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DEPARTMENT OF THE ARMY

U.S. ARMY CRIMINAL INVESTIGATION COMMAND 87th Military Police Detachment (CID) 3d Military Police Group (CID), Building 8-1221 Randolph Street, Fort Bragg, North Carolina 28310-8310

24 Sep 2004

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL (C)/SSI - 0573-2004-CID023-67403 -5c2/3 5Y2B7/5C2B/9G2

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 01 AUG 2003, 0001 - 31 OCT 2003, 2359; UNKNOWN LOCATION, MOSUL, **IRAQ**

2. 01 OCT 2003, 0001 - 31 DEC 2003, 2359; UNKNOWN LOCATION, MOSUL, **IRAQ**

DATE/TIME REPORTED: 29 JUL 2004, 1310_

(CJTF 7 REGULATION), ASSAULT

INVESTIGATED BY:

SA.

SA

SA

SA

SUBJECT:

676-1,66-1,62

676-5,66-5 MALE; WHITE; 65TH MILITARY POLICE COMPANY, 16TH MILITARY POLICE BRIGADE, FORT BRAGG, NC 28310; FC; FAIL TO OBEY GENERAL ORDER 676-5,66-5

MALE; WHITE; 65TH MILITARY POLICE COMPANY, 16TH MILITARY POLICE BRIGADE, FORT BRAGG, NC 28310; FC; FAIL TO OBEY GENERAL ORDER (CITF 7 REGULATION), ASSAULT

VICTIM:

1. UNKNOWN, ; CIV; IRAQ; MALE; OTHER; IZ; ZZ; ASSAULT (NFI)

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2. U.S. GOVERNMENT; COMBINED JOINT TASK FORCE (CJTF) - 7; FAIL TO OBEY GENERAL ORDER (CJTF 7 REGULATION)

| INVESTIGATIVE SUMMARY: | 67C-3,66-3 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| This investigation was initiated upon notification from Mr. Inspector (IG) Office, Fort Bragg, NC 28310 (FBNC), of a possible assault on a detainee that of Iraq. | Jeneral's |
| Investigation established probable cause to believe that SGT and PFC committed the offenses of Failure to Obey General Order and Assault, when they ph mistreated, struck, and kicked an unknown Iraqi male whom they had detained at a committed to the alleged rape of an Iraqi woman. | otographed, |
| STATUTES: | |
| Article 134, UCMJ: Failure to Obey General Order | |
| Article 128, UCMJ: Assault | · . |
| EXHIBITS/SUBSTANTIATION: Attached: 516-1 | |
| 1. Agent's Investigation Report (AIR) of SA 30 Jul 04, detailing the Investigation; Witness Interviews and other Investigative Activity. | Basis for 676-5,66-5 |
| 2. Waiver Certificate of PFC 29 Jul 04, wherein he invoked his right to l counsel. | legai |
| 3. AIR of SA 30 Jul 04, detailing Subject and Witness Interviews and cowith the Unit. | oordination 1 20-4,136-4 |
| 4. Sworn Statement of SPC 30 Jul 04, wherein he detailed his knowledge incident. | of the 67C-4,66-4 |
| 5. AIR of SA 23 Sep 04, detailing Subject Interviews, Laboratory exof evidence, Witness Interviews, Coordination with Commander and Office of the St Advocate. | amination |
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permination (Chap 3, AR 25-55)

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| 6. Unit Roster of personnel who deployed in Support of Operation Iraqi Freedom, 17 Mar 04. |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7. Waiver Certificate and Sworn Statement of SGT Aug 04, wherein he denied he 1776-5; assaulted the detainee. |
| 8. Waiver Certificate of SGT 10 Aug 04. 1574-5,66-5 |
| 9. Consent to Search (CID Form 87-R-E), 11 Aug 04, signed by SSG wherein he gave consent to have his computer examined. 67C-1166-1 10. AIR of SA |
| |
| 11. Sworn Statement of Mrs. 20 Aug 04, wherein she detailed her knowledge of 67C-4, 66-47 the incident. |
| 12. Crime Lab Examination Request, 11 Aug 04, requesting SSG computer be 676-4/66-4 examined for any videos or pictures of alleged detainee abuse. (USACRC and file only) |
| 13. Waiver Certificate of SGT 25 Aug 04. 67C-5, 66-5 |
| 14. U.S. Army Criminal Investigation Laboratory (USACIL) Examination Report, 2004-CID131-1489, 25 Aug 04, reporting that an examination of the submitted computer did identify pictures and a video which depicted detainee abuse, which consisted of photographing, video taping, and verbally abusing of a detainee. |
| 15. Polygraph report (SGT 15.), 10 Aug 04, documenting SGT 15. continued to 67c-5, 66-5 deny striking the detainee after he was placed in restraints. (USACRC and Action CDR copy |
| only) 67C-1,66-1 16. AIR of SA 17. Sketch of area where the abuse took place in Iraq, 13 Sep 04, prepared Mrs. 67C-4,66-4 |
| 16. AIR of SA 13 Sep 04, wherein he detailed the reinterview of Mrs. |
| 17. Sketch of area where the abuse took place in Iraq, 13 Sep 04, prepared Mrs. 676-4,06-4- |
| 18. Sworn Statement of Mrs. 13 Sep 04, wherein she clarified details of her 67C-466-4 knowledge of the incident. |
| 19. Evidence/Property Custody Document, Voucher Number 287-04 (USACRC and File Copy Only). |
| 3 |

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permination (Chap 1, AR 25-55)

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Not Attached:

Retained in the Evidence Depository, this office:

20. Computer (SSG

678-4,66-4

Retained in the files of the Polygraph Division, U.S. Army Crime Records Center, Fort Belvoir, VA 22060:

21. Polygraph Authorization (SGT)

), 10 Aug 04.

67e-5166-5 D, 10 Aug 04. 67e-5,66-5

22. Polygraph Examination Statement of Consent (SGT)

23. Four Polygraph Charts (SGT 10 Aug 04. 676-5, 66-5

The originals of Exhibits 1, 3-5, 9-11, and 16-18 were attached to the USACRC copy of this report. The originals of Exhibits 2, 7, 8, 13 and 14 were retained in the files of this office pending adjudication. The original of Exhibit 6 was retained in the files of the 65th MP CO, FBNC. The original of Exhibits 12 was retained in the files of USACIL, Ft. Gillem, GA. The original of Exhibit 15 was retained in the files of the Polygraph Division, USACRC, Ft Belvoir, VA 22060. The original of Exhibit 19 was retained in the files of the evidence depository of this office.

STATUS: This is a Final (C) Report. This investigation is being terminated IAW Chapter 4-17a(4), CIDR 195-1. The supported staff judge advocate is of the opinion that sufficient admissible evidence is available to prosecute the subjects for the offense(s), that additional investigation would produce only cumulative and unneeded evidence, and that the identification of additional subjects or offenses is unlikely. Leads Remaining: Identify. Locate and Interview the Iraqi Detaince. Commander's Report of Disciplinary Action Taken (DA Form 4833) is pending.

4

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REPORT PREPARED BY

670-166-1

REPORT APPROVED BY

1-7e-1,66-1

Special Agent-in-Charge

DISTRIBUTION:

Special Agent,

Dir, USACRC, Ft Belvoir, VA

Cdr, 10th MP Bn, Ft Bragg, NC

CDR 3D MP GRP USACIDC FT GILLEM GA CDR USACIDC CURRENT OPERATIONS (DETAINEE ABUSE CASES)

CANES) 676-3,66-3 676-3,66-3 CHIEF OF STAFF, 18TH AIRBORNE CORPS, (COL

Commander, 10th Military Police BN, Fort Bragg, NC (LTO

DEPUTY GARRISON COMMANDER, FBNC (MR

PMO BLOTTER CLERK

PMO OPERATIONS SGT (SFC

SJA, XVIII ABN CORPS (CHIEF)(LTO

SJA, XVIII ABN CORPS (SR TRIAL COUNSEL) (CPT

PROVOST MARSHAL, XVIII ABN CORPS (COL

CID CRIMINAL INTELLIGENCE CENTER (MR

COMMUNITY PROVOST MARSHAL, FORT BRAGG (LTC

ACTION COMMANDER:

THRU: Commander, 503rd Military Police Battallion, Fort Bragg, NC 28310

TO: Commander, 65th MP Company, 503rd Military Police Battallion, Fort Bragg, NC

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AGENT'S INVESTIGATION REPORT CID Regulation 195-1

0573-04-CID023-67403 Page 1 of 3 Pages

676-4664

BASIS FOR INVESTIGATION: At 1310, 29 Jul 04, this office was notified by Mr Chief Inquiries and Investigation, Inspector General (IG) Office, Fort Bragg, NC 28310 (FBNC) who stated a soldier reported possible detainee abuse to his office, but the soldier declined to report the information to law enforcement.

DETAILS:

676-1,66-1

67e-4, 164

conducted a complainant interview of Mr who stated that on Monday, 26 Jul 04, PFO Company (MP CO), FBNC, contacted his office and reported he had information . pertaining to detainee abuse in Iraq. On 27 Jul 04, PFC came into the IG office 67e-5/66-5 and stated while he was deployed with the 65th MP CO in Iraq, between two and three months ago, they detained an Iraqi male for Barran Iraqi male for months ago, they detained an Iraqi male for Rape and Grand Theft Auto. While the Iraqi 65th MP CO, was in their custody, he was struck by SGT FBNC, while handcuffed in the back of the Highly Mobile Multi Wheeled Vehicle

676-5,665 (HMMWV). PFO informed Mr that he was the gunner in the turret at 676-4,66-4 the time and that he kicked the detainee in order to get him to be quiet, as that was the 676-4, 664 Greason he was being struck. Mr stated PFO provided several names of 676-4, 66-4 soldiers assigned to the 65th MP CO, FBNC, who were witnesses to the incident. PFC 676-3,66-3

(NFI) was the driver of the vehicle and she stated SPC

provided the following names all from 676-5, 66-5

separated from the Army in Apr 04. PFC the 65th MP CO, FBNC, but did not specify their part in, or knowledge of the incident:

SPC 672-4,66-4 SPC SPC SPC SPC SGT SPC SSG

B16-466-K also informed Mr that it was determined through an interpreter 676-5,66-5 PFC (NFI) that the detainee was a "REPO" man and the "Rape victim" was a prostitute. They turned the Iraqi over to the Iraqi police. The detainee was bleeding from the right side of 12-5,66-5 his face when he was turned over to the Iraqi police. PFO forward because he did not think it was right; however, he was afraid he would get into

by the 1,62 by MP DSE (CID) (DSE) 3d MP Group, Fort Bragg, NC 28310 Exhibit: Date: 30 Jul 04

LAW ENFORCEMENT SENSITIVE CID Form 94

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0573-04-CID023-67403 AGENT'S INVESTIGATION REPORT Page 2 of 3 Pages CID Regulation 195-1 the pictures. PFC declined to report the incident to CID, as requested by the IG 1/2-5,66-5 trouble too, as there was a compact disc depicting the abuse and he might be in some of office. PFC was placed in contact with Trial Defense Services (TDS), FBNC, 676-5,66-5 who advised him not to talk to anyone regarding the incident. Mr stated Mr 676.4, 66-4 Chief of Assistance, IG Office, FBNC, also talked with PFC 576-3,66-3 was out of the office 6763,66-3 nd may have more information; however, Mr 672-1,66-1 contacted the phone number (At 1400, 29 Jul 04, SA 1376-4, 14-40, 25 July 04, 1572 as belonging to PFC Reached voice mail of 1576-5, 166-5 unidentified male and left message for him to contact this office. conducted a name check utilizing the ACI2 system. 67C-1,156-1 At 1410, 29 Jul 04, SA and 676-5,66-5 570-1,66-1 SA checked for any information on Report of Investigation (ROI) 0165-02-CID033-16278 pertained to a 1,78-5,655 , B Company, 6/101st Aviation Regiment, Fort 1372-5, 66-5 Campbell, KY for possession of Meth and Ecstasy in Murfreesboro, TN (NFI). ROI 65th MP CO, 676-5, 66-5 0089-01-CID023-75860 pertained to PFC FBNC, where a witness interview was conducted of PFC in reference to other 676-5, 66-5 unit member using controlled substances. Sequence number 0073-98-CID024 (subject (NFI) for being AWOL 67C-5,66-5 deserter file), pertained to advised PFC of his rights, which he invoked 67C-5, 66-5 676-1,66-1 At 1806, 29 Jul 04, SA and requested legal counsel. (See Non-Waiver Certificate) Agent's Comment: PFC appeared to be visibly shaken, breaking down several 67e-5, 66-5 times. He indicated that he wanted to tall what he times. He indicated that he wanted to tell what happened but, was worried he would get into trouble. He stated he had talked to a TDS lawyer, at the direction of the IG office, stated he would talk with 672-5, 66-5 and the lawyer advised him not to talk to anyone. PFC 676-3166-3 his lawyer and family and contact this office at a later date. 57C-1,667 65th MP CO. At 1855, 29 Jul 04, SA briefed CPT 576-4,664 FBNC, on all aspects of this investigation to date. 676-1166-1 conducted a witness interview of SPC At 1020, 30 Jul 04, SA 65th MP CO, FBNC, who provided a verbal statement wherein he stated he was not on the mission when the incident occurred, but he had heard about it from unit 676-1,62-676 MP DSE (CID) (DSE) 3d MP Group, Fort Bragg, NC 28310 Exhibit: Date:

30 Jul 04

CID Form 94

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LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY EXHIBIT

AGENT'S INVESTIGATION REPORT CID Regulation 195-1

674-4,664

0573-04-CID023-67403 Page 3 of 3 Pages

stated he heard from someone in the unit (NFI) that while on 67C-4,66-4 patrol or at a check point an Iraqi female (NFI) got out of a vehicle screaming. Through the interpreter that was with the unit, the female stated she was raped and that the male in the car had done it. The unit took the Iraqi male into custody and transported him to an struck the 676-5,66-5 Iraqi Police Station (NFI). SPC had heard that SGT detainee at some point, but he did not know the severity of the strike or the number of times. He also heard that when the detainee was turned over to the Iraqi Police, they began to beat on him too. When the unit left the Police Station, the detainee was bleeding from the head. SPO heard there was as video of the incident that one of the did not think the Chain of Command was 67C-4,66-4 unit members (NFI) had. SPC tated he did not know if the detainee resisted informed at the time. SPC arrest or had any weapons and that he only heard what he knows from other unit members. He stated he never saw the video and no one offered to show him it. He was injured at the time and was either at the Tactical Operation Center working the radio or somewhere else on the base at the time. He stated they were deployed from 4 Apr 03 until 29 Mar 04 and the incident happened several months into the deployment, but he was not sure when. He stated they were at the Mosul Airfield, Mosul, Iraq. ///LAST ENTRY///

SA

SA

87th MP DSE (CID) (DSE)
3d MP Group, Fort Bragg, NC 28310

Date: Exhibit:
30 Jul 04

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LAW ENFORCEMENT SENSITIVE
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| RIGHTS \ . ING PROCEDURE | WAIVER CERTIFI |
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| For use of this form, see AR 190-30; the pro | ponent agency is OOCSOPS |
| DATA REQUIRED BY THE | PRIVACY ACT |
| | s with means by which information may be accurately identified. Walternate means of identification to facilitate filing and retrieval. Ty. 576555 |
| tort Kragg, NC28310 //C > | DATE 3. TIME 4. FILE NO. 54. 512 0573-04-01000 |
| 6. SSN 7. GRADESTATUS | ORGANIZATION OR ADDRESS 67403 67403 Fort Bragg, NC 28310 |
| E-3/KA PART L- RIGHTS WAIVERVNON-WA | |
| Section A. Rights | |
| The investigator whose harme appears below told me that he/she is with the United States of the Company of the | Army Criminal Thuestiaction Command wanted to question me about the following of shee(s) of which I am |
| Before he/she asked me any questions about the oftense(s), however, he/she made it clear 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. | |
| (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer belo during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to or both. | |
| (For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer be during questioning, I understand that this lawyer can be one that I arrange for at my appointed for me before any questioning begins. | own expense, or if I cannot afford a lawyer and want one, a lawyer will be |
| 4. If I am now willing to discuss the offense(s) under investigation, with or without a lawy privately with a lawyer before answering further, even if I sign the waiver below. | er present, I have a right to stop answering questions at any time, or speak |
| 5. COMMENTS (Continue on reverse side) | |
| Section B. Waiver | |
| I understand my rights as stated above. I am now willing to discuss the offense(s) under in without having a lawyer present with me. | vestigation and make a statement without talking to a lawyer first and |
| WITNESSES (If available) 676-1 (1964) 3. | SIGNATURE OF INTERVIEWEE |
| 1a. NAME (Type or Print) | SIGNATURE OF INVESTIGATOR 57C466-1 |
| b. ORGANIZATION OR ADDRESS AND PHONE 97th MP Det (CID) | SIGNATURE OF INVESTIGATOR |
| tort Broog, NC 28310 2a. NAME (Type or Print) 5. | TYPED NAME OF INVESTIGATOR |
| b. ORGANIZATION OR ADDRESS AND PHONE 6. | SA ORGANIZATION OF INVESTIGATOR 874 MP Det (CID) |
| Section C. Non-waiver | Fort Bragg, LC 28310 |
| 1. I do not want to give up my rights: ID I want a lawyer. | I do not want to be questioned or say anything. |
| 2. SIGNAT EWEE 676-5 | 3000013 |
| ATTACH THIS WAIVER CERTIFICATE, TO ANY SWORN STATEMENT (DA FORM 2823) SU | |
| DA FORM 3881, NOV 89 LAW ENFORCEMENT SENSITIVE | OBSOLETE PROPERTY OF THE PROPE |

| | AGENT'S INVESTIGATION REPORT | 0573-04-CID023-67403 |
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| | CID Regulation 195-1 | 7 1 22 1 1 1 |
| | 11e-1166-1 | Page 1 of 2/96 Uple 4 |
| | About 0910, 30 Jul 04, SA coordinated with 1SG | ated SGT |
| | In all a Composity (MD CO) Fort Bradd, NC (FBNC), Who re | ated SGT |
| 4 | 65 th MP CO, FBNC was on leave in Maryland. 1SG | in the area and would be in for an bic-466-4 |
| ٩ | interview ASAP. 676-1,66-1 | · · · · · · · · · · · · · · · · · · · |
| | Between 1000-1302, 30 Jul 04, SA interviewed SF | who provided a Sworn 125565 |
| | Statement wherein he stated he witnessed PFC kick the detainee and SGT hit the detainee with a | 65 th MP CO, FBNC |
| | | closed fist (See Sworn Statement for 676-\$66-: |
| | Details) 67C-1,66-1 | 67E-4,66-K |
| | for a case on those Old State | 65" MP CO 1 |
| | FBNC, who detailed his knowledge pertaining to the abuse | of the unknown Iraqi detainee. SSG |
| 1 | in SGT Highly Mobile Multi Wheeled Vehicle (H) | MMVV) while the detainee was being 676-566-5 |
| | in SGT Highly Mobile Multi Wheeled Vehicle (H) transported to the Iraqi police station. SSG Transported to the Iraqi police station. | of he knew SGT took a lot of biggs |
| | photographs and video clips on his digital camera, and wor to his (SSG State of Professing his innocence but SSG | remembered seeing a video of an Iragi 67α-4/3 |
| | | |
| | SSG stated he definitely did not see video or pho | otos of any detainee abuse. 67C-4,66-4 |
| | bis respicted in which | the laptop computer was stored. SSG |
| ſ | trainted SGT stored a lot of photos on the | e computer and made an allemblito snowy 📆 1 |
| _ | the photos to SA SSG SSG Could not locate | the photos at which time SA |
| | 676-9766-8 510 | - 000 - |
| | | tries to "show off" a lot and is a big essive person and is known as a "go to |
| | talker. SSG all also stated SSG is an aggreguy" to make things happen. 466-466-466-466-466-466-466-466-466-466 | Z-C |
| | 676-1,66-1 | - Ca Cl |
| | About 1358, 30 Jul 04, SA Collected SSG utilizing a DA Form 4137, Evidence/Property Custody Docu | ment (EPCD). |
| | 676-1,66-1 | 0'C-706-T |
| | About 1400, 30 Jul 04, SA this office, interest of this office, interest of the second | statement. SPO stated 67C-46C4 |
| | sometime around Oct - Nov 03, his squad had been condu | cting Traffic Control Points (TCP) in the |
| | North Fast section of Mosul Iraq Further SPC | relayed it was routine for the unit to 576-456/2 |
| | conduct TCP's nightly between the hours of 2330 - 0200, v | rnich was the case on the hight of the |
| ĺ | 17-1, 66-1,80- 87th Mil | itary Police Detachment (CID) (DSE) |
| 7 | SA 3d MP G | roup, Fort Bragg, NC 28310-5000 |
| X | 30 JUL 0 | 3693314 |
| | CID FORM 94 OR OFFICIAL USE ON | ILY |
| | LAW ENFORCEMENT SENSITIVE | EXHIBIT 3 |
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| AGENT'S INVESTIGATION REPORT | 0573-04-CID023-67403 | |
| CID Regulation 195-1 | | |
| DETAILS | Page 2 of 2 | |
| D76 44 00 | | |
| | pe conducted until an individual would be | |
| incident. SPC stated a the checkpoints would be transported | d to an Iraci Police Station and the unit | , al |
| detained, at which time the detainee(s) would be transporte | to to an Iraqi Police Station and the diff. | 7 |
| detained, at which time the detainee(s) would be transporte would conduct a TCP at a new location. SPC | tated on the hight in question he had | |
| | | |
| and began to scream. SPC was informed by the | e translator she was claiming to have | • |
| been raped by the male in the vehicle. The male was then | detained, placed in flex-cuffs and | r, |
| transported to an Iraqi police station located approximately | a half a mile away. SPC | É |
| stated he did not witness anyone strike the detainee and cla | aimed to have never viewed any video of | |
| photographic images of detainee abuse. | · ' | |
| | 67C-4,66-E | |
| 674-1,66-1 | | |
| About 1455, 30 Jul 04, SA interviewed SPC | OS IVIP CO. | |
| FBNC, who provided a verbal statement wherein he stated | that he had been part of the 1724, be | |
| search/apprehension team for the TCP on the night of the i | ncident. SPO stated they had set up | |
| the TCP just over the crest of a hill. In order to limit visibility | and prevent individuals from by-passing 1 | ٠. |
| the checkpoint. Further, SPC , at some point a car cre | sted the at a high rate of speed and 6724/65 | 4 |
| screeched to a halt upon entering the TCP, at which time a | female and then two males exited the | |
| vehicle and came towards the MPs. Additionally, SPC | stated the two males were detained and 16/- | 4 |
| the female informed the interpreter the she was raped or wi | as about to be raped SPC Prelated 67-46 | ./ |
| the remaie informed the interpreter the site was raped of wi | on Station; and of the molecular | 7 |
| all three individuals were transported to a near-by Iraqi Poli | te station, one of the males was | Ę |
| transported in SGT HMMWV; one was transported | in another mivious v, and the remaie was | |
| transported in the civilian vehicle they arrived in, which was | driven by an NCO in the unit. Upon | |
| arrival at the Iraqi Police Station the female was released a | nd the two male were turned over to the 6/24 | ÿ |
| Iraqi Police. Additionally, SPO stated the unit remains | ed at the Police station for a short while to 66- | |
| ensure the detainee were not abused by the Iraqi Police. S | PC stated he viewed a video clip. 574-45, | , |
| which was about five seconds long, containing a unit mem | ber calling one of the male detainees | *** |
| however, it did not contain anyone assaulting the d | etainee and he was not sure who filmed | |
| the clip or whose voice was in the clip. SPC claimed i | and did not witness anyone strike kick or 67-6 | - |
| the clip of whose voice was in the clip. So detained the initial | annichancian in order to place them flevia | • |
| use any force against the detainees, except during the initia | a apprenension in order to place them nex | يه |
| cuffs but this did not consist of hitting or kicking the detaine | es. | |
| \///////////////////////////////////// | | |
| • | | |
| | | |
| • | | |
| | | |
| | Application and the state of th | |
| TYPED AGENT'S NAME AND SEQUENCE NUMBER 674 ORGANIZAT 87th Mili | | |
| 168 | | |
| 1/4 | | |
| 1,00 | | |
| TYPED AGENT'S NAME AND SEQUENCE NUMBER LICE ORGANIZAT | • • | |
| 8/th Mili | tary Police Detachment (CID) (DSE) | |
| / SA 3d MP G | roup, Fort Bragg, NC 28310-5000 | |
| MONATURE | EXHIBIT | |
| 30 JUL 0 | 4 0000015 | |
| | | |
| CID FORM 94 LAWFENF ORCEMENT SENSITIVE LAWFENFORCEMENT SENSITIVE | LY I TYLLINIT 10 | |
| LAWFENFORCEMENT SENSITIVE | EXHIBIT 13 | |
| | | |

| | For use of this form, see AB 198-45 | WORN STATEMENT 5: The proponent agency of the Depu | リ り | - UUU C 3 T 6 | 149 |
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| LOCATION | FOR USE OF CHIS TOTTH, SEE AR 190-45 | DATE 30 JUL 04 | E 3.4 | TO LAMBORA | |
| | T BRAGG, NC 28310 ME, MIDDLE NAME (TE | 30 JUL 04 SOCIAL SECURITY NUMBER | | 573-04-C10023 ADE/STATUS | |
| |) 4 | | | E-4/Active | |
| RGANIZATION OR A I TH MILITARY POLIC | | 28310 | | · | |
| 1 | Tell block | • | | | . |
| | | llowing statement, under oath: | | | لبــــــا |
| SPC | want to provide me to | nowing statement, under oaut. | 4 | | |
| outine checkpoint in ght, I heard a vehicle I saw 2 sets of head a road then locked and fer the group had de de of the road pulling ter all this, my team that appeared to be a coustache, and fat. Buiet. On the ride to the same I turned around be been I turned around the biet the vehicle to reside the vehicle to reside the vehicle to reside the same and the vehicle to reside the vehicle the vehicle to reside the vehicle the vehicle to reside the vehicle the vehicle to reside the vehicle the veh | the 65th Military Police Company of the Al Zuhor sector of Mosul, a approach the checkpoint from dlights on the opposite side of the dights and searched the individing security while all this was hap leader SGT told me to torn white shirt, an unknown ty efore being placed into our truck the Al Tchkafa police station, the tarted yelling at the subject and to see what was going on, I obsit and we arrived at the Al Tchkafa police the Al Tchkafa police station, the same was going on, I obsit and we arrived at the Al Tchkafa police the Subject from the vehicle of the subject in the buttocks. I result is the set of the subject in the buttocks. I result is a second to the subject in the buttocks. I result is a second to the subject in the buttocks. I result is a second to the subject in the buttocks. | Iraq sometime between August the opposite direction I was fact he highway and a woman scream moved 2 Iraqi males from the volusis the interpreter began to interpreter began to interprete | and October 2004 at a sing. When I turned ming. The group in chicles. The woman erview the 2 suspect they all were talking then one of the suspectibed as a middle age ll the interpreter to in a would get louder unner PFC subject in an effort ject over to Iraqi au o park the truck down | If an unknown time during around to see what was a charge of the opposite so also fainted around that its. I was still on the opposition of a bout. After a little who it is into our truck who had Iraqi male with dark honform the subject to remain as he was told to remain start to yell at the subject the quiet him. After that thorities. SGT | going gide of time. oosite hile add x air, a air, a tand the then had |
| qi ponce were spea c and at that time I l | adi subject in the buttocks. I re urious as to what was happening served a group of 10-15 Iraqi p king Arabic to him. Two of the nad turned around, headed outsity 76-4,66-4 | A TI HOLL DOLLOGIZATION MADE MICH STORES | | | he zip |
| Did you see anyon I saw PFC The struck I How many times of Before I turned are How many times of | the strike the Iraqi male while in kick him a number of times, a tim a number of times (more the lid PFC kick the detained by the kicked him 2 or 3 times lid SGT hit the detained by the lid SGT hit the lid SGT hit the lid SGT hit | and when SGT componend on two) with a closed fist 67 nee? 67 (-5.66-5) | the door to remove | the detainee from the hu | 62 mvee, |
| : More than two but : Who zip tied the d | | | | | |
| ; I don't know. I w | as on the other side of the road. | | | | |
| : Who loaded him i : I believe it was SC | nto the vehicle? | 5,66-5 | | | |
| : Who rode in the h | urnvee with the detainee? | 176-5,66-5 | | | |
| | and PFC | 10-5166-5 | | | |
| : Who took the deta : I'm pretty sure it | and PFC ninee out of the humvee? was SGT It was our i | nwritten SOP that the team lead | der would remove de | etainees from the vehicle | ور د |
| | detainee into the Iraqi police st | | 676 | -4,66-K 5 | 16U, |
| SGT | 676-566-5 | • | | | |
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| | -04-CID023 |
| STATEMENT OF SPC TAKEN AT Fort Bragg, NC, 30 Jul 04, CONTINU 05, 7 1, - | 1ED: 104-111023-67403 |
| Q: Did you see the detainee being handed over to the Iraqi policemen? A: No. I saw him taken into the station, but I was outside at the time. A little later I went inside Q: What did you see when you went inside? A: I saw a group of Iraqi policemen and SGT They were all huddled around the two s kick the subject in the ribs. I just turned around and went back outside. Q: Did you see SGT kit or kick the detainee at that time? b 76-5,66-5 | ' ' |
| A: No. Q: Did you notice any blood on the detainee when you dropped him off at the Iraqi police station | n? |
| A: No. Q: Was there a videotape made of the humvee ride? | |
| A: Yes there was. Q: Who made the videotape? A: SGT 676-5,66-5 | 170-51 |
| Q: What did the videotape show? A: It showed SGT making comments while PFO kicked the detainee. SGT means criminal in Arabic. The detainee was saying "No Ali Baba." PFC was was telling the numerous times. The video tape also shows me look into the backseat and laughing while I turn Q: Why were you laughing? | e detainee to shut up and kicked him |
| A. I thought it was funny at the time. I don't think it is funny anymore. | |
| Q: Do you know where the videotape is now? | |
| A: I have no clue. SGT probably has it. Q: Have you seen the tape? | · |
| A: Yes I have. | |
| Q: When? | |
| A: In Iraq, shortly after it was made. Q: Who else saw the tape? | |
| A: Almost all the members of second squad, fourth platoon. | |
| O TV | t be looked dramk |
| A: It was a digital video camera, and it was in night vision. The detainee has on a torn shirt and | in tooked cham. |
| Q: Do you remember any blood on the detainee? A: I didn't remember him bleeding at the time, but I noticed some blood when we watched the | video tape. |
| Q: Have you been truthful in this statement? | • . |
| A: Yes. | <u> </u> |
| Q: Do you have anything to add to this statement? A: No. ///END OF STATEMENT/// | |
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| ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF TAKEN AT _DATED _CONTINUED." THE SOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE_OFPAGES." DA Form 2823 (Automated) AW ENFORCEMENT SENSITIVE PAGE 3 OF 3 PAGES THE PAGE 3 OF 3 PAGE 3 OF 3 PAGE 5 THE PAGE 3 OF 3 | • | | | 204,66 | 20-400 |
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| BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MARING THE PAGE AND SET INITIALED AS "PAGE_OFPAGES." DA Form 2823 (Automated) FYHIRIT (| EXHIBIT | INITIALS OF PERSON M | MAKING STATEMEN | PAGE 3 OF | 3 PAGES |
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AGENTS INVESTIGATION REPORT

ROI NUMBER

0573-04-CID023-67403

CID REGULATION 195-1

PAGE 1 OF 4 PAGES

| | DETAILS: 672-166-1 | | |
|--------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| | At 1345, 3 Aug 04, SA | omitted DA Form 3655 (Crime Lab Exam 65th Military Police Co | mination 164664 |
| | Request) to have the computer owned by SSG (MP CO), Fort Bragg, NC (FBNC) examined for a | ny videos or photographs of alleged deta | ince abuse |
| | (Can DA EN 2655 for Dataile) | in which is a second of the se | 3,66-3 |
| | b76-11667 | | |
| | and the second s | th MSG , Op | erations |
| | NCO, 65 th Military Police Company (MP CO), FB | NC,, who provided DA 31 (Leave Form) 65th MP CO, FBNC. SGT | on leave fill |
| | pertained to SGT 8 Aug 04. MSG also stated he would com | pile a deployment roster of those individ | tuals who 676-4 |
| | deployed in support of Operation Iraqi ricedom. In | 120. Intilier resured 220. | is on 676466-8 |
| | leave till 10 Aug 04 and provided his contact inform | nation. | 0 4067 |
| | 67E-1166-6 | | 5 4 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 |
| | At 1300, 6 Aug 04, SA coordinated wi | th MSG who provided a copy of colored in support of Operation Iragi Fr | ceedom |
| | deployment roster which listed all personnel who deployment roster which listed all personnel roster which listed all pers | 676-5,66-5 | WATELL |
| | At 0030 9 And 04 SA | advised SGT to be of his legal right | ts which he |
| | waived and rendered a Sworn Statement wherein h | e denied he abused or assaulted any Irac | i detainee |
| | while deployed in support of Operation Iraqi Freed | om and did not witness any other soldie | r doing so. |
| | (See Rights Waiver Certificate and Sworn Stateme | nt for Details) | 65 |
| | At 0936, 10 Aug 04, SA this off | ice advised SGT of his rights | which he |
| | waived and continued to deny he assaulted the Iraq | i detainee. (See Rights Waiver Certific | ate), |
| | waived and continued to deny he assaulted the Iraq | | 676-4166-E |
| | At 1700, 10 Aug 04, SA interviewed SCO, FBNC, who related he was assigned to SGT company's year long deployment to Iraq. SPC | PC | 65th MP |
| | CO, FBNC, who related he was assigned to SGT company's year long deployment to Iraq. SPC | further related he was assigned | to 1st Smiad 678-488 |
| | 44 | Col 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 | |
| | had only heard rumors about what had occurred. S | SPC stated he had heard about | it the video |
| | wherein it was alleged SGT abused the de | etainee but has not seen it. 676-576 | 6-5 10011111 |
| | 676-1,66-1 | | 65th MP |
| | At 0900, 11 Aug 04, SA was contacted CO, FBNC, who related he wanted to retract his st | atement as it was not truthful SA | and |
| 76-1,6 | /SA interviewed SPC who stated | he believed he would get into trouble be | cause he 675-466-4 |
| 100 | had left something out of his statement and therefore | re wanted to retract it in its entirety. SI | b76-466- |
| | eventually stated the detainee had become belliger | ent and started to flail about and this is v | vhen SGT |
| 76-516 | struck the individual. SPC said h | | |
| | Struck the individual. SPC said in Section 1 said in Section 1 said in Section 2 said in Section 3 sai | 67C+166 | 1 |
| | TYPED NAME SECUENCE NUMBER SIGNATURE | DAT | <u> </u> |
| | TYPED NAME SEQUENCE NUMBER. | | 151804 |
| | 87th MP Det (CID) (ABN), DSE Fort Bragg, NC 28310 676-1/66-1 | 4 | |
| | 6 7 | . USE ONLY EXHIBIT | ······································ |
| | CID FORM 94-E FOR OFFICIAL 1 OCT 95 PROTECTIVE MARKING | | J 003519 |
| | AUTOMATIC TERMINATIO | N (Para 13, AR 340-16) | * 4 |
| | (When Data is | El Mes sent | HIRIT K |
| | LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY | hu/A! | |
| | Later the transfer and the same | • | |

| AGENTS INVESTIGATION REPORT | 0573-04-CID023-67403 | |
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| CIB REGULATION 195-1 | , page 2 of 4 pages | |
| 57C-1,661 | 67C-1,66-1 | |
| -5 At 0945, 11 Aug 04, SA and SA | | FC . |
| about whether or not he wished to | talk to this office about the incident as he previously s | stated |
| he confer with his family and his lawyer abo | out this. PFC stated upon the advice of his la | wyers765,6 |
| he would invoke his right to remain silent | | , |
| 67C-5,6 | 6-5 | |
| Agents Comment: PFC was singer | | |
| recognizance | n Mila | 6-4 |
| 675-1166-1 | bye we | • |
| At 1445, 11 Aug 04, SA intervi | iewed SGT | |
| AWOL Apprehension, PMO, | FBNC, who related he had been assigned to the 65th 1 | MP |
| CO during Operation Iraqi Freedom, SGT | respondence of the first stated he had been assigned to the 65 th stated he was present at the checkponess SGT or anyone else assault/abuse the Irac the incident occurred while in the vehicle then he work the when the detainee was transported. | oint 67 |
| when this incident occurred but did not witr | ness SGT or anyone else assault/abuse the Ira | iqi dzinesi |
| detainee. SGT related if | the incident occurred while in the vehicle then he won | uld |
| not have seen it as he was in another vehicle | e when the detainee was transported. | 200 |
| | | - |
| At 1525, 11 Aug 04, SA coordi | inated with SSG who signed A Consent to | |
| Search Form which authorized his computer | er to be examined. (See Consent Form for Details). | |
| | | |
| At 1345, 20 Aug 04, SA contact | cted Mrs. | 101.56 |
| who related she witne | essed SGT hit the detainee numerous times a | nd ble 70 |
| had told her that he kicked the | e detainee also. 676-5/66-5 | |
| b76-1166-1 | and the second of the second o | |
| At 1400, 20 Aug 04, SA drafted | d RFA and sent same to Ft Jackson to interview Mrs. | |
| Their case number is 0139-04 | 4-CID053. 676-466-46 126-3:66-3: | • |
| 676-1,56-1 | 1.7C 2000 | |
| | newed Mr. Chief of Assistance, | 7.0 |
| Inspector Generals (IG) Office, FBNC, who | o related he had received the initial phone call from PI | 1.76-5,66 |
| and referred him to Mr. | o related he had received the initial phone call from PI Chief of Inquiries and Investigations, IG OFFICE had just reported he believed SGT had many | ada a / |
| threatening statement towards him. Mr. | had just reported he believed SGT had make a said he contacted the commander (CPT | ace a goz- |
| and referred the metter to b | him. 574-4,66-4 266-3 | • |
| and referred the matter to h | him. 676-4,66-4 676-3,66-3 | |
| | inated with CPT Commander | , 65th 10-47 |
| AM CO EDNIC who related he had been re | of the recent allegation ma | ide by |
| -5/65SPFC CPT CPT said he | had interviewed all members of the squad and that the | ev all 672-4 |
| * < 1/25 stated SGT had made no comment | t on allocat by DH (Discount DH) | የልብ ክልራ ለፌ ፕፖለ |
| Smoved PFC from SGT mode the allegation to be moved to another | the state of the s | had 675% |
| made the allegation to be moved to another | r section CPT also stated he gave an o | urder 67 C-72 |
| to SGT to not say anything to PFC | which could be interpreted as a threat. CP | [676-5161 |
| 1. Chal | 676-161-1 | |
| TYPED NAME, SEQUENCE NUMBER 37645 SIGNATU | URE DATE | |
| (1) as to the second second | | n oil |
| 87th MP Det (CID) (ABN), DSE | 2: | VUN |
| Fort Bragg, NC 28310 | | |
| CID FORM 94-E FOR O | FFICIAL USE ONLY EXHIBIT | |
| 1 OCT 95 PROTECTIVE N | MARKING IS EXCLUDED FROM | 300000 |
| | RMINATION (Para 13, AR. 340-16) (When Data is Enlered) | |
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| AGENTS INVEST | IGATION REPORT | 0573-04-0 | CID023-67403 | |
|----------------------------------------------------|--------------------------------------------------------|---------------------------------------------------|-----------------------------------------------------------------------------|-----------------------------|
| • | JLATION 195-1 | PAGE 3 OF 4 PAGES | | 1 Class |
| | | | would be t | 676-4,664 he |
| individual who would | id the 16th MP Brigade (take action against the so | Idiers and that action wo | uld be brought forward. | HÇ |
| E | 76-1156-1 | 676-5106-5 | rights, which he invoked | |
| At 1626, 25 Aug 04, S. wherein he requested r | not to be questioned or sa | y anything. | | |
| ク At 1700, 27 Aug 04, S | A received 1 | st Information Report fro | om the 37 th MP DET CID | 176-4, |
| (CASE), Ft Jackson, S | C (FJSC), wherein it was | s reflected that former SP | ed and stated she witnessed | 676-4, 66-4 676-4,663 |
| C566SSGT abuse th | e detainee in the HMMV | V was alleged by PFC | and that PFC | 1676-46E |
| had told her that he kid | ked the detainee. Mrs. | further related | she also witnessed SG1 aqi male) stood in line to | |
| Knee an Iraqi | or former Iraqi veterans. | (See AIR and Sworn Sta | tement for Details) | |
| 470 | 2-1,66-6 | • | D131-1489 which reflected | no |
| At 1500, 1 Sep 04, SA | tained abuse was found o | on SSG com | nputer: however two picture | es 1064 |
| and a video of the deta | inee were located. The t | pictures showed the detail | nee sitting in the back of a | 176-5,66-5 |
| HMMV with his hand | s flexi cuffed behind his | back. The video showed d with "No Mister, No Al | li Baba"; then SGT | |
| valled at the detainee t | to shut up. (See Report fo | or Details) | 1/-3 | 376-5,66-5 |
| 5.00 | coordinated | or Details) 1 with CPT | Trial Counsel, O | office- |
| af the Stoff Tudge Adv | rocate (STA) FBNC, con | ndieted a thorough review | v of case file and stated she | 670-466-4 |
| tallowed the incident of | scorred however she we | ould not render her legal (| opinion until Mrs. | |
| was reinterviewed and | asked about the location | she saw SGT | er during the incident as sh buse the detainee outside o | of the |
| 66-4 (Mrs.) was | related she was u | inclear how Mrs. | could have witnessed | this 676-466-6 |
| when PFC | id PFC stated it of | occurred while inside of the | buse the detainee outside of could have witnessed the vehicle and the other | - Howe |
| individuals present (or | 17/-1,66-1 | • | • | |
| At 1500, 9 Sep 04, SA | drafted RFA | A and sent same to Ft Jac | kson to reinterview Mrs. | |
| 11010 | se number is 0155-04-C | | | |
| About 1230, 23 Sep 0 | 4, this office received the | information report docu | menting the interview of M | Ærs. |
| See AIR | of SA. for de 676-1,66- | etails) 672-1,66- | 676-3,66-3 | |
| About 1245, 23 Sep 0 | 4 SA | , this office, briefed CPT | Senior Tr | |
| Counsel, 18th Airborn | e Corps, Office Of the St | aff Judge Advocate, FBN | VC, on the information pro- legal opinion probable cau | vided se |
| during Mrs. | interview. CPT | 1 1/-2 | Melsel | 50 |
| TYPED NAME, SEQUENCE NUMBER | SIGNATURE | | nere | and a |
| 87th MP Det (CID) (ABN), i Fort Bragg, NC 28310 | OSE (OR | | 2351 | ر ^{ي ال} |
| CID FORM 94-E | | CIAL-USE ONLY | EXHIBIT | T 0 4 |
| 1 OCT 95 | PROTECTIVE MAR AUTOMATIC TERMIN | KING IS EXCLUDED FROM NATION (Para 13, AR 340-16) |) | 000021 |
| a second consequences of section 2.17 | (Whe | en Data is Entered) | LEAMINI | 15 |
| LAW ENFORCEMENT FOR OFFICIAL U | SE ONLY | | (LVIII) | |

| AGENTS INVESTIGATION REPORT | ROI NUMBER 0573-04-CID023-67403 |
|---------------------------------------------|--------------------------------------------------------------------------------------------------|
| CID REGULATION 195-T | PAGE 4 OF 4 PAGES |
| existed to believe SGT and PFO | committed the offense Assault, when they struck an point for the alleged rape of an Iraqi woman. |
| Agent's Comment: CPT was unab | ole to provide a legal opinion for the offense of Failure to |
| Obey a General Order as a copy of the Centa | Il Command General Order was unavailable at the time of |
| ///Last Item/// | |
| | |

676-1,66-1 SIGNATUR 87th MP Det (CID) (ABN), DSE Fort Bragg, NC 28310 EXHIBIT_

CID FORM 94-E 1 OCT 95

PROTECTIVE MARKING IS EXCLUDED FROM AUTOMATIC TERMINATION (Para 13, AR 340-16)
(When Data is Entered)

LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY

Page(s)

23

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

| RIGHTS WARNING | PROCEDUREWAIVER CERTIFICATE |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| · · · · · · · · · · · · · · · · · · · | AR 190-30; the proponent agency is ODCSOPS |
| AUTHORITY: Title 10, United States Code, Section PRINCIPAL PURPOSE: To provide commenders and law en | enforcement officials with means by which information may be accurately identified. sed as an additional/atternate means of identification to facilitate filing and getrjeval: |
| 1. LOCATION Bragg, NC 28310 | 2. DATE: 3: TIME 4. FILE NO. |
| 5. NAME CLASS FIRST AND 67C-S | |
| 6. SSN 7. GRADE/STA | ATUS (55 TF MP. 00 |
| SGT /A | VAIVER/NON-WAIVER CERTIFICATE |
| Section A. Rights 6766-5 | |
| The investigator whose many appears below told me that he/she is with as a Secral Ascret suspected/agaveed Assault, Descliction. Before he/she asked me any questions about the offense(s), however, he | and wanted to question me about the following offense(s) of which fam |
| 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 crim 3. (For personnel subject to the UCMI) I have the right to talk private | |
| ppointed for me before any questioning begins. | ivately to a lawyer before, during, and after questioning and to have a lawyer present with me 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 waiver below. |
| 5. COMMENTS (Continue on reverse side) | |
| Section B. Waiver | |
| I understand my rights as stated above. I am now willing to discuss the without having a lawyer present with me. | e offensels) under investigation and make a statement without talking to a lawyer first and |
| WITNESSES (If available) | 3. SIGNATURE OF INTERVIEWEE 616-5166-5 |
| 1a. NAME (Type or Print) | 672 |
| b. ORGANIZATION OR ADDRESS AND PHONE | 4. SIGNATURE OF INVESTIGATOR 5. TYPED NAME OF INVESTIGATOR 5. A 676-1,66-1 |
| | |
| 2a. NAME (Type or Print) | 5. TYPED NAME OF INVESTIGATOR 676-1166-1 |
| b. ORGANIZATION OR ADDRESS AND PHONE | 6. ORGANIZATION OF INVESTIGATOR (CID) |
| | Fort Bragg NK 28300 |
| Section C. Non-walver | |
| I do not want to give up my rights: | 1 do not want to be questioned or say snything. |
| I want a lawyer. 2. SIGNATURE OF INTERVIEWEE | ☐ 1 do not want to be questioned or say snything. JULL ■ |
| | |
| ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT | (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED |
| PALFORMERFORMENT SENSITIVE | THON OF NOV 84 IS OBSOLETE EXHIBIT |

| | | | | (A) | | Water Company |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | English of this form | SWO | RN STATEME | NT 0573-1 e Deputy Chief of Staff | (1 - (1)) | 23-6740 |
| LOCATION | | • | DATE OF Aug by | TIME /054 | FILE NUMBER | 6/ |
| | FORT BRAGG, NC 28310 T NAME, MIDDLE NAME | | SOCIAL SECURITY | TUMBER | GRADE/STATU | I i |
| ORGANIZATION (| | | 5,66-5 | <u> </u> | L ES | /Active |
| 65 TH MP COMPAN | TY, FBNC | | | | | |
| SGT | want to provid | e the following st | atement, under oath | 676-5,66 | 3-5 | |
| While working in checkpoint. They women that was he asked my interpretoeen ripped open four weapons. I inswhich point I stepphis back and processed about the driver park the which point I got took, ali' barbor "for Iraqis to beat to smoked a cigarette Q: Did you ever I A: Not while he work to the didn't really Q: Did you ever I A: No. Q: Did you ever I A: No. Q: Did you witned A: No. Q: Did you witned A: No. Q: Did you witned A: No. Q: Did you take a A: Yes. | Mosul, Iraq, my patrol were instructed to exit the last naked and had her gotter what she was saying and he appeared very so structed the interpreter to ped on the back of his legeded to put the flexicular within to do about the very evenicle along side the my new videocamera and he was saying no mister to see the we were to the Iraqi police. I then women (jokingly) and he with the 101st guys that hit or kick the detainee? was in handcuffs. In hit him? hit him, but I used force hit the detainee while which the detainee while were to the Iraqi police hit time a video clip of the detain a video clip of the detains with a clip show? | performed a hast he vehicle and op own ripped came and he told me the ared. So I kinda of tell the one Iraq eg while yelling to fis on him. I instructed in the midder oad. I then went and proceeded to so no mister I then so a ready to go and a told one of my I said no sergeant at were standing of the were standing of the secorting him to the gor beating the date? | y checkpoint. During en all doors and true out of the taxi screated the guys raped here for put 2 and 2 togethere is to get on the ground him to get down outled one of the 10 dile of the road, and back to my vehicle by while taping the gaid "no no no no since the gave me the thur raqi buddies that this. I then told him we not front of the policies that the policies that the ground prior to him from the back the Iraqi police static detainee? | ig this time a vehicle ak. Three iraqi's exit ming and carrying or it. I noticed at that the er and believed the war and believed the war and to a pround. Once he is guys to put him in what to do with the count told PFO may "hey you like to unt -up" and that was abs up to go. We hear is guy likes to beat will this guy does. I the estation. | e followed by a taged the vehicle. As while pointing a me that one of the women. At hat possestitation in him the vehicle. I we to get the vehicle rape women hund it with the video aded to the police omen and that it is an gave the Iraqi the him. | t that time a at the gentlemen. I guys shirt had int we had drawn doing that. At e ground I got on int back to talk to decided to have ready to move. At I got you, good camera. I then station where he must be common to the police and |
| "Ali Babor" whic | night vision, and I was s th means thief or crimina | il. The only reason | on I was doing it wa | or while he was ben s because I had just p | gotten a new vide | o camera and |
| wanted to use it. Q: Did you see P | FC kick the de | taince? 676-3 | 5,66-5 | المستر المراجع | | |
| A: No I didn't. Q: Do you remer | wher PEC | no the detainee to | shut up? 67666 d in making sure we | 156-4 | | |
| A: No. We were | | | | weren't ambushed. | | |
| Q: Why would as | nyone report you hit a de ned out on leave (29 Jul | (04) I brought the | squad into the mail | room and went over | squad notes. Du | ring that time I 470 |
| aformed DEC | that he was over t | his hody fat perce | ntage, and was bein | g put on remedial Pi | i. Pro | started tearing up |
| | at he did it to himself, an | a ne started cryir | ng. I told him to gai N MAKING STA | TEMENT | PAGE 1 | OF AGES |
| EXHIBIT | PAGES MUST CONTA | AIN THE HEAD | NG "STATEMEN | OF TAKEN AT | _DATED_C | ONTINUED," THE |
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| BE INITIALED , | AS "PAGE_OFPA | GES. DAI | Form 2823 (Automa | ited) | .'. | 3603125 |
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| Account of the specific property of the second seco | -04-CID023 | |
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| STATEMENT OF SGT TAKEN AT Fort Bragg, NC, DA | 1 0 5 7 3 - 0 4 - CIN 0 2 3 - 6 7 4 n | 3 |
| | | |
| | | |
| me, and he said he can't sleep at night, couldn't eat, and that he wal breaking point. He thought I pushed him too hard. I told him to go minutes. I went inside and told SSG and the har we needed to s | o think about what he just said, and come back and see me in five send PFC the part to the psychiatric ward of WAMC because of its psychiatric ward of WAMC because of its psychiatric ward of | 1 |
| breaking point statement. PFC when then knocked on the door a asked PFC when was going on and PFC | and SSG and that I brought him into the room. SSG told SSG that he wanted off my team. He said again | CA 664 |
| that couldn't take it and wanted to change learns. | 676-566-5 | |
| A: Yes. I think he thought that would be the only way he would be Q: Have you been truthful in this statement? | e taken off my team. | |
| A: Yes. Q: Do you have anything to add to this statement? | | |
| A: No. II/END OF STATEMENT/ 67C-5/66-5 | | |
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| BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE | TATEMENT OF _TAKEN ATDATEDCONTINUED." T INITIALS OF THE PERSON MAKING THE STATEMENT A | ND |
| BE INITIALED AS "PAGE_OFPAGES." | | 6 |
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| | | | -04-CID023 | |
| TATEMENT OF SGT | AKEN AT Fort Bragg, NC | DATED 9 Aug 04, CONTINI | JED: 3-04-CID 0 2 3-674 | i |
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| 121-5 | 566-5 | | | - } |
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| NITIALED ALL CORRECTION THIS STATEMENT FREELY COERCION, UNLAWFUL INF | STAND THE CONTENTS OF THE ENDINS AND HAVE INITIALED THE BOWITHOUT HOPE OF BENEFIT OR ITLUENCE, OR UNLAWFUL INDUCE | OTTOM OF EACH PAGE CONTAIN LEWARD, WITHOUT THREAT OF MENT. | E. THE STATEMENT IS TRUE. I HAVE NING THE STATEMENT. I HAVE MADE PUNISHBUTHER THE OF PERSON Making Statement) | 61 |
| witnesses: | <u> </u> | | WORN BEFORE ME, A PERSON BY LAW | · - |
| | | AT Fort Bragg, NC. | rhs, this 9 day of <u>August</u> , 2004 | |
| ORGANIZATION OR ADDRE | SS | | | , |
| , | | (Signature | e of Person Administering Oath) SA | ⁽ |
| DRGANIZATION OR ADDRE | SS | · | 676-11 | |
| | | (Nam | SA ne of Person Administering Oath) | |
| • | | | Article 136 (b) (4), UCMJ | |
| • | | · (A | Authority to Administer Oath) | |
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| I DOMESTIAL DACTOR M | | "STATEMENT OF TAKEN | NAT _DATED _CONTINUED." TH | HE |
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| RIGHTS | S WARNING PROCEDUR | E/WAIVER CERTIF | 10A1E | · - |
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| AUTHORITY: PRINCIPLE PURPOSE: | Title 10, United States Code, Section 3012(g) To provide commanders and law enforcement | 0573-04-1 | ואלים ביים ביים ואלים | |
| ROUTINE USES: | Vour Social Security is used as an additional | /alternative means of identification | - 56 | 65 |
| DISCLOSURE: | to facilitate filing and retrieval: Disclosure of your Social Security Number is | voluntary. | 676-70 | |
| LOCATION: Fort Bra FILE NUMBER: 0573 | gg, NC DATE: 10 August -04-CID023-67403-5C2B | 2004 TIME: 0934 GRADE / STA pany, Fort Bragg, NC 28310 | 676-5,60 TUS: SGT 676-5,6 | 56-5 |
| Command as a Special suspected/accer. A: Before he/she asked me collowing rights: I do not have to ans | RIGHTS WAIVER/NON-WA name appears below told me that he/she Agent and wanted to question me about ssault, Maltreatment of a Person e any questions about the offense(s), how wer questions or say anything. | the following offense(s) of which the following offense(s) of the following of the following offense(s) of the following o | that I have the | |
| Anything I say or defer the control of the control | ect to the UCMI) I have the right to talk we a lawyer present with me during quest e Government or a military lawyer detail to the UCM for the right to the lawyer product with me during quest when the right to the calaryyer product with me during quest expense, or if I cannot afford a lawyer a | ioning. This lawyer can be a cired for me at no expense to me, or all privately to a lawyer before, ioning. I understand that this law and want one, a lawyer will be a | or both. -during, and after- wyer-sen be one that I- ppointed for me-before- | |
| If I am now willing to stop answering que waiver below. 5. COMMENTS: Ha | g to discuss the offense(s) under investige stions at any time or speak privately with ve you ever been advised of your legal ries as stated above. I am now willing to diking to a lawyer first and without having | gation, with, or without a lawyer is a lawyer before answering furting that and requested legal counse is cuss the offense(s) under investigation. | ther, even if I sign the | .66-5 .5166-5 |
| Signature of Williams | b10-166d | Signature of Interviewee | | |
| Witness# 2 | Asoni | Signatur-of Investigator/ | Special Agent | 4661 |
| Signature of Witness | | US ARMY CID CO FORT BRAGG, NO | MMAND | |
| I do not want to giv | NON-WAIVER e up my rights: I want a lawyer: ☐ I d | CERTIFICATE o not want to be questioned or | say anything: □ | |
| Signature of Intervi | ewee: | to the second | • | |
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| | distribution, and quested by the unders have been advised on the undersigned USAC (Initial and sign application). My Person My Person My Vehicle Other Other Other et above search(seas evidence under the hics, electronic related to the explested detainees engage possession, disconpermission is given | quested by the undersigned USACIDC Special Agent in the undersigned user in the undersigned in the undersi | And the search. The day the undersigned USACIDC Special Agent that an incomplete details and the search of the undersigned USACIDC Special Agent and/or other All the undersigned USACIDC Special Agent and the above search(s) for the following general types as evidence under the provisions of Army Regulator in the above search(s) for the following general types as evidence under the provisions of Army Regulator in the above search(s) for the following general types as evidence under the provisions of Army Regulator in the above search(s) for the following general types are evidence under the provisions of Army Regulator in the above search(s) for the following general types are evidence under the provisions of Army Regulator in the above search(s) for the following general types are evidence under the provisions of Army Regulator in the above search(s) for the following general types are evidence under the provisions of Army Regulator in the above search(s) for the following general types are evidence under the provisions of Army Regulator in the above search(s) for the following general types are evidence under the provisions of Army Regulator in the above search(s) for the following general types are evidence under the provisions of Army Regulator in the above search(s) for the following general types are evidence under the provisions of Army Regulator in the above search(s) for the following general types are evidence under the provisions of Army Regulator in the above search(s) for the following general types are evidence under the provisions of Army Regulator in the above sea | finanting to the search. QUARCIDE Supplement I to AR 196-22 Trigginization and for the search. 2 Organization and for production of material constituting soldiers detained by U.S. Force so | Computers in and computer input and output devices. Initials Signature Other Computers in and computer input and output devices. Initials Signature Initials Signature Other Computers in and computer input and output devices. Initials Signature Initials Sign | Tribulars The undersigned USACIDC Special Agent that an inquiry is being conducted in connection with the following possible and of the undersigned USACIDC Special Agent that an inquiry is being conducted in connection with the following possible and the undersigned USACIDC Special Agent to give my consent to a search of my person, premises, or property. (If you do not give the undersigned USACIDC Special Agent to give my consent to a search of my person, premises, or property. (If you do not give the undersigned USACIDC Special Agent and/or other Authorized Lew Enforcement Officials sesisting the undersigned in the undersigned of initials and sign applicable blocks) Initials Signature My Quarters Initials Signature My Vehicle Initials Signature My Vehicle Initials Signature My Quarters Initials Signature Other Computers, nare disk drives, removable data storage media storage devices, cameras, photographs, movies, manuals, rand computer input and output devices. Initials Signature Computers, nare disk drives, removable data storage media storage devices, cameras, photographs, movies, manuals, rand computer input and output devices. Initials Signature Computers, nare disk drives, removable data storage media storage devices, cameras, photographs, movies, manuals, rand computer input and output devices. Initials Signature Other Computers, nare disk drives, removable data storage media storage devices, cameras, photographs, movies, manuals, rand computer input and output devices. Initials Signature Other Computers, nare disk drives, removable data storage media storage devices, cameras, photographs, movies, manuals, rand computer input and output devices. Initials Signature Other Computers, nare disk drives, removable data storage media storage devices, cameras, photographs, movies, manuals, rand computers, nare disk drives, removable data storage media storage devices, cameras, photographs, movies, manuals, rand disk drives, removable data storage media storage devices, cameras, photographs, |

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| | ROI NUMBER 0139-04-CID053 |
| GENT'S INVESTIGATION REPORT | PAGE 1 OF 1 PAGES |
| is For Investigation: About 1436, 20 Aug 04, this office ent in Charge, Fort Bragg Resident Agency, NC, to locat cerning her knowledge of SGT and SGT 67C-166-1 out 1450, 20 Aug 04, SA conducted DEIDS of the | abusing detainees while in Iraq. 676-566-5 check which reported Mrs as Mrs Mrs Mrs Mrs Mrs Mrs Mrs Mrs Mrs Mr |
| is the dependant spouse of SPO | , 17th Military Police Detachment, Fort |
| kson, SC. 676-166-1 | 7e-4,66-4, who provided a Sworn fre-56 |
| out 1701, 20 Aug 04, SA interviewed Mrs atement which detailed how she witnessed SGT her that he also abused the same detainee. See Sworn St | abuse an Iragi detainee and how PFC stated |
| 5/C-P/06-4-11/29 | recently married, now Mrs |
| 67C-1166-1 BIG | DD Form 2701, Victim/Witness Form. |
| out 1703, 20 Mas o 1, 5 | 67C-4.56-4 |
| rout 1420 23 Aug 04, SA | RC name check for Mrs which revealed which revealed |
| derogatory information. ///LAST ENTRY/// | |
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| | ORGANIZATION 37 th MP Det CASE (CID), 21 rd MP Grp (CID), USACIDC |
| SA SA | 37d MP Grp (CID), USACIDC Fort Jackson, SC 29207 |
| SA SA | 3rd MP Grp (CID), USACIDC |

| SWOKIN | STATEMENT | ency is ODCSOPS | 676-466-6 | 4 |
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| SWORN For use of this form, see AR 190 | DATE | TIME | FILE NUMBER | 1 |
| ATION | 20 Aug 04 | 1701 | 0139-04-CID053 | - |
| Tealeron SC 29207 | SOCIAL SECURIT | TY NUMBER | RANK/STATUS | 1 |
| NAME, FIRST NAME, MIDDLE NAME | | | CIV | |
| | 100 11 | 11-11 | 11-16 | - |
| DRESS/ORGANIZATION | 67C-41 | 36 4 / | 64000 | 7 |
| b7e4666-4 | | 77 OUW 67 | ATEMENT UNDER OATH: | |
| begon | WANT TO MAKE TH | E POLLOWING 31 | t that took palce in Mosul, Irag | 14/4 |
| ing the time frame of October through February I, | TO COLOR | SP(| PRO | 72 |
| the time of the event, my squad, to include: SSG the time of the event, my squad, to include: SSG SPG PFO , and I were conducting a | 20.0 | , | and other | 7 |
| CD/ PALL PALL MAG 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 | Trainc Congo i on | that the driver of | the car had raped her. I was | _ |
| m members stopped a car to find a woman crying in the ling security at this time, but then came over to the area that period after, I witnessed SGT which the male in the period after, I witnessed SGT which the male in the period after in the peri | back seat explaining | ny who had suppo | sably raped the female in his ca | |
| ling security at this time, but then came over to the area t | to Reip tietam are B | ll as continue to st | ike him with a club that he had | 13 |
| ling security at this time, but then came over to the male In the period after, I witnessed SGT which the male In the period after, I witnessed SGT which the male In the period after the period after the period at the period a | in the truck. I was | not in the same tr | ick as the prisoner as our squad | 2 |
| is truck. The guy was bleeding profusty as he pur that | that time. After ou | ir patrol shift was | over, my friend, PFC 6 | 417 |
| asported him. I was the truck sevi | eral times in the rio | S Off the was to m | | l |
| insported him. I was the driver of 330 me that he had kicked the guy in the truck several feesed to me that he had kicked the guy in the truck several of the Police Station, we turned the prisoner as well-kival of the Police Station, we turned the prisoner as well-kival of the Station of th | l as the female over | to Iraqi Police to | investigate the case to | e . |
| ival of the Police Station, we take a standard do | any phsical harm to | the busoner. | o out in which we pulle | d 47 |
| infessed to me that he had kicked the guy in the decision of the Police Station, we turned the prisoner as well in the Police Station, we turned the prisoner as well in the squad do a major of the police of the squad do a cause I had witnessed Sgraphysically abuse Iraqi physically abuse Iraqi curity for Iraqi Veterans to pay, SGT kneed a major of the police of the | nationals in the past | t. For instance, at | the Pay Site, in which we pulle w him over a hill for not standi | ng A |
| cause I had witnessed Sg | n in the ribs about f | ive times and thre | W HILL OVEL T HILL TOT | -7 |
| curity for Iraqi Veterans to pay, 301 | | | | - 1 |
| line correctly. SA Gre-4, 56-4 Mrs Great time frame when the incidence of a time frame when the time frame when the incidence of a time frame when the incidence of a time frame when the time frame when the time frame when the incidence of a time frame when the time when the time frame when the time when the ti | | | | l |
| 15A 4. 56-4 | re | -tral naint accured | 1? | 1 |
| | ent at the traffic cor | ittor bour occurs. | • | l |
| Y can't really remember. | (m 2 - E M (n | ·> | | - 1 |
| the soldiers memtioned above were there, but I don't keep the soldiers memtioned above were there. | 5/C->/U | sed it or not. | • | . |
| The soldiers memtioned above were there, but I don't i | Kuew it mey winges | | | 1 |
| V. Where did S(r) | the mound. | | • | 1 |
| 2: Where did SGT <u>kick the Iraqi?</u> A: He kicked him in the ribs while the Iraqi was in handir | 676-5,66 | ~5 | | 1 |
| A. How many times did SUI | | | | |
| A: I'd say about three or four times. | | | · · · · · · · · · · · · · · · · | |
| Lindon MAC HIGH HALL MALE TO A CO. | | 131- | 5,66-5 | |
| A. I'd say about 3-4 firmes, he in min in the | | | t it in his truck. | |
| Q: Where did the club come from? A: It came from a previous check point, we had taken it. | off of an Iraqi, SGI | uso kel | t it lit title to the | |
| A: It came from a previous check point, we had taken it. Q: How long did SGT have the club? | 5-66-5 | | | |
| Q: How long did SGT have the club? BY A: I'm not sure, usually we just keep them so they don't | go back into the cor | mmunity. | | |
| A: I'm not sure, usuany we just have | _ | | • | |
| Q: What did the club look like? A: Like a small thick baseball made of wood, about 2 fo | oot long. | | • | |
| Q: Who pulled the Iraqi out of the vehicle? | | | | |
| A: I didn't see. | | | | |
| A: I didn't see. Q: Did the Iraqi resist at all? A: I didn't see when he was first pulled out, but when I | over and he v | vas being put in h | and irons, I didn't see the Iraqi | |
| A : I didn't see when he was first pulled out, but when I | Came over and m | | | |
| | | 6 | | |
| O. Who placed the hand irons on the Iraqi? | 10-56 | 56-5 | 16-4 | |
| Q: Who placed the hand irons on the Iraqi? A: SGT | agi7676-5, 6 | AAKING STATEMEN | ov · | |
| Q: Who was in the truck with SGT | 666-E | 170 | | |
| A: PFC and PFC | TIALS OF PERSONA | MAKING STATEMEN | PAGE 1 OF 2 PAGES | |
| | | | | |
| ADDITIONAL PAGES MUST CONTAIN THE HEADING THE BOTTOM OF EACH ADDITIONAL PAGES THE BOTTOM OF EACH ADDITIONAL PAGES | "STATEMENT OF | TAKEN ATDATE | DCONTINUED. | ALED |
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DA FORM 2823. JUL 72

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

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EXHIBIT /

| EMENT (Continued) 576-5,66 | 6139-04-610 053 |
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| EMENT (Continued) | stop him? 566-50573-04-CHO023-67403 |
| id anyone say anything to SGT of attempt to | 176-500 0573-04-00023-01400 |
| ot to my knowledge. Yas anything said between the Iraqi and SGT | |
| the only thing I remember was my required. | don't hit me mister. |
| Vas anything said between the Iraqi and SGT The only thing I remember was the Iraqi saying please Yow many times have you witnessed SGT Yow many times have you witnessed SGT | d there, he seemed a little over aggressive. |
| contrount the number of things, and | 0 K/C-3,000 |
| Takes it falt good to kick him because the Ira | qi raped the girl, but he felt bad for doing it. |
| Ald PEC Say anything about 50- | |
| NO A | 578-5,66-5 |
| Old you williess I I'c | |
| No Have you ever witnessed PFC abuse an Iraqi | 7 676-5/66-5 |
| | t? |
| Do you have anything further to add to both statement | |
| No//END OF STATEMENT/// | -4,66-4 |
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| 676-466-to | |
| 176-40 | AFFIDAVIT STATE ON PAGE 1 AND ENDS |
| HAVE READ C | |
| THE CONTENTS OF | THE ENTIRE STATEMENT MADE BY ME. |
| FUTEN CO ALL CORRECTIONS AND DOVE """" | TOMENT EREE! Y WITHOUT HOPE OR BENEFIT ON THE TOTAL |
| ONTAILED ALE OTHE STATEMENT. I HAVE MADE THIS STA CONTAINING THE STATEMENT, AND WITHOUT COERCION, U | E BOTTOM OF EACH PAGE ATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT ATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT ATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT ATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT ATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT ATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT ATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT ATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT ATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT ATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT ATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT ATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT ATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT HOPE OR REWARD, WITHOUT HOPE OR REWARD, WITHOUT HOPE OR BENEFIT OR |
| THREAT OF PUNISHMENT, AND WITHOUT GOLLOS | 1576-4,00° |
| | Signature of Person Making Statement) |
| | |
| WITNESSES: | Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 20^{TH} day of Aug, 2004 |
| | administer oaths, this 20 day of Augusta |
| | administer oaths, this 20 TH day of Aug, 2004 at Fort Jackson, SC 670-466-4 |
| | 1-11-11-66-11 |
| | 6/2 |
| ORGANIZATION OR ADDRESS | |
| • | SA (Typed Name of Person Administering Oath)* |
| | Article 136 (b) 4 UCMJ |
| | (Authority to Administer Oaths) |
| ORGANIZATION OR ADDRESS | 1-10-11-664 |
| | PAGE 2 OF Z PAGES / CYLIF |
| INITIALS OF PERSON MAKING STATEMENT | U.S. Government Printing Office: 1993 342-027/8049 |
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| CRIME For use of | LAB EXAMI | NATION REQUEST 5: The proponent agency is the Universitient Command | Referral Number 4 - (II) 0 2 3 | |
| Unite | ed States Army Crime | | RECEIVED | RETURNED |
| O: (Include Zip Code) | | FROM: (Include Zip Code) SPECIAL AGENT-IN-CHARGE | REGIS MAIL | REGIS MAIL |
| IRECTOR SACIL-CONUS ORTH 2ND STREET | | 87th MP DETACHMENT (CID)(ABN) Fort Bragg, NC 28310 | RY EXP | RY EXP |
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| | /RER | 2. INVESTIGATOR'S NAME | 3. AUTOVON AND P | HONE NUMBER |
| 0573-04-CID023-6740 | | SA 578-1 | 6/// | , |
| 4. SUSPECT(S) (Last, first and | middle name(s)) | 65th MP CO, FBNC 28310 676-5, 6/ | 06-1,62 | |
| PFC SGT | | 65th MP CO, FBNC 28310 676-5, 66-5, 66-5, 65th MP CO, FBNC 676-5, 66-5 | • | |
| | - | £ - 40 | | |
| 5. VICTIM(S) (Last, first and n | niddle name(s)) | | | |
| UNKNOWN | | | | |
| · | | 7. ONE COPY OF EVIDENCE RECEIPT | 8. OTHER EVIDENCE SUBMITTED ON THE | E PREVIOUSLY HIS CASE |
| 6. TYPE OF OFFENSE | | ENCLOSED WITH EVIDENCE | | |
| Failure To Obey Gener | al Order | ⊠ YES □ NO | | |
| Assault | OTHER GUERECTIS |), DATE SUBMITTED, UNIT CASE AND LABORATOR | RY REFERRAL NUMBE | R(S) |
| 9. IF "YES" IN ITEM 8, LIST | OTHER BOSI DOZE | • | | |
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| | | 10. EVIDENCE SUBMITTED | , TRIT | |
| a, EXHIBIT | | b. DESCRIPTION OF EXP | liji K | |
| 1 | Laptop Compu | ter (Item #1, Voucher #287-04) | | |
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| | 10. EVIDENCE SUB | MITTED | |
| | b. DES | CRIPTION OF EXHIBIT | |
| a. EXHIBIT | | | using or returning evidence |
| 2 0 0 | imish any information or instructions to | nat might assist the laboratory in examining, evalu | |
| XAMINATION(S) REQUESTED (Briefly) | m man and and | at might assist the laboratory in examining, evalu | |
| or report, | | | |
| iging & Tech Support: | images Whi | ch depict possible detainee abuse. | |
| iging & Tech Support: ase examine Exhibit #1 for any pl | lotograph or video manges | • | |
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| | | tes Code, Section 3012(p iders and law enforceme | | neans by wh | ich information | may be accurately identified. Solitate filing and retrieval. |
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| | PART I - R | IGHIS WAIVEN | /ITOIT-17121, | | | |
| ECTION A. Rights | | | | | | Seed on Command |
| he investigator whose name app | ears below told p | e that he/she is with | he United State | es Army <u>Cl</u> | iminal invest | ase(s) of which I am |
| | 71174 - 1 | | • | | | , |
| efore he/she asked me any ques | l tions shout the of | ffense(s) however, he | /she made it cle | ear to me th | at I have the fo | ollowing rights: |
| T I A Lores to encireT any of | lestions of Say an | Attitib | | 1-11-1 | · (Ψ) • • • • • • • • • • • • • • • • • • • | |
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| (For personnel subject to the | JCMJ) I nave u nor Ilbis lawver (| can be a civilian lawy | er I arrange for | at no expe | nse to the Gove | ernment or a military lawyer detail |
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| | nted for me befor | re any questioning be | gins. th or withniit a | lawver pre | sent_Lhave the | e right to stop answering questions |
| 5. COMMENTS (Continue on | | | | · . | | |
| 5. COMMENTS (Continue on a | SASI 2C 28mol | • | | | | • |
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| SECTION B. Waiver | -Lava Yom ma | wwilling to discuss th | e offense(s) un | der investig | gation and mak | te a statement without talking to a |
| I understand my rights as stated lawyer first and without having | a lawver present | with me. | | ORE OF INTE | o viewes | 166 |
| withe | SSES (if availabl | le) | J. SIGNA | OKE OF HAVE | | 576-1,660 |
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| B. ORGANIZATION OR ADDRESS AN | 2 PHONE | | | P DET CI | | |
| и . | | | Fort B | ragg, NC | 28310 | |
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| SECTION C. Non-waive | E mu righte | 111.15 | | (0) | | |
| 1. I do no want to give up | my tigms | 76.5,66 | []√Î d | o not want | to be question | oned or say anything |
| 2. | VEE / | 2' | | | | |
| 1 | | | | 022) 67 10 61 | OUENTLY EX | ECUTED BY THE SUSPECT/ACCU |

DA FORM 3881, NOV 89 (AUTOMATED)

EDITION OF NOV 84 IS OBSOLETE

I II - RIGHTS WARNING PROCEDURE

1. WARNING - Inform the suspect/accused of

- a. Your official position.
- b. Nature of the offense(s)
- c. The fact that he/she is a suspect/accused.
- RIGHTS Advise the suspect/accused of his/her rights as follows: "Before I ask you any questions, you must under your rights."
 - a. "You do not have to answer my questions or say anything."
 - b. "Anything you say or do can be used as evidence against you in a criminal trial."
 - c. (For personnel subject to the UCMI) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer

THE WARNING

can be a civilian you arrange for at no expense to the Government or a military lawyer detailed for you at no expense to you, or both."

(For civilians not subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer can be one you arrange for at your own expense, or if you cannot afford a lawyer and want one, a lawyer will be appointed for you before any questioning

d. "If you are now willing to discuss the offense(s) under investigation, with or without a lawyer present, you have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even it you sign a waiver certificate."

Make certain the suspect/accused fully understands his/her rights.

THE WAIVER

if necessary repeat the appropriate right advisement. If the suspect/accused says "yes," ask the following question.)

"Have you ever requested a lawyer after being read your rights? (If the suspect/accused says "yes," find out when and where. If the request was recent (i.e., fewer that 30 days ago), obtain legal advice on whether to continue the interrogation. If the suspect/accused says "no," or if the prior request was not recent, ask him/her the following question.)

"Do you want a lawyer at this tîme? (If the suspect/accused says "yes." stop the questioning until he/she has a lawyer. If the suspect/accused says "no," ask him/her the following

"At this time, are you willing to discuss the offense(s) under NO investigation and make a statement without talking to a lawyer and without having a lawyer present with you?" (If the suspect/accused says "no," stop the interview and have him/her read and sign the non-waiver section of the waiver certificate on the other side of this form. If the suspect/accused say "yes," have him/her read and sign the waiver section of the waiver certificate on the other side of this form.)

SPECIAL INSTRUCTIONS

WHEN SUSPECT/ACCUSED REFUSES TO SIGN WAIVER CERTIFICATE: If the suspect/accused orally waives his/her rights but refuses to sign the waiver certificate, you may proceed with the questioning. Make notations on the waiver certificate to the effect that he/she has stated that he/she understands his/her rights, does not want a lawyer, wants to discuss the offense(s) under investigation, and refuses to sign the waiver certificate.

IF WAIVER CERTIFICATE CANNOT BE COMPLETED IMMEDIATELY: In all case the waiver certificate must be completed as soon as possible. Every effort should be made to complete the waiver certificate before any questioning begins. If the waiver certificate cannot be completed at once, as in the case of street interrogation, completion may be temporarily postponed. Notes should be kept on the circumstances.

PRIOR INCRIMINATING STATEMENTS:

1. If the suspect/accused has made spontaneous incriminating statements before being properly advised of his/her rights he/she should be told that such statements do no obligate him/her to answer further questions.

2. If the suspect/accused was questioned as such either without being advised of his/her rights or some question exists as to the propriety of the first statement, the accused must be so advised. The office of the serving Staff Judge Advocate should be contacted for assistance in drafting the proper rights advisal.

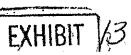
NOTE: If 1 or 2 applies, the fact that the suspect/accused was advised accordingly should be noted in the comment section on the waiver certificate and initialed by the suspect/accused.

WHEN SUSPECT/ACCUSED DISPLAYS INDECISION ON EXERCISING HIS OR HER RIGHTS DURING THE INTERROGATION PROCESS: If during the interrogation, the suspect displays indecision about requesting counsel (for example, "Maybe I should get a Lawyer."), further questioning must cease immediately. At that point, you may question the suspect/accused only concerning whether he or she desires to waive counsel. The questioning may not be utilized to discourage a suspect/accused from exercising his/her rights. (For example, do not make such comments as "If you didn't do anything wrong, you shouldn't need an attorney.")

COMMENTS (Continued)

REVERSE OF PACKETMENT SENSITIVE FOR OFFICIAL USE ONLY

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DEPARTMENT OF THE ARMY US ARMY CRIMINAL INVESTIGATION LABORATORY 4553 N 2ND STREET FOREST PARK, GA 30297-5122

CILA-EP

25 August 2004

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, 87TH MILITARY POLICE DETACHMENT (CID), 3D MILITARY POLICE GROUP (CID), USACIDC, 8-1221 RANDOLPH STREET, FORT BRAGG, NC 28310-5000

SUBJECT:

Forensic Division Report(s)

USACIL Case Number 2004-CID131-1489

Submitter Case Number 0573-04-CID023-67403

- 1. Enclosed are the Final Laboratory Exhibit List and Final Division Report for the Imaging and Technical Support Division.
- 2. Two original reports have been produced. These reports were completed at or near the time of the forensic examination(s) and prepared in the ordinary course of business by the forensic examiner(s) assigned to the case. These reports were made by the regularly conducted activity as a regular practice of the United States Army Criminal Investigation Laboratory. original report is enclosed and the other is kept in the official files of this laboratory and maintained IAW AR 25-400-2 and CIDR 195-1.
- 3. All items received in the laboratory for examination are returned to the submitting agency upon completion of laboratory testing.
- 4. IAW AR 195-2, requests and fund cites for court appearances of Laboratory Examiners will be made at least 10 working days prior to the date of court proceedings.

5. Point of contact is the Evidence Processing Division, DSN Commercial (404) 469-797-

797-7112, or Email: usacil@usacil.army.mil.

676-3,66-3

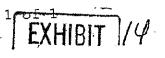
Deputy Records Custodian

Encl

AN ASCLD/LAB ACCREDITED LABORATORY (SINCE 1985)

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FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE



DEPARTMENT OF THE ARMY US ARMY CRIMINAL INVESTIGATION LABORATORY 4553 N 2ND STREET FOREST PARK, GA 30297-5122

CILA-IT

25 August 2004

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, 87TH MILITARY POLICE DETACHMENT (CID), 3D MILITARY POLICE GROUP (CID), USACIDC, 8-1221 RANDOLPH STREET, FORT BRAGG, NC 28310-5000

SUBJECT:

Imaging and Technical Support Division - Final Report

USACIL Case Number 2004-CID131-1489

Submitter Case Number 0573-04-CID023-67403

EXHIBIT:

1(1-2) - Laptop computer containing hard drive and CD (Item 1, Doc 287-04).

FINDINGS:

- 1. Enclosure 1 contains a copy of this report (Findings.doc) with hyperlinked text that allows the user to directly access the referenced files.
 - 2. The hard drive (HD) from Exhibit 1 is designated as Exhibit 1-1. Examination of Exhibit 1-1 determined the Operating System (OS) to be Microsoft Windows XP Service Pack 1, with an installation date of 07 December 2003. The Registered Owner was and the Time Zone was set to Eastern Daylight 6Time (EDT) (GMT -04:00 hours).
 - Exhibit 1-1 was examined and found to contain two (2) pictures and one (1) video pertaining to the incident(s) under deo pertaining to the incident(s) under iles were found in \Documents and \My Documents\My Pictures\Pictures investigation. These files were found in \Documents and pictures). The following table contains 676-5,66-5 Settings information obtained from file metadata concerning the above referenced pictures.

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FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

SUBJECT: Imaging and Technical Support Division - Final Report

USACIL Case Number 2004-CID131-1489

Submitter Case Number 0573-04-CID023-67403

Camera: SONY DCR-TRV350

Picture Creation Date and Time Filename

19 Oct 2003 01:30:04 arabl.jpg 19 Oct 2003 01:30:07 arab2 ipg

Metadata is information embedded within a file that describes or defines the file. Digital camera metadata varies based on manufacturer and camera model. It normally includes basic information about the camera, such as the brand and model number. Settings for each photograph, such as shutter speed, aperture settings, exposure time, light source, and the date and time the picture was taken according to the camera's internal clock may also be included.

My Documents\Myb76-4,66-4
table contain Exhibit 1-1 was also found to contain six (6) additional pictures of possible interest. These pictures were found in \Documents and Settings Pictures\Pictures\2003-10-30\. The following table contains information obtained from file metadata concerning the above referenced pictures.

Camera: OEASTMAN KODAK COMPANY, KODAKEASYSHARE CX4230 ZOOM

DIGITAL CAMERA

| DIGITAL CAMERA | Picture Creation Date and Time |
|------------------------------|------------------------------------------------------|
| Filename 000_0202.JPG | 27 October 2003 11:30:52 |
| 000_0205.JPG | 27 October 2003 11:34:10 |
| 000_0208.JPG | 27 October 2003 11:35:41 27 October 2003 11:36:10 |
| 000_0210.JPG | 27 October 2003 11:36:28 |
| 000_0211.JPG 000_0214.JPG | 27 October 2003 11:37:14 |

- 5. Exhibit 1-2 is a professionally manufactured CD and contains nothing of evidentiary value.
- Included on Enclosure 1 is a Microsoft Access database AllFiles.mdb containing a listing of the files from Exhibit 1-1. Each file listed has information regarding the last access date, whether or not the file was deleted, the size of the file, and the time and date it was created. The dates and times have been adjusted to reflect the proper time zone setting. .



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CILA-IT

Imaging and Technical Support Division - Final Report SUBJECT:

USACIL Case Number 2004-CID131-1489

Submitter Case Number 0573-04-CID023-67403

Two original reports have been produced. These reports were completed at or near the time of the forensic examination(s) and prepared in the ordinary course of business by the undersigned. These reports were made by the regularly conducted activity as a regular practice of the United States Army Criminal Investigation Laboratory. Point of contact is the Evidence Commercial (404) Processing Division, DSN 797-Fax DSN 797-7112, or Email: usacil@usacil.army.mil.

157C-3,66-3

Forensic Computer Examiner

Encl CD

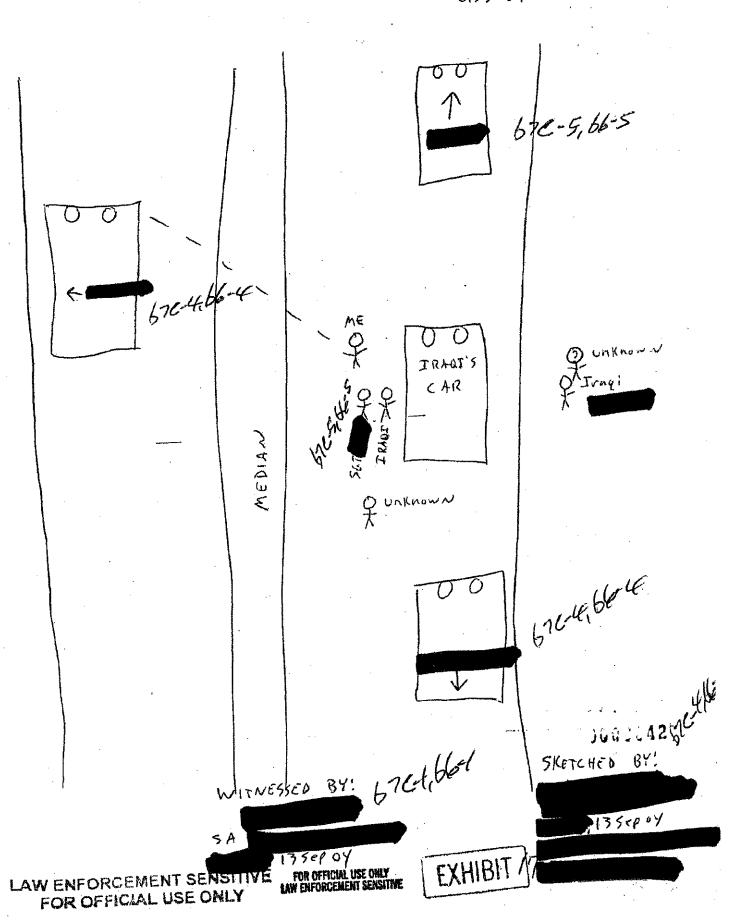
FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

LAW ENFORCEMENT SENSITIVE FOR OFFICIAL LISE ONLY

0573-04-03023 - 67403 ROT NUMBER 0155-04-CID053 INVESTIGATION REPORT AGENT'S CID Regulation 195-1 **PAGES** OF PAGE 67C-466 DETAILS BASIS FOR INVESTIGATION: About 1400, 10 Sep 04, this office received a Request for Assistance from the 87th Military Police Detachment (ABN) (CID), 3RD Military Police Group, Building 8-1221 Randolph Street, Fort Bragg, NC 28310, to locate and re-interview Mrs concerning her witnessing of an Iraqi National being abused by SGT obtained a rough sketch of the incident scene from Mrs About 1451, 13 Sep 04, SA 676-4,66-4 (See sketch for details). 67K-1166-1 who provided a sworn statement detailing interviewed Mrs About 1453, 13 Sep 04, SA and the whereabouts of other personnel during the incident (See the abuse of an Iraqi National by SGT sworn statement for details). ///LAST ENTRY/// 78/16/6 ORGANIZATION TYPED AGENT'S NAME AND SEQUENCE NUMBER 37th MP Det CASE (CID), 3003341 3rd MP Grp (CID), USACIDO Fort Jackson, SC 29207 EXHIBIT DATE SIGNATURE 13 Sep 04 LAW ENFORCEMENT SENSITIVE

FOR OFFICIAL USE ONLY

0135-04-CID073-67403



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| | | ATE TIME | FILE NUMBER |
| CATION rt Jackson, SC 29207 | 13 | Sep 04 45 5 | 0155-04-CID053 |
| ST NAME, FIRST NAME, MIDDLE NAM | 376-4166-4 SC | OCIAL SECURITY NUMBER | RANK/STATUS CIV |
| | | | |
| ADDRESS/ORGANIZATION | | 166-4 | |
| | 576-4 | 6,96 | |
| concerning the incident involving SG poking in the opposite direction from and did not see who or how they pulled the property of the property | The and the man who we set and the Iraqi who de Iraqi National out of the Iraqi. I did not physicalle I saw SGT strike the nearby or witnnessed this i and SGT watching the people that were there, I the people that were there, I | IT TO MAKE THE FOLLOWING Sayas abused in Mosul, Irag, I wenthe incident first began. As his vehicle. After the Iraqi wally help detain him, but I was a ne Iraqi, I was two feet from levent. In the incident? | t this time I was pulling security of this time I was pulling security of the car, I came over to about one foot from them him facing in their direction. 162 |
| PFC ar 2: Who were the soldiers that remain 2: Do you know the general location A: There was someone with the Iraqi he area. 2: Who helped SGT detain A: I believe it was SGT D: Do you have anything further to a | I'm not sure if I'm not sure. 6 | and remained in the e of the car and everyone else | eir vehicles or not. B7C-4,6 |
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| MENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT AWELT INELLIENCE OR LINEAWFUL INDUCEMENT. 676-46-66-46-66-46-66-46-66-66-66-66-66-66 |
| 67C-41 |
| (Signature of Person Making Statement) |
| |
| Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 13^{TH} day of Sep, 2004 |
| administer caths, this 13 day of 300, 2001 at Fort Jackson, SC |
| at Fort Jackson, SC 67C4,664 |
| 67671 |
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| SA 30000144 |
| (Typed Name of Person Administering Oath) |
| Article 136 (b) 4 UCMJ |
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AGENT'S ACTIVITY SUMMARY

Control Number 0573-2004-CID023-67403

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

09/09/2004 11:00

Attempted to contact Mrs.

O clarify details so that SJA will render opine. The number previously used to contact her is now out of service.

O:05 INV 676-166-1

Drafte 2 nd RfA a Sent To byte-466-4

FT SACKSON TO HAVE MRS.

Reinterviewed.

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| AGENT'S ACTIVITY SUMMAR | | Control Number | 0573-2004-CID023-67403 | |
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| TIME, DATE, AND AGENT | · | 0/6-11 | kaaalood tel intomnation ist | eport . |
| 08/30/2004 17:00 | At 1700, 27 Aug 04 from the 37th MP I | ET CID (CASE), | Ft Jackson, SC (FJSC), Wr | 67C-466-K |
| 0:05 INV 57C-1166-1 | | abuse the d | | alleged 672-566-5 |
| | iraqi male) stood i veterans. | raqi man in the stone in the stone p | ay allocated for former Iraq | 176-5,66-5 |
| 09/01/2004 15:00 0:15 INV 57C-1,156-1 | abuse was found and a video of the detainee sitting in his back. The vid | on SSG detainee were lo the back of a HM leo showed SGT | cated. The pictures showe | d the fed behind 26-5/66-5 a "Ali 676-5/66-5" ba"; then |
| 09/07/2004 10:30 0:30 OTH 676-4, 66-4 | At 1030, 7 Sep 0. Trial FBNC, complete the incident occu until Mrs. each individual s the only one who outside of the Hi Mrs. | 4, SA Counsel, Office of a thorough reviewas reinterviewoldier during the instance of the saw SMWV. CPT | coordinated with CPT of the Staff Judge Advocate by of case file and stated she would not render her legal ewed and asked about the knowledge of the state of the | (SJA), 67C-3, 66 the believed opinion ocation of 67C-416G-4 ocation of 67C-416G-4 ocation of 67C-416G-4 ocation of 67C-416G-4 ocation of 67C-516G-5 october of 67C-516G-5 october of 67C-516G-5 october of 67C-516G-5 |

1633304

| AGENT'S ACTIVITY SUMMA | Control Number 0573-2004-CID023-67403 | |
|------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| TIME, DATE, AND AGENT | SUMMARY OF INVESTIGATIVE ACTIVITY 675-3,66-3 | |
| 08/24/2004 17:00 | At 1700, 24 Aug 04, SA interviewed Mr. Chief of Assistance, Inspector Generals (IG) Office, FBNC, who related | |
| 0:20 INV 672+156-1 | Chief of Assistance, Inspector Generals (IG) Office, FBNC, who related he had received the initial phone call from PFC and referred him 676-5,66-5 to Mr. Chief of Inquiries and Investigations, IG OFFICE, 676-456-4 | |
| | FBNC. Mr. Stated PFC had had just reported he 676-566-5 helieved SGT had made a threatening statement towards him. | |
| 676-466 | AM. Company said he contacted the commander (CPT and the matter to him. | - |
| 08/25/2004 10:45 | Contacted unit. CPT contacted on leave until tomorrow. Left 676-46-40 message for him to call this agent. | } |
| 0:05 OTH 176-166-1 | 676-1,66-3 | |
| 08/25/2004 14:00 | At 1400, 25 Aug 04, SA Constant Coordinated with CPT Constant | _ |
| 0:20 INV 67e1,66-1 | | 4 |
| 6 /CM (CA | squad and that they all stated 331 and made no comment as 6 (2-3/3/2-5 | - |
| W-S | alleged by PFC CPT CPT stated he moved PFC by -4.66-4 | |
| | 5 PFC had made the allegation to be moved to another section. | - |
| 676-4,66 | | |
| | say anything to PFC which could be interpreted as a threat. 67C-3,66-3 CPT would be the individual who would take action 67C-3,66-3 | , |
| | against the soldiers and that action would be brought forward. | |
| 08/25/2004 14:30 | Contact Little Commander, 65th MP CO and break was 576-5, 64 | 45 |
| 0:05 OTH 676-66-1 | currently on a range and would be brought to this office upon completion | |
| 08/25/2004 16:26 | At 1626, 25 Aug 04, SA advised SGT and of his legal | |
| 0:05 INV 674166t | nghts, which he invoked wherein he requested not to be questioned of say anything. | |
| 25AvcoV | Drafted STATUS, TO SAC | |
| 672-166 | | - |
| Litter | Rev. Sent Status Report | |
| | | |
| 25 Aug 04 | set final done to prepare for documents | |
| | to arrive. | |

j60326**5**-

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|-------------------------|-------------------------------------------------------------------------------------------|--------------------------------------|---------------------------------------------------|------------------------------------|--------------------------|
| AGENT'S ACTIVITY SUMMAR | Y | Control Number | 0573-2004-CIE | 0023-67403 | |
| TIME, DATE, AND AGENT | SUMM | ARY OF INVEST | IGATIVE ACTIV | VITY | 17c-4664 |
| 08/11/2004 14:45 | At 1445, 11 Aug 04, | SA | nterviewed SG1 | * 4 | r i |
| 0:15 INV 67E-1,66-1 | who related he had I Iraqi Freedom. SGT checkpoint when this or anyone else assa | been assigned to | the 65th MP C stated he was d but did not w | itness SGT | 676-466-5 676-5,66-5 |
| | related if the inciden have seen it as he waternsported. | t occurred while i | n the vehicle th picle when the (| en he would not | |
| 08/11/2004 15:25 | At 1525, 11 Aug 04, who signed A Conse | SA Search For | coordinated with m which author | ized his computer t | 6764,664 |
| 0:05 INV 576-1,66-1 | be examined. (See Custodian. | | | | |
| 08/20/2004 08:24 | Received USCACIL 2004-CID131-1489 | acknowledgement and has been exp | nt. Their case i pedited. | number iš | |
| 0:05 OTH 676-166-1 | | | | D000 07444 f | • |
| 08/20/2004 09:00 | Case Agent TDY to 15 - 19 Aug 04. | | | DU23-6/414 from | 11-W |
| 0:01 OTH 67C-1,66-6 | - | 676-1 | | 67 | 1.466K |
| 08/20/2004 09:30 | At 0930, 20 Aug 04, | SA STANDARD CO | coordinated with who stated Mi | | |
| 0:10 INV 67C-1,66-1 | the following number | was married to a | | | 676-4,66-4 |
| | HOME: CELL: At 1000, 20 Aug 04 | 676-461 | 2-1166-1 | | 676-4,66-4 676-4,66-4 |
| 08/20/2004 10:00 | at the numbers provanswered by a clea | | 1 1 1 1 V 1 I WESS | A 11M2 (120 a) 1.0.a | 676-4,66-4 676.4,66-4 |
| 0:15 INV 67 C-1, 66-1 | a new house but did belongs to the | d not know where but to SA | The cell phor | this office. 676- | r 0 / / |
| 00/20/2004 11:00 | Requested RCOIC ascertain a valid loc | check of Mrs. | Have | not been able to | |
| 0:10 INV 676-1166-1 | | | | | 676-466-8 |
| 08/20/2004 12:45 | Conducted Post Lonames dervied from | cator check for | st DEIDS which | Queried the 4 of disclosed none of | |
| 0:15 INV 67 K-1, 66-t | these individuals wa | as married to a | | (Posted chec | ks 676-41664 |
| 08/20/2004 13:30 | Contacted Mr. | who provided | ther of Mrs. | cellphone | 67C-4,66-4 |
| 0:10 INV 57c-166-1 | number | 62666 | | | |
| 08/20/2004 13:45 | At 1345, 20 Aug 04 | , SA | contacted Mrs. | | c-4,664 |
| 0:10 INV 62 C-1, 66-1 | witnessed SGT had told he | hit the detai er that he kicked t | nee numerous he detainee als | times and PFC B | 16-5,66-5 |
| | Agents Comment. stated she would re | ender a Sworn St | atement. | ٤ | 678-4,66-4 |
| 08/20/2004 14:00 | Drafted RFA and s | ent same to Ft Ja | ckson to intervi | ew Mrs. | |
| 0:30 OTH 67C-1,66-1 | | | | | |
| · . · · · · · | | • | ţ. | • | 460 1. 98 |

Control Number AGENT'S ACTIVITY SUMMARY 0573-2004-CID023-67403 SUMMARY OF INVESTIGATIVE ACTIVITY TIME, DATE, AND AGENT coordinated with MSG At 1300, 6 Aug 04, SA 08/06/2004 13:00 provided a copy of the units deployment roster which listed all personnel 67K-5,66-5 who deployed in support of Operation Iraqi Freedom. 0:15 INV 576-1156-6 this office, advised SGT At 0930, 9 Aug 04, SA 08/09/2004 09:30 of his legal rights which he waived and rendered a Swom Statement wherein he denied he abused or assaulted any Iraqi detainee while 0:59 INV 672-1,661 deployed in support of Operation Iraqi Freedom and did not witness any other soldier doing so. (See Rights Waiver Certificate and Swom Statement for Details) this office, advised SGT At 0936, 10 Aug 04, SA of his rights which he waived and continued to deny he 676-5 66-5 08/10/2004 09:36 Ion 67E-466-4 assaulted the Iraqi detainee. (See Rights Walver Certificate) 2:15 INV 67C-11666 At 1500, 10 Aug 04, SA return to this office as 67C-5,66-5 briefed CPT 08/10/2004 15:00 status of investigation and requested PFC his fingerprints and photographs needed to be taken and to determine if 0:15 OTH he had retained a lawyer or if he was willing to dicuss the investigation 696-466-4 b1c-1,66-1 with this office. 65th MP CO, FBNC, who related he was 16 - 5 feb learn for the last two months of the At 1700, 10 Aug 04, SA 08/10/2004 17:00 I further related 676-466-4 670-1,661 assigned to SGT 0:20 INV company's year long deployment to Iraq. SPO he was assigned to 1st Squad of 4th Platoon, 65th MP CO during the abused the 672-5/66-5 heard about the video wherein it was alleged SGT 676-4,66-4 detainee but has not seen it. / 166-6 At 0900, 11 Aug 04, SA was contacted by SPC 08/11/2004 09:00 65th MP CO, FBNC, who related he wanted to retract his statement as it was not truthful. SA bre-1,66-1 who stated he believed he would get kinterviewed SPC eventually 676-466-4 into trouble because he had left something out of his statement and therefore wanted to retract it in its entirety. SPO stated the detainee had become belligerent and started to flail about and this is when SGT struck the individual. SPO said his 67c-5,66-5 previous statement was in fact truthful but he had left out the part about 1, this 12-1156-1 the detainee becoming unruly. At 0945, 11 Aug 04, SA about whether or not he wished to 67C-566-5 and SA 08/11/2004 09:45 office, discussed with PFC talk to this office about the incident as he previously stated he confer bre-1,66-1 with his family and his lawyer about this. PFC stated upon the 674-566-5 0:30 INV advice of his lawyer he would invoke his right to remain silent.

Agents Comment: PFC was fingerprinted, photographed and 672-566-5 released on his own recognizance.

| AGENT'S ACTIVITY SUMMA | Control Number 0573-2004-CID023-67403 |
|----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | 0575-2004-010025-07403 |
| TIME, DATE, AND AGENT | SUMMARY OF INVESTIGATIVE ACTIVITY |
| 08/02/2004 09:15 | CIC REVIEWED. TO TC. |
| 0:05 ADM 676-1,66-1 | 676-1.66 |
| 08/03/2004 13:00 | At 1300, 3 Aug 04, SA Conducted a Personnel Locator Check and a DEIDS check which disclosed SPO had been 6964, Sales |
| 0:15 IA 67C-1,66-1 | married and her former spouses address was listed as the 17th MP DET, Ft Jackson, SC and her home address was listed as however there was only a local number |
| 08/03/2004 13:30 | Response to SAC/TC REVIEWS: |
| 0:10 IA 67C-166-1 | 1. Will obtain Consent To Search from SSG and then submit by 1664 computer to USACIL. |
| | 2. Will ask unit once I start canvassing. |
| | 3. Noted. |
| | 4. Added |
| | 5. Will do. |
| | 6. Once I obtain a good address for her I will dispatch the RFA. |
| | 1. Will do. |
| | 2. Drafted Lab request and will submit once I have signed consent from SSG |
| | 3. Will do. 676-466-46 |
| | 4. I have numerous addresses for the same have to identify a valid one for her. |
| 08/03/2004 13:45 0:30 IA 67C-1,66-1 | 5. Will do. At 1345, 3 Aug 04, SA draw drafted and submitted DA Form 3655 (37-4, 66-4) (Crime Lab Examination Request) to have SSG (5th Military Police Company (MP CO), Fort Bragg, NC (FBNC) computer examined for any videos or photographs of alleged detained abuse. (See DA FM 3655 for Details) 670-466-466-466-466-466-466-466-466-466-46 |
| 08/05/2004 11:00 | At 1100, 5 Aug 04, SA Control of Coordinated with MSG Company (MP CO), |
| 0:15 IA 676-1, 166-1 | FBNC,, who provided DA 31 (Leave Form) which pertained to SGT 676.5, 66-5 on leave till 8 Aug 04. MSG also stated he would compile a deployment roster of those individuals who deployed in support of |
| | Operation Iraqi Freedom. MSG further related SSG is 5/2-4/06 & |
| 08/05/2004 12:30 | Left voicemail for SSG |
| 0:05 OTH 67C-1,66-1 | 676-4, Ober |
| 08/05/2004 17:30 | At 1730, 5 Aug 04, SÃ Contacted SSG Report, who related he was on leave in CA and would be back at FBNC on 10 Aug |
| 0:05 OTH 676-1, BC-1 | 04. 1 71-LC 66- 6 |
| 5 AV 604 | CONTACTED USACIL (MR.) WHO STATED CONSENT FORM IS ALL THEYNGODE EXAMNE COMPUTER FOR A WITNESS. |

CONTROL NUMBER AGENTS ACTIVITY SUMMARY 0573-04-020013-67403 (CID Regulation 195-1) SUMMARY OF INVESTIGATIVE ACITIVITY TIME, DATE, AND AGENT 676-4,66-4 AUG 04 brok in 67e+186-6 and obtain consent to search for computer. 2. Digit las request & put CAT 1 01 it 30 ×10 1316:5,605 lab exp. d. tes it. 3. Get teare address for and chook returndate. If long time- see it con will pill him back. IF not ar unable to locate him send REA to closest office Maryland to Iv him 676.3 4. Locato CIC on it. Send RFA CAT 1 = chaptered. A WOL APP. 5. Locate 670-166-1 completion. 3603309

AGENT'S ACTIVITY SUMMARY

Control Number 0573-2004-CID023

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

676-5,66-5

exited the vehicle and came towards the MPs. Additionally, SPC stated the two males were detained and the female informed the interpreter the she was raped or was about to be raped. SPC related all three individuals were transported to a near-by fraqi Police HMMWV; one 576-5,66-5 Station; one of the males was transported in SGT was transported in another HMMWV; and the female was transported in the civilian vehicle they arrived in, which was driven by an NCO in the unit. Upon arrival at the Iraqi Police Station the female was released and the two male were turned over to the Iraqi Police. Additionally, SPC and the two male were turned over to the Iraqi Police. Additionally, SPC and the two male were turned over to the Iraqi Police. Additionally, SPC stated the unit remained at the Police station for a short while to ensure the detainee were not abused by the Iraqi Police. SPC b16-466-4 stated he viewed a video clip, which was about five seconds long, containing a unit member calling one of the male detainees "Ali BABA", however, it did not contain anyone assaulting the detainee and he was not sure who filmed the clip or whose voice was in the clip. SPO claimed he did not witness anyone strike, kick, or use any force against the detainees, except during the initial apprehension in order to place them flex cuffs but this did not consist of hitting or kicking the detainees.

07/30/2004 15:03

0:01 ADM 675-1,66-1

07/30/2004 16:30

Drafted INI.

676-1,66-1

TO SAC FOR REVIEW AND INI DISPATCH.

CRC Name Check Requested for:

305-101

Rev. Good work! 676-1,661 Get computer to lab after get search warrant from magistrate Did we ask anyone else about them 676-5,66-5

having videos or protos? make sure corknows we listed as a subsect for the Kicking twhy!

This needs to be added to the list for Cat I reports. The first

Report is due monday by 1100 170-5,665

Get actual return date of

his leave

we need to get RFA to locate & Interview 576-3,663 First thing 2 Ang. CAT I RFAIII
correct + Finalize ATR's.

| | • | |
|----------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| AGENT'S ACTIVITY SUMMAR | ₹Y | Control Number 0573-2004-CID023 |
| TIME, DATE, AND AGENT | SUM | MARY OF INVESTIGATIVE ACTIVITY MP CO, FBNC, who detailed his knowledge 616-4,66-4 |
| | 65th | MP CO, FBNC, who detailed his knowledge |
| 678-4,66 | pertaining to the abstated he vaguely rewhat transpired in transported to the SGT took camera, and would laptop of video of an Iraqi de could not definitely did not set and took camera, and would laptop of video of an Iraqi de could not set and the could not set and the computer was stor of photos on the could not set and the computer was stor of photos on the could not set and the computer was stor of photos on the could not set and th | racing police station. SSG stated he knew 676-566-5 racing police station. SSG stated he photos and videos to his (SSG 676-466-4 racing and professing his innocence, but SSG 676-466-4 racing and professing his innocence, but SSG 676-466-4 racing police stated he 676-66-5 racing and professing his innocence, but SSG 676-466-4 racing police in which the laptop red SSG stated his vehicle in which the laptop retated SGT stored a lot 676-566-5 racing and made an attempt to show the photos to could not locate the photos at which time 676-4, 66-4 the determination to seize the computer as evidence. |
| b7e-5,665 | AGENT'S COMME "show off" a lot and is an aggithings happen. | d is a big talker. SSG and a large also stated SSG 672 47 66-47 ressive person and is known as a "go to guy" to make |
| 571-111 | Evidence/Property | s evidence utilizing a DA Form 4137, |
| 1:00 INV 67 C- 166-1 | Oct - Nov 03, his so (TCP) in the North relayed it was rou hours of 2330 - 02 SPC individual would be transported to an at a new location, had been pulling woman exited a very was in been raped by the placed in flex-cuf approximately a strings anyone so video of photogra | statement. SPC stated sometime around b7c-4,664 squad had been conducting Traffic Control Points a East section of Mosul, Iraq. Further, SPC between the 200, which was the case on the night of the incident. Stated a the checkpoints would be conducted until an b7c-4,664 stated a the checkpoints would be conducted until an b7c-4,664 see detained, at which time the detainee(s) would be traqi Police Station and the unit would conduct a TCP SPC stated on the night in question he b7c-4,66-4 security from the gun turret on his HMMWV, when a sehicle at the TCP and began to scream. SPC security from the gun turret on his HMMWV, when a sehicle at the TCP and began to scream. SPC security from the gun turret on the male was then detained, as and transported to an Iraqi police station located that a mile away. SPC stated he did not b7c-4,66-4 strike the detainee and claims to have never view any aphic images of the detainee. Securiting to U.S. Government |
| 0:01 INV 6721,66-1 07/30/2004 14:55 1:00 INV 1-72-1,66-1 | About 1455, 30 SPC Stated the TCP on the right the TCP just ove individuals from point a car crest | b7c-1,66-1 |

Control Number AGENT'S ACTIVITY SUMMARY 0573-2004-CID023 SUMMARY OF INVESTIGATIVE ACTIVITY TIME, DATE, AND AGENT (ROI) 0165-02-CID033-16278 pertained to a B Company, 6/101st Aviation Regiment, Fort Campbell, KY for possession of meth and Ecstasy in Murfreesboro, TN (NFI). ROI 0089-01-CID023-75860, pertained to PFC 65TH MP Company, FBNC, where a witness interview was conducted of in reference to other unit member using controlled substances. Sequence number 0073-98-CID024 (subject deserter file) (NFI) for being AWOL. 67C-3,66-3 pertained to Case Initiation 07/29/2004 15:43 0:01 INV Recorded data pertaining to 07/29/2004 15:45 672-11661 0:01 INV Recorded data pertaining to 07/29/2004 15:48 1,7C-3.66-3 0:01 INV 1576-1,66-1 Recorded data pertaining tol 07/29/2004 15:49 0:01 INV 67/-1,66-Recorded data pertaining to UKNOWN, 07/29/2004 16:28 676-5,66-5 676-466-6 advised PFC At 1806, 29 Jul 04, SA 07/29/2004 18:06 rights in writing, which he invoked and requested legal counsel. (see 1,76-5,66-5 Non-Waiver Certificate) 3:00 INV appeared to be visibly shaken, breaking Agent's Comment: PFC down several times. He indicated that he wanted to tell what happened but, was worried he would get into trouble. He stated he had talked to a Trial Defense lawyer, at the direction of the IG office, and the lawyer advised him not to talk to anyone. PFC stated the would talk 67C-5, 66-5 with his lawyer and family and contact this office at a later date. 676-3,66-3 676-1,66-1 briefed CPT At 1855, 29 Jul 04, SA 672-1,66-1 65th MP Company, FBNC on all aspects of this investigation to date. coordinated with 1SG About 0910, 30 Jul 04, SA 07/30/2004 09:10 was on 65th MP CO, FBNC, who related SGT and SPC 576-47 66-6 related SPC leave in Maryland. 1SG 0:20 INV were in the area and would be in for an interview ASAP interviewed SPC 1516-4.66-4 Between 1000-1302, 30 Jul 04, ≸A 07/30/2004 10:00 65th MP CO, FBNC, who provided a sworn kick the detainee 676-5, 66-5 statement in which he detailed witnessing PFC 67011661 hit the detainee with a closed fist (See Sworn 57C-5,66-5 Statement for Details). 676-66-6 conducted a witness interview of SPC At 1020, 30 Jul 04 SA 07/30/2004 10:20 who stated he was back at the base when the incident occured and he only heard about it from other soldiers. (see AIR) 0:30 INV 616-1,661 67C-4,66-4 Recorded data pertaining to 07/30/2004 11:15 67C-4766-4000:12 676-1,66-1 0:01 INV 5%-1,1567 About 1335, 30 Jul 04, SA interviewed SSG 07/30/2004 13:35

| <i>t</i> | | | |
|-------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| AGENT'S ACTIVITY SUMMAR | Y | Control Number 0573-2004-CID023 | |
| TIME, DATE, AND AGENT | SUM | MARY OF INVESTIGATIVE ACTIVITY | ./2 |
| 07/29/2004 13:10 | notified by Mr | ESTIGATION: At 1310, 29 Jul 04, this office was Chief Inquiries and Investigation, Inspector, Fort Bragg, NC 28310 (FBNC) who stated a solid | tor 1,76-3,66-3 |
| 3:00 INV 1564 | ماطتممت ليسيب | detained shuse to his office. But the soldier decima | 3G 1G |
| 67C-4,66-4 | with the 65th MP | ation to law enforcement. 4, SA contacted a complainant interview tated on Monday, 26 Jul 04, PFC 6 BNC contacted his office and reported he had aining to detaine abuse in Iraq. On Tuesday, 27 Juline into the IG office and stated while he was deploy a Company in Iraq, between two and three months a laraqi male for Rape and Grand Theft Auto. While the custody he was struck by SGT | ed Die Toe |
| b7C-5,66-5 | handcuffed in the (HMMWV). PFC in the turret at the | e back of the Highly Mobile Multi Wheeled Vehicle informed Mr that he was the gunie time and he may have kicked the detainee in orderite, as that was the reason he was being struck. Mr PFC provided several names of soldiers | ner 6764/664 |
| 676-4,664 676-5,665 | PFO stat | separated from the Army in Apr 04 (NFI). PFC owing names, but did not specify their part in, or | 674-4166-4 676-5,66-5 |
| | SPC SPC SPC SPC SGT SPC SSG | 67C-4,66-4 | |
| 67C 5,665 | interpreter (NFI) was a prostitute detainee was ble turned over to the because he did get into trouble and he might be the incident to operated in contact not to talk to an | so informed Mr what it was determined through that the detainee was a report man and the "Rape van and the Iraqi police. The leeding from the right side of his face when he was the Iraqi police. PFC and stated he came forward not think it was right; however, he was afraid he would not the pictures. PFC and declined to receive the pictures. PFC and declined to receive with Trial Defense Services (TDS), who advised the picture of Assistance, IG Office, FBNC also talked with any have more information; however, Mrape e at the time. | od 67C-5,665 ould se eport 67C-5,66-5 him 67C-4,66-4 PFC 67C-3, 66-3 was 67C-3,66-3 |
| | | Ar Carlos as belonging to PFC Reached votified mail and left message for him to contact this or | Soice ffice. |
| 57C-166 | At 1410, 29 Jul ACI2 system, 5 | and Report of Investig | ation 1001113 |
| | 1063 | 67C-4,66-4 | |

| | 67e | 14166 | est (| | Time: | | 4-(17057-6. |
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| me of person of | insenting to the search | 572-4 | | . Organization and lo | | | |
| SCI | | | | _ | _ | | 28310 |
| ave been inform | ied by the undersigned | USACIDC Sp | ecial Agent that an inquiry | is being conducted in | n connection with | the following possible | Archatron(r) or raw: |
| ossession | , distribution, a | nd/or pro | duction of materi soldiers detaine | al constituting d by U.S. For | g or contail ces. | ilng detainee a | buse or Enemy |
| | | | | -la -un noncont l | o a coamb of a | w person premises | or property as |
| have been req ated below. I this form.) | puested by the under have been advised (| signed USA of my right to | CIDC Special Agent to refuse a search of my | person, premises, | , or property. (| if you <u>do not g</u> ive yo | our consent, do not |
| ereby authorize uct a search of: | the undersigned USAC (Initial and sign appli | CIDC Special / cable blocks | Agent and/or other Authori | zed Law Enforcemen | nt Officials assisti | ng the undersigned US | ACIDC Special Agent to |
| a. | My Person | initials | Signature | | | | |
| | | initials | Signature | | | • | |
| b. | My Quarters | | | | - | | |
| ated At: | | | | | | | · |
| | | Initials | Signature | | • | | |
| C. | My Vehicle | | | | | | |
| ated At: | • | | • | | | | |
| scribed As: | • | | | | • | 676-476 | 116 |
| | | Initials | Signature | | | 176-470 | (a) |
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| Signature | 3 01 <u>001/1</u> 0100 0pa | | 676-1,66 | lot | | Signature of W | /itness (If Available) |
| D Form 87-R. | ri e | PRE | VIOUS EDITIONS OF | THIS FORM ARE | OBSOLETE | | 11.15 |

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| TO: (Include Zip Code) | | SPECIAL AGENT-IN-CHARGE | | | | , |
| DIRECTOR USACIL-CONUS | | 87th MP DETACHMENT (CID)(ABN) | | REGIS MAIL | REG | IS MAIL |
| NORTH 2ND STREET | r | Fort Bragg, NC 28310 | | | | |
| BUILDING 213-B | • | | | RY EXP | RYI | EXP |
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| | | 676-1,56-6 | L | | • | |
| ^ ^ | | | | | E RECEIPT | |
| CAI. | | @bragg.army.mil | RE | CEIVED | INITIATE | • |
| , • | | 1.11.60 | 4 | | | 5761,66 |
| 1. CONTRIBUTOR CASE N | | 2. INVESTIGATOR'S NAME 575 | . 3. اس <i>ـ</i> | AUTOVON AND PH | ONE NUMB | ER. |
| 0573-04-CID023-674 | 03-5Y2B7/5C2B | SA | | DSN 236- | بضاد ال | |
| 4. SUSPECT(S) (Last, first an | d middle name(s)) | £ | | 1 TA | | |
| PFC | | 55th MP CO, FBNC 28310 12-5,66 | -5 | • | | • |
| SGT | | 65th MP CO, FBNC 5/C | <i>a</i> ' | | | |
| | ····· | | | | | |
| 5. VICTIM(S) (Last, first and | middle name(s)) | | | | | , |
| UNKNOWN | | | | | | |
| | | | | | | |
| | | | - 1 | OTHER EVIDENCE | ND 73 7507 557 | |
| 6. TYPE OF OFFENSE | | 7. ONE COPY OF EVIDENCE RECEIPT ENCLOSED WITH EVIDENCE | | BMITTED ON THE | | .¥ |
| Failure To Obey Gener | ral Order | | | | | |
| Assault | | ⊠ YES □ NO | 1 | ☐ YES 🖾 NO |) | • |
| | OFFICE OF TONDOTON I | DATE SUBMITTED, UNIT CASE AND LABORATOR | YRE | FERRAL NUMBER | 5) | |
| 9. IF "YES" IN HEM 8, LIST | OTHER SOSPECT(S), I | MIE BODRILLED, OTHE GLOBIES AND DEBOTELLOS | | | -, | ٠. |
| | • | | | | | |
| | • | • | | | <u>.</u> | |
| | | 10. EVIDENCE SUBMITTED | | | | |
| a, EXHIBIT | | b. DESCRIPTION OF EXH | BIT. | | | |
| 1 | Laptop Computer | (Item #1, Voucher #287-04) | | • | • | |
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DA FORM 3655 1 AUG 74 REPLACES DA FORM 3655-R, 1 NOV 70, WHICH IS OBSOLETE

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Jul 1015

10. EVIDENCE SUBMITTED b. DESCRIPTION OF EXHIBIT a. EXHIBIT 11. EXAMINATION(S) REQUESTED (Briefly furnish any information or instructions that might assist the laboratory in examining, evaluating or returning evidence and/or report.) Imaging & Tech Support: Please examine Exhibit #1 for any photograph or video images which depict possible detainee abuse. PLEASE CONDUCT ANY OTHER TEST YOU DEEM NECESSARY. 676-3,66-3 INSPECTOR GENERAL'S OFFICE, FORT BRAGG, NC 28310 THIS INVESTIGATION WAS INITIATED UPON NOTIFICATION FROM MR THIS INVESTIGATION WAS INITIATED UPON NO LIFE AT THE THIRD IN IRAQ (FBNC), OF A POSSIBLE ASSAULT ON A DETAINEE THAT OCCURRED IN IRAQ 676-5166 CONTACTED MR. AND REPORTED HE HAD INFORMATION. PRELIMINARY INVESTIGATION INDICATES THAT ON 26 JUL 04, PFO DEPLOYED WITH THE 65TH MP COMPANY IN IRAQ, THEY DETAINED AN IRAQI MALE FOR RAPE AND GRAND THEFT AUTO. WHILE THE IRAC WHILE THE DETAINEE WAS HANDCUFFED AND IN THE BACK OF THE HIGHLY LINFORMED MR. THAT HE WAS THE GUNNER IN THE TURRET AT THE TIME WAS IN THEIR CUSTODY, HE WAS STRUCK BY SG MOBILE MULTI WHEELED VEHICLE (HMMWV). PFO AND HE KICKED THE DETAINEE IN ORDER TO GET HIM TO BE QUIET, AS THAT WAS THE REASON HE WAS BEING STRUCK PFO THAT IT WAS DETERMINED THROUGH AN INTERPRETER (NFI) THAT THE DETAINEE WAS A REPO MAN AND THE "RAPE VICTIM* WAS A PROSTITUTE, THE UNIT TURNED THE IRAQI OVER TO THE RAQI POLICE, THE DETAINEE WAS BLEEDING FROM THE RIGHT STATED THERE WAS A COMPACT DISC DEPICTING THE ABUSE AND HE MIGHT SIDE OF HIS FACE WHEN HE WAS TURNED OVER PFO BE IN SOME OF THE PICTURES, PFO DECLINED TO REPORT THE INCIDENT TO CID, AS REQUESTED BY THE IG OFFICE, PFO FLACED IN CONTACT WITH TRIAL DEFENSE SERVICES (TDS), FBNC, WHO ADVISED HIM NOT TO TALK TO ANYONE REGARDING THE W AS ADVISED OF HIS LEGAL RIGHTS, WHICH HE INVOKED AND REQUESTED LEGAL COUNSEL, 676-5,66-5 INCIDENT. ON 29 JUL 04, PFC 65TH MP CO, FBNC, WAS INTERVIEWED AND STATED HE WITNESSED BOTH SG AND PFC CICKED THE DETAINEE NUMEROUS STATED PFC ASSAULT THE DETAINEE WHILE HE WAS IN THEIR CUSTODY, SPO HIT THE DETAINEE NUMEROUS TIMES WITH A CLOSED STATED SGT RECORDED THE ASSAULT. SPO TIMES WHILE SGT 676-5,66-5 TIMES WHILE SGT RECORDED THE ASSAULT. SECONDED THE VEHICLE. FIST WHILE ATTEMPTING TO REMOVE THE DETAINED FROM THE VEHICLE. 65TH MP CO, FBNC, PROVIDED A LAPTOP COMPUTER TO THIS OFFICE ON WHICH HE STATED ALL SIZE ALL S PICTURES AND VIDEOS WERE DOWNLOADED DURING THE IRAQI DEPOLYMENT. THE COMPUTER WAS TAKEN AS EVIDENCE AND IS AWAITING EXAMINATION. IS CURRENTLY ON LEAVE AND IS BEING LOCATED. \$75-5,66-5 INVESTIGATION CONTINUES BY CID. field Evidence above has not been ex DATE TYPED/PRINTED NAME OF REQUESTER # August, 2004 676-1,661,62 676-466-4 DA FORM 3655 PG 2

17-18

Withheld due to:

____ Foreign Language

____ Photos depicting Americans

______ Photos depicting foreign nationals

____ Civilian Agency Records

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| Social Se | curity Num | ber: | 15. Othe | r ID Nur | ber: | 16 | . Date of | Birth: | _1 | 7. POP | City | | 18. POB St | 7. | 19. POB Zip: |
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Withheld due to:

| · | Foreign Language |
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| | Photos depicting Americans |
| <u> arusing</u> | Photos depicting foreign nationals |
| X | Civilian Agency Records |

29-36

Referred to:

U.S. ARMY HUMAN
RESOURCES COMMAND
ATTENTION: AHRC-FOI, RM 7S65
200 STOVALL STREET
ALEXANDRIA, VIRGINIA 22332-0404

MR. THOM JONES thom.jones@hoffman.army.mil (703) 325-4053

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| AUTHORITY: | | Title 10, U | Inited State | Code Section | | | BY PRIN | | S: Your soc | ial security no as an addition to and retrieve 1 — CID O | rnber and other po al/alternate mean | ersonal informa s of Identificati | tion ion |
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| 79. Year:. | 80. Make: | | 81. Model: | | 82. Vehicl | e Style: | 83. # of | Doors: | 84. Color: | 85. Size: |
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| B. Home Address: | 19. Cit | * FBM | 3.00 | JO. State. | | | | 1APO 676-41 |
| 3. JUV: 54. Family | Rel: 55. Last Nan | ne: | | it Name: | | 57. Mid | dle Name: | |
| S. Social Security: | | 59. Grade/Ran | k: | 60. MC: | 61. Unit | | | |
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| CID FORM 44-R0 | nine version | Y-22.2764 23.2 | - | | | | | |

1000 - heavy I is - w/ moustache. Being loud + boisterous. Vehicle sped to check point of another vehicle behind it. Saw a women funt so all males were restrained. Interpreter spoke of men & ended up transporting.

Z. Tean leader 578-5,66-5 - gunner 676-5,66-5 - gran driver 67C-4,66-4 Told enterpreter to have him stay quet. Priving of couldn't concentrate.

670-5,66-5

- kicked him a comple of times to get his attention to have him quet. Turned him over to tragic police on 576-5,66-5 1 Hold 567 1 to shed the gay up because 67C-466-4 he couldn't concountab =-676-5,66-5 hot the 801 Head it discussed that SOT 570-466- Police - 670-5,66-5 3403541 Every bod,

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| NCIPAL PURPOSE | i: To provide means by | e commanders which inform | s and lav | w enforcement ay be accurate | officials v ly identifie | a 057 | 3-04 | - CID V | 23 - 6 7 | 700 |
| Rec Code: 2. Actio | on Code: | 3. Date: | 4. Rei | to Case: | 5. Control: | 6. Sequence | # 7. Year | 8. Office - CID | 9. ROI # | Offense: 4, 4 |
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| LAST HIV TEST: CID FORM 44-ROnline version FHTX, 1999 | | FHTX, 1999 | | | 46 |

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Referred to:

U.S. ARMY HUMAN
RESOURCES COMMAND
ATTENTION: AHRC-FOI, RM 7S65
200 STOVALL STREET
ALEXANDRIA, VIRGINIA 22332-0404

MR. THOM JONES thom.jones@hoffman.army.mil (703) 325-4053

48-52

Withheld due to:

| | Foreign Language |
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| X | Photos depicting Americans |
| | Photos depicting foreign nationals |
| • | Civilian Agency Records |

6765,665 Ilaqi I-3 months ago -detalneed Ing notrond for rape + GTA. January was Thro- interpoter I rage is copo man and woman was prostitute Beat trag, while in bade of HMMWV - Handouffed was gunner in Turnent might Kicked Ing 67E-4166-4 01-100-SPC in. tress SPC SPC 67C-4,66-4 676-4,66-E SPC 67C-4,66-4 SPC 57C-€66-4 56T SPC 57C-4,66-4 556 67e-4,66-4 Turned detainer over to Iraqi police Bleeding from face - right side.

Called mondan IG told wants goto CID Afraid of physical volonce from platoon mente-5. Asked if he would get into frouble It colled TD5 CD at there a ples? Chain of command does not know 676-3,66-3 67C-3/66-3 Chief of Assistance J003054

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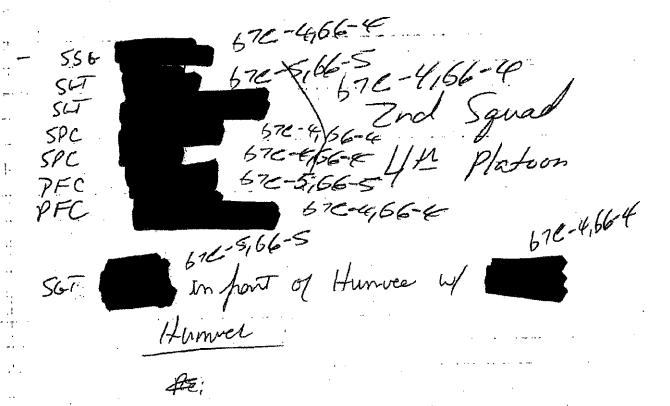
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