSE: Murder

4. SUBJECT: PFC ██████████

5. VICTIM: local Iraqi National (Muhamad Husain Kadir)

7. CASE NUMBER: 0041-14-4-SubG-79638

8. ASSIGNED TO: TC1 ██████████

9. TYPE OF ACTION: GC

6. CASE DISPOSITION  
PFC ██████████ shot & killed a local Iraqi while the Iraqi was Axis-captured.

10. REPORTS		
TYPE	SUSPENSE	COMP
INQ	29 FEB	29 FEB
SAC	8 MAR	3 MAR
SAC	17 MAR	
22 S.A.		3 MAR
SAC	21 Mar	21 Mar
SAC	4 Apr 04	4 Apr 04
SAC	19 Apr 04	19 Apr 04
SAC	28 Apr 04	30 Apr 04
Final	7 May 04	30 Apr 04

11. OTHER ACTION		12. CID FUNDS		
ACTION	RQRD	COMPL	DATE	AMOUNT
4833	30 Jan 04			

CRIME LAB EXAMINATION REQUEST		LAB USE ONLY	
For use of this form, see AR 195-5 the proponent agency is the United States Army Criminal Investigation Command.		REFERRAL NUMBER	
<b>TO: (Include Zip Code)</b> LABORATORY DIRECTOR US ARMY CRIMINAL INVESTIGATION LABORATORY 4553 N. 2 <sup>ND</sup> STREET FOREST PARK, GA 30297-5122  ATTN: Firearms Division	<b>FROM: (Include Zip Code)</b> SPECIAL AGENT IN CHARGE 43 <sup>RD</sup> MILITARY POLICE DETACHMENT 10 <sup>TH</sup> MILITARY POLICE BATTALION (CID) TIKRIT, IRAQ APO AE 09323-2647  EMAIL: <i>7C24663</i> [redacted]@us.army.mil	<b>RECEIVED</b> REGIS MAIL  RY EXP  HAND  DATE  RECEIVED BY	<b>RETURNED</b> REGIS MAIL  RY EXP  HAND  DATE  EVIDENCE RECEIPT RECEIVED      INITIATED
1. CONTRIBUTOR CASE NUMBER 0040-04-CID469-79638	2. INVESTIGATOR'S NAME SA [redacted] <i>7C1 001</i>	3. AUTOVON AND PHONE NUMBER DNVT 534- [redacted]	
4. SUSPECT(S) (Last, first and middle name(s)) PFC [redacted] <i>7C5648</i>			
5. VICTIMS(S) (Last, first and middle name(s)) Mr Muhammad Husain KADIR			
6. TYPE OF OFFENSE Murder	7. ONE COPY OF EVIDENCE RECEIPT INCLOSED WITH EVIDENCE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	8. OTHER EVIDENCE PREVIOUSLY SUBMITTED ON THIS CASE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
9. IF "YES" IN ITEM 8, LIST OTHER SUSPECT(S), DATE SUBMITTED, UNIT CASE AND LABORATORY REFERRAL NUMBERS(S)			
10. EVIDENCE SUBMITTED			
a. EXHIBIT	b. DESCRIPTION OF EXHIBIT		
1	Rifle (Item 1, Voucher 010/04)		



AUTHORITY:

Title 10, United States Code Section 3012 (g)

DATA REQUIRED BY PRIVACY ACT

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

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

DISCLOSURE: Disclosure of your social security # is voluntary

1. Res Code:	2. Action Code:	3. Date:	4. Ref to Case:	5. Control:	6. Sequence #	7. Year:	8. Office:	9. ROT #	Offense:
10. [Redacted]									
11. [Redacted]									
12. [Redacted]									
13. [Redacted]									
14. Grade/Rank: <b>Sgt/US</b>									
15. Other ID Number: <b>704604</b>									
21. [Redacted]	22. Ethnic:	23. Height:	24. Weight:	25. Hair:	26. Eye Color:	27. [Redacted]	28. Educ:	29. Prior Record:	30. Marital:
<b>M</b>	<b>A</b>	<b>73</b>	<b>190</b>	<b>BRN</b>	<b>GRN</b>	<b>US</b>	<b>12</b>	<b>N</b>	<b>S</b>
31. MOS:	32. Job Description/Location:		33. MC:	34. Security Clr:	35. Physical Marks/Tattoo:			36. Spouse Military: Yes <input type="checkbox"/> No <input type="checkbox"/>	
<b>11C</b>	<b>81mm mortar</b>								
37. Alias/Nicknames:				38. Alias/Nicknames:				39. Alias/Nicknames:	
40. Unit/Organization:				41. Unit Phone Number:			Home: Cell/Fax:		
<b>HHC 1-27 mortar</b>									
42. Military Service:		43. Sub Unit:		44. Fort/City:		45. State:		46. Country:	
				<b>FAB Malabar</b>					
48. Home Address:			49. City:			50. State:		51. Country:	
53. JUV:		54. Family Rel:		55. Last Name:			56. First Name:		57. Middle Name:
58. Social Security:				59. Grade/Rank:		60. MC:		61. Unit:	
62. City:			63. State:		64. ZIP/APO:		65. Phone: Wk: Hm:		
66. Offense Code:		67. UFC:		68. Offense Code:		69. UFC:		70. Offense Code:	
71. UFC:		72. Offense Code:		73. [Redacted]		74. [Redacted]		75. [Redacted]	
Telephone:		ETS:		PCS/DEROS:		Date / Time Interview START:			
						Date: Time:			
Place of Interview:						Date / Time Interview END:			
						Date: Time:			
Disposition:									
74. Category:		75. Type:		76. Recovered: Yes <input type="checkbox"/> No <input type="checkbox"/>		77. Value:		78. Insurer: Policy:	
81. Model:		82. Vehicle Style:		83. # of Doors:		84. Color:		85. Size:	
		<b>SUV</b>		<b>2</b>		<b>Blue</b>		<b>Mid size</b>	
86. VIN:				87. License Plate:		88. State:		89. DOD Decal Number:	

NOTES:

AUTHORITY:

Title 10, United States Code Section 3012 (2)

DATA REQUIRED BY PRIVACY ACT

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

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

DISCLOSURE: Disclosure of your social security # is voluntary

1. Rec Code:	2. Action Code:	3. Date:	4. Ref to Case:	5. Control:	6. Sequence #	7. Year:	8. Office:	9. ROI #	Offense:			
					0000-04-02-0469-79638							
10. I.D. #:	11. PI #:			12. SSN:			13. Grade/Rank:					
14. Other ID Number:			17. FO:			19. POB Zip:						
20. Sex:	21. Race:	22. Ethnic:	23. Height:	24. Weight:	25. Hair:	26. Eye Color:	27. Citizen:	28. Educ:	29. Prior Record:	30. Marital:		
M	C	22	72	187	BRN	HAZ	US	12	N	M		
31. MOS:	32. Job Description/Location:	33. MC:	34. Security Clr:	35. Physical Marks/Tattoos:			36. Spouse Military:		Branch:			
11C	81mm mortar						Yes <input type="checkbox"/> No <input type="checkbox"/>					
37. Alias/Nicknames:			38. Alias/Nicknames:				39. Alias/Nicknames:					
40. Unit/Organization:					41. Unit Phone Number:			Home:		Cell/Pager:		
HHC 1-27 MORTAR												
42. Military Service:		43. Sub Unit:		44. Fort/City:		45. State:		46. Country:		47. Zip Code/APO:		
				FOB McHenry								
48. Home Address:			49. City:		50. State:		51. Country:		52. Zip Code/APO:			
53. JUV:		54. Family Rel:		55. Last Name:			56. First Name:			57. Middle Name:		
58. Social Security:			59. Grade/Rank:			60. MC:		61. Unit:				
62. City:			63. State:		64. ZIP/APO:			65. Phone:		Wk:	Hm:	
66. Offense Code:		67. UFC:		68. Offense Code:		69. UFC:		70. Offense Code:		71. UFC:	72. Offense Code:	73. UPL:
Telephone:		ETS:		PGS/DEROS:			Date / Time Interview START:					
		20 Jan 05					Date: Time:					
Place of Interview:							Date / Time Interview END:					
							Date: Time:					
Disposition:												
74. Category:		75. Type:		76. Recovered:		77. Value:		78. Insurer:		Policy:		Year/Date #:
				Yes <input type="checkbox"/> No <input type="checkbox"/>								
81. Model:				82. Vehicle Style:		83. # of Doors:		84. Color:		85. Size:		
				SUV		2		Blue		Mid size		
86. VIN:				87. License Plate:		88. State:		89. DOD Decal Number:				

NOTES:

For Official Use Only

AUTHORITY:

Title 10, United States Code Section 3012 (g)

DATA REQUIRED BY PRIVACY ACT

ROUTINE USES:

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

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

DISCLOSURE: Disclosure of your social security # is voluntary

1. Rpt Code:	2. Action Code:	3. Date:	4. Ref to Case:	5. Control:	6. Sequence #	7. Year:	8. Office:	9. ROI #	Offense:	
									0180-04-627419-79638	
10. [Redacted]	11. [Redacted]	12. [Redacted]	13. [Redacted]	14. [Redacted]	15. Other ID Number:	16. [Redacted]	17. [Redacted]	18. Grade/Rank:	19. [Redacted]	
					704604			SPL/E-4		
20. Sex:	21. Race:	22. Ethnic:	23. Height:	24. Weight:	25. Hair:	26. Eye Color:	27. Complex:	28. Educ:	29. Print Record:	30. Altitude:
M	C	22	70	178	BEN	BLU	US	12	N	S
31. MOS:	32. Job Description/Location:	33. MC:	34. Security Clr:	35. Physical Marks/Tattoo:			36. Spouse Military:	Branch:		
14S	Average crew member		Sec				Yes <input type="checkbox"/> No <input type="checkbox"/>			
37. Alias/Nicknames:		38. Alias/Nicknames:			39. Alias/Nicknames:					
40. Unit/Organization:		41. Unit Phone Number:			Home:		Cell/Pager:			
B Btry, 1-62/attached to 1-27										
42. Military Service:	43. Sub Unit:	44. Fort/City:		45. State:	46. Country:	47. Zip Code/APO:				
		FOB McHenry								
48. Home Address:		49. City:	50. State:	51. Country:	52. Zip Code/APO:					
53. JUV:	54. Family Rel:	55. Last Name:		56. First Name:		57. Middle Name:				
58. Social Security:		59. Grade/Rank:		60. MC:		61. Unit:				
62. City:		63. State:	64. ZIP/APO:		65. Phone:		W:	H:		
66. Offense Code:	67. UFC:	68. Offense Code:	69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:		73. UFC:		
Telephone:		ETS:	PCS/DEROS:		Date / Time Interview START:		Date: Time:			
		25 May 05								
Place of Interview:		Date / Time Interview END:		Date: Time:						
Disposition:		Date: Time:								
74. Category:	75. Type:	76. Recovered:	77. Value:	78. Insurer:		Policy:		Year/Date B:		
		Yes <input type="checkbox"/> No <input type="checkbox"/>								
81. Model:		82. Vehicle Style:		83. # of Doors:	84. Color:	85. Size:				
		SUV		2	Blue	Mid size				
86. VIN:		87. License Plate:	88. State:	89. DOD Decal Number:						

NOTES:

For Official Use Only

AUTHORITY:

Title 10, United States Code Section 3012 (g)

DATA REQUIRED BY PRIVACY ACT

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

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

DISCLOSURE: Disclosure of your social security # is voluntary

1. Rec Code:	2. Action Code:	3. Date:	4. Rel to Case:	5. Control:	6. Sequence #	7. Year:	8. Office:	9. ROI #	Offense:	
10. [Redacted]										
11. [Redacted]										
12. [Redacted]										
13. Other ID Number: <i>R4404</i>										
14. State of Birth: [Redacted]										
15. Grade/Rank: <i>PFC</i>										
16. [Redacted]										
17. [Redacted]										
18. POB St: [Redacted]										
19. POB Zip: [Redacted]										
20. Sex: <i>M</i>	21. Race: <i>C</i>	22. Ethnic: <i>22</i>	23. Height: <i>56</i>	24. Weight: <i>127</i>	25. Hair: <i>BRN</i>	26. Eye Color: <i>BRN</i>	27. Citizen: <i>US</i>	28. Educ: <i>12</i>	29. Prior Record: <i>N</i>	30. Marital: <i>M</i>
31. MOS: <i>11C</i>	32. Job Description/Location: <i>81 mm mortar</i>		33. MC: <i>-</i>	34. Security Clr: <i>-</i>	35. Physical Marks/Tattoo: <i>None</i>			36. Spouse Military: Yes <input type="checkbox"/> No <input type="checkbox"/>		37. Branch: <i>M</i>
37. Alias/Nicknames:										
38. Alias/Nicknames:										
39. Alias/Nicknames:										
40. Unit/Organization: <i>HHC 1-27 mortars</i>										
41. Unit Phone Number: Home: Cell/Pager:										
42. Military Service:										
43. Sub Unit:										
44. Fort/City: <i>FOB McHenry</i>										
45. State:										
46. Country:										
47. Zip Code/APO:										
48. Home Address:										
49. City:										
50. State:										
51. Country:										
52. Zip Code/APO:										
53. JUV:										
54. Family Rel:										
55. Last Name:										
56. First Name:										
57. Middle Name:										
58. Social Security:										
59. Grade/Rank:										
60. MC:										
61. Unit:										
62. City:										
63. State:										
64. ZIP/APO:										
65. Phone: Wk: Hm:										
66. Offense Code:										
67. UFC:										
68. Offense Code:										
69. UFC:										
70. Offense Code:										
71. UFC:										
72. Offense Code:										
73. ADIC:										
Telephone: ETS: PCS/DEROS:										
Place of Interview: Date / Time Interview START: Date: Time:										
Disposition: Date / Time Interview END: Date: Time:										
74. Category:										
75. Type:										
76. Recovered: Yes <input type="checkbox"/> No <input type="checkbox"/>										
77. Value:										
78. Insurer: Policy: Year/Date Exp:										
79. Model:										
80. Vehicle Style: <i>SUV</i>										
81. # of Doors: <i>2</i>										
82. Color: <i>Blue</i>										
83. Size: <i>Mid size</i>										
84. VIN:										
85. License Plate:										
86. State:										
87. DOD Decal Number:										

NOTES:  
*0500*

For Official Use Only

# INVESTIGATIVE WORKSHEET

DATA REQUIRED BY THE PRIVACY ACT

**AUTHORITY:** Title 10, United States Code Section 3012 (g)      **ROUTINE USES:** Your social security number and other personal info are used as an additional/alternate means of identification to facilitate and retrieval

**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.      **DISCLOSURE:** Disclosure of your SSN is voluntary.

1. Rao Code:	2. Action Code:	3. Date:	4. Ref to Case:	5. Control #:	6. Sequence #:	7. Year:	8. Office:	9. ROI #:	Offense:
					0040 - 04 -		CID 469 -	78679 -	

### INDIVIDUAL DATA

10. Last Name: [REDACTED]		11. First Name: [REDACTED]		12. Middle Name: [REDACTED]		13. Grade: [REDACTED]	
14. Social Security #: [REDACTED]		15. Other ID Number: [REDACTED]		16. Date of Birth: [REDACTED]		17. POB: [REDACTED]	
18. POB ST: [REDACTED]		19. POB ZIP: [REDACTED]		20. Sec: RA		21. Race: C	
22. Ethnic: [REDACTED]		23. Height: 5'10"		24. Weight: 195		25. Hair Color: BRN	
26. Eye Color: BRN		27. Glasses: N		28. Handed: R		29. Prior Record: N	
30. Mental: N		31. MOS: IIC		32. Job Description/Location: Mentor		33. MCAC: [REDACTED]	
34. Security Clr: [REDACTED]		35. Physical Marks or Tattoos: [REDACTED]		36. Spouse Military Y/N: [REDACTED]		37. Service #: [REDACTED]	
38. Alias/Nicknames: [REDACTED]		39. Alias/Nicknames: [REDACTED]		40. Unit/Organization: HAC 1-27th IA BN		41. Unit Phone Number: [REDACTED]	
42. Military SVC: 2 years		43. Sub Unit: [REDACTED]		44. Fort/City: [REDACTED]		45. State: [REDACTED]	
46. Country: [REDACTED]		47. Zip Code/Apo: [REDACTED]		48. Home Address: [REDACTED]		49. City: [REDACTED]	
50. State: [REDACTED]		51. Country: [REDACTED]		52. Zip Code/Apo: [REDACTED]			

### FAMILY MEMBER DATA

53. JOV: [REDACTED]		54. Family Ref: [REDACTED]		55. Sponsor Last Name: [REDACTED]		56. Sponsor First Name: [REDACTED]		57. Sponsor Middle Name: [REDACTED]	
58. Sponsor Social Security: [REDACTED]		59. Sponsor Grade: [REDACTED]		60. Spon MCAC: [REDACTED]		61. Sponsor Unit: [REDACTED]			
62. Sponsor City: [REDACTED]		63. Sponsor St: [REDACTED]		64. Sponsor City: [REDACTED]		65. Sponsor Zip/ APO: [REDACTED]			

### OFFENSE

66. Offense Code: [REDACTED]	67. UFC: [REDACTED]	68. Offense Code: [REDACTED]	69. UFC: [REDACTED]	70. Offense Code: [REDACTED]	71. UFC: [REDACTED]	72. Offense Code: [REDACTED]	73. UFC: [REDACTED]
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### ADMINISTRATIVE DATA

Telephone: [REDACTED]		ETS: May 21, 2008		PCS/DEROS: none		Date Intev Start: 4 Mar 04		Time Intev Start: [REDACTED]	
Place of Interview Start: [REDACTED]		Date Intev End: [REDACTED]		Time Intev End: [REDACTED]		Place of Interview End: [REDACTED]			
Disposition: [REDACTED]									

### VEHICLE DATA

74. Category (lost, stolen, Damaged, Into): [REDACTED]		75. Type (Gov, Pov, ORR): [REDACTED]		76. Recovered: [REDACTED]		77. Value: [REDACTED]		78. Insurer: [REDACTED]		Policy # [REDACTED]		Year/date Exp: [REDACTED]	
79. Year: [REDACTED]		80. Make: [REDACTED]		81. Model: [REDACTED]		82. Vehicle Style: [REDACTED]		83. # of Doors: [REDACTED]		84. Color: [REDACTED]		85. Vehicle Size: [REDACTED]	
86. V.I.N: [REDACTED]		87. License Plate: [REDACTED]		RR. State: [REDACTED]		89. DXID Decal Number: [REDACTED]							

**NOTES:**  
 left Foreign [REDACTED]  
 Last HIV Test: [REDACTED]

For Official Use Only

## INVESTIGATIVE WORKSHEET

### DATA REQUIRED BY THE PRIVACY ACT

**AUTHORITY:** Title 10, United States Code Section 3012 (g)      **ROUTINE USES:** Your social security number and other personal info are used as an additional/alternate means of identification to facilitate and retrieval

**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.      **DISCLOSURE:** Disclosure of your SSN is voluntary.

1. RAB Code:	2. Action Code:	3. Date:	4. Ref to Case:	5. Control #:	6. Sequence #	7. Year:	8. Office:	9. RUF#:	Offense:
					0040 - 04		- CID 469	- 79638 -	

### INDIVIDUAL DATA

10. Last Name: <b>TC</b>		11. First Name: <b>TC</b>		12. Middle Name: <b>TC</b>		13. Grade: <b>SAT</b>	
14. Social Security Number: <b>TC</b>		15. Other ID Number: <b>TC</b>		16. Date of Birth: <b>TC</b>		17. POB ST: <b>TC</b>	
18. POB ZIP: <b>TC</b>		19. POB ZIP: <b>TC</b>		20. Sex: <b>M</b>		21. Race: <b>C</b>	
22. Ethnic: <b>TC</b>		23. Height: <b>69"</b>		24. Weight: <b>140</b>		25. Hair Color: <b>Blk</b>	
26. Eye Color: <b>Blk</b>		27. Complexion: <b>Blk</b>		28. Isbnr: <b>12</b>		29. Prior Record:	
30. Marital:		31. MOS: <b>145</b>		32. Job Description/location: <b>AVIATION TC</b>		33. MCAC:	
34. Security Clr:		35. Physical Marks/Tattoos:		36. Spouse Military Y/N:		Service #:	
37. Alias/Nicknames:		38. Alias/Nicknames:		39. Alias/Nicknames:			
40. Unit/Organization: <b>B 162 ADA FOD Mc HWY</b>				41. Unit Phone Number:		Home CASI Phone Number:	
42. Military SVC: <b>7 YEARS</b>		43. Sub Unit:		44. Fort/City:		45. State:	
46. Country:		47. Zip Code/Apo:		48. Home Address:		49. City:	
50. State:		51. Country:		52. Zip Code/Apo:			

### FAMILY MEMBER DATA

53. JOV:		54. Family Rel:		55. Sponsor Last Name:		56. Sponsor First Name:		57. Sponsor Middle Name:	
58. Sponsor Social Security:		59. Sponsor Grade:		60. Spon MCAC:		61. Sponsor Unit:			
62. Sponsor City:		63. Sponsor St:		64. Sponsor City:		65. Sponsor Zip/APO:			

### OFFENSE

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

Telephone:		ETS: <b>May 15, 2005</b>		PCS/DEROS: <b>46M</b>		Date Interv Start: <b>1325</b>		Time Interv Start: <b>2 Mar 14</b>	
Place of Interview Start:		Date Interv End: <b>2 Mar 14</b>		Time Interv End: <b>1358</b>		Place of Interview End:			
Disposition:									

### VEHICLE DATA

74. Category (lost, stolen, damaged, info):		75. Type (Gov, Pov, Unk):		76. Recovered:		77. Value:		78. Insurer:		Policy #:		Year/date Exp:	
79. Year:		80. Make:		81. Model:		82. Vehicle Style:		83. # of Doors:		84. Color:		85. Vehicle Size:	
86. V.I.N.:		87. License Plate:		88. State:		89. DOD Decal Number:							

**NOTES:**

Last HIV Test:

For archival use only

# INVESTIGATIVE WORKSHEET

## DATA REQUIRED BY THE PRIVACY ACT

**AUTHORITY:** Title 10, United States Code Section 3012 (g)      **ROUTINE USES:** Your social security number and other personal info are used as an additional/alternate means of identification to facilitate and retrieval

**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.      **DISCLOSURE:** Disclosure of your SSN is voluntary.

1. Res Code:	2. Action Code:	3. Date:	4. Ref to Case:	5. Control #:	6. Sequence #:	7. Year:	8. Office:	9. RLV#:	Offense:
					0040	- 04	- CTD	469	- 79638 -

### INDIVIDUAL DATA

10. Last Name: [REDACTED] 7C4604		11. First Name: [REDACTED] T 604		12. Middle Name: [REDACTED] P 04		13. Grade: CPL	
14. Social Security Number: [REDACTED]		15. Other ID Number: 7C4604		16. POB City: [REDACTED]		17. POB ST: 48	
18. POB ZIP: [REDACTED]		19. POB ZIP: [REDACTED]		20. Prior Record: [REDACTED]		30. Marital: [REDACTED]	
21. Sex: M	22. Ethnic: C	23. Height: 6'0"	24. Weight: 170	25. Hair Color: BLN	26. Eye Color: BLU	27. Current: US	28. Honor: 12
29. MOS: HC		32. Job Description/Location: Master		33. MLCAC:		34. Security Clr:	
35. Physical Markings/Tattoos:		36. Spouse Military Y/N:		Service #:			
37. Alias/Nicknames:		38. Alias/Nicknames:		39. Alias/Nicknames:			
40. Unit/Organization: HHC, 1-27th				41. Unit Phone Number:		Home/Cell Phone Number:	
42. Military SVC: 3 years		43. Sub Unit:		44. For/City:		45. State:	
46. Country:		47. Zip Code/Apo:		48. Home Address:			
49. City:		50. State:		51. Country:		52. Zip Code/Apo:	

### FAMILY MEMBER DATA

53. JOV:	54. Family Rel:	55. Sponsor Last Name:		56. Sponsor First Name:		57. Sponsor Middle Name:	
58. Sponsor Social Security:		59. Sponsor Grade:		60. Spon MLCAC:		61. Sponsor Unit:	
62. Sponsor City:		63. Sponsor St:		64. Sponsor City:		65. Sponsor Zip/ APO:	

### OFFENSE

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

Telephone:	ETS: AR4 15, 2005	PCS/DEROS: AWR	Date Interv Start: 2 Mar 04	Time Interv Start: 1247
Place of Interview Start:	Date Interv End: 2 Mar 04	Time Interv End: 1327	Place of Interview End:	
Disposition:				

### VEHICLE DATA

74. Category (lost, stolen, Damaged, Info):		75. Type (Gov, Priv, Unk):	76. Recovered:	77. Value:	78. Insurer:	Policy #:	Year/date Exp:
79. Year:	80. Make:	81. Model:	82. Vehicle Style:	83. # of Doors:	84. Color:	85. Vehicle Size:	
86. V.I.N.:		87. License Plate:	88. State:	89. DOD Decal Number:			

**NOTES:**

Last HIV Test:

# INVESTIGATIVE WORKSHEET

## DATA REQUIRED BY THE PRIVACY ACT

**AUTHORITY:** Title 10, United States Code Section 3012 (g)      **ROUTINE USES:** Your social security number and other personal info are used as an additional/alternate means of identification to facilitate and retrieval

**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.      **DISCLOSURE:** Disclosure of your SSN# is voluntary.

1. Res Code:	2. Admin Code:	3. Date:	4. Ref to Case:	5. Control #:	6. Sequence #:	7. Year:	8. Office:	9. RUI#:	Offense:
									0040 - 04 - CID 469 - 79638 -

### INDIVIDUAL DATA

10. Last Name: [REDACTED] 704604		11. First Name: [REDACTED] R4		12. Middle Name: [REDACTED] R4		13. Grade: 1FC	
14. Social Security Number: [REDACTED]		15. Other ID Number: 704604		16. Date of Birth: [REDACTED]		17. POB: [REDACTED]	
18. POB ST: [REDACTED]		19. POB ZIP: 704604		20. Sex: M		21. Race: C	
22. Height: 67"		23. Weight: 152		24. Hair Color: BM		25. Eye Color: BM	
26. Citizen: US		27. Basic: 12		28. Physical Record: [REDACTED]		29. Marital: [REDACTED]	
30. MOS: HC		31. Job Description/ Location: Motor		32. MCAC: [REDACTED]		33. Security Clr: [REDACTED]	
34. Physical Marks/ Tattoos: [REDACTED]		35. Spouse Military Y/N: [REDACTED]		36. Service #: [REDACTED]		37. Alias/Nicknames: [REDACTED]	
38. Alias/Nicknames: [REDACTED]		39. Alias/Nicknames: [REDACTED]		40. Unit/Organization: HHC		41. Unit Phone Number: [REDACTED]	
42. Military SVC: [REDACTED]		43. Sub Unit: [REDACTED]		44. Fort/City: [REDACTED]		45. State: [REDACTED]	
46. Country: [REDACTED]		47. Zip Code/APO: [REDACTED]		48. Home Address: [REDACTED]		49. City: [REDACTED]	
50. State: [REDACTED]		51. Country: [REDACTED]		52. Zip Code/APO: [REDACTED]		53. JUV: [REDACTED]	

### FAMILY MEMBER DATA

54. Family Rel: [REDACTED]		55. Sponsor Last Name: [REDACTED]		56. Sponsor First Name: [REDACTED]		57. Sponsor Middle Name: [REDACTED]	
58. Sponsor Social Security: [REDACTED]		59. Sponsor Grade: [REDACTED]		60. Spon MCAC: [REDACTED]		61. Sponsor Unit: [REDACTED]	
62. Sponsor City: [REDACTED]		63. Sponsor St: [REDACTED]		64. Sponsor City: [REDACTED]		65. Sponsor Zip/APO: [REDACTED]	

### OFFENSE

66. Offense Code: [REDACTED]	67. UIC: [REDACTED]	68. Offense Code: [REDACTED]	69. UIC: [REDACTED]	70. Offense Code: [REDACTED]	71. UIC: [REDACTED]	72. Offense Code: [REDACTED]	73. UIC: [REDACTED]
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### ADMINISTRATIVE DATA

Telephone: [REDACTED]		EIS: JUN 19, 2005		PCS/DEROS: 10MR		Date Interv Start: 1 Mar 04		Time Interv Start: 1135	
Place of Interview Start: [REDACTED]		Date Interv End: 1 Mar 04		Time Interv End: 1243		Place of Interview End: [REDACTED]		Disposition: [REDACTED]	

### VEHICLE DATA

74. Category (lost, stolen, Damaged, Info): [REDACTED]		75. Type (Gov, Pov, Unk): [REDACTED]		76. Recovered: [REDACTED]		77. Value: [REDACTED]		78. Insurer: [REDACTED]	
79. Year: [REDACTED]		80. Make: [REDACTED]		81. Model: [REDACTED]		82. Vehicle Style: [REDACTED]		83. # of Doors: [REDACTED]	
84. Color: [REDACTED]		85. Vehicle Size: [REDACTED]		86. V.I.N: [REDACTED]		87. License Plate: [REDACTED]		88. State: [REDACTED]	
89. DOD Decal Number: [REDACTED]		90. [REDACTED]		91. [REDACTED]		92. [REDACTED]		93. [REDACTED]	

**NOTES:**

Last HIV Test: [REDACTED]

For Official Use Only



AUTHORITY:

Title 10, United States Code Section 3012 (g)

DATA REQUIRED BY PRIVACY ACT

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

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

DISCLOSURE: Disclosure of your social security # is voluntary

1. Rec Code:	2. Action Code:	3. Date:	4. Rel to Case:	5. Control:	6. Sequence #	7. Year:	8. Office:	9. ROI #	Offense:
0040-04-CT-2449-79678									
10. [Redacted]									
11. First Name: [Redacted]									
12. [Redacted]									
13. Other ID Number: [Redacted]									
14. Date of Birth: [Redacted]									
15. Grade/Rank: CPT									
16. [Redacted]									
17. POB: [Redacted]									
18. [Redacted]									
20. Sex: M	21. Race: C	22. Ethnic: 22	23. Height: 68	24. Weight: 165	25. Hair: BRN	26. Eye Color: BRN	27. Career: US	28. Educ: 16	29. [Redacted]
31. MOS: 11A	32. Job Description/Location: Infantry	33. MC:	34. Security Clr: SEC	35. Physical Marks/Tattoos:			36. Spouse Military: Yes <input type="checkbox"/> No <input type="checkbox"/>	30. Merits: M	Branch:
37. Alias/Nicknames:									
38. Alias/Nicknames:									
39. Alias/Nicknames:									
40. Unit/Organization: A Co 1-27									
41. Unit Phone Number: Home: Cell/Pager:									
42. Military Service:									
43. Sub Unit:									
44. Fort/City: Ft D McHenry									
45. State:									
46. Country:									
47. Zip Code/APO:									
48. Home Address:									
49. City:									
50. State:									
51. Country:									
52. Zip Code/APO:									
53. JUV:									
54. Family Rel:									
55. Last Name:									
56. First Name:									
57. Middle Name:									
58. Social Security:									
59. Grade/Rank:									
60. MC:									
61. Unit:									
62. City:									
63. State:									
64. ZIP/APO:									
65. Phone: Wk: Hm:									
66. Offense Code:									
67. UFC:									
68. Offense Code:									
69. UFC:									
70. Offense Code:									
71. UFC:									
72. Offense Code:									
73. UFC:									
Telephone:									
ETS:									
PCS/DEROS:									
Place of Interview:									
Date / Time Interview START: Date: Time:									
Date / Time Interview END: Date: Time:									
Disposition:									
74. Category:									
75. Type:									
76. Recovered: Yes <input type="checkbox"/> No <input type="checkbox"/>									
77. Value:									
78. Insurer: Policy: Year/Date:									
81. Model:									
82. Vehicle Style: SUV									
83. # of Doors: 2									
84. Color: Blue									
85. Size: Mid size									
86. VIN:									
87. License Plate:									
88. State:									
89. DOD Decal Number:									

DODDOACID-005471

NOTES:

Company commander  
 BN, TOC  
 DNVT 523- [Redacted]  
 703/63  
 MAJ [Redacted] DN S-3  
 COL

- shell casing  
 - weapon  
 secured by BU

# INVESTIGATIVE WORKSH.

DATA REQUIRED BY THE PRIVACY ACT

**AUTHORITY:** Title 10, United States Code Section 3012 (g)      **ROUTINE USES:** Your social security number and other personal info are used as an additional/alternate means of identification to facilitate and retrieval

**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified      **DISCLOSURE:** Disclosure of your SSN is voluntary.

1. Res Code:	2. Action Code:	3. Date:	4. Ref to Case:	5. Control #:	6. Sequence #:	7. Year:	8. Office:	9. RDR#:	Offense:
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### INDIVIDUAL DATA

10. Last Name: <b>704664</b>		11. First Name: <b>704664</b>		12. Middle Name: <b>704664</b>		13. Grade: <b>4F SPC</b>	
14. Social Security Number: <b>704664</b>		15. Other ID Number: <b>704664</b>		16. Date of Birth: <b>704664</b>		17. City: <b>704664</b>	
18. Date of Birth: <b>704664</b>		19. POB ST: <b>704664</b>		20. POB ZIP: <b>704664</b>		21. POB Country: <b>704664</b>	
22. Sex: <b>M</b>		23. Height: <b>5'9"</b>		24. Weight: <b>170</b>		25. Hair Color: <b>BLK</b>	
26. Eye Color: <b>BLU</b>		27. Complexion: <b>HS</b>		28. Prior Records: <b>12</b>		29. Marital: <b>12</b>	
30. MOS: <b>91W</b>		31. Job Description/Location:		32. MCAC:		33. Security Cl:	
34. Physical Marks/ Tattoos:		35. Spouse Military Y/N:		36. Service #:			
37. Alias/Nicknames:		38. Alias/Nicknames:		39. Alias/Nicknames:			
40. Unit/Organization: <b>HHC 1-27<sup>th</sup> Comp McHenry</b>				41. Unit Phone Number:		Home/Cell Phone Number:	
42. Military SVC:		43. Sub Unit:		44. Duty City: <b>Schofield</b>		45. State:	
46. Country:		47. Zip Code/APO:		48. Home Address:		49. City: <b>Parrots, HI</b>	
50. State:		51. Country:		52. Zip Code/APO:			

### FAMILY MEMBER DATA

53. JUV:		54. Family Rel:		55. Sponsor Last Name:		56. Sponsor First Name:		57. Sponsor Middle Name:	
58. Sponsor Social Security:		59. Sponsor Grade:		60. Spon MCAC:		61. Sponsor Unit:			
62. Sponsor City:		63. Sponsor St:		64. Sponsor City:		65. Sponsor Zip/APO:			

### OFFENSE

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

Telephone:		ETS: <b>F04 7, 2005</b>		PCSDEROS: <b>ADMP</b>		Date Interv Start: <b>1 Mar 04</b>		Time Interv Start: <b>1050</b>	
Place of Interview Start:		Date Interv End: <b>1 Mar 04</b>		Time Interv End: <b>1130</b>		Place of Interview End:			
Disposition:									

### VEHICLE DATA

74. Category (lost, stolen, damaged, info):		75. Type (Gov, Pov, Ontk):		76. Recovered:		77. Value:		78. Insurer:		Policy #:		Year/date Exp:	
79. Year:		80. Make:		81. Model:		82. Vehicle Style:		83. # of Doors:		84. Color:		85. Vehicle Size:	
86. V.I.N.:				87. License Plate:		88. State:		89. DOD Decal Number:					

**NOTES:**

Last HIV Test:

LEAVE BLANK

CRIMINAL

(STAPLE HERE)

LEAVE BLANK

STATE USAGE

OFF SECOND

SUBMISSION

APPROXIMATE CLASS

AMPUTATION

SCAR

STATE USAGE

LAST NAME, FIRST NAME, MIDDLE NAME, SUFFIX

[REDACTED]

7057465

SIGNATURE OF PERSON IDENTIFIED

SOCIAL SECURITY NO.

LEAVE BLANK

X [REDACTED]

705665

[REDACTED]

705665

ALIASES/MA

LAST NAME, FIRST NAME, MIDDLE NAME, SUFFIX

FBI NO.

STATE IDENTIFICATION NO.

DATE OF BIRTH MM DD YY

SEX

RACE

HEIGHT

WEIGHT

EYES

HAIR

M

C

5'10"

195

BLU

BLK



1. R. THUMB



2. R. INDEX



3. R. MIDDLE



4. R. RING



5. R. LITTLE



6. L. THUMB



7. L. INDEX



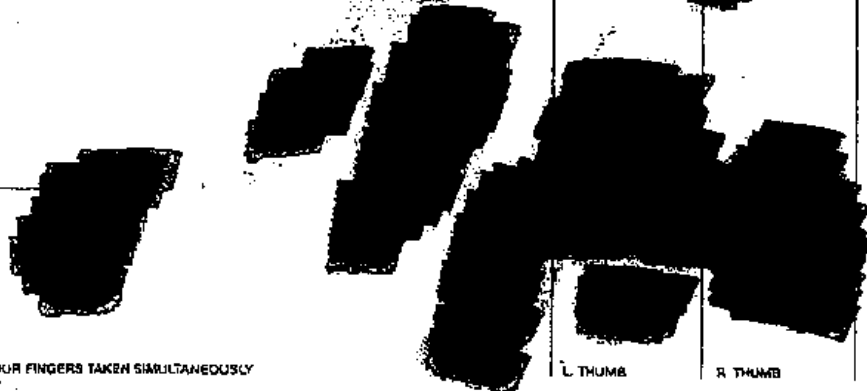
8. L. MIDDLE



9. L. RING



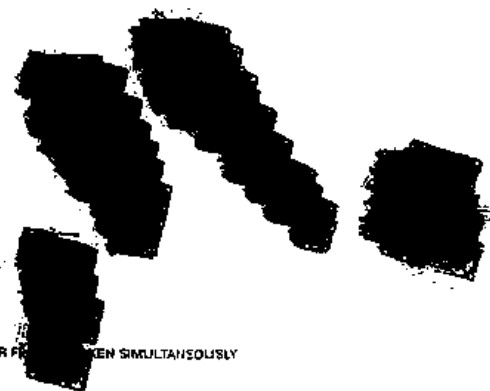
10. L. LITTLE



LEFT FOUR FINGERS TAKEN SIMULTANEOUSLY

L. THUMB

R. THUMB



RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY

705665

**FEDERAL BUREAU OF INVESTIGATION, UNITED STATES DEPARTMENT OF JUSTICE  
CRIMINAL JUSTICE INFORMATION SERVICES DIVISION, MARKSBURG, WV 26306**

PRIVACY ACT OF 1974 (P.L. 93-579) REQUIRES THAT FEDERAL, STATE, OR LOCAL AGENCIES INFORM INDIVIDUALS WHOSE SOCIAL SECURITY NUMBER IS REQUESTED WHETHER SUCH DISCLOSURE IS MANDATORY OR VOLUNTARY, BASIS OF AUTHORITY FOR SUCH SOLICITATION, AND USES WHICH WILL BE MADE OF IT.

JUVENILE FINGERPRINT SUBMISSION YES <input type="checkbox"/> TREAT AS ADULT YES <input type="checkbox"/>	DATE OF ARREST MM DD YY 3 1 04	ORI CONTRIBUTOR ADDRESS REPLY DESIRED? YES <input type="checkbox"/>
	VAUSA1400 US ARMY FT BELVOIR, VA	

SEND COPY TO: (ENTER ORI) TXCE00300	DATE OF OFFENSE MM DD YY 2 28 04	PLACE OF BIRTH (STATE OR COUNTRY) [REDACTED]	COUNTRY OF CITIZENSHIP USA
---	--	---	-------------------------------

MISCELLANEOUS NUMBERS A	SCARS, MARKS, TATTOOS, AND AMPUTATIONS tattoo right shoulder [REDACTED] left forearm [REDACTED]		CITY STATE
	RESIDENCE/COMPLETE ADDRESS HHC, 1-27th IN BN		

OFFICIAL TAKING FINGERPRINTS (NAME OR NUMBER) SA [REDACTED] TC 1001	LOCAL IDENTIFICATION/REFERENCE 04469 79638	PHOTO AVAILABLE? YES PALM PRINTS TAKEN? YES
---	---	--

EMPLOYER (GOVERNMENT, INDICATE SPECIFIC AGENCY IF MILITARY, LIST BRANCH OF SERVICE AND SERIAL NO) US Army	OCCUPATION HC
---	------------------

CHARGE/CITATION 1. Art 118; Murder	DISPOSITION 1.
---------------------------------------	-------------------

2. Art 107; False Official Statement	2.
--------------------------------------	----

3.	3.
----	----

ADDITIONAL	ADDITIONAL
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ADDITIONAL INFORMATION/BASIS FOR CAUTION	STATE BUREAU STAMP
--	--------------------

LEAVE BLANK

CRIMINAL

(STAPLE HERE)

LEAVE BLANK

STATE USAGE

MFF SECOND

SUBMISSION

APPROXIMATE CLASS

AMPLIFICATION

SCAR




STATE USAGE

LAST NAME, FIRST NAME, MIDDLE NAME, SUFFIX

7051205



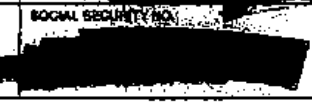
7051205

SIGNATURE OF FBI

SOCIAL SECURITY NO.

LEAVE BLANK

X



7051205

ALIASES/MA

LAST NAME, FIRST NAME, MIDDLE NAME, SUFFIX

FBI NO.

STATE IDENTIFICATION NO.

DATE OF BIRTH

MM DO YY

SEX

RACE

HEIGHT

WEIGHT

EYES

HAIR

M C 5'10" 195 BKA BK

1. R. THUMB



2. R. INDEX



3. R. MIDDLE



4. R. RING



5. R. LITTLE



6. L. THUMB



7. L. INDEX



8. L. MIDDLE



9. L. RING



10. L. LITTLE



LEFT FOUR FINGERS TAKEN SIMULTANEOUSLY



L. THUMB

R. THUMB



RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY



7051205

**FEDERAL BUREAU OF INVESTIGATION, UNITED STATES DEPARTMENT OF JUSTICE  
CRIMINAL JUSTICE INFORMATION SERVICES DIVISION, CHARLESTON, WV 26306**

PRIVACY ACT OF 1974 (P.L. 93-578) REQUIRES THAT FEDERAL, STATE, OR LOCAL AGENCIES INFORM INDIVIDUALS WHOSE SOCIAL SECURITY NUMBER IS REQUESTED WHETHER SUCH DISCLOSURE IS MANDATORY OR VOLUNTARY, BASIS OF AUTHORITY FOR SUCH SOLICITATION, AND USES WHICH WILL BE MADE OF IT.

JUVENILE FINGERPRINT SUBMISSION YES <input type="checkbox"/> TREAT AS ADULT YES <input type="checkbox"/>		DATE OF ARREST MM DD YY 3 1 04		ORI CONTRIBUTOR ADDRESS VALUSA1400 US ARMY FT BELVOIR, VA REPLY YES <input type="checkbox"/> DESIRED?	
SEND COPY TO: (ENTER ORI) TXLE00300		DATE OF OFFENSE MM DD YY 2 28 04		PLACE OF BIRTH (STATE OR COUNTRY) [REDACTED]	
MISCELLANEOUS NUMBERS		SCARS, MARKS, TATTOOS, AND AMPUTATIONS tattoo right shoulder "[REDACTED]" left forearm [REDACTED] 705605			
OFFICIAL TAKING FINGERPRINTS (NAME OR NUMBER) SA [REDACTED] school		LOCAL IDENTIFICATION/REFERENCE 04469 79638		COUNTRY OF CITIZENSHIP U.S.A.	
EMPLOYER: FEDERAL GOVERNMENT. INDICATE SPECIFIC AGENCY IF MILITARY, LIST BRANCH OF SERVICE AND SERIAL NO. US Army		RESIDENCE/COMPLETE ADDRESS HHC, 1-27th IN BN		CITY STATE Fort Mottary Iraq	
CHARGE/CITATION 1. Art 118 ; Murder		PHOTO AVAILABLE? YES		OCCUPATION H C	
2. Art 107 ; False Official Statement		PALM PRINTS TAKEN? YES		DISPOSITION 1.	
ADDITIONAL		ADDITIONAL			
ADDITIONAL INFORMATION/BASIS FOR CAUTION		STATE BUREAU STAMP			

LEAVE BLANK

CRIMINAL

(STAPLE HERE)

LEAVE BLANK

STATE USAGE

NFF SECOND



SUBMISSION

APPROXIMATE CLASS

AMPUTATION

SCAR

STATE USAGE

LAST NAME, FIRST NAME, MIDDLE NAME, SUFFIX

[REDACTED]

705665

SIGNATURE OF PERSON

X [REDACTED]

SOCIAL SECURITY NO.

[REDACTED]

LEAVE BLANK

705665

ALIAS/MAID

LAST NAME, FIRST NAME, MIDDLE NAME, SUFFIX

705666

FBI NO

STATE IDENTIFICATION NO.

DATE OF BIRTH

MM DD YY

SEX

RACE

HEIGHT

WEIGHT

EYES

HAIR

M

C

5'10"

195

BRA

DB

1. R. THUMB

2. R. INDEX

3. R. MIDDLE

4. R. RING

5. R. LITTLE

6. L. THUMB

7. L. INDEX

8. L. MIDDLE

9. L. RING

10. L. LITTLE

LEFT FOUR FINGERS TAKEN SIMULTANEOUSLY

L. THUMB

R. THUMB

RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY

705 665

31

DODDOACID-005477

**FEDERAL BUREAU OF INVESTIGATION, UNITED STATES DEPARTMENT OF JUSTICE  
CRIMINAL JUSTICE INFORMATION SERVICES DIVISION, ARKSBURG, WV 26306**

PRIVACY ACT OF 1974 (P.L. 93-579) REQUIRES THAT FEDERAL, STATE, OR LOCAL AGENCIES INFORM INDIVIDUALS WHOSE SOCIAL SECURITY NUMBER IS REQUESTED WHETHER SUCH DISCLOSURE IS MANDATORY OR VOLUNTARY, BASIS OF AUTHORITY FOR SUCH SOLICITATION, AND USES WHICH WILL BE MADE OF IT.

JUVENILE FINGERPRINT SUBMISSION YES <input type="checkbox"/> TREAT AS ADULT YES <input type="checkbox"/>		DATE OF ARREST MM DD YY 3 1 04		ORI CONTRIBUTOR VAUSA1400 ADDRESS US ARMY FT BELVOIR, VA REPLY YES <input type="checkbox"/> DESIRED?	
SEND COPY TO: (ENTER ORI) TXCE00300		DATE OF OFFENSE MM DD YY 2 28 04		PLACE OF BIRTH (STATE OR COUNTRY) [REDACTED]	
MISCELLANEOUS NUMBERS		SCARS, MARKS, TATTOOS, AND AMPUTATIONS tattoo right shoulder "[REDACTED]" left forearm "[REDACTED]"		COUNTRY OF CITIZENSHIP U.S.A.	
OFFICIAL TAKING FINGERPRINTS (NAME OR NUMBER) FBI 601 T. SA [REDACTED]		RESIDENCE/COMPLETE ADDRESS HHC, 1-27th IN BN		CITY Fob McHenry	
EMPLOYER. IF U.S. GOVERNMENT, INDICATE SPECIFIC AGENCY IF MILITARY, LIST BRANCH OF SERVICE AND SERIAL NO. US Army		LOCAL IDENTIFICATION/REFERENCE 0446979638		STATE Iraq	
OCCUPATION HIC		PHOTO AVAILABLE? YES <input type="checkbox"/> PALM PRINTS TAKEN? YES <input type="checkbox"/>		DISPOSITION	
CHARGE/CITATION 1. Art 118; Murder		ADDITIONAL		ADDITIONAL	
2. Art 107; False Official Statement		ADDITIONAL		ADDITIONAL	
3.		ADDITIONAL		ADDITIONAL	
ADDITIONAL INFORMATION/BASIS FOR CAUTION		STATE BUREAU STAMP		ADDITIONAL	



LEAVE BLANK

CRIMINAL

(STAPLE HERE)

LEAVE BLANK

STATE USAGE

OFF SECOND



SUBMISSION

APPROXIMATE CLASS

ADULTATION

SCAR

STATE USAGE

LAST NAME, FIRST NAME, MIDDLE NAME, SUFFIX



705665

SIGNATURE OF PERSON FINGERPRINTED



SOCIAL SECURITY NO.



LEAVE BLANK

705665

ALIASES/MASTERS

LAST NAME, FIRST NAME, MIDDLE NAME, SUFFIX

FBI NO.

STATE IDENTIFICATION NO.

DATE OF BIRTH

MM DD YY

SEX

RACE

HEIGHT

WEIGHT

EYES

HAIR

M

C

5'10"

195

BRN

BRN

1. R. THUMB

2. R. INDEX

3. R. MIDDLE

4. R. RING

5. R. LITTLE

6. L. THUMB

7. L. INDEX

8. L. MIDDLE

9. L. RING

10. L. LITTLE

LEFT FOUR FINGERS TAKEN SIMULTANEOUSLY

L. THUMB

R. THUMB

RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY

705665

**FEDERAL BUREAU OF INVESTIGATION, UNITED STATES DEPARTMENT OF JUSTICE  
CRIMINAL JUSTICE INFORMATION SERVICES DIVISION, CHARLESTON, WV 26306**

PRIVACY ACT OF 1974 (P.L. 93-502) REQUIRES THAT FEDERAL, STATE, OR LOCAL AGENCIES INFORM INDIVIDUALS WHOSE SOCIAL SECURITY NUMBER IS REQUESTED WHETHER SUCH DISCLOSURE IS MANDATORY OR VOLUNTARY, BASIS OF AUTHORITY FOR SUCH SOLICITATION, AND USES WHICH WILL BE MADE OF IT.

<b>JUVENILE FINGERPRINT</b> SUBMISSION YES <input type="checkbox"/> TREAT AS ADULT YES <input type="checkbox"/>		<b>DATE OF ARREST</b> MM DD YY 3 1 04		<b>ORI</b> CONTRIBUTOR VAUSA1400 ADDRESS US ARMY FT BELVOIR, VA REPLY YES <input type="checkbox"/> DESIRED?	
<b>SEND COPY TO:</b> (ENTER ORI) TXCJ0300		<b>DATE OF OFFENSE</b> MM DD YY 2 28 04		<b>PLACE OF BIRTH (STATE OR COUNTRY):</b> [REDACTED]	
<b>MISCELLANEOUS NUMBERS</b>		<b>SCARS, MARKS, TATTOOS, AND AMPUTATIONS</b> tattoo right shoulder "[REDACTED]" left forearm [REDACTED]			
		<b>RESIDENCE/COMPLETE ADDRESS</b> HHC, 1-27th IN BN		<b>CITY</b> FOB McHenry	
				<b>STATE</b> Iraq	
<b>OFFICIAL TAKING FINGERPRINTS</b> (NAME OR NUMBER) SA [REDACTED] 701 [REDACTED] 601		<b>LOCAL IDENTIFICATION/REFERENCE</b> 0446979638		<b>PHOTO AVAILABLE?</b> YES <input type="checkbox"/> <b>PALM PRINTS TAKEN?</b> YES <input type="checkbox"/>	
<b>EMPLOYER:</b> FEDERAL GOVERNMENT, INDICATE SPECIFIC AGENCY. IF MILITARY, LIST BRANCH OF SERVICE AND SERIAL NO. US Army				<b>OCCUPATION</b> HC	
<b>CHARGE/CITATION</b> 1. Art 118; Murder 2. Art 107; False Official Statement 3.				<b>DISPOSITION</b> 1. 2. 3.	
<b>ADDITIONAL</b>				<b>ADDITIONAL</b>	
<b>ADDITIONAL INFORMATION/BASIS FOR CAUTION</b>				<b>STATE BUREAU STAMP</b>	

1st Brigade  
MAJ Sch

[redacted] TC 4  
[redacted] 664

2000  
[redacted]

Coord with MAJ [redacted]

0900 - Telizan Village blocking position in north  
given guidance if anyone runs detainee or shot  
Search was conducted

Warrior

Call came out to detainee adult males in area.  
~~element~~ detained farmer. AIO was attempting  
to put zip cuts on. AIO cutted him, turned  
and walked with detainee. did not lang.

PFC [redacted] TC 5605  
SGT [redacted] TC 4664

1-27 motor platoon, [redacted]  
2nd brigade 45th ID

[redacted] TC 4  
[redacted] 664

[redacted] @ US Army. 3 mil. mil

MAJ [redacted] A  
TC 4664

[redacted] 1-27 Infantry  
25th ID, Hawaii

2040 Coord with G.9 AFAC

2050 Brought to McHenry - called Iragi police turned over  
to village leader. [redacted]

MEMORANDUM  
OF CALL

Previous editions usable

TO:

YOU WERE CALLED BY—  YOU WERE VISITED BY—

OF (Organization)

PLEASE PHONE ▷ (Enter area code, if necessary)  DSN

WILL CALL AGAIN  IS WAITING TO SEE YOU

RETURNED YOUR CALL  WISHES AN APPOINTMENT

MESSAGE

B/125/523 [redacted] 703663  
CPT. [redacted] 703663  
[redacted] 703 4/3 ADA  
[redacted] 663

RECEIVED BY	DATE	TIME

NSN 7540-00-834-4018  
50383-112

OPTIONAL FORM 865 (Rev. 7-94)  
General Services Administration  
★ U.S. G.P.O.: 1995 401-385

Sheep farm  
Muhammad Husain Kad,

Teaches in  
from [redacted], 703

[redacted] 703

He works in AL-ABRASY,

[redacted]

[redacted] 703 663

DODDOACID-005482

Colony Manslaughter

1612

CPT [redacted] 703663  
MAJ [redacted]

GIA 25th ID

medical personnel - did anyone check on the body  
collect weapon

1645

CPT [redacted] 703663: always brief ROE before each mission  
detainees - only time it you are in direct hostile threat  
positive ID of enemy.  
[redacted] never gave me a problem.

CPT [redacted] 703663, [redacted] 703663  
1-27, HHC, 25ID

1700

Coord with MAJ [redacted] 703663

Nov/0900

Coord with MAJ [redacted] who verified there were 7  
personnel at the MIP, one medic treated the Iraqi



Headquarters  
4th Infantry Division (Mech)  
Fort Hood, Texas 76544

Office of the Staff Judge Advocate

534- [REDACTED]

1-27 IN 112711E  
XO [REDACTED]  
DNUT 523- [REDACTED]

Shot and killed detainee  
in Flexiwuffs

Accused soldier @ Kirkuk


523- [REDACTED] 703663 MAJ [REDACTED] 703663 (STA)

G-2 OPS [REDACTED] 703663 CPT

CPT [REDACTED] 703663

SIPR Aka

High Desk

312-654-

63  
67

SPC  
7C3663  
S23  
[REDACTED]  
[REDACTED]

7C3663  
[REDACTED]  
[REDACTED]  
S23  
(M.2j)

-685  
[REDACTED]

SI  
7C3663  
S53  
[REDACTED]  
[REDACTED] BT CP1