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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 -
5C2B 5Y2B7/5C2B19G2

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

INVESTIGATED BY:

SA
SA
SA
SA

[REDACTED]

67C-1,66-1,62

SUBJECT:

1. [REDACTED] PFC; [REDACTED],
[REDACTED], MALE; WHITE; 65TH MILITARY POLICE COMPANY, 16TH MILITARY
POLICE BRIGADE, FORT BRAGG, NC 28310; FC ; FAIL TO OBEY GENERAL ORDER
(CJTF 7 REGULATION), ASSAULT

67C-5,66-5

2. [REDACTED], SGT; [REDACTED],
[REDACTED], MALE; WHITE; 65TH MILITARY POLICE COMPANY, 16TH
MILITARY POLICE BRIGADE, FORT BRAGG, NC 28310; FC ; FAIL TO OBEY
GENERAL ORDER (CJTF 7 REGULATION), ASSAULT

67C-5,66-5

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:

This investigation was initiated upon notification from Mr. [REDACTED] Inspector General's (IG) Office, Fort Bragg, NC 28310 (FBNC), of a possible assault on a detainee that occurred in Iraq. b7c-3,66-3

Investigation established probable cause to believe that SGT [REDACTED] and PFC [REDACTED] committed the offenses of Failure to Obey General Order and Assault, when they photographed, mistreated, struck, and kicked an unknown Iraqi male whom they had detained at a checkpoint for the alleged rape of an Iraqi woman. b7c-5,66-5

STATUTES:

Article 134, UCMJ: Failure to Obey General Order

Article 128, UCMJ: Assault

EXHIBITS/SUBSTANTIATION:

Attached:

1. Agent's Investigation Report (AIR) of SA [REDACTED] 30 Jul 04, detailing the Basis for Investigation; Witness Interviews and other Investigative Activity. b7c-1,66-1

2. Waiver Certificate of PFC [REDACTED] 29 Jul 04, wherein he invoked his right to legal counsel. b7c-5,66-5

3. AIR of SA [REDACTED] 30 Jul 04, detailing Subject and Witness Interviews and coordination with the Unit. b7c-1,66-1

4. Sworn Statement of SPC [REDACTED] 30 Jul 04, wherein he detailed his knowledge of the incident. b7c-4,66-4

5. AIR of SA [REDACTED] 23 Sep 04, detailing Subject Interviews, Laboratory examination of evidence, Witness Interviews, Coordination with Commander and Office of the Staff Judge Advocate. b7c-1,66-1

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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 [REDACTED] 9 Aug 04, wherein he denied he assaulted the detainee. *b7c-5, b6-5*
8. Waiver Certificate of SGT [REDACTED], 10 Aug 04. *b7c-5, b6-5*
9. Consent to Search (CID Form 87-R-E), 11 Aug 04, signed by SSG [REDACTED] wherein he gave consent to have his computer examined. *b7c-4, b6-4*
10. AIR of SA [REDACTED] 23 Aug 04, wherein he detailed the interview of Mrs. [REDACTED]. *b7c-4, b6-4*
11. Sworn Statement of Mrs. [REDACTED] 20 Aug 04, wherein she detailed her knowledge of the incident. *b7c-4, b6-4*
12. Crime Lab Examination Request, 11 Aug 04, requesting SSG [REDACTED] computer be examined for any videos or pictures of alleged detainee abuse. (USACRC and file only) *b7c-4, b6-4*
13. Waiver Certificate of SGT [REDACTED] 25 Aug 04. *b7c-5, b6-5*
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 [REDACTED], 10 Aug 04, documenting SGT [REDACTED] continued to deny striking the detainee after he was placed in restraints. (USACRC and Action CDR copy only) *b7c-5, b6-5*
b7c-1, b6-1
16. AIR of SA [REDACTED] 13 Sep 04, wherein he detailed the reinterview of Mrs. [REDACTED]. *b7c-4, b6-4*
17. Sketch of area where the abuse took place in Iraq, 13 Sep 04, prepared Mrs. [REDACTED]. *b7c-4, b6-4*
18. Sworn Statement of Mrs. [REDACTED] 13 Sep 04, wherein she clarified details of her knowledge of the incident. *b7c-4, b6-4*
19. Evidence/Property Custody Document, Voucher Number 287-04 (USACRC and File Copy Only).

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Not Attached:

Retained in the Evidence Depository, this office:

20. Computer (SSG [REDACTED])

b7c-4, b6-4

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

21. Polygraph Authorization (SGT [REDACTED]), 10 Aug 04.

b7c-5, b6-5

22. Polygraph Examination Statement of Consent (SGT [REDACTED]), 10 Aug 04.

b7c-5, b6-5

23. Four Polygraph Charts (SGT [REDACTED]), 10 Aug 04.

b7c-5, b6-5

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 LAW 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 Detainee. Commander's Report of Disciplinary Action Taken (DA Form 4833) is pending.

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REPORT PREPARED BY

REPORT APPROVED BY

SA [REDACTED]
Special Agent,

[REDACTED]
Special Agent-in-Charge

DISTRIBUTION:

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) b7c-3,66-3
CHIEF OF STAFF, 18TH AIRBORNE CORPS, (COL [REDACTED]) b7c-3,66-3
Commander, 10th Military Police BN, Fort Bragg, NC (LTC [REDACTED]) b7c-3,66-3
DEPUTY GARRISON COMMANDER, FBNC (MR [REDACTED]) b7c-3,66-3
PMO BLOTTER CLERK
PMO OPERATIONS SGT (SFC [REDACTED]) b7c-3,66-3
SJA, XVIII ABN CORPS (CHIEF)(LTC [REDACTED]) b7c-3,66-3
SJA, XVIII ABN CORPS (SR TRIAL COUNSEL) (CPT [REDACTED]) b7c-3,66-3
PROVOST MARSHAL, XVIII ABN CORPS (COL [REDACTED]) b7c-3,66-3
CID CRIMINAL INTELLIGENCE CENTER (MR [REDACTED]) b7c-3,66-3
COMMUNITY PROVOST MARSHAL, FORT BRAGG (LTC [REDACTED]) b7c-3,66-3
ACTION COMMANDER:
THRU: Commander, 503rd Military Police Battallion, Fort Bragg, NC 28310
TO: Commander, 65th MP Company, 503rd Military Police Battallion, Fort Bragg, NC
28310
FILE

5

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0000009

DODDOACID 005819

BASIS FOR INVESTIGATION: At 1310, 29 Jul 04, this office was notified by Mr [REDACTED] 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.

b7c-4, b6-4

DETAILS:

At 1335, 29 Jul 04, SA [REDACTED] conducted a complainant interview of Mr [REDACTED] who stated that on Monday, 26 Jul 04, PFC [REDACTED] 65th Military Police Company (MP CO), FBNC, contacted his office and reported he had information pertaining to detainee abuse in Iraq. On 27 Jul 04, PFC [REDACTED] came into the IG office 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 Rape and Grand Theft Auto. While the Iraqi was in their custody, he was struck by SGT [REDACTED] 65th MP CO, FBNC, while handcuffed in the back of the Highly Mobile Multi Wheeled Vehicle (HMMWV). PFC [REDACTED] informed Mr [REDACTED] that he was the gunner in the turret at the time and that he kicked the detainee in order to get him to be quiet, as that was the reason he was being struck. Mr [REDACTED] stated PFC [REDACTED] provided several names of soldiers assigned to the 65th MP CO, FBNC, who were witnesses to the incident. PFC [REDACTED] stated SPC [REDACTED] (NFI) was the driver of the vehicle and she separated from the Army in Apr 04. PFC [REDACTED] provided the following names all from the 65th MP CO, FBNC, but did not specify their part in, or knowledge of the incident:

b7c-1, b6-1

b7c-4, b6-4

b7c-5, b6-5

b7c-5, b6-5

b7c-5, b6-5

b7c-4, b6-4

b7c-4, b6-4

b7c-3, b6-3

b7c-5, b6-5

- SPC [REDACTED]
- SPC [REDACTED]
- SPC [REDACTED]
- SPC [REDACTED]
- SPC [REDACTED]
- SGT [REDACTED]
- SPC [REDACTED]
- SSG [REDACTED]

b7c-4, b6-4

PFC [REDACTED] also informed Mr [REDACTED] that it was determined through an interpreter (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 his face when he was turned over to the Iraqi police. PFC [REDACTED] stated he came forward because he did not think it was right; however, he was afraid he would get into

b7c-4, b6-4

b7c-5, b6-5

SA [REDACTED] 87th MP DSE (CID) (DSE)
3d MP Group, Fort Bragg, NC 28310

b7c-4, b6-1, b2

[Handwritten Signature]

Signature: [REDACTED]

Date: 30 Jul 04

Exhibit:

CID Form 94

0000010

EXHIBIT 1

LAW ENFORCEMENT SENSITIVE
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trouble too, as there was a compact disc depicting the abuse and he might be in some of the pictures. PFC [redacted] declined to report the incident to CID, as requested by the IG office. PFC [redacted] was placed in contact with Trial Defense Services (TDS), FBNC, who advised him not to talk to anyone regarding the incident. Mr [redacted] stated Mr [redacted] Chief of Assistance, IG Office, FBNC, also talked with PFC [redacted] and may have more information; however, Mr [redacted] was out of the office at the time.

b7c-5,66-5
b7c-5,66-5
b7c-4,66-4
b7c-3,66-3
b7c-3,66-3

At 1400, 29 Jul 04, SA [redacted] contacted the phone number ([redacted]) provided by Mr [redacted] as belonging to PFC [redacted]. Reached voice mail of unidentified male and left message for him to contact this office.

b7c-4,66-4
b7c-1,66-1
b7c-5,66-5

At 1410, 29 Jul 04, SA [redacted] conducted a name check utilizing the ACID system. SA [redacted] checked for any information on [redacted] and [redacted] Report of Investigation (ROI) 0165-02-CID033-16278 pertained to a [redacted], 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 [redacted], 65th MP CO, FBNC, where a witness interview was conducted of PFC [redacted] in reference to other unit member using controlled substances. Sequence number 0073-98-CID024 (subject deserter file), pertained to [redacted] (NFI) for being AWOL.

b7c-1,66-1
b7c-5,66-5
b7c-5,66-5
b7c-5,66-5
b7c-5,66-5
b7c-5,66-5
b7c-5,66-5

At 1806, 29 Jul 04, SA [redacted] advised PFC [redacted] of his rights, which he invoked and requested legal counsel. (See Non-Waiver Certificate)

b7c-1,66-1
b7c-5,66-5

Agent's Comment: PFC [redacted] appeared to be visibly shaken, breaking 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 TDS lawyer, at the direction of the IG office, and the lawyer advised him not to talk to anyone. PFC [redacted] stated he would talk with his lawyer and family and contact this office at a later date.

b7c-5,66-5
b7c-5,66-5

At 1855, 29 Jul 04, SA [redacted] briefed CPT [redacted] 65th MP CO, FBNC, on all aspects of this investigation to date.

b7c-1,66-1
b7c-3,66-3

At 1020, 30 Jul 04, SA [redacted] conducted a witness interview of SPC [redacted] 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

b7c-4,66-4

SA [redacted] 87th MP DSE (CID) (DSE)
3d MP Group, Fort Bragg, NC 28310
Signature: [redacted] Date: 30 Jul 04 Exhibit:
CID Form 94

b7c-1,66-1,62

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EXHIBIT 1

members. SPC [REDACTED] stated he heard from someone in the unit (NFI) that while on 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 Iraqi Police Station (NFI). SPC [REDACTED] had heard that SGT [REDACTED] struck the 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. SPC [REDACTED] heard there was as video of the incident that one of the unit members (NFI) had. SPC [REDACTED] did not think the Chain of Command was informed at the time. SPC [REDACTED] stated he did not know if the detainee resisted 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///

b7c-4,66-4

b7c-4,66-4

b7c-5,66-5

b7c-4,66-4

b7c-4,66-4

SA [REDACTED]

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

Signature [REDACTED]

Date: 30 Jul 04
Exhibit:

CID Form 94

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EXHIBIT

0000012

RIGHTS WAIVER PROCEDURE/WAIVER CERTIFICATE

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

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your Social Security Number is voluntary. *67C-5166-5 67C-5166-5*

1. LOCATION <i>Fort Bragg, NC 28310</i>	2. DATE <i>20 July 09</i>	3. TIME <i>1806 hrs</i>	4. FILE NO. <i>0573-04-C1002</i>
5. NAME (Last, First, MI) <i>[REDACTED]</i>	8. ORGANIZATION OR ADDRESS <i>65th MP CO Fort Bragg, NC 28310</i>		
6. SSN <i>[REDACTED]</i>	7. GRADE/STATUS <i>E-3/RA</i>		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army *Criminal Investigation Command* as a *Special Agent* suspected/accused *Assault III* and wanted to question me about the following offense(s) of which I am

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

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

- of -

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

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

5. COMMENTS (Continue on reverse side)

Section B. Waiver

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

WITNESSES (If available) <i>67C-1166-1</i>		3. SIGNATURE OF INTERVIEWEE
1a. NAME (Type or Print) <i>SA [REDACTED]</i>		4. SIGNATURE OF INVESTIGATOR <i>[REDACTED]</i>
b. ORGANIZATION OR ADDRESS AND PHONE <i>87th MP Det (CID) Fort Bragg, NC 28310</i>		
2a. NAME (Type or Print)		5. TYPED NAME OF INVESTIGATOR <i>SA [REDACTED]</i>
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR <i>87th MP Det (CID) Fort Bragg, NC 28310</i>

Section C. Non-waiver

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

2. SIGNATURE OF INTERVIEWEE
[REDACTED] *67C-5166-5*

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED. *3003313*

DA FORM 3881, NOV 89

EDITION OF NOV 84 IS OBSOLETE

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EXHIBIT 12

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0573-04-CID023-67403

Page 1 of 2 *67C-4,66-4*

DETAILS

About 0910, 30 Jul 04, SA *67C-1,66-1* coordinated with 1SG *67C-5,66-3*, 65th Military Police Company (MP CO), Fort Bragg, NC (FBNC), who related SGT *67C-4,66-4*, 65th MP CO, FBNC was on leave in Maryland. 1SG *67C-4,66-4* related SPC *67C-4,66-4* and SPC *67C-4,66-4*, 65th MP CO, FBNC were in the area and would be in for an interview ASAP.

Between 1000-1302, 30 Jul 04, SA *67C-1,66-1* interviewed SPC *67C-4,66-4*, who provided a Sworn Statement wherein he stated he witnessed PFC *67C-5,66-3*, 65th MP CO, FBNC kick the detainee and SGT *67C-4,66-4* hit the detainee with a closed fist (See Sworn Statement for Details) *67C-5,66-3*

About 1335, 30 Jul 04, SA *67C-1,66-1* interviewed SSG *67C-4,66-4*, 65th MP CO, FBNC, who detailed his knowledge pertaining to the abuse of the unknown Iraqi detainee. SSG *67C-4,66-4* stated he vaguely remembered the incident in question, but was not sure what transpired in SGT *67C-5,66-3* Highly Mobile Multi Wheeled Vehicle (HMMWV) while the detainee was being transported to the Iraqi police station. SSG *67C-4,66-4* stated he knew SGT *67C-5,66-3* took a lot of photographs and video clips on his digital camera, and would often download the photos and videos to his (SSG *67C-4,66-4*) laptop computer. SSG *67C-4,66-4* remembered seeing a video of an Iraqi detainee crying and professing his innocence, but SSG *67C-4,66-4* could not remember much else. SSG *67C-4,66-4* stated he definitely did not see video or photos of any detainee abuse. *67C-4,66-4*

SA *67C-1,66-1* escorted SSG *67C-4,66-4* to his vehicle in which the laptop computer was stored. SSG *67C-4,66-4* related SGT *67C-5,66-3* stored a lot of photos on the computer and made an attempt to show the photos to SA *67C-1,66-1*. SSG *67C-4,66-4* could not locate the photos at which time SA *67C-1,66-1* made the determination to seize the computer as evidence. *67C-4,66-4*

AGENT'S COMMENT: SSG *67C-4,66-4* related SGT *67C-5,66-3* tries to "show off" a lot and is a big talker. SSG *67C-4,66-4* also stated SSG *67C-5,66-3* is an aggressive person and is known as a "go to guy" to make things happen. *67C-4,66-4*

About 1358, 30 Jul 04, SA *67C-1,66-1* collected SSG *67C-4,66-4* Compaq laptop computer as evidence utilizing a DA Form 4137, Evidence/Property Custody Document (EPCD). *67C-4,66-4*

About 1400, 30 Jul 04, SA *67C-1,66-1* this office, interviewed SPC *67C-4,66-4*, 65th MP CO, FBNC, who rendered a verbal statement. SPC *67C-4,66-4* stated *67C-4,66-4* sometime around Oct - Nov 03, his squad had been conducting Traffic Control Points (TCP) in the North East section of Mosul, Iraq. Further, SPC *67C-4,66-4* relayed it was routine for the unit to conduct TCP's nightly between the hours of 2330 - 0200, which was the case on the night of the *67C-4,66-4*

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA *67C-1,66-1,66-2*
SIGNATURE

ORGANIZATION

87th Military Police Detachment (CID) (DSE)
3d MP Group, Fort Bragg, NC 28310-5000

DATE

30 JUL 04

EXHIBIT

3000014

CID FORM 94

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LAW ENFORCEMENT SENSITIVE
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EXHIBIT

3

SWORN STATEMENT 0573-04-CID023-67403

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

LOCATION FORT BRAGG, NC 28310	DATE 30 JUL 04	TIME 1302	FILE NUMBER 0573-04-C10023
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS E-4/Active
ORGANIZATION OR ADDRESS 65 TH MILITARY POLICE COMPANY, FORT BRAGG, NC 28310			

I, SPC [REDACTED] want to provide the following statement, under oath:

I was deployed with the 65th Military Police Company between the months of April 2003 and March 2004. During that time frame, on a routine checkpoint in the Al Zuhor sector of Mosul, Iraq sometime between August and October 2004, at an unknown time during the night, I heard a vehicle approach the checkpoint from the opposite direction I was facing. When I turned around to see what was going on, I saw 2 sets of headlights on the opposite side of the highway and a woman screaming. The group in charge of the opposite side of the road then locked and loaded their weapons and removed 2 Iraqi males from the vehicles. The woman also fainted around that time. After the group had detained and searched the individuals the interpreter began to interview the 2 suspects. I was still on the opposite side of the road pulling security while all this was happening so I could not hear what they all were talking about. After a little while after all this, my team leader SGT [REDACTED] told me to get ready to leave. We had gotten one of the suspects into our truck who had what appeared to be a torn white shirt, an unknown type of pants, and could be described as a middle aged Iraqi male with dark hair, a moustache, and fat. Before being placed into our truck, I overheard SGT [REDACTED] tell the interpreter to inform the subject to remain quiet. On the ride to the Al Tchkaifa police station, the subject had started to speak and would get louder as he was told to remain quiet. SGT [REDACTED] started yelling at the subject and at about that time I heard my gunner PFC [REDACTED] start to yell at the subject and when I turned around to see what was going on, I observed PFC [REDACTED] kicking the subject in an effort to quiet him. After that the subject remained quiet and we arrived at the Al Tchkaifa police station to turn the subject over to Iraqi authorities. SGT [REDACTED] then exited the vehicle to remove the subject from the vehicle and I was to remain inside to park the truck down the street. Before he had removed the subject and taken him inside the station, SGT [REDACTED] struck the Iraqi 2 or more times with a closed fist and on the way inside he kicked the Iraqi subject in the buttocks. I remained outside to pull security on the police station. I had been outside for a little while and I got curious as to what was happening so I went into the police station to see what was going on and in the back part of the police station, I observed a group of 10-15 Iraqi policemen along with SGT [REDACTED] gathered around these 2 subjects while the Iraqi police were speaking Arabic to him. Two of the Iraqi policemen had then started to assault the offender while he was still in zip ties and at that time I had turned around, headed outside, and pulled security until we had left the station a little while later.

- Q: [REDACTED] b7C-1,66-1
A: [REDACTED] b7C-4,66-4
Q: Did you see anyone strike the Iraqi male while in the humvee?
A: I saw PFC [REDACTED] kick him a number of times, and when SGT [REDACTED] opened the door to remove the detainee from the humvee, SGT [REDACTED] struck him a number of times (more than two) with a closed fist. b7C-5,66-5
Q: How many times did PFC [REDACTED] kick the detainee? b7C-5,66-5
A: Before I turned around he kicked him 2 or 3 times.
Q: How many times did SGT [REDACTED] hit the detainee? b7C-5,66-5
A: More than two but less than six.
Q: Who zip tied the detainee?
A: I don't know. I was on the other side of the road.
Q: Who loaded him into the vehicle?
A: I believe it was SGT [REDACTED] b7C-5,66-5
Q: Who rode in the humvee with the detainee?
A: Me, SGT [REDACTED] and PFC [REDACTED] b7C-5,66-5
Q: Who took the detainee out of the humvee? b7C-5,66-5
A: I'm pretty sure it was SGT [REDACTED]. It was our unwritten SOP that the team leader would remove detainees from the vehicle.
Q: Who escorted the detainee into the Iraqi police station?
A: SGT [REDACTED] b7C-5,66-5

EXHIBIT _____ INITIALS OF PERSON MAKING STATEMENT [REDACTED] PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES."
 DA Form 2823 (Automated) 0000016

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EXHIBIT 4

67C-4664

STATEMENT OF SPC [REDACTED] TAKEN AT Fort Bragg, NC, 30 Jul 04, CONTINUED:

0573-01-CID023-67403

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 because I was curious.
Q: What did you see when you went inside?
A: I saw a group of Iraqi policemen and SGT [REDACTED] 67C-5166-5 They were all huddled around the two subjects, and I saw one Iraqi policemen kick the subject in the ribs. I just turned around and went back outside.
Q: Did you see SGT [REDACTED] 67C-5166-5 hit or kick the detainee at that time?
A: No.
Q: Did you notice any blood on the detainee when you dropped him off at the Iraqi police station?
A: No.
Q: Was there a videotape made of the humvee ride?
A: Yes there was.
Q: Who made the videotape?
A: SGT [REDACTED] 67C-5166-5
Q: What did the videotape show?
A: It showed SGT [REDACTED] making comments while PFC [REDACTED] kicked the detainee. SGT [REDACTED] was saying "Ali Baba" which means criminal in Arabic. The detainee was saying "No Ali Baba." PFC [REDACTED] was telling the detainee to shut up and kicked him numerous times. The video tape also shows me look into the backseat and laughing while I turn forward to drive.
Q: Why were you laughing?
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 [REDACTED] probably has it. 67C-5166-5
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.
Q: How was the video made?
A: It was a digital video camera, and it was in night vision. The detainee has on a torn shirt and he looked drunk.
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.
Q: Do you have anything to add to this statement?
A: No.///END OF STATEMENT/// [REDACTED] 67C-4664

67C-5166-5

67C-4664

67C-4664

EXHIBIT _____

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES."

0000017

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EXHIBIT 4

b7c-4,664 b7c-4,664

STATEMENT OF SPO [REDACTED] TAKEN AT Fort Bragg, NC, 30 Jul 04, CONTINUED:

b7c-4,664

AFFIDAVIT

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

[REDACTED]

(Signature of Person Making Statement)

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

SUBSCRIBED AND SWORN BEFORE ME, A PERSON BY LAW TO ADMINISTER OATHS, THIS 30th DAY OF July, 2004 AT Fort Bragg, NC.

[REDACTED]

(Signature of Person Administering Oath)

SA [REDACTED]
(Name of Person Administering Oath)

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

b7c-4,664 b7c-4,664

EXHIBIT _____

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 3 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF [REDACTED] PAGES."

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EXHIBIT | 4

AGENTS INVESTIGATION REPORT	ROI NUMBER 0573-04-CID023-67403
	CID REGULATION 105-1
	PAGE 1 OF 4 PAGES

DETAILS:

At 1345, 3 Aug 04, SA [redacted] ^{b7c-1,166-1} drafted and submitted DA Form 3655 (Crime Lab Examination Request) to have the computer owned by SSG [redacted] ^{b7c-4,66-4} 65th Military Police Company (MP CO), Fort Bragg, NC (FBNC) examined for any videos or photographs of alleged detainee abuse. (See DA FM 3655 for Details)

At 1100, 5 Aug 04, SA [redacted] ^{b7c-1,166-1} coordinated with MSG [redacted] ^{b7c-3,166-3}, Operations NCO, 65th Military Police Company (MP CO), FBNC, who provided DA 31 (Leave Form) which pertained to SGT [redacted] ^{b7c-5,66-5} 65th MP CO, FBNC. SGT [redacted] is on leave till 8 Aug 04. MSG [redacted] also stated he would compile a deployment roster of those individuals who ^{b7c-4,66-4} deployed in support of Operation Iraqi Freedom. MSG [redacted] further related SSG [redacted] ^{b7c-4,66-4} is on leave till 10 Aug 04 and provided his contact information.

At 1300, 6 Aug 04, SA [redacted] ^{b7c-1,166-1} coordinated with MSG [redacted] ^{b7c-4,66-4} who provided a copy of the units deployment roster which listed all personnel who deployed in support of Operation Iraqi Freedom.

At 0930, 9 Aug 04, SA [redacted] ^{b7c-1,166-1} this office, advised SGT [redacted] ^{b7c-5,66-5} of his legal rights which he waived and rendered a Sworn Statement wherein he denied he abused or assaulted any Iraqi detainee while deployed in support of Operation Iraqi Freedom and did not witness any other soldier doing so. (See Rights Waiver Certificate and Sworn Statement for Details)

At 0936, 10 Aug 04, SA [redacted] ^{b7c-1,166-1} this office, advised SGT [redacted] ^{b7c-5,66-5} of his rights which he waived and continued to deny he assaulted the Iraqi detainee. (See Rights Waiver Certificate)

At 1700, 10 Aug 04, SA [redacted] ^{b7c-1,166-1} interviewed SPC [redacted] ^{b7c-4,66-4} 65th MP CO, FBNC, who related he was assigned to SGT [redacted] ^{b7c-5,66-5} team for the last two months of the company's year long deployment to Iraq. SPC [redacted] ^{b7c-4,66-4} further related he was assigned to 1st Squad of 4th Platoon, 65th MP CO during the time frame of the incident, was not present at the incident and had only heard rumors about what had occurred. SPC [redacted] ^{b7c-4,66-4} stated he had heard about the video wherein it was alleged SGT [redacted] ^{b7c-5,66-5} abused the detainee but has not seen it.

At 0900, 11 Aug 04, SA [redacted] ^{b7c-1,166-1} was contacted by SPC [redacted] ^{b7c-4,66-4} 65th MP CO, FBNC, who related he wanted to retract his statement as it was not truthful. SA [redacted] ^{b7c-1,166-1} and SA [redacted] ^{b7c-5,66-5} interviewed SPC [redacted] ^{b7c-4,66-4} who stated he believed he would get into trouble because he had left something out of his statement and therefore wanted to retract it in its entirety. SPC [redacted] ^{b7c-4,66-4} eventually stated the detainee had become belligerent and started to flail about and this is when SGT [redacted] ^{b7c-4,66-4} struck the individual. SPC [redacted] ^{b7c-4,66-4} said his previous statement was in fact truthful but he had left out the part about the detainee becoming unruly.

TYPER NAME SEQUENCE NUMBER [redacted]	SIGNATURE FOR [redacted]	DATE 23 SEP 04
87th MP Det (CID) (ABN), DSE Fort Bragg, NC 28310		

CID FORM 94-E
1 OCT 95

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EXHIBIT 3000019

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EXHIBIT 5

AGENTS INVESTIGATION REPORT

ROI NUMBER

0573-04-CID023-67403

CID REGULATION 195-1

PAGE 2 OF 4 PAGES

57C-5, 66-5 At 0945, 11 Aug 04, SA [redacted] and SA [redacted] this office, discussed with PFC [redacted] about whether or not he wished to talk to this office about the incident as he previously stated he confer with his family and his lawyer about this. PFC [redacted] stated upon the advice of his lawyer, b7C-5, 66-5 he would invoke his right to remain silent.

67C-5, 66-5 Agents Comment: PFC [redacted] was fingerprinted, photographed and released on his own recognizance.

67C-1, 66-1 At 1445, 11 Aug 04, SA [redacted] interviewed SGT [redacted] [redacted] AWOL Apprehension, PMO, FBNC, who related he had been assigned to the 65th MP CO during Operation Iraqi Freedom. SGT [redacted] stated he was present at the checkpoint b7C-4, 66-4 when this incident occurred but did not witness SGT [redacted] or anyone else assault/abuse the Iraqi b7C-5, 66-5 detainee. SGT [redacted] related if the incident occurred while in the vehicle then he would b7C-4, 66-4 not have seen it as he was in another vehicle when the detainee was transported.

67C-1, 66-1 At 1525, 11 Aug 04, SA [redacted] coordinated with SSG [redacted] who signed A Consent to Search Form which authorized his computer to be examined. (See Consent Form for Details). b7C-4, 66-4

67C-1, 66-1 At 1345, 20 Aug 04, SA [redacted] contacted Mrs. [redacted] who related she witnessed SGT [redacted] hit the detainee numerous times and b7C-5, 66-5 PFC [redacted] had told her that he kicked the detainee also. b7C-5, 66-5

67C-1, 66-1 At 1400, 20 Aug 04, SA [redacted] drafted RFA and sent same to Ft Jackson to interview Mrs. [redacted] Their case number is 0139-04-CID053. b7C-4, 66-4

67C-5, 66-5 At 1700, 24 Aug 04, SA [redacted] interviewed Mr. [redacted] Chief of Assistance, Inspector Generals (IG) Office, FBNC, who related he had received the initial phone call from PFC [redacted] and referred him to Mr. [redacted] Chief of Inquiries and Investigations, IG OFFICE, b7C-3, 66-3 FBNC. Mr. [redacted] stated PFC [redacted] had just reported he believed SGT [redacted] had made a b7C-5, 66-5 threatening statement towards him. Mr. [redacted] said he contacted the commander (CPT [redacted] and referred the matter to him. b7C-4, 66-4

67C-5, 66-5 At 1400, 25 Aug 04, SA [redacted] coordinated with CPT [redacted] Commander, 65th b7C-4, 66-4 MP CO, FBNC, who related he had been notified by Mr. [redacted] of the recent allegation made by b7C-4, 66-4 PFC [redacted] CPT [redacted] said he had interviewed all members of the squad and that they all b7C-5, 66-5 stated SGT [redacted] had made no comment as alleged by PFC [redacted]. CPT [redacted] stated he b7C-4, 66-4 moved PFC [redacted] from SGT [redacted] team to a different platoon and believed PFC [redacted] had b7C-4, 66-4 made the allegation to be moved to another section. CPT [redacted] also stated he gave an order b7C-5, 66-5 to SGT [redacted] to not say anything to PFC [redacted] which could be interpreted as a threat. CPT [redacted]

TYPED NAME, SEQUENCE NUMBER [redacted]	SIGNATURE FOR: [redacted]	DATE 2351004
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CID FORM 94-E
1 OCT 95

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EXHIBIT 5

██████████ then said the 16th MP Brigade Commander (LTC ██████████) would be the individual who would take action against the soldiers and that action would be brought forward.

At 1626, 25 Aug 04, SA ██████████ advised SGT ██████████ of his legal rights, which he invoked wherein he requested not to be questioned or say anything.

At 1700, 27 Aug 04, SA ██████████ received 1st Information Report from the 37th MP DET CID (CASE), Ft Jackson, SC (FJSC), wherein it was reflected that former SPC ██████████

██████████ was interviewed and stated she witnessed SSGT ██████████ abuse the detainee in the HMMWV was alleged by PFC ██████████ and that PFC ██████████ had told her that he kicked the detainee. Mrs. ██████████ further related she also witnessed SGT ██████████ kneel an Iraqi man in the stomach several times while he (the Iraqi male) stood in line to receive pay allocated for former Iraqi veterans. (See AIR and Sworn Statement for Details)

At 1500, 1 Sep 04, SA ██████████ received USACIL Report #2004-CID131-1489 which reflected no pictures or video of detainee abuse was found on SSG ██████████ computer; however two pictures and a video of the detainee were located. The pictures showed the detainee sitting in the back of a HMMWV with his hands flexi cuffed behind his back. The video showed SGT ██████████ calling the detainee "Ali Baba" and the detainee responded with "No Mister, No Ali Baba"; then SGT ██████████ yelled at the detainee to shut up. (See Report for Details)

At 1030, 7 Sep 04, SA ██████████ coordinated with CPT ██████████, Trial Counsel, Office of the Staff Judge Advocate (SJA), FBNC, completed a thorough review of case file and stated she believed the incident occurred; however she would not render her legal opinion until Mrs. ██████████ was reinterviewed and asked about the location of each individual soldier during the incident as she (Mrs. ██████████) was the only one who stated she saw SGT ██████████ abuse the detainee outside of the HMMWV. CPT ██████████ related she was unclear how Mrs. ██████████ could have witnessed this when PFC ██████████ and PFC ██████████ stated it occurred while inside of the vehicle and the other individuals present (outside) stated they did not witness anything.

At 1500, 9 Sep 04, SA ██████████ drafted RFA and sent same to Ft Jackson to reinterview Mrs. ██████████. Their case number is 0155-04-CID053.

About 1230, 23 Sep 04, this office received the information report documenting the interview of Mrs. ██████████ (See AIR of SA ██████████ for details)

About 1245, 23 Sep 04, SA ██████████, this office, briefed CPT ██████████, Senior Trial Counsel, 18th Airborne Corps, Office Of the Staff Judge Advocate, FBNC, on the information provided during Mrs. ██████████ interview. CPT ██████████ then provided a legal opinion probable cause

TYPED NAME, SEQUENCE NUMBER ██████████ 82	SIGNATURE FOR ██████████	DATE 23 Sep 2004
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EXHIBIT 000021

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EXHIBIT 5

AGENTS INVESTIGATION REPORT	ROI NUMBER 0573-04-CID023-67403
	CID REGULATION 105-1

PAGE 4 OF 4 PAGES

existed to believe SGT [REDACTED] and PFC [REDACTED] committed the offense Assault, when they struck an Iraqi male who they had detained at a checkpoint for the alleged rape of an Iraqi woman. b7c-5,665

Agent's Comment: CPT [REDACTED] was unable to provide a legal opinion for the offense of Failure to Obey a General Order as a copy of the Cental Command General Order was unavailable at the time of the review conducted by CPT [REDACTED]. b7c-3,66-3

///Last Item///

TYPED NAME, SEQUENCE NUMBER [REDACTED]	SIGNATURE [REDACTED]	DATE 23 SEP 95
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CID FORM 94-E
1 OCT 95

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EXHIBIT 5 J000022

EXHIBIT 5

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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 PROCEDURE/WAIVER CERTIFICATE

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

DATA REQUIRED BY THE PRIVACY ACT

0573-04-CID023-67403

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

1. LOCATION: Fort Bragg, NC 28310
2. DATE: 9 Aug 04
3. TIME: 0930
4. FILE NO.
5. NAME: [Redacted]
6. SSN: [Redacted]
7. GRADE/STATUS: SGT/RA
8. ORGANIZATION OR ADDRESS: 65th MP Co, Fort Bragg, NC 28310

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command as a Special Agent and wanted to question me about the following offense(s) of which I am suspected/accused: Assault, Dereliction of Duty //

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

5. COMMENTS (Continue on reverse side)

Section B. Waiver

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

WITNESSES (if available)
1a. NAME (Type or Print)
1b. ORGANIZATION OR ADDRESS AND PHONE
3. SIGNATURE OF INTERVIEWEE
4. SIGNATURE OF INVESTIGATOR
5. TYPED NAME OF INVESTIGATOR
6. ORGANIZATION OF INVESTIGATOR

Section C. Non-waiver

1. I do not want to give up my rights:
I want a lawyer.
I do not want to be questioned or say anything.
2. SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2623) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

SWORN STATEMENT 0573-00-01023-674

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

LOCATION FORT BRAGG, NC 28310	DATE 09 Aug 04	TIME 1054	FILE NUMBER 67C-5,66-5
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY NUMBER		GRADE/STATUS ES/Active
ORGANIZATION OR ADDRESS 65 TH MP COMPANY, FBNC			

I, SGT [redacted] want to provide the following statement, under oath: *67C-5,66-5*

While working in Mosul, Iraq, my patrol performed a hasty checkpoint. During this time a vehicle followed by a taxi pulled up to the checkpoint. They were instructed to exit the vehicle and open all doors and trunk. Three iraqi's exited the vehicle. At that time a women that was half naked and had her gown ripped came out of the taxi screaming and carrying on while pointing at the gentlemen. I asked my interpreter what she was saying and he told me that the guys raped her. I noticed at that time that one of the guys shirt had been ripped open and he appeared very scared. So I kinda of put 2 and 2 together and believed the women. At hat point we had drawn our weapons. I instructed the interpreter to tell the one Iraqi to get on the ground. There was some hesitation in him doing that. At which point I stepped on the back of his leg while yelling to him to get down on the ground. Once he got down on the ground I got on his back and proceeded to put the flexi cuffs on him. I instructed one of the 101st guys to put him in the vehicle. I went back to talk to SSG [redacted] about what to do about the vehicle in the middle of the road, and what to do with the other 2 guys. We decided to have the driver park the vehicle along side the road. I then went back to my vehicle and told PFC [redacted] to get the vehicle ready to move. At which point I got my new videocamera and proceeded to say while taping the guy "hey you like to rape women huh? I got you, good job, ali' babor " he was saying no mister no mister I then said " no no no no shut -up"and that was it with the video camera. I then checked on SSG [redacted] to see if we were ready to go and he gave me the thumbs up to go. We headed to the police station where he was handed over to the Iraqi police. I then told one of my Iraqi buddies that this guy likes to beat women and that it must be common for Iraqis to beat women (jokingly) and he said no sergeant. I then told him well this guy does. I then gave the Iraqi to the police and smoked a cigarette with the 101st guys that were standing out front of the police station. *67C-5,66-5*

Q: [redacted] *67C-5,66-5*

A: [redacted]

Q: Did you ever hit or kick the detainee?

A: Not while he was in handcuffs.

Q: When did you hit him?

A: I didn't really hit him, but I used force in getting him on the ground prior to getting flex-cuffs on him.

Q: Did you ever hit the detainee while you were removing him from the back of the humvee?

A: No;

Q: Did you ever kick the detainee while escorting him to the Iraqi police station?

A: No.

Q: Did you witness the Iraqi police hitting or beating the detainee?

A: No.

Q: Did you take a video clip of the detainee?

A: Yes.

Q: What did the video clip show?

A: I turned it on night vision, and I was standing outside the passenger rear door while he was behind the driver. I was calling him "Ali Babor" which means thief or criminal. The only reason I was doing it was because I had just gotten a new video camera and wanted to use it.

Q: Did you see PFC [redacted] kick the detainee? *67C-5,66-5*

A: No I didn't.

Q: Do you remember PFC [redacted] telling the detainee to shut up? *67C-4,66-4*

A: No. We were in the lead vehicle. I was more interested in making sure we weren't ambushed.

Q: Why would anyone report you hit a detainee if it didn't happen?

A: The day I signed out on leave (29 Jul 04) I brought the squad into the mail room and went over squad notes. During that time I informed PFC [redacted] that he was over his body fat percentage, and was being put on remedial PT. PFC [redacted] started tearing up and I told him that he did it to himself, and he started crying. I told him to gain some military bearing quick. He than asked to speak to

EXHIBIT _____ INITIALS OF PERSON MAKING STATEMENT [redacted] PAGE 1 OF _____ PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES."

DA Form 2823 (Automated)

0600025
EXHIBIT 7

LAW ENFORCEMENT SENSITIVE
OFFICIAL USE ONLY

STATEMENT OF SGT [REDACTED] TAKEN AT Fort Bragg, NC, DATED 9 Aug 04, CONTINUED:

0573-04-CIM023-67403

me, and he said he can't sleep at night, couldn't eat, and that he wakes up in cold sweats. When I asked him why, he said he was his breaking point. He thought I pushed him too hard. I told him to go think about what he just said, and come back and see me in five minutes. I went inside and told SSG [REDACTED] that we needed to send PFC [REDACTED] to the psychiatric ward of WAMC because of his breaking point statement. PFC [REDACTED] then knocked on the door and SSG [REDACTED] and I brought him into the room. SSG [REDACTED] asked PFC [REDACTED] what was going on and PFC [REDACTED] told SSG [REDACTED] that he wanted off my team. He said again that couldn't take it and wanted to change teams.

Q: Do you think this is why PFC [REDACTED] reported the accusations of abuse? *67C-566-5*

A: Yes. I think he thought that would be the only way he would be taken off my team.

Q: Have you been truthful in this statement?

A: Yes.

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

A: No.///END OF STATEMENT/ *67C-566-5*

EXHIBIT _____

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF [REDACTED] PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES."

67C-566-5

67C-566-5

LAW ENFORCEMENT SENSITIVE Form 2823 (Automated)
FOR OFFICIAL USE ONLY

EXHIBIT 17

67C-566-5

-04-CID023-

STATEMENT OF SGT [REDACTED] TAKEN AT Fort Bragg, NC, DATED 9 Aug 04, CONTINUED:

0573-04-CID023-67403

67C-566-5

AFFIDAVIT

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

[REDACTED SIGNATURE]

(Signature of Person Making Statement)

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

SUBSCRIBED AND SWORN BEFORE ME, A PERSON BY LAW TO ADMINISTER OATHS, THIS 9 DAY OF August, 2004 AT Fort Bragg, NC.

[REDACTED SIGNATURE]

(Signature of Person Administering Oath)

SA [REDACTED]

(Name of Person Administering Oath)

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

67C-566-5

67C-566-5

EXHIBIT _____

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 3 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES."

0000027

LAW ENFORCEMENT SENSITIVE Form 2823 (Automated)
FOR OFFICIAL USE ONLY

EXHIBIT 7

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

0573-04-CID023-67403

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

LOCATION: Fort Bragg, NC DATE: 10 August 2004 TIME: 0934
FILE NUMBER: 0573-04-CID023-67403-5C2B
NAME (Last, First MI): [REDACTED] SSAN: [REDACTED] GRADE / STATUS: SGT
ORGANIZATION OR ADDRESS: 65TH Military Police Company, Fort Bragg, NC 28310

b7c-5665
b7c-5665

RIGHTS WAIVER/NON-WAIVER CERTIFICATE

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command as a Special Agent and wanted to question me about the following offense(s) of which I am suspected/accused: **Assault, Maltreatment of a Person Under Your Order**

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

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

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

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

5. COMMENTS: Have you ever been advised of your legal rights and requested legal counsel?

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

Witness
Signature of Witness
[REDACTED] b7c-5665

Signature of Interviewee
[REDACTED] b7c-5665

SPECIAL AGENT

Witness# 2

Signature of Witness

Signature of Investigator/Special Agent
[REDACTED] b7c-5665

US ARMY CID COMMAND
FORT BRAGG, NC 28307-5000

NON-WAIVER CERTIFICATE

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

Signature of Interviewee: _____

DA Form 3881-E

000028

FOR OFFICIAL USE ONLY

EXHIBIT 8

67C-466E

67C-466E

1525 hrs

Date: 11 Aug 04

Consent To Search
(USACIDC Supplement 1 to AR 190-22)

Time: 1525 hrs

1. Name of person consenting to the search: SSG [REDACTED]

2. Organization and location: 65th MP CO, FBMC 28310

3. I have been informed by the undersigned USACIDC Special Agent that an inquiry is being conducted in connection with the following possible violation(s) of law:
Possession, distribution, and/or production of material constituting or containing detainee abuse or Enemy soldiers detained by U.S. Forces.

4. I have been requested by the undersigned USACIDC Special Agent to give my consent to a search of my person, premises, or property as indicated below. I have been advised of my right to refuse a search of my person, premises, or property. (If you do not give your consent, do not sign this form.)

5. I hereby authorize the undersigned USACIDC Special Agent and/or other Authorized Law Enforcement Officials assisting the undersigned USACIDC Special Agent to conduct a search of: (Initial and sign applicable blocks)

		Initials	Signature
a.	My Person		
b.	My Quarters		

Located At:

		Initials	Signature
c.	My Vehicle		

Located At:

Described As:

		Initials	Signature
d.	Other	[REDACTED]	[REDACTED]

Located At:

Described As: Computers, hard disk drives, removable data storage media, portable data storage devices, cameras, photographs, movies, manuals, notebooks, papers, and computer input and output devices. **NO PASSWORD**

I am authorizing the above search(s) for the following general types of property which may be removed by the authorized law enforcement personnel and retained as evidence under the provisions of Army Regulation 195-5, or other applicable laws or regulations:
Text, graphics, electronic mail messages, and other data including deleted files and folders, containing material related to the exploitation of enemy detainees or civilian detainees; and/or material depicting apparent or purported detainees engaged in sexually explicit conduct; and data and/or information used to facilitate access to, possession, distribution, and/or production of such materials.

6. This written permission is given to the undersigned USACIDC Special Agent freely, voluntarily and without threats or promises of any kind:

Signature of Person Granting Consent: [REDACTED]

Signature of USACIDC Special Agent: [REDACTED]

Signature of Witness (If Available): [REDACTED]

0573-04-CID023-67403

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0139-04-CID053

PAGE 1 OF 1 PAGES

DETAILS

Basis For Investigation: About 1436, 20 Aug 04, this office received a Request For Assistance from the Special Agent in Charge, Fort Bragg Resident Agency, NC, to locate, fully ID and interview Mrs [REDACTED] concerning her knowledge of SGT [REDACTED] and SGT [REDACTED] abusing detainees while in Iraq. *67C-466-4*

About 1450, 20 Aug 04, SA [REDACTED] conducted DEIDS check which reported Mrs [REDACTED] as Mrs [REDACTED]. [REDACTED] is the dependant spouse of SPO [REDACTED], 17th Military Police Detachment, Fort Jackson, SC. *67C-466-4*

About 1701, 20 Aug 04, SA [REDACTED] interviewed Mrs [REDACTED], who provided a Sworn Statement which detailed how she witnessed SGT [REDACTED] abuse an Iraqi detainee and how PFC [REDACTED] stated to her that he also abused the same detainee. See Sworn Statement for details. *67C-466-4*

AGENTS COMMENT: Mrs [REDACTED] was recently married, now Mrs [REDACTED]. *67C-466-4*

About 1705, 20 Aug 04, SA [REDACTED] issued Mrs [REDACTED] DD Form 2701, Victim/Witness Form. *67C-466-4*

About 1420, 23 Aug 04, SA [REDACTED] received a USACRC name check for Mrs [REDACTED] which revealed no derogatory information. ///LAST ENTRY/// *67C-466-4*

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED]

ORGANIZATION
37th MP Det CASE (CID),
3rd MP Grp (CID), USACIDC
Fort Jackson, SC 29207

SIGNATURE

DATE
23 Aug 04

EXHIBIT

000030

CID FORM 94 FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE
FOR OFFICIAL USE ONLY

EXHIBIT 10

SWORN STATEMENT

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

67C-4166-4

LOCATION Fort Jackson, SC 29207	DATE 20 Aug 04	TIME 170	FILE NUMBER 0139-04-CID053
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		RANK/STATUS CIV
ADDRESS/ORGANIZATION [REDACTED]			

67C-4166-4

67C-4166-4

67C-4166-4

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

During the time frame of October through February I [REDACTED] witnessed an event that took place in Mosul, Iraq. At the time of the event, my squad, to include: SSG [REDACTED], SGT [REDACTED], SGT [REDACTED], SPC [REDACTED], PFC [REDACTED], PFC [REDACTED], SPC [REDACTED], PFC [REDACTED], and I were conducting a Traffic Control Point. During this operation, Sgt [REDACTED] and other team members stopped a car to find a woman crying in the back seat explaining that the driver of the car had raped her. I was pulling security at this time, but then came over to the area to help detain the guy who had supposedly raped the female in his car. A short period after, I witnessed SGT [REDACTED] kick the male Iraqi national, as well as continue to strike him with a club that he had in his truck. The guy was bleeding profusely as he put him in the truck. I was not in the same truck as the prisoner as our squad transported him. I was the driver of SSG [REDACTED] truck at that time. After our patrol shift was over, my friend, PFC [REDACTED] confessed to me that he had kicked the guy in the truck several times in the ribs on the way to the Iraqi Police Station. Upon arrival of the Police Station, we turned the prisoner as well as the female over to Iraqi Police to investigate the case to completion. I did not witness anyone else in the squad do any physical harm to the prisoner. This incident was not a shock to me because I had witnessed Sgt [REDACTED] physically abuse Iraqi nationals in the past. For instance, at the Pay Site, in which we pulled security for Iraqi Veterans to pay, SGT [REDACTED] kned a man in the ribs about five times and threw him over a hill for not standing in line correctly.

67C-4166-4
67C-5166-5

67C-5166-5

67C-5166-5

67C-5166-5
67C-5166-5

Q: SA [REDACTED]
A: Mrs [REDACTED]
Q: Do you remember more of a timeframe when the incident at the traffic control point occurred?
A: I can't really remember.

67C-4166-4

67C-4166-4

Q: Who else witnessed SGT [REDACTED] abuse the Iraqi?
A: The soldiers mentioned above were there, but I don't know if they witnessed it or not.
Q: Where did SGT [REDACTED] kick the Iraqi?
A: He kicked him in the ribs while the Iraqi was in handirons on the ground.
Q: How many times did SGT [REDACTED] kick the Iraqi?
A: I'd say about three or four times.

67C-5166-5

67C-5166-5

67C-5166-5

Q: How many times was the Iraqi hit with the club?
A: I'd say about 3-4 times, he hit him in the face.
Q: Where did the club come from?
A: It came from a previous check point, we had taken it off of an Iraqi, SGT [REDACTED] had kept it in his truck.

67C-5166-5

Q: How long did SGT [REDACTED] have the club?
A: I'm not sure, usually we just keep them so they don't go back into the community.
Q: What did the club look like?
A: Like a small thick baseball made of wood, about 2 foot long.
Q: Who pulled the Iraqi out of the vehicle?
A: I didn't see.

67C-5166-5

Q: Did the Iraqi resist at all?
A: I didn't see when he was first pulled out, but when I came over and he was being put in hand irons, I didn't see the Iraqi resisting.

Q: Who placed the hand irons on the Iraqi?
A: SGT [REDACTED] and the Iraqi?

67C-5166-5

67C-5166-5

Q: Who was in the truck with SGT [REDACTED] and the Iraqi?
A: PFC [REDACTED] and PFC [REDACTED]

67C-4166-4

67C-4166-4

EXHIBIT 67C-5166-5 INITIALS OF PERSON MAKING STATEMENT [REDACTED] PAGE 1 OF 2 PAGES

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

300203

DA FORM 2823. JUL 72

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

EXHIBIT 11

LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY

DODDOACID 005841

STATEMENT (Continued)

Q: Did anyone say anything to SGT [redacted] or attempt to stop him?

A: Not to my knowledge.

Q: Was anything said between the Iraqi and SGT [redacted]?

A: The only thing I remember was the Iraqi saying please don't hit me mister.

Q: How many times have you witnessed SGT [redacted] strike Iraqi's?

A: I can't count the number of times, he did things here and there, he seemed a little over aggressive.

Q: Did PFC [redacted] say anything further about the incident?

A: No, he said that it felt good to kick him because the Iraqi raped the girl, but he felt bad for doing it.

Q: Did PFC [redacted] say anything about SGT [redacted] abusing the Iraqi?

A: No

Q: Did you witness PFC [redacted] abuse the Iraqi?

A: No

Q: Have you ever witnessed PFC [redacted] abuse an Iraqi?

A: No

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

A: No//END OF STATEMENT//

6139-04-CID 053

0573-04-CID023-67403

b7c-5,66-5

b7c-5,66-5

b7c-5,66-5

b7c-5,66-5

b7c-5,66-5

b7c-5,66-5

b7c-5,66-5

b7c-4,66-4

NOT USED

b7c-4,66-4

AFFIDAVIT

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

[redacted] (Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 20TH day of Aug, 2004 at Fort Jackson, SC

ORGANIZATION OR ADDRESS

SA [redacted]

(Typed Name of Person Administering Oath)

Article 136 (b) 4 UCMJ

(Authority to Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

EXHIBIT 11

U.S. Government Printing Office: 1993-342-027/80494

LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY

ENCL 2

DODDOACID 005842

CRIME LAB EXAMINATION REQUEST

For use of this form, see AR 195-5; The proponent agency is the United States Army Crime Investigation Command

0573-0

Referral Number

4-00023-67403

LAB USE ONLY

TO: (Include Zip Code)
DIRECTOR
USACIL-CONUS
NORTH 2ND STREET
BUILDING 213-B
FORT GILLEM, GA 30050-5000

FROM: (Include Zip Code)
SPECIAL AGENT-IN-CHARGE
87th MP DETACHMENT (CID)(ABN)
Fort Bragg, NC 28310

RECEIVED		RETURNED	
REGIS MAIL		REGIS MAIL	
RY EXP		RY EXP	
HAND		HAND	
DATE		DATE	
RECEIVED BY			

ATTN: Imaging & Tech Support

CATI

670-1166-1
[redacted]@bragg.army.mil

EVIDENCE RECEIPT	
RECEIVED	INITIATED

3. AUTOVON AND PHONE NUMBER
DSN [redacted]

1. CONTRIBUTOR CASE NUMBER
0573-04-CID023-67403-5Y2B7/5C2B

2. INVESTIGATOR'S NAME
SA [redacted]

4. SUSPECT(S) (Last, first and middle name(s))
PFC [redacted]
SGT [redacted]

65th MP CO, FBNC 28310
65th MP CO, FBNC

670-1166-1.62
670-5166-5
670-5166-5

5. VICTIM(S) (Last, first and middle name(s))
UNKNOWN

6. TYPE OF OFFENSE
Failure To Obey General Order
Assault

7. ONE COPY OF EVIDENCE RECEIPT
ENCLOSED WITH EVIDENCE
 YES NO

8. OTHER EVIDENCE PREVIOUSLY
SUBMITTED ON THIS CASE
 YES NO

9. IF "YES" IN ITEM 8, LIST OTHER SUSPECT(S), DATE SUBMITTED, UNIT CASE AND LABORATORY REFERRAL NUMBER(S)

10. EVIDENCE SUBMITTED

a. EXHIBIT
1

b. DESCRIPTION OF EXHIBIT
Laptop Computer (Item #1, Voucher #287-04)

SHIPPED TO
US ARMY CRIMINAL
INVESTIGATION
LABORATORY
426001250
REGISTERED MAIL
11 AUG 2004

FILE COPY

EXHIBIT 12

DA FORM 3655
1 AUG 74

REPLACES DA FORM 3655-R, 1 NOV 70, WHICH IS OBSOLETE

LAW ENFORCEMENT SENSITIVE
FOR OFFICIAL USE ONLY

DODDOACID 005843

105 73-07-11000 0113

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.

67C-4,66-4

THIS INVESTIGATION WAS INITIATED UPON NOTIFICATION FROM MR. [REDACTED] INSPECTOR GENERAL'S OFFICE, FORT BRAGG, NC 28310 (FBNC), OF A POSSIBLE ASSAULT ON A DETAINEE THAT OCCURRED IN IRAQ.

67C-5,166-5 67C-4,66-4

PRELIMINARY INVESTIGATION INDICATES THAT ON 26 JUL 04, PFC [REDACTED] CONTACTED MR. [REDACTED] AND REPORTED HE HAD INFORMATION PERTAINING TO DETAINEE ABUSE IN IRAQ. ON 27 JUL 04, PFC [REDACTED] CAME INTO THE IG OFFICE AND STATED THAT WHILE HE WAS DEPLOYED WITH THE 65TH MP COMPANY IN IRAQ, THEY DETAINED AN IRAQI MALE FOR RAPE AND GRAND THEFT AUTO. WHILE THE IRAQI WAS IN THEIR CUSTODY, HE WAS STRUCK BY SGT [REDACTED] WHILE THE DETAINEE WAS HANDCUFFED AND IN THE BACK OF THE HIGHLY MOBILE MULTI WHEELED VEHICLE (HMMWV). PFC [REDACTED] INFORMED MR. [REDACTED] THAT HE WAS THE GUNNER IN THE TURRET AT THE TIME AND HE KICKED THE DETAINEE IN ORDER TO GET HIM TO BE QUIET, AS THAT WAS THE REASON HE WAS BEING STRUCK. PFC [REDACTED] ALSO INFORMED MR. [REDACTED] 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 IRAQI POLICE. THE DETAINEE WAS BLEEDING FROM THE RIGHT SIDE OF HIS FACE WHEN HE WAS TURNED OVER. PFC [REDACTED] STATED THERE WAS A COMPACT DISC DEPICTING THE ABUSE AND HE MIGHT BE IN SOME OF THE PICTURES. PFC [REDACTED] DECLINED TO REPORT THE INCIDENT TO CID, AS REQUESTED BY THE IG OFFICE. PFC [REDACTED] WAS PLACED IN CONTACT WITH TRIAL DEFENSE SERVICES (TDS), FBNC, WHO ADVISED HIM NOT TO TALK TO ANYONE REGARDING THE INCIDENT.

67C-5,166-5

67C-5,166-5

67C-4,66-4

67C-5,166-5

ON 29 JUL 04, PFC [REDACTED] WAS ADVISED OF HIS LEGAL RIGHTS, WHICH HE INVOKED AND REQUESTED LEGAL COUNSEL.

67C-5,166-5

ON 30 JUL 04, SPC [REDACTED] 65TH MP CO, FBNC, WAS INTERVIEWED AND STATED HE WITNESSED BOTH SGT [REDACTED] AND PFC [REDACTED] ASSAULT THE DETAINEE WHILE HE WAS IN THEIR CUSTODY. SPC [REDACTED] STATED PFC [REDACTED] KICKED THE DETAINEE NUMEROUS TIMES WHILE SGT [REDACTED] RECORDED THE ASSAULT. SPC [REDACTED] STATED SGT [REDACTED] HIT THE DETAINEE NUMEROUS TIMES WITH A CLOSED FIST WHILE ATTEMPTING TO REMOVE THE DETAINEE FROM THE VEHICLE.

67C-5,166-5

67C-5,166-5

ON 30 JUL 04, SSG [REDACTED] 65TH MP CO, FBNC, PROVIDED A LAPTOP COMPUTER TO THIS OFFICE ON WHICH HE STATED ALL PICTURES AND VIDEOS WERE DOWNLOADED DURING THE IRAQI DEPLOYMENT. THE COMPUTER WAS TAKEN AS EVIDENCE AND IS AWAITING EXAMINATION.

SGT [REDACTED] IS CURRENTLY ON LEAVE AND IS BEING LOCATED.

INVESTIGATION CONTINUES BY CID.

67C-4,66-4

Evidence above has not been examined by another scientific field		DATE 13 August, 2004
TYPED/PRINTED NAME OF REQUESTER SA [REDACTED]	SIGNATURE [REDACTED]	

DA FORM 3655 PG 2

LAW ENFORCEMENT SENSITIVE
FOR OFFICIAL USE ONLY

EXHIBIT 12

DODDOACID 005844

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

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY:
PRINCIPAL PURPOSE:
ROUTINE USES:
DISCLOSURE:

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

1. LOCATION 87 th MP DET CID (ABN), Fort Bragg, NC 28310	2. DATE 25 Aug 07	3. TIME 1626	4. FILE NUMBER 0573-04-CID023-67403
5. Name (Last First MI) [REDACTED]	8. ORGANIZATION OR ADDRESS 65 th MP CO Fort Bragg, NC 28310		
6. SSN [REDACTED]	7. GRADE/STATUS SGT		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

SECTION A. Rights

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

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

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

-or-

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

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

5. COMMENTS (Continue on reverse side)

SECTION B. Waiver

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

WITNESSES (if available)		1. SIGNATURE OF INTERVIEWEE [REDACTED]
1a. NAME (Type or Print)		2. SIGNATURE OF INVESTIGATOR [REDACTED]
5. ORGANIZATION OR ADDRESS AND PHONE		3. TYPE OF INVESTIGATOR [REDACTED]
2a. NAME (Type or Print)		6. ORGANIZATION OF INVESTIGATOR 87 th MP DET CID (ABN) Fort Bragg, NC 28310
5. ORGANIZATION OR ADDRESS AND PHONE		

SECTION C. Non-waiver

1. I do not want to give up my rights I do not want to be questioned or say anything
2. [REDACTED]

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

DA FORM 3881, NOV 89 (AUTOMATED)
 LAW ENFORCEMENT SENSITIVE
 FOR OFFICIAL USE ONLY

EDITION OF NOV 84 IS OBSOLETE

1000035
EXHIBIT 13

P. II - RIGHTS WARNING PROCEDURE

THE WARNING

- 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.
- 2. 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 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 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."

-or-

(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 begins."

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 if you sign a waiver certificate."

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

THE WAIVER

"Do you understand your rights?" **Yes** *b7c-566-5*

(If the suspect/accused says "no," determine what is not understood, and 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?" **NO**

(If the suspect/accused says "yes," find out when and where. If the request was recent (i.e., fewer than 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 time?" **NO** *b7c-566-5*

(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 question.) *b7c-566-5*

"At this time, are you willing to discuss the offense(s) under 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.) *b7c-566-5*

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 DA FORM 1
LAW ENFORCEMENT SENSITIVE
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EXHIBIT 13



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

25 August 2004

CILA-EP

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. One 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 797- [REDACTED] Commercial (404) 469- [REDACTED] Fax DSN 797-7112, or Email: usacil@usacil.army.mil.

67C-3,66-3



Deputy Records Custodian

Encl



AN ASCLD/LAB ACCREDITED LABORATORY (SINCE 1985)

380037

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LAW ENFORCEMENT SENSITIVE
FOR OFFICIAL USE ONLY

1 of 1
EXHIBIT 14

DODDOACID 005847



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

25 August 2004

CILA-IT

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 [REDACTED], and the Time Zone was set to Eastern Daylight Time (EDT) (GMT -04:00 hours). *b7c-4966-4*

3. Exhibit 1-1 was examined and found to contain two (2) pictures and one (1) video pertaining to the incident(s) under investigation. These files were found in \Documents and Settings\ [REDACTED] \My Documents\My Pictures\Pictures\2003-10-19, [REDACTED] pictures\. The following table contains information obtained from file metadata concerning the above referenced pictures. *b7c-4966-4*
b7c-5,66-5

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1 of 3401038

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EXHIBIT 14

DODDOACID 005848

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

CILA-IT

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

<u>Filename</u>	<u>Picture Creation Date and Time</u>
arab1.jpg	19 Oct 2003 01:30:04
arab2.jpg	19 Oct 2003 01:30:07

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.

4. Exhibit 1-1 was also found to contain six (6) additional pictures of possible interest. These pictures were found in \Documents and Settings\ [REDACTED] \My Documents\My 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

<u>Filename</u>	<u>Picture Creation Date and Time</u>
000_0202.JPG	27 October 2003 11:30:52
000_0205.JPG	27 October 2003 11:34:16
000_0208.JPG	27 October 2003 11:35:41
000_0210.JPG	27 October 2003 11:36:10
000_0211.JPG	27 October 2003 11:36:28
000_0214.JPG	27 October 2003 11:37:14

5. Exhibit 1-2 is a professionally manufactured CD and contains nothing of evidentiary value.

6. 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.

000000

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LAW ENFORCEMENT SENSITIVE
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2 of 3
EXHIBIT 14

DODDOACID 005849

CILA-IT

SUBJECT:

Imaging and Technical Support Division - Final Report
USACIL Case Number 2004-CID131-1489
Submitter Case Number 0573-04-CID023-67403

7. 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 Processing Division, DSN 797-██████████ Commercial (404) 469-██████████ Fax DSN 797-7112, or Email: usacil@usacil.army.mil.

██████████
Forensic Computer Examiner

67C-3,66-3

Encl CD

3083240

EXHIBIT 14

- 3 of 3

0573-04-CID023 - G 7403

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0155-04-CID053

PAGE 1 OF 1 PAGES

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 [REDACTED] concerning her witnessing of an Iraqi National being abused by SGT [REDACTED]

67C-466-4

About 1451, 13 Sep 04, SA [REDACTED] obtained a rough sketch of the incident scene from Mrs [REDACTED] (See sketch for details).

67C-166-1

67C-566-5

About 1453, 13 Sep 04, SA [REDACTED] interviewed Mrs [REDACTED] who provided a sworn statement detailing the abuse of an Iraqi National by SGT [REDACTED] and the whereabouts of other personnel during the incident (See sworn statement for details). ///LAST ENTRY///

67C-166-1

67C-466-4

67C-566-5

67C-566-5

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED]

ORGANIZATION

37th MP Det CASE (CID),
3rd MP Grp (CID), USACIDC
Fort Jackson, SC 29207

3003041

SIGNATURE

DATE

13 Sep 04

EXHIBIT

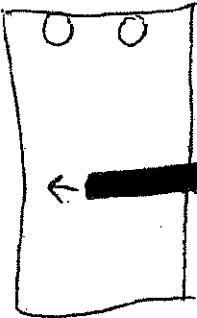
16

CID FORM 94 FOR OFFICIAL USE ONLY
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FOR OFFICIAL USE ONLY

EXHIBIT 16

LS 73-04-C10023-67403

0155-04-C1D053

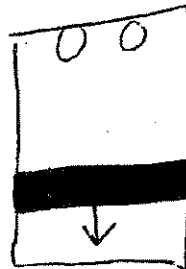
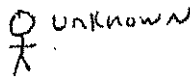
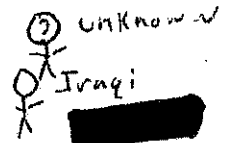
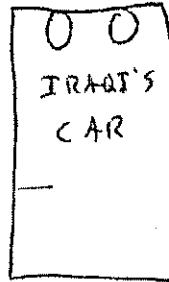


67C-4, 66-4



67C-5, 66-5

MEDIAN



67C-4, 66-4

WITNESSED BY: 67C-4, 66-4

SA

13 Sep 04

3082042 67C-4, 66-4

SKETCHED BY:

[Redacted signature and name]
13 Sep 04
[Redacted name]

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EXHIBIT 1

SWORN STATEMENT

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

67C-4,66-4

LOCATION Fort Jackson, SC 29207	DATE 13 Sep 04	TIME 1453	FILE NUMBER 0155-04-CID053
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]		SOCIAL SECURITY NUMBER [REDACTED]	RANK/STATUS CIV
ADDRESS/ORGANIZATION [REDACTED]			

[REDACTED] 67C-4,66-4, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
 Concerning the incident involving SGT [REDACTED] and the man who was abused in Mosul, Iraq, I was standing about ten yards and looking in the opposite direction from Sgt [REDACTED] and the Iraqi when the incident first began. At this time I was pulling security and did not see who or how they pulled the Iraqi National out of his vehicle. After the Iraqi was out of the car, I came over to help my other squad members detain the Iraqi. I did not physically help detain him, but I was about one foot from them continuing to pull security. At the time I saw SGT [REDACTED] strike the Iraqi, I was two feet from him facing in their direction. I don't remember who else was standing nearby or witnessed this event.

Q: SA [REDACTED] 67C-1,66-1

A: Mrs [REDACTED] 67C-4,66-4

Q: Were other soldier around the Iraqi and SGT [REDACTED] watching the incident? 67C-4,66-4

A: Yes

Q: Who else was witnessing the incident?

A: I don't remember exactly, I know the people that were there, I just don't want to say it was someone, because I'm not 100% positive of anyones location.

Q: Who do you know was in the area?

A: SSG [REDACTED], SGT [REDACTED], SPC [REDACTED] and PFC [REDACTED]. There were also soldiers in the vehicles SPC [REDACTED], PFC [REDACTED], and PFC [REDACTED] 67C-4,66-4

Q: Who were the soldiers that remained in the vehicles?

A: [REDACTED] and [REDACTED] I'm not sure if [REDACTED] and [REDACTED] remained in their vehicles or not. 67C-4,66-4

Q: Do you know the general locations of anyone else?

A: There was someone with the Iraqi woman on the opposite side of the car and everyone else would have been walking around the area.

Q: Who helped SGT [REDACTED] detain the Iraqi? 67C-5,66-5

A: I believe it was SGT [REDACTED] but I'm not sure. 67C-3,66-3

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

A: No//END OF STATEMENT// [REDACTED] 67C-4,66-4

67C-4,66-4

0000043

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
---------	---	-------------------

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

DA FORM 2823, JUL 72

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

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FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE

EXHIBIT 18

STATEMENT (Continued)

NOT USED

b7c-4,66-4

b7c-4,66-4

AFFIDAVIT

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

[REDACTED SIGNATURE] b7c-4,66-4
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 13TH day of Sep, 2004 at Fort Jackson, SC

ORGANIZATION OR ADDRESS

[REDACTED] b7c-4,66-4

SA [REDACTED] 0000044

(Typed Name of Person Administering Oath)

Article 136 (b) 4 UCMJ

(Authority to Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

[REDACTED INITIALS] b7c-4,66-4

PAGE 2 OF 2 PAGES

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FOR OFFICIAL USE ONLY

EXHIBIT 18

EVIDENCE/PROPERTY CUSTODY DOCUMENT

For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command

MPR/CID SEQUENCE NUMBER
0573-04-023
CFD REPORT/CID ROI NUMBER
67403

RECEIVING ACTIVITY
87th MP Det (CID) 67C-4166-4

LOCATION
Fort Bragg, NC 28310

NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED

ADDRESS (include Zip Code)

OWNER
 OTHER

SSG [REDACTED]

**65th MP Co
Fort Bragg, NC 28310**

LOCATION FROM WHERE OBTAINED

REASON OBTAINED

TIME/DATE OBTAINED

**From the hands of SSG [REDACTED]
while in bldg 8-1221, FOWC. 67C-4166-4**

Evidence

1358, 30 Jul 04

DESCRIPTION OF ARTICLES
(include model, serial number, condition and unusual marks or scratches)

ITEM NO.

QUANTITY

**1. 1. (67C-4166-4)
Computer, laptop, Compag brand, serial number [REDACTED], marked for ID with [REDACTED], 30 Jul 04, [REDACTED] (with cable for power)
LAST item**

CHAIN OF CUSTODY

ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1	30 Jul 04	[REDACTED] 67C-4166-4	[REDACTED] 67C-4166-4	Evidence
1	02 Aug 2004	[REDACTED] E-6	SA [REDACTED] 67C-4166-4	RECEIVED BY US ARMY CID EVIDENCE CUSTODIAN FT BRAGG NC
		[REDACTED] 67C-4166-4	[REDACTED] 67C-4166-4	
		[REDACTED]	[REDACTED]	
		[REDACTED]	[REDACTED]	
		[REDACTED]	[REDACTED]	
		[REDACTED]	[REDACTED]	
		[REDACTED]	[REDACTED]	

308045

EXHIBIT

DA FORM 4137
FOR OFFICIAL USE ONLY

LOCATION 9

DOCUMENT NUMBER **287-04**

SEQUENCE NUMBER

3-04-MNO 23-6740

DATE NOTED	PLANNED ACTIVITY	SUSPENSE DATE	DATE COMPLETED
	CDR'S INTENT		25 Aug
	SJA OPINE		1 Sep
	LAB RESULTS b7c-3166-3		
	MR [REDACTED] (IC OFFICE)		24 Aug
	RE-INTERVIEW SGT [REDACTED] b7c-3166-5		25 Aug
	Receipt of Poly Report		13 Sep
	11 Poly Grams		
	REINTERVIEW MRS. [REDACTED] b7c-466-4	9 Sep	

VICTIM/WITNESS FORMS (DD Form 2701) (Amendment 1/85)

Circle	Last Name	Date Issued	Circle	Last Name	Date Issued	Circle	Last Name	Date Issued
V	W		V	W		V	W	
V	W		V	W		V	W	
V	W		V	W		V	W	

MISCELLANEOUS ACTIVITY

Action	Completed	Action	Completed
Photograph /fingerprint subjects		NCIC entry on stolen prop	
Film submitted for processing		Negatives submitted for photos	100%

CONTACTS/PHONE NUMBERS

Activity / Person	Phone Number

INVESTIGATIVE STANDARDS

INTERVIEW VICTIM/WITNESS	72 hours
INITIAL REPORT / SSI	72 hours
EVIDENCE DEPOSITED	72 hours
LAB REQUESTS	72 hours
REFS SENT OUT	72 hours
MEANINGFUL INV. ACTIVITY	10 days
REA FOLLOW UP	15 days
KNOWN SUBJ & UNFOUNDED FINALS	15 days
UNKNOWN SUBJ FINALS	30 work days

DATE 29 Jul 04		OFFENSE Detainee Assault	SUBJECT/ VICTIM [REDACTED] UNKNOWN IRAQI	SEQUENCE NUMBER 0573-04-CID023 67407	ASSIGNED TO:
-------------------	--	-----------------------------	---	---	--------------

IV PFC [REDACTED]	✓ 67C-5,66-5	29 Jul 04
IV SGT [REDACTED]	67C-5,66-5 Maryland - leave 67C-4,66-4	9 Aug 04
IV SPC [REDACTED]	AWOL - leave - Convalescent 67C-4,66-4	
IV SPC [REDACTED]	✓ 67C-4,66-4	30 Jul 04
IV SPC [REDACTED]	67C-4,66-4	30 Jul 04
IV SPC [REDACTED]	67C-4,66-4	30 Jul 04
IV SPC [REDACTED]	67C-4,66-4	30 Jul 04
IV SGT [REDACTED]	AWOL APP. - 67C-4,66-4	11 Aug 04
IV SPC [REDACTED]	Chapered - 67C-4,66-4	20 Aug 04
IV SSG [REDACTED]	67C-4,66-4	30 Jul 04
CANVASS UNIT		
BRIEF CDR [REDACTED]	(A) brag. army. mil	29 Jul
BRIEF SJA		
ID, LOCATE AND IV IRAQI MALE		
IV MR [REDACTED] (IG OFFICE)		
re-IV [REDACTED] - 67C-5,66-5		
IV [REDACTED] - 67C-4,66-4		

Circle	Last Name	Date	COMPLETED	Circle	Last Name	Date	COMPLETED
V	W			V	W		
V	W			V	W		
V	W			V	W		
V	W			V	W		

ACTIVITY/PERSON	PHONE NUMBER
CPT [REDACTED]	[REDACTED]
67C-4,66-4	396- [REDACTED]
AWOL APP	6- [REDACTED]

INVESTIGATIVE STANDARDS	
SEARCHED	INDEXED
SERIALIZED	FILED
OPEN	DEPOSITED
CHECKED	CONFIRMED
AND	INITIALS
ACTION TAKEN	

907322.1

AGENT'S ACTIVITY SUMMARY		Control Number 0573-2004-CID023-67403
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY <i>b7c-4, b6-4</i>	

09/09/2004 11:00
[REDACTED]
0:05 INV

Attempted to contact Mrs. [REDACTED] to clarify details so that SJA will render opine. The number previously used to contact her is now out of service.

9 SEP 04
b7c-4, b6-4

Drafted 2nd RFA & SENT TO b7c-4, b6-4
FT JACKSON TO HAVE MRS [REDACTED]
Reinterviewed.

0600003

AGENT'S ACTIVITY SUMMARY	Control Number 0573-2004-CID023-67403
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY

08/30/2004 17:00

0:05 INV

b7c-1,66-t

At 1700, 27 Aug 04, SA [redacted] received 1st Information Report from the 37th MP DET CID (CASE), Ft Jackson, SC (FJSC), wherein it was reflected that former SPC [redacted]

b7c-4,66-e

[redacted] was interviewed and stated she witnessed SGT [redacted] abuse the detainee in the HMMWV was alleged by PFC [redacted] and that PFC [redacted] had told her that he kicked the detainee. Mrs. [redacted] further related she also witnessed SGT [redacted] knee an Iraqi man in the stomach several times while he (the Iraqi male) stood in line to receive pay allocated for former Iraqi veterans.

b7c-5,66-5

b7c-5,66-5

b7c-4,66-e

b7c-5,66-5

09/01/2004 15:00

0:15 INV

b7c-1,66-t

At 1500, 1 Sep 04, SA [redacted] received USACIL Report #2004-CID131-1489 which reflected no pictures or video of detainee abuse was found on SSG [redacted] computer; however two pictures and a video of the detainee were located. The pictures showed the detainee sitting in the back of a HMMV with his hands flexi cuffed behind his back. The video showed SGT [redacted] calling the detainee "Ali Baba" and the detainee responded with "No Mister, No Ali Baba"; then SGT [redacted] yelled at the detainee to shut up.

b7c-4,66-e

b7c-5,66-5

b7c-5,66-5

09/07/2004 10:30

0:30 OTH

b7c-1,66-t

At 1030, 7 Sep 04, SA [redacted] coordinated with CPT [redacted] Trial Counsel, Office of the Staff Judge Advocate (SJA), FBNC, completed a thorough review of case file and stated she believed the incident occurred; however she would not render her legal opinion until Mrs. [redacted] was reinterviewed and asked about the location of each individual soldier during the incident as she (Mrs. [redacted]) was the only one who stated she saw SGT [redacted] abuse the detainee outside of the HMMWV. CPT [redacted] related she was unclear how Mrs. [redacted] could have witnessed this when PFC [redacted] and PFC [redacted] stated it occurred while inside of the vehicle and the other individuals present (outside) stated they did not witness anything.

b7c-3,66-3

b7c-4,66-e

b7c-5,66-5

b7c-4,66-e

b7c-5,66-5

b7c-4,66-e

000004

TIME, DATE, AND AGENT SUMMARY OF INVESTIGATIVE ACTIVITY

08/24/2004 17:00 At 1700, 24 Aug 04, SA [redacted] interviewed Mr. [redacted] Chief of Assistance, Inspector Generals (IG) Office, FBNC, who related he had received the initial phone call from PFC [redacted] and referred him to Mr. [redacted] Chief of Inquiries and Investigations, IG OFFICE, FBNC. Mr. [redacted] stated PFC [redacted] had just reported he believed SGT [redacted] had made a threatening statement towards him. Mr. [redacted] said he contacted the commander (CPT [redacted]) and referred the matter to him.

08/25/2004 10:45 Contacted unit. CPT [redacted] on leave until tomorrow. Left message for him to call this agent.

08/25/2004 14:00 At 1400, 25 Aug 04, SA [redacted] coordinated with CPT [redacted] Commander, 85th MP CO, FBNC, who related he had been notified by Mr. [redacted] of the recent allegation made by PFC [redacted] CPT [redacted] said he had interviewed all members of the squad and that they all stated SGT [redacted] had made no comment as alleged by PFC [redacted] CPT [redacted] stated he moved PFC [redacted] from SGT [redacted] team to a different platoon and believed PFC [redacted] had made the allegation to be moved to another section. CPT [redacted] also stated he gave an order to SGT [redacted] to not say anything to PFC [redacted] which could be interpreted as a threat. CPT [redacted] then said the 16th MP Brigade Commander (LTC [redacted]) would be the individual who would take action against the soldiers and that action would be brought forward.

08/25/2004 14:30 Contact Lt [redacted] Acting Commander, 85th MP CO and requested SGT [redacted] come to this office. He stated SGT [redacted] was currently on a range and would be brought to this office upon completion of it at approximately 1600, 25 Aug 04.

08/25/2004 16:26 At 1626, 25 Aug 04, SA [redacted] advised SGT [redacted] of his legal rights, which he invoked wherein he requested not to be questioned or say anything.

Drafted STATUS. TO SAC

SAC [redacted] Rev. sent status Report Get final done to prepare for documents to arrive.

0000000

TIME, DATE, AND AGENT SUMMARY OF INVESTIGATIVE ACTIVITY

08/11/2004 14:45 At 1445, 11 Aug 04, SA [redacted] interviewed SGT [redacted]

0:15 INV [redacted] AWOL Apprehension, PMO, FBNC, who related he had been assigned to the 65th MP CO during Operation Iraqi Freedom. SGT [redacted] stated he was present at the checkpoint when this incident occurred but did not witness SGT [redacted] or anyone else assault/abuse the Iraqi detainee. SGT [redacted] related if the incident occurred while in the vehicle then he would not have seen it as he was in another vehicle when the detainee was transported.

08/11/2004 15:25 At 1525, 11 Aug 04, SA [redacted] coordinated with SSG [redacted]

0:05 INV [redacted] who signed A Consent to Search Form which authorized his computer to be examined. (See Consent Form for Details). Submitted to Evidence Custodian.

08/20/2004 08:24 Received USCACIL acknowledgement. Their case number is 2004-CID131-1489 and has been expedited.

0:05 OTH [redacted]

08/20/2004 09:00 Case Agent TDY to Ft Hood, TX for ROI 0589-04-CID023-67414 from 15 - 19 Aug 04.

0:01 OTH [redacted]

08/20/2004 09:30 At 0930, 20 Aug 04, SA [redacted] coordinated with 1SG [redacted]

0:10 INV [redacted] First Sergeant, 65th MP CO, who stated Mrs. (Former SPC) [redacted] was married to a [redacted] and provided the following numbers:

HOME: [redacted]

CELL: [redacted]

08/20/2004 10:00 At 1000, 20 Aug 04, SA [redacted] attempted to contact Mrs. [redacted]

0:15 INV [redacted] at the numbers provided by 1SG [redacted]. The home number was answered by a cleaning lady who stated the [redacted] had moved to a new house but did not know where. The cell phone number no longer belongs to the [redacted] but to SA [redacted] this office.

08/20/2004 11:00 Requested RCOIC check of Mrs. [redacted]. Have not been able to ascertain a valid location for her.

0:10 INV [redacted]

08/20/2004 12:45 Conducted Post Locator check for [redacted]. Queried the 4

0:15 INV [redacted] names derived from the check against DEIDS which disclosed none of these individuals was married to a [redacted] (Posted checks and query to casefile)

08/20/2004 13:30 Contacted Mr. [redacted] (Father of Mrs. [redacted])

0:10 INV [redacted] who provided Mrs. [redacted] cellphone number [redacted]

08/20/2004 13:45 At 1345, 20 Aug 04, SA [redacted] contacted Mrs. [redacted]

0:10 INV [redacted] who related she witnessed SGT [redacted] hit the detainee numerous times and PFC [redacted] had told her that he kicked the detainee also.

Agents Comment. Will dispatch RFA to have same interviewed as she stated she would render a Sworn Statement.

08/20/2004 14:00 Drafted RFA and sent same to Ft Jackson to interview Mrs. [redacted]

0:30 OTH [redacted]

08/20/2004 14:00

0:30 OTH [redacted]

3000008

TIME, DATE, AND AGENT SUMMARY OF INVESTIGATIVE ACTIVITY

08/06/2004 13:00 At 1300, 6 Aug 04, SA [redacted] coordinated with MSG [redacted] who provided a copy of the units deployment roster which listed all personnel who deployed in support of Operation Iraqi Freedom. 67C-466-4

0:15 INV 67C-466-4
08/09/2004 09:30 At 0930, 9 Aug 04, SA [redacted] this office, advised SGT [redacted] of his legal rights which he waived and rendered a Sworn Statement wherein he denied he abused or assaulted any Iraqi detainee while deployed in support of Operation Iraqi Freedom and did not witness any other soldier doing so. (See Rights Waiver Certificate and Sworn Statement for Details) 67C-566-5

0:59 INV 67C-466-4
08/10/2004 09:36 At 0936, 10 Aug 04, SA [redacted] this office, advised SGT [redacted] of his rights which he waived and continued to deny he assaulted the Iraqi detainee. (See Rights Waiver Certificate) 67C-566-5

2:15 INV 67C-466-4
08/10/2004 15:00 At 1500, 10 Aug 04, SA [redacted] briefed CPT [redacted] on status of investigation and requested PFC [redacted] return to this office as his fingerprints and photographs needed to be taken and to determine if he had retained a lawyer or if he was willing to discuss the investigation with this office. 67C-466-4 67C-566-5

0:15 OTH 67C-466-4
08/10/2004 17:00 At 1700, 10 Aug 04, SA [redacted] interviewed SPC [redacted] 65th MP CO, FBNC, who related he was assigned to SGT [redacted] team for the last two months of the company's year long deployment to Iraq. SPC [redacted] further related he was assigned to 1st Squad of 4th Platoon, 65th MP CO during the time frame of the incident, was not present at the incident and had only heard rumors about what had occurred. SPC [redacted] stated he had heard about the video wherein it was alleged SGT [redacted] abused the detainee but has not seen it. 67C-466-4 67C-566-5

0:20 INV 67C-466-4
08/11/2004 09:00 At 0900, 11 Aug 04, SA [redacted] was contacted by SPC [redacted] 65th MP CO, FBNC, who related he wanted to retract his statement as it was not truthful. SA [redacted] and SA [redacted] interviewed SPC [redacted] who stated he believed he would get into trouble because he had left something out of his statement and therefore wanted to retract it in its entirety. SPC [redacted] eventually stated the detainee had become belligerent and started to flail about and this is when SGT [redacted] struck the individual. SPC [redacted] said his previous statement was in fact truthful but he had left out the part about the detainee becoming unruly. 67C-466-4 67C-566-5

1:00 INV 67C-466-4
08/11/2004 09:45 At 0945, 11 Aug 04, SA [redacted] and SA [redacted], this office, discussed with PFC [redacted] about whether or not he wished to talk to this office about the incident as he previously stated he confer with his family and his lawyer about this. PFC [redacted] stated upon the advice of his lawyer he would invoke his right to remain silent. 67C-466-4 67C-566-5

Agents Comment: PFC [redacted] was fingerprinted, photographed and released on his own recognizance. 67C-566-5

100307

AGENT'S ACTIVITY SUMMARY	Control Number 0573-2004-CID023-67403
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY

08/02/2004 09:15

CIC REVIEWED. TO TC.

0:05 ADM [REDACTED] b7c-1,66-1

b7c-1,66-1

08/03/2004 13:00

0:15 IA [REDACTED] b7c-1,66-1

At 1300, 3 Aug 04, SA [REDACTED] conducted a Personnel Locator Check and a DEIDS check which disclosed SPC [REDACTED] had been married and her former spouses address was listed as the 17th MP DET, Ft Jackson, SC and her home address was listed as [REDACTED] however there was only a local number listed [REDACTED] which had been disconnected. b7c-4,66-4

08/03/2004 13:30

0:10 IA [REDACTED] b7c-1,66-1

Response to SAC/TC REVIEWS:

1. Will obtain Consent To Search from SSG [REDACTED] and then submit computer to USACIL. b7c-4,66-4
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.

08/03/2004 13:45

0:30 IA [REDACTED] b7c-1,66-1

1. Will do.
2. Drafted Lab request and will submit once I have signed consent from SSG [REDACTED] b7c-4,66-4
3. Will do. b7c-4,66-4
4. I have numerous addresses for [REDACTED] have to identify a valid one for her.
5. Will do. b7c-1,66-1

08/05/2004 11:00

0:15 IA [REDACTED] b7c-1,66-1

At 1345, 3 Aug 04, SA [REDACTED] drafted and submitted DA Form 3655 (Crime Lab Examination Request) to have SSG [REDACTED] 65th Military Police Company (MP CO), Fort Bragg, NC (FBNC) computer examined for any videos or photographs of alleged detainee abuse. (See DA FM 3655 for Details) b7c-4,66-4

At 1100, 5 Aug 04, SA [REDACTED] coordinated with MSG [REDACTED] Operations NCO, 65th Military Police Company (MP CO), FBNC,, who provided DA 31 (Leave Form) which pertained to SGT [REDACTED] 65th MP CO, FBNC. SGT [REDACTED] is on leave till 8 Aug 04. MSG [REDACTED] also stated he would compile a deployment roster of those individuals who deployed in support of Operation Iraqi Freedom. MSG [REDACTED] further related SSG [REDACTED] is on leave till 10 Aug 04 and provided his contact information. b7c-4,66-4

08/05/2004 12:30

0:05 OTH [REDACTED] b7c-1,66-1

Left voicemail for SSG [REDACTED] @ [REDACTED] to contact this agent, so that he can sign Consent To Search Form. b7c-4,66-4

08/05/2004 17:30

0:05 OTH [REDACTED] b7c-1,66-1

At 1730, 5 Aug 04, SA [REDACTED] contacted SSG [REDACTED], who related he was on leave in CA and would be back at FBNC on 10 Aug 04. b7c-4,66-4

5 AUG 04 [REDACTED] b7c-1,66-1

CONTACTED USACIL (MR. [REDACTED]) WHO STATED CONSENT FORM IS ALL THEY NEED TO EXAMINE COMPUTER FOR A WITNESS.

AGENTS ACTIVITY SUMMARY
(CID Regulation 195-1)

CONTROL NUMBER

0573-04-020013-67403

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

2 Aug 04

re review b7c-4, b6-4

b7c-1, b6-1

1. Get SSA [redacted] back in here and obtain consent to search for computer.

2. Draft lab request & put CAT 1 on it so the lab expidites it. b7c-5, b6-5

3. Get leave address for [redacted] and check return date. If long time - see if CON will pull him back. If not or unable to locate him send CAT 1 RFA to closest office in Maryland to IV him. b7c-3, b6-3

4. Locate [redacted] - get CIC on it. Send RFA CAT 1 - chaptered. b7c-3, b6-3

5. Locate [redacted], AWOL APP.

6. File to SA [redacted] for completion. b7c-1, b6-1

0000009

AGENT'S ACTIVITY SUMMARY		Control Number 0573-2004-CID023
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY	

exited the vehicle and came towards the MPs. Additionally, SPC [redacted] stated the two males were detained and the female informed the interpreter she was raped or was about to be raped. SPC [redacted] related all three individuals were transported to a near-by Iraqi Police Station; one of the males was transported in SGT [redacted] HMMWV; one 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 [redacted] stated the unit remained at the Police station for a short while to ensure the detainees were not abused by the Iraqi Police. SPC [redacted] 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 detainees and he was not sure who filmed the clip or whose voice was in the clip. SPC [redacted] 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.

b7c-4,66-4
 b7c-4,66-4
 b7c-5,66-5
 b7c-4,66-4
 b7c-4,66-4
 b7c-4,66-4

07/30/2004 15:03

0:01 ADM

07/30/2004 16:30

0:20 INV

CRC Name Check Requested for: [redacted]

Drafted INI.

TO SAC FOR REVIEW AND INI DISPATCH.

Rev. Good work!!

Get computer to lab after get search warrant from magistrate

Did we ask anyone else about them having videos or photos?

make sure cdr knows we listed [redacted] as a subject for the kicking & why!!

This needs to be added to the list for Cat I reports. The first report is due Monday by 1100

Get actual return date of [redacted] from his leave.

we need to get RFA to locate & interview [redacted] First thing 2 Aug. CAT I RFA!!! correct & Finalize ATR's.

[redacted] b7c-1,66-1
 SAC Rev [redacted] b7c-1,66-1
 30 Jun 04

b7c-3,66-3

b7c-5,66-5

b7c-5,66-5

AGENT'S ACTIVITY SUMMARY	Control Number 0573-2004-CID023
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY

2:10 INV
 [redacted]
 b7c-1,66-1

[redacted] 65th MP CO, FBNC, who detailed his knowledge pertaining to the abuse of the unknown Iraqi detainee. SSG [redacted] stated he vaguely remembered the incident in question, but was not sure what transpired in SGT [redacted] humvee while the detainee was being transported to the Iraqi police station. SSG [redacted] stated he knew SGT [redacted] took a lot of photographs and video clips on his digital camera, and would often download the photos and videos to his (SSG [redacted]) laptop computer. SSG [redacted] remembered seeing a video of an Iraqi detainee crying and professing his innocence, but SSG [redacted] could not remember the much else. SSG [redacted] stated he definitely did not see video or photos of any detainee abuse.

b7c-4,66-4
 b7c-5,66-5
 b7c-4,66-4
 b7c-5,66-5
 b7c-4,66-4
 b7c-4,66-4
 b7c-4,66-4

b7c-1,66-1
 b7c-4,66-4
 b7c-1,66-1

SA [redacted] escorted SSG [redacted] to his vehicle in which the laptop computer was stored. SSG [redacted] related SGT [redacted] stored a lot of photos on the computer and made an attempt to show the photos to SA [redacted]. SSG [redacted] could not locate the photos at which time SA [redacted] made the determination to seize the computer as evidence.

b7c-5,66-5
 b7c-4,66-4

b7c-5,66-5

AGENT'S COMMENT: SSG [redacted] related SGT [redacted] tries to "show off" a lot and is a big talker. SSG [redacted] also stated SSG [redacted] is an aggressive person and is known as a "go to guy" to make things happen.

b7c-5,66-5
 b7c-4,66-4

About 1358, 30 Jul 04, SA [redacted] collected SSG [redacted] Compaq laptop computer as evidence utilizing a DA Form 4137, Evidence/Property Custody Document (EPCD).

b7c-4,66-4

07/30/2004 14:00
 1:00 INV
 [redacted]

b7c-1,66-1

About 1400, 30 Jul 04, SA [redacted] this office, interviewed SPC [redacted], 65th MP Co, FBNC, who rendered a verbal statement. SPC [redacted] stated sometime around Oct - Nov 03, his squad had been conducting Traffic Control Points (TCP) in the North East section of Mosul, Iraq. Further, SPC [redacted] relayed it was routine for the unit to conduct TCPs nightly between the hours of 2330 - 0200, which was the case on the night of the incident. SPC [redacted] stated a the checkpoints would be conducted until an individual would be detained, at which time the detainee(s) would be transported to an Iraqi Police Station and the unit would conduct a TCP at a new location. SPC [redacted] stated on the night in question he had been pulling security from the gun turret on his HMMWV, when a woman exited a vehicle at the TCP and began to scream. SPC [redacted] was informed by the translator she was claiming to have been raped by the male in the vehicle. The male was then detained, placed in flex-cuffs and transported to an Iraqi police station located approximately a half a mile away. SPC [redacted] stated he did not witness anyone strike the detainee and claims to have never view any video of photographic images of the detainee.

b7c-4,66-4
 b7c-4,66-4
 b7c-4,66-4
 b7c-4,66-4
 b7c-4,66-4
 b7c-4,66-4
 b7c-4,66-4

07/30/2004 14:39

0:01 INV
 [redacted]

07/30/2004 14:55

1:00 INV
 [redacted]

b7c-1,66-1
 b7c-1,66-1

Recorded data pertaining to U.S. Government

b7c-1,66-1

About 1455, 30 Jul 04, SA [redacted] interviewed SPC [redacted], 65th MP Co, FBNC, who provided a verbal statement. SPC [redacted] stated he had been part of the search/apprehension team for the TCP on the night of the incident. SPC [redacted] 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 the checkpoint. Further, SPC [redacted], at some point a car crested the at a high rate of speed and screeched to a halt upon entering the TCP, at which time a female and then two males

b7c-4,66-1
 b7c-4,66-1
 b7c-4,66-4
 b7c-4,66-4
 b7c-4,66-4
 100111

AGENT'S ACTIVITY SUMMARY	Control Number 0573-2004-CID023
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY

(ROI) 0165-02-CID033-16278 pertained to a [REDACTED] 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 [REDACTED] 65TH MP Company, FBNC, where a witness interview was conducted of PFC [REDACTED] in reference to other unit member using controlled substances. Sequence number 0073-98-CID024 (subject deserter file), pertained to [REDACTED] (NFI) for being AWOL.

Case Initiation

07/29/2004 15:43

0:01 INV [REDACTED]

Recorded data pertaining to [REDACTED]

07/29/2004 15:45

0:01 INV [REDACTED]

Recorded data pertaining to [REDACTED]

07/29/2004 15:48

0:01 INV [REDACTED]

Recorded data pertaining to [REDACTED]

07/29/2004 15:49

0:01 INV [REDACTED]

Recorded data pertaining to UNKNOWN,

07/29/2004 16:28

0:01 INV [REDACTED]

At 1806, 29 Jul 04, SA [REDACTED] advised PFC [REDACTED] of his legal rights in writing, which he invoked and requested legal counsel. (see Non-Waiver Certificate)

07/29/2004 18:06

3:00 INV [REDACTED]

Agent's Comment: PFC [REDACTED] appeared to be visibly shaken, breaking 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 [REDACTED] stated the would talk with his lawyer and family and contact this office at a later date.

At 1855, 29 Jul 04, SA [REDACTED] briefed CPT [REDACTED] 65th MP Company, FBNC on all aspects of this investigation to date.

About 0910, 30 Jul 04, SA [REDACTED] coordinated with 1SG [REDACTED] 65th MP CO, FBNC, who related SGT [REDACTED] was on leave in Maryland. 1SG [REDACTED] related SPC [REDACTED] and SPC [REDACTED] were in the area and would be in for an interview ASAP.

Between 1000-1302, 30 Jul 04, SA [REDACTED] interviewed SPC [REDACTED] 65th MP CO, FBNC, who provided a sworn statement in which he detailed witnessing PFC [REDACTED] kick the detainee and SGT [REDACTED] hit the detainee with a closed fist (See Sworn Statement for Details).

At 1020, 30 Jul 04 SA [REDACTED] conducted a witness interview of SPC [REDACTED] who stated he was back at the base when the incident occurred and he only heard about it from other soldiers. (see AIR)

Recorded data pertaining to [REDACTED]

07/30/2004 09:10

0:20 INV [REDACTED]

07/30/2004 10:00

3:02 INV [REDACTED]

07/30/2004 10:20

0:30 INV [REDACTED]

07/30/2004 11:15

0:01 INV [REDACTED]

07/30/2004 13:35

About 1335, 30 Jul 04, SA [REDACTED] interviewed SSG [REDACTED]

AGENT'S ACTIVITY SUMMARY	Control Number 0573-2004-CID023
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY

07/29/2004 13:10
 3:00 INV
 b7c-1,66-1

BASIS FOR INVESTIGATION: At 1310, 29 Jul 04, this office was notified by Mr. [redacted] 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.

b7c-3,66-3

b7c-4,66-4
 b7c-5,66-5
 b7c-4,66-4
 b7c-5,66-5

At 1335, 29 Jul 04, SA [redacted] conducted a complainant interview of Mr. [redacted] who stated on Monday, 26 Jul 04, PFC [redacted] 65th MP Company, FBNC contacted his office and reported he had information pertaining to detainee abuse in Iraq. On Tuesday, 27 Jul 04, PFC [redacted] came into the IG office and stated while he was deployed with the 65th MP Company in Iraq, between two and three months ago, they detained an Iraqi male for Rape and Grand Theft Auto. While the Iraqi was in their custody he was struck by SGT [redacted] while handcuffed in the back of the Highly Mobile Multi Wheeled Vehicle (HMMWV). PFC [redacted] informed Mr. [redacted] that he was the gunner in the turret at the time and he may have kicked the detainee in order to get him to be quiet, as that was the reason he was being struck. Mr. [redacted] stated PFC [redacted] provided several names of soldiers assigned to the 65th MP Company, who were witnesses to the incident. PFC [redacted] stated SPC [redacted] was the driver of the vehicle and she separated from the Army in Apr 04 (NFI). PFC [redacted] provided the following names, but did not specify their part in, or knowledge of the incident:

b7c-1,66-1
 b7c-5,66-5

b7c-5,66-5

b7c-5,66-5

b7c-4,66-4

b7c-5,66-5

b7c-4,66-4

b7c-5,66-5

- SPC [redacted]
- SPC [redacted]
- SPC [redacted]
- SPC [redacted]
- SPC [redacted]
- SGT [redacted]
- SPC [redacted]
- SSG [redacted]

b7c-4,66-4

b7c-4,66-4

b7c-5,66-5

PFC [redacted] also informed Mr. [redacted] that it was determined through an interpreter (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 his face when he was turned over to the Iraqi police. PFC [redacted] stated he came forward because he did not think it was right; however, he was afraid he would get into trouble too, as there was a compact disc depicting the abuse and he might be in some of the pictures. PFC [redacted] declined to report the incident to CID, as requested by the IG office. PFC [redacted] was placed in contact with Trial Defense Services (TDS), who advised him not to talk to anyone regarding the incident. Mr. [redacted] stated Mr. [redacted] Chief of Assistance, IG Office, FBNC also talked with PFC [redacted] and may have more information; however, Mr. [redacted] was out of the office at the time.

b7c-5,66-5

b7c-5,66-5

b7c-5,66-5

b7c-4,66-4

b7c-3,66-3

b7c-3,66-3

b7c-5,66-5

At 1400, 29 Jul 04, SA [redacted] contacted the phone number [redacted] provided by Mr. [redacted] as belonging to PFC [redacted]. Reached voice mail of unidentified mail and left message for him to contact this office.

b7c-1,66-1

b7c-5,66-5

b7c-1,66-1

b7c-1,66-1

At 1410, 29 Jul 04, SA [redacted] conducted a name check utilizing the ACI2 system. SA [redacted] checked for any information on [redacted] and [redacted]. Report of Investigation [redacted]

b7c-5,66-5

JUL 29 13

b7c-5,66-5

b7c-4,66-4

0573-04-112023-6741
67C-4664

Date: 11 Aug 04
Consent To Search
(USACIDC Supplement 1 to AR 190-22)
Time: 1525 hrs

1. Name of person consenting to the search: SSG [Redacted] 67C-4664
2. Organization and location: 65th MP CO, FBWC 28310

3. I have been informed by the undersigned USACIDC Special Agent that an inquiry is being conducted in connection with the following possible violation(s) of law:
Possession, distribution, and/or production of material constituting or containing detainee abuse or Enemy soldiers detained by U.S. Forces.

4. I have been requested by the undersigned USACIDC Special Agent to give my consent to a search of my person, premises, or property as indicated below. I have been advised of my right to refuse a search of my person, premises, or property. (If you do not give your consent, do not sign this form.)

5. I hereby authorize the undersigned USACIDC Special Agent and/or other Authorized Law Enforcement Officials assisting the undersigned USACIDC Special Agent to conduct a search of: (Initial and sign applicable blocks)

a.	My Person	Initials	Signature
b.	My Quarters	Initials	Signature

Located At:

c.	My Vehicle	Initials	Signature
----	------------	----------	-----------

Located At:
Described As:

d.	Other	Initials	Signature
----	-------	----------	-----------

Located At:
Described As: COMPACT LAPTOP COMPUTER [Redacted]

I am authorizing the above search(s) for the following general types of property which may be removed by the authorized law enforcement personnel and retained as evidence under the provisions of Army Regulation 195-5, or other applicable laws or regulations:
Text, graphics, electronic mail messages, and other data including deleted files and folders, containing material related to the exploitation of enemy detainees or civilian detainees; and/or material depicting apparent or purported detainees engaged in sexually explicit conduct; and data and/or information used to facilitate access to, possession, distribution, and/or production of such materials.

6. This written permission is given to the undersigned USACIDC Special Agent freely, voluntarily and without threats or promises of any kind:
[Redacted] 67C-4664
Signature of Person Granting Consent
[Redacted] 67C-166-1
Signature of USACIDC Special Agent
[Redacted]
Signature of Witness (If Available)

CRIME LAB EXAMINATION REQUEST

For use of this form, see AR 195-5; The proponent agency is the United States Army Crime Investigation Command

LAB USE ONLY

Referral Number

TO: (Include Zip Code)
DIRECTOR
USACIL-CONUS
NORTH 2ND STREET
BUILDING 213-B
FORT GILLEM, GA 30050-5000

FROM: (Include Zip Code)
SPECIAL AGENT-IN-CHARGE
87th MP DETACHMENT (CID)(ABN)
Fort Bragg, NC 28310

RECEIVED	RETURNED
REGIS MAIL	REGIS MAIL
RY EXP	RY EXP
HAND	HAND
DATE	DATE

ATTN: Imaging & Tech Support

CATI

67C-1,56-1

@bragg.army.mil

RECEIVED BY

EVIDENCE RECEIPT

RECEIVED	INITIATED
	67C-1,56-1

1. CONTRIBUTOR CASE NUMBER
0573-04-CID023-67403-5Y2B7/5C2B

2. INVESTIGATOR'S NAME
SA [REDACTED] 62

3. AUTOVON AND PHONE NUMBER
DSN 236- [REDACTED]

4. SUSPECT(S) (Last, first and middle name(s))

PFC [REDACTED] 65th MP CO, FBNC 28310
SGT [REDACTED] 65th MP CO, FBNC

67C-5,66-5

5. VICTIM(S) (Last, first and middle name(s))
UNKNOWN

6. TYPE OF OFFENSE
Failure To Obey General Order
Assault

7. ONE COPY OF EVIDENCE RECEIPT
ENCLOSED WITH EVIDENCE
 YES NO

8. OTHER EVIDENCE PREVIOUSLY
SUBMITTED ON THIS CASE
 YES NO

9. IF "YES" IN ITEM 8, LIST OTHER SUSPECT(S), DATE SUBMITTED, UNIT CASE AND LABORATORY REFERRAL NUMBER(S)

10. EVIDENCE SUBMITTED

a. EXHIBIT
1

b. DESCRIPTION OF EXHIBIT

Laptop Computer (Item #1, Voucher #287-04)

DA FORM 3655
1 AUG 74

REPLACES DA FORM 3655-R, 1 NOV 70, WHICH IS OBSOLETE

COPY

000015

DODDOACID 005870

a. EXHIBIT

b. DESCRIPTION OF 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.

67C-3,66-3

THIS INVESTIGATION WAS INITIATED UPON NOTIFICATION FROM MR. [REDACTED] INSPECTOR GENERAL'S OFFICE, FORT BRAGG, NC 28310 (FBNC), OF A POSSIBLE ASSAULT ON A DETAINEE THAT OCCURRED IN IRAQ. 67C-5,66-5 67C-3,66-3

PRELIMINARY INVESTIGATION INDICATES THAT ON 26 JUL 04, PFC [REDACTED] CONTACTED MR. [REDACTED] AND REPORTED HE HAD INFORMATION PERTAINING TO DETAINEE ABUSE IN IRAQ. ON 27 JUL 04, PFC [REDACTED] CAME INTO THE IG OFFICE AND STATED THAT WHILE HE WAS DEPLOYED WITH THE 65TH MP COMPANY IN IRAQ, THEY DETAINEED AN IRAQI MALE FOR RAPE AND GRAND THEFT AUTO. WHILE THE IRAQI WAS IN THEIR CUSTODY, HE WAS STRUCK BY SGT [REDACTED], WHILE THE DETAINEE WAS HANDCUFFED AND IN THE BACK OF THE HIGHLY MOBILE MULTI WHEELED VEHICLE (HMMWV). PFC [REDACTED] INFORMED MR. [REDACTED] THAT HE WAS THE GUNNER IN THE TURRET AT THE TIME AND HE KICKED THE DETAINEE IN ORDER TO GET HIM TO BE QUIET, AS THAT WAS THE REASON HE WAS BEING STRUCK. PFC [REDACTED] ALSO INFORMED MR. [REDACTED] 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 IRAQI POLICE. THE DETAINEE WAS BLEEDING FROM THE RIGHT SIDE OF HIS FACE WHEN HE WAS TURNED OVER. PFC [REDACTED] STATED THERE WAS A COMPACT DISC DEPICTING THE ABUSE AND HE MIGHT BE IN SOME OF THE PICTURES. PFC [REDACTED] DECLINED TO REPORT THE INCIDENT TO CID, AS REQUESTED BY THE IG OFFICE. PFC [REDACTED] WAS PLACED IN CONTACT WITH TRIAL DEFENSE SERVICES (TDS), FBNC, WHO ADVISED HIM NOT TO TALK TO ANYONE REGARDING THE INCIDENT. 67C-5,66-5 67C-3,66-3 67C-5,66-5 67C-3,66-3 67C-5,66-5 67C-3,66-3

ON 29 JUL 04, PFC [REDACTED] WAS ADVISED OF HIS LEGAL RIGHTS, WHICH HE INVOKED AND REQUESTED LEGAL COUNSEL. 67C-5,66-5 67C-5,66-5

ON 30 JUL 04, SPC [REDACTED] 65TH MP CO, FBNC, WAS INTERVIEWED AND STATED HE WITNESSED BOTH SGT [REDACTED] AND PFC [REDACTED] ASSAULT THE DETAINEE WHILE HE WAS IN THEIR CUSTODY. SPC [REDACTED] STATED PFC [REDACTED] KICKED THE DETAINEE NUMEROUS TIMES WHILE SGT [REDACTED] RECORDED THE ASSAULT. SPC [REDACTED] STATED SGT [REDACTED] HIT THE DETAINEE NUMEROUS TIMES WITH A CLOSED FIST WHILE ATTEMPTING TO REMOVE THE DETAINEE FROM THE VEHICLE. 67C-5,66-5 67C-4,66-4 67C-5,66-5

ON 30 JUL 04, SSG [REDACTED] 65TH MP CO, FBNC, PROVIDED A LAPTOP COMPUTER TO THIS OFFICE ON WHICH HE STATED ALL PICTURES AND VIDEOS WERE DOWNLOADED DURING THE IRAQI DEPLOYMENT. THE COMPUTER WAS TAKEN AS EVIDENCE AND IS AWAITING EXAMINATION. 67C-4,66-6

SGT [REDACTED] IS CURRENTLY ON LEAVE AND IS BEING LOCATED. 67C-5,66-5

INVESTIGATION CONTINUES BY CID.

Evidence above has not been examined in the field.

TYPED/PRINTED NAME OF REQUESTER
SA [REDACTED]

DATE
11 August, 2004

67C-1,66-52

67C-4,66-4

3000010

Page(s)

17-18

Withheld due to:

Foreign Language

Photos depicting Americans

Photos depicting foreign nationals

Civilian Agency Records

DATA REQUIRED BY PRIVACY ACT

0573-04-CID023-67403
 ROUTINE USES: Your social security number and other personal information are used as an additional/alternate means of identification to facilitate and retrieval.

AUTHORITY:

Title 10, United States Code Section 3012 (g)

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

DISCLOSURE: Disclosure of your social security # is voluntary

1. Rec Code:	2. Action Code:	3. Date:	4. Rel to Case:	5. Control:	6. Sequence # 0139	7. Year: -04-	8. Office CID 053	9. ROI #	Offense:
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10. Last Name:	11. First Name:	12. Middle Name:	13. Grade/Rank: E-6
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14. Social Security Number:	15. Other ID Number:	16. Date of Birth:	17. POB City:	18. POB St:	19. POB Zip: 67006
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20. Sex: Female	21. Race: Caucasian	22. Ethnic:	23. Height: 5'3"	24. Weight: 128	25. Hair: Blonde	26. Eye Color: Green	27. Citizen: US	28. Educ: 13	29. Prior Record: NO	30. Marital: Married
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31. MOS:	32. Job Description/Location:	33. MC:	34. Security Clr:	35. Physical Marks/ Tattoos:	36. Spouse Military: Yes <input type="checkbox"/> No <input type="checkbox"/>	Branch:
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37. Alias/Nicknames:	38. Alias/Nicknames:	39. Alias/Nicknames:
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40. Unit/ Organization:	41. Unit Phone Number:	Home:	Cell/Pager:
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42. Military Service:	43. Sub Unit:	44. Fort/City:	45. State:	46. Country:	47. Zip Code/APO:
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48. Home Address:	49. City:	50. State:	51. Country: US	52. Zip Code/APO: 67006
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53. JUV:	54. Family Rel:	55. Last Name:	56. First Name:	57. Middle Name:
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58. Social Security:	59. Grade/Rank:	60. MC:	61. Unit:
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62. City:	63. State:	64. ZIP/APO:	65. Phone: Wk:	Hm:
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66. Offense Code:	67. UFC:	68. Offense Code:	69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:	73. UFC:
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Telephone:	BTS:	PCS/DEROS:	Date / Time Interview START: Date: Time:
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Place of Interview:	Date / Time Interview END: Date: Time:
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Disposition:

74. Category:	75. Type:	76. Recovered: Yes <input type="checkbox"/> No <input type="checkbox"/>	77. Value:	78. Insurer:	Policy:	Year/Date Exp:
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79. Year:	80. Make:	81. Model:	82. Vehicle Style:	83. # of Doors:	84. Color:	85. Size:
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86. V.I.N.:	87. License Plate:	88. State:	89. DOD Decal Number:
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NOTES:

FOR OFFICIAL USE ONLY

00000019

LAST HIV TEST:

FALL 2

Page(s)

20-28

Withheld due to:

Foreign Language

Photos depicting Americans

Photos depicting foreign nationals

Civilian Agency Records

Page(s)

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

DATA REQUIRED BY PRIVACY ACT:

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

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

0573-04-CID023-67403

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

DISCLOSURE: Disclosure of your social security # is voluntary.

1. Rec Code:	2. Action Code:	3. Date:	4. Rel to Case:	5. Control:	6. Sequence #	7. Year:	8. Office - CID	9. ROI #	Offense #
10. Last Name: [REDACTED]									
11. First Name: [REDACTED]			12. Middle Name: [REDACTED]			13. Grade/Rank: SPC			
14. Social Security Number: [REDACTED]		15. Other ID Number: [REDACTED]		16. Date of Birth: [REDACTED]		17. POB City: [REDACTED]		18. POB St: [REDACTED]	
19. POB Zip: 67004		20. Sex: M		21. Race: C		22. Ethnic: 66		23. Height: 145	
24. Weight: PRN		25. Hair: BRN		26. Eye Color: US		27. Citizen: 16+		28. Educ: -	
29. Prior Record: -		30. Marital: M		31. MOS: 31B			32. Job Description/Location: MP		
33. MC: FC		34. Security Clr: NO		35. Physical Marks/ Tattoos:			36. Spouse Military: Yes <input type="checkbox"/> No <input type="checkbox"/>		
37. Alias/Nicknames:			38. Alias/Nicknames:			39. Alias/Nicknames:			
40. Unit/Organization: 65 MP CO				41. Unit Phone Number: 6		Home: [REDACTED]		Cell/Pager: 670-0000	
42. Military Service: USA		43. Sub Unit:		44. Fort/City: Fort Bragg		45. State: NC		46. Country:	
47. Zip Code/APO: 28310		48. Home Address: [REDACTED]		49. City: [REDACTED]		50. State: [REDACTED]		51. Country: [REDACTED]	
52. Zip Code/APO: [REDACTED]		53. JUV:		54. Family Rel: [REDACTED]		55. Last Name:		56. First Name:	
57. Middle Name:		58. Social Security:		59. Grade/Rank:		60. MC:		61. Unit:	
62. City:		63. State:		64. ZIP/APO:		65. Phone: Wk:		Hm:	
66. Offense Code:		67. UFC:		68. Offense Code:		69. UFC:		70. Offense Code:	
71. UFC:		72. Offense Code:		73. UFC:					
Telephone:		ETS: 2008 FOR		PCS/DEROS:		Date / Time Interview START:			
Place of Interview:		Date:		Time:		Date / Time Interview END:			
Date:		Time:		Disposition:					
74. Category:		75. Type:		76. Recovered: Yes <input type="checkbox"/> No <input type="checkbox"/>		77. Value:		78. Insurer: Policy:	
Year/Date Exp: 1		79. Year:		80. Make:		81. Model:		82. Vehicle Style:	
83. # of Doors:		84. Color:		85. Size:					
86. V.I.N:		87. License Plate:		88. State:		89. DOD Decal Number:			
NOTES:									

15^T Squad ^{1th} PLT for DMHS

WAS NOT PHYSICALLY THERE. BACK @
~~"BASE CAMP"~~ ON PATROL w/15^T Squad

Rumor (couple days after)

NEVER SAW VIDEO OF ALLEGED
ABUSE

300038

DATA REQUIRED BY PRIVACY ACT

AUTHORITY:

Title 10, United States Code Section 3012 (g)

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

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

DISCLOSURE: Disclosure of your social security# is voluntary

0573-04-01023-674

1. Rec Code:	2. Action Code:	3. Date:	4. Rel to Case:	5. Control:	6. Sequence #	7. Year:	8. Office - CID	9. ROI#	Offense:
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10. Last Name:	11. First Name:	12. Middle Name:	13. Grade/Rank: Sgt 1 RA 6
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14. Social Security Number:	15. Other ID Number:	16. Date of Birth:	17. POB City:	18. POB St:	19. POB Zip: 6705665
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20. Sex: M	21. Race: W	22. Ethnic:	23. Height: 6'2"	24. Weight: 180	25. Hair: BRN	26. Eye Color: BLU	27. Citizen: U.S.	28. Engr:	29. Prior Record: N	30. Marital: S
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31. MOS: 31 B	32. Job Description/Location:	33. MC:	34. Security Clr: 5	35. Physical Marks/ Tattoos:	36. Spouse Military: Yes <input type="checkbox"/> No <input type="checkbox"/>	Branch:
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37. Alias/Nicknames:	38. Alias/Nicknames:	39. Alias/Nicknames:
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40. Unit/Organization: 105th MP Co, FBUC	41. Unit Phone Number:	Home:	Cell/Pager:
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42. Military Service:	43. Sub Unit:	44. Fort/City:	45. State:	46. Country:	47. Zip Code/APO:
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48. Home Address:	49. City:	50. State:	51. Country:	52. Zip Code/APO: 6705665
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53. JUV:	54. Family Rel:	55. Last Name:	56. First Name:	57. Middle Name:
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58. Social Security:	59. Grade/Rank:	60. MC:	61. Unit:
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62. City:	63. State:	64. ZIP/APO:	65. Phone: Wk:	Hm:
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66. Offense Code:	67. UFC:	68. Offense Code:	69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:	73. UFC:
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Telephone:	ETS:	PCS/DEROS:	Date / Time Interview START: Date: Time:
Place of Interview:	Date / Time Interview END: Date: Time:		

Disposition:

74. Category:	75. Type:	76. Recovered: Yes <input type="checkbox"/> No <input type="checkbox"/>	77. Value:	78. Insurer:	Policy:	Year/Date Exp:
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79. Year:	80. Make:	81. Model:	82. Vehicle Style:	83. # of Doors:	84. Color:	85. Size:
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86. V.IN:	87. License Plate:	88. State:	89. DOD Decal Number:
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NOTES:
HOR: [REDACTED]
[REDACTED]
[REDACTED]
CDR - CPT [REDACTED]
156 - [REDACTED] b7C-3,663
LAST HIV TEST: [REDACTED]

DATA REQUIRED BY PRIVACY ACT

AUTHORITY:

Title 10, United States Code Section 3012 (g)

ROUTINE USES:

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

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

DISCLOSURE: Disclosure of your social security # is voluntary

1. Rec Code:	2. Action Code:	3. Date:	4. Rel to Case:	5. Control:	6. Sequence #	7. Year:	8. Office - CID	9. ROI #	Offense:
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10. Last Name:	11. First Name:	12. Middle Name:	13. Grade/Rank: SPC / RA 67641 664
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14. Social Security Number:	15. Other ID Number:	16. Date of Birth:	17. POB City:	18. POB St:	19. POB Zip:
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20. Sex: M	21. Race: W	22. Ethnic:	23. Height: 67"	24. Weight: 190	25. Hair: BRN	26. Eye Color: BRN	27. Citizen: U.S.	28. Educ: 12	29. Prior Record: NO	30. Marital: S
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31. MOS: 31B	32. Job Description/Location:	33. MC:	34. Security Clr: Secret	35. Physical Marks/ Tattoos:	36. Spouse Military: Yes: No:	Branch:
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37. Alias/Nicknames:	38. Alias/Nicknames:	39. Alias/Nicknames:
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40. Unit/Organization: 65th MP Co	41. Unit Phone Number:	Home:	Cell/Pager:
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42. Military Service:	43. Sub Unit:	44. Fort/City:	45. State:	46. Country:	47. Zip Code/APO:
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48. Home Address:	49. City: FBUC	50. State:	51. Country:	52. Zip Code/APO: 676-41664
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53. JUV:	54. Family Rel:	55. Last Name:	56. First Name:	57. Middle Name:
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58. Social Security:	59. Grade/Rank:	60. MC:	61. Unit:
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62. City:	63. State:	64. ZIP/APO:	65. Phone: Wk: Hm:
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66. Offense Code:	67. UFC:	68. Offense Code:	69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:	73. UFC:
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Telephone:	ETS:	PCS/DEROS:	Date / Time Interview START: Date: Time:
Place of Interview:			Date / Time Interview END: Date: Time:

Disposition:

74. Category:	75. Type:	76. Recovered: Yes: No:	77. Value:	78. Insurer:	Policy:	Year/Date Exp: /
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79. Year: 2002	80. Make: Ford	81. Model: F-150	82. Vehicle Style: Truck	83. # of Doors:	84. Color:	85. Size:
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86. V.I.N.:	87. License Plate:	88. State:	89. DOD Decal Number:
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NOTES: HOR - [REDACTED]

LAST HIV TEST:

CID FORM 44-R...Online version

FHTX, 1999

0080040

1000 - heavy I [redacted] - w/ moustache.

Being loud + boisterous.

Vehicle sped to check point w/ another vehicle behind it.

Saw a woman first so all males were restrained.

Interpreter spoke w/ men + ended up transporting.

2. [redacted] - Team leader b7C-5,66-5

[redacted] - gunner b7C-5,66-5

[redacted] - ~~gun~~ driver b7C-4,66-4

Told interpreter to have him stay quiet. Driving + couldn't concentrate.

b7C-5,66-5

[redacted] - kicked him a couple of times to get his attention to have him quiet.

Turned him over to Iraqi police to

b7C-4,66-4

b7C-5,66-5

[redacted] told SGT [redacted] to shut the guy up because he couldn't concentrate --

b7C-5,66-5

Heard it discussed that SGT [redacted] hit the guy,

but [redacted]

SGT [redacted] in with Iraqi police. b7C-5,66-5

b7C-4,66-4

Every body,

3003041

DATA REQUIRED BY PRIVACY ACT

AUTHORITY:

Title 10, United States Code Section 3012 (g)

ROUTINE USES:

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

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

DISCLOSURE: Disclosure of your social security # is voluntary

0573-04-CID023-67403

1. Rec Code:	2. Action Code:	3. Date:	4. Rel to Case:	5. Control:	6. Sequence #	7. Year:	8. Office CID	9. ROI #	Offense: 67C-46-4
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10. Last Name:	11. First Name:	12. Middle Name:	13. Grade/Rank: SSG/NA
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14. Social Security Number:	15. Other ID Number:	16. Date of Birth:	17. POB City:	18. POB St:	19. POB Zip: 67C-46-4
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20. Sex: M	21. Race: W	22. Ethnic:	23. Height: 69	24. Weight: 220	25. Hair: BRN	26. Eye Color: BRN	27. Citizen: U.S.	28. Enlist: 14	29. Prior Record: N	30. Marital: M
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31. MOS: 31B	32. Job Description/Location:	33. MC:	34. Security Clr: None	35. Physical Marks/ Tattoos:	36. Spouse Military: Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>	Branch:
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37. Alias/Nicknames:	38. Alias/Nicknames:	39. Alias/Nicknames:
----------------------	----------------------	----------------------

40. Unit/ Organization: 65th MP Co	41. Unit Phone Number:	Home:	Cell/Pager:
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42. Military Service:	43. Sub Unit:	44. Fort/City:	45. State:	46. Country:	47. Zip Code/APO: 67C-46-4
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48. Home Address:	49. City:	50. State:	51. Country:	52. Zip Code/APO:
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53. JUV:	54. Family Rel:	55. Last Name:	56. First Name:	57. Middle Name:
----------	-----------------	----------------	-----------------	------------------

58. Social Security:	59. Grade/Rank:	60. MC:	61. Unit:
----------------------	-----------------	---------	-----------

62. City:	63. State:	64. ZIP/APO:	65. Phone: Wk:	Hm:
-----------	------------	--------------	----------------	-----

66. Offense Code:	67. UFC:	68. Offense Code:	69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:	73. UFC:
-------------------	----------	-------------------	----------	-------------------	----------	-------------------	----------

Telephone:	ETS:	PCS/DEROS:	Date / Time Interview START: Date: Time:
------------	------	------------	--

Place of Interview:	Date / Time Interview END: Date: Time:
---------------------	--

Disposition:

74. Category:	75. Type:	76. Recovered: Yes: <input type="checkbox"/> No: <input type="checkbox"/>	77. Value:	78. Insurer: Policy: Year/Date Exp: 1
---------------	-----------	---	------------	---------------------------------------

79. Year:	80. Make: Chevy	81. Model: 1 rail/62e	82. Vehicle Style:	83. # of Doors: 6	84. Color: Green	85. Size:
-----------	-----------------	-----------------------	--------------------	-------------------	------------------	-----------

86. V.I.N: 1	87. License Plate:	88. State: NE	89. DOD Decal Number:
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NOTES: HOR: [REDACTED] 67C-46, 66-4

LAST HIV TEST:

1335 - familiar w/ incident,
wasnt in humvee


1358, 30 Jul 04 -
computer
Compag

saw clip of video - of individual
whining & complaining.

2 or 3 teams,

1 drove subjects at high while
escorted by humvees.

Heard nothing of abuse
57C-5166-5

 shows off & tries to act cool.

Aggressive person.

Could have been in room, but not paying attention

Core let them use ^{personal} computer - only laptop
in squad.

1000043

DATA REQUIRED BY PRIVACY ACT

AUTHORITY:

Title 10, United States Code Section 3012 (g)

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

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

DISCLOSURE: Disclosure of your social security # is voluntary
0575-04-00025-67483

1. Rec Code:	2. Action Code:	3. Date:	4. Rel to Case:	5. Control:	6. Sequence #	7. Year:	8. Office	9. ROI #	Offense:
									- 02- CID 023

10. Last Name:	11. First Name:	12. Middle Name:	13. Grade/Rank:
[REDACTED]	[REDACTED]	[REDACTED]	E-4

14. Social Security Number:	15. Other ID Number:	16. Date of Birth:	17. POB City:	18. POB St:	19. POB Zip:
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	670-466-4

20. Sex:	21. Race:	22. Ethnic:	23. Height:	24. Weight:	25. Hair:	26. Eye Color:	27. Citizen:	28. Educ:	29. Prior Record:	30. Marital:
M	C		6"	205	B RN	B / V	US	13		S

31. MOS:	32. Job Description/Location:	33. MC:	34. Security Clr:	35. Physical Marks/ Tattoos:	36. Spouse Military:	Branch:
31B	MP		5		Yes: <input type="checkbox"/> No: <input type="checkbox"/>	

37. Alias/Nicknames:	38. Alias/Nicknames:	39. Alias/Nicknames:
		670-4166-4

40. Unit/Organization:	41. Unit Phone Number:	Home:	Call Pager:
65th MP Company	396-	[REDACTED]	[REDACTED]

42. Military Service:	43. Sub Unit:	44. Fort/City:	45. State:	46. Country:	47. Zip Code/APO:

48. Home Address:	49. City:	50. State:	51. Country:	52. Zip Code/APO:
[REDACTED]	F.B.N.C.			

53. JUV:	54. Family Rel:	55. Sponsor Last Name:	56. Sponsor First Name:	57. Sponsor Middle Name:

58. Sponsor Social Security:	59. Sponsor Grade/Rank:	60. Sponsor MC:	61. Sponsor Unit:

62. Sponsor City:	63. Sponsor State:	64. Sponsor ZIP/APO:	65. Sponsor Phone:	Wk:	Hm:

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

Telephone:	ETS:	PCS/DEROS:	Date / Time Interview START:
			Date: Time:
Place of Interview:	Date / Time Interview END:		
	Date: Time:		
Disposition:			

74. Category:	75. Type:	76. Recovered:	77. Value:	78. Insurer:	Policy:	Year/Date Exp:
		Yes: <input type="checkbox"/> No: <input type="checkbox"/>				
79. Year:	80. Make:	81. Model:	82. Vehicle Style:	83. # of Doors:	84. Color:	85. Size:
86. VIN:	87. License Plate:	88. State:	89. DOD Decal Number:			

NOTES: Home of Record --
[REDACTED]
[REDACTED]
[REDACTED]

670-4166-4

0000044

LAST HIV TEST:

Deployed to Iraq from 4 Apr 03 - 29 Mar 04

Mosul, Iraq

Mosul Airfield

Incident - sometime - several months into deployment

working radio at TOC

Injured between Apr - Jun - not out on patrol

bridge bone in foot
playing Basketball

Heard about it.

worked patrols w/ Iraqi police and some escorts. also checkpoints.

girl got out of vehicle screaming - guy in vehicle - girl was crying - said she was raped - interpreter w/ MPs.

detained male - unknown if he had weapons

brought him to station (NPD)

Heard he was ^{struck} ~~bumped~~ once or twice by

Soldier - set [redacted] - does not remember who told him.

Iraqi police did too -

Heard he was ~~held~~ held when he was left at Iraqi PO

Heard there was a video of it. (unknown who had it)

does not think COC was informed.

000045

DATA REQUIRED BY PRIVACY ACT

AUTHORITY:

Title 10, United States Code Section 3012 (g)

ROUTINE USES:

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

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

DISCLOSURE: Disclosure of your social security # is voluntary

0113-04-10023-01463

1. Rec Code:	2. Action Code:	3. Date:	4. Rel to Case:	5. Control:	6. Sequence #	7. Year:	8. Office	9. ROI #	Offense:
							- CID		67C-51

10. Last Name:	11. First Name:	12. Middle Name:	13. Grade/Rank:
			PFC/RA

14. Social Security Number:	15. Other ID Number:	16. Date of Birth:	17. POB City:	18. POB St:	19. POB Zip:
					67C-51

20. Sex:	21. Race:	22. Ethnic:	23. Height:	24. Weight:	25. Hair:	26. Eye Color:	27. Citizen:	28. Educ:	29. Prior Record:	30. Marital:
M	W		68"	182	BLK	BRN	U.S.	13		M

31. MOS:	32. Job Description/Location:	33. MC:	34. Security Clj:	35. Physical Marks/ Tattoos:	36. Spouse Military:	Branch:
31BAP			Secret		Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>	

37. Alias/Nicknames:	38. Alias/Nicknames:	39. Alias/Nicknames:

40. Unit/Organization:	41. Unit Phone Number:	Home:	Cell/Pager:
65th MP Co, FBNC			

42. Military Service:	43. Sub Unit:	44. Fort/City:	45. State:	46. Country:	47. Zip Code/APO:
					67C-51

48. Home Address:	49. City:	50. State:	51. Country:	52. Zip Code/APO:

53. JUV:	54. Family Rel:	55. Last Name:	56. First Name:	57. Middle Name:

58. Social Security:	59. Grade/Rank:	60. MC:	61. Unit:

62. City:	63. State:	64. ZIP/APO:	65. Phone:	Wk:	Hm:

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

Telephone:	ETS:	PCS/DEROS:	Date / Time Interview START:
			Date: Time:

Place of Interview:	Date / Time Interview END:
	Date: Time:

Disposition:

74. Category:	75. Type:	76. Recovered:	77. Value:	78. Insurer:	Policy:	Year/Date Exp:
		Yes: <input type="checkbox"/> No: <input type="checkbox"/>				

79. Year:	80. Make:	81. Model:	82. Vehicle Style:	83. # of Doors:	84. Color:	85. Size:

86. V.I.N:	87. License Plate:	88. State:	89. DOD Decal Number:

NOTES:

Hor - [REDACTED]

[REDACTED]

[REDACTED]

67C-5166-5

LAST HIV TEST:

100046

Page(s)

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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

Page(s)

48 - 52

Withheld due to:

Foreign Language

Photos depicting Americans

Photos depicting foreign nationals

Civilian Agency Records

b7c-5,66-5

PFC [redacted]

SFC [redacted]

also
alleges
Abuse by team leader

b7c-3,66-3 / 65th MA Co.

Iraqi

2-3 months ago

b7c-5,66-5

Team leader - SGT

[redacted]

-detained Iraqi national /
for Rape + GTA.

Thru-interpreter: Iraqi is repo man
and woman was prostitute
Beat Iraqi while in back of
HMMWV - Handcuffed

b7c-5,66-5

[redacted]

was gunner in Turrent night
kicked Iraq

b7c-4,66-4

SFC [redacted] - driver - Apr 04

SFC [redacted] - ? b7c-4,66-4 separated from Army

SFC [redacted] - witness b7c-4,66-4

SFC [redacted] b7c-4,66-4

SFC [redacted] b7c-4,66-4

SFC [redacted] b7c-4,66-4

SGT [redacted] b7c-4,66-4

SFC [redacted] b7c-4,66-4

SSG [redacted] b7c-4,66-4

JUN 05 53

Turned detainee over to Iraqi police
bleeding from face - right side.

1335-29-21

Called Monday

come in Tuesday

IG told him to go to CID

Afraid of physical violence from platoon members.

Asked if he would get into trouble

IG called TDS

CID out there w/ photos?

Chain of command does not know

b7c-3, b6-3

Mr. [redacted] - Investigative

In

Chief - inquiries & investigations

396- [redacted]

b7c-3, b6-3

Mr. [redacted] - Chief of Assistance

[redacted]

[redacted]

b7c-3, b6-3

000054

~~104-054~~

[REDACTED]

1310, 27 Jul

m, [REDACTED] 67C-4,66-4

IG office

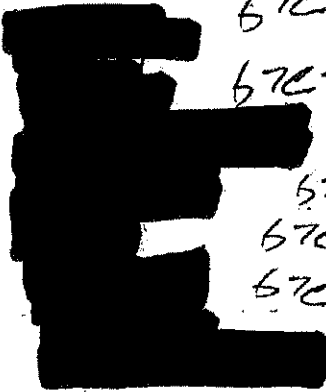
witness to beating Iraqi
prisoner

IG office

[REDACTED] - 67C-3,66-3

1st Door on left.

SSG
Sgt
Sgt
SPC
SPC
PFC
PFC



67C-466-4
67C-5166-5
67C-4166-4
2nd Squad
67C-4166-4
67C-4166-4
67C-5166-5
4th Platoon
67C-466-4

SGT [redacted] 67C-5166-5
[redacted] in front of Humvee w/ [redacted]
Humvee

RE:

JUN 56

0573-01-CID023-67403

67C-5,66-5

0936

10 Aug 04

3 HRS SLEEP (KATZ JUMP NITE)

SAID HE WAS GOOD TO GO

SAID IND HAD RETRACTED HIS STATEMENT ??

1015 TOOK SMOKE BREAK

1025 SAT DOWN & WAS STOPPED TO MACHINE

INT. BY [REDACTED] 67C-3,66-3

1100 UNHOOKED FROM MACHINE

1100-1150 POST INTERVIEW BY [REDACTED] 67C-3,66-3

DURING TESTING

FIDGETY

MOVED FEET / ARMS / SNORTED / COUGHED

WHAT KIND OF VIDEO FORMAT WAS IT.
IS COMPUTER PASSWORD PROTECTED

Greater than .99%
107% DECEPTION INDICATED

JUN 05 07

41st PCT 0573-04-CID023-67403

SSG [redacted] ✓ b7c-4, b6-4

[redacted] ✓ b7c-4, b6-4

[redacted] ✓ b7c-4, b6-4

SGT [redacted] ✓ b7c-4, b6-4

[redacted] ✓ b7c-4, b6-4

[redacted] b7c-4, b6-4

[redacted] (CPT)

SGT [redacted] ✓ b7c-5, b6-5

Pfc [redacted] b7c-4, b6-4 con leave

[redacted] ✓ b7c-5, b6-5

ISG [redacted] b7c-4, b6-4

b7c-4, b6-4

b7c-4, b6-4

[redacted] [redacted]

860 [redacted] b7c-4, b6-4

[redacted]

[redacted] b7c-4, b6-4

b7c-4, b6-4

b7c-4, b6-4

b7c-4, b6-4

AIRS FROM [redacted] / [redacted] / [redacted]
FINGERPRINTS / PHOTO of [redacted]

b7c-5, b6-5

000058

0573-04-CID023-67407

1410-29 Jul 04

name check [redacted] b7C-5,66-5

subject 0165-02-CID033-16278

b7C-5,66-5 [redacted] were in pos of meth &

Ecstasy in Murfreesboro, TN.

b7C-5,66-5 DOB [redacted] Alameda, California

b7C-5,66-5 [redacted]

B Company 6/101st Aviation Regiment
Fort Campbell, Ky

b7C-5,66-5

b7C-5,66-5

[redacted]

DOB [redacted] b7C-5,66-5

DOB [redacted] b7C-5,66-5

0089-01-CID023-75860

witness - drug case

b7C-4,66-4

[redacted]

0073-98-CID024

subject Deserter - Rife -

000000