

INVESTIGATIVE

FILE "E"

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (CLOSED)

15OCT05

DEATH (II)

CONTROL: 26JUN05-MEBJ-0378-7HMA/C

V/DOE, JOHN (NMN)/UNK
M/W/ZZZZ/N///UNK
SUPP: SYRIAN NATIONAL

COMMAND/II MEF, IRAQ/20361

MADE AT/MEBJ/AL ASAD AIRBASE IZ/ [REDACTED] SPECIAL AGENT

REFERENCE

- (A) NCISFO Middle East ROI (INTERIM)/27JUL05... (Contains Exhibits 1-15)
- (B) NCISFO Middle East ROI (INTERIM)/26AUG05... (Contains Exhibits 16-17)
- (C) NCISFO Middle East ROI (INTERIM)/22SEP05... (Contains no Exhibits)

EXHIBIT(S)

- (18) IA: Receipt of Final Autopsy Report and Death Certificate/07Oct05... (Copy all, less 23B1)

EXECUTIVE SUMMARY

1. Investigation initiated on 26Jun05, pursuant to notification regarding the death of an unidentified Syrian detainee, while attempting to flee from U.S Marines and Iraqi Armed Forces (IAF) in the vicinity of Al Haqlaniyah, IZ. Members of 3rd Battalion 25th Marine Regiment (3/25) and 2-4-1 IAF were manning a SVCP, 15km south of Haditha Dam, IZ, on Main Supply Route (MSR) Bronze, when four (4) Military Aged Males (MAM) approached in a red Opal and were stopped and searched. The MAMs were interviewed and determined to be Syrian Foreign Fighters. During questioning, one of the MAMs broke away from his guard and attempted to flee the scene on foot, however after repeated commands to halt by both 3/25 and IAF members, he was engaged with deadly force. The deceased's remains were recovered from a local Hospital and transported to the Armed Forces Institute of Pathology (AFIP), located at Dover Air Force Base, DE, for post mortem examination. Preliminary Autopsy determined the cause and manner of death as multiple (2) gunshot wounds and Homicide, respectively. 2ND MARDIV and IIMEF SJA's have been apprised. This investigation is closed.

NARRATIVE

- 1. This investigation was initiated pursuant to SECNAVINST 5520.3B. There are no specific statutes or UCMJ articles that pertain.
- 2. Reference (C) reflected this investigation was pending receipt of the Final Autopsy-Toxicology Results. On 07Oct05, the final autopsy results were received from the Armed Forces Institute of Pathology (AFIP, which disclose the cause of death as multiple gunshot wounds and manner of death as Homicide, Exhibit (18) pertains. A certificate of death was also contained in the aforementioned report. [REDACTED]

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26JUN05-MEBJ-0378-7HM

SUBJ: V/DOE, JOHN (NMN)/UNK

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

[REDACTED] USMC, SJA, 2NDMARDIV and [REDACTED] USMC, SJA, IIMEF advised there is no command or Staff Judge Advocate interest in this investigation. The actions of the Marines and Iraqi National Guards were within the Rules of Engagement and proper Escalation of Force. This investigation is closed.

PARTICIPANT(S)

[REDACTED], Special Agent, NCISHQ Washington, DC
[REDACTED] Special Agent, NCISHQ Washington, DC (AFIP)

ACTION

DIST This investigation is closed

DISTRIBUTION

NCISHQ (SI): 0023B1

INFO: MEBJ/Command (H)

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LAST

[REDACTED] V2 LNY

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E2

//23B/BJ//

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

07OCT05

CONTROL: 26JUN05-MEBJ-0378-7HMA

V/DOE, JOHN (NMN)/UNK
M/W/ZZZZ/N///UNK
SUPP: SYRIAN NATIONAL

RECEIPT OF FINAL AUTOPSY REPORT AND DEATH CERTIFICATE

1. On 07Oct05, Reporting Agent (RA) received the final autopsy report and death certificate for V/DOE after Participating Agent (PA) had obtained the documents from the Armed Forces Institute of Pathology, Rockville, MD. The final autopsy report disclosed V/DOE's cause of death as multiple gunshot wounds and the manner of death as homicide, Enclosure (A) pertains. The Certificate of Death listed the cause of death as gunshot wounds to the back and the onset of death from seconds to minutes, Enclosure (B) pertains. Dr. Scott A. LUZI, Pathologist, who conducted the autopsy, signed the Certificate of Death.

PARTICIPANT(S)

[REDACTED], Special Agent, NCISHQ Washington, DC
[REDACTED] Special Agent, NCISHQ Washington, DC (AFIP)

REPORTED BY: [REDACTED], SPECIAL AGENT
OFFICE: AL ASAD AIRBASE, IZ

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EXHIBIT (8)

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E3

04-0630

CERTIFICATE OF DEATH (OVERSEAS)
Acte de décès (D'Outre-Mer)

NAME OF DECEASED (Last, First, Middle) Nom du décédé (Nom et prénoms) U050630 - MEBJ-0378- ,	GRADE Grade	BRANCH OF SERVICE Arme Civilian	SOCIAL SECURITY NUMBER Numéro de l'Assurance Social U05-06-30
ORGANIZATION Organisation	NATION (e.g. United States) Pays Iraq	DATE OF BIRTH Date de naissance	SEX Sexe <input checked="" type="checkbox"/> MALE <input type="checkbox"/> FEMALE

RACE Race CAUCASOID Caucasique	MARITAL STATUS État Civil SINGLE Célibataire	RELIGION Culte PROTESTANT Protestant	OTHER (Specify) Autre (Spécifier) X
NEGROID Nègre	MARRIED Marié	CATHOLIC Catholique	
X OTHER (Specify) Autre (Spécifier)	WIDOWED Veuf	JEWISH Juif	

NAME OF NEXT OF KIN Nom du plus proche parent	RELATIONSHIP TO DECEASED Parenté du décédé avec le sus
STREET ADDRESS Domicile à (Rue)	CITY OR TOWN OR STATE (Include ZIP Code) Ville (Code postal compris)

MEDICAL STATEMENT Déclaration médicale

CAUSE OF DEATH (Enter only one cause per line) Cause du décès (N'indiquer qu'une cause par ligne)	INTERVAL BETWEEN ONSET AND DEATH Intervalle entre l'attaque et le décès
DISEASE OR CONDITION DIRECTLY LEADING TO DEATH Maladie ou condition directement responsable de la mort.	Gunshot wounds to the back Seconds to Minutes
ANTECEDENT CAUSES Symptômes précurseurs de la mort.	MORBID CONDITION, IF ANY, LEADING TO PRIMARY CAUSE Condition morbide, s'il y a lieu, menant à la cause primaire
	UNDERLYING CAUSE, IF ANY, GIVING RISE TO PRIMARY CAUSE Condition morbide, s'il y a lieu, menant à la cause primaire
OTHER SIGNIFICANT CONDITIONS Autres conditions significatives	

MODE OF DEATH Condition de décès	AUTOPSY PERFORMED Autopsie effectuée <input checked="" type="checkbox"/> YES Oui <input type="checkbox"/> NO Non	CIRCUMSTANCES SURROUNDING DEATH DUE TO EXTERNAL CAUSES Circonstances de la mort suscitées par des causes extérieures
NATURAL Mort naturelle	MAJOR FINDINGS OF AUTOPSY Conclusions principales de l'autopsie	
ACCIDENT Mort accidentelle		
SUICIDE Suicide		NAME OF PATHOLOGIST Nom du pathologiste Scott A. Luzi, MD, LCDR, MC, USNR
X HOMICIDE Homicide	SIGNATURE Signature <i>[Signature]</i>	DATE Date 9 July 2005
		AVIATION ACCIDENT Accident à Avion <input type="checkbox"/> YES Oui <input checked="" type="checkbox"/> NO Non

DATE OF DEATH (Hour, day, month, year) Date de décès (Heure, le jour, le mois, l'année) 26 June 2005	PLACE OF DEATH Lieu de décès Iraq
---	---

I HAVE VIEWED THE REMAINS OF THE DECEASED AND DEATH OCCURRED AT THE TIME INDICATED AND FROM THE CAUSES AS STATED ABOVE.
J'ai examiné les restes mortels du dé funtel je conclus que le décès est survenu à l'heure indiquée et à la suite des causes énumérées ci-dessus.

NAME OF MEDICAL OFFICER Nom du médecin militaire ou du médecin sanitaire Stephen L. Robinson	TITLE OR DEGREE Titre ou diplôme Deputy Medical Examiner
--	--

GRADE Grade CAPT	INSTALLATION OR ADDRESS Installation ou adresse Dover AFB, Dover DE
----------------------------	---

DATE Date 04 Oct 05	SIGNATURE Signature <i>[Signature]</i>
-------------------------------	--

1 State disease, injury or complication which caused death, but not mode of dying such as heart failure, etc.
 2 State conditions contributing to the death, but not including the disease or condition causing death.
 3 Préciser la nature de la maladie, de la blessure ou de la complication qui a contribué à la mort, mais non le mécanisme de mourir, telle qu'un arrêt du coeur, etc.
 4 Préciser la condition qui a contribué à la mort, mais n'éviter aucun rapport avec la maladie ou la condition qui a provoqué la mort.

DD FORM 1 APR 77 2064

REPLACES DA FORM 3565, 1 JAN 72 AND DA FORM 3565-R(PAS), 26 SEP 75, WHICH ARE OBSOLETE.

ENCLOSURE (B) ER

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

07OCT05

DEATH (II)

CONTROL: 26JUN05-MEBJ-0378-7HMA

V/DOE, JOHN (NMN)/UNK
M/W/ZZZZ/N///UNK
SUPP: SYRIAN NATIONAL

COMMAND/II MEF, IRAQ/20361

MADE AT/0023/NCISHQ WASHINGTON DC/[REDACTED], SPECIAL AGENT

REFERENCE

(A) MEBJ ROI (ACTION)/07JUL05

EXHIBITS

- (1) Final Autopsy Report/31AUG05... (Copy MEBJ only)
- (2) Death Certificate/04OCT05... (Copy MEBJ only)

NARRATIVE

1. In accordance with lead tasking set forth in reference (A), Reporting Agent obtained V/DOE's final autopsy report and death certificate from Participating Agent [REDACTED]. The report lists V/DOE's cause of death as multiple gunshot wounds and his manner of death as homicide, exhibits (1) and (2) pertain. Lead tasking is complete.

PARTICIPANT

[REDACTED], Special Agent, NCISHQ Washington, DC (AFIP)

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INFO: DCWA/MEBJ (M)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

03OCT05

DEATH (II)

CONTROL: 26JUN05-MEBJ-0378-7HMA

V/DOE, JOHN (NMN)/UNK

M/W/ZZZZ/N///UNK

SUPP: SYRIAN NATIONAL

COMMAND/II MEF, IRAQ/20361

MADE AT/0023/NCISHQ WASHINGTON DC/[REDACTED] SPECIAL AGENT

REFERENCES

(A) MEBJ ROI (ACTION)/07JUL05

(B) 0023 ROI (ACTION)/01AUG05

(C) 0023 ROI (ACTION)/25AUG05

(D) 0023 ROI (ACTION)/13SEP05

NARRATIVE

1. In accordance with lead tasking set forth in reference (A), and subsequent to the submission of references (B) through (D), completion of lead tasking is pending receipt of the final autopsy report and death certificate. On 30SEP05, Participating Agent [REDACTED] advised the autopsy report is awaiting final signature and approval. Estimated date of completion is 14OCT05.

PARTICIPANT

[REDACTED] Special Agent, NCISHQ Washington, DC (AFIP)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

28SEP05

DEATH (II)

CONTROL: 26JUN05-MEBJ-0378-7HMA

V/DOE, JOHN (NMN)/UNK
M/W/ZZZZ/N///UNK
SUPP: SYRIAN NATIONAL

COMMAND/II MEF, IRAQ/20361

MADE AT/MEBJ/AL ASAD AIRBASE IZ/ [REDACTED] SPECIAL AGENT

REFERENCE

- (A) NCISFO Middle East ROI (OPEN)/28JUN05
- (B) NCISFO Middle East ROI (INTERIM)/27JUL05... (Contains Exhibits 1-15)
- (C) NCISFO Middle East ROI (INTERIM)/26AUG05... (Contains Exhibits 16-17)

EXECUTIVE SUMMARY

1. Investigation initiated on 26Jun05, pursuant to notification regarding the death of an unidentified Syrian detainee, while attempting to flee from U.S Marines and Iraqi Armed Forces (IAF) in the vicinity of Al Haqlaniyah, IZ. Members of 3rd Battalion 25th Marine Regiment (3/25) and 2-4-1 IAF were manning a SVCP, 15km south of Haditha Dam, IZ, on Main Supply Route (MSR) Bronze, when four (4) Military Aged Males (MAM) approached in a red Opal and were stopped and searched. The MAMs were interviewed and determined to be Syrian Foreign Fighters. During questioning, one of the MAMs broke away from his guard and attempted to flee the scene on foot, however after repeated commands to halt by both 3/25 and IAF members, he was engaged with deadly force. The deceased's remains were recovered from a local Hospital and transported to the Armed Forces Institute of Pathology (AFIP), located at Dover Air Force Base, DE, for post mortem examination. Preliminary Autopsy determined the cause and manner of death as multiple (2) gunshot wounds and Homicide, respectively.

NARRATIVE

- 1. This investigation was initiated pursuant to SECNAVINST 5520.3B. There are no specific statutes or UCMJ articles that pertain.
- 2. Reference (A) reflected lead tasking to 23B12/DCWA to forward final autopsy results of V/DOE to Al Asad Detachment, IZ for inclusion in the case file. This report is being generated to obtain and Estimated Date of Completion (ECD) for the completion of this action.

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ACTION

- R.DCWA: PLEASE PROVIDE AN ECD.
- R.23B12: PLEASE PROVIDE AN ECD.

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26JUN05-MEBJ-0378-7H

SUBJ: V/DOE, JOHN (NMN)/UNK

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

NCISHQ (SI): 0023B

ACTION: 23B12/DCWA

INFO: MEBJ

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

22SEP05

DEATH (II)

CONTROL: 26JUN05-MEBJ-0378-7HMA

V/DOE, JOHN (NMN)/UNK
M/W/ZZZZ/N///UNK
SUPP: SYRIAN NATIONAL

COMMAND/II MEF, IRAQ/20361

MADE AT/MEBJ/AL ASAD AIRBASE IZ/ [REDACTED] SPECIAL AGENT

REFERENCE

- (A) NCISFO Middle East ROI (INTERIM)/27JUL05...(Contains Exhibits 1-15)
- (B) NCISFO Middle East ROI (INTERIM)/26AUG05...(Contains Exhibits 16-17)

EXECUTIVE SUMMARY

1. Investigation initiated on 26Jun05, pursuant to notification regarding the death of an unidentified Syrian detainee, while attempting to flee from U.S Marines and Iraqi Armed Forces (IAF) in the vicinity of Al Haqlaniyah, IZ. Members of 3rd Battalion 25th Marine Regiment (3/25) and 2-4-1 IAF were manning a SVCP, 15km south of Haditha Dam, IZ, on Main Supply Route (MSR) Bronze, when four (4) Military Aged Males (MAM) approached in a red Opal and were stopped and searched. The MAMs were interviewed and determined to be Syrian Foreign Fighters. During questioning, one of the MAMs broke away from his guard and attempted to flee the scene on foot, however after repeated commands to halt by both 3/25 and IAF members, he was engaged with deadly force. The deceased's remains were recovered from a local Hospital and transported to the Armed Forces Institute of Pathology (AFIP), located at Dover Air Force Base, DE, for post mortem examination. Preliminary Autopsy determined the cause and manner of death as multiple (2) gunshot wounds and Homicide, respectively.

NARRATIVE

- 1. This investigation was initiated pursuant to SECNAVINST 5520.3B. There are no specific statutes or UCMJ articles that pertain.
- 2. Reference (B) reflected this investigation is pending receipt of the Final Autopsy-Toxicology Results. To date, this investigation is pending receipt of the aforementioned documents.

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INFO: MEBJ/DCWA

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

22SEP05

DEATH (II)

CONTROL: 26JUN05-MEJ-0378-7HMA

V/DOE, JOHN (NMN)/UNK
M/W/ZZZZ/N///UNK
SUPP: SYRIAN NATIONAL

COMMAND/II MEF, IRAQ/20361

MADE AT/MEBJ/AL ASAD AIRBASE IZ/[REDACTED], SPECIAL AGENT

REFERENCE

- (A) NCISFO Middle East ROI (INTERIM)/27JUL05...(Contains Exhibits 1-15)
- (B) NCISFO Middle East ROI (INTERIM)/26AUG05...(Contains Exhibits 16-17)

EXECUTIVE SUMMARY

1. Investigation initiated on 26Jun05, pursuant to notification regarding the death of an unidentified Syrian detainee, while attempting to flee from U.S Marines and Iraqi Armed Forces (IAF) in the vicinity of Al Haqlaniyah, IZ. Members of 3rd Battalion 25th Marine Regiment (3/25) and 2-4-1 IAF were manning a SVCP, 15km south of Haditha Dam, IZ, on Main Supply Route (MSR) Bronze, when four (4) Military Aged Males (MAM) approached in a red Opal and were stopped and searched. The MAMs were interviewed and determined to be Syrian Foreign Fighters. During questioning, one of the MAMs broke away from his guard and attempted to flee the scene on foot, however after repeated commands to halt by both 3/25 and IAF members, he was engaged with deadly force. The deceased's remains were recovered from a local Hospital and transported to the Armed Forces Institute of Pathology (AFIP), located at Dover Air Force Base, DE, for post mortem examination. Preliminary Autopsy determined the cause and manner of death as multiple (2) gunshot wounds and Homicide, respectively.

NARRATIVE

- 1. This investigation was initiated pursuant to SECNAVINST 5520.3B. There are no specific statutes or UCMJ articles that pertain.
- 2. Reference (B) reflected this investigation is pending receipt of the Final Autopsy-Toxicology Results. To date, this investigation is pending receipt of the aforementioned documents.

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

13SEP05

DEATH (II)

CONTROL: 26JUN05-MEBJ-0378-7HMA

V/DOE, JOHN (NMN)/UNK
M/W/ZZZZ/N///UNK
SUPP: SYRIAN NATIONAL

COMMAND/II MEF, IRAQ/20361

MADE AT/0023/NCISHQ WASHINGTON DC/[REDACTED] SPECIAL AGENT

REFERENCES

- (A) MEBJ ROI (ACTION)/07JUL05
- (B) 0023 ROI (ACTION)/01AUG05
- (C) 0023 ROI (ACTION)/25AUG05

NARRATIVE

1. In accordance with lead tasking set forth in reference (A), and subsequent to the submission of references (B) and (C), lead tasking continues to remain outstanding pending receipt of the final autopsy report.

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INFO: DCWA/MEBJ

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

26AUG05

DEATH (II)

CONTROL: 26JUN05-MEBJ-0378-7HMA

V/DOE, JOHN (NMN)/UNK
M/W/ZZZZ/N///UNK
SUPP: SYRIAN NATIONAL

COMMAND/II MEF, IRAQ/20361

MADE AT/MEBJ/AL ASAD AIRBASE IZ/[REDACTED] SPECIAL AGENT

REFERENCE

(A) NCISFO Middle East ROI (INTERIM)/27JUL05...(Contains Exhibits 1-15)

EXHIBITS

(16) IA: Results of Autopsy (V/DOE)/27Jul05...(Copy All)
(17) IA: Results of Interview of [REDACTED]/15Aug05...(Copy All)

EXECUTIVE SUMMARY

1. Investigation initiated on 26Jun05, pursuant to notification regarding the death of an unidentified Syrian detainee, while attempting to flee from U.S Marines and Iraqi Armed Forces (IAF) in the vicinity of Al Haqlaniyah, IZ. Members of 3rd Battalion 25th Marine Regiment (3/25) and 2-4-1 IAF were manning a SVCP, 15km south of Haditha Dam, IZ, on Main Supply Route (MSR) Bronze, when four (4) Military Aged Males (MAM) approached in a red Opal and were stopped and searched. The MAMs were interviewed and determined to be Syrian Foreign Fighters. During questioning, one of the MAMs broke away from his guard and attempted to flee the scene on foot, however after repeated commands to halt by both 3/25 and IAF members, he was engaged with deadly force. The deceased's remains were recovered from a local Hospital and transported to the Armed Forces Institute of Pathology (AFIP), located at Dover Air Force Base, DE, for post mortem examination. Preliminary Autopsy determined the cause and manner of death as multiple (2) gunshot wounds and Homicide, respectively.

NARRATIVE

1. This investigation was initiated pursuant to SECNAVINST 5520.3B. There are no specific statutes or UCMJ articles that pertain.

2. Subsequent to Reference (A), the results of the preliminary autopsy was received, which indicated that on 09Jul05, Participant [REDACTED] attended the post mortem examination of V/DOE at AFIP. Preliminary Autopsy results were also previously reported in Reference (A), and determined two entry wounds in the back and two exit wounds in the front, with no projectiles found inside the body. Accompanying the preliminary report were the autopsy photographs and fingerprints of V/DOE; Exhibit (16) pertains.

3. On 13Aug05, Participant [REDACTED] interviewed [REDACTED] the

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SUBJ: V/DOE, JOHN (NMN)/UNK

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

interpreter embedded with 3/25 Marines at the time of the shooting; Exhibit (17) pertains. During the interview, [REDACTED] stated he was the person who noted the unusual clothing and speech patterns of the three detainees, and informed the Marines of the possibility they were Syrians or Jordanians. [REDACTED] also discovered the driver of the vehicle only had approximately \$15 worth of Iraqi Dinars, but had driven the Syrians from the border, so more than likely, he was involved with them. [REDACTED] stated at one point while interviewing one of the Syrians, he tried to escape on foot and despite the IAF and Marines yelling for him to stop, he continued running away. Both the Marines and IAF engaged V/DOE and he fell to the ground. [REDACTED] stated he and an IAF member named [REDACTED] went to check V/DOE's condition and found him still alive, but with what appeared to be a mortal wound to the heart. [REDACTED] stated he asked [REDACTED] if they should get the Marines, but [REDACTED] reportedly indicated he wanted to kill V/DOE, and fired three rounds from his AK-47 into V/DOE, who then died. Of note, is that post mortem examination did not discover these three rounds reportedly fired into V/DOE. [REDACTED] stated [REDACTED] the Marine Squad Leader, questioned [REDACTED]'s actions, but [REDACTED] just stated he shoots every Syrian, because they just blow themselves up. [REDACTED] then wanted to shoot the other two, but [REDACTED] would not allow. The other two were placed into the HMMWV and taken to Haditha Dam.

4. This investigation is pending receipt of the Final Autopsy-Toxicology Results.

PARTICIPANTS

[REDACTED], NCIS Special Agent, NCISHQ Washington, DC
 [REDACTED], NCIS Special Agent, MNF-I Int'l Zone, Baghdad, IZ

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E21

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

27JUL05

CONTROL: 26JUN05-MEBJ-0378-7HMA

I/II MEF, IRAQ/DEATH OF AN UNIDENTIFIED DETAINEE ESCAPEE

RESULTS OF AUTOPSY

1. On 09JUL05, Reporting Agent attended the autopsy of the unidentified detainee escapee at the Charles C. Carson Center for Mortuary Affairs, Dover Air Force Base, Dover, DE. [REDACTED] MC USNR, Associate Medical Examiner, and [REDACTED] MC USN, Deputy Medical Examiner, Office of the Armed Forces Medical Examiner, conducted the autopsy. The examination disclosed two gunshot wounds entering in the back and exiting in the mid and upper chest area. No projectiles were found inside the body. The Preliminary Autopsy Report is appended as enclosure (A).

2. The remains were received in a transfer case that contained a bag of clothing. The clothing most likely belonged to the detainee. An examination of the clothing suggested it was cut off the body, and then the body was wrapped in white cloth, suggestive of preparation for burial. The clothing was examined for holes or other evidence of potential trauma to the body. The only items of clothing suggesting trauma were the undershirt and button-down plaid shirt. Both shirts had holes where the shirt/undershirt would have been adjacent to the person's back. The undershirt was cut in the area that potentially would have matched the exit wounds. The button-down shirt was cut in the shoulder area, but still had a hole that coincided with the exit wound above the left clavicle. An additional hole was observed through the left pocket of the shirt. The two holes on the back of the button-down shirt appeared to have small smudges indicative of "bullet wipe." No other obvious smudges or powder patterns surrounding or emanating from the holes were observable.

3. The postmortem examination was photographed by [REDACTED] USAF, Photographer, Office of the Armed Forces Medical Examiner. [REDACTED] utilized a Nikon D1H digital camera. The photographs are appended as enclosure (B). Proof sheets are forwarded separately for maintenance in the case file.

4. Fingerprints from the detainee are included as enclosure (C).

ENCLOSURES

- (A) Preliminary Autopsy Report/09JUL05
- (B) Autopsy Photographs/09JUL05
- (C) Fingerprint Card/09JUL05

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REPORTED BY: [REDACTED], SPECIAL AGENT
OFFICE: NCISHQ WASHINGTON, DC

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Page 1 [REDACTED] LAST [REDACTED] V2 LNY

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TYPE OR PRINT ALL INFORMATION

LACK

FBI LEAVE BLANK

LAST NAME NAM

FIRST NAME

MIDDLE NAME

UNK - DETAINEE - ESCAPEE

STATE USAGE

ALIASES

CONTRIBUTOR

**MEOS-
2630**

FOR

DCFBWAZZ

FBI
DISASTER SQUAD

DATE OF BIRTH DOB

Month Day Year

SIGNATURE OF PERSON FINGERPRINTED

THIS DATA MAY BE COMPUTERIZED IN LOCAL, STATE AND NATIONAL FILES

DATE ARRESTED OR RECEIVED DOA

SEX

RACE

HGT.

WGT.

EYES

HAIR

PLACE OF BIRTH POB

DATE 7/9/05

SIGNATURE OF [REDACTED]

YOUR NO. OCA

LEAVE BLANK

CHARGE

FBI NO. FBI

CLASS.

SID NO. SID

REF.

FINAL DISPOSITION

SOCIAL SECURITY NO. SOC

NCIC CLASS - FPC

CAUTION

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TIP AMP



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LEFT FOUR FINGERS TAKEN SIMULTANEOUSLY

L. THUMB

R. THUMB

RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY

Dover AFB Port Mortuary



Incident : OIF

Remains/Case #: 4702

Recovery/TC #:

Process Date: 09 Jul 05 ME #: 05-0630

[Handwritten initials]

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

//23B/BJ//

INVESTIGATIVE ACTION

15AUG05

CONTROL: 26JUN05-MEBJ-0378-7HMA

V/DOE, JOHN (NMN)/UNK
M/W/ZZZZ/N///UNK
SUPP: SYRIAN NATIONAL

RESULTS OF INTERVIEW OF [REDACTED]

1. On 13Aug05, Reporting Agent identified himself as a Special Agent of the U.S. Naval Criminal Investigative Service, and interviewed [REDACTED] [REDACTED] was advised he was being interviewed regarding his knowledge relative to the death of a Syrian male (V/DOE, John (NMN)) in July 2005. As background, [REDACTED] is a Department of Defense contracted linguist who was assigned to the 3rd Battalion, 25th Marines and was present at V/DOE's death. [REDACTED] provided the following information:

2. [REDACTED] was attached to a squad of Marines supported by a HUMMV at a checkpoint with Iraqi National Guard (ING) soldiers also manning the checkpoint. The HUMMV had a gun mounted on the top of the vehicle. The Marines and ING manning the checkpoint were inspecting vehicles when [REDACTED] noticed one vehicle containing three male passengers, other than the driver, who appeared by their clothing to be from outside Iraq. [REDACTED] instructed the vehicle driver to stop and further instructed the vehicle's occupants to show their identification. As [REDACTED] spoke to the occupants he noticed their accents were either Syrian or Jordanian. [REDACTED] instructed the occupants to get out of the vehicle and sit on the ground away from the vehicle. The occupants consisted of the driver who acted as a taxi driver, and three passengers. It was later learned the driver had only 20,000 dinars (approximately 15.00 USD) and that he had driven the three passengers from the Syrian border. It was also learned that the driver was an Iraqi national. [REDACTED] instructed the passenger who appeared to be the youngest to come to him. The person was V/DOE. [REDACTED] asked V/DOE where he was from to which V/DOE first replied that he was from Iraq. [REDACTED] confronted V/DOE about his accent being other than Iraqi. V/DOE admitted he was from Syria. [REDACTED] told the ING to take V/DOE to where the other Syrians were sitting. As V/DOE started walking as directed, he suddenly tried to escape by running away. The ING and Marines called to V/DOE to stop in Arabic four or five times, but V/DOE continued running. The Marine and the ING opened fired and V/DOE fell to the ground.

3. [REDACTED] and an ING sergeant named, [REDACTED] (last name unknown to [REDACTED]) went to see V/DOE's condition. V/DOE was still alive, but it appeared to [REDACTED] V/DOE was not going to live much longer because one of the bullet wounds appeared to be "in the heart."

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CCS ENTRY: 8/24/05 INITIALS: [REDACTED]
DTD XMIT: 8/24/05 INITIALS: [REDACTED]
DTD MAILED: [REDACTED] INITIALS: [REDACTED]

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SUBJ: V/DOE, JOHN (NMN)/UNK

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

██████████ could hear V/DOE voicing pain from the wounds. ██████████ asked ██████████ if they should get the Marines to ask what they should do with V/DOE. ██████████ replied, "No, I want to kill him now!" or words very similar. ██████████ told ██████████ he was concerned they would get in trouble, but ██████████ replied he did not care. ██████████ fired three rounds from his AK-47 rifle into V/DOE who then died. From the time ██████████ and ██████████ arrived at V/DOE's body to the time they left him dead was about thirty seconds.

4. When ██████████ and ██████████ returned to where the Marines and ING soldiers were still watching the other two Syrians and the Iraqi driver, the Marine squad leader, ██████████ (NFI), was upset with ██████████ shooting V/DOE. ██████████ asked ██████████ why he shot V/DOE to which ██████████ replied, "I shoot every fucking Syrian because they are going to blow themselves up." ██████████ wanted to kill the other Syrians, but ██████████ would not permit it and told ██████████ to relax. ██████████ called an officer via radio and was told to take the other Syrians and the driver to camp. The ING took the two Syrians and the Iraqi to the HUMMV. When the ING soldiers got the detainees into the HUMMV they started beating them to the bodies with their AK-47 rifle butts. The blows were never to their faces. ██████████ stood next to the HUMMV while the beatings took place. The Marine who was manning the crew served weapon on top of the HUMMV managed to stop the ING from further beating the detainees. The Marines then drove the detainees to base where they were turned over to intelligence personnel.

5. ██████████ said none of the Marines hit or mistreated the detainees. Neither did any Marine give instructions to mistreat a detainee or give instructions directly or by implication to mistreat or wrongfully kill a detainee.

BIOGRAPHICAL DATA

EMPLOYMENT: CATAGORY 1, LINGUIST - TITAN CORP

CITIZENSHIP: IRAQ

DOB: ██████████

POB: ██████████

RESIDENCE: ADDRESS: AL TALBIA IN FRONT OF EXCHANGER, NO. ██████████

OTHER: TELEPHONE: IRAQNA ██████████

REPORTED BY: ██████████ SPECIAL AGENT

OFFICE: MNF-I INTERNATIONAL ZONE, BAGHDAD, IRAQ

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

25AUG05

DEATH (II)

CONTROL: 26JUN05-MEBJ-0378-7HMA

V/DOE, JOHN (NMN)/UNK

M/W/ZZZZ/N///UNK

SUPP: SYRIAN NATIONAL

COMMAND/II MEF, IRAQ/20361

MADE AT/0023/NCISHQ WASHINGTON DC/ [REDACTED] SPECIAL AGENT

REFERENCES

(A) MEBJ ROI (ACTION)/07JUL05

(B) 0023 ROI (ACTION)/01AUG05

NARRATIVE

1. In accordance with lead tasking set forth in reference (A), and subsequent to the submission of reference (B), lead tasking continues to remain outstanding pending receipt of the final autopsy report.

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

27JUL05

DEATH (II)

CONTROL: 26JUN05-MEBJ-0378-7HMA

V/DOE, JOHN (NMN)/UNK
 M/W/ZZZZ/N///UNK
 SUPP: SYRIAN NATIONAL

COMMAND/II MEF, IRAQ/20361

MADE AT/MEBJ/AL ASAD AIRBASE IZ/ [REDACTED] SPECIAL AGENT

EXHIBIT(S)

- (1) IA: Acquisition of Hand Written Statements from 3/25 Personnel/30Jun05... (Copy All)
- (2) IA: Acquisition of Ministry of Health Document/03Jul05... (Copy All)
- (3) IA: Death Scene Examination Report/07Jul05... (Copy All)
- (4) IA: Photographic Coverage of Death Scene Examination/07Jul05... (Copy All)
- (5) IA: Results of Retrieval of Body and Interview of Ambulance Driver/07Jul05... (Copy All)
- (6) IA: Photographic Coverage of Detainee by Mortuary Affairs/08Jul05... (Copy All)
- (7) IA: Acquisition of Mortuary Affairs Custody Documentation/09Jul05... (Copy All)
- (8) Translated Sworn Statement of [REDACTED]/05Jul05... (Copy All)
- (9) Translated Sworn Statement of [REDACTED] 14Jul05... (Copy All)
- (10) Translated Sworn Statement of [REDACTED] 14Jul05... (Copy All)
- (11) Translated Sworn Statement of [REDACTED] A'N/14Jul05... (Copy All)
- (12) Translated Sworn Statement of [REDACTED]/14Jul05... (Copy All)
- (13) Translated Sworn Statement of [REDACTED]/13Jul05... (Copy All)
- (14) IA: Receipt of Preliminary Autopsy Report from AFIP/17Jul05... (Copy All)
- (15) IA: Acquisition of Titan Document/24Jul05... (Copy All)

EXECUTIVE SUMMARY

1. Investigation initiated on 26Jun05, pursuant to notification from [REDACTED] USMC JAGC, Senior SJA, II Marine Expeditionary Force (MEF), Camp Fallujah, Iraq (IZ), regarding the death of an unidentified Syrian detainee, while attempting to flee from U.S Marines and Iraqi Armed Forces in the vicinity of Al Haqlaniyah, IZ. Members of 3rd Battalion 25th Marine Regiment (3/25) and 2-4-1 Iraqi Armed Forces (IAF) operating from Camp Haditha, IZ, were manning a Stationary Vehicle Check Point 15km south of Haditha Dam on Main Supply Route (MSR) Bronze, when a red Opal carrying four (4) Military Aged Males (MAM) was stopped and searched. The MAMs were discovered with false Iraqi identification and were later determined to be

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SUBJ: V/DOE, JOHN (NMN);/UNK

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

Syrian Foreign Fighters entering the country for Jihad. At one point during questioning, one of the detainees attempted to flee the scene and was commanded to halt by both 3/25 and IAF members, however he continued his escape. To prevent the imminent escape of this detainee, who had fled to a distance no longer safe to chase, he was engaged with deadly force. The deceased's remains were recovered from a local Hospital and transported to the Armed Forces Institute of Pathology (AFIP), located at Dover Air Force Base, DE, for post mortem examination. Members of 3/25 involved in the shooting were interviewed, however under advise of legal counsel, invoked their rights to silence. Due to the lack of proper identification, the deceased Syrian detainee is hereby referred to as V/DOE.

NARRATIVE

1. This investigation was initiated pursuant to SECNAVINST 5520.3B. There are no specific statutes or UCMJ articles that pertain.
2. On 28Jun05, Reporting Agent (RA) contacted [REDACTED] USMC, [REDACTED] for 3rd Battalion, 25th Marine Regiment (3/25), Regimental Combat Team - 2 (RCT-2), forward deployed to Camp Haditha, Iraq, regarding interviewing the four Marines involved in the shooting death of V/DOE. [REDACTED] provided statements that were written by these individuals immediately after returning to camp from the incident scene. RA then attempted to individually interview the four Marines; however, on the advice of legal counsel, invoked their rights to silence, and requested their written statements stand in place of oral testimony. Exhibit (1) provides the pertinent details of those statements.
3. On 28Jun05, RA received documentation from the Iraqi Ministry of Health, regarding the post mortem examination of V/DOE; Exhibit (2) pertains. [REDACTED] Iraqi Coronary Doctor for Haditha Hospital performed the autopsy on V/DOE and detected one entry wound to the back and one in the left shoulder, and one exit wound in the left chest. The document provided by [REDACTED] was written in Arabic; therefore [REDACTED] (infra) provided a sworn translation.
4. On 29Jun05, RA traveled via armored patrol to the death scene and performed the death scene examination (DSE), including death scene sketch and measurements, Exhibit (3) pertains.
5. On 29Jun05, as part of the DSE, photographic documentation of the scene was performed; Exhibit (4) pertains.
6. On 28Jun05, Participant [REDACTED] (infra) negotiated the retrieval of V/DOE's remains from Haditha Hospital and had them transported to the Mortuary Affairs Detachment aboard Al Asad, for future transport to AFIP; Exhibit (5) pertains. Participant [REDACTED] additionally interviewed the Ambulance Driver, [REDACTED] who recovered V/DOE from the incident scene on 26Jun05, and transported him to Haditha Hospital. Once V/DOE arrived at the Al Asad Mortuary Affairs Detachment, photographic coverage of V/DOE was taken as part of the in-processing procedures. Those photos were provided to NCIS;

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EAB

SUBJ: V/DOE, JOHN (NMN)/UNK

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

Exhibit (6) pertains.

7. On 07Jul05, RA met with [REDACTED] USMC, Al Asad Mortuary Affairs, regarding the transportation of V/DOE to AFIP. Helo Squadron HMM-264 was tasked to transport V/DOE from Al Asad to the Transportation Mortuary Evacuation Point (TMEP) at Baghdad International Airport (BIAP), and documentation was provided to maintain the chain of custody throughout transport; Exhibit (7) pertains.
8. On 05Jul05, RA interviewed [REDACTED] the Iraqi Cab driver who was also stopped and detained at VCP-9. [REDACTED] was determined to be transporting three Syrians from Anah to Baghdad, Iraq. [REDACTED] provided a sworn statement regarding his recollection of the events surrounding the death of V/DOE. Exhibit (8) is [REDACTED]'s statement in Arabic, accompanied by the sworn translation provided by [REDACTED] (infra). [REDACTED] essentially indicated that V/DOE attempted to escape because the IAF were beating them. While escaping, he heard the IAF yelling for him to stop; however, when he did not, they shot him. He also indicated an American Soldier fired from his Humvee, and the American's treatment of them was much better than the IAF.
9. On 07Jul05, RA interviewed [REDACTED] 2-4-1 IAF, regarding his recollection of the events. Exhibit (9) is [REDACTED] statement in Arabic, accompanied by the sworn translation by [REDACTED]. [REDACTED] stated the interpreter embedded at the VCP, beat one of the detainee's, and he soon admitted he was Syrian. At that point, he was taken over to the Marines, where he soon escaped, and was ultimately killed.
10. On 07Jul05, RA interviewed [REDACTED] 2-4-1 IAF, regarding the death of the Syrian detainee; Exhibit (10) is [REDACTED] statement in Arabic, accompanied by the sworn translation by [REDACTED]. [REDACTED] indicated when the initial shots were fired, the Syrian kept running, and it was not until the Marine aboard the Humvee fired, that V/DOE died.
11. On 07Jul05, RA interviewed [REDACTED] 2-4-1 IAF, regarding the death of V/DOE. Exhibit (11) is [REDACTED]'s statement in Arabic, accompanied by [REDACTED] sworn translation. [REDACTED] stated all members of IAF and 3/25 fired at V/DOE. After he was dead, the Humvee took the others to the Marines Headquarters for further investigation.
12. On 13Jul05, Participant [REDACTED] interviewed [REDACTED] an admitted Syrian National in Iraq for Jihad, who was detained at VCP-9 on 26Jun05. [REDACTED] provided a written statement regarding his recollection of the events, which is accompanied by [REDACTED] translation; Exhibit (12) pertains. [REDACTED] stated the IAF forces beat them upon determining their identification papers were phony. He identified V/DOE as Abu BASHIR and indicated when he ran away, one of the Marines began saying something in English, but he could not understand it. Then two of the IAF shot at BASHIR, whom he also

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SUBJ: V/DOE, JOHN (NMN)/UNK

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

indicated is from Ar Rutbah, Iraq near Camp Korean Village. Later, while [REDACTED] was providing his sworn translation, he indicated Abu BASHIR simply means father of Good News, and is not a real name but a warrior-type nickname, similar to Devil Dog for the Marines.

13. On 13Jul05, RA interviewed [REDACTED] the other Syrian detainee at VCP-9. [REDACTED] provided an oral statement regarding the events surrounding V/DOE's death, and Arabic Linguist [REDACTED] (infra) wrote the statement in English as [REDACTED] was speaking; Exhibit (13) pertains. [REDACTED] stated he entered Iraq from the Syrian town of Boukamal, where he also met Abu BASHIR and [REDACTED] the warrior name for [REDACTED] (supra). [REDACTED] stated after the Americans interrogated them through an interpreter, and determined their ID's were false, they made them get on the ground, where the IAF beat and kicked them. Abu BASHIR was beaten so bad he ran away, and shortly thereafter [REDACTED] stated he heard gunshots. He then heard the IAF saying Abu BASHIR was dead. [REDACTED] remembered hearing the Americans yelling STOP, STOP, in English.

14. On 15Jul05, RA received the Preliminary Autopsy Report from AFIP; Exhibit (14) pertains. [REDACTED] MC USN, and [REDACTED] MC USN, performed the autopsy and determined the cause and manner of death as multiple gunshot wounds and homicide, respectively. They discovered two entry gunshot wounds to the back, one exiting the left side of the chest, and the other exiting above the left clavicle. No bullets, fragments, soot or stippling was present.

15. On 24Jul05, RA contacted [REDACTED] Al Asad [REDACTED] for Titan Corp, regarding the location of [REDACTED] the linguist assigned to 3/25 at the time of V/DOE's death. Titan Corp manages all Linguists in Al Asad's Area of Operations, and [REDACTED] had been previously requested to locate [REDACTED] so he could provide a statement of the events. [REDACTED] provided documentation detailing a 15Jul05 IED attack, which resulted in injuries to [REDACTED] requiring his medical evacuation; Exhibit (15) pertains. [REDACTED] further elaborated that [REDACTED] was currently in Baghdad undergoing rehab with his family.

16. This investigation is still pending the interview of [REDACTED] and receipt of the Final Autopsy/Toxicology Reports.

PARTICIPANTS

[REDACTED], NCIS Special Agent, Al Asad Airbase, IZ
 [REDACTED], CALNET Category II Arabic Linguist, Al Asad, IA
 [REDACTED], CALNET Category II Arabic Linguist, Al Asad, IA
 [REDACTED], CALNET Category II Arabic Linguist, Al Asad, IA

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

30JUN05

CONTROL: 26JUN05-MEBJ-0378-7HMA

I/II MEF, IRAQ/DEATH OF AN UNIDENTIFIED DETAINEE ESCAPEE

ACQUISITION OF HAND WRITTEN STATEMENTS FROM 3/25 PERSONNEL

1. On 28Jun05, Reporting Agent contacted [redacted] USMC, [redacted] for 3rd Battalion, 25th Marine Regiment (3/25), Regimental Combat Team - 2 (RCT-2), forward deployed to Camp Haditha, Iraq, regarding interviewing the four Marines involved in the shooting death of V/DOE. [redacted] provided statements that were written by these individuals immediately after returning to camp from the incident scene. RA then attempted to individually interview the four Marines, however on the advice of legal counsel, invoked their rights to silence, and requested their written statements stand in place of oral testimony.

2. [redacted] USMC, Weapons Company (WPNS), 3/25, provided his written statement, a rough sketch of the death scene and his initialed rights advisement form; Enclosure (A) pertains. In his statement, [redacted] indicated his four-man unit was advising Iraqi Army Forces (IAF) on vehicle checkpoint tactics, and positioned his four-man unit 100-150 meters off the roadway to observe. IAF stopped a maroon Opal carrying four Military-aged Arab Males (MAM) and conducted a search of the vehicle and its occupants. False identification and Syrian accents provided a reason for detention, and during questioning, one admitted to being Syrian. As he was physically detained, he broke free and ran back toward the roadway. IAF and the Marines all yelled, "Stop or I will shoot", to no avail, so IAF initially engaged unsuccessfully, and [redacted] gave the order for the Marines to engage and he fell just past the vehicle.

3. [redacted] USMC, WPNS 3/25, provided his written statement and his initialed rights advisement form; Enclosure (B) pertains. [redacted] stated after the Opal was pulled over and the MAMs were determined to be Syrians, [redacted] (infra) was interviewing one through an interpreter, and this MAM got away from him running towards Main Supply Route Bronze. Verbal commands were given for the MAM to stop, however he ran past the other 3 detainees, and IAF opened fire, but missed. [redacted] fired two rounds, then [redacted] stated he fired from his turret position with the 240 Gulf, a 7.62mm automatic rifle, and the MAM fell down and died.

4. [redacted] USMC, WPNS 3/25, provided his written statement and his initialed rights advisement form; Enclosure (C) pertains. [redacted] stated they were providing over watch at vehicle checkpoint 9 for IAF and the interpreter, [redacted] when a car was stopped with four (4) MAMs who displayed numerous discrepancies. During further question, one of the MAMs indicated he was Syrian, so [redacted] forcefully grabbed this detainee to escort him to get the restraints, and this detainee began wiggling to get free and escaped

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SUBJ: I/II MEF, IRAQ, DEATH OF AN UNIDENTIFIED DETAINEE ESCAPEE
U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

his grasp. He was given verbal commands to stop or we will shoot by both Marines and IAF, however when he continued running, they were cleared by their vehicle commander to engage. [REDACTED] stated he shot 2 rounds from his M-16 and [REDACTED] shot about 10 rounds from the 240G.

5. [REDACTED] USMC, WPNS 3/25, provided his written statement and his initialed rights advisement form; Enclosure (D) pertains. [REDACTED] stated the vehicle was driving erratically when it approached and was stopped and searched by IAF. The interpreter called us over to help with questioning of the MAM occupants, and after about 10 minutes, one of them admitted he was Syrian. [REDACTED] forcefully escorted him off to the side; however he broke free of [REDACTED] grasp and bolted for the road. [REDACTED] and [REDACTED] yelled, "AGOFF" a few times and the IAF yelled something in Arabic, but after he ran past his friends and the vehicle, all three IAF opened fire. [REDACTED] then gave the order to fire, and [REDACTED] shot with his M-16 and [REDACTED] fired with the vehicle mounted 240G.

ENCLOSURE(S)

- (A) Statement, Rights Advisement and Sketch from [REDACTED] 26JUN05
- (B) Statement and Rights Advisement from [REDACTED] /26JUN05
- (C) Statement and Rights Advisement from [REDACTED] /26JUN05
- (D) Statement and Rights Advisement from [REDACTED] 26JUN05

REPORTED BY: [REDACTED] SPECIAL AGENT
 OFFICE: NCISRU AL ASAD AIRBASE, IRAQ

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Page 2

LST

[REDACTED] V2 LNY

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Comments: To: Commanding General
II Marine Expeditionary Force
Attn: Adjutant F.O.I.A.
PSC Box 20080
MCB Camp Lejeune, NC
28542-0080

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//23B/BJ//

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

03JUL05

CONTROL: 26JUN05-MEJ-0378-7HMA

I/II MEF, IRAQ/DEATH OF AN UNIDENTIFIED DETAINEE ESCAPEE

ACQUISITION OF IRAQI MINISTRY OF HEALTH DOCUMENT

1. On 28Jun05, Reporting Agent (RA) received documentation from the Iraqi Ministry of Health, Coronary Department, regarding the post mortem examination of an unidentified Military-aged Arab Male (MAM), killed on 26Jun05, while attempting to flee from a U.S. Marine and Iraqi Armed Forces vehicle check point; Enclosure (A) pertains. Ambulatory Services attached to Hadithah Iraqi Hospital were notified of the incident and dispatched to the vicinity of Al Haqlaniya, 15km south of Haditha Dam, to retrieve the body. The body was then taken back to Hadithah Hospital to be processed for burial.

2. The documentation provided by Hadithah Hospital was written in Arabic, therefore RA contacted [REDACTED], a CalNet (Titan Corp) Category II Arabic Linguist assigned to the Intelligence Shop for 2nd Marine Air Wing, Al Asad Airbase, Iraq, who provided a sworn translation of the document; Enclosure (B) pertains. [REDACTED] stated the document was from [REDACTED] Iraqi Coronary Doctor, who performed the post mortem examination, and detected one oval entry wound in the back and subsequent exit wound in the left chest area. There was also an oval wound on the left shoulder. No determination was provided as to the identity of the victim or cause and manner of death.

ENCLOSURE

- (A) Iraqi Ministry of Health, First Coronary Report/Undated
- (B) Sworn Translation of Ministry of Health Document/02Jul05

REPORTED BY: [REDACTED] PECIAL AGENT
OFFICE: NCISRU AL ASAD AIRBASE, IRAQ

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DTD XMIT:	8/3/05	[REDACTED]
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	DATE	INITIALS

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Comments: Write to Iraqi
Ministry of Health

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

07JUL05

CONTROL: 09JUN05-MEBJ-0328-7HMA

I/II MEF, IRAQ/DEATH OF UNIDENTIFIED DETAINEE ESCAPEE

VEHICLE CHECK POINT DEATH SCENE EXAMINATION

NOTIFICATION:

1. On 26Jun05, (SSA) [REDACTED] Naval Criminal Investigative Service Field Office (NCISFO), Middle East (MEBJ), temporarily assigned to Camp Fallujah, Iraq, contacted Reporting Agent (RA) regarding the death of a Military-aged Arab Male (MAM) of unknown identity. The death occurred on Main Supply Route Bronze, near the city of Al Haqlaniyah, at Vehicle Checkpoint #9, 15km south of Haditha Dam. The death occurred when a MAM of Syrian Descent, was killed while attempting to escape U.S. Marine and Iraqi Armed Forces' custody.

2. SSA [REDACTED] advised he would need the assistance of the Al Asad Resident Unit to conduct a death investigation, including the Death Scene Examination (DSE), as the accident occurred in the NCISRU Al Asad Area of Responsibility.

DEATH SCENE EXAMINATION OVERVIEW:

3. The Scope of this examination was limited to a description of the incident scene and documentation, including scene diagram and scene photography.

4. At approximately 0700, on 29Jun05, RA traveled via armored patrol to the incident scene on MSR Bronze, which is located approximately 15km south of Haditha Dam, near the city of Al Haqlaniyah, Iraq. Due to the hostile area around VCP-9, urgency was paramount. It was reported this area was prone to Indirect Fire and small arms ambushes. For this reason, the 3/25 Regimental Combat Team (RCT-2) established a security perimeter prior to the scene examination. Upon arrival, preparation was made for the DSE, which involved surveying the scene, marking any evidentiary items, and determining a plan of action.

5. As background, on 26Jun05, U.S. Marines from 3rd Battalion, 25th Marine Regiment (3/25) and 2-4-1 Iraqi Armed Forces (IAF), forward deployed to Camp Haditha, Iraq, were manning a stationary vehicle checkpoint 3km south of Al Haqlaniyah, Iraq, on Main Supply Route Bronze. IAF observed a maroon Opel carrying four (4) MAMs approaching the VCP, so they stopped and searched the vehicle and occupants. False Iraqi Identification and Syrian accents provided reason to detain and question these individuals, therefore they were moved approximately 100-150 meters from the road surface where the Marines were providing over watch. IAF and Marine personnel interviewed the MAMs, via an Interpreter. One of the MAMs admitted

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EXHIBIT (3)

261

SUBJ: I/II MEF, IRAQ//DEATH OF UNIDENTIFIED DETAINEE ESCAPEE
U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

to being a Syrian National, and possibly a Foreign Fighter in the country for Jihad. Marine Forces separated this individual, intending to place him in restraints, however he broke free from the Marine's grasp and ran toward the road. He was told by both Marines and IAF to stop or they will shoot, however he did not stop. Witnesses indicated IAF initially fired with their AK-47 Assault rifles, however missed. 3/25 members then engaged with M-16 rounds and the vehicle mounted 240 Gulf. The other three MAMs were detained and taken to Camp Haditha for interrogation. An Ambulance from a local Haditha Hospital recovered the deceased MAM the following morning.

6. At 0730, 29Jun05, RA completed a brief scene survey, then completed the scene sketch, measurements and photography. There were no items of evidentiary value for collection purposes.

DEATH SCENE DESCRIPTION

7. The death scene was found to be located on MSR Bronze, approximately 1.5km north of MSR Phoenix, and 3.5km south of the city of Al Haqlaniyah, Iraq. As this was the death of a civilian Third Country National, while under U.S. Marine control, under other than combat-related circumstances, the investigation, including the death scene examination was deemed to be NCIS jurisdiction for law enforcement purposes.

8. RA noted that this portion of MSR Bronze, was an "S" shaped curving stretch of roadway, with side roads leading to Al Haqlaniyah and ASR Uranium. At approximately 87 meters west of the road surface, several 50-caliber shell casings were observed on the ground as markers. At approximately 22.8 meters west of the road surface was indications of a blood pool soaked into the dirt, where the Syrian fell and subsequently died after fleeing and being engaged with deadly force. The surrounding area was flat and unremarkable with small abandoned brick shacks approximately 1km to the west. There were buildings, but no inhabitants visible in the surrounding landscape. Additional measurements were documented on the DSE Sketch; Enclosure (A) pertains.

9. Photographic coverage, afforded this incident by RA will be reported via separate cover.

PHYSICAL EVIDENCE DOCUMENTATION:

10. There was no collectable physical evidence at the scene pertinent to this investigation. There were 50cal shells at the scene, evidence of a previous combat encounter at his scene.

WEATHER CONDITIONS:

11. Weather conditions for 29Jun05, listed infra, were obtained for Al Asad, Iraq.

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EW

SUBJ: I/II MEF, IRAQ, DEATH OF UNIDENTIFIED DETAINEE ESCAPEE
U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

Date Reported: 28Jun05
Report Time: 0730 Dubai
Temperature: 113 Degrees Fahrenheit,
Dew Point: 52 Degrees Fahrenheit
Visibility: 4-5 statute miles
Barometric Pressure: 29.67 inches of mercury
Wind Speed: NW 8-12 Knots gusting to 25 knots
Conditions: Blowing widespread, Dust, Haze
Clouds: Sky Clear

LIGHTING CONDITIONS:

12. The following astronomical data was obtained from the United States Naval Observatory, Astronomical Applications Department. Information was obtained for Haditha, Iraq for the period of 29Jun05. All times are for Dubai Daylight Times.

Wednesday
29 June 2005 Universal Time + 4

SUN
Begin Civil Twilight 0534
Sunrise 0609
Sun Transit 1347
Sunset 2124
End civil Twilight 2159

MOON
Moonset 1324 on previous day
Moonrise 0140
Moon transit 0801
Moonset 1435
Moonrise 0201 on following day

ENCLOSURE

(A) Escaped Detainee Death Scene Sketch/29Jun05

REPORTED BY: [REDACTED] SPECIAL AGENT
OFFICE: NCISRU AL ASAD, IRAQ

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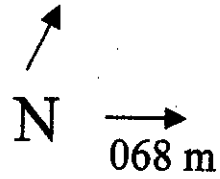
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F.63

VCP-9
Death Scene
Sketch
29JUN05



↑
Haditha

↑
Road to
Haqlaniya 1 km

ENCLOSURE (A)

M
S
R

B
R
O
N
Z
E

→
Al
Haqlaniya

65
yards

Blood
stain

22.8
yards

50 cal
rounds

Brick

Hit

MSR Phoenix 1.5 km

(not to scale)

19337



//23B/BJ//

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

07JUL05

CONTROL: 09JUN05-MEBJ-0328-7HMA

I/II MEF, IRAQ/DEATH OF UNIDENTIFIED DETAINEE ESCAPEE

PHOTOGRAPHIC COVERAGE OF DEATH SCENE EXAMINATION

1. On 29Jun05, a Death Scene Examination was conducted at Vehicle Checkpoint 9 on Main Supply Route Bronze, in the vicinity of Al Haqlaniyah, Iraq, the location where a Syrian Detainee was killed while attempting to flee from U.S. Marines and Iraqi Armed Forces' control. Photographic coverage was conducted to visually document the condition of the scene at the time of the incident. Photographs were taken utilizing a Sony Cyber-shot DSC-P93VX Digital Camera. Aperture, shutter speed and flash settings were set to automatic. The photographic images were saved on the camera's internal memory card and then transferred to a secure computer hard drive. All of the photographic images were then saved onto a non-rewriteable compact disk, which is contained within the case notes of this investigation.

2. The following photographs are presented as scene documentation:

- | NO. | PHOTOGRAPH DESCRIPTION |
|-----|-----------------------------------|
| 1. | Overall - East toward MSR Bronze |
| 2. | Overall - Northeast |
| 3. | Overall - North |
| 4. | Overall - Northwest |
| 5. | Overall - West |
| 6. | Overall - Southwest |
| 7. | Overall - South |
| 8. | Overall - Southeast |
| 9. | 50 caliber shell casings and shoe |
| 10. | Midrange - Blood stain in dirt |
| 11. | Close-up - Blood stain in dirt |

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 INITIALS _____
 INITIALS _____

ENCLOSURE(S)

(A) Photographs 1-11/UNDATED

REPORTED BY: _____ SPECIAL AGENT

OFFICE: NCISRU AL ASAD, IRAQ

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Page 1 LAST [redacted] V2 LNY

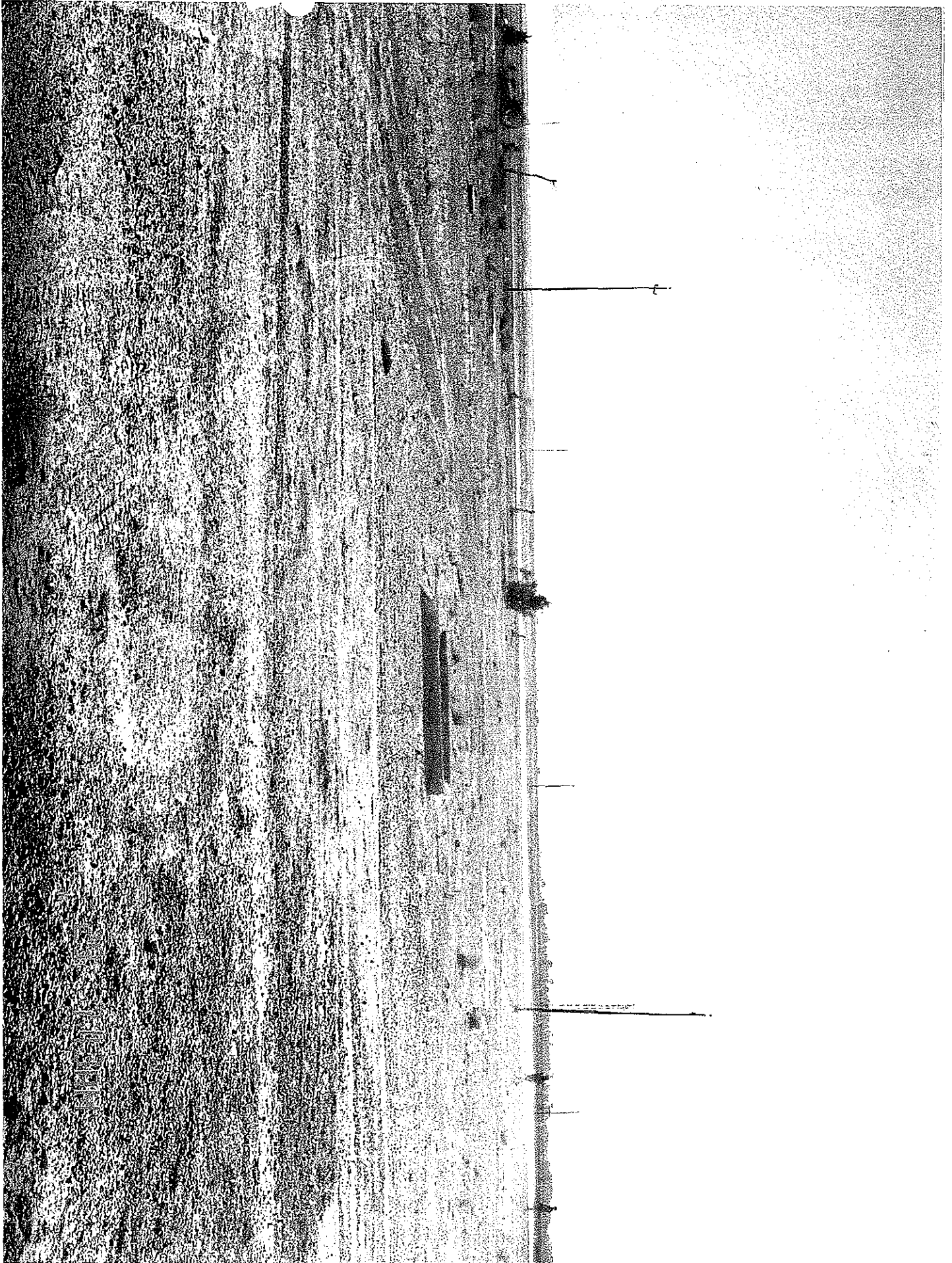
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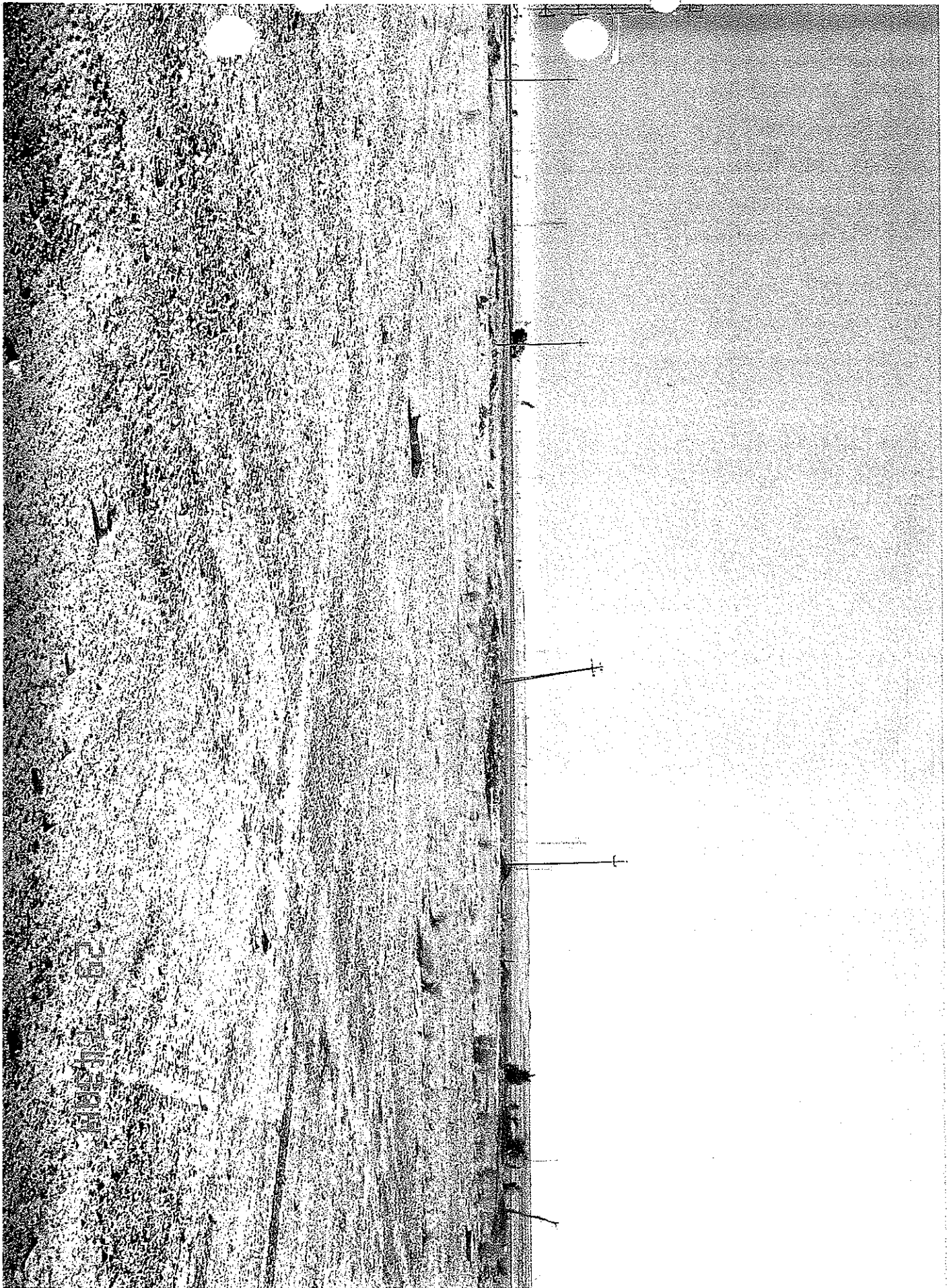
EXHIBIT (4)

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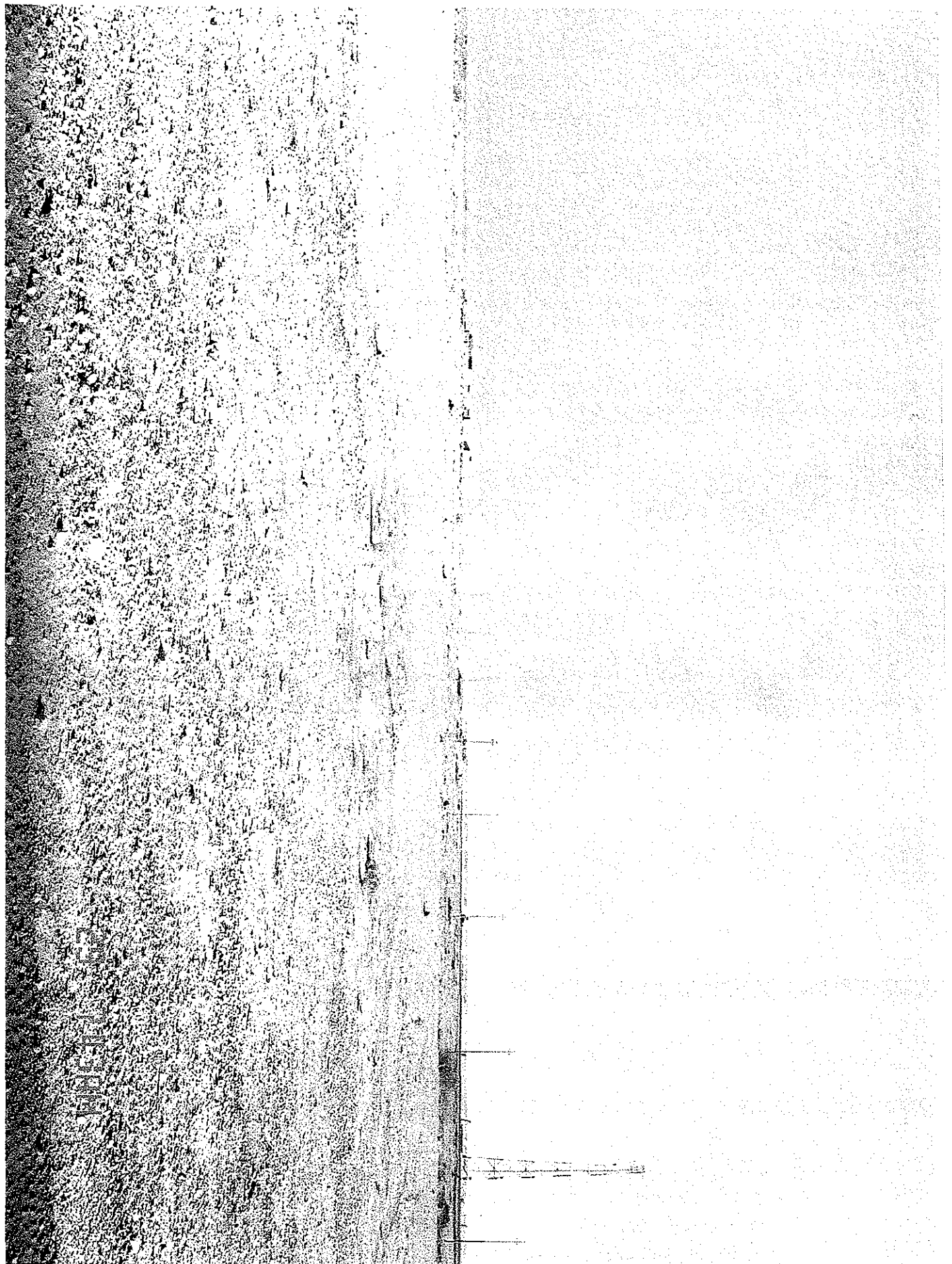
ENCLOSURE (A)
E66



19340

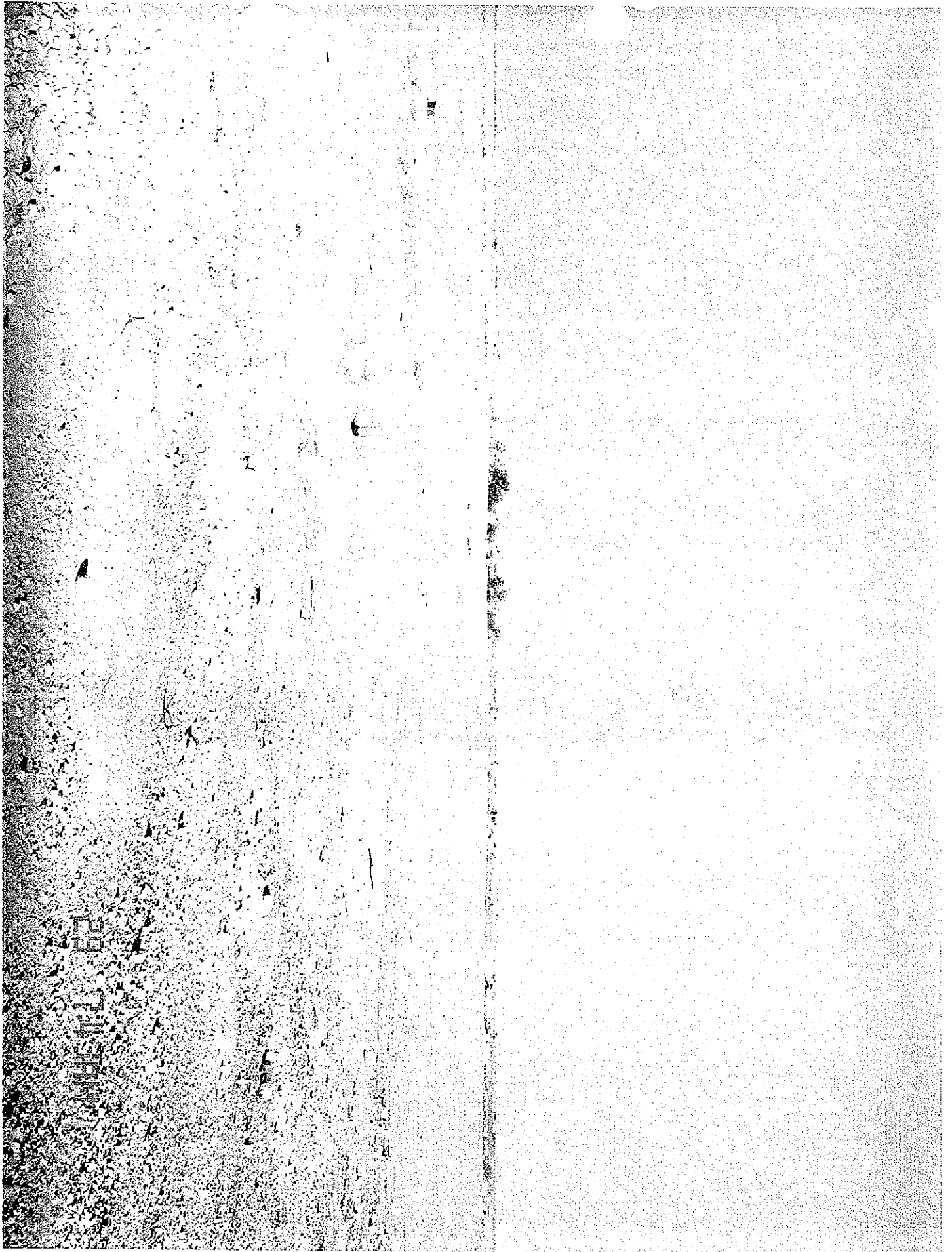
ENCLOSURE (A)

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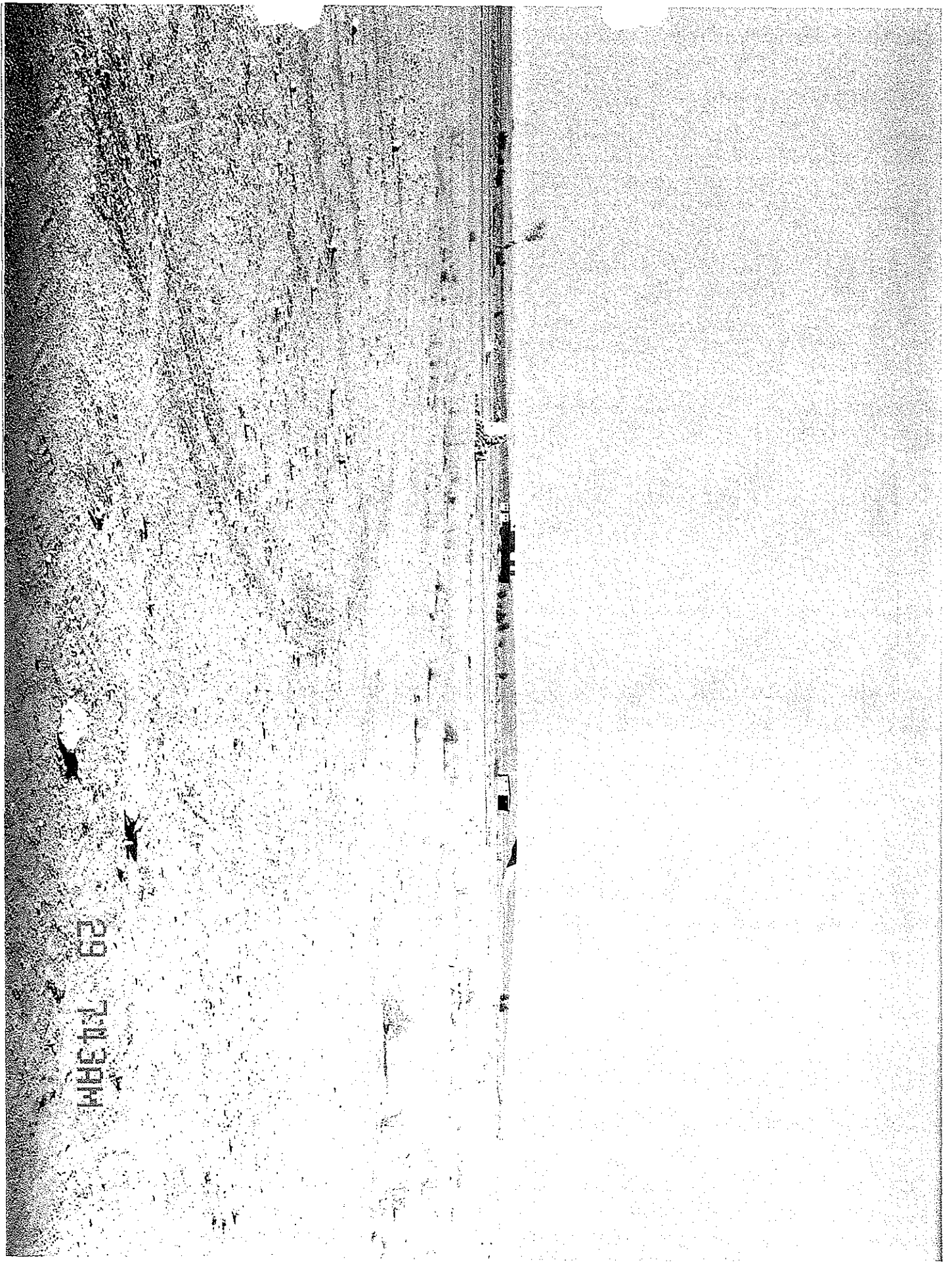
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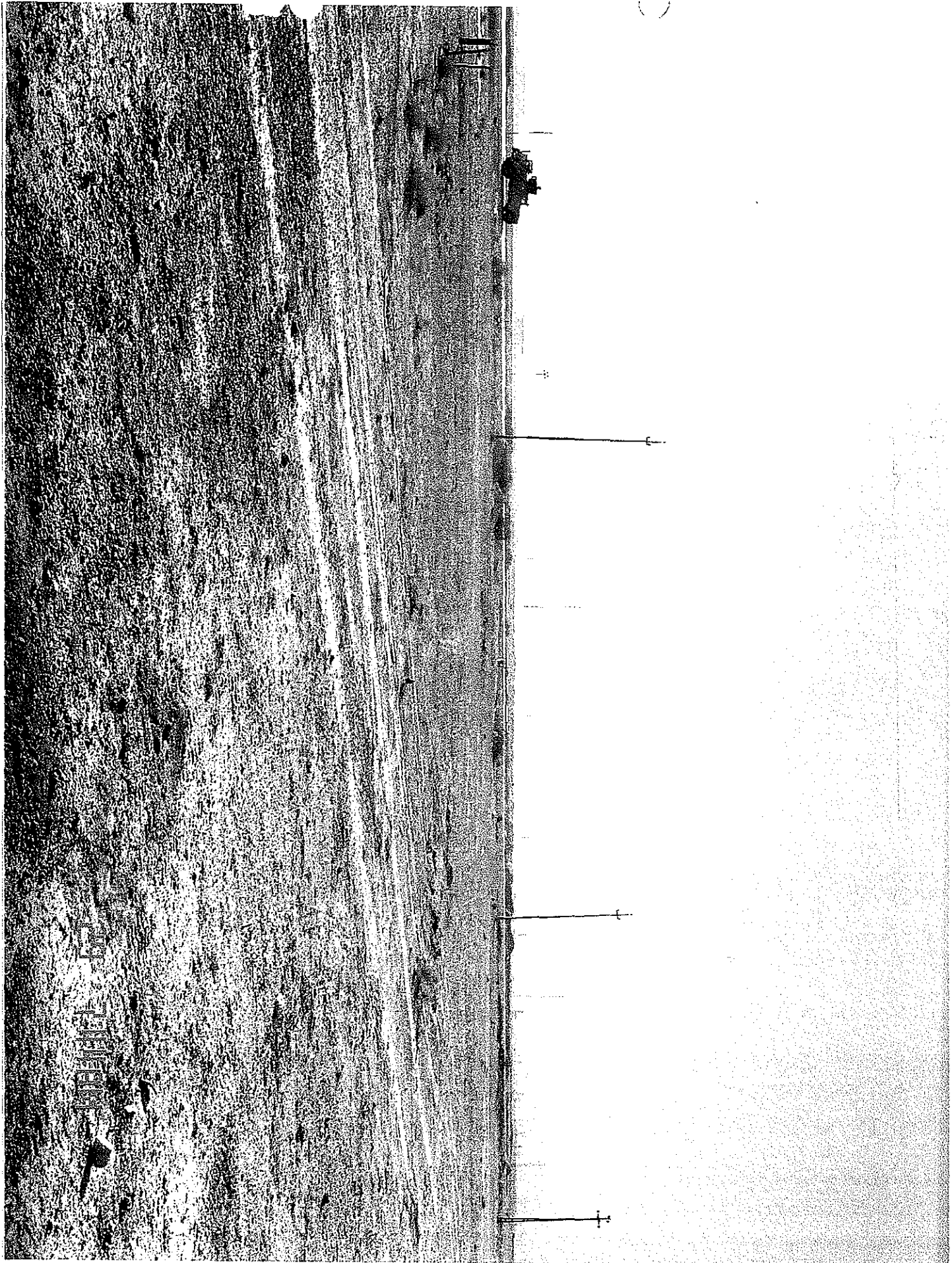
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ENCLOSURE (A)
E73 8

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

07JUL05

CONTROL: 26JUN05-MEBJ-0378-7HMA

I/II MEF, IRAQ/DEATH OF AN UNIDENTIFIED DETAINEE ESCAPEE

RESULTS OF RETRIEVAL OF BODY AND INTERVIEW OF AMBULANCE DRIVER

1. On 28Jun05, the body of an unidentified detainee was retrieved from Camp Haditha, Iraq. Per prior arrangement, the body was driven from Haditha Hospital to Camp Haditha by ambulance, inspected for explosive devices by ██████████ 8TH ENGINEERING SUPPORT BATTALION, Camp Haditha, and turned over to Reporting Agent.

2. The ambulance driver, ██████████ (NFI) was interviewed with the aid of interpreter ██████████ (NFI). ██████████ provided that he was also the ambulance driver who brought the body to Haditha Hospital initially. ██████████ said that on 26Jun05, the Marines called Haditha Hospital and reported there was a body in the street for pick-up. ██████████ stated he could not find the body on 26Jun05.

3. ██████████ recalled that the Marines called again on 27Jun05, and accompanied him to the body. ██████████ said he brought the body to Haditha Hospital.

4. ██████████ indicated many people came to look at the body in an effort to identify it. ██████████ stated that Haditha Hospital personnel called people in the towns of Rawah and Anah to come view the body as well, but nobody could identify it. ██████████ said that it is unusual for a body not to be identified.

5. ██████████ related that on 28Jun05, the body was washed and prepared for burial. Nobody had yet come to claim it, and the Marines called the hospital to say they wanted it brought to Camp Haditha.

6. The body was transported by convoy to Al Asad Airbase Iraq and turned over to Mortuary Affairs.

REPORTED BY: ██████████ Special Agent

OFFICE: NCIS Det Al Asad Iraq

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EXHIBIT (5) E 21

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

08JUL05

CONTROL: 09JUN05-MEBJ-0328-7HMA

I/II MEF, IRAQ/DEATH OF UNIDENTIFIED DETAINEE ESCAPEE

PHOTOGRAPHIC COVERAGE OF DETAINEE BY MORTUARY AFFAIRS

1. On 28Jun05, SA [redacted] (infra) received the remains of an unidentified Syrian detainee killed on 26Jun05 at Vehicle Checkpoint 9 on Main Supply Route Bronze, in the vicinity of Al Haqlaniyah, Iraq. The remains were received at Camp Haditha, Iraq, location of Regimental Combat Team (RCT-2), 3rd Battalion, 25th Marine Regiment. Per prior arrangement, the body was driven from Haditha Hospital, a local Iraqi civilian hospital, to Camp Haditha by ambulance and inspected for explosives by members of the 8th Engineering Support Battalion.

2. SA [redacted] took custody of the body and via armored convoy, transported the remains to the Mortuary Affairs Detachment, Al Asad Airbase, Iraq. Mortuary Affairs, as part of their in-processing procedures, took photographs of the body, prior to placing him in a sealed container for transport to the Armed Forces Institute of Pathology in Dover, DE, for post mortem examination.

2. The following photographs taken by Mortuary Affairs are presented as documentation:

- | NO. | PHOTOGRAPH DESCRIPTION |
|-----|--|
| 1. | Syrian National - Midrange of Head |
| 2. | Syrian National - Close-up of Face |
| 3. | Syrian National - Midrange of Upper Body |
| 4. | Syrian National - Midrange of Lower Body |

PARTICIPANT

[redacted] NCIS Special Agent, NCISRU Al Asad, Iraq

ENCLOSURE(S)

(A) Photographs 1-4/UNDATED

REPORTED BY: [redacted] SPECIAL AGENT

OFFICE: NCISRU AL ASAD, IRAQ

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EXHIBIT (6)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

09JUL05

CONTROL: 26JUN05-MEBJ-0378-7HMA

I/II MEF, IRAQ/DEATH OF AN UNIDENTIFIED DETAINEE ESCAPEE

ACQUISITION OF MORTUARY AFFAIRS CUSTODY DOCUMENTATION

1. On 07Jul05, Reporting Agent met with [redacted] USMC, Mortuary Affairs, regarding the transportation of an unidentified Third Country National (TCN) from Al Asad Airbase, Iraq to the Armed Forces Institute of Pathology (AFIP) in Dover, DE, for post mortem examination. Mortuary Affairs had been storing the remains since its arrival at Al Asad from Haditha Hospital on 28Jun05, pending its transport to AFIP.

2. On this date a flight was secured through Marine Medium Helicopter Squadron (HMM-264) to fly the remains from Al Asad to the Baghdad International Airport (BIAP), where it would be loaded onto a Heavy lift Cargo aircraft and flown to Dover. [redacted] provided custody documentation releasing the TCN's remains from Mortuary Affairs to NCIS; Enclosure (A) pertains, and then additional documentation releasing the TCN from NCIS to HMM-264 for transport to BIAP; Enclosure (B) pertains.

ENCLOSURE(S)

- (A) Convoy List of Remains custody document from Mortuary Affairs to NCIS/07JUL05
- (B) Convoy List of Remains custody document from NCIS to [redacted] HMM-264 Crew Chief/07JUL05

REPORTED BY: [redacted] SPECIAL AGENT
OFFICE: NCISRU AL ASAD AIRBASE, IRAQ

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Comments: TO: Mortuary Affairs

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STATEMENT TRANSLATION

[REDACTED] certify that the following translation is true, accurate and complete to the best of my knowledge and belief. I make the following translation for Special Agent [REDACTED] whom I know to be a representative of the United States Naval Criminal Investigative Service. I make this free and voluntary translation based on information discussed in an interview with [REDACTED] an Iraqi Male Citizen, Special Agent [REDACTED] and myself. This translation is regarding: The events surrounding the shooting death of a Syrian Detainee near Haditha [REDACTED]

This is the true and complete translation of a statement provided by [REDACTED] on 05Jul05 at approximately 2250, during an interview at the Al Asad, Iraq Detention Facility. [REDACTED]

I was traveling to Baghdad with three (3) passengers in my Cab when we reached an Iraqi Forces Checkpoint supervised by the American Marines who were about 100 meters from the checkpoint. As we approached the checkpoint, my passengers asked me what was this (checkpoint's) aim. I told them for to search. They asked me if it was a complete search or not. I told them yes, they do a complete search as any regular (checkpoint) [REDACTED]

We reached the Point. The Iraqi Soldiers made us leave the car and they searched the car. Then the Interpreter asked me for my ID, which I gave him. Then he asked me where we were going and I answered to Baghdad. Then he asked the passengers for their ID and they gave it to the Linguist and he asked me are they with you? I said yes. He then asked me if I knew them. I told him no, they are my passengers. He told me their IDs were fake. He then called the American Soldier. He then talked to the Marine. Then he returned to me and asked me to follow him. He took me to the Marine. Then the Soldier asked me to tell him where I picked them up. I told him the whole story [REDACTED]

He then called them and started to interrogate with them. I was at this time standing close by. The Iraqi Soldiers started beating them, which made one of them escape. The area was very open with no area for him to seek protection. The Iraqi Soldiers yelled at him Stop, Stop, Stop. Then they started shooting and he was returned dead. After this, they were handcuffed with ropes and started beating them, by this I mean the Iraqi Soldiers under the American Supervision. Then more American Hummers came in. They then tied my hands also and brought me to prison [REDACTED]

P.S. An American Soldier (Gunner) also fired from his Humvee. Also the American's treatment of us was much, much better than the Iraqi Soldiers. [REDACTED]

I swear all the information above are the truth as I saw. [REDACTED]

(Signed) [REDACTED]

b7c

[REDACTED]

I certify that the above translation consisting of this and one other page, is a true and accurate representation of a statement provided by [REDACTED]

[REDACTED] 7/6/2005

Signature

Sworn to and subscribed before me, this 5th day of July, in the year 2005, at the Al Asad, Iraq Detention Facility.

[REDACTED]

[REDACTED] CIS Special Agent

b7c

NAVAL CRIMINAL INVESTIGATIVE SERVICE

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Page(s) E 88, Arabic statement of
pages E 86 + E 87

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following consultation with agency(ies).

Comments: _____

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STATEMENT TRANSLATION

[redacted] certify that I am a CalNet (Titan) CAT II Arabic Linguist, and that the following translation is true, accurate and complete to the best of my knowledge and belief. I make the following translation for Special Agent [redacted], whom I know to be a representative of the Naval Criminal Investigative Service. This is the true and accurate translation of a statement provided by [redacted] a [redacted] with the 2-4-1 Iraqi Armed Forces, on 07Jul05 at approximately 1100, during an interview at Camp Ripper aboard Al Asad Airbase, Iraq. This translation is regarding: The events surrounding the shooting death of a Syrian Detainee near Haditha [redacted]

Affidavit of [redacted] the undersigned on the date of 26Jun05 [redacted]

I was patrolling the street between Al Haditha Street and Al Qaim, with the Marine Forces. We stopped a car, the model is Opel and the color is Red. When we stopped the car, we looked inside it, and found four persons including the driver. We asked for ID's and while we were asking for ID's we found out that their accents were not Iraqi accents. They were Syrian Accents. They were carrying Iraqi passports, and we found out that they are not legal passports. We doubted the persons and we gave the passports to the Marines, and they took them for interrogation and we brought them with their car towards the Marines, and the Marines said, Interrogate them. We interrogated them, but they refused to tell the truth. Then the interpreter hit one of them, because he refused to talk. And we interrogated them again, and then the next time he admitted that he is of Syrian identity. After he told the truth we took him to sit by the Marines and we went and started interrogating the others. During that time, the man who was near the Marines ran away, then the Marines shot him and then we started shooting with the Marines and he was dead immediately. The rest of the people, they didn't tell the truth, so the interpreter came and told me to "kill them". That is what the Marines said, "To Kill them". I asked the interpreter why should I kill them, because if we interrogate them, we will have more information. Then the interpreter decided we will interrogate them first. Then we took them into the Humvee, and we went to the Marine's Headquarters. On the way, one of the people wanted to throw himself out of the car, but we didn't let this happen. During that time, there was a cigarette in the interpreter's mouth, and it flew out and landed on the neck and arm of the cab driver of the captured [redacted]

Name: [redacted]
Date: 07July2005
Signature underneath

Witness: [redacted]
Agent: [redacted]

b7c

F. 89

I certify that the above translation consisting of this and one other page, is a true and accurate representation of the Statement provided by [REDACTED]

Signature

[REDACTED]

Sworn to and subscribed before me, this 14th day of July, in the year 2005 at Building 104, NCIS, Al Asad Airbase, Iraq.

Witness

[REDACTED]

Representative, Naval Criminal Investigative Service
AUTHORITY: Derived from Article 136 of the UCMJ,
(10 U.S.C. 936) and 5 U.S.C. 303

b7c

NAVAL CRIMINAL INVESTIGATIVE SERVICE

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Page(s) E91, Arabic statement of
pages E89 + E90

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STATEMENT TRANSLATION

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[REDACTED] the undersigned, [REDACTED], say in my affidavit on the day of 26Jun05. When I was patrolling with the Marines, on the road of Haditha and Baghdadi, a red Opel came toward us, and was carrying four passengers, including the driver. We stopped it for searching. When we started searching, we found that three passengers, were carrying Iraqi passports, that were false passports. Then we took them down from their car for investigation. At the beginning, they denied that they are not Iraqis, and they are going to Baghdad to the University. After investigation with them, one of them admitted that they are not Iraqi, but Syrians. After that, one of the Marines came, and took the person, who admitted that he is not Iraqi, away from the other Syrians, and we started investigating with the others. We were surprised to see that the person who had admitted to being Syrian, ran away on foot, and we told him to stop three of four times, and also the Marines told him to stop about four times, but he never stopped. Then we and the Marines started shooting at him, and we didn't see him fall down. Then the Marine on the Humvee shot him one shot and he died immediately. We took the rest of them to the Humvee and we took them with the Marines for investigation [REDACTED]

Signed: [REDACTED]
Signature underneath

Witness: [REDACTED]
Agent : [REDACTED]

I certify that the above translation consisting of this and no other page, is a true and accurate representation of the Statement provided by [REDACTED]

Signature [REDACTED]

Sworn to and subscribed before me, this 14th day of July, in the year 2005 at Building 104, NCIS, Al Asad Airbase, Iraq.

Witness

b7c

[REDACTED]

Representative, Naval Criminal Investigative Service
AUTHORITY: Derived from Article 136 of the UCMJ,
(10 U.S.C. 936) and 5 U.S.C. 303

NAVAL CRIMINAL INVESTIGATIVE SERVICE

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Page(s) E93, Arabic statement of
page E92

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[redacted] the undersigned, [redacted], admit the day of 26Jun05, when I was patrolling the road between Haditha to Iraq, we saw a red Opel car coming toward us. We stopped it for search. Inside the car was four people including the driver. After investigating we found that they had false Iraqi identification. When we asked them who they were they refused to answer. Then we took them across the street for about 50 meters to investigate with them. One of them admitted that he was Syrian and he ran away. By this time, the Marines were investigating with the other persons, and we told them to stop three times, and he didn't stop, so we all fired at him, and we shot him dead. Then we took the rest of them in the Humvee with the Marines, to jail for further investigation [redacted]

Signed: [redacted]
Signed underneath

Witness: [redacted]
Agent: [redacted]

I certify that the above translation consisting of this and no others, is a true and accurate representation of the Statement provided by [redacted]

Signature [redacted]

Sworn to and subscribed before me, this 14th day of July, in the year 2005 at Building 104, NCIS, Al Asad Airbase, Iraq.

[redacted]

Witness

Representative, Naval Criminal Investigative Service
AUTHORITY: Derived from Article 136 of the UCMJ,
(10 U.S.C. 936) and 5 U.S.C. 303

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NAVAL CRIMINAL INVESTIGATIVE SERVICE

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page E94

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STATEMENT TRANSLATION

[REDACTED] certify that I am a CalNet (Titan) CAT II Arabic Linguist, and that the following translation is true, accurate and complete to the best of my knowledge and belief. I make the following translation for Special Agent [REDACTED] whom I know to be a representative of the Naval Criminal Investigative Service. This is the true and accurate translation of a statement provided by [REDACTED] on 13Jul05, during an interview at the Detention Facility aboard Al Asad Airbase, Iraq. This translation is regarding: The events surrounding the shooting death of a Syrian Detainee near Haditha [REDACTED]

In the name of God the most merciful [REDACTED]

When I was on the road, I was stopped by a checkpoint and they asked from us our identification, and we gave them our personal ID's, and then they said these ID's are phony. Then they yelled at us and the Iraqi Police beat us. After that, Abu BASHIR ran away towards the road. One of the Marines said something in English, and I didn't understand it. Then the Iraqi Police started shooting at him, there were two of them. [REDACTED] from Syria, from the province of Dar'a. I met him in Ar Rutbah, and I also met with Abu BASHIR who is from Ar Rutbah [REDACTED]

NOTHING FOLLOWS

I certify that the above translation consisting of this and no others is a true and accurate representation of the Statement provided by [REDACTED]

Signature [REDACTED]

Sworn to and subscribed before me, this 14TH day of July in the year 2005 at Building 104, NCIS, Al Asad Airbase, Iraq.

Witness

[REDACTED]
Representative, Naval Criminal Investigative Service
AUTHORITY: Derived from Article 136 of the UCMJ,
(10 U.S.C. 936) and 5 U.S.C. 303

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NAVAL CRIMINAL INVESTIGATIVE SERVICE

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Page(s) E97, Arabic Statement of
page E96

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NAVAL CRIMINAL INVESTIGATIVE SERVICE

Investigative Notes

TITLE: _____

CCN: _____

MADE BY:

MADE AT:

DATE:

TIME:

From boukamal in SYRIA
 We entered the Borders in a village, then we moved on we went to diff village (unknown) then to another village « ANA » (inagi village), in Am we went to the local ground station to hire a car, we hired an inagi car, until we were stopped by Iraqi forces who searched the car.

They interogated all 4 of us asked for I.D's The American got a hold of our I.D's, An American interogated us with an interpreter, they asked us to get on the ground (on our knees).

The American left us to the Iraqi's who beated/kicked Abu bechir and [redacted] until Abu Bechir run away, he was beaten so hard, I heard gunshots, I heard the Iraqi's talking about Abu bechir was dead, ~~also~~ and we overheard the interpeteter saying « He is dead ». I did hear loud yelling « stop, stop. (in English) » before the shots were fired.

I Swear, on the Holy Quran that All these statements are the Truth.

[redacted]

[redacted]

b7c

EXHIBIT 93

E98

Witness

//23B/BJ//

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

17JUL05

CONTROL: 26JUN05-MEBJ-0378-7HMA

I/II MEF, IRAQ/DEATH OF AN UNIDENTIFIED DETAINEE ESCAPEE

RECEIPT OF PRELIMINARY AUTOPSY REPORT FROM AFIP

1. On 15Jul05, Reporting Agent received documentation from the Armed Forces Institute of Pathology (AFIP), regarding the post mortem examination of the unidentified Syrian National, killed while fleeing the custody of U.S. Marines and Iraqi Armed Forces at a vehicle check point near Haditha, Iraq. [REDACTED] MC USNR, Associate Medical Examiner, and [REDACTED] MD, MC USN, Deputy Medical Examiner, performed the autopsy on the remains and determined the cause and manner of death as multiple gunshot wounds and homicide, respectively; Enclosure (A) pertains.

2. [REDACTED] and [REDACTED] discovered two gunshot wounds to the back, one exiting the left side of the chest and other exiting above the left clavicle. No bullets or fragments were recovered and there was no sbot or stippling present, ruling out close contact wounds. There were also no indications of natural disease or medical treatment administered, and the remains were in a moderate to severe state of decomposition.

ENCLOSURE

(A) AFIP Preliminary Autopsy Report. #ME05-630/09JUL05

REPORTED BY: [REDACTED] SPECIAL AGENT

OFFICE: NCISRU AL ASAD AIRBASE, IRAQ

CCS ENTRY:	DATE	INITIALS
DTD XMIT:	8/03/05	[REDACTED]
DTD MAILED:	DATE	INITIALS
	DATE	INITIALS

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19366

E99

NAVAL CRIMINAL INVESTIGATIVE SERVICE

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Page(s) E 100 - E 101, Encl (A) to
Exh (14)

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Comments: TO: Armed Forces
Medical Examiner, Craig Mallak,
MC, CAPT, USN, 1413 Research
Boulevard, Building 102,
Rockville, MD 20850

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//23B/BJ//

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

24JUL05

CONTROL: 26JUN05-MEBJ-0378-7HMA

I/II MEF, IRAQ/DEATH OF AN UNIDENTIFIED DETAINEE ESCAPEE

ACQUISITION OF TITAN CORP DOCUMENTS REGARDING LINGUIST [REDACTED]

1. On 24Jul05, Reporting Agent contacted [REDACTED] Titan Corporation, Al Asad, Iraq, regarding the location of [REDACTED] the Linguist assigned to Regimental Combat Team (RCT-2) forward deployed to Camp Haditha, Iraq. As background, [REDACTED] was embedded with units from 3rd Battalion, 25th Marine Regiment (3/25) and Iraqi Armed Forces on 26Jun05, at a vehicle check point near Al Haqlaniyah, Iraq, where an unidentified Syrian National was killed while attempting to escape. Efforts have been made to contact [REDACTED] for an interview.

2. [REDACTED] provided documentation relating an Improvised Explosive Device (IED) attack on 15Jul05 in the vicinity of Hit, Iraq wherein members of a patrol, including [REDACTED] were injured and required medical evacuation to a coalition medical facility; Enclosure (A) pertains. Subsequently, [REDACTED] was flown to Baghdad, Iraq, his hometown, so he could recover with his family from apparent shrapnel wounds.

ENCLOSURE

(A) INCIDENT STATEMENT IN CASE OF [REDACTED] (W-4235)

REPORTED BY: [REDACTED] SPECIAL AGENT
OFFICE: NCISRU AL ASAD AIRBASE, IRAQ

CCS ENTRY: _____ INITIALS
DATE
DTD XMIT: 8/3/05 INITIALS
DATE
DTD MAILED: _____ INITIALS
DATE

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Page 1 LAST [REDACTED] V2 LNY

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19368

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NAVAL CRIMINAL INVESTIGATIVE SERVICE

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Page(s) E103, Encl(A) to Ech (5)

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Comments: To: Commanding General
II Marine Expeditionary Force
Attn: Adjutant F.O.I.A.
PSC Box 20080
MCB Camp Lejeune, NC
28542-0080

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (CHANGE)

26JUL05

DEATH (II)

CONTROL: 26JUN05-MEBJ-0378-7HMA

V/DOE, JOHN (NMN)/UNK
M/W/ZZZZ/N//UNK
SUPP: SYRIAN NATIONAL

COMMAND/II MEF, IRAQ/20361

MADE AT/MEBJ/AL ASAD AIRBASE IZ/ [REDACTED] SPECIAL AGENT

REFERENCE

(A) NCISFO Middle East ROI (OPEN)/28JUN05/I/II MEF, IRAQ/DEATH OF AN UNIDENTIFIED DETAINEE ESCAPEE

NARRATIVE

1. Subsequent to the submission of reference (A), efforts were made to positively identify the unidentified Syrian National, killed at a vehicle checkpoint near Al Haqlaniyah, Iraq; however, those efforts have yielded negative results. Consequently, the title of captioned investigation has been changed to reflect V/DOE as the victim.

ACTION

0023B: Please change the NI Title as reflected above.

DISTRIBUTION

NCISHQ: 0023B
ACTION: 0023B
INFO: MEBJ

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LAST

[REDACTED] V2 LNY

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E104

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

01AUG05

DEATH (II)

CONTROL: 26JUN05-MEBJ-0378-7HMA

I/II MEF, IRAQ/DEATH OF AN UNIDENTIFIED DETAINEE ESCAPEE

COMMAND/II MEF, IRAQ/20361

MADE AT/0023/NCISHQ WASHINGTON DC/[REDACTED] SPECIAL AGENT

REFERENCE

(A) MEBJ ROI (ACTION)/07JUL05

EXHIBIT

(1) IA: Results of Autopsy/14JUL05...(Orig MEBJ/Copy all)

NARRATIVE

1. In accordance with lead tasking set forth in reference (A), on 09JUL05, Participating Agent [REDACTED] attended the autopsy of an unidentified detainee at the Charles C. Carson Center for Mortuary Affairs, Dover Air Force Base, DE. The autopsy was conducted by [REDACTED], MC USNR, Associate Medical Examiner, and [REDACTED], MC USN, Deputy Medical Examiner, Office of the Armed Forces Medical Examiner. Drs. LUZI and ROBINSON listed the cause of death as multiple gunshot wounds and the manner of death as homicide. No bullets or bullet fragments were recovered during the autopsy. All lead tasking will be completed by 0023B. Lead tasking is pending receipt of the final autopsy report.

PARTICIPANT

[REDACTED] Special Agent, NCISHQ Washington, DC (AFIP)

DISTRIBUTION

NCISHQ: 0023 (H)

INFO: DCWA/MEBJ (M)

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E105

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

07JUL05

DEATH (II)

CONTROL: 26JUN05-MEBJ-0378-7HMA

I/II MEF, IRAQ/DEATH OF AN UNIDENTIFIED DETAINEE ESCAPEE

COMMAND/II MEF, IRAQ/20361

MADE AT/MEBJ/AL ASAD AIRBASE IZ, [REDACTED] SPECIAL AGENT

NARRATIVE

1. On 26JUN05, [REDACTED] JAGC USMC, Senior SJA, II Marine Expeditionary Forces (MEF), Camp Fallujah, Iraq (IZ), requested investigative assistance regarding the death of an unidentified detainee escapee. As background, at 0930, 26JUN05, members of the 3rd Battalion 25th Marine Regiment (3/25) and members of the 2-4-1 Iraqi Armed Forces (IAF) were manning stationary vehicle check point - 9 (SVCP-9) 15km South of Haditha Dam, when a maroon Opel carrying four (4) unknown/unidentified Middle Eastern males was stopped and searched. The four (4) males were taken aside and questioned with an interpreter. During questioning, the four (4) males were found to be in possession of false identifications and one (1) of the males admitted to being a Syrian. This Syrian male was detained for suspicion of being a foreign fighter. At one point, the Syrian broke free from the Marine guard and attempted to flee the area on foot; however, the IAF and Marines engaged the detainee with deadly force to prevent his imminent escape. It was suspected that this escaping detainee was killed by the initial use of deadly force by the 2-4-1 IAF. The other three (3) males were detained and were brought back to Haditha Dam for questioning by the Humint Exploitation Team (HET). The detainee's remains were picked up and transported by an ambulance to a local Iraqi hospital in Haditha, IZ. Subsequently, the remains for acquired and transported to Temporary Mortuary Evacuation Point (TMEP) in Balad, IZ awaiting transport to Dover, DE for autopsy.

ACTION

R.DCWA: Request attendance and report on autopsy of unidentified Syrian remains. Obtain photographs and pertinent documentation and forward same to MEBJ.

✓R.0023B: Request follow-up with final autopsy and toxicology reports. Obtain and forward to MEBJ.

DISTRIBUTION

NCISHQ: 0023B
 ACTION: DCWA/0023B
 INFO: MEBJ

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E106

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (OPEN)

28JUN05

DEATH (II)

CONTROL: 26JUN05-MEBJ-0378-7HMA

I/II MEF, IRAQ/DEATH OF UNIDENTIFIED DETAINEE ESCAPEE

COMMAND/II MEF, IRAQ/20361

MADE AT/MEBJ/CAMP FALLUJAH IZ/[REDACTED] SPECIAL AGENT

NARRATIVE

1. On 26JUN05, [REDACTED] JAGC USMC, Senior SJA, II Marine Expeditionary Forces (MEF), Camp Fallujah, Iraq (IZ), requested investigative assistance regarding the death of an unidentified detainee escapee. At approximately 0930, 26JUN05, members of the 3rd Battalion 25th Marine Regiment (3/25) and members of the 2-4-1 Iraqi Armed Forces (IAF) were manning a stationary vehicle check point (SVCP) 15km South of Hadithah Dam, when a maroon Opel carrying four (4) unknown/unidentified Middle Eastern males was stopped and searched in the vicinity of Check Point 9, 3.4km South West of Haqlaniyah on Alternate Supply Route (ASR) Bronze. The four (4) males were taken aside and questioned with an interpreter. During questioning, the four (4) males were found to be in possession of false identifications and one (1) of the males admitted to being a Syrian. This Syrian male was detained for suspicion of being a foreign fighter. When the Syrian male was being brought back to where the other three (3) males were being held, he broke out of the grasp of the Marine who detained him and ran away from US Marine and 2-4-1 IAF forces. The US Marine and IAF forces used voice commands for the Syrian male to halt but he did not stop. In order to prevent the imminent escape of this detainee who had fled to a distance that made it no longer safe to chase, he was engaged with deadly force by 2-4-1 IAF initially, and then by the US Marines, resulting in this detainee's death. It was suspected that this escaping detainee was killed by the initial use of deadly force by the 2-4-1 IAF. The other three (3) males were detained and were brought back to Hadithah Dam for questioning by Humint Exploitation Team (HET). The dead detainee's body was picked up and transported by an ambulance to a local Iraqi hospital in Hadithah, IZ.

2. This incident occurred in the area of responsibility of Camp Al Asad, IZ.

ACTION

0023B14: Apprise AFIP.

DISTRIBUTION

NCISHQ: 0023B/0023B14

INFO: MEBJ

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