

SUBJ: [REDACTED]

**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

Camouflage blouses.

Log # 176-06

Item A: One Classified document, containing targeting information related to [REDACTED]

ENCLOSURE(S)

- (A) Command Authorization for Search and Seizure for [REDACTED] Personal Effects/16May06
- (B) Kilo 2 Assessment and Summary of Possible Sources and Information Gathered/Undated
- (C) USMC Fitness Report/Undated

PARTICIPANT(S)

- [REDACTED] Special Agent, NCISRA Camp Fallujah
- [REDACTED] Special Agent, NCISRA Camp Fallujah
- [REDACTED] Investigator, USMC, Criminal Investigation Division

REPORTED BY: [REDACTED] Special Agent

OFFICE: Camp Fallujah, Iraq

b7c

**FOR OFFICIAL USE ONLY**

Page 2

LAST

[REDACTED] V2 LNY

**WARNING**

THIS DOCUMENT IS THE PROPERTY OF THE NAVAL CRIMINAL INVESTIGATIVE SERVICE  
CONTENTS MAY BE DISCLOSED ONLY TO PERSONS WHOSE OFFICIAL DUTIES REQUIRE ACCESS  
HERE TO. CONTENTS MAY NOT BE DISCLOSED TO THE PARTY(S) CONCERNED WITHOUT SPECIFIC  
AUTHORIZATION FROM THE NAVAL CRIMINAL INVESTIGATIVE SERVICE.

18985

1644

**Command Authorization for Search and Seizure**

UNITED STATES OF AMERICA

VS

[REDACTED]

TO: [REDACTED] Bn, 1<sup>st</sup> Marines Abu Ghurayb

Affidavit(s) having been made before me by [REDACTED] Special Agent Naval Criminal Investigative Service

That there is reason to believe that on the person of and/or on the premises known as: [REDACTED] residences Abu Ghurayb and Command Post where he resided when out in the field

b7E

which is/are under my jurisdiction,

b2

there is now being concealed certain property, namely:

Cameras, Photographs [REDACTED] Clothing, Triangular bandages, Letters, any electronic equipment capable of storing information and/or data and emails.

I am satisfied that there is probable cause to believe that the property so described is being concealed on the person and/or premises above described and that grounds for application for issuance of a command authorized search exist as stated in the supporting affidavit(s).

**YOU ARE HEREBY AUTHORIZED TO SEARCH** the person and/or place named for the property specified and if the property is found there to seize it, leaving a copy of this authorization and receipt for the property taken. You will provide a signed receipt to this command, containing a full description of every item seized.

Any assistance desired in conducting this search will be furnished by this command.

Dated this 16<sup>th</sup> day of MAY 2006

[REDACTED]  
Signature of Person Authorizing Search

[REDACTED] 201  
Service, This

Command

b7c

**Naval Criminal Investigative Service**

UNITED STATES OF AMERICA  
VS.

[REDACTED]

BEFORE the [REDACTED] 1<sup>st</sup> Battalion, 1<sup>st</sup> Marines AU GHURAYB, IZ

The undersigned, being duly sworn, requests authority to search:

[REDACTED], PERSONAL PROPERTY LOCATED AT ABU GHURAYB AND COMMAND POST WHERE HE LIVED WHEN HE WAS OUT IN THE FIELD

Believing that there is now being concealed certain property, namely: CAMERAS, PHOTOGRAPHS, CLOTHING, [REDACTED], TRIANGULAR BANDAGES, LETTERS, ANY ELECTRONIC EQUIPMENT CAPABLE OF STORING INFORMATION AND/OR DATA AND EMAILS

b7E b2

The request for authorization to search and seize is made in connection with an investigation into the offense(s) of :

THE UCMJ VIOLATIONS ARTICLE 81 (CONSPIRACY), ARTICLE 118 (MURDER), ARTICLE 128 (ASSAULT), AND ARTICLE 134 (KIDNAPPING).

The facts and circumstances known to me tending to establish the foregoing grounds for authorization to search and seize, including comments demonstrating the reliability of the information and/or informant, are as follows:

see attachment

[REDACTED]

Signature of Affiant  
Representative, Naval Criminal Investigative Service

Sworn to before me, and subscribed in my presence, this 16<sup>th</sup> day of MAY 2006

[REDACTED]  
Subscribed and sworn to before me in my presence and in the presence of the person administering Oath

[REDACTED] Rank, Service, Title

b7C

**NAVAL CRIMINAL INVESTIGATIVE SERVICE**

**DELETED PAGE INFORMATION SHEET**

Page(s) 1647 - 1648

withheld entirely at this location. One or more of following explain this decision:

Deleted under exemption(s)

Documents originated with other government agency(ies).  
Referred for review and direct response to you.

Pages contain information furnished by other government  
agency(ies). We will advise you of releasability of information  
following consultation with agency(ies).

Comments: Duplicates of pages 1575 + 1576

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Deleted page(s) -  
No duplication fee for this page

**NAVAL CRIMINAL INVESTIGATIVE SERVICE**

**DELETED PAGE INFORMATION SHEET**

Page(s) 1649 - 1658, Encl (B) + (C)  
to Exh (95)

withheld entirely at this location. One or more of the following explain this decision:

Deleted under exemption(s) \_\_\_\_\_

Documents originated with other government agency(ies).  
Referred for review and direct response to you.

Pages contain information furnished by other government  
agency(ies). We will advise you of releasability of information  
following consultation with agency(ies).

Comments: Commandant of the Marine  
Corps, Headquarters Marine  
Corps, 2 Navy Annex,  
Washington, D.C. 20380

Deleted page(s)  
No duplication fee for this page

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

23MAY06

CONTROL: 08MAY06-MEBJ-0357-7HMA

[REDACTED]

RESULTS OF PERMISSIVE SEARCH OF [REDACTED] PERSONAL EFFECTS/18MAY06

## NARRATIVE

1. On 18May06, [REDACTED] was asked for permission to search his personal belongings contained in his living quarters at Third Battalion, Fifth Marines Command Compound aboard Camp Fallujah. [REDACTED] provided written authorization for search. Enclosure (A) pertains. Prior to the search taking place, [REDACTED] advised Participant [REDACTED] and Reporting Agent, he no longer desired to have legal representation and he desired to discuss the incident regarding the shooting of V/AWAD with NCIS.

2. During the subsequent search, Participant [REDACTED] seized one Philips MP3 player Serial #AV000543005523. This item was placed into the NCIS Middle East Field Office Evidence Custody System under log # 173-06. Agents Note: During the review of the appended search authorization it was noted that Reporting Agent had inadvertently recorded the date as 19May06 vice 18May06. Immediately following [REDACTED] authorizing the Permissive Authorization for Search and Seizure the search was conducted on 18May06 between the times of 2235 and 2245.

## ENCLOSURE(S)

(A) Permissive Authorization for Search and Seizure signed by [REDACTED] 19May06

## PARTICIPANT(S)

[REDACTED] Special Agent NCIS Camp Fallujah

REPORTED BY: [REDACTED]  
OFFICE: NCIS CAMP FALLUJAH

b7c

EXHIBIT (96)

FOR OFFICIAL USE ONLY

Page 1

LAS [REDACTED] V2 LNY

## WARNING

THIS DOCUMENT IS THE PROPERTY OF THE NAVAL CRIMINAL INVESTIGATIVE SERVICE  
CONTENTS MAY BE DISCLOSED ONLY TO PERSONS WHOSE OFFICIAL DUTIES REQUIRE ACCESS  
HERE TO. CONTENTS MAY NOT BE DISCLOSED TO THE PARTY(S) CONCERNED WITHOUT SPECIFIC  
AUTHORIZATION FROM THE NAVAL CRIMINAL INVESTIGATIVE SERVICE.

18940

1659

PERMISSIVE AUTHORIZATION FOR SEARCH AND SEIZURE

Date : May 19, 2006

I, [REDACTED], after being advised by [REDACTED] that the Naval Criminal Investigative Service is conducting an investigation into UCMJ Violations articles 81 (Conspiracy), Article 118 (Murder), Article 128 (Assault) and Article 134 (Kidnapping), have been requested to permit a search of my LIVING QUARTERS + PERSONAL BELONGINGS AT 3/5 Compound, Camp FALLUJAH. I have been informed of my constitutional right to refuse to permit this search in the absence of a search warrant. In full understanding of this right, I have nevertheless decided to permit this search to be made.

This search may be conducted on or before May 19, 2006. [REDACTED] Representatives of NCIS, and I hereby give my permission to remove and retain any property or papers found during the search which are desired for investigative purposes.

I make this decision freely and voluntarily, and it is made with no threats having been made or promises extended to me.

Signature: [REDACTED]

Representative, Naval Criminal Investigative Service

Representative, Naval Criminal Investigative Service

Command Representative

TIMES OF SEARCH

Start : 2235  
End : 2245

b7c

**MILITARY SUSPECT'S ACKNOWLEDGEMENT AND WAIVER OF RIGHTS**

Place: NCISRA Camp Fallujah  
Date : May 19, 2006

I, [REDACTED] have been advised by Special Agent [REDACTED] that I am suspected of Murder, Conspiracy to ~~commit~~ Murder, Kidnapping and Assault

I have also been advised that:

- 1) I have the right to remain silent and make no statement at all;
- 2) Any statement I make can be used against me in a trial by court-martial or other judicial or administrative proceeding;
- 3) I have the right to consult with a lawyer prior to any questioning. This lawyer may be a civilian lawyer retained by me at no cost to the United States, a military lawyer appointed to act as my counsel at no cost to me, or both;
- 4) I have the right to have my retained lawyer and/or appointed military lawyer present during this interview; and
- 5) I may terminate this interview at any time, for any reason.

I understand my rights as related to me and as set forth above. With that understanding, I have decided that I do not desire to remain silent, consult with a retained or appointed lawyer, or have a lawyer present at this time. I make this decision freely and voluntarily. No threats or promises have been made to me.

Signature: [REDACTED]

Date & Time: 11 May 2006 10:00

Witness: [REDACTED]

b7c



STATEMENT

At this time, I, [REDACTED] desire to make the following voluntary statement. This statement is made with an understanding of my rights as set forth in the Suspect's Acknowledgement and Waiver of Rights form of May 19, 2006, 1:40 PM. It is made with no threats or promises having been extended to me. [REDACTED]

For identification purposes, I am a [REDACTED] male born on [REDACTED] in [REDACTED]. I am approximately [REDACTED] inches tall weigh [REDACTED] pounds, have [REDACTED] hair and [REDACTED] eyes, and my social security number is [REDACTED]. I am currently assigned to 3<sup>rd</sup> Battalion, 5<sup>th</sup> Marines based out of Camp Pendleton CA. My home address of record is 4 [REDACTED]

I have approached NCIS today to talk about the situation that happened on the night of 25/26Apr2006. NCIS had spoke to me before and advised me of my UCMJ Article 31 B rights and at that time I decided to invoke my right to counsel. I later spoke to the [REDACTED] at 3/5 and decided that I wanted to come and talk to NCIS and provide my side of the story. The [REDACTED] did not encourage me in anyway to come and talk to NCIS either, I made this decision on my own. [REDACTED]

I have a lot to talk about today and I want to provide additional information about several questionable incidents that took place while I have been on this deployment. We left Camp Pendleton on January 9<sup>th</sup>, 2006 for Iraq and arrived on the 12<sup>th</sup> of January at Camp Mercury, which is located near Camp Fallujah. [REDACTED]

On 28Jan06, in northwest Zaidon an area referred to as the Thar Thar village, we were ordered to go out and [REDACTED] I had my entire squad [REDACTED]

[REDACTED] and Engineers were [REDACTED] and LCPL LNU (Last Name Unknown), and myself. The then squad stopped at the water tower and conducted a long security halt while the engineers, [REDACTED] and LCPL LNU (Last Name Unknown) conducted their [REDACTED]. The squad then picked up and headed toward short road and took what we thought was short road, but ended up taking a road that was not on the map. The road the squad took was not named at the time, but ran almost parallel to short road. As the squad turned the corner on to this road, my last fire team [REDACTED] and [REDACTED] said that there was a man at the intersection of Canal road and the road the squad turned onto, beckoning to have them come towards him. I told [REDACTED] fire team, not to worry about the guy and to continue with the mission at hand which at this point was to retrograde, or head back to base. By the time that the whole formation had made it on to this road, we noticed approximately 8 MAMs (Military Aged Males) digging on the side of what appeared to be an irrigation area. Once again I told my men to keep an eye on them but not to worry about it. All of a sudden the squad started taking fire from all directions. We had unknowingly walked into a deliberate ambush set up by the enemy. I immediately hit the deck with my RO Radio Operator [REDACTED] and made way to the only cover the squad had which was a trench on the side of the road. Immediately I gained fire superiority by having [REDACTED] and [REDACTED] who all carried SAW's or Squad Automatic Weapons. This fire fight lasted from 1230 until 1500 when CAS (Close Air Support) arrived. CAS consisted of [REDACTED] flying overhead. By this time the enemy had displaced and headed to a house directly north of our position, approximately 125 meters away. The whole time this was going on we had Positive ID on the enemy in the house. I know for a [REDACTED]

b2

b2

b2

b7c

[REDACTED]

1662

b7C

Continuation of voluntary sworn statement of [redacted] on May 19, 2006

b7E

fact that we had enemy KIA's (Killed In Action) because I saw [redacted] shoot one of them in the head. One of the enemy fighters climbed out of a fighting hole approximately 100 meters from our position and tried to climb up over a berm on his way towards the house. [redacted] then fired at the enemy who was struck in the head. At this time, I began to speak with CAS and attempted to walk them on target. I had my [redacted]

b2

[redacted] I marked our position in conjunction with the house with [redacted] CAS then flew over and reconfirmed mark with [redacted]

[redacted] I then gave the radio to [redacted] to take care of the fine details such as elevation and distance. From this point on we were still taking sporadic fire from the house while [redacted] was walking in CAS. When it came time for CAS to conduct a [redacted] we were what is called [redacted]

[redacted] The squad was only 150m away from the target, so we lied and said we were 500 meters away under cover. The Harriers came in and dropped bomb #1 and missed the target house by 50m long. Over the radio that [redacted] had, I heard CAS say that CAS had missed 10m short which I thought was odd. Instantaneously they came over for run 2 and had a direct hit; a direct hit on the wrong house. An innocent family was killed this day. A husband, his 2 wives, and 3 children. I know this because I used the house that was hit, just days earlier as an [redacted]

b2

[redacted] To my knowledge this incident was covered up. When I was talking to CAS on the radio, I had the [redacted] on target, but when I turned the net over to [redacted] I don't know what happened or what went through his mind but he marked the wrong house, a house that from our vantage point could not even be seen because of tall reeds to our front. What I'm getting at is even if we were ever taking contact from this location, we could never have had positive ID because of the reeds [redacted]

At this point, approximately 1500, QRF (Quick Reaction Force) which was comprised of [redacted] second squad arrived at our position and we swept across the field. While my squad and [redacted] squad began crossing the field, we came across two men in a fighting hole. As soon as we walked up to them with our weapons pointed at them, they threw their hands up and surrendered. We detained them and tested them for gun powder residue which they both tested positive. Finally when I and [redacted] reached the house all I could hear were the screams of women and children piercing though the now silent air. I looked at one woman who was crying uncontrollably throwing dirt on her back indicating that there were people buried in the rubble. We then consolidated QRF and my squad in a house approximately 15 meters to the north of the house that was hit by the bomb. My squad provided over watch from this house, while QRF and [redacted], (Kilo Company's Commanding Officer) PSD (Personal Security Detachment), who had just arrived, searched the village and presented a show of force. We left the area at approximately 1630 and arrived at base at about 1645. [redacted]

The squad brought the two men that we had found in the fighting hole back to camp Fallujah and the next thing I heard from [redacted] our Staff Judge Advocate (SJA), was that he had let them go. His excuse was, out of every detainee he had talked to these men appeared to be innocent, at the wrong place at the wrong time. I caught those men red handed in a fighting hole, from where we were getting shot at. They could not have made it to the house with the remaining survivors so they got down in their hole and waited out the storm. They were let go. [redacted]

Intel gathering techniques

[redacted]

b7C

1663

on May 19, 2006

Myself, [redacted] and HET (Human Exploitation Team) all received Intel from a local and reliable source that this man was involved with another HVI (High Value Individual) in the financing of the terrorists in and around our AO (Area of Operation). One night after a meeting with our source, HET, [redacted] and Myself, were told that [redacted] had gone to a meeting and basically was laughing at how the Marines conducted their interrogations at Abu Graib. Word spread that all you had to do was keep your mouth shut and the Marines would let you go. After hearing this I was irate as well as [redacted]. I told him to let me take care of it and for him to stay with the vehicles up on the road. He asked what I was going to do and I told him not to worry about it just stay with the vehicles. He complied and I went to [redacted] house with 6 of my Men including a terp "[redacted] [redacted] [redacted], and myself. We kicked in the door and entered the house to find [redacted] running out the back door. [redacted] ran after him and grabbed him to bring him back in. As soon as [redacted] was back in the room, [redacted] threw the first punches and nearly knocked the guy out. [redacted] struck [redacted] in his face. Then everyone in the house except [redacted] began beating [redacted] pretty badly. [redacted] was on crowd control dealing with the family in the other room and could not see what was going on in the other room. I myself kneeed [redacted] in the face. We didn't try to gain any Intel, just threatened [redacted] that we knew what he was up to and who he worked for. I told him if he did anything again I would kill him, meaning if he did anything terrorist related. I meant to scare [redacted] and would not have actually acted out on this threat. [redacted] up and moved within the next week. One down. [redacted]

[redacted] myself [redacted] and [redacted] received Intel from two of our local sources that [redacted] was the trigger man for an IED (Improved Explosive Device) that went off south of the Hamdania bridge and resulted in the death of an Army Soldier. We actually had witnesses that saw him take the device from another HVI. I was ordered to detain this individual by [redacted] and bring him back to the patrol base. I took my squad, which included [redacted]

[redacted] and [redacted] was not there when we detained [redacted]. We also conducted [redacted] to try and find the IED trigger in his store in the Hammdania marketplace. However our search was unsuccessful. [redacted] sent a convoy to come pick up Me and My Squad with [redacted] and bring him back. When we got back we called the company COC (Command Operations Center) and informed them that we had [redacted]. After an hour or so of interrogation lead by [redacted] [redacted] told someone in our COC to call the Company COC at Abu Graib and inform them that we had let [redacted] go, which was untrue. We called the Company COC to make them think that we had the wrong guy, therefore making the Company COC believe that we would not be bringing [redacted] to Abu Graib. [redacted]

[redacted] began to tell us everything we already knew about everyone other than himself. The whole time this was going on he [redacted]. One by one we cut the [redacted], then removed the [redacted] gave him water etc. the more he talked the more we eased up on him. Eventually we let him go. Days later when trying to detain him again, he too had run away. Two Down. [redacted]

b2  
b7E

b7c

1664

on May 19, 2006

b2 b7E

AKA: [REDACTED]

This man was a liar who when questioned about his son at his house by me lied. Me and my same squad as mentioned with [REDACTED], found [REDACTED] at his house and brought him back to the patrol base. I caught [REDACTED] in his lies twice first telling me that he had only 5 sons, then 6, and finally 7. His eldest son [REDACTED] is an HVI whose whereabouts were unknown. My job was to find out where he was. Once again I called back to my platoon's COC and got word from [REDACTED] to bring him back to the patrol base. [REDACTED] again sent a convoy to come meet me with the father of the HVI mentioned above. Upon arrival to the patrol base we [REDACTED] and brought him into our new becoming interrogation room. This time we never called our detainment [REDACTED] to company because [REDACTED] specifically mentioned that he wanted to keep this within the Platoon. Same thing applied in this situation [REDACTED] did the talking and I was his strong arm. He periodically told me to [REDACTED] out which I did without hesitation. When this did not work and we still had not found out where his son was staying [REDACTED]

[REDACTED] and asked [REDACTED] if he knew what this was. Immediately [REDACTED] said yes and said that he remembered where his son was. We gained our Intel requirement on that part, but did not know other things such as the last time [REDACTED]'s son was in our AO, when he was coming back, what kind of vehicle did he drive etc. So we kept asking and got nothing. [REDACTED] then told me to go [REDACTED] the patrol base COC. At first I was unsure what he wanted them for but it became clear to me when I got back in the room and [REDACTED] was looking at [REDACTED]

[REDACTED] I was hesitant but ended up not having to do this because the man gave us all the information we needed. We let [REDACTED] go later that night. This time it was [REDACTED] never heard from [REDACTED] again. Three down.

b2

On the instances mentioned above, I admit that I was in the wrong. But I was ordered by [REDACTED] to carry out these interrogation techniques [REDACTED] was the brain behind it and I was the muscle. At times he too was the muscle, but not often. [REDACTED] would occasionally smack detainees during interrogation. He did smack [REDACTED], and [REDACTED]. He did all the talking and threatening and I carried out his orders to a "T". We never followed through any of these orders until the night of the 26<sup>th</sup> of April. Prior to this date my squad, me [REDACTED] and 4Guys from Weapons squad, whose names I don't remember, to include [REDACTED] went out to [REDACTED] in Vicinity of checkpoint 209. we began to talk of a man named [REDACTED]. This man is the most notorious HVI in our AO, and is seemingly untouchable. We detained him once but like every other detainee we bring in he was let go because of the poorly created system in which drives this war. Once he was let go we never saw him again but IED's were still going off, one of which killed a Marine attached to Map 4 just south of the bridge in our AO. When we heard of this [REDACTED] and I, we were irate to say the least, and when our local sources told us it was [REDACTED]'s doing, well something had to be done. [REDACTED] came up with a plan to go to his house late at night and grab this man out of the house without being seen by the family. This would be the hardest part because there's like 13 people that live in [REDACTED]'s house [REDACTED] even called back to our platoons COC to make sure that we still had the collapsible ladder for a top down entry if need be. The men [REDACTED] wanted with him were myself, [REDACTED], and [REDACTED] totaling four. [REDACTED] wanted us to get dropped off not too far away from the house and sneak in. once we had [REDACTED] we would put him in a high

[REDACTED]

b7C 1665

Continuation of voluntary sworn statement of

on May 19, 2006

back, drive to the border of our AO and the Army's AO slice [redacted] throat and drop him in a canal. [redacted] and I called ourselves the boondock saints, and our codeword for this was boondocks. If anybody asked if we were going to the boondocks that's what they meant by it. I had told [redacted] and [redacted] the plan. [redacted]

April 26th 2006. b2

This night I received orders by [redacted] to set [redacted] overlooking Penguins and Hurricanes. We were dropped off on Penguins beside [redacted] and we made our way into it. By we I mean [redacted] and [redacted]. We set in and the team leaders to include [redacted] gathered around me to plan what we were going to do. [redacted] and myself came up with a rough draft as far as who was going to grab [redacted] out of his house, how it was going to be done and what we were going to do with [redacted] once we had him. [redacted] and [redacted] did not hear this initial plan because they were providing security on the outside approximately 20-25m in a 360 away from myself, [redacted] AND [redacted] and myself also agreed that if [redacted] was not there we would take one of his brothers and kill his brother like [redacted] had killed many of our brothers. Once it got dark we, [redacted] and myself, moved into our final location under the tree in the vicinity of checkpoint 205. The entire squad all sat around and finalized our plan. [redacted]

The planning for this was complicated. [redacted] wanted to find [redacted], get his AK and shovel and the keys to his car. Once all of those things were retrieved [redacted] would then drive [redacted] and the other Marines in the vehicle down the road with the headlights off and park it in the palm grove. Because [redacted] wanted to drive that car headlights off we came up with the name Operation Ghost, indicating how when you drive with the headlights off you're driving ghost down the road. Myself, [redacted] and [redacted] decided that this was too complicated of an idea and had too many moving parts. Myself, [redacted] and [redacted] all concurred that there would be no vehicle involved. Myself, [redacted] and [redacted] also agreed that by taking the time to get the AK-47 and the shovel from the house with [redacted] would create too much noise and this idea too would be altered. [redacted] volunteered to be the one who fired the AK-47 and [redacted] agreed to be the one who caught the rounds in the assault pack. [redacted] started to sing this song titled "Somebody's gonna die tonight" by a rapper that I don't remember I think 50 cent. [redacted] and [redacted] pretty much kept quiet throughout the planning process however asked questions involving the cover up like "where was I again, and who was I with" etc. [redacted]

The entire squad, [redacted] had discussed that we would catch the rounds of the AK-47 in a garbage bag, but [redacted] had brought up that the rounds would melt through the bag so we needed to use an assault pack instead. We concluded that the four going to retrieve [redacted] would be [redacted] and [redacted]. They would leave at 0130 steal an AK-47 and a shovel, grab [redacted] and return to the site. I gave them radio checkpoints so I would know when each of their tasks were completed. Everything to my knowledge went smooth. Myself, [redacted] and [redacted] stayed back while the other four left. Where they got the AK-47, the shovel were unbeknownst to me and the four

b7c

16660

on May 19, 2006

b2

staying back. How they were going to get the [REDACTED] to come back with them was that they would [REDACTED] and gag him and just walk him back. Because we were foot mobile [REDACTED] conspired idea involving the canal at the far side of the AO was out of the question. This is why we had to make it look like he was digging an IED on the side of the road. When [REDACTED] and [REDACTED] were walking down the road with who I thought was [REDACTED] I received communication with [REDACTED] and [REDACTED] via PRR (Personal Radio Receiver) and they told me that they had "him", which I thought meant that they had [REDACTED]. It wasn't until after the shooting did I realize that not only was this not [REDACTED] or one of his brothers, but a random man. It wasn't even until the next day that I found out who this guy was, HASHIM IBRAHIM AWAD and not even until NCIS began this investigation did I find out where he lived. [REDACTED]

How [REDACTED], and [REDACTED] got the AK-47, the shovel and HASHIM to the site of the crime is still unknown to me. I heard from [REDACTED] and [REDACTED] that he broke through ten pairs of [REDACTED] in fear for his life. I heard that [REDACTED] had [REDACTED] so that he would stop fighting with them. I also heard that his bowels gave loose in fear as well. All of this came to my attention after the fact, days after the fact whenever we were able to talk in private. When [REDACTED], and [REDACTED] returned with the man and put him in the hole on the side of the road that was the result of a prior IED, they then returned to the ambush site. Now I called in to platoon COC and talked to [REDACTED] who is our platoons Radio Operator, saying that we had eyes on a man digging on the side of the road. [REDACTED] then actually yelled over the PRR that he had a shovel. I called this in to the COC as well. HASHIM must have broken through the [REDACTED] once again and was attempting to walk off up the road. [REDACTED] then yelled this out loud and asked for permission to engage, I called this in and was given permission by [REDACTED] to engage. In fact this night all of the radio traffic was handled by [REDACTED] which I thought was odd because every other fire fight I had been through up to this point was dealt with by the Platoon's RO [REDACTED], after the initial radio call [REDACTED] took the radio over from [REDACTED]

b7E

[REDACTED] initiated the firing at HASHIM, while I was still on the radio. [REDACTED] and [REDACTED] all fired at HASHIM and were the ones who resulted directly in his death. Myself, [REDACTED] and [REDACTED] did not fire one round during the assault. I manned the radio, [REDACTED] wore the radio on his back, [REDACTED] was firing the AK-47 and [REDACTED] was catching the rounds in the assault pack. Not to mention that [REDACTED] and [REDACTED] were directly in front of [REDACTED] and I, so if we had attempted to fire it would have resulted in friendly casualties due to bad geometries of fire. Once [REDACTED] initiated the firing, [REDACTED] and [REDACTED] all began moving after HASIM, who had moved off down the road. [REDACTED]

After less than a minute, the fire ceased and everyone on the squad began to yell cease fire. Everyone ran up to the body. When I arrived at the body lying motionless on the side of the road he appeared to be shot at least 20 times, to include the side of the head. He was already dead. [REDACTED] then came up and fired about ten rounds into the main body of HASHIM creating the blood splatter seen in the pictures taken once QRF had arrived. I had to yell at [REDACTED] to cease fire because we had other priorities to do, like clean up the scene. There were [REDACTED] all over the road. [REDACTED] had conceived the idea prior to stuff all of this in

b2

[REDACTED]

b7C

1667

on May 19, 2006

pockets because we would never get searched; then once back at the base, throw them in the burn pit in a Wag Bag. [redacted] also dumped all the caught brass in the assault pack askew on the ground. I had no part in the clean up or of the dumping of the brass nor did [redacted] because he was holding the radio and I was still on it reporting up to higher. After the clean up was completed, I had the squad set [redacted] around the body and await QRF link up. Everyone but me [redacted] and [redacted] set up a cordon around the body. [redacted] and I were in the middle of the road talking on the radio, and [redacted] had gone back to the tree to watch the gear [redacted]

b2

Once QRF arrived, I believe [redacted] took pictures of the body and two pictures of the hole with the shoe in the hole. [redacted] used his personal camera to take these pictures and I believe he only took four photographs total. I pulled in the cordon, and the entire squad along with QRF which included all of third squad, collected any AK-47 brass we could find which surprisingly was only 8 rounds because [redacted] said he had dumped at least 20. I did not notice any soda cans in the IED hole where HASHIM was placed, but if there were any soda cans in the hole, nobody on the squad put them there. Myself and [redacted] then got word that the Iraqi Army would not be coming to collect the body like SOP (Standard Operating Procedure) states that they do, but we ourselves had to bring the body to them. [redacted] grabbed the body bag out of the back of the HUMMWV and [redacted] put the body inside. We left and went first back to the patrol base to drop off 3<sup>rd</sup> squad. We then linked up with razor 6 which is an Iraqi Army unit along Michigan to turn over the body where, I wrote a brief statement of what had happened in Arabic and English. I signed it, [redacted] signed it and we left [redacted]

I wrote this statement in it's entirety, and Special agent [redacted] read over the statement and made some minor corrections to it. I witnessed all of these corrections and agreed with them. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials [redacted] on the corrections. This statement is the truth to the best of my knowledge [redacted]

Signature

Sworn to and subscribed before me this 17 day of May in the year 2006 at

Camp Fallujah Iraq

Witnessed

Representative, Naval Criminal Investigative Service  
AUTH: DERIVED FROM ARTICLE 136,  
UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

b7E

b7C