

RIGHTS RNING PROCEDURE/WAIVER CERTIF

For use 6, inis form, see AR 190-30; the proponent agency is ODCSOr 5

	DATA RI	EQUIRED BY THE PRIVACY ACT
AUTHORITY:	Title 10, United States Code, Se	ection 3012(g)
PRINCIPAL PURPOSE:		v enforcement officials with means by which information may be accurately identified.
ROUTINE USES:		used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE:	Disclosure of your Social Security	
1. LOCATION HHC 2/6 FUF Bac	hdad - Iras	2. DATE 3. TIME 4. FILE NO. 9 JUL 03 6026
5. NAME (Last, First, MI)	67C706.5	8. ORGANIZATION OR ADDRESS HHC 3/6 INF
6. SSN \$70	7. GRADE/S	
a yayeeyee yeesa aa a	PART I - RIGHTS	WAIVER/NON-WAIVER CERTIFICATE
Section A. Rights		
do not have to answer at Anything I say or do can at a (For personnel subject to during questioning. This or both. by For civilians not subject during questioning. I under a subject appointed for me before at a fill am now willing to discrete	restions about the offense(s), however, ny questions or say anything, one used as evidence against me in a create the UCMJ) I have the right to talk privilence can be a civilian lawyer I arrange to the UCMJ) I have the right to talk prestand that this lawyer can be one that any questioning begins. Use the offense(s) under investigation, we ore answering further, even if I sign the	vately to a lawyer before, during, and after questioning and to have a lawyer present with me the for at no expense to the Government or a military lawyer detailed for me at no expense to me, or - orivotely to a lawyer before, during, and after questioning and to have a lawyer present with me at I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be with or without a lawyer present, I have a right to stop answering questions at any time, or speak
Section B. Waiver	h71:566:5	
I understand my rights as stated without having a lawyer present	f above. I am now willing to discuss the with me.	ne offense(s) under investigation and make a statement without talking to a lawyer first and
. Wi	NESSES (If available)	3. SIGNATURE OF INTERVIEWEE 67656-5
A. NAME (Type or Print)		
b. ORGANIZATION OR ADDE	RESS AND PHONE	4. SIGNATURE OF INVESTIGATION B703661
2a. NAME (Type or Print)		5. TYPED NAME OF INVESTIGATOR BIOLOGIA
D. ORGANIZATION OR ADDR	ESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR
		12th MP Det (CID)
Section C. Non-waiver		
1. I do not want to give up my	rights:	
☐ I want a lawyer.		I do not want to be questioned or say anything.
SIGNATURE OF INTERVIEW	WEE	· Verify of the second of the
UTACH THIS WAIVER CERTIFIC	CATE TO ANY SWORN STATEMENT ((DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED.

EXHIBIT 19

ise of this form, see AR 190.45; the proportion agency is ODCSO 676-5
HHC 2/6 INF office, Bagn ed Frag 9 JUL 03 01-8 FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME 673,663, SOCIAL SECURITY NUMBER GRADE/STATUS, 1LT /AD
A BHIANIZATIIN BR ABBESS
676665 b7C) 66
HHC 2/6 INF 676665 WANT TO MAKE THE FOLLOWING STATEMENT UNDER DATH:
Ou a right I don't recall me had established a
Chackpoint at a four way intersection with a large circle
inside Our first relieve we storped was a KIX
Besta (muruen), It had applicationately four persons is
if There was 4 AK475 locked and looked on acto. Also, the
Iragis had a pistol. The Checkpoint was established after
- criticu so every one stopped was inviolation of curticu.
The coccupants of the uchicle claimed that some one
had stolen their vehicle parlier and they were out looking
for it. I did not believe their story and I felt that
they were the criminals out to steal someones son My
Interpreter also felt the men were lying. I saized all
the regions and duove the vehicle to the contex of our
checkpoint. I sent the non have instrad of detaining
them for the devation of the evening, the new hingers
at the edge of the lighted area around the appeal point
approximately 500m away. Also at that check point we stopped
and old SUN vehicle again containing 4 military age new
They also had 4 AK47 locked, loaded and an acto a pistal
with magazine and a paistal magazine that did not match
the pistal. Again, we soized the weapons and drave the
which to the center of the checkpointingshit next to
the other whicle I ordered the men home and
again try lingrand just outside the lit region of
XHIBIT INITIALS OF PERSON MAKING STATEMENT 676, 6-5 PAGE 1 OF 4 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF TAKEN AT DATED CONTINUED."
HE 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
TATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823, JUL 72

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

USAPPC V2.00

HIS PAGE IS NOT NEEDED, PLEASE PROCEED TO NAL PAGE OF THIS FORM. 6763 665 HHC 2/6 INF 0036 STATEMENT OF TAKEN AT _____ DATED 9. STATEMENT (Continued) we broke the chopk point still in the and mallo a steel)eft in the 575366-3 <u>d.d</u> over the weopons to 4K47 received a pistol, reposed to return heel 015 (1) Jard. 676; b65 the c-d. TALS OF PERSON MAKING STATEMENT 4: PAGES PAGE : Z

USE THIS PAGE IF NEEDED. HIS PAGE IS NOT NEEDED, PLEASE PROCEED TO MAL PAGE OF THIS FORM.
STATEMENT OF TAKEN AT 607 6 DATED 9 July 03
E STATEMENT (Continued) For helping the American Army. I believe him, having
patraled that exact reighborhood and hearing and seeing the
may the locals tolked and interacted with our interpreter.
As a result, I officed the wagon to him.
Q. 6763665
Acide de la
Q. Why did you decide to have your men shoot the vehicles?
A. We couldn't seize them and the only way to day them 5 the vehicles and hurt them in anyway was to shoot the vehicles.
Q. Why did you not turn in the one AK-47 and the pistols?
A. I did not want to give the AK to the FPS team, because
it was something we obtained. The pistols were kept because
they are goods trading items to trade to SF and other
1 3/6/5
Q. Have you revere traded any pistols to other people? A. No 576366.5
Q. Who else was involved on keeping the pistols for
trading purposes?
A. I was the only one brokes
Q. Why did you not take the men with weapons into custody?
A. Based on our previous experience with detainers they don't
do anything to them. BICSU6'S
Q. Have you or your soldiers ever shot vehicles in the past?
11 is that was the tirst time
Q. Have you ever gave wegpons to any other interpreters?
7. Just that one.
1 - bicinos
Q. Did pay you anything for the weapons?
4. No.
TIALS OF PERSON MAKING STATEMENT PAGE: 3 OF 4: PAGESUA: 73

STATEMENT (Continued) Q. Did you know \$1.0 t i	what is soized is U.S. Government property or to me but I guess I should
A It didn't really occur	er to me but I guess I should
have known that brible:	5
Q. Do you have any the	· · · · · · · · · · · · · · · · · · ·
A. No. 111 End of 5	to tement /1/ 6707605
7. 1000 111 END 07 J	TO CHICAGO TO CONTRACTOR OF THE CONTRACTOR OF TH
	ε.
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b747665	AFFIDAVIT
IE. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS A	, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT. (Signature of Person Making Statement)
ESSES:	Subscribed and swom to before me, a person authorized by law to
	administer caths, this 9+4 day of July , 19 2003
· · ·	at HHC 2/6 INF \$765 86-1
NATATION OF ADDICES	
ANIZATION OR ADDRESS	(Signature of Person Administering Oath) 6 166661
	(Typed Name of Person Administering Oath)
ANIZATION OR ADDRESS	Art 136 (6) (4) UCMJ (Authority To Administer Daths)
LS OF PERSON MAKING STATEMENT .	PAGE 4 OF 4 PAGES
	676-5 36-5 USAPPC V2.0

4	W 777 US U(D 177-033~
	ARNING PROCEDURE/WAIVER CERTIFICA f this form, see AR 190-30; the proponent agency is ODCSOPS
·	DATA REQUIRED BY THE PRIVACY ACT
	ement officials with means by which information may be accurately identified. an additional/alternate means of identification to facilitate filing and retrieval.
1. LOCATION Bachded Trace 5.	2. DATE 3. TIME 21:06 Z FILE NO.
5. NAME (Last, First, MI) 67(3) 6 9 E. SSN 67(5) 60:5 7. GRADI E. 7	8. ORGANIZATION OR ADDRESS 2/6/4/C INF
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 State Suspected/accuse Selection of Selec	and washed injection me about the following offense(s) of which I am Caracia are to me that I have the following nights: Defore, during, and after questioning and to have a lawyer present with me se to the Government or a military lawyer detailed for me at no expense to me, or - ver before, during, and after questioning and to have a lawyer present with r at my own expense, or if I cannot afford a lawyer and want one, a lawyer a lawyer present, I have a right to stop answering questions at any time, or
5. COMMENTS (Continue on reverse side) I'M Willing TO WAINE W Section B. Waiver	y lights And NAKE A STATIMONT.
<u> </u>	
i understand my rights as stated adove. I am now whilm to discuss the oriense(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)	3. ISIBNATURED FINTERVIEWEE B7C) B6-5
b. ORGANIZATION OR ADDRESS AND PHONE	4. SIGNATURE OF INVESTIGATOR LABOR 1
2a. NAME (Type or Print)	5. TYPED NAME OF INVESTIGATOR BTC 1) BC
b. DRGANIZATION OR ADDRESS AND PHONE	6. CREANIZATION OF INVESTIGATOR 323 Tol MP DET (CID) (DSE)
Section C. Non-waiver	
1. I do not want to give up my rights	
☐ I want a lawyer	1 do not want to be questioned or say anything

DA FORM 3881, NOV 89

SIGNATURE OF INTERVIEWEE

EDITION OF NOV 84 IS OBSOLETE

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

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SWORN STATEMENT

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

PRIVACY A	CT S1	TATEMI	TWF
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AUTHORITY: PRINCIPAL PURPOSE: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).

ROUTINE USES:

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

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

DISCLOSURE: 1. LOCATION

67<u>67</u>66-5 Disclosure of your social security number is voluntary.

23:00 Z JUL-03

4. FILE NUMBER

Baghdad Trag. 5. LAST NAME, FIRST NAME, MIDDLE NAME 676;

5. SSN 67C566-5

7. GRADE/STATUS

ORGANIZATION OR ADDRESS

WANT TO MAKE THE FOLLOWING STATEMENT UNDER DATH:

I AM AWARE THAT About About Ago I was Told by soldiers In THE PLATOON That PEC PUNCHED PUNCHED A JETAINE SEVERAL TIMES IN THE FACE AFTER THE DETAINEE SPIT ON AND VENDALY THEATEN PEC I was not those when The Insedent Took Place but Afren I do not recall who told me but I was Informed by several Soldiers, is THE PLATOON, When I want carride and was rold of the Incolored I was told That she was TAKEN TO THE Aid STATION. I did not check ON THE ITAGIBLES I did ASK WHAT TOOK PLACE And the Told ME Simular speciator, I Talked To see several noo's About There control of Angetwhen constituting missions. Hout 3 weeks Ago I was Completed with Brave SECTIONS And , HQZI MADE AMATE AFTER A MISSION Bravo Sgd Ldr bother Fired AT A dog Ensayed by disnovers poly SAID THAT SABER 5 (556 And That it was not tournet with dinners. I was not present doing This Assumed That G mounteds. It is sop to AAR brasto mission brasto PATROLLES Informed me They Took ZWEEK APPO SEVERAL AL 47" From SEVERAL VEHICLES day Trice mission - I was not Prosent dum This Patrol And was Informed That 2 vehicles were stor 616,66.5 SECTION, THE WORLDON TAKEN during missions BOTH ML. SOCAL From 556 where place in a metal colopsitie box and keeped in our CP radio foom Soldier were Allowed to perform eleting, dis Assomble and Assomble wis Them when we relocated to The RSS compand They nevel my in a storage closet by The suffer within The celapible box Told us to Turn in the weapons to HHE and stall secrept WHAT # 1516.3.66.3 ZATAMA AUTOMATIC Private And And AK47 , 5561 Andrey or two prist out of Hazz which 6767665

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF

PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF

TAKEN AT DATED

. 76

ID. EXHIBIT

W47-03 VIOS 1.

STATEMENT OF TAKE AT DATED CONTINUED STATEMENT OF TAKE AT DATED CONTINUED THE SECTION From 556 THE WEAPONS Where Placed in the box And when I was Informed Trat supres were Taken During PATIONS THE NOW were told by me of UT TO PLACE THEM IN THE box then I was aware That wow were on the vehicle of \$1022 I rook Them to The Storage voon. I did have discussion with Li About Trading upon for A/C of FAUS for THE PLATOOL BUT NEVER ACTED UPON IT.

REFlecting back on These Incedence I am Andre That as a leader that I'm REsposable for my Actions And In Actions. All The situations should have been brought to The chair of wan Ands Attention And my Duty was to Porton by Bobble in The Standarde.

Quid you take corrective action against any of the soldings that were incolved in any of the incidents you wrote about inyour statement.

A: The Corrective action I took was to talk to the NCO'S.

Q' Were you aware that some of the Soldiers in your platoon were carrying Weapons they confiscated from Imqui's before 07 Jul 03.

A: I knew Alpha Section was. They were using backup weapons for the post three weeks.
They carried AK47's in their vehicles, And I did not stop them. Q-Did you participate in hiding any AK47's so they did not get turned in after it was ordered by the commander to turn in all non issue weapons?

A: I did not two in all of the weapons, I did not hide the weapons, I left the two pistols and an AK47 in the storage room after the commander There in our posession. LT 1865.5) but And myself made A decision to keep

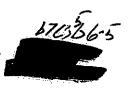
Q: Did you discuss with LT trading the weapons for other things?

A: Yes, fo A.C. units of fans with S.F. We never traded.

Q- Do you have any thing you wish to add anything to this Statement? A.I was aware of these sitastions I should have Reported These Incodence to THE Chain of Command And TAKE FESPOSIBILTY for may Actions And in-Actions

- End of Statemen

INITIALS OF PERSON MAKING STATEMENT



pages 2 of 3**PAGES**

-UU ... 77

	0047-05-010877-05
TATEMENT OF	TAKEN AT Backdad, FrDATED 08 JULO3
STATEMENT (Continued)	
Ce .	
Va	
67C/S	56.5
	· v
5	
b1C1b6-5	AFFIDAVIT
THE PERSON DAY AND ENDO ON DICE.	, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT
CH BEGINS ON PAGE 1, AND ENDS ON PAGE TE. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AN	. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE ND HAVE INITIALED THE βΟΤΤΟΜ OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS
TEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT TH	HREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.
•	(2)
	(Signature of Terson moving Statement)
•	(Signature of Association Making Statement)
ESSES:	Subscribed and sworn to before me, a person authorized by law to
	administer oaths, this <u>08</u> day of <u>July</u> . <u>Jeros</u>
	at Bachded Frag
SANIZATION OR ADDRESS	670661
	(Typed Name of Person Administering Oath)
ANIZATION OD ADDOCCO	Article 136 UCMT (Authority To Administer Oaths)
ANIZATION OR ADDRESS	(Authority To Administer Daths)
S.OF PERSON MAKING STATEMENT	
	PAGE 3 OF 3 PAGES

SWORN STATEMENT For use of this form, see AR 190-45; the proponent agency is GDCSOPS					
		PRIVACY ACT STATEMENT			
AUTHORITY:	Title 10 USC Section 301; Title 5 USC Sect	ion 2951; E.O. 9397 dated November 22, 1943 <i>(SSN)</i> .			
PRINCIPAL PURPOSE:	To provide commanders and law enforcemen	nt officials with means by which information may be accurately identi	fied.		
ROUTINE USES:	Value anglet approjety summer to used as an editational planning or a state of the				
DISCLOSURE:	Disclosure of your social security number is voluntary. Disclosure of your social security number is voluntary. Disclosure of your social security number is voluntary.				
1. LOCATION Saghdad	/RAY 676,664	2. DATE (YYYYMMDD) 3. TIME 2003 07 08 71:50 Z	4. FILE NUMBER		
5. LAST NAME, FIRST NAME,	MIDDLE NAME	6. SSN 6769166-4	7. GRADE/STATUS		
			PFC		
8. ORGANIZATION OR ADDRE	16 /2 to	Pas AE 09624			
9. D 7	C75C-4	. WANT TO MAKE THE FOLLOWING STATEMENT UNDE	er DATH: 676.46		

b7516-4 a few everks ago, HQZZ had confincated to some AK-41's and 2 pirtols from 2 vehicles at al trafice circle near the nurklean site. The occupants of the behilles were told to go home & FC drove the while into the center of the will. After that, we had been grun the order to mount up and head back home. as direction of the traffic circle, HQZZ find their .50 cal onto the vehicles. Following phattle drill standard operations my gunner, SPC es gages shot at the wehicle with his MZ40B machin gun. Ofter the firing ceased, we went home. After that nights of was bit both and al asked 556, 576366.5 b7636-4 and I felt if we could have the purtab. PFC unseure in our sector as were were in heavily populated areas in which our crew had to dismount to contral with the traffic, leaving just the gurner and driver on the

10. EXHIBIT PERSON MAKING STATEMENT PAGE 1 OF PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF

DA FORM 2823, DEC 1998

DA FORM 2823, JUL 72, IS OBSOLETE

well. about 4 weeks ago, a detainer was in one of the platon vehicles. After he spit on the netwile, someone punched bit 4 56-4 had said PFC had hit him.

0049-03-C11899-63505 HIS PAGE IS NOT NEEDED, PLEASE PROCEED T VAL PAGE OF THIS FORM. STATEMENT OF Borded IRAY DATED 2003 0708 TAKEN AT 9. STATEMENT (Continued) By SA 676406-4 Q: Where is the WEARN YOU TOOK from the Vehicle that HWAS Shot Up At the treffic circle, NOW? A: As for AS I know IT has been toward in. SGT took it act. Q: ARE YOU CERTIAN YOU NO LUNGER KNOW WHERE THE PISTOL you had is? A: YES, I NO LONGER KNOW WHERE THE WEAPON IS. Q: is there Anthing you want to ped to this STATEMENT A: No. 111 End of bits of property 111 PAGE 3 PAGE 2, DA FORM 2823, DEC 1998

	17010 Te			<u> </u>		0049	-03-0	10899	-635
TATEMENT OF	A STATE OF THE STA		TAKEN AT	Bayl 2005 07	le.	DATED _	2003	0708	
STATEMENT (Contin	कर्म के अस्ति के स्वर्थ के स्व स्वर्थ	Miller Grady Court Free Production (1999) The Court of Co		·					
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	676,66.4	,							
			AFFIDAVI	τ					
1,	and all		, HAV	E READ OR HAVE HAD					
ME. THE STATEME	SE 1, AND ENDS ON PAGE INT IS TRUE. I HAVE INITIAL		NO HAVE INITIALED		PAGE CONTAIN	ING THE ST	FATEMENT. I		
ATEMENT FREELY W	ITHOUT HOPE OF BENEFIT O	IR REWARD, WITHOUT TI	HREAT OF PUNISHME	NT, AND WITHOUT CO	ERCION, UNDAM	FUL INFLU	ENCE, OR UNL	awful induce #166+4	
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				Marine and	(Signature or F	noan shiiwa	g wateriens.		
TNESSES:				ubscribed and sworn to	- 46		ized by law to	_	
				ninister oaths, this	100	ay of 	100	20	3_
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004107471011 00 41			j			roon Admin			
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IRGANIZATION OR AL					Typad Name of 1	erson Aum 4) U	nistering Oath,	,	· · · · · · · · · · · · · · · · · · ·
RGANIZATION OR AC				and the second second second second	Typed Name of J	erson Aum 4) U	nistering Oath,	,	·

VARNING PROCEDURE/WAIVER CERTIFICATE

if this form, see AR 190-30; the proponent agency is ODC:

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY:

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

PRINCIPAL PURPOSE: **ROUTINE USES:** DISCLOSURE:

To provide commanders and law enforcement officials with means by which information may be accurately identified. Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval. 1705115 1- 51

Disclosure of your Social Security Number is voluntary.

		DILING DICID	6
1. LOCATION		2. DATE 3. TIME	4. FILE NO.
Baumholder Resident Agency (CI	D) APO AE 09034	18 51, 03 1842	0147-03-CID167-
5. NAME (Last, First, MI) b/5/00	· 5	8. ORGANIZATION OR ADDRESS	
Control of the second s		HHC, 2/6 th INF	
1005115			
6. SSN 6/4/66 ⁻³	7. GRADE/STATUS SSG/E-6	Baumholder, APO AE 09034	

PART 1 - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section	A.	Rig	hts
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The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command as a Special Agent 115 b6-5 and wanted to question me about the following offense(s) of which I am

Failure to Obey, Failure to Report/Turn Over Captured Property, Destruction of Personal Property...

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

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

- or -

(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) Have you been advised of your rights in the last 30 days? Yes____ No ____ If yes, did you request a lawyer? Yes_

Section B.	Waiver	17616	5
រ៉ឺ មnderstand my	rights as stated abo	ve. <u>1 am now</u> 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	5745 D 6.5

WITNESSES (If available) 3. SIGNATURE OF INTERVIEWEE da. NAME (Type or Print) b. ORGANIZATION OR ADDRESS AND PHONE

TYPED NAME OF INVESTIG

b. ORGANIZATION OR ADDRESS AND PHONE

6. ORGANIZATION OF INVESTIGATOR Baumholder Resident Agency (CID) Baumholder, APO AE 09034

Section C. Non-Waiver

2a. NAME (Type or Print)

- 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.

DA FORM 3881 NOV 89

FOITION OF NOV 84 IS OBSOLETE

SWORN STATEMENT

File Number: 0147-03-CID167-Location : Baumholder, Germany
Date : 18 Jul 2003 65 Time: -2107 2308 Statement Of: 🛲 107651665 Grade/Status: E6/SSG Org/Address: HHC 2/6TH INF, BAUMHOLDER, APO AE 09034, GM . _____ APU AE 0903 , WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: I arrived in Iraq 3 May 03, and was assigned HHC 2/6 INF. During the time I was in Iraq I did not assault or mistreat any prisoners. The only prisoner that I apprehended was an Egyptian who snuck up on us while we were in a hasty fighting position. SSG was actually the first person who grabbed the guy and 66.366.3 tried to apprehend him. It took four of us to subdue him but only after about 5 minutes of wrestling with him. SGT and b16.366.3 PV2 were the other two beside SSGC and myself that b16.3,3,66-3,3 apprehended him. Around the first or second week of June 03, I was at the Forward Operating Base (FOB), I was inside reading a book when I heard Bravo section had a prisoner that was using a hand grenade to rob people. I went outside to take a shower, after I took my shower I walked over to where they were holding the prisoner asked one of the other guys what was going on and they said the prisoner had threatened PFC and his family-676-5, 66-5 and spit blood in PFC face. I then saw PFC punch - 616-5, 5, 66-5, 5 the prisoner about three times in the kidneys. I told PFC he did not have to beat him, just scare him. A few-br-5,66-5 minutes later I saw PFO Section SGT and said something -b76-5, b6-5 to him about it and he said he "had it." Around the week of 15 Jun 03, my section conducted a night patrol to enforce curfew and weapons policy. We established a traffic control point (TCP) at a major intersection. First we stopped a blue minivan traveling from North to South. The Van stopped about 300 meter North of the check point myself and PFC advanced on the bicle and instructed the occupant to exit. The driver exited the vehicle and signaled to us that he did not have any passengers or weapons. Upon further investigation by PFC he found three Iraqi men in the back with AK-47's - 616-3, 66-3 loaded and on full auto. We extracted the men and separated them from there weapons. We detained the men on the side of the road for 1LT and the interperator to question. 1LT6/6-5/66-5 told them to walk home and not come back and that if byc-5, b6-5 he saw them again he would arrest them. We placed the vehicle in the middle of the traffic circle and moved on to the next vehicle. The next vehicle was a White SUV, that approached from the West. When the occupants were searched we found a pistol magazine in one of their pockets. After we searched the occupants PFC searched the vehicle and discovered one 576-3, b6-3 Tagrit 9mm pistol and two AK-47's, all of them loaded and the AK-47's had two magazines tape end to end for easy reloading. LT and the interpreter once again told them to leave and bit 5, bit we placed their vehicle in the traffic circle. PFC searched the vehicles again and found a pistol, a bayonette, Iraqi military uniforms and LBE. About 0200, we ended our TCP and were about to head back to camp. I asked 1LT what we were going to do about the vehicles he didn't say said to make sure 1715, 165 176, 165 anything so I asked if we could shoot them so that they could not be used again, against us. 1LT page 1 of 5Exhibit: ____ INITIALS

> EXHIBIT 23 00182

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TAKEN AT Baumholder, Germany DATED 18 Jul 2003 CONTINUED.

we pulled around to the North side of the intersection and fired toward the South because nothing was to the South. I then told PFC to fire the .50 cal and I fired with a captured 1745/1655 AK-47, SPC also fired his M-240. On 4 Jul 03, the nightb763, 16-3 before I was leaving Iraq PFC said he had something to 67.5, 16-5 show me. He walked me around to the back of the building and gave me a bag with an AK-47 trigger mechanism, and said "now you can go home and make an AK-47" I have talked to PFC on west before different occasion about guns, since we are both hunters and he thought it was a good going away present for me. I asked him where he got it and he said he had his sources. After he gave me the trigger mechanism I threw it in my assault pack. On my way to the airport I took the trigger mechanism out of my bag and was going to throw it out, but there was too many people around. At the passenger terminal there was no where to get rid of it. When I got back to Baumholder I wanted to get rid of it but could not find an amnesty point. While cleaning out my bag I found it again and told my wife about it, but she did not really understand what it was. I told her I wanted to get rid of it, but did not want to put it my housing trash can. She told me she would take it and throw it in the dumpster at work. I then gave it to her and she told me she threw it out. The next morning the Rear Detachment NCOIC told me that someone had said something about having a trigger mechanism, and told me if I had it to get rid of it. The was the last thing I heard about it until CID started questioning me about it.

Q: 676-1, 66-1 A: 676-51163

Q: Did the Rear Detachment NCOIC offer you an amnesty time?

No, he just said to get rid of it if I had it. Α:

Did anyone from the Rear Detachment ask you if you had the trigger mechanism?

How did you get the trigger mechanism home from Iraq? Q:

In my assault pack.

Did customs search you or you gear?

Α:

Why did you want to get rid of the trigger mechanism while Q: in Iraq?

I thought they would search our bags or us, plus I really

did not want the thing in the first place.

Q: Why did you not get rid of it before you left Iraq? There were people everywhere and if they saw me throw something from the truck it would look suspicious.

Who else knew you had the trigger mechanism? PFC and my wife. 6765, 66-5 Q:

Α:

Do you know where your wife got rid of it at? Q:

Α: In a dumpster at her work.

Q: Where does she work?

Baumholder Clinic at Child Youth Services. A:

When did you give it to your wife to get rid of it? Q:

A: I think 14 July 03.

Did your wife tell you she got rid of it?

Yes, I called her and asked her.

What day was it she got rid of it?

The same day I gave it to her.

Exhibit:

INITIALS

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STATEMENT OF TAKEN AT Baumholder, Germany DATED 18 Jul 2003 CONTINUED.

Did you know that bringing the trigger mechanism home was wrong? 1763665 Yes. Α: Where do you think PFC got the trigger mechanism? Q: I don't know we had a bunch of AK's we had captured, but they were all in one piece. Who did the two Iraqi vehicle you shot up belong to? I don't know, there was no paperwork in the car. What is the normal procedure after capturing vehicles? We are supposed to take them to the Bahgdad International Airport (BIAP), but normally we just leave them sit. Why did you want to shoot the vehicle up? Because I knew those guys were up to no good and if we left them the guys would come back and get them. ILT not like to arrest people because it was to much paper work. Did you think that shooting the vehicle was wrong? Q: b74556.5 Who else heard 1LT say it was ok to shoot at the vehicles? 16703,663 6703,663

A: PFC and and our interpreter, maybe PFC What did you personally fire at the vehicle with? 8 rounds from an AK-47. Q: A:Was it normal procedure for you to use an AK-47? Q: No, but we had captured them that same night. **A**: Did you ever carry captured weapons while in Iraq? Q: Α: Yes. Q: When? I carried a pistol on mounted patrol, and the drive from base to BIOP on the last day I carried an AK, because I did not have a weapon. Did anyone else carry or use captured weapons? A: 67C-5, 66-5 p7071565 Who else did? **Q**: , PFC and SSG , SSG **A** : 1LT all carried captured pistols. Did you ever fire captured weapons at a dog? Not a captured weapon. Did you fire your assigned weapon at a dog? Q: **A**: Yes. Q: Why? A:Mult kept barking while we were on night patrol and SFC said to shut it up. 6/5/6/5

What do you think SFC meant by shut it up? Either throw a rock at it to get it to run off or shoot it. **A**: Did you attempt to throw rocks at it first? Q: Yes, but it would not go away. Α: When you shot at it did you hit it? Q: Α: Did anyone else shot at it? Q: Α: After you shot at it did anyone tell you that it was wrong? Q.: asked if I hit it. 67c-5, b6-5 C Section SGT? 67c-5, b6-5 No, SFC A: Who was PFC Q: 676-5 166-5 **A**: How do you feel you were treated during this interview? 176366-5 **A**: Good. PAGE 3 OF INITIALS Exhibit:

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0147-03-C1 67-

STATEMENT OF

TAKEN AT Baumholder, Germany DATED 18 Jul 2003 CONTINUED.

Q: Were you offered the opportunity to take a break or use the restroom?

Yes.

Were you offered the opportunity to read this statement and make corrections?

Do you have anything to add to this statement?

2-5, 36-5 ///////END OF STATEMENT 71111111111111111

Exhibit:

INITIALS

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PAGE 4 OF 3

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0147-03-C 167-

STATEMENT OF TAKEN AT Baumholder, Germany DATED 18 Jul 2003 CONTINUED.

b7C5b6-5 AFFIDAVIT
HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 05. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.
(Signature of Person Making Statement) Subscribed and sworn to before me, a person authorized by law to
administer oaths, this 18 day of JUL, 2003 at Baumholder, Germany 670-1,56-/ (signature of Person Administering Oath)
(Typed Name of Person Administering Oath)
ARTICLE 136 UCMJ (Authority To Administer Oaths)
WITNESS:

b7C, b6-5

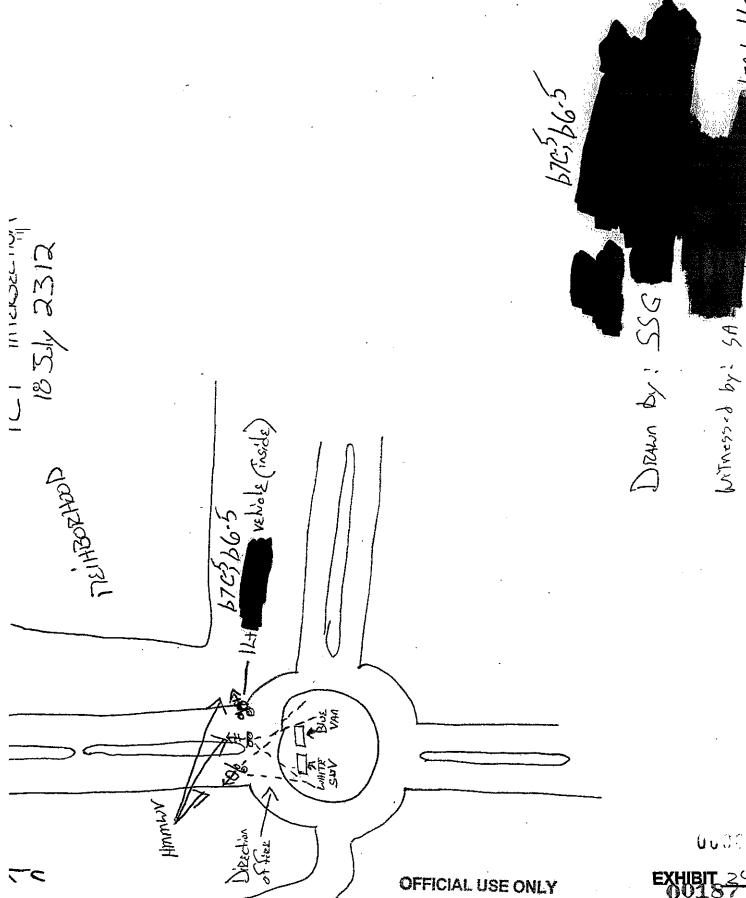
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	Destruction	- OF Private	· Property WillEnly	discharging a Firearm
	under such	Liscomstan	ces as to Enbager	Human Life ///
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I hereby authoriz USACIDC Specia	te the undersigned USACIDO	C Special Agent and n of: (<i>Initial and sign a</i>	or other Authorized Law Enforce pplicable blocks	ement Officials assisting the undersigned
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ID Form 87-R-E, Aug 00 (Rev)

PREVIOUS EDITIONS OF THIS FORM ARE OBSOLETE

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AGENT'S INVESTIGATION REPORT

ROI NUMBER 0147-03-CID167-

CID Regulation 195-1

1 FEB 77

PAGE 1 OF 2 PAGES

About 2247, 18 Jul 03, SA office interviewed Mrs	restigation Command, Unit and conduct a subject A, HHC 2/6th 776-3, 76-5 A, regarding an incident a point traffic circle, and the rest assaulted a prisoner. The red to determine if SSG apons from Iraq, or if hebres, 16-5 A Baghdad, Iraq. By building and noted a red, 2 b76-5, b6-5 in the parking slot marked b76-5, b6-5 in the parking slot marked b76-5, b6-5 in the parking slot marked b76-5, b6-5 inded a sworn statement arag with an AK-47 trigger to dispose of upon arrival further admitted that hebres, 16-5, b6-5 during his time in Iraq, 16-15, b6-5 drawn sketch, which b76-5, b6-5 drawn sketch, which b76-5, b6-5 coting. (See Waiver tetch for details) 76-66-7 This Apartment b76-4, b6-4 wherein she detailed how b76-4, b6-4 wherein she detailed how b76-4, b6-4
she disposed of the AK-47 trigger mech	anism for her husband. The hand drawn sketch of 676-4, 66-9
TYPED AGENT'S NAME AND SEQUENCE NUMBER SA 6765766	ORGANIZATION Baumholder RA (CID), Unit 23813 APO AE 09340
Signature:	Date: 11 Jul 03 Exhibit:
CID Form C	CHNEY

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AGENT'S INVESTIGATION REPORT

ROI NUMBER 0147-03-CID167-

CID Regulation 195-1

PAGE 2 OF 2 PAGES

where she dumped the trigger mechanism. (See Sworn Statement and Sketch for details)

About 2305, 18 Jul 03, pursuant to search authorization signed by SSG SA SA and SA Conducted a search of SSG SSG SA CONTROL CO

AGENTS COMMENT: Prior to the search of SSG residence he related to this office that he maintained four USAREUR registered privately owner firearms (POF) in his quarters. SSG produced USAREUR and German 676-5, 66-5 registrations for all weapons in his residence.

About 2400, SA and SA conducted a search of the dumpsters behind the U.S. Army Health Clinic, Baumholder, Germany, APO AE 09034, where Mrs conducted shearch, blid disposed of the trigger mechanism. The Search resulted in nothing of evidentiary value found or collected.

AGENTS COMMENT: It was apparent that the dumpsters were recently emptied, as only one contained a small amount of trash.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

b70/56-1

ORGANIZATION
Baumholder RA (CID), Unit 23813
APO AE 09340

Signature:

Date: 11 Jul 03 Exhibit:

CID Form 94

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EXHIBIT 750

SWORN STATEMENT File Number : 0147-03-CID167-: Baumholder, Location Date 18 Jul 2003 Time: -2200 2247 Statement Of: SSN Grade/Status: Civilian Org/Address 67L1176 WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: My husband asked me to dispose of some small metal pieces I now know to be parts of a trigger assembly. I put them in a zip lock sandwich bag and tossed them along with my trash in a dumpster located behind the dispensary kaserne. 676-1,186-1 Q: SA 676-4,66-4 A: Mrs Q: Describe what your husband asked you to throw in the dumpster? A: Two to three small pieces of what appeared to be metal parts, maybe black or dark gray in color. Q: How long ago did your husband ask you to throw them away? A: The beginning of the week, maybe Monday or Tuesday, 14/15 Jul 03. Q: Did your husband mention anything about abusing Iragi prisoners? A: No. Q: Did your husband mention anything about destroying vehicles with gunfire while in Iraq?

A: No.

Q: Did your husband bring any weapons upon his return from Irag to your home?

A: No, I am not aware of any illegal weapons in my home. Q: Do you have anything else to add to your statement?

A: No. End of Statement

676-4, 66.4

Exhibit:

INITIALS

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0147-03-C1 67-

STATEMENT OF TAKEN AT Baumholder, Germany DATED 18 Jul 2003 CONTINUED.

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ENDS ON PAGE 02. I FUL MADE BY ME. THE STATEM HAVE INITIALED THE BOTT MADE THIS STATEMENT FRE	LY UNDERSTAND THE ENT IS TRUE. I H OM OF EACH PAGE C ELY WITHOUT HOPE	TATEMENT WHICH BEGINS ON PAGE 1 E CONTENTS OF THE ENTIRE STATEMI HAVE INITIALED ALL CORRECTIONS A CONTAINING THE STATEMENT. I HAV OF BENEFIT OR REWARD, WITHOUT ION, UNLAWFUL INFLUENCE, OR	ENT AND
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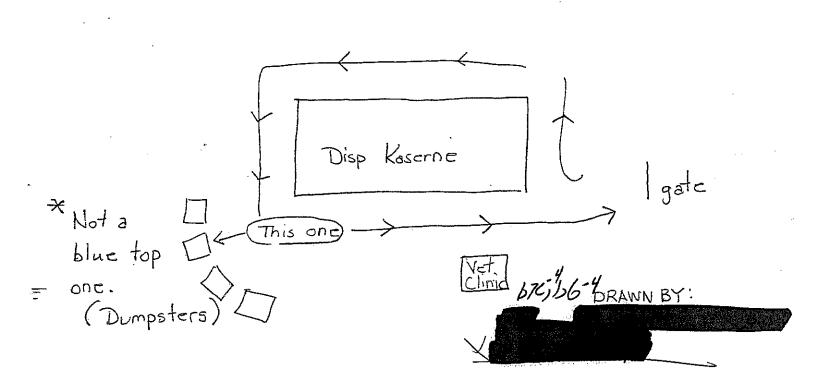
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PAGE 2 OF <u>2</u>

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AGENT'S INVESTIC

CID Regulation 195-1

!ION REPORT

ROI NUMBER

0168-03-CID519

PAGE 1 OF 2 PAGES

DETAIL

BASIS FOR INVESTIGATION: On 4 Aug 03, this office received a request for assistance (RFA) (0049-03-CID899-63505) from 323d Military Police Det (CID), USACIDC, Unit #92955, APO AE 09324-2955, requesting the interview of Mr. NFI) to establish his 670-366-3 status as a victim pertaining to the abuse of a civilian internee investigation.

About 1545, 4 Aug 03, INV and SA office with the assistance of Mr. Kuwaiti Civil 676-8,66-8 Identification Number (KCID) # Civilian Interpreter, 676-8, 64-8 Titan Inc., Kuwait, advised Mr. Civilian 676-3, 66-3 Internment Number (CI) # B676-3,3,3,663.33 DOB : POB: ; DOC: 11 Jun 03; POC: Salahea Police Station, Salahea, Baghdad, IZ, he was in no obligation to speak with this office pertaining to 6763,663 this investigation. Mr. stated he would provide any bress, blocks information necessary for this investigation. Mr. related he 676.3,66-3 resided in Baghdad with his three sons; age 10, age 9,613,3,663,3 and age 5. Mr. claimed he owned a liquor store in 676-3,3,66-3,3 Baghdad, however closed it when he began working as an interpreter for the MP's at the Salahea Police Station, Salahea, Baghdad, IZ. Mr. stated he was working at the police station when he was 676-3,66-3 captured by U.S. troops. Mr. denied any knowledge or 676-3, 66-3 involvement pertaining to the accusation of communicating a threat. Mr. related while he was in custody, he was transferred from bic 3, bb -3 Sadam Palace, to Celebration Square, to Baghdad International Airport, Baghdad, IZ, prior to his arrival at Camp Bucca, Um Qasr, When asked if any guards ever abused him during custody, Mr. denied any abuse from the MP guards. Mr. stated the MP's 67633,6433 treated him nice and they were his friends. Mr. claimed he was 67c-3,663 provided medical treatment for dehydration and for lacerations to his face caused by other EPW's on 26 Jul 03. Mr. stated hebles, 66-3 never witness any abuse of EPW's by U.S. troops while in their custody.

AGENT'S COMMENT: During the interview, Mr. repeatedly asked about his children. Mr. children lived alone with him in b10.3,b6-3 Baghdad, however when Mr. was captured his children were not 676-3,66-3 with him and nothing was know about their well being.

AGENT'S NOTE: Mr. appeared to by genuine, however hesitated when asked about medical treatment.

1-1011-0

TYPE AGENT'S NAME AND SEQUENCE NUMBER	ORGANIZATION	ι
INV	44 th MP Det (CID)(FWD) Iraq, APO AE 09375	, Camp Bucca, Um Qasr, S
SIGNATURE	DATE	EXHIBIT

00194

EXHIBIT 29

5 Aug 03

AGENT'S INVESTIG 'ION REPORT

CID Regulation 195-1

ROI NUMBER

0168-03-CID519

PAGE 2 OF 2 PAGES

DETAIL

1768168 About 0920, 5 Aug 03, INV with the assistance of Mr Civilian Interpreter, KMOD, Kuwait, 676-8,8, 66-8,8 KCID # advised Mr. he was in no obligation to speak with CID in 574-3 66-3 reference to this investigation. Mr. was questioned about any bit 3, bi-3 U.S. Military personnel who abused him since his capture. Mr. adamantly denied ever being threatened, struck, or insulted by any member of the U.S. Military. Mr. stated while in U.S. custody Mc-3, 14-3 Mr 💻 he had been treated nicely. Talso denied any knowledge of 6163,66-3 ever communicating a threat with any type of weapon to any person. Mr. denied ever saying anything to any Iraqi family, which \$16-3,66-3 would be taken as a threat using a bomb or any weapon. Mr. 12-3,66-3 claimed he helped U.S. soldiers clear an apartment building, collected over 600 AK-47s and he worked with the U.S. on many occasions in Baghdad as a translator.

676-3,66-3 INVESTIGATOR'S COMMENT: Mr. speaks fluent English and does not appear to be harmful to himself or anyone else. Mr. has 576.3,66.3 repeatedly requested to gain contact with his children to assure their safety. ///Last Entry///

SIGNATURE

TYPE AGENT'S NAME AND SEQUENCE NUMBER ORGANIZATION INV Iraq, APO AE 09375

44th MP Det (CID)(FWD), Camp Bucca, Um Qast,

EXHIBIT

5 Aug 03

EXHIBI

DATE: 13 AUG 2003, 1300 HRS ZULU

FROM: SAC, 10th MILITARY POLICE DET (CID)

TO: DIRECTOR, USACRC, USACIDC, FORT BELVOIR, VA OPERATIONS OFFICER, 10TH MP BN (CID) (ABN) (FWD)

OPERATIONS OFFICER, 3D MP GROUP (CID)
PROVOST MARSHAL, ARCENT-KU, CAMP DOHA
PROVOST MARSHAL; 1ST ARMOR DIVISION

SPECIAL AGENT IN CHARGE, 323RD MP DET CID STAFF JUDGE ADVOCATE, 1ST ARMOR DIVISION

BN CDR 2/6 INF CDR HHC 2/6 INF

SUBJECT: CID REPORT OF INVESTIGATION -2nd STATUS- 0049-03-CID899-63505-5C1K-5R2F-5R4A-5Y2B-5Y2D1-7J4.

DRAFTER RELEASER: 670-1, 156-1

- 1. DATES/TIMES/LOCATIONS OF OCCURRENCES: 1 JUN 03 TO 8 JUL 03/0001-2400 HRS ZULU/ BAGHDAD IRAQ (NFI)
- 2. DATE/TIME REPORTED: 9 JUL 03/1200 HRS ZULU

67016-1

3. INVESTIGATED BY: SA

SUBJECT: 1.

b703665

6763665

HHC 2/6 INF, UNIT # 23719, APO 676-5, 66-5

AE 09034; (DESTRUCTION OF PRIVATE PROPERTY, WRECKLESS
ENDANGERMENT, DERELICTION OF DUTY, VIOLATION OF GENERAL
ORDER #1) 676-76-5

SFC;

HHC 2/6 INF, UNIT # 23719, APO AE 110-5, 16-5

09034; (DERELICTION OF DUTY, VIOLATION OF GENERAL ORDER #1) 1576360-5

SSG; HHC 2/6
INF, UNIT # 23719, APO AE 09034; (NFI) (VIOLATION OF GENERAL ORDER #1) AZZINGS B2C566:5

SPC;

HHC 2/6 INF, UNIT # 23719, APO AE

09034; (AGGRAVIATED ASSAULT, VIOLATION OF GENERAL

ORDER #1) 1765/6-5

1763/6-5

PFC; HHC 2/6 INF, UNIT # 23719, APO AE 09034;

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(DESTRUCTTION OF PRIVATE PROPERTY, VIOLATION OF
GENERAL ORDER #1) 676,665

PFC;

HHC 2/6 INF, UNIT # 23719, APO AE
09034; (AGGRAVIATED ASSAULT, VIOLATION OF GENERAL
ORDER #1) 676,665

SSG

HHC 2/6 INF, UNIT # 23719, APO AE 676.5,665

09034; (FAILURE TO OBEY A GENERAL ORDER, DESTRUCTION

HHC 2/6 INF, UNIT # 23719, APO AE 676 09034; (FAILURE TO OBEY A GENERAL ORDER, DESTRUCTION OF PRIVATE PROPERTY, FAILURE TO REPORT/TURN OVER CAPTURED PROPERTY, WRECK LESS ENDANGERMENT)

- 5. VICTIM: 1. US GOVERNMENT; (WRECKLESS ENDANGERMENT; DERLECTION OF DUTY, VIOLATION OF GENERAL ORDER #1, FAILURE TO REPORT/TURN OVER CAPTURED PROPERTY)
 - 2. UNKNOWN IRAQI MALE; (AGGRAVIATED ASSAULT)
 - 3. UNKNOWN IRAQI MALE; (DESTRUCTION OF PRIVATE PROPERTY)
- 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"

2ND STATUS:

THIS STATUS REPORT IDENTIFIES SSG AS A SUBJECT IN THIS INVESTIGATION. SSG AND HAD LEFT IRAQ TO PCS TO HIS NEXT DUTY STATION PRIOR TO BEING INTERVIEWED IN THIS INVESTIGATION. SSG HAS NOW BEEN INTERVIEWED AND ACCOUNTY BY ADMITTED TO INSTRUCTING HIS 50 GUNNER TO FIRE INTO A VEHICLE AS HE FIRED A CAPTURED AK-47 INTO THE VEHICLE AND TO TAKING A TRIGGER MECHANISM BACK TO GERMANY WITH HIM.

PRELIMINARY INFORMATION DETERMINED WHILE MEMBERS OF THE HHC 2/6 INF, WERE ON PATROL IN BAGHDAD IRAQ, THEY SEIZED TWO VEHICLES FROM IRAQI'S RE-POSITIONED THEM AND FIRED A .50 CAL MACHINE GUN INTO THE VEHICLE AS WELL AS A CLIP OF AMMUNIATION FROM A SEIZED AK-47, AND SEVERAL ROUNDS FROM A M-204 DESTROYING THE VEHICLE. 2LT ORDERED THE 676.5/66.5 REPOSITIONING OF THE VEHICLES AND ORDERED PFC TO 676.5/66.5 ENGAGE THE VEHICLES WITH A .50 CAL MACHINE GUN.

DURING THE COURSE OF THIS INVESTIGATION, IT WAS DETERMINED

THAT SPC PUNCHED AN IRAQI DETAINEE SEVERAL TIMES IN 676.5, 66.5

THE HEAD WITH HIS FIST ALLEDGELY FRACTURING HIS JAW. SPC

THEN STRUCK THE IRAQI WITH HIS CLOSED FIST IN THE 676.5, 66.5

JAW.

IT WAS FURTHER LEARNED DURING THE COURSE OF THIS
INVESTIGATION THAT SFC SEIZED SEVERAL AK-47 WEAPONS 516-5
AND FAILED TO TURN THEM INTO THE WEAPONS POINT AS ORDERED
BY HIS COMMAND. SSG ALSO SEIZED AN AK-47, DID NOT 576-56-5
SURRENDER THE WEAPON TO THE WEAPONS COLLECTION POINT AND
ROUTINELY USED THE WEAPON ON PATROLS, FIRING THE WEAPON AT
DOGS.

INVESTIGATION CONTINUES BY USACIDC.

**** CRC: PLEASE RUN A NAME CHECK ON AND AND B76.5, 66.5 676.5, 66.5 676.5, 66.5

- 7. COMMANDERS ARE REMINDED OF THE PROVISIONS OF AR 600-8-2 PERTAINING TO SUSPENSION OF FAVORABLE PERSONNEL ACTIONS AND AR 380-67 FOR THE SUSPENSION OF SECURITY CLEARANCES OF PERSONS UNDER INVESTIGATION.
- 8. CID REPORTS ARE EXEMPT FROM AUOTMATIC TERMINATION OF PROTECTIVE MARKING IN ACCORDANCE WITH CHAPTER 3, AR 25-55.

DATE: 15 JUL 2003, 0522 HRS ZULU

SAC, 323rd MILITARY POLICE DET (CID) (DSE) FROM: TO: DIRECTOR, USACRC, USACIDC, FORT BELVOIR, VA

OPERATIONS OFFICER, 10TH MP BN (CID) (ABN) (FWD)

OPERATIONS OFFICER, 3D MP GROUP (CID) PROVOST MARSHAL, 1ST ARMOR DIVISION STAFF JUDGE ADVOCATE, 1ST ARMOR DIVISION

BN CDR 2/6 INF CDR HHC 2/6 INF

SUBJECT: CID REPORT OF INVESTIGATION - INITIAL - 0049-03-CID899-63505-7F1D1/7J4/5C1L/5Y/5X2.

RELEASER

DATES/TIMES/LOCATIONS OF OCCURRENCES: 1 JUN 03 - 8 JUL 03/0001-2400 HRS ZULU/ BAGHDAD, IRAQ (NFI)

2. DATE/TIME REPORTED: 9 JUL 03/1200 HRS ZULU

b70:656-/ 3. INVESTIGATED BY: SA

4. SUBJECT: 1. HHC 2/6 INF, UNIT # 23719, APO 576-5

AE 09034; [SOLICITING ANOTHER TO COMMIT AN OFFENSE] [CONDUCT UNBECOMMING]

SFC;

HHC 2/6 INF, UNIT # 23719, APO AE 09034; 1576-5, 16-5 [LARCENY OF CAPTURED PROPERTY]

SSG; HHC 2/6 INF, UNIT # 23719, APO AE 09034; (NFI); [LARCENY OF CAPTURED

PROPERTY]

HHC 2/6 INF, UNIT # 23719, APO AE 09034; 676-5, 68-5 [AGGRAVATED ASSAULT]

PFC; HHC 2/6 INF, UNIT # 23719, APO AE 09034; 6765, 66-5 [DESTRUCTION OF PRIVATE PROPERTY]

00199

■ HHC 2/6 INF, UNIT # 23719, APO AE 09034; 676.5, 66.5 [AGGRAVATED ASSAULT]

- 5. VICTIM: 1. US GOVERNMENT; [SOLICITING ANOTHER TO COMMIT AN OFFENSE] [CONDUCT UNBECOMMING] [LARCENY OF CAPTURED PROPERTY]
 - UNKNOWN IRAQI MALE; [AGGRAVATED ASSAULT]
 - 3. UNKNOWN IRAQI MALE; [DESTRUCTION OF PRIVATE PROPERTY]
- 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"

PRELIMINARY INFORMATION DETERMINED WHILE MEMBERS OF THE HHC 2/6 INF, WERE ON PATROL IN BAGHDAD, IRAQ, THEY SEIZED TWO VEHICLES FROM UNKNOWN IRAQI'S, RE-POSITIONED THEM AND FIRED A .50 CAL MACHINE GUN INTO THE VEHICLE, A CLIP OF AMMUNITION FROM A SEIZED AK-47, AND SEVERAL ROUNDS FROM A M-204 DESTROYING THE VEHICLES. 2LT ORDERED THE 676-5766-3 REPOSITIONING OF THE VEHICLES AND ORDERED PFC TO 616-5766-5 ENGAGE THE VEHICLES WITH A .50 CAL MACHINE GUN.

DURING THE COURSE OF THIS INVESTIGATION, IT WAS DETERMINED THAT SPC PUNCHED AN IRAQI SEVERAL TIMES IN THE HEAD 6765, 66-5 WITH HIS FIST ALLEGEDLY FRACTURING HIS JAW. SPC THEN STRUCK THE IRAQI WITH HIS CLOSED FIST IN THE JAW.

IT WAS FURTHER LEARNED DURING THE COURSE OF THIS INVESTIGATION THAT SFC SEIZED SEVERAL AK-47 WEAPONS 676-5, 14-5 AND FAILED TO TURN THEM INTO THE WEAPONS POINT AS ORDERED BY HIS COMMAND. SSG ALSO SEIZED AN AK-47, DID NOT 676-5766-5 SURRENDER THE WEAPON TO THE WEAPONS COLLECTION POINT AND ROUTINELY USED THE WEAPONS ON PATROLS, FIRING THE WEAPON AT-DOGS.

INVESTIGATION CONTINUES BY USACIDC.

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

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

		· · · · · · · · · · · · · · · · · · ·	CID F	ORM 66				
1. DATE 9 Jul 03	2. TIME RECEIVED 1200Z ZULU				0049-0	7. CASE NUMBER 0049-03-CID899-63505		
3. OFFENSE Destruction of Private Property, Wreckless Endangerment,					8. ASSIGNED TO			
4. SUBJECT 17C) 6. 6. 6. 6. 6. 6. 6. 6. 6. 6. 6. 6. 6.	3 2 4 4	76,365 3 1 b76-5, b	6-5	5 BICT blo	9. TYPE ROI	OF ACTION		
5. VICTIM					10.	REPORTS		
1. Unknown Iraqi's					ТҮРЕ	SUSPENSE		
several weapons into the vehicles, they also took captured weapons and beat up detainees.								
11. OTHI	ER ACTIO	ON 	12.	CID FUNDS				
ACTION	RQRD	COMPL	DATE	AMOUNT				
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AGENTS ACTIV (CID Regula	OC49 - C = CID89 - 63505	!
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACITIVITY	
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Jan-28-2004 676/66-1	- USACRC	
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DEPARTMENT OF THE ARMY United States Army Criminal Investigation Command Baumholder Resident Agency, 5th Military Police Battalion (CID), Baumholder, APO AE 09034

CIRB-KAB

25 Jul 03

MEMORANDUM FOR Special Agent in Charge, 323rd Military Police Detachment (CID), United States Army Criminal Investigation Command, Unit 92955, APO AE 09324-2955

SUBJECT: Information Report (0147-03-CID167)

1. Reference your Request for Assistance (RFA) 0049-03-CID899-63505, received by this office 16 Jul 03.

2. Requested actions have been completed as outlined in the Agent's Investigation Report (AIR) of SAGERAL THE SAGERAL THE SAGERAL THE SAGERAL THE SAGERAL THE SAGERANT CONTRACTOR OF THE SAGERAL THE SAGERANT CONTRACTOR OF THE SAGERANT CONT

3. Manhours:

Investigative - 30 Travel - 2 Administrative - 10

4. There were no Privacy Act disclosures or .0015 funds expended.

157Cx56

5. POC, this office, is SA and at DSN 485-70-100, commercial 011-49.

e-mail: @cmtymail.104asg.army.mil, or fax DSN 485

(8) Encls
1. AIR of SA

676,56

CW2, MP

b7C-1-66-1

2. CID Form 44, SSG

Special Agent in Charge

3. CID Form 44, Mrs4. Sworn Statement of SSG

676-4766-4 676-5, 66-5

5. Sworn Statement of Mrs

676-4, 36-4

6. Consent to Search of SSG

B176-51 165

7. Sketch of SSG

676-5, 66-5

8. Sketch of Mrs 67c-4, 56-4

INVESTIGATIVE WORKSHEET

NAME

SSAN GRADE 67641664 MOS: 19D30

DOB: POB:

SEX: M

RACE: C HEIGHT: 67

WEIGHT: 160 HAIR: BRN EYES: BLU

BUILD: S

GLASSES: N ,, MARRIED: M

DEPENDENTS: 1

SCARS: L:

REMARKS: 1997, RED, JEEP, WRANGLER, 2001 HARLEY DAVIDSON FAT BOY, 2002

HARLEY DAVIDSON DYNO WIDE GLIDE.

ORGANIZATION: HHC 2/6TH INF, BAUMHOLDER, APO AE 09034, GM

: 485

b7C55b6-5

CURRENT ADDRESS:

PHONE

SPONSOR INFORMATION: NONE.

INVESTIGATIVE WORKSHEET 0147-03-CID167

NAME SSAN

SSAN GRADE : GS-

DOB: POB:

SEX: F

RACE: C HEIGHT: 66

WEIGHT: 150 HAIR: BLD EYES: BLU

BUILD: M

GLASSES: N

MARRIED: M

DEPENDENTS:

SCARS: NONE

REMARKS: WORKS FOR CYS BAUMHOLDER

ORGANIZATION: Child & Youth Services, Baumholder, APO AE 09034

^ PHONE

CURRENT ADDRESS:

PHONE

SPONSOR INFORMATION:

NAME:

SSAN:

GRADE: E6/SSG

SEX: M

X: M MACOM

1 10-5,66-5

6769 66-4

ADDRESS: HHC 2/6TH INF, BAUMHOLDER, APO AE 09034

RELATIONSHIP: HUSBAND

PHONE: 6765,66-3



DEPARTMENT OF THE ARMY 323' MILITARY POLICE DETACHMENT, (CID) UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND

Unit #92955 APO AE 09324-2955

CIMP-CFK

23 July 2003

MEMORANDUM FOR: Special Agent In Charge, 383rd MP Detachment (CID)

SUBJECT: Request For Assistance (0049-03-CID899-63505)

- 1. This office is currently conducting an investigation into the abuses of Iraqi prisoners by US Forces in Baghdad Iraq. During this investigation, two members of HHC 2/6th Infantry admitted they beat an Iraqi male after he was arrested by the Iraqi Police for threatening an Iraqi family with a bomb and turned over to US Forces. According to the statements of PFC and PFC the unknown Iraqi male had been 676-5,5, 16-5,5 zipped cuffed with his hands behind his back and was being verbally abusive to the soldiers. PFC struck the unknown Iraqi male in his face numerous times with 676-5, 166 his closed fist. After striking the individual, PFC then struck the individual 676-5, 166 with a closed fist on at least one occasion.
- 2. After the assault, other members of the HHC 2/6th Infantry took the Iraqi male to a military physician where he was treated but no records exist of the treatment. A further check of the records of the detention facility indicated was turned into the detention facility by the 2/6th Infantry and had been charged 67C-3, bb-3 with communicating a threat. It appears likely that Mr may be the individual 67C-3, bb-3 who was assaulted by and bare-5, bb-5 bare-5, bb-5

3. A check of the detention facility records indicated Mr. has been transferred to the Camp Bucca and is still in US Forces custody.

4. Request your office locate, fully identify and interview prisoner # to determine if he was assaulted when he was turned over to the 2/6th Infantry. If he was assaulted by being struck in the face, request you obtain a sworn written statement outlining the events and conduct of the soldiers and himself.

5. POC for this investigation is SA

Outside SA

Outsi

676-1, 1661

Special Agent in Charge

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

PAGE 1 OF 1 PAGE

DETAILS:	b7c3b6-1	67634B6-4	
About 2200, 8 Jul 03, S	A interviewed S	SG Committee Committee	HHC 2-6 IN, Camp
Mule Skinner, Iraq, to c	onfirm a sworn statem	ent he provided earlier in r	eference the incidents.
(See sworn statement fo	or details) 675/56-1	b	76,36-4
	A obtained cons	ent to search from SSG	to search his living
area and vehicle. (See C	CID Form 87-R-E for d <i>BTC3</i> 56-1	etails) 676,26-4	
About 2250, 8 Jul 03, S	A interviewed S	PC	HHC 2-6 IN,
Camp Mule Skinner, Ira	iq, who provided a sw	orn statement that he witne	ssed the beating of the
detainee by PFC	and PFC	(See sworn statement for	or details) 6766-4
	At the conclusion of	he interview, SA	efed SPC
AGENT'S COMMENT:	At the conclusion of t	me interview, SA	T ENITD VIII
the contents of DD Forr	n 2/01, victim/Witnes	ss to Violent Crime.///LAS	I DIVINI///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

676/66-1

ORGANIZATION 10th MP Det (CID),3d MP Grp (CID) Victory Camp (BIAP) APO AE 09335

EXHIBIT

DATE

SIGNATURE

9 Jul 03

Page(s)

8-11

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 (813) 827-5341/2830

NAME 676/66	-5 Position	Alligations / Witnesses to	7
LT	PL	Present at Traffic Circle when vehicles were fired up By 50 Cal / AK-47	1
		'Knowledge of Stored Weapons in Locked Box	7
		Releasing suspects from vehicles containing illegal weapons	1
		Failure to act/report upon acts of misconduct	7
151	1.0	Present when SSG and the total his section not to tell about incident at .	DC-5, b
BICIBL	2.2	the traffic circle and to deny knowledge of any confiscated weapons	
SFC	PSG	Knowledge of Stored Weapons in Locked Box	1
and the second second second		Failure to act/report upon acts of misconduct]
	•	Knowledge of act of wreckless endangerment (Shooting at dog with AK-47 and nearly hitting wingman Vehicle)	
· · · · · · · · · · · · · · · · · · ·	· · · · · · · · · · · · · · · · · · ·	Present when SSG solution of the section not to tell about incident at	676-57
		the traffic circle and to deny knowledge of any confiscated weapons	0,00
	,HQ 22 Aplha	and the dark to dony knowledge of any connected weapons	-
_b76,bl	Section	Setting up a Mini-Range and allowing his entire section to conduct a test	1
SSG.	Sergeant .	fire into a berm. M-2, M-240, M-4, MP-5, SIG Pistol, AK-47	İ
		Suspected of giving weapons to interperators AK-47 & a Pistol	1
	-	Suspected of smuggling the trigger assembly of an AK-47 back to	1
1	,	Germany.	1
		Suspected of smuggling an AK-47 back to Germany	1
		Carrying illegal weapons in his vehicle AK-47's	j
	1	Issuing illegal weapons to Gunners (Pistols as backup weapons)	1
		Releasing suspects from vehicles containing illegal weapons	1
1		Shooting up detained vehicles at traffic circle with 50 cal / AK-47	1
		Shooting a dog with his M-4.	1
		Called a section formation and told them not to tell about the incident at	1
		the traffic circle and if questioned about confiscated weapons to say they	
	,	know nothing.	}
176511	HQ 25 Bravo		}
DIGING"	Section	Wreckless endangerment (Shooting an AK-47 at a dog nearly hitting his	
SSG	Sergeant	wingman's vehicle.	
The second second	.,	Witness beating of detainee by PFC and and did nothing.	b76-51
67C3B6	4 Alpha Section	Possible False official Statement. Denies being present at weapons test	
SGT	Medic HQ 23	fire of Alpha section or test firing his weapon.	
	<u> </u>	Present at Traffic Circle Incident and test fire	
670766.5		Fired his M-16 During traffic circle Incident	
PFC /		Beating a Detainee that was zip striped and breaking his jaw	
676566	5	Said that he gave SSG at a trigger mechanism to an AK-47 to	676-51
DICIDO	- '	take back to Germany.	
PFC /	110 84 B	Beating a Detainee that was zip striped and breaking his jaw	
SPC SPC	'HQ 21 Driver	Present at Traffic Circle Incident	
	HQ 21 Gunner		
PFC	HQ 22 Gunner		
6 (2 (2 (4 (2)) 2 (4 (2))		Fiered his 50 cal at traffic circle incident.	
67C33h	-3	Saw SSG has been hoot a dog with him M-4, and give weapons to interperators. Saw PFC has beat detainee.	67C-5) 67C-5)
PFC	/ HQ 22 Driver	Present at Traffic Circle Incident and test fire \$103365	
		May have been carrying a pistol he got from SSG	676-5, b
SPC SPC	HQ 23 Gunner	Present at Traffic Circle Incident and test fire	DI
15/25/2		Fired his M-240 during traffic circle incident	
PFC	HQ 23 driver	Present at Traffic Circle Incident and test fire 67C506-5	
	b763/56-3	May have been carrying a pistol he got from SSG	
SSG PFC	ב-טנונטוע	Present on two separate occasions where weapons were test fired by	
CPL ? Female	at the parties	SSG State May Separate occasions where weapons were test med by SSG State and fired their MP-5,	
Interperator	PSYOPS Team	n a SIG Pistoila and a SAW	
البايانية لجزيم وحديد	, D. O. O TOAIL		

Ξ

	5/6//6
	ED WEAPIONS
WPN TYPE	SERIAL#
AK47	3727
AK47	6595
AK47	2282
AK47	W69730
AK47	4523
AKM	XY2126
AKM	A02267
AKM	V66748
PISTOL	SC1913
TABUK	2602831
TABUK	2615422
TABUK	2815274
TABUK	2603051
TABUK	28022260
STEVEN	SHOTGUN
7.62	126 RDS
30 RND MAG	7
12 GA	23

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CID FORM 44-R

EXTRON OF 1 AUG 87 WILL BE USED UNTIL EXHAUSTED FLEO Revision 24 MAR 88

Army-Fort Lee, Vo. 969-85-25M-414

DATA REQUIRED BY THE PRIVACY ACT

BORITY:

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

ROUTINE USES: Your social security number and other personal information are used as an additional in attenuate means of identification to facilitate filling and retneval.

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DATA REQUIRED BY THE PRIVACY ACT

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

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INVESTIGATIVE WORKSHEET

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EDITION OF 1 AUG 87 WILL BE USED UNTIL EXHAUSTED

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SA (1AD 501MP CID SA)

676)66-1 @us.army.mil]

Sent: Monday August 04, 2003 4:11 AM

To: Monday August 04, 2003 4.11 Alm

Subject: RFA (0049-03-CID899-63505)

6761766-1

We have received your RFA and our sequence # is:

0168-03-CID519

this office will conduct investigation ASAP.

⁻regards,

Special Agent

Special Agent 44th MP DET (CID) APO AE 09375 DNVT: 318-573

Email: Qus.army.mil

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AGENT'S INVESTIGATIO	N REPORT	ROI NUMBER	
CID Regulation 195-1			
48	/	PAGE 1 OF PAGE	
DETAILS 67C	156-1	676,766.4	
About 2145, 8 Jul 03, SA	• interviewed	SPC 2/6th Infantry /1	
Headquarters and Headq Baghdad, Iraq (BAIQ) who re-	uarters Compar	ny (HHC), 2/6 th Infantry, b Sworn Statement that he	2.2,06-9
gave earlier in the day deta	iling his know	ledge of the incidents.	
(See statement of SPC	for details) A	16-4. 66-4	
67C	1) 667		
About 2219, 8 Jul 03, SA	obtained Cor	sent to Search from SPC.	
for his living area an	d military veh	_	-4,56-4
search form for details)	11, 1	b76366-4	
About 2322, 8 Jul 03, SA	Dadwised SGT	pr-75-27	
HHC, 2/6 INF, BAIQ of	his rights, wh	ich he waived and rendere	ed a 676-4,66
Sworn Statement admitting to	keeping an AF	(-47 rifle in his vehicle	by
order of his platoon leader.	, (See stateme	ent of SGT for detail	.1s)6764,66-4
b7C/	661	676766-5 b	743565
About 0026, 9 Jul 03, SA	advised 1LT	A Little	1)/
HHC, 2/6 INF, BAIQ	of his rights,	which he waived and 6705,	56.5
rendered a Sworn Statement a possession of firearms and g	iving weapons	to Tradi citizens. (See	•
statement of 1LT	for details)	to tradit or tradit	
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