

INVESTIGATIVE

FILE "F"

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (SUPP)

26OCT06

DEATH (II)

CONTROL: 20SEP05-MEBJ-0651-7HMA/C

V/ABDULLAH, HASKEM SHEFI/CIVILIAN
M/W/FNIZ/N//01JAN76/FALLUJAH, IRAQ

COMMAND/SECOND MARINE DIVISION/12000

MADE AT/0023/NCISHQ/[REDACTED] REPRESENTATIVE

REFERENCES

- (A) NCISFO Middle East ROI (CLOSED)/11Feb06
- (B) NCISFO Middle East ROI (ROPEN)/01Mar06
- (C) NCISFO Middle East ROI (CLOSED)/18Mar06

NARRATIVE

1. Reference (A) closed this investigation, reference (B) reopened this investigation and reference (C) closed this investigation. On 15Aug06 and 21Sep06, Code 23B advised [REDACTED] NCISFO Middle East Field Office Support Officer, that Code 23B has not received the complete case file with the Closed Case Certification Release Sheet signed by the supervisor. Code 23B advised this investigation has a pending Freedom of Information Act (FOIA) request and requested expeditious submission of the complete case file to NCISHQ, Code 23B. Code 23B has not received the complete case file from the NCISFO Middle East.

ACTION

MEBJ: Please forward the complete case file to Code 23B,
Attn: [REDACTED] Expeditious handling is requested
due to a pending FOIA request.

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ACTION: MEBJ
INFO: MEIZ

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (CLOSED)

18MAR06

DEATH (II)

CONTROL: 20SEP05-MEBJ-0651-7HMA/C

V/ABDULLAH, HASKEM SHEFI/CIV
M/W/FNIZ/N//01JAN76/FALLUJAH, IRAQ

COMMAND/SECOND MARINE DIVISION/12000

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

REFERENCE(S)

- (A) MEBJ Case File/V/ABULLAH, HASKEM SHEFI/CIV
CCN: 20SEP05-MEBJ-0651-7HMA (Contains Exhibits 1-32)

EXHIBIT(S)

- (33) IA: Results of Contact with [REDACTED] 17Mar06... (Copy All)

EXECUTIVE SUMMARY

1. On 20Sep05, V/ABDULLAH was detained by members of Regimental Combat Team 8, as a suspected insurgent at Entry Control Point 5 (ECP-5) located in the city of Fallujah, Iraq. Following his arrest, V/ABDULLAH [REDACTED] and placed in a small wooden building known as a "swahut" awaiting processing, and was guarded by [REDACTED] USMC. V/ABDULLAH's [REDACTED] however, a [REDACTED] USMC, 1st Intelligence Battalion, Counter Intelligence/HUMINT Company, subsequently entered the swahut for the purpose of conducting an interview with an individual unrelated to V/ABDULLAH. [REDACTED] asked [REDACTED] to remain in the room and guard V/ABDULLAH for a moment so he could leave and check on a prisoner located nearby, and [REDACTED] agreed. Just after [REDACTED] left the room, [REDACTED] realized his 9mm handgun was not in Condition 1 (meaning loaded with a full magazine and 1 round in the chamber), which is SOP when guarding detainees. He reportedly unholstered his weapon while standing in close proximity to V/ABDULLAH and chambered a round, at which time V/ABDULLAH reached out and grabbed [REDACTED]'s left hand. [REDACTED] reportedly struggled with V/ABDULLAH and was unable to break his grip. [REDACTED] then pushed the barrel of his weapon into V/ABDULLAH's chest in an effort to break free from him but V/ABDULLAH pushed forward toward [REDACTED] at which time, [REDACTED] discharged a round into V/ABDULLAH's chest. Corpsmen administered medical treatment to V/ABDULLAH, who succumbed to his wound approximately one hour later while awaiting a MEDEVAC. NCIS agents responded, processed the death scene, collected potential evidence, affected photographic coverage, and obtained statements. V/ABDULLAH's remains were transported to AFIP for autopsy. [REDACTED] was interviewed and provided the above information, further stating he shot V/ABDULLAH in self-defense.

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2. On 21Dec05, lab results were received from USACIL on submitted evidence. Analysis disclosed no latent prints suitable for comparison to V/ABDULLAH were found on [REDACTED]'s weapon. On 22Dec05, V/ABDULLAH's final autopsy results were received from AFIP reporting

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SUBJ: V/ABDULLAH, HASKEM SHEFI/CIV

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

cause of death as contact wound to the chest, and manner of death as homicide. On 11Feb06, ██████████ USMC, SJA, II MEF (FWD), Camp Fallujah, Iraq was apprised of the status of the investigation.

██████████ advised the command was not pursuing any form of administrative or judicial action against ██████████ or other command members concerning the death of V/ABDULLAH. This investigation was closed on 11Feb06, Reference (A) pertains.

3. Since the closure of this investigation, NCISHQ Code 0023B directed this investigation be reopened only for the purpose of offering ██████████ a polygraph examination to corroborate his account of the death of V/ABDULLAH. On 17Mar06, ██████████ was recontacted concerning his willingness to undergo further interrogation, and declined. This investigation is closed.

NARRATIVE

1. On 17Mar06, ██████████ USMC, ██████████ was located on Camp Fallujah and offered the opportunity to undergo further interrogation concerning the death of V/ABDULLAH, and declined. Exhibit (33) pertains. This investigation is closed.

PARTICIPANT(S)

██████████, SA, Marine Corps West FO, Camp Pendleton, CA

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

17MAR06

CONTROL: 20SEP05-MEJ-0651-7HMA

V/ABDULLAH, HASKEM SHEFI/CIV
M/W/FNIZ/N//01JAN76/FALLUJAH, IRAQ

RESULTS OF CONTACT WITH [REDACTED]

1. On 17Mar06, at approximately 1500, Reporting Agent made contact with [REDACTED], USMC, [REDACTED] 1STINTELBN, Camp Fallujah, IZ, at his office aboard Camp Fallujah. [REDACTED] at this time was offered the opportunity to undergo further interrogation concerning his involvement in the death of V/ABDULLAH at ECP 5, Fallujah, on 20Sep05. [REDACTED] at this time declined further interrogation. No additional information is provided.

REPORTED BY: [REDACTED]
OFFICE: NCIS Camp Fallujah, Iraq

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EXHIBIT (3)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

15MAR06

DEATH (II)

CONTROL: 20SEP05-MEBJ-0651-7HMA

V/ABDULLAH, HASKEM SHEFI/CIV
M/W/FNIZ/N//01JAN76/FALLUJAH, IRAQ

COMMAND/SECOND MARINE DIVISION/12000

MADE AT/MWPE/CAMP PENDLETON CA/ [REDACTED] SPECIAL AGENT

REFERENCE

(A) MEBJ ROI (ROPEN) /01MAR06

NARRATIVE

1. Pursuant to tasking set forth in Reference (A), on 15Mar06, [REDACTED] USMC, 1st Intelligence Battalion (BN), First Marine Expeditionary Force (IMEF), Marine Corps Base (MCB) Camp Pendleton, CA (CPC), was contacted. [REDACTED] advised on 04Mar06, [REDACTED] USMC, [REDACTED] was redeployed to Camp Fallujah, Iraq. Additionally, [REDACTED] commented [REDACTED] USMC, Executive Officer, 1st Intelligence BN, was the point of contact for the command in Iraq.

2. Lead tasking complete.

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ROPEN)

01MAR06

DEATH (II)

CONTROL: 20SEP05-MEBJ-0651-7HMA

V/ABDULLAH, HASKEM SHEFI/CIV
M/W/FNIZ/N//01JAN76/FALLUJAH, IRAQ

COMMAND/SECOND MARINE DIVISION/12000

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

REFERENCE(S)

(A) MEBJ Case File/V/ABULLAH, HASKEM SHEFI/CIV/CCN:
20SEP05-MEBJ-0651-7HMA (Contains Exhibits 1-32)

NARRATIVE

1. On 20Sep05, V/ABDULLAH was detained by members of Regimental Combat Team 8, as a suspected insurgent at Entry Control Point 5 (ECP-5) located in the city of Fallujah, Iraq. Following his arrest, V/ABDULLAH [REDACTED] and placed in a small wooden building known as a "swahut" awaiting processing, and was guarded by [REDACTED] USMC. V/ABDULLAH's [REDACTED] however, [REDACTED] [REDACTED] USMC, 1st Intelligence Battalion, Counter Intelligence/HUMINT Company, subsequently entered the swahut for the purpose of conducting an interview with an individual unrelated to V/ABDULLAH. [REDACTED] asked [REDACTED] to remain in the room and guard V/ABDULLAH for a moment so he could leave and check on a prisoner located nearby, and [REDACTED] agreed. Just after [REDACTED] left the room, [REDACTED] realized his 9mm handgun was not in Condition 1 (meaning loaded with a full magazine and 1 round in the chamber), which is SOP when guarding detainees. He reportedly unholstered his weapon while standing in close proximity to V/ABDULLAH and chambered a round, at which time V/ABDULLAH reached out and grabbed [REDACTED]'s left hand. [REDACTED] reportedly struggled with V/ABDULLAH and was unable to break his grip. [REDACTED] then pushed the barrel of his weapon into V/ABDULLAH's chest in an effort to break free from him but V/ABDULLAH pushed forward toward [REDACTED] at which time, [REDACTED] discharged a round into V/ABDULLAH's chest. Corpsmen administered medical treatment to V/ABDULLAH, who succumbed to his wound approximately one hour later while awaiting a MEDEVAC. NCIS agents responded, processed the death scene, collected potential evidence, affected photographic coverage, and obtained statements. V/ABDULLAH's remains were transported to AFIP for autopsy. [REDACTED] was interviewed and provided the above information, further stating he shot V/ABDULLAH in self-defense.

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2. On 21Dec05, lab results were received from USACIL on submitted evidence. Analysis disclosed no latent prints suitable for comparison to V/ABDULLAH were found on [REDACTED]'s weapon. On 22Dec05, V/ABDULLAH's final autopsy results were received from AFIP reporting cause of death as contact wound to the chest, and manner of death as homicide. On 11Feb06, [REDACTED] USMC, SJA, II MEF (FWD),

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SUBJ: V/ABDULLAH, HASKEM SHEFI/CIV
U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

Camp Fallujah, Iraq was apprised of the status of the investigation. [REDACTED] advised the command was not pursuing any form of administrative or judicial action against [REDACTED] or other command members concerning the death of V/ABDULLAH. This investigation was closed on 11Feb06, Reference (A) pertains.

3. Since the closure of this investigation, NCISHQ Code 0023B has directed this investigation be reopened only for the purpose of offering [REDACTED] a polygraph examination to corroborate his account of the death of V/ABDULLAH. [REDACTED] has redeployed from Iraq to Camp Pendleton, CA.

ACTION

R.MWPE: Contact [REDACTED] USMC, SSN: [REDACTED]
DOB: [REDACTED] 1st Intelligence BN, and offer him an polygraph examination concerning this incident. If [REDACTED] agrees to the polygraph, amplifying exhibits will be forwarded by NCIS Camp Fallujah.

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ACTION: MWPE
INFO: MEBJ/MWPE

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (CLOSED)

11FEB06

DEATH (II)

CONTROL: 20SEP05-MEBJ-0651-7HMA/C

V/ABDULLAH, HASKEM SHEFI/CIV
M/W/FNIZ/N//01JAN76/FALLUJAH, IRAQ

COMMAND/SECOND MARINE DIVISION/12000

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

REFERENCE(S)

- (A) NCISFO Middle East ROI(INTERIM)/28Sep05 (Contains Exhibits 1-24)
- (B) NCISFO Middle East ROI(INTERIM)/22Oct05 (Contains Exhibit 25-29)
- (C) NCISFO Middle East ROI(INTERIM)/20Nov05
- (D) NCISFO Middle East ROI(INTERIM)/01Dec05
- (E) NCISFO Middle East ROI(INTERIM)/04Jan06 (Contains Exhibit 30-31)
- (F) NCISFO Middle East ROI(INTERIM)/16Jan06

EXHIBIT(S)

- (32) IA: Contact/SJA (FWD)/11Feb06...(Copy all)

EXECUTIVE SUMMARY

1. On 20Sep05, V/ABDULLAH was detained by members of Regimental Combat Team 8, as a suspected insurgent. [REDACTED] USMC, 1st Intelligence Battalion, Counter Intelligence/HUMINT Company, was left alone in a room with V/ABDULLAH, who was not restrained but was [REDACTED] V/ABDULLAH reportedly attacked [REDACTED] After a brief struggle, [REDACTED] shot V/ABDULLAH once in the chest with his M9. Corpsmen administered medical treatment to V/ABDULLAH, who succumbed to his wound approximately one hour later while awaiting a MEDEVAC. NCIS agents responded, processed the death scene, collected potential evidence, affected photographic coverage, and obtained statements. V/ABDULLAH's remains were transported to AFIP for autopsy. Command interviews were later conducted and [REDACTED] was interviewed at which time he admitted to shooting V/ABDULLAH, however, claimed it was in self-defense. On 24Sep05, II MEF SJA was briefed on the status of the investigation. V/ABDULLAH's remains were later returned to his father.

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2. On 21Dec05, lab results were received from USACIL on submitted evidence. Analysis disclosed no latent prints suitable for comparison relative to V/ABDULLAH were found on [REDACTED] weapon. On 22Dec05, V/ADBULLAH's final autopsy results were received from AFIP reporting cause of death as contact wound to the chest, and manner of death as homicide. On 11Feb06, [REDACTED] USMC, SJA, II MEF (FWD), Camp Fallujah, Iraq, was apprised of the status of this investigation. [REDACTED] advised command is not pursuing any form of administrative or judicial action against [REDACTED] or other command members relative to the death of V/ABDULLAH. This investigation is closed.

NARRATIVE

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SUBJ: V/ABDULLAH, HASKEM SHEFI/CIV
U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

1. This case was initiated to determine the circumstances surrounding the death of V/ABDULLAH while in US custody.

2. Since the submission of Reference (F), on 11Feb06, command SJA, [REDACTED] USMC, II MEF (FWD), Camp Fallujah, was apprised that investigative activity on this investigation was complete. [REDACTED] advised command is not pursuing any form of administrative or judicial action against [REDACTED] or any other command members relative to the death of V/ABDULLAH, Exhibit (32) pertains. This investigation is closed.

PARTICIPANT(S)

- [REDACTED] SA, NCIS Camp Fallujah
- [REDACTED], SA, NCIS Camp Fallujah
- [REDACTED] SA, NCIS Camp Fallujah
- [REDACTED] USMC, Combat Cameraman, II MEF
- [REDACTED] SA, NCIS Camp Fallujah
- [REDACTED], SA, NCIS Representative, AFIP
- [REDACTED] SA, NCIS Camp Fallujah

ACTION

✓MEBJ: Cancel request via Reference (F) for DRP review.

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ACTION: MEBJ (M)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

11FEB06

CONTROL: 20SEP05-MEBJ-0651-7HMA

V/ABDULLAH, HASKEM SHEFI/CIV
M/W/FNIZ/N//01JAN76/FALLUJAH, IRAQ

CONTACT WITH II MEF SJA

1. On 11Feb06, Reporting Agent briefed [REDACTED] USMC, SJA (FWD), Camp Fallujah, Iraq, that all investigative activity on this investigation was complete. When questioned regarding command's plans for any administrative or judicial action in this case, [REDACTED] reported that command is not pursuing any administrative or punitive action against [REDACTED] or any other command members, and considers this matter closed. No further information was provided.

REPORTED BY: [REDACTED] Special Agent
OFFICE: NCIS Camp Fallujah, Iraq

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F10

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

16JAN06

DEATH (II)

CONTROL: 20SEP05-MEBJ-0651-7HMA

V/ABDULLAH, HASKEM SHEFI/CIV
M/W/FNIZ/N//01JAN76/FALLUJAH, IRAQ

COMMAND/SECOND MARINE DIVISION/12000

MADE AT/MEBJ/CAMP FALLUJAH IRAQ/ [REDACTED] SPECIAL AGENT.

REFERENCE(S)

- (A) NCISFO Middle East ROI (INTERIM)/28SEP05 (Contains Exhibits 1-24)
- (B) NCISFO Middle East ROI (INTERIM)/22OCT05 (Contains Exhibit 25-29)
- (C) NCISFO Middle East ROI (INTERIM)/20NOV05
- (D) NCISFO Middle East ROI (INTERIM)/01DEC05
- (E) NCISFO Middle East ROI (INTERIM)/04JAN06 (Contains Exhibit 30-31)

EXECUTIVE SUMMARY

1. On 20Sep05, V/ABDULLAH was detained by members of Regimental Combat Team 8, as a suspected insurgent. [REDACTED] USMC, 1st Intelligence Battalion, Counter Intelligence/HUMINT Company, was left alone in a room with V/ABDULLAH, who was not restrained but [REDACTED] V/ABDULLAH reportedly attacked [REDACTED]. After a brief struggle, [REDACTED] shot V/ABDULLAH once in the chest with his M9. Corpsmen administered medical treatment to V/ABDULLAH, who succumbed to his wound approximately one hour later while awaiting a MEDEVAC. NCIS agents responded, processed the death scene, collected potential evidence, affected photographic coverage, and obtained statements. V/ABDULLAH's remains were transported to AFIP for autopsy. Command interviews were later conducted and [REDACTED] was interviewed at which time he admitted to shooting V/ABDULLAH, however, claimed it was in self-defense. On 24Sep05, II MEF SJA was briefed on the status of the investigation. V/ABDULLAH's remains were later returned to his father.

2. On 21Dec05, lab results were received from USACIL on submitted evidence. Analysis disclosed no latent prints suitable for comparison relative to V/ABDULLAH were found on [REDACTED] weapon. On 22Dec05, V/ADBULLAH's final autopsy results were received from AFIP reporting cause of death as contact wound to the chest, and manner of death as homicide. Completion of this investigation is pending submission of this case to the MEBJ Field Office Death Review Panel (DRP) for review, subsequent submission to the NCISHQ Death Review Board (DRB), and receipt of authorization to close this case.

NARRATIVE

1. This case was initiated to determine the circumstances surrounding the death of V/ABDULLAH while in US custody. No criminal statutes apply at this time.

2. All submitted evidence has been examined and results returned for inclusion in the case file. Since the submission of Reference (A),

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SUBJ: V/ABDULLAH, HASKEM SHEFI/CIV
U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

autopsy photos have been located at MEBJ.

3. Active investigation is complete. This case is being forwarded to the MEBJ Death Review Panel (DRP) for review prior and subsequent submission to the NCISHQ Death Review Board (DRB) for authority to close.

PARTICIPANT(S)

- [REDACTED] SA, NCIS Camp Fallujah
- [REDACTED], SA, NCIS Camp Fallujah
- [REDACTED] SA, NCIS Camp Fallujah
- [REDACTED] USMC, Combat Cameraman
- [REDACTED] SA, NCIS Camp Fallujah
- [REDACTED] SA, NCIS Representative, AFIP

ACTION

DIST: Active investigation complete. Completion of investigation pending Field Office DRP, subsequent submission to NCISHQ DRB, and authority to close.

R.MEJB: Conduct Field Office Death Review Panel. If the Field Office's findings determine that all investigative activity has been completed, request NCISHQ DRB review and authority to close the investigation.

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

11JAN06

DEATH (II)

CONTROL: 20SEP05-MEBJ-0651-7HMA

V/ABDULLAH, HASKEM SHEFI/CIV
M/W/FNIZ/N//01JAN76/FALLUJAH, IRAQ

COMMAND/SECOND MARINE DIVISION/12000

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

REFERENCES

- (A) NCISHQ Washington, DC ROI (Action)/26Sep05
- (B) GEN 23B-0035: Special Interest Investigations/23Oct03
- (C) NCIS 1, Chapter 25-10, Special Interest "SI" Investigations

NARRATIVE

1. Reference (A) designated this case as "Special Interest" (SI) by NCISHQ. On 10Jan06, Deputy Assistant Director of the General Crimes Department, [REDACTED] advised this investigation no longer merited a "SI" status. Therefore, this investigation has been reverted to a standard status.

ACTION

MEBJ: As per guidance provided in References (B) and (C), this case is returned to a standard status for reporting writing and briefing requirements.

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

04JAN06

DEATH (II)

CONTROL: 20SEP05-MEBJ-0651-7HMA

V/ABDULLAH, HASKEM SHEFI/CIV
M/W/FNIZ/N//01JAN76/FALLUJAH, IRAQ

COMMAND/SECOND MARINE DIVISION/12000

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

REFERENCE(S)

- (A) NCISFO Middle East ROI (INTERIM)/28SEP05 (Contains Exhibits 1-24)
- (B) NCISFO Middle East ROI (INTERIM)/22OCT05 (Contains Exhibit 25-29)
- (C) NCISFO Middle East ROI (INTERIM)/20NOV05
- (D) NCISFO Middle East ROI (INTERIM)/01DEC05

EXHIBITS

- (30) IA: Forensic Examination of Evidence/22Dec05...(Copy all)
- (31) IA: Final Autopsy Results/V/ABDULLAH/24Dec05...(Copy all)

EXECUTIVE SUMMARY

1. On 20Sep05, V/ABDULLAH was detained by members of Regimental Combat Team 8, as a suspected insurgent. [REDACTED] USMC, 1st Intelligence Battalion, Counter Intelligence/HUMINT Company, was left alone in a room with V/ABDULLAH, who was not restrained but [REDACTED] V/ABDULLAH reportedly attacked [REDACTED] After a brief struggle, [REDACTED] shot V/ABDULLAH once in the chest with his M9. Corpsmen administered medical treatment to V/ABDULLAH, who succumbed to his wound approximately one hour later while awaiting a MEDEVAC. NCIS agents responded, processed the death scene, collected potential evidence, affected photographic coverage, and obtained statements. V/ABDULLAH's remains were transported to AFIP for autopsy. Command interviews were later conducted and [REDACTED] was interviewed at which time he admitted to shooting V/ABDULLAH, however, claimed it was in self-defense. On 24Sep05, II MEF SJA was briefed on the status of the investigation. V/ABDULLAH's remains were later returned to his father.

2. On 21Dec05, lab results were received from USACIL on submitted evidence. Analysis disclosed no latent prints suitable for comparison relative to V/ABDULLAH were found on [REDACTED] weapon. On 22Dec05, V/ADBULLAH's final autopsy results were received from AFIP reporting cause of death as contact wound to the chest, and manner of death as homicide. Completion of investigation is pending receipt of autopsy photos and submission of this case to the NCISHQ Death Review Board.

NARRATIVE

1. This case was initiated to determine the circumstances surrounding the death of V/ABDULLAH while in US custody. No criminal statutes apply at this time.

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File

SUBJ: V/ABDULLAH, HASKEM SHEFI/CIV
U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

2. Case control has been assumed by Reporting Agent due to the previous case agent's redeployment to CONUS.

3. On 21Dec05, USACIL lab results were received relative to the testing of submitted evidence, Exhibit (30) pertains.

4. On 22Dec05, the final autopsy results from AFIP were received for V/ABDULLAH. [REDACTED] M.D., MC USN, AFIP, conducted the autopsy and concluded that V/ABDULLAH died of a contact range gunshot wound to the chest, and the manner of death is homicide.

PARTICIPANT(S)

- [REDACTED] SA, NCIS Camp Fallujah
- [REDACTED] SA, NCIS Camp Fallujah
- [REDACTED] SA, NCIS Camp Fallujah
- [REDACTED] USMC, Combat Cameraman
- [REDACTED] SA, NCIS Camp Fallujah
- [REDACTED] SA, NCIS Representative, AFIP

DISTRIBUTION

NCISHQ (SI): 0023(E)
INFO: MBEJ(E) / [REDACTED] II MEF SJA, Camp Fallujah,
IZ(H)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

//23/BJ//

INVESTIGATIVE ACTION

22DEC05

CONTROL: 20SEP05-MEBJ-0651-7HMA

V/ABDULLAH, HASKEM SHEFI/CIV
M/W/FNIZ/N//01JAN76/FALLUJAH, IRAQ

FORENSIC EXAMINATION OF EVIDENCE

1. On 21DEC05, NCIS DET Fallujah, Iraq received results from the United States Army Criminal Investigation Laboratory (USACIL) regarding the testing of submitted evidence.
2. Previously seized items of evidence were submitted to USACIL for fingerprint analysis with negative results, Enclosure (A) pertains.
3. A Beretta M9 (Serial #65490, USACIL log #A 292-05) along with a 9MM bullet (USACIL Item# B 329-05) were submitted for ballistics comparison. Lab analysis determined the submitted 9mm bullet was fired from the submitted Beretta M9, Enclosure (B) pertains.

REPORTED BY: [REDACTED]
OFFICE: NCIS DET CAMP FALLUJAH, IRAQ

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Exhibit (9)

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LAST

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DEC 18 2005

CILA-EP

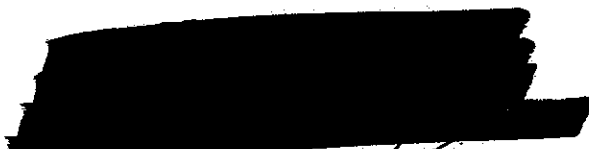
7 December 2005

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, NAVAL CRIMINAL
INVESTIGATIVE SERVICE FIELD OFFICE, MIDDLE EAST BAHRAIN,
PSC 451, BOX 32, FPO AE 09834-2800

SUBJECT: Forensic Branch Report(s)
USACIL Case Number 2005-CID131-2027-R1
Submitter Case Number 20SEP05-MEBJ-0651-7HMA

1. Enclosed are the Final Laboratory Exhibit List (Encl 1) and Final Branch Report for the Firearms (Encl 2) Branch.
2. Two original reports have been produced. These reports were completed at or near the time of the forensic examination(s) and prepared in the ordinary course of business by the forensic examiner(s) assigned to the case. These reports were made by the regularly conducted activity as a regular practice of the United States Army Criminal Investigation Laboratory. One original report is enclosed and the other is kept in the official files of this laboratory and maintained IAW AR 25-400-2 and CIDR 195-1.
3. All items received in the laboratory for examination are returned to the submitting agency upon completion of laboratory testing.
4. IAW AR 195-2, requests and fund cites for court appearances of Laboratory Examiners will be made at least 10 working days prior to the date of court proceedings.
5. Point of contact is the Evidence Processing Branch, DSN 797-7082/7109/7110/4612/4613/4614, Commercial (404) 469-7082/7109/7110/4612/4613/4614, Fax DSN 797-4615, or Email: usacil@usacil.army.mil.

2 Encls



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ENCLOSURE (A)

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7 December 2005

FINAL LABORATORY EXHIBIT LISTING

SUBJECT: USACIL Case Number 2005-CID131-2027-R1
Submitter Case Number 20SEP05-MEBJ-0651-7HMA

EXHIBITS:

- 1 - Previously submitted. Not resubmitted.
- 2 - Pistol, Beretta, Model M9, 9mm caliber, slide SN: 65490, receiver SN: 1136976 with lanyard and magazine containing 14 cartridges (Item A, Log 292-05).
- 3 - Bullet (Item B, Log 329-05).
- 4 - Post mortem record fingerprints of ABDULLAH (Item F, Log 329-05).

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1 of 1

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5 December 2005

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, NAVAL CRIMINAL
INVESTIGATIVE SERVICE FIELD OFFICE, MIDDLE EAST BAHRAIN,
PSC 451, BOX 32, FPO AE 09834-2800

SUBJECT: Firearms Branch - Final Report
USACIL Case Number 2005-CID131-2027-R1
Submitter Case Number 20SEP05-MEJB-0651-7HMA

EXHIBITS:

- 2 - Pistol, serial number 65490 (Item A, Log 292-05).
- 3 - Bullet (Item B, Log 329-05).

FINDINGS:

1. Examination of Exhibit 2 (pistol) disclosed that it is operational with its incorporated safety features working properly. The trigger pull for Exhibit 2 was determined to be within manufacturer specifications. Exhibit 2 was test fired and the test fired bullets and cartridges were recovered.
2. Microscopic examination of Exhibit 3 (bullet) disclosed that it was fired through the barrel of Exhibit 2.
3. Two original reports have been produced. These reports were completed at or near the time of the forensic examination(s) and prepared in the ordinary course of business by the undersigned.



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SUBJECT: Firearms Branch - Final Report
USACIL Case Number 2005-CID131-2027-R1
Submitter Case Number 20SEP05-MEBJ-0651-7HMA

These reports were made by the regularly conducted activity as a regular practice of the United States Army Criminal Investigation Laboratory. Point of contact is the Evidence Processing Branch, DSN 797-7082/7109/7110/4612/4613/4614, Commercial (404) 469-7082/7109/7110/4612/4613/4614, Fax DSN 797-4615, or Email: usacil@usacil.army.mil.

[REDACTED]

Forensic Firearms Examiner

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30 November 2005

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, NAVAL CRIMINAL
INVESTIGATIVE SERVICE FIELD OFFICE, MIDDLE EAST BAHRAIN,
PSC 451, BOX 32, FPO AE 09834-2800

SUBJECT: Forensic Branch Report(s)
USACIL Case Number 2005-CID131-2027-R1
Submitter Case Number 20SEP05-MEBJ-0651-7HMA

1. Enclosed are the Interim Laboratory Exhibit List (Encl 1) and Final Branch Report for the Latent Print (Encl 2) Branch. The Firearms Branch Report is pending.
2. Two original reports have been produced. These reports were completed at or near the time of the forensic examination(s) and prepared in the ordinary course of business by the forensic examiner(s) assigned to the case. These reports were made by the regularly conducted activity as a regular practice of the United States Army Criminal Investigation Laboratory. One original report is enclosed and the other is kept in the official files of this laboratory and maintained IAW AR 25-400-2 and CIDR 195-1.
3. All items received in the laboratory for examination are returned to the submitting agency upon completion of laboratory testing.
4. IAW AR 195-2, requests and fund cites for court appearances of Laboratory Examiners will be made at least 10 working days prior to the date of court proceedings.
5. Point of contact is the Evidence Processing Branch, DSN 797-7082/7109/7110/4612/4613/4614, Commercial (404) 469-7082/7109/7110/4612/4613/4614, Fax DSN 797-4615, or Email: usacil@usacil.army.mil.

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INTERIM LABORATORY EXHIBIT LISTING

SUBJECT: USACIL Case Number 2005-CID131-2027-R1
Submitter Case Number 20SEP05-MEBJ-0651-7HMA

EXHIBITS:

- 1 - Previously submitted. Not resubmitted.
- 2 - Pistol, Beretta, Model M9, 9mm caliber, slide SN: 65490, receiver SN: 1136976 with lanyard and magazine containing 14 cartridges (Item A, Log 292-05).
- 3 - Bullet (Item B, Log 329-05).
- 4 - Post mortem record fingerprints of ABDULLAH (Item F, Log 329-05).

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1 of 1

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30 November 2005

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, NAVAL CRIMINAL
INVESTIGATIVE SERVICE FIELD OFFICE, MIDDLE EAST BAHRAIN,
PSC 451, BOX 32, FPO AE 09834-2800

SUBJECT: Latent Print Branch - Final Report
USACIL Case Number 2005-CID131-2027-R1
Submitter Case Number 20SEP05-MEBJ-0651-7HMA

EXHIBITS:

- 1 - Previously submitted. Not resubmitted.
- 2 - Pistol, Beretta, Model M9, 9mm caliber, slide SN: 65490, receiver SN: 1136976 with lanyard and magazine containing 14 cartridges (Item A, Log 292-05).
- 3 - Bullet (Item B, Log 329-05).
- 4 - Post mortem record fingerprints of ABDULLAH (Item F, Log 329-05).

FINDINGS:

1. No latent prints suitable for identification were present or developed on the submitted evidence.
2. Two original reports have been produced. These reports were completed at or near the time of the forensic examination(s) and prepared in the ordinary course of business by the undersigned. These reports were made by the regularly conducted activity as a regular practice of the United States Army Criminal



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SUBJECT: Latent Print Branch - Final Report
USACIL Case Number 2005-CID131-2027-R1
Submitter Case Number 20SEP05-MEBJ-0651-7HMA

Investigation Laboratory. Point of contact is the Evidence Processing Division, DSN 797-7082/7109/7110, Commercial (404) 469-7082/7109/7110, Fax DSN 797-7112, or Email: usacil@usacil.army.mil.



Latent Print Examiner

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21 November 2005

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, NAVAL CRIMINAL
INVESTIGATIVE SERVICE FIELD OFFICE, MIDDLE EAST BAHRAIN,
PSC 451, BOX 32, FPO AE 09834-2800

SUBJECT: Forensic Branch Report(s)
USACIL Case Number 2005-CID131-2027
Submitter Case Number 20SEP05-MEBJ-0651-7HMA

1. Enclosed are the Final Laboratory Exhibit List and Final Branch Report for the Trace Evidence Branch.
2. Two original reports have been produced. These reports were completed at or near the time of the forensic examination(s) and prepared in the ordinary course of business by the forensic examiner(s) assigned to the case. These reports were made by the regularly conducted activity as a regular practice of the United States Army Criminal Investigation Laboratory. One original report is enclosed and the other is kept in the official files of this laboratory and maintained IAW AR 25-400-2 and CIDR 195-1.
3. All items received in the laboratory for examination are returned to the submitting agency upon completion of laboratory testing.
4. IAW AR 195-2, requests and fund cites for court appearances of Laboratory Examiners will be made at least 10 working days prior to the date of court proceedings.
5. Point of contact is the Evidence Processing Branch, DSN 797-7082/7109/7110, Commercial (404) 469-7082/7109/7110, Fax DSN 797-4615, or Email: usacil@usacil.army.mil.

Encl



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CILA-TE

16 November 2005

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, NAVAL CRIMINAL
INVESTIGATIVE SERVICE FIELD OFFICE, MIDDLE EAST BAHRAIN,
PSC 451 BOX 32, FPO AE 09834-2800

SUBJECT: Trace Evidence Branch - Final Report
USACIL Case Number 2005-CID131-2027
Submitter Case Number 20SEP05-MEBJ-0651-7HMA

EXHIBIT:

1 - Gunshot residue kit (Item A, Log 291-05).

FINDINGS:

1. The gunshot residue kit identified as Exhibit 1 was analyzed by scanning electron microscopy/energy dispersive x-ray spectroscopy. No particles characteristic of primer gunshot residue were detected. Based on these results, the following possibilities exist:

- a. The subject did not handle/discharge a firearm.
- b. The subject handled/discharged a firearm but gunshot residue was not deposited on the hands.
- c. The subject handled/discharged a firearm that deposited gunshot residue on the hands; however, due to washing, wiping, or other activity, the particles deposited were removed.



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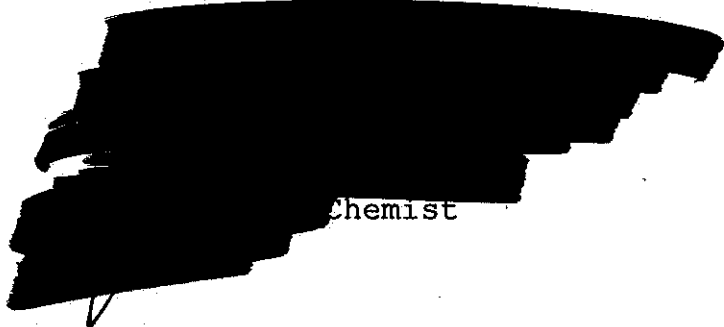
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SUBJECT: Trace Evidence Branch - Final Report
USACIL Case Number 2005-CID131-2027
Submitter Case Number 20SEP05-MEBJ-0651-7HMA

2. Two original reports have been produced. These reports were completed at or near the time of the forensic examination(s) and prepared in the ordinary course of business by the undersigned. These reports were made by the regularly conducted activity as a regular practice of the United States Army Criminal Investigation Laboratory. Point of contact is the Evidence Processing Branch, DSN 797-7082/7109/7110, Commercial (404) 469-7082/7109/7110, Fax DSN 797-7112, or Email: usacil@usacil.army.mil.


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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

24DEC05

CONTROL: 20SEP05-MEBJ-0651-7HMA

V/ABDULLAH, HASKEM SHEFI/CIV
M/W/FNIZ/N//01JAN76/FALLUJAH, IRAQ

FINAL AUTOPSY RESULTS OF V/ABDULLAH

1. On 22DEC05, final autopsy results of V/ABDULLAH were received at NCIS DET Fallujah, Iraq, Enclosure (A) pertains. V/ABDULLAH's autopsy was conducted by [REDACTED] M.D., MC USN, at the Armed Forces Institute of Pathology (AFIP), Rockville, MD on 29SEP05. Autopsy results concluded that V/ABDULLAH died of a contact range gunshot wound to the chest and the manner of death is homicide.

ENCLOSURE

(A) Copy of V/ABDULLAH's autopsy report/21DEC05

REPORTED BY: [REDACTED] SPECIAL AGENT
OFFICE: NCIS DET CAMP FALLUJAH, IRAQ

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Exhibit (3)

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28

NAVAL CRIMINAL INVESTIGATIVE SERVICE

DELETED PAGE INFORMATION SHEET

Page(s) F29 - F34, Encl (A) to ECh (31)

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

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

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

28DEC05

DEATH (II)

CONTROL: 20SEP05-MEBJ-0651-7HMA

V/ABDULLAH, HASKEM SHEFI/CIV
M/W/FNIZ/N//01JAN76/FALLUJAH, IRAQ

COMMAND/SECOND MARINE DIVISION/12000

MADE AT/0023/NCISHQ WASHINGTON DC [REDACTED] REPRESENTATIVE

REFERENCE

(A) NCISHQ Washington DC ROI (ACTION)/20Oct05

EXHIBIT(S)

- (1) Final Autopsy Examination Report/21Dec05... (Copy MEBJ/0023B Only)
- (2) Report of Toxicological Examination/11Oct05... (Copy MEBJ/0023B Only)

NARRATIVE

1. Reference (A) reflected lead tasking to 23B was pending the receipt of the final autopsy report. The Final Autopsy Examination Report was received identifying V/ABDULLAH's cause of death as "Gunshot wound of the chest" and the manner of death as "Homicide." Toxicology examinations of V/ABDULLAH's blood and urine did not detect any drugs or alcohol. Exhibits (1) and (2) provide amplifying details. Lead tasking is complete.

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//23/BJ/YK/OK//

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

01DEC05

DEATH (II)

CONTROL: 20SEP05-MEBJ-0651-7HMA

V/ABDULLAH, HASKEM SHEFI/CIV
M/W/FNIZ/N//01JAN76/FALLUJAH, IRAQ

COMMAND/SECOND MARINE DIVISION/12000

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

REFERENCE(S)

- (A) NCISFO Middle East ROI (INTERIM)/28SEP05 (Contains Exhibits 1-24)
- (B) NCISFO Middle East ROI (INTERIM)/22OCT05 (Contains Exhibit 25-29)
- (C) NCISFO Middle East ROI (INTERIM)/20NOV05

1. On 20SEP05, V/ABDULLAH was shot and killed in Fallujah, Iraq, in the vicinity of 38S LB 8293 8945. Entry Control Point (ECP) 5, manned by members of Regimental Combat Team 8, detained V/ABDULLAH for being a suspected member of anti-coalition forces. [REDACTED] USMC, SSN: [REDACTED] DOB: 24DEC77, 1st Intelligence Battalion, Counter Intelligence/HUMINT Company, was left alone in a room with V/ABDULLAH, who was not restrained but [REDACTED]. Reportedly, V/ABDULLAH attacked [REDACTED]. After a brief struggle, [REDACTED] shot V/ABDULLAH once with his M9 in the chest. Corpsmen administered medical treatment to V/ABDULLAH who succumbed to his wound approximately one hour later while awaiting a MEDEVAC. NCIS agents responded, processed the death scene, collected potential evidence, effected photographic coverage, and obtained statements taken by the command. V/ABDULLAH's remains were transported by NCIS to mortuary affairs at Camp Fallujah, Iraq where they were summarily sent to the Armed Forces Institute of Pathology for an autopsy. An initial interview of [REDACTED] was conducted using the witness statements provided by the command and information obtained via the death scene exam. [REDACTED] admitted to shooting V/ABDULLAH and claimed it was in self-defense. Follow on interviews were then conducted with witnesses and a subsequent re-interview of [REDACTED] was conducted. On 24SEP05, II MEF SJA was advised of the status of the investigation and that no information had been developed which indicated that the shooting of V/ABDULLAH was anything other than self-defense. On 24SEP05, [REDACTED] was redeployed to the Camp Pendleton, CA, as scheduled, with the rest of his unit. After the death scene exam was conducted, [REDACTED] were located and seized, as they had been removed from the scene by their owner. Subsequent to the completion of an autopsy by Office of the Armed Forces Medical Examiner, V/ABDULLAH's remains were returned to his father. This investigation is pending receipt of autopsy results and the results of the forensic examination of potential evidence.

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DTD TO CCS [REDACTED] INITIALS
 DTD XMIT [REDACTED] INITIALS
 DTD MAILED: [REDACTED] INITIALS

NARRATIVE

1. This case was initiated to determine the full circumstances surrounding the death of V/ABDULLAH. No criminal statutes apply at this time.

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SUBJ: V/ABDULLAH, HASKEM SHEFI/CIV
U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

2. Subsequent to the submission of references (A) through (C), there has been no investigative effort. On 23NOV05, US Army Criminal Investigation Laboratory (USACIL) reported receiving the remaining evidence. All evidence needing analysis/examination has been received by USACIL.

3. Case control is transferred to Special Agent [REDACTED] due to Reporting Agent's redeployment from Iraq.

4. Investigation is pending receipt of the final results of V/ABDULLAH's autopsy and results of USACIL analysis and examination of evidentiary items.

PARTICIPANT(S)

- [REDACTED] Special Agent, NCIS Det Iraq
- [REDACTED] Special Agent, NCIS Det Iraq
- [REDACTED] Special Agent, NCIS Det Iraq
- [REDACTED] USMC, Combat Cameraman
- [REDACTED] Special Agent, NCIS Det Iraq
- [REDACTED], Special Agent, NCIS Representative to Armed Forces Institute of Pathology

DISTRIBUTION

NCISHQ (SI): 0023(E)
INFO: MBEJ(E) [REDACTED] IIMEF SJA, Camp Fallujah,
IZ(H)/FEYK(E)/FEOK (ATTN: [REDACTED]) (E)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

20NOV05

DEATH (II)

CONTROL: 20SEP05-MEBJ-0651-7HMA

V/ABDULLAH, HASKEM SHEFI/CIV
M/W/FNIZ/N//01JAN76/FALLUJAH, IRAQ

COMMAND/SECOND MARINE DIVISION/12000

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

REFERENCE(S)

- (A) NCISFO Middle East ROI(INTERIM)/28SEP05 (Contains Exhibits 1-24)
- (B) NCISFO Middle East ROI(INTERIM)/22OCT05 (Contains Exhibit 25-29)

1. On 20SEP05, V/ABDULLAH was shot and killed in Fallujah, Iraq, in the vicinity of 38S LB 8293 8945. Entry Control Point (ECP) 5, manned by members of Regimental Combat Team 8, detained V/ABDULLAH for being a suspected member of anti-coalition forces. [REDACTED]

[REDACTED] USMC, SSN: [REDACTED] DOB: [REDACTED] 1st Intelligence Battalion, Counter Intelligence/HUMINT Company, was left alone in a room with V/ABDULLAH, who was not restrained but [REDACTED]. Reportedly, V/ABDULLAH attacked [REDACTED]. After a brief struggle, [REDACTED] shot V/ABDULLAH once with his M9 in the chest. Corpsmen administered medical treatment to V/ABDULLAH who succumbed to his wound approximately one hour later while awaiting a MEDEVAC. NCIS agents responded, processed the death scene, collected potential evidence, effected photographic coverage, and obtained statements taken by the command. V/ABDULLAH's remains were transported by NCIS to mortuary affairs at Camp Fallujah, Iraq where they were summarily sent to the Armed Forces Institute of Pathology for an autopsy. An initial interview of [REDACTED] was conducted using the witness statements provided by the command and information obtained via the death scene exam. [REDACTED] admitted to shooting V/ABDULLAH and claimed it was in self-defense. Follow on interviews were then conducted with witnesses and a subsequent re-interview of [REDACTED] was conducted. On 24SEP05, II MEF SJA was advised of the status of the investigation and that no information had been developed which indicated that the shooting of V/ABDULLAH was anything other than self-defense. On 24SEP05, [REDACTED] was redeployed to the Camp Pendleton, CA, as scheduled, with the rest of his unit. After the death scene exam was conducted, [REDACTED] were located and seized, as they had been removed from the scene by their owner. Subsequent to the completion of an autopsy by Office of the Armed Forces Medical Examiner, V/ABDULLAH's remains were returned to his father. This investigation is pending receipt of autopsy results and the results of the forensic examination of potential evidence.

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NARRATIVE

1. This case was initiated to determine the full circumstances surrounding the death of V/ABDULLAH. No criminal statutes apply at this time.

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SUBJ: V/ABDULLAH, HASKEM SHEFI/CIV

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

2. Subsequent to the submission of references (A) and (B), the only investigative effort has been the transfer of evidence and the submission of evidence to the US Army Criminal Investigation Laboratory (USACIL) for analysis. On 04NOV05, USACIL reported receiving Item A (USACIL Gunshot Residue Kit) from ECD 291-05 for analysis. Reporting Agent has submitted all other evidence requiring examination and analysis to USACIL and awaits confirmation of receipt.

3. Investigation is pending receipt of the final results of V/ABDULLAH's autopsy and results of USACIL analysis and examination of evidentiary items.

PARTICIPANT(S)

- [REDACTED] Special Agent, NCIS Det Iraq
- [REDACTED] Special Agent, NCIS Det Iraq
- [REDACTED] Special Agent, NCIS Det Iraq
- [REDACTED], USMC, Combat Cameraman
- [REDACTED] Special Agent, NCIS Det Iraq
- [REDACTED] Special Agent, NCIS Representative to Armed Forces Institute of Pathology

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 INFO: MEBJ (M) [REDACTED] IIMEF SJA, Camp Fallujah,
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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

23OCT05

DEATH (II)

CONTROL: 20SEP05-MEBJ-0651-7HMA

V/ABDULLAH, HASKEM SHEFI/CIV
M/W/FNIZ/N//01JAN76/FALLUJAH, IRAQ

COMMAND/SECOND MARINE DIVISION/12000

MADE AT/MEBJ/CAMP FALLUJAH IRAQ/S [REDACTED] SPECIAL AGENT

REFERENCE

(A) NCISFO Middle East ROI (INTERIM)/28SEP05 (Contains Exhibits 1-24)

EXHIBITS

- (25) Results of Seizure of Goggles/10OCT05... (Copy All)
- (26) Copy of DD2064/29SEP05... (Copy All)
- (27) Results of Returning Remains/20OCT05... (Copy All)
- (28) Results of Evidence Review from ECD 0316-05/18OCT05... (Copy All)
- (29) Results of Autopsy/20OCT05... (Copy All)

1. On 20SEP05, V/ABDULLAH was shot and killed in Fallujah, Iraq, in the vicinity of 38S LB 8293 8945. Entry Control Point (ECP) 5, manned by members of Regimental Combat Team 8, detained V/ABDULLAH for being a suspected member of anti-coalition forces. [REDACTED]

[REDACTED] USMC, SSN: [REDACTED] DOB: [REDACTED] 1st Intelligence Battalion, Counter Intelligence/HUMINT Company, was left alone in a room with V/ABDULLAH, who was not restrained but [REDACTED]. Reportedly, V/ABDULLAH attacked [REDACTED]. After a brief struggle, [REDACTED] shot V/ABDULLAH once with his M9 in the chest. Corpsmen administered medical treatment to V/ABDULLAH who succumbed to his wound approximately one hour later, while awaiting a MEDEVAC. NCIS agents responded, processed the death scene, collected potential evidence, effected photographic coverage, and obtained statements taken by the command. V/ABDULLAH's remains were transported by NCIS to mortuary affairs at Camp Fallujah, Iraq where they were summarily sent to the Armed Forces Institute of Pathology for an autopsy. An initial interview of [REDACTED] was conducted using the witness statements provided by the command and information obtained via the death scene exam. [REDACTED] admitted to shooting V/ABDULLAH and claimed it was in self-defense. Follow-on interviews were then conducted with witnesses and a subsequent re-interview of [REDACTED] was conducted. On 24SEP05, II MEF SJA was advised of the status of the investigation and that no information had been developed which indicated that the shooting of V/ABDULLAH was anything other than self-defense. On 24SEP05, [REDACTED] was redeployed to the Camp Pendleton, CA, as scheduled, with the rest of his unit. After the death scene exam was conducted, the [REDACTED] were located and seized, as their owner had removed them from the scene. Subsequent to the completion of an autopsy by Office of the Armed Forces Medical Examiner, V/ABDULLAH's remains were returned to his father. This investigation is pending receipt of autopsy results and the results of the forensic examination of potential evidence.

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SUBJ: V/ABDULLAH, HASKEM SHEFI/CIV
U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

NARRATIVE

1. This case was initiated to determine the full circumstances surrounding the death of V/ABDULLAH. No criminal statutes apply at this time.

2. On 08OCT05, Participating Agent (PA) [REDACTED] seized the [REDACTED] and entered them into the NCIS evidence custody system under ECD log number 0316-05. Exhibit (25) details.

3. On 15OCT05, Reporting Agent (RA) obtained a copy of V/ABDULLAH's DD2064 from the inside his remains container. Exhibit (26) pertains.

4. On 17OCT05, [REDACTED], USMC, released V/ABDULLAH's remains to his father, [REDACTED], CIV. Exhibit (27) details.

5. On 18OCT05, RA examined and effected photographic coverage of the goggles seized by PA [REDACTED]. RA observed the majority of the [REDACTED]

V/ABDULLAH. As background, V/ABDULLAH was shot in his upper right chest with a 9mm pistol and the wound was delivered at contact distance. Exhibit (28) pertains.

6. On 22OCT05, RA received the preliminary autopsy findings pertaining to V/ABDULLAH. PA [REDACTED] reported that on 29Sep05, she attended the autopsy of V/ABDULLAH, which was conducted [REDACTED], CAPT, MC, USN, Forensic Pathologist, Assistant Medical Examiner. Examination disclosed a penetrating gunshot wound of the chest with a trajectory that was from right to left, front to back and downward. The projectile traveled through the right upper chest in a downward track through the heart, lung, liver, inferior vena cave, thoracic vertebrae, and severed the spinal cord. The projectile was found imbedded in the back of thoracic vertebra (T10/11). Evidence collected during the postmortem examination included fingernail clippings, copper colored projectile, small white fibers attached to V/ABDULLAH's shirt, black t-shirt, navy blue shorts and a 10-print fingerprint card and palm prints. Seized evidence was entered into the NCIS evidence log #184-05. Photographic coverage was effected. Exhibit (29) details.

7. Investigation is pending receipt of the final results of V/ABDULLAH's autopsy and receipt of the bullet and finger print cards recovered from V/ABDULLAH so that the firearm seized from [REDACTED] can undergo testing at USACIL.

PARTICIPANTS

- [REDACTED], Special Agent, NCIS Det Iraq
- [REDACTED], Special Agent, NCIS Det Iraq
- [REDACTED], Special Agent, NCIS Det Iraq
- [REDACTED], LCPL, USMC, Combat Cameraman

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20SEP05-MEBJ-0651-7HMA

SUBJ: V/ABDULLAH, HASKEM SHEFI/CIV

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

[REDACTED] Special Agent, NCIS Det Iraq

[REDACTED] Special Agent, NCIS Representative to Armed Forces
Institute of Pathology

DISTRIBUTION

NCISHQ (SI): 0023 (M)

INFO: MEBJ (M) [REDACTED] IIMEF SJA, Camp Fallujah,
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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

10OCT05

CONTROL: 20SEP05-MEBJ-0651-7HNA

V/ABDULLAH, HASKEM SHAFI/CIV
M/W/IZXX/N///

RESULTS OF SEIZURE OF GOGGLES

1. On 08OCT05, Reporting Agent (RA) along with Supervisory Special Agent (SSA) [REDACTED] arrived at Camp Mercury, Fallujah, Iraq. RA and SSA met with Staff Judge Advocate (SJA) 2/7 Marines, [REDACTED] USMC, and retrieved a plastic bag containing a pair of brown-in-color goggles with a protective sleeve. [REDACTED] /ABDULLAH during the incident in which he was later shot. The goggles were entered into evidence; log number 0316-05, and stored at Camp Fallujah temporary evidence. Enclosure (A) pertains.

ENCLOSURE(S)
(A) Copy of ECD 0316-05/08OCT05

REPORTED BY: [REDACTED]
OFFICE: CAMP FALLUJAH, IRAQ

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U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE CUSTODY DOCUMENT

CODE: **MEBT** CONTROL: **20805-MEBT-01051-THNA** LOG NUMBER: **0316-05** DATE AND TIME OF SEIZURE: **08 Oct 05 0854**

NAME OF PERSON FROM WHOM PROPERTY SEIZED: **[REDACTED] SJA** LOCATION WHERE PROPERTY SEIZED: **CAMP MILBURY TRAD**

NAME OF PERSON TO WHOM PROPERTY IS BEING TRANSFERRED: **N/ABDULLAH, HAKIM STAFF/CTV (DECEASED)**

ITEM	QUANTITY	DISPOSAL ACTION	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION, AND VALUE WHEN APPROPRIATE
A	1		BRINK BAG (brown neck) - (1) plastic bag containing a Brown Ink Col [REDACTED] with [REDACTED] sleeve

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NAME AND SIGNATURE OF WITNESS (IF AVAILABLE): **[REDACTED]**

CHAIN OF CUSTODY

ITEM	DATE & TIME	RELEASED BY		RECEIVED BY		PURPOSE
		NAME	ORGANIZATION	NAME	ORGANIZATION	
A	08 Oct 05 1500	[REDACTED]	CAMP Felt	Temp	Residence	Self kept
		[REDACTED]		[REDACTED]		

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ENCLOSURE (A)

FAH

CERTIFICATE OF DEATH (OVERSEAS) Acte de décès (D'Outre-Mer)			
NAME OF DECEASED (Last, First, Middle) Nom du défédé (Nom et prénoms) BTB Abdullah, Haskern, Shefi		GRADE Grade	BRANCH OF SERVICE Arme Civilian
ORGANIZATION Organisation		NATION (e.g. United States) Pays United States	DATE OF BIRTH Date de naissance
RACE Race		MARITAL STATUS État civil	SEX Sexe <input checked="" type="checkbox"/> MALE <input type="checkbox"/> FEMALE
CAUCASOID Caucasique	SINGLE Célibataire	DIVORCED Divorcé	PROTESTANT Protestant
NEGROID Négre	MARRIED Marié	SEPARATED Séparé	CATHOLIC Catholique
OTHER (Specify) Autre (Spécifier)	WIDOWED Veuf		JEWISH Juif
NAME OF NEXT OF KIN Nom du plus proche parent		RELATIONSHIP TO DECEASED Parenté du défédé avec le sur	
STREET ADDRESS Domicile à (ville)		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 (Indiquer qu'une cause par ligne) Gunshot wound of the chest			INTERVAL BETWEEN ONSET AND DEATH Intervalle entre l'apparition et le décès Minutes
DISEASE OR CONDITION DIRECTLY LEADING TO DEATH Maladie ou condition directement responsable de la mort.			
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 Convention de décès	AUTOPSY PERFORMED Autopsie effectuée	CIRCUMSTANCES SURROUNDING DEATH DUE TO EXTERNAL CAUSES Circonstances de la mort suscitée 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 Stephen L. Robinson, CAPT, MC, USN		
<input checked="" type="checkbox"/> HOMICIDE Homicide	SIGNATURE Signature	DATE Date 29 September 2005	AVIATION ACCIDENT Accident d'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) 20 September 2005		PLACE OF DEATH Lieu de décès	
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 défédé et constaté 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 29 Sep 05	SIGNATURE Signature		
<small>1. Death certificate, injury or certification which caused death, but not death of child such as heart failure, etc. 2. Some conditions contributing to the death, but not related to the disease or condition causing death. 3. Preclude the nature of the malady, or the pleasure or pain in connection with the death, unless they be matters of record, such as the death of a child, etc. 4. Preclude the condition of a homicide if the death, unless it is stated that the death was caused by a homicide.</small>			

DD FORM 1 APR 77 2064

REPLACES DA FORM 1364, 1 JAN 72 AND DA FORM 3866-RIPAS, 26 SEP 76, WHICH ARE OBSOLETE.

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

20OCT05

CONTROL: 20SEP05-MEBJ-0651-7HMA

V/ABDULLAH, HASKEM SHEFI/CIV
M/W/FNIZ/N//01JAN76/FALLUJAH, IRAQ

RESULTS OF RETURNING REMAINS

1. On 15OCT05 V/ABDULLAH's remains landed at Camp Fallujah, Iraq.
On 17OCT05 at 0900 hrs [REDACTED] USMC, [REDACTED]
for Civil Military Affairs, returned the remains of V/ABDULLAH to his
father, [REDACTED] The return took place at the Civil
Military Operations Center in Fallujah, Iraq. [REDACTED] also released
V/ABDULLAH's wristwatch, ration card and Iraqi Dinar to [REDACTED]

REPORTED BY: [REDACTED]
OFFICE: NCIS DET CAMP FALLUJAH, IRAQ

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Page 1

LAST

[REDACTED] V2 LNY

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

18OCT05

CONTROL: 20SEP05-MEBJ-0651-7HMA

V/ABDULLAH, HASKEM SHEFI/CIV
M/W/FNIZ/N//01JAN76/FALLUJAH, IRAQ

RESULTS OF EVIDENCE REVIEW FROM ECD 0316-05

1. As background, V/ABDULLAH was reportedly [redacted] just prior to and possibly at the time he was shot. Witness statements provided that [redacted]

[redacted] During the death scene exam, Reporting Agent (RA) did not observe the presence of any [redacted] RA later determined, through interviews, that the [redacted] were the property of [redacted] USMC. [redacted] reported that he recovered his [redacted] after the death of V/ABDULLAH, from the floor underneath the cot on which V/ABDULLAH died. [redacted] advised RA he recovered his [redacted] from a pool of blood under the cot on which V/ABDULLAH died and placed them in a box in his room and had not touched them since. RA effected coordination and obtained the [redacted] which were entered into the NCIS evidence custody system under log number 0316-05.

2. On 18OCT05, RA removed the [redacted] from their packaging. RA observed what appeared to be dried blood on the [redacted] RA noted that the [redacted] appeared to have been saturated with blood. RA observed multiple tiny droplets of blood on the outside and bottom edge of the [redacted] RA observed no blood droplets on the inside or top edge of the [redacted] RA observed a large light-colored blood stain on the top of the [redacted] Additionally, RA noted the majority of the blood was located centrally on the under side of the right side of the [redacted] V/ABDULLAH. As background, V/ABDULLAH was shot in his upper right chest with a 9mm pistol and the wound was delivered at contact distance.

3. RA affected photographic coverage of the [redacted] Enclosures (A) through (M) pertain.

ENCLOSURES

- (A) Overall view of front of [redacted] undated
- (B) Overall view of back of [redacted] undated
- (C) Overall view of top of [redacted] undated
- (D) Overall view of underside of [redacted] undated
- (E) Overall view of front of [redacted] with references diagrammed/undated
- (F) Close up view of right side of [redacted] with scale/undated
- (G) Close up view of center of [redacted] with scale/undated
- (H) Close up view of left side of [redacted] with scale/undated
- (I) Close up view of right underside of [redacted] with scale/undated
- (J) Close up view of left underside of [redacted] with

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EXHIBIT (28)

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SUBJ: V/ABDULLAH, HASKEM SHEFI/CIV
U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

scale/undated

- (K) Close up view of top right side of [REDACTED]/undated
- (L) Close up view of top center of [REDACTED] undated
- (M) Close up view of top left side of [REDACTED] undated

REPORTED BY: [REDACTED]
OFFICE: NCIS DET CAMP FALLUJAH, IRAQ

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[REDACTED]

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NAVAL CRIMINAL INVESTIGATIVE SERVICE

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Page(s) F49-F61, Encl. (P) - (M) to
Exh(28)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

20OCT05

CONTROL: 20SEP05-MEJ-0651-7HMA

V/ABDULLAH, HASKEM SHEFI/CIV
M/W/FNIZ/N//01JAN76/FALLUJAH, IRAQ

RESULTS OF AUTOPSY

1. On 29Sep05, Reporting Agent attended the autopsy of V/ABDULLAH at the Charles C. Carson Center for Mortuary Affairs, Dover Air Force Base, Dover, Delaware. [REDACTED] MC, USN, Forensic Pathologist, Assistant Medical Examiner, conducted the autopsy. The case number is ME05-0893. The examination disclosed a penetrating gunshot wound of the chest. Trajectory was from right to left, front to back and downward. The projectile traveled through the right upper chest in a downward track through the heart, lung, liver, inferior vena cave, thoracic vertebrae, and severed the spinal cord. The projectile was found imbedded in the back of thoracic vertebra (T10/11). A copy of the Preliminary Autopsy Report is appended as enclosure (A).
2. Evidence collected during the postmortem examination included fingernail clippings, copper colored projectile, small white fibers attached to V/ABDULLAH's shirt, black t-shirt, navy blue shorts and a 10-print fingerprint card and palm prints. Seized evidence was entered into the NCIS evidence log #184-05.
3. [REDACTED] Photographer, Office of the Armed Forces Medical Examiner, photographed the postmortem examination. [REDACTED] utilized a Nikon D1H digital camera. The autopsy photographs are attached as enclosure (B).
4. During the autopsy, it was noted that V/ABDULLAH had several non-professional tattoos on his arms. [REDACTED] COL, MC, USAF translated the writings as follows: left upper arm: "Where is happiness my brother Jasem/Jasim", left forearm: "2225 11 11", a possible date, cannot fully read the tattoo; upper right arm: "2225".
5. A copy of V/ABDULLAH's death certificate is attached as enclosure (C).

ENCLOSURES

- (A) Preliminary Autopsy Report/30Sep05
- (B) Autopsy Photographs/29Sep05
- (C) Certificate of Death (Overseas)/29Sep05

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

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NAVAL CRIMINAL INVESTIGATIVE SERVICE

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Page(s) F63 - F76, Encl (A) - (B) to
Exh. (29)

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

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NAVAL CRIMINAL INVESTIGATIVE SERVICE

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

20OCT05

DEATH (II)

CONTROL: 20SEP05-MEBJ-0651-7HMA

V/ABDULLAH, HASKEM SHEFI/CIV
M/W/FNIZ/N//01JAN76/FALLUJAH, IRAQ

COMMAND/SECOND MARINE DIVISION/12000

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

REFERENCE

(A) MIDDLE EAST FIELD OFFICE ROI (OPEN)/21Sep05

EXHIBIT

(1) IA: Results of Autopsy/12Oct05... (Copy MEBJ only)

NARRATIVE

1. On 29Oct05, Participating Agent [REDACTED] attended the autopsy of V/ABDULLAH. The autopsy was conducted by [REDACTED] [REDACTED] USN MC, Assistant Medical Examiner, Office of the Armed Forces Medical Examiner. The preliminary autopsy report lists the cause of death as a gunshot wound to the chest and the manner of death as homicide. Lead tasking to 23B is pending the receipt of the final autopsy report.

PARTICIPANT

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

DISTRIBUTION

NCISHQ: 0023
INFO: MEBJ

ORC

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//23/BJ/OK/WA//

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

28SEP05

DEATH(II)

CONTROL: 20SEP05-MEBJ-0651-7HMA

V/ABDULLAH, HASKEM SHEFI/CIV
M/W/FNIZ/N//01JAN76/FALLUJAH, IRAQ

COMMAND/SECOND MARINE DIVISON/12000

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

EXHIBIT(S)

- (1) IA: Results of Death Scene Exam/22SEP05...(Copy All)
- (2) IA: Results of Receipt of Documents/25SEP05...(Copy All)
- (3) IA: Results of Seizure/25SEP05...(Copy All)
- (4) IA: Results of Interview with [REDACTED]/25SEP05...(Copy All)
- (5) IA: Results of Retrieval of Umbrella CI Force Protection Source Operation Proposal and CI/Human Intelligence Guidelines/21SEP05...(Copy All Less DCWA and FEOK)
- (6) IA: Results of Retrieval of II MEF Detainee Handling and Detention Facility SOP/21SEP05...(Copy All Less DCWA and FEOK)
- (7) IA: Results of [REDACTED]'s Service Record Book/21SEP05...(Copy All)
- (8) Military Suspect's Acknowledgment and Cleansing Waiver of Rights/21SEP05...(Copy All)
- (9) Sworn Statement of [REDACTED]/21SEP05...(Copy All)
- (10) Sworn Statement of [REDACTED]/23SEP05...(Copy All)
- (11) Sworn Statement of [REDACTED]/23SEP05...(Copy All)
- (12) Sworn Statement of [REDACTED]/23SEP05...(Copy All)
- (13) Sworn Statement of [REDACTED]/23SEP05...(Copy All)
- (14) Sworn Statement of [REDACTED]/23SEP05...(Copy All)
- (15) Sworn Statement of [REDACTED]/23SEP05...(Copy All)
- (16) Military Suspect's Acknowledgment and Cleansing Waiver of Rights/24SEP05...(Copy All)
- (17) Sworn Statement of [REDACTED]/24SEP05...(Copy All)
- (18) IA: Results of Interview with [REDACTED]/25SEP05...(Copy All)
- (19) IA: Results of Indices Checks on [REDACTED]/25SEP05...(Copy All)
- (20) Sworn Statement of [REDACTED]/27SEP05...(Copy All)
- (21) IA: Results of Translation/27SEP05...(Copy All)
- (22) IA: Results of Interview with [REDACTED]/27SEP05...(Copy All)
- (23) IA: Results of Review of Records on V/ABDULLAH/27SEP05...(Copy All)
- (24) IA: Results of Photographic Coverage of Death Scene/27SEP05...(Copy All)

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EXECUTIVE SUMMARY

1. On 21SEP05, V/ABDULLAH was shot and killed in Fallujah, Iraq, in the vicinity of 38S LB 8293 8945. Entry Control Point (ECP) 5, manned by members of Regimental Combat Team 8, detained V/ABDULLAH for being a suspected member of anti-coalition forces. [REDACTED] USMC, SSN: [REDACTED] DOB: [REDACTED], 1st Intelligence Battalion, Counter Intelligence/HUMINT Company, was left alone in a room with V/ABDULLAH, who was not restrained but [REDACTED]. Reportedly, V/ABDULLAH attacked [REDACTED]. After a brief struggle, [REDACTED] shot V/ABDULLAH once with his M9 in the chest. Corpsmen administered medical treatment to V/ABDULLAH who succumbed to his wound approximately one hour later while awaiting a MEDEVAC. NCIS agents responded, processed the death scene, collected potential evidence, effected photographic coverage, and obtained statements taken by the command. V/ABDULLAH's remains were transported by NCIS to mortuary affairs at Camp Fallujah, Iraq where they were summarily sent to the Armed Forces Institute of Pathology for an autopsy. An initial interview of [REDACTED] was conducted using the witness statements provided by the command and information obtained via the death scene exam. [REDACTED] admitted shooting V/ABDULLAH and claimed it was in self defense. Follow on interviews were then conducted with witnesses and a subsequent re-interview of [REDACTED] was conducted. On 24SEP05, II MEF SJA was advised of the status of the investigation and that no information had been developed which indicated that the shooting of V/ABDULLAH was anything other than self defense. On 24SEP05, [REDACTED] was redeployed to the Camp Pendleton, CA, as scheduled, with the rest of his unit. This investigation is pending results from the autopsy of V/ABDULLAH, the toxicology and the forensic examination of potential evidence.

NARRATIVE

1. This case was initiated to determine the full circumstances surrounding the death of V/ABDULLAH. No criminal statutes apply at this time.

2. On 20SEP05, Reporting Agent (RA), Participating Agent (PA) [REDACTED] and [REDACTED] USMC, Combat Cameraman responded to the death scene, effected photographic coverage, collected potential evidence and documented the scene. RA observed that V/ABDULLAH had been shot once in the upper right chest. RA noted that a hole in V/ABDULLAH's shirt corresponded in approximate location with the apparent entrance wound in his chest. RA noted the apparent entrance wound was elliptical in shape with the lower portion of the hole coming to a slight point. The upper half of the hole had a black in color semi-circle along the edge. RA and team noted no other recent injuries on V/ABDULLAH. RA and team then collected the remains of V/ABDULLAH and transported them to mortuary affairs at Camp Fallujah. Exhibit (1) pertains.

3. On 20SEP05, RA obtained witness statements generated by the command from the ECP Commander. Exhibit (2) details.

4. On 20SEP05, RA seized the BDU top and holster worn by [REDACTED] at the time of the shooting from [REDACTED] Exhibit (3) pertains.

5. On 20SEP05, RA interviewed [REDACTED] CIV, another detainee to determine if he possessed any knowledge about the incident. [REDACTED] related he had not heard or seen anything. Exhibit (4) details.

6. On 21SEP05, PA [REDACTED] obtained copies of pertinent policy documents governing use of force, use of force against detainees and Human Exploitation Team operations. PA also obtained and reviewed [REDACTED]'s Service Record Book. Exhibits (5) through (7) pertain.

7. On 21SEP05, RA advised [REDACTED] of his UCMJ Article 31b rights, which he waived and rendered a sworn statement wherein he admitted to shooting V/ABDULLAH in self defense when the unrestrained, but [REDACTED] V/ABDULLAH, attacked him. Exhibits (8) and (9) detail.

8. On 23SEP05, PA [REDACTED] obtained a sworn statement from [REDACTED] [REDACTED] USMC, [REDACTED] wherein he related that he had personally [REDACTED] [REDACTED] prior to leaving V/ABDULLAH in the custody of [REDACTED] USMC, [REDACTED] Exhibit (10) pertains.

9. On 23SEP05, RA obtained a sworn statement from [REDACTED] where in he related that V/ABDULLAH was only [REDACTED] and not restrained. [REDACTED] also provided that V/ABDULLAH had been non-compliant in that he would not sit still and kept removing his hands from his lap to his upper chest. [REDACTED] added that V/ABDULLAH would also move his feet and body towards sounds generated by [REDACTED] as he moved around the room. [REDACTED] stated that he intended to leave [REDACTED] guarding V/ABDULLAH only for a few moments as he was just going outside to check on another Marine who was watching [REDACTED] [REDACTED] did not provide any information on V/ABDULLAH's non-compliance to [REDACTED] [REDACTED] stated that he had only been out of the room occupied by V/ABDULLAH for a few seconds when he heard the gunshot and ran back in to find [REDACTED] standing over V/ABDULLAH with his M9 in his hand. Exhibit (11) details.

10. On 23SEP05, PA [REDACTED] obtained a sworn statement from [REDACTED] USN, [REDACTED] provided that while guarding V/ABDULLAH for approximately 15 minutes V/ABDULLAH was [REDACTED] but that V/ABDULLAH would point his toes at every sound he heard in the room. [REDACTED] related that this made him very nervous. [REDACTED] related that he was relieved of his guard post by [REDACTED] Exhibit (12) pertains.

11. On 23SEP05, PA [REDACTED] obtained a sworn statement from [REDACTED] USMC, [REDACTED] who related that as per RA's telephonic directions to his platoon

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leader, he had seized the M9, magazine and spent shell casing from ██████████ placed them in a clean and empty MRE box and carried it to the death scene. ██████████ stated that he had spoken with ██████████ soon after the incident and ██████████ had stated to him that the ammunition in his weapon had been non US ammunition and that ██████████ had given him an account of the shooting, which RA observed closely, matched the description of events provided by ██████████ in his statement. Exhibit (13) details.

12. On 23SEP05, PA ██████████ obtained a sworn statement from ██████████ ██████████, DOB ██████████ who related that he spoke with ██████████ shortly after the shooting. ██████████ reported that ██████████ stated that he had almost made it through the deployment without having to fire a shot. Exhibit (14) details.

13. On 23SEP05, PA ██████████ obtained a sworn statement from ██████████ ██████████, USMC, ██████████ who spoke with ██████████ shortly after the shooting. ██████████ related that he has never heard ██████████ make comments about wanting to kill someone and that he considered ██████████ to be a calm person who would use deadly force as a last resort. Exhibit (15) details.

14. On 24SEP05, RA advised ██████████ of his UCMJ Article 31b rights, which he waived and rendered a sworn statement wherein he provided additional details pertaining to shooting V/ABDULLAH and his escalation of force, perception of V/ABDULLAH's actions and his back ground as it pertains to self defense training and experiences in Iraq. Exhibits (16) and (17) pertain.

15. On 21SEP05, RA and ██████████ jointly prepared a sketch of the room V/ABDULLAH was shot in, as it appeared just before the attack. Exhibit (18).

16. On 23SEP05, RA accomplished appropriate indices checks and a check of DEIDS. RA found no criminal records associated with ██████████ identifying information. Exhibit (19) pertains.

17. On 27SEP05, RA interviewed ██████████ USMC ██████████ ██████████ related that he was the first person into the HET room after the gunshot, in direct opposition to information provided by ██████████ and ██████████, and that V/ADBULLAH ██████████ also provided information on ██████████'s comments shortly after the shooting which correspond with those provided by ██████████ and ██████████. Exhibit (20) details.

18. On 27SEP05, RA had the tattoos found on V/ABDULLAH and his Iraqi identity document translated. RA noted that the tribe and birth date were different than that provided by Multi-National Forces-Iraq West Biometric Automated Tool Set (BATS) Data Base. RA observed the tattoos appeared to be a memorial to deceased persons. Exhibit (21) pertains.

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19 On 27SEP05, RA interviewed [REDACTED] CIV, [REDACTED] interpreter, who provided that he never told [REDACTED] source that [REDACTED] shot V/ABDULLAH. Enclosure (22) details.

20. On 21SEP05, RA reviewed V/ABDULLAH's file in the Multi-National Forces-Iraq West Biometric Automated Tool Set (BATS) Data Base, the data in which is classified. RA learned that V/ABDULLAH was detained FEB05 through JUL05 under detainee number 169279. An unclassified summary of the information is appended at Exhibit (23) pertains.

21 On 27SEP05, RA received the results of photographic coverage from [REDACTED] Exhibit (24) details.

22. This investigation is pending results from the autopsy of V/ABDULLAH, the toxicology and the forensic examination of potential evidence.

PARTICIPANT(S)

[REDACTED], Special Agent, NCIS Det Iraq
[REDACTED], Special Agent, NCIS Det Iraq
[REDACTED], Special Agent, NCIS Det Iraq
[REDACTED], USMC, Combat Cameraman
[REDACTED], Special Agent, NCIS Det Iraq

ACTION

R.MEJ: Due to technical difficulties Combat Camera can not currently produce appropriately sized quality photos. Coordinate with Fleet Imaging Services, NSA Bahrain, to produce four copies each, 5X7 inch semi-gloss photos utilizing the attached CD. Transfer one set of photos to NCIS DET Camp Fallujah and retain the other three for use in preparation of copies for distribution.

DISTRIBUTION

NCISHQ: 0023 (M)

ACTION: MEJ (M)

INFO: MEJ (M)/[REDACTED] IIMEF SJA, Camp Fallujah, IZ(H)/FEOK (ATTN: [REDACTED] (M)/DCWA(ATTN: SA [REDACTED])

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//23/BJ/OK/WA//

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

22SEP05

DEATH(II)

CONTROL: 20SEP05-MEBJ-0651-7HMA

V/ABDULLAH, HASKEM SHEFI/CIV
M/W/FNIZ/N//01JAN76/FALLUJAH, IRAQ

RESULTS OF DEATH SCENE EXAMINATION

NOTIFICATION

1. On 20SEP05, at 1210 hours local, this office was notified by the II Marine Expeditionary Force (MEF) Command Operations Center (COC) that V/ABDULLAH had been shot and killed while in the custody of US Marines from Company F, 2/7 Marines at Entry Control Point (ECP) 5 in the city of Fallujah, Iraq. Initial information indicated that V/ABDULLAH had been detained for insurgent activities and was subsequently shot once in the chest by a 9mm pistol when he attacked a Marine guarding him. Reportedly V/ABDULLAH was shot at 0945 hrs and succumbed to his injuries at 1052 hrs. SSA [REDACTED] directed Reporting Agent (RA) and Participating Agent (PA) [REDACTED] to respond to the scene of V/ABDULLAH's death. RA coordinated for Combat Cameraman [REDACTED], USMC, to provide photographic support during the death scene exam. RA, PA and [REDACTED] departed Camp Fallujah in a military convoy at approximately 1450 hrs and arrived at ECP 5 at 1520 hrs. Enclosure (A) pertains.

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AREA OVERVIEW

2. The scene is located at ECP 5

[REDACTED]

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multipurpose building. Uses of the southern building include source meets, detainee holding/screening area and break room. Enclosures (B), (C) and (D) pertain.

DEATH SCENE OVERVIEW

3. The scope of this death scene exam was limited to description of the incident scene, documentation, collection and preservation of physical evidence, preparation of a scene diagram and scene photography. Limiting factors of this scene exam included threat of insurgent attack, lack of readily available investigative support, and less than four hours of day light. No medical doctor was available to pronounce the death of V/ABDULLAH. Prior coordination with Camp Fallujah Mortuary Affairs results in the agreement that RA and team would retrieve body of V/ABDULLAH and transport it to Camp Fallujah Mortuary Affairs for processing and on ward movement to the Armed Forces Institute of Pathology, Office of the Medical Examiner for an autopsy.

4. RA and team arrived on scene at 1520 hrs. [REDACTED], USMC, SSN: [REDACTED] briefed the RA on the facts of the death of V/ABDULLAH as he knew them and also provided the RA with the written statements obtained by the command. Statements provided by [REDACTED] will be appended via a separate investigative action. [REDACTED] took the RA and team from the northern compound to the southern compound of the ECP where [REDACTED] identified the southern most building in the compound as being the location of the death of V/ABDULLAH. [REDACTED] related that as per the instructions he received from the RA, over the phone at approximately 1430 hrs, he had secured the weapon, magazine and spent casing, used to shoot V/ABDULLAH, placed it in a clean cardboard box and set it inside the southern building which was under guard in such a manner as not to interfere with the scene.

5. RA observed that the scene was completely contained within the southern most building. RA noted that the southern most building was a rectangular plywood structure which was raised approximately one foot off the ground. RA observed that the building had a gable roof and a single door at each end of the building. RA determined that the door at the western end was secured from the inside and that the door at the eastern end was closed but not secured. RA observed the ground outside the building was dirt and sand, there was significant vegetation and insect activity in area likely due to the proximity of the Euphrates river. The outside temperature was over 100 degrees F, it was humid and the sky was clear.

6. RA opened the door to the southern building and observed a cot in the center of the room closer to the eastern end of the building and the long axis of the cot was parallel with the long axis of the building, running east to west. RA observed the body of V/ABDULLAH laying on the cot face up with his head to the west and his feet to the east. V/ABDULLAH's hands were at his sides and he was wearing a pair of blue shorts. RA observed the box containing the pistol used to shoot V/ABDULLAH against the southern wall. RA noted two blankets lying near V/ABDULLAH and numerous artifacts of the medical treatment provided to V/ABDULLAH on the floor. Apparent blood was on the plywood floor and multiple sets of boot prints were evident in the blood as were

bloody boot prints around the cot. RA noted that a body bag had been propositioned parallel to the cot on the south side of the cot. RA also noted the presence of pieces of [REDACTED] at various locations in the room. Lighting was provided by a single fluorescent tube light under which V/ABDULLAH was centered.

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7. RA entered the building and noted that it was cooled by two wall unit AC's and that the noticeably temperature was cooler than it was outside. RA observed that the building had no interior walls subdividing it and that it was effectively one large room. RA observed three white plastic yard furniture type chairs at various locations throughout the room and a large piece of foam rubber at the western end of the building. RA also noted a pile of water bottles in the southeast corner of the building. RA observed that there was also general litter on the floor and the floor was dusty.

8. RA exited the building and briefed PA on the scene inside. RA directed PA and [REDACTED] to begin photographic coverage of scene while the RA located [REDACTED] for the purpose of seizing potential evidence and examining [REDACTED] for possible injuries related to the altercation with V/ABDULLAH. This investigative action will be reported separately.

9. [REDACTED], under the direction of PA, effected photographic coverage of the death scene and V/ABDULLAH. This investigative action will be reported separately.

10. Upon RA's return to the death scene, RA effected measurements of the room and triangulated the location of key pieces of potential evidence and V/ABDULLAH. Death scene sketch is appended as enclosure (E). Sketches depict conditions noted at the scene on 20SEP05. The sketches contain pertinent measurements so as to identify the location of items within the scene and their respective relationship.

11. PA observed that V/ABDULLAH was cool too the touch, his eyes were open and fixed, rigor had set in, no lividity was present, no significant odor was present, and blood had pooled on the cot and floor around V/ABDULLAH. PA noted the presence of an apparent single bullet hole in V/ABDULLAH's right pectoral. PA observed that the bullet hole was slightly oblong as to denote a downward trajectory of the bullet. PA observed a black semicircle along the upper edge of the of the top (towards V/ABDULLAH's head) of the apparent bullet hole. PA noted there was no detectable exit wound visible and no other obvious recent injuries. PA observed the presence of medical products on and around V/ABDULLAH which were likely artifacts of the medical treatment provided by Corpsmen on scene. PA closely studied V/ABDULLAH's hands, finger nails, forearms and wrists for signs of self defense wounds or indications that restraints had been present at the time of death, none were observed. PA noted that V/ABDULLAH's right lower leg had a scar and deformation approximately 2-3 inches above the ankle. PA observed tattoos in Arabic on both the left and right outer biceps.

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12. RA and PA bagged and sealed the hands of V/ABDULLAH with paper bags, rubber bands and evidence tape to preserve potential DNA evidence and potential gunshot residue (GSR). RA and PA did not conduct a GSR on scene, to prevent cross

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contamination, as they had both been handling ammunition and their personal weapons and had no way clean their hands thoroughly. RA and PA, with assistance from Marines on scene, loaded V/ABDULLAH into a body bag. PA noted that upon moving V/ABDULLAH clear liquid flowed out of the entrance wound followed by red liquid. RA sealed the body bag with a serial numbered seal reading "N-712912". RA released the death scene at 1706 and RA and team departed the scene at 1715.

13. V/ABDULLAH was loaded into an M998 HMMWV for transport to Mortuary Affairs at Camp Fallujah. RA and team departed ECP 5 at 1735 hrs in a four vehicle convoy which included the vehicle containing V/ABDULLAH.

14. RA and team arrived at 1806 at Camp Fallujah Mortuary Affairs, who custody of V/ABDULLAH from NCIS. Mortuary Affairs broke the seal on the body bag in the presence of PA at 1815. SSA [REDACTED], removed the paper bags from V/ABDULLAH's hands and conducted a USACIL GSR kit on them. The original paper bags were taken into evidence and a new pair of bags were placed on V/ABDULLAH's hands and sealed. A new seal was affixed to the body bag by Mortuary Affairs reading "N-658629" at 1844 hrs. RA and team departed Mortuary Affairs at 1850 hrs.

PHYSICAL EVIDENCE DOCUMENTATION

15. All physical evidence collected at the scene was listed on NCIS evidence custody documents (ECDs) prior to being entered into the NCIS DET Camp Fallujah Temporary Evidence Locker under evidence log numbers 292-05 and 294-05. Enclosures (F) and (G) pertain. Items seized included, but were not limited to, V/ABDULLAH's clothing, V/ABDULLAH's person affects, four pieces of [REDACTED] an M9 pistol with magazine and ammunition, and apprehension list and scrap of paper, found underneath the body on the cot, with V/ABDULLAH's name on it. Enclosure (I) details the particulars of the M9 seized. Of note no expended shell casing was recovered despite and exhaustive search of the scene. RA conducted inquiries to determine the whereabouts of the expended shell casing. [REDACTED] related he had retained the expended shell casing on his person as it failed to eject from his pistol and subsequently surrendered it to [REDACTED] (NFI), who placed it in box with the [REDACTED] pistol and transported it to the death scene. RA noted the box used to carry the shell casing and pistol to the scene had a 1 inch X 6 inch gap in the bottom of the box. No other participants were identified that had any knowledge of the location of the shell casing. Presumably the shell casing fell out of the box over the course of the over 400 meter walk from the northern compound to the southern compound. A search of the route the shell casing was transported over was not conducted due to the shifting sand, loose soil and rocks and the prevalence spent shell casings in the area due to previous and ongoing combat operations.

WEATHER AND ILLUMINATION DATA

16. Weather and illumination data for 20SEP05, were obtained for Fallujah, Iraq, from the II MEF Meteorological Tactical Operations Center. Enclosure (H) pertains.

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ENCLOSURES

- (A) Duty Call In Take Sheet/20SEP05
- (B) Map Depicting ECP 5/circa 2002
- (C) Diagram of ECP 5/23SEP05
- (D) Diagram of Southern Compound of ECP/23SEP05
- (E) Diagram of Death Scene/23SEP05
- (F) Copy of ECD 292-05/20SEP05
- (G) Copy of ECD 294-05/20SEP05
- (H) Firearms Documentation Worksheet/23SEP05
- (I) 20SEP05 Weather and Illumination data/23SEP05

**REPORTED BY: [REDACTED], SPECIAL AGENT
OFFICE: MIDDLE EAST FIELD OFFICE, BAHRAIN**

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IN-TAKE DUTY CALL

20SEP05, 1210

ACCEPT

Unit: 2/7

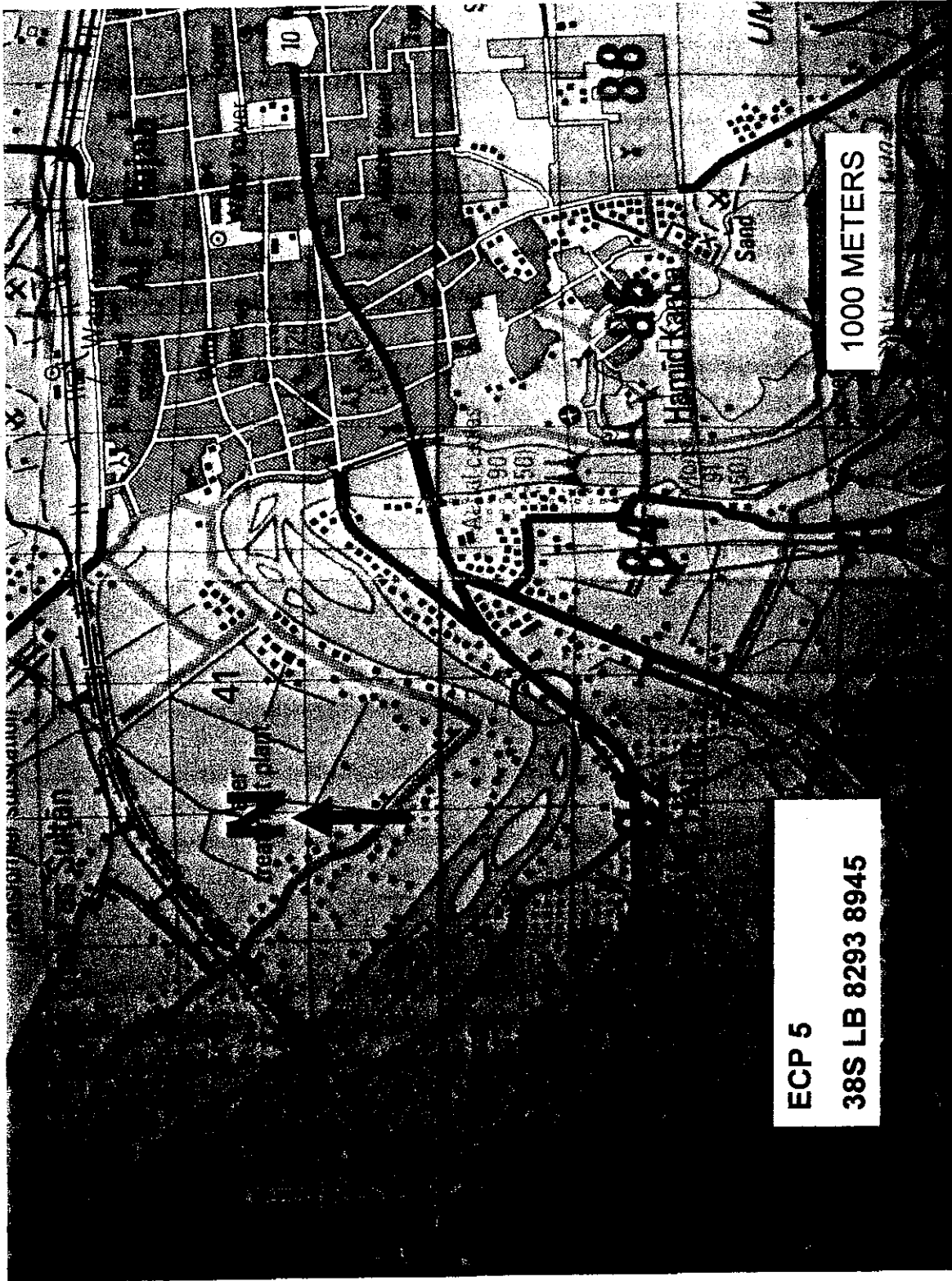
Event: Co F, 2/7 (ECP-5) detained (2) MAMs at ECP-5 southwest of Fallujah resulting in the death of (1) suspected insurgent detainee. The (2) MAMs were being processed by the BATS system, when a possible alert for insurgent activities came up for "Haskem Shefi Abdullah" (wanted in possible connection with attacks on coalition forces) and [REDACTED] alert for possible connection with mortar attacks on coalition forces). After separating both detainees for HET screening, Haskem Shefi Abdullah, was waiting in the screening room to begin his HET screening. Haskem Shefi Abdullah was complaining of chest pains and being thirsty. His hand-cuffs were taken off and another Marine providing security with the HET Marine left the room to get a corpsman for Haskem. When the HET Marine was alone with the detainee, Haskem lunged at the HET Marine. The HET Marine then reached for his pistol and shot Haskem in the chest with (1) 9mm round, missing his lungs. He was shot at 0945, and at 0950 he was listed as fully aware and alert. He continued resisting 3) Marines trying to restrain him and the Corpsman who was attempting to provide him first aid. He resisted until 1052, at that time Haskem went into cardiac arrest and CPR was administered. He died shortly afterwards. The other detainee, [REDACTED] is currently being questioned by HET. No Marine casualties or damages to equipment reported.

Time: 20 0915D SEP 05

Location: 385 LB 8293 8945

Effect on Ops: None

Assistance Needed: None



ECP 5
38S LB 8293 8945

1000 METERS

VIABDULLAH, HASKEM
SHEFI/CIV

20SEP05-MEBJ-0651-
7HMA

25SEP05 SA [REDACTED]

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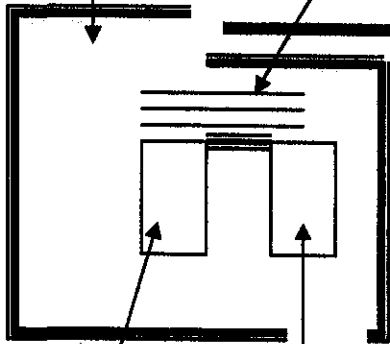
TO SCALE

ENCLOSURE (B)

VEHICLE CHECK POINT

UNSECURED SOUTHERN COMPOUND

CONCERTINA WIRE



HET BLDG / DEATH SCENE

BATS BLDG

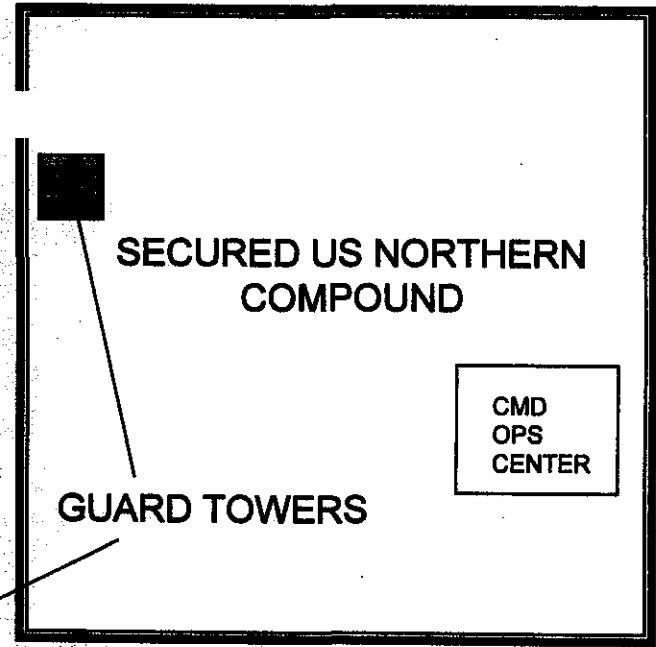
GENERATOR

ENCLOSURE (C)

FALLUJAH IN
BOUND TRAFFIC

FALLUJAH OUT
BOUND TRAFFIC

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SECURED US NORTHERN COMPOUND

CMD OPS CENTER

GUARD TOWERS

V/ABDULLAH, HASKEM SHEFI/CIV

20SEP05-MEBJ-0651-7HMA

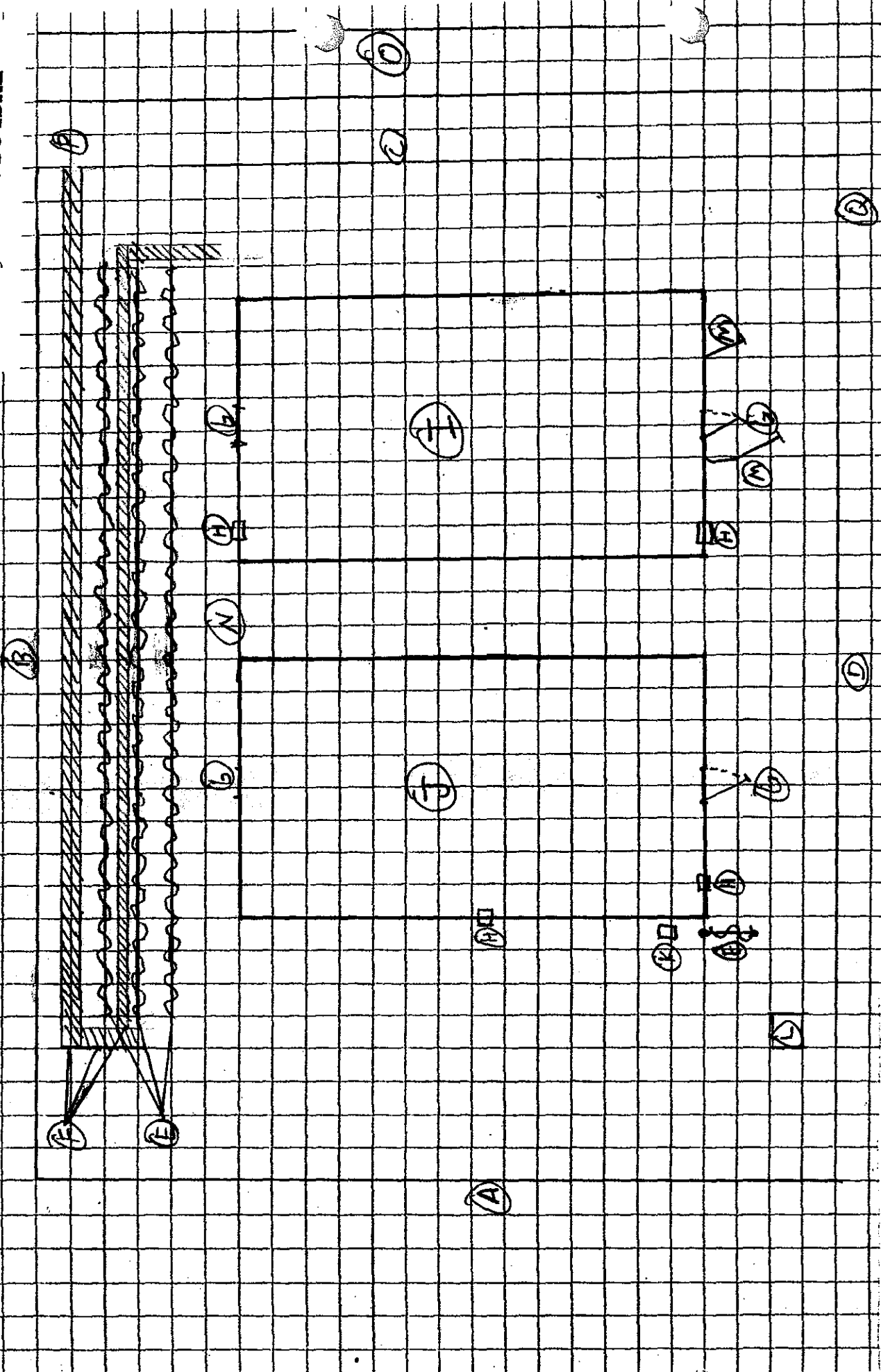
25SEP05 SA [REDACTED]



NOT TO SCALE

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ENCLOSURE (D)



CASE #: JOSEPHS-MERT-0651-7HMA
 DATE: 2068P5
 TYPE OF CASE: DEATH
 LOCATION: ECP 5, BAT STATION
 FALLUJAH, IRAQ

SKETCHER: [Signature]
 ASSISTANT: N/A
 NOT TO SCALE

LEGEND FOR SKETCH 1

CASE# 20SEP05-MEBJ-0651-7HMA

SKETCHER: ██████████

DATE: 20SEP05

ASSISTANT: N/A

TYPE OF CASE: DEATH

LOCATION: ACROSS FROM ENTRY CONTROL POINT 5, FALLUJAH, IRAQ

LETTERS

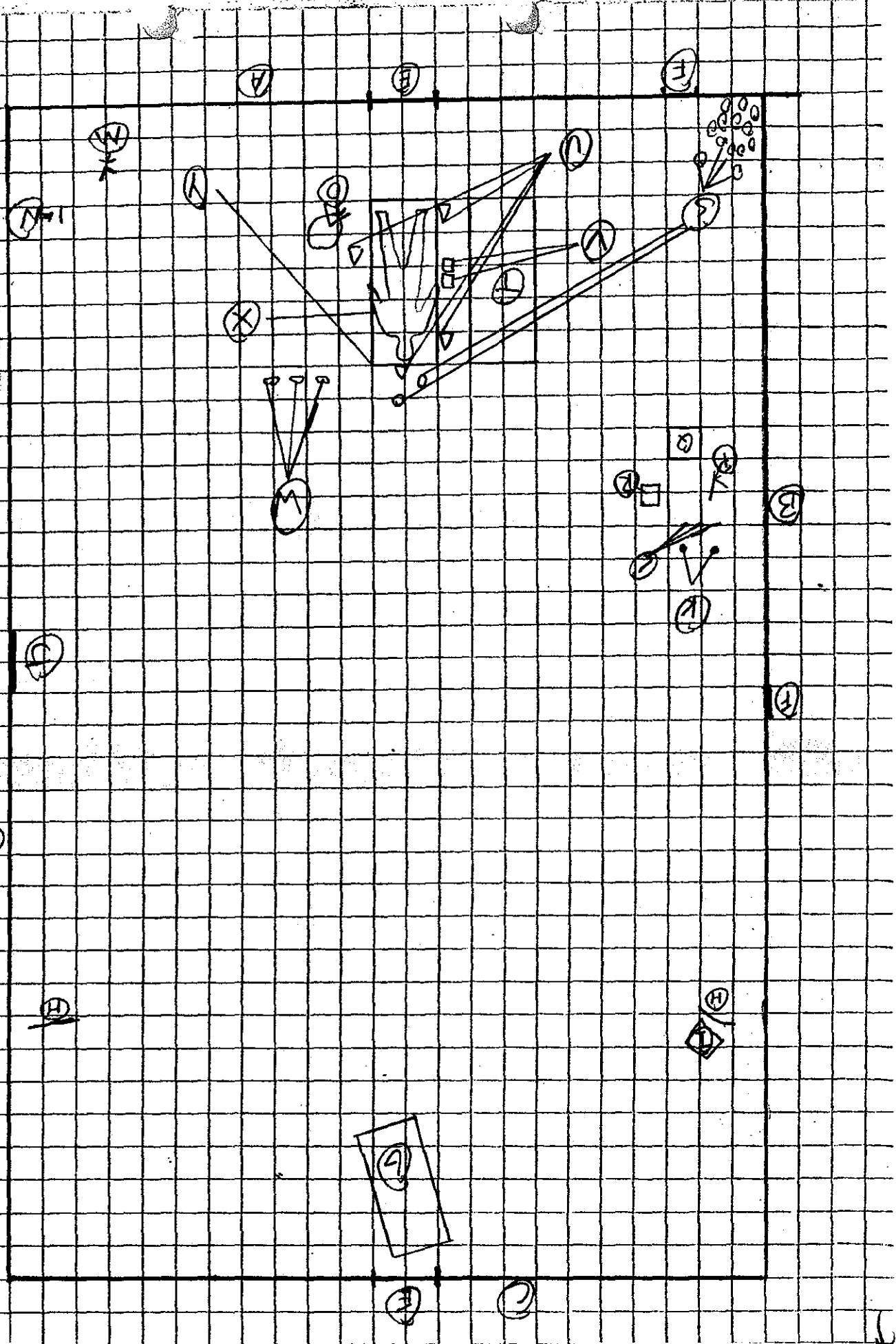
REPRESENTED

A
B
C
D
E
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PERIMETER SOUTH WALL- 8 FEET
PERIMETER WEST WALL- 8 FEET
PERIMETER NORTH WALL- 8 FEET
PERIMETER EAST WALL- 8 FEET
ROWS OF CONSTANTINE WIRE
DIRT TRAILS LEADING TO AREA
WOODEN DOORS
WINDOW TYPE AIR CONDITIONERS
WOODEN SHED FOR BATS AREA
WOODEN SHED DEATH SCENE
GENERATOR
HEAD
2 FOOT WALLS
HESCO BARRIER BETWEEN SHEDS
MAJOR SUPPLY ROUTE-MICHIGAN
ENTRANCE/EXIT- FOOT TRAFFIC
BROKEN WALL-EXIT/ENTRANCE
TO MOTOR VEHICLE TRAFFIC

bnc

CASE #: 205E205-M285-0651-7HMA
DATE: 9/25/75
TYPE OF CASE: DEATH
LOCATION: ECPS, BMT STATION
SKETCHER: [REDACTED]
ASSISTANT: [REDACTED]
NOT TO SCALE



LEGEND FOR SKETCH 2

CASE# 20SEP05-MEBJ-0651-7HMA

SKETCHER: [REDACTED]

DATE: 20SEP05

ASSISTANT: [REDACTED]

TYPE OF CASE: DEATH

LOCATION: ACROSS FROM ENTRY CONTROL POINT 5, FALLUJAH, IRAQ

LETTERS

REPRESENTED

b7c
b7E

A
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EAST WALL OF SHED
SOUTH WALL OF SHED
WEST WALL OF SHED
NORTH WALL OF SHED
DOORWAYS LEADING INTO SHED
WINDOW AIR CON UNITS
FOAM MATERIAL ON FLOOR
LONG SECTIONS OF GREEN GRASS
UPSIDE DOWN WHITE CHAIR WITH
BROKEN AND MISSING LEG
INTERIOR EQUIPMENT RACK
CRUSHED PAPERS ON FLOOR
CRUSHED CIGARETTE BUTTS
PORTION OF [REDACTED] #1
PORTION OF [REDACTED] #2
PORTION OF [REDACTED] #3
PORTION OF [REDACTED] #4
WHITE CHAIR-UPRIGHT
MRE BOX WITH PISTOL AND
MAGAZINE CONTAINED WITHIN
PLASTIC BOTTLES OF WATER
BODY BAG (FOUND AT SCENE)
POOLS OF DRIED BLOOD AT SCENE
PAIR OF SANDALS
FIRST AID ARTICLES
BODY-FACING UP ON COT
GREEN MILITARY COT

FIXED POINTS/REFERENCE

DISTANCE

TOTAL LENGTH FOR A AND C
TOTAL LENGTH FOR B AND D
M [REDACTED] #1) A AND D
N [REDACTED] #2) A AND D
O [REDACTED] #3) A AND D
P [REDACTED] #4) B AND C
Y (TIP OF NOSE) CORNERS AB AND AD
Y (RIGHT FOOT) CORNERS AB AND AD

16 FEET 5 INCHES
32 FEET
A-31" D-42"
A-5'6" D-12"
A-4'4" D-5'5"
B-8" C-20'7"
AB-13'3" AD-12'6.5"
AB-8'7" AD-8'5"

F95

BACK OF HEAD TO FLOOR

12.5"

F96

U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE CUSTODY DOCUMENT

CODE MEBS	CONTROL 20SEP05-MEBS-0651-7HMA	LOG NUMBER 292-05	DATE AND TIME OF SEIZURE 20SEP05 1906
NAME OF PERSON FROM WHOM PROPERTY SEIZED Death scene		LOCATION WHERE PROPERTY SEIZED ECP#5, Fallujah Iraq	
NI TITLE U/Abdullah, Haskem Shefi / CIU (Deceased)			
ITEM A	QUANTITY 1	DISPOSAL ACTION	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION, AND VALUE WHEN APPROPRIATE. One cardboard box containing one Beretta M9 9mm pistol bearing serial # "65490" on both the slide and receiver and serial # "1136976" on the receiver only with pistol lanyard attached and one 15 round magazine with ammunition it as found in its original condition /
			Last Item

NAME AND SIGNATURE OF WITNESS (IF AVAILABLE)	NAME AND SIGNATURE OF RECEIVING OFFICER
--	---

CHAIN OF CUSTODY

ITEM	DATE & TIME	RELEASED BY	RECEIVED BY	PURPOSE
A	20SEP05 2232	NAME 	NAME Temp Evid	Temp Custody
		ORGANIZATION NCIS-MEBS-Fallujah	ORGANIZATION NCIS-MEBS-Fallujah	
		SIGNATURE 	SIGNATURE	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE 9441	

bnc

U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE CUSTODY DOCUMENT

CODE MEBJ	CONTROL 20SEP05-MEBJ-0651-9HMA	LOG NUMBER 294-05	DATE AND TIME OF SEIZURE 20SEP05 1706
NAME OF PERSON FROM WHOM PROPERTY SEIZED Death scene		LOCATION WHERE PROPERTY SEIZED ECP #5, Fallujah Iraq	
NI TITLE V/Abdullah, Haskern shefi/CIV (Deceased)			
ITEM	QUANTITY	DISPOSAL ACTION	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION, AND VALUE WHEN APPROPRIATE.
A	1		one plastic bag containing one XINJIA digital watch
B	1		one brown paper bag containing one pair of black pants cut off of victim
C	1		one brown paper bag containing one pair of Al sayyaf brand sandals sizes 8 (eight)
D	1		one paper envelope containing one white piece of 11x8 paper bearing "APACHE Automated Apprehension List" dated 20050322 and one scrap of white paper bearing "Hisseem Shife Abdelik 1976-m11"
E			one paper envelope containing a piece of white paper bearing ser# "0071591" and an ID card from Rep. of Iraq MOI

NAME AND SIGNATURE OF WITNESS (IF AVAILABLE) [REDACTED]

CHAIN OF CUSTODY

ITEM	DATE & TIME	RELEASED BY	RECEIVED BY	PURPOSE
A M	20SEP05 2235	NAME: [REDACTED]	NAME: Temp Evidence	Temp custody
		ORGANIZATION: NCIS-MEBJ-Fallujah	ORGANIZATION: NCIS-MEBJ-Fallujah	
		SIGNATURE: [REDACTED]	SIGNATURE:	
		NAME:	NAME:	
		ORGANIZATION:	ORGANIZATION:	
		SIGNATURE:	SIGNATURE:	
		NAME:	NAME:	
		ORGANIZATION:	ORGANIZATION:	
		SIGNATURE:	SIGNATURE:	
		NAME:	NAME:	
		ORGANIZATION:	ORGANIZATION:	
		SIGNATURE:	SIGNATURE:	

9442

ENCLOSURE (G)

F98

U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE CUSTODY DOCUMENT

CODE MEBJ	CONTROL 20SEP05-MEBJ-0651-7HMA	LOG NUMBER 294-05	DATE AND TIME OF SEIZURE 20SEP05 1706
NAME OF PERSON FROM WHOM PROPERTY SEIZED		LOCATION WHERE PROPERTY SEIZED ECP	
NF TITLE			
ITEM	QUANTITY	DISPOSAL ACTION	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION, AND VALUE WHEN APPROPRIATE.
F	1		One envelope containing (9) 5000 Iraqi Dinars, (7) 1000 Iraqi Dinars, (4) 250 Iraqi Dinars
G	1		one brown paper bag marked [REDACTED] #1 containing a white piece of [REDACTED]
H	1		One brown paper bag marked [REDACTED] #2 containing a white piece of [REDACTED]
I	1		One brown paper bag marked [REDACTED] #3 containing a white piece of [REDACTED]
J	1		one brown paper bag marked [REDACTED] #4 containing a white piece of [REDACTED]
K	1		One brown [REDACTED] paper bag containing five brown paper bags and one shirt w/ suspected blood on it cut from victim

NAME AND SIGNATURE OF WITNESS (IF AVAILABLE)	NAME AND SIGNATURE OF RECEIVING S/ [REDACTED]
--	---

CHAIN OF CUSTODY

ITEM	DATE & TIME	RELEASED BY	RECEIVED BY	PURPOSE
A M	20SEP05 2235	NAME [REDACTED]	NAME Temp Evidence	Temp custody
		ORGANIZATION NCIS-MEBJ-Fallujah	ORGANIZATION NCIS-MEBJ-Fallujah	
		SIGNATURE [REDACTED]	SIGNATURE [REDACTED]	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE b7c	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE b7E	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	

F99

U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE STUDY DOCUMENT

CODE	CONTROL	LOG NUMBER 294-05	DATE AND TIME OF SEIZURE
NAME OF PERSON FROM WHOM PROPERTY SEIZED		LOCATION WHERE PROPERTY SEIZED	
MI TITLE			
ITEM	QUANTITY	DISPOSAL ACTION	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION, AND VALUE WHEN APPROPRIATE.
L	1		One brown paper bag containing one brown paper bag with red NCIS evidence tape inside removed from victim's Right hand
M	1		one brown paper bag containing one brown paper bag with red NCIS evidence tape inside removed from victim's left hand
			/ Last Item /

NAME AND SIGNATURE OF WITNESS (IF AVAILABLE)	NAME AND SIGNATURE OF RECEIVING S/A
--	-------------------------------------

CHAIN OF CUSTODY

ITEM	DATE & TIME	RELEASED BY		RECEIVED BY		PURPOSE
		NAME	ORGANIZATION	NAME	ORGANIZATION	
A M	20 SEP 05 2235	[REDACTED]	NCIS-MEBT-Fallujah	Temp Evidence	NCIS-MEBT-Fallujah	Temp custody
		[REDACTED]				

h2c

F100

FIREARMS DOCUMENTATION WORKSHEET

TITLE: VIABDULLA, Haskem Shafi / CIV
 CCN: 205EPOS-MEDJ-0651-74MA

DATE: 23SEP05

Circumstances Of Recovery: Phonconul [redacted] told him to secur [redacted] pistol, mag & brass in clear box & place under guard at scene

WEAPON:

Handgun: Automatic Semi-Automatic Revolver Bolt Action Break Action: Single shot Double shot
 Rifle: Automatic Semi-Automatic Magazine Fed Tube Fed Lever Action Break Action Pump
 Shotgun: Automatic Semi-Automatic Pump Break Action: Single Barrel Double Barrel Bolt Action
 Double Action Single Action

Manufacturer: Beretta Model: (M9) 92FS Serial Number: 65490 (slide + frame)

Other: Stamped # on frame 1136976

Safety: On Off Left Handed Right Handed

Decock Lever: Left Handed Right Handed

Magazine Release: Left Handed Right Handed

Magazine: Fully Seated Partially Seated Removed Manufacturer: _____

Slide: Forward Locked to the Rear

Hammer: Fully Cocked 3/4 Cocked 1/2 Cocked 1/4 Cocked Not Cocked

b7c

AMMUNITION TYPE

Note: If ammunition differs, designate by cylinder number, magazine number or evidence item number.

Ball Hollow Point Wad Cutter Specialty: _____
 Not Jacketed Jacket Semi-Jacketed Other: _____

Caliber: .22 .25 .32 .38/357 .380 .41 .44 .45

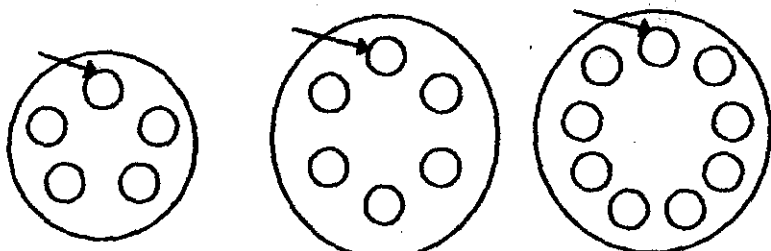
Millimeter: 9mm 10mm

Guage: 12 16 20 28 .410 Shot Size: _____

Manufacturer: Various

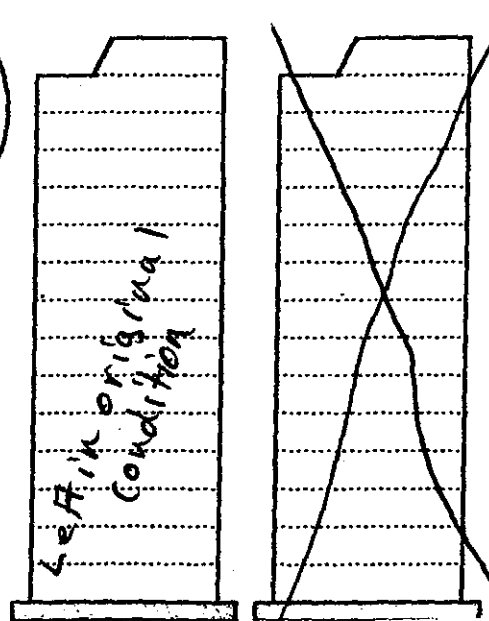
Make: Various

Lot Number: Various ← Per [redacted]



Begin #1 with cylinder chamber which is in line with the barrel. Continue numbering clockwise or counterclockwise based upon the direction the cylinder turns. Package each round separately

1. Fired Misfire Not Fired Empty HeadStamp: _____
2. Fired Misfire Not Fired Empty HeadStamp: _____
3. Fired Misfire Not Fired Empty HeadStamp: _____
4. Fired Misfire Not Fired Empty HeadStamp: _____
5. Fired Misfire Not Fired Empty HeadStamp: _____
6. Fired Misfire Not Fired Empty HeadStamp: _____
7. Fired Misfire Not Fired Empty HeadStamp: _____
8. Fired Misfire Not Fired Empty HeadStamp: _____
9. Fired Misfire Not Fired Empty HeadStamp: _____



F101

Reported Weather Observations for Camp Fallujah 20 SEPTEMBER 2005

TIMES:			VIS	WEATHER	SKY CON
0555z / 0955D	280	6	6sm	Haze / Smoke	FEW 1,500ft
0655z / 1055D	290	6	5sm	Haze	Clear
0755z / 1155D	VRB	5	5sm	Haze	Clear
0855z / 1255D	280	6	6sm	Haze	Clear
0955z / 1355D	240	9	6sm	Haze	Clear
1055z / 1455D	260	8	6sm	Haze	Clear

ASTRO DATA:

<u>Sunrise</u>	<u>Sunset</u>	<u>Moonrise</u>	<u>Moonset</u>	<u>illumination%</u>
0651D	1904D	2028D	0912D	92%

	DEWPTS C / F	ALTIMETER (inmg)	STATION PRESSURE (inmg)
31c / 88f	13c / 55f	2970	29.570
33c / 92f	11c / 52f	2970	29.580
35c / 95f	11c / 52f	2967	29.550
36c / 97f	11c / 52f	2968	29.550
38c / 101f	09c / 48f	2964	29.510
38c / 101f	08c / 46f	2962	29.490

//23/BJ//

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

25SEP05

DEATH(II)

CONTROL: 20SEP05-MEBJ-0651-7HMA

V/ABDULLAH, HASKEM SHEFI/CIV
M/W/FNIZ/N//01JAN76/FALLUJAH, IRAQ

RESULTS OF RECEIPT OF DOCUMENTS

1. On 20SEP05, at Entry Control Point 5 to the city of Fallujah, IZ, [REDACTED] USMC, provided the Reporting Agent (RA) with informally taken statements from members of his platoon, 2 PLT, F CO, 2/7 Marines, that had direct knowledge of the circumstances surrounding the shooting of V/ABDULLAH. RA noted that one statement was from [REDACTED] who had shot V/ABDULLAH. [REDACTED] related that [REDACTED] had not been advised of his legal rights prior to being asked to provide a statement. Enclosures (A) through (F) pertain.

BIOGRAPHICAL

SSN: [REDACTED]
DOB: [REDACTED]
POB: [REDACTED]
PH: DSN: [REDACTED]

ENCLOSURES

- (A) Statement of [REDACTED]/20SEP05
- (B) Statement of [REDACTED]/20SEP05
- (C) Statement of [REDACTED]/20SEP05
- (D) Statement of [REDACTED]/20SEP05
- (E) Statement of [REDACTED]/20SEP05
- (F) Statement of [REDACTED]/20SEP05

b7c

REPORTED BY: [REDACTED] SPECIAL AGENT
OFFICE: Middle East Field Office, Bahrain

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PAGE [REDACTED] LAST

NAVAL CRIMINAL INVESTIGATIVE SERVICE

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Page(s) F105 - F112, Encl. (A) - (F) to
Exh (2)

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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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//23/BJ//

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

25SEP05

DEATH(II)

CONTROL: 20SEP05-MEBJ-0651-7HMA

V/ABDULLAH, HASKEM SHEFI/CIV
M/W/FNIZ/N//01JAN76/FALLUJAH, IRAQ

RESULTS OF SEIZURE

1. On 20SEP05 at 1605 hrs, at Entry Control Point (ECP) 5, to the city of Fallujah Iraq, Reporting Agent (RA) seized the BDU blouse and holster of [REDACTED] [REDACTED] USMC, [REDACTED] provided verbal authorization for the seizure.
2. RA recorded the items on evidence custody documents, package and sealed them appropriately and entered the items into the NCIS evidence custody system under log number 293-05.

b7c

REPORTED BY [REDACTED] SPECIAL AGENT
OFFICE: MIDDLE EAST FIELD OFFICE, BAHRAIN

//23/BJ//

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

25SEP05

DEATH(II)

CONTROL: 20SEP05-MEBJ-0651-7HMA

V/ABDULLAH, HASKEM SHEFI/CIV
M/W/FNIZ/N//01JAN76/FALLUJAH, IRAQ

RESULTS OF INTERVIEW WITH [REDACTED]

1. On 20SEP05 at 1545 hrs, at Entry Control Point (ECP) 5, to the city of Fallujah Iraq, Reporting Agent (RA) interviewed [REDACTED] CIV, who had been detained a short time after V/ABDULLAH at ECP 5 and was being guarded just outside the building that V/ABDULLAH was shot in at the time of the shooting. [REDACTED] related that he did not hear or see anything as he [REDACTED] at the time of the shooting.
2. RA utilized [REDACTED], DOB [REDACTED] as his interpreter during this interview.
3. Later RA learned that [REDACTED] had been detained erroneously due to an old apprehension alert being left in the Biometric Automated Tool Set.

BIOGRAPHICAL

DOB: [REDACTED]

POB: [REDACTED]

Residence: Mohamdin-Fall

Affiliation: Suni

Tribe: Albu Azam

Alias: [REDACTED]

REPORTED BY: [REDACTED] SPECIAL AGENT
OFFICE: MIDDLE EAST FIELD OFFICE, BAHRAIN

b7c
b7E

FOR OFFICIAL USE ONLY
PAGE 1 LAST [REDACTED]

//23/BJ//

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

21SEP05

CONTROL: 20SEP05-MEJ-0651-7HNA

V/ABDULLAH, HASKEM SHEFI/CIV
M/W/FNIZ/N///01JAN76/FALLUJAH, IRAQ

**RESULTS OF RETRIEVAL OF UMBRELLA CI FORCE PROTECTION SOURCE
OPERATION PROPOSAL AND CI/HUMAN INTELLIGENCE GUIDELINES**

1. On 21SEP05, Reporting Agent (RA) met with [REDACTED]
[REDACTED] USMC, who provided the RA a copy of II MEF's Classified Umbrella CI Operations
Proposal. RA reviewed both documents and determined they were administrative
guidelines and did not provide specific information relative to this investigation. The
photocopies would be kept in the case file, vice being amended as an exhibit.

REPORTED BY: [REDACTED]
OFFICE: NCIS CAMP FALLUJAH, IZ

b7c

//23/BJ//

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

21SEP05

CONTROL: 20SEP05-MEJ-0651-7HNA

V/ABDULLAH, HASKEM SHEFI/CIV
M/W/FNIZ/N///01JAN76/FALLUJAH, IRAQ

**RESULTS OF RETREIVAL OF II MEF DETAINEE HANDLING AND DETENTION
FACILITY SOP**

1. On 21SEP05, Reporting Agent (RA) met with [REDACTED] USMC, RCT 8 SJA, and retrieved a photocopy of II MEF's Detainee Handling and Detention Facility (DHDF) SOP, along with two appendixes. Enclosure (A) pertains.

ENCLOSURE(S)

(A) Photocopy of II MEF's Detainee Handling and Detention SOP/21SEP05

REPORTED BY: [REDACTED]
OFFICE: NCIS CAMP FALLUJAH, IZ

b7c

File

NAVAL CRIMINAL INVESTIGATIVE SERVICE

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Page(s) F117-F168, Encl (A) to
Exh (6)

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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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//23/BJ//

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

21SEP05

CONTROL: 20SEP05-MEJ-0651-7HNA

V/ABDULLAH, HASKEM SHEFI/CIV
M/W/FNIZ/N///01JAN76/FALLUJAH, IRAQ

RESULTS OF [REDACTED] SERVICE RECORDS BOOK (SRB)

1. On 21SEP05, Reporting Agent (RA) met with [REDACTED] USMC, II MEF RCT 8 Administrative Section, and retrieved an electronic version of [REDACTED] SRB. [REDACTED] informed RA that [REDACTED] SRB hard copy was kept in CONUS. Enclosure (A) pertains.

ENCLOSURE(S)

(A) Photocopy of [REDACTED] SRB/21SEP05

REPORTED BY: [REDACTED]
OFFICE: NCIS CAMP FALLUJAH, IZ

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NAVAL CRIMINAL INVESTIGATIVE SERVICE

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Page(s) F170 - F177, Encl (A) to Exh (7)

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

Comments: _____

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MILITARY SUSPECT'S ACKNOWLEDGEMENT AND CLEANSING WAIVER OF RIGHTS

Place: NCIS DET (Bldg 36) Camp Fallujah, Iraq
Date: 21 SEP 05

I, [REDACTED] USMC, [REDACTED], have been advised by Special Agent [REDACTED] that I am suspected of shooting Haskem Shefi Abdullah and Iraqi civilian suspected of insurgent/terrorist activity while he was in custody at ECP #5 on 20 SEP 05 [REDACTED]

I have also been advised that:

- (1) Any prior illegal admissions or other improperly obtained evidence which incriminated me cannot be used against me in a trial by court-martial;
- (2) I have the right to remain silent and make no statement at all;
- (3) Any statement I do make can be used against me in a trial by court-martial or other judicial or administrative proceeding;
- (4) 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;
- (5) I have the right to have my retained civilian lawyer and/or appointed military lawyer present during this interview; and
- (6) 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: 21 SEP 05 @ 1632 D.

Witnessed: [REDACTED]

b7c

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 above. It is made with no threats or promises having been extended to me.

STATEMENT

PLACE: NCIS DET (TRAILER 36), CAMP FALLUJAH, IRAQ
DATE: 21SEP05

b7c
b7E

I, [REDACTED], make the following free and voluntary statement to Special Agent [REDACTED], whom I know to a representative of the Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge the shooting of an Iraqi detainee by myself on 20SEP05 at ECP 5 in Fallujah, Iraq. [REDACTED]

For purposes of identification I am [REDACTED] male, born on [REDACTED], in [REDACTED] and my SSN is [REDACTED]. I am [REDACTED] inches tall and weigh [REDACTED] lbs. I have [REDACTED] hair and [REDACTED] eyes. I am enlisted in the USMC as a [REDACTED] and I am currently assigned to 1st Intelligence BN, 1st CI/HUMINT Company. I have a top secret/SCI security clearance. I am stationed at Camp Pendleton, CA. [REDACTED]

On the morning of 20SEP05, I awoke at approximately 0730 hours. That day I had a lot to do as I was training my replacement, [REDACTED] handing off one of my sources and then an area familiarization patrol, and I had to coordinate a meeting with the advisory support team. I started working on a source contact report and about 0846 I realized we were going to be late for our source meet with [REDACTED] at ECP 5. Myself, [REDACTED] and [REDACTED] (my interpreter) all geared up and loaded up into our vehicle and [REDACTED] drove. We were delayed for various reasons and arrived at around 0930 at ECP 5. Our source meet was set for 0900 but the sources usually run late also. Myself, [REDACTED] and [REDACTED] walked directly over to the "Het shed" which is the plywood building that is immediately adjacent to the south of the BATS building and parallel to it. As we passed the space between the two buildings I saw a White male medic whose last name starts with a [REDACTED] guarding a detainee who was sitting on the ground [REDACTED] and wearing a brown shirt. We entered the "Het Shed" and I was surprised to find another detainee sitting in a room. I was also surprised how close the detainee was to the door. The detainee was sitting on a cot facing south with a [REDACTED]. He was sitting leaning forward with his elbows on his thighs and his hands were in front of him in his lap close together. I don't recall seeing anything on his hands. He was very alert and listening to everything that was said. [REDACTED] and I went over to the wall and hung up our gear. I left my M16 there in condition 3 and [REDACTED] left his AK-47 there too. [REDACTED]

[REDACTED] was guarding the detainee and he showed me an old apprehension list from 3/4 Marines that was from back in APR05 and it was very old as they put a new one out every few weeks. [REDACTED] told me that the guy popped hot for support of anti coalition forces in the BATS. [REDACTED] showed me a scrap of white paper too that the interpreter, either [REDACTED] or [REDACTED], had written the translation of this guy's name on. I compared the scrap of paper to the apprehension list and noted that the spellings were different but the names were phonetically the same. I asked where [REDACTED] was [REDACTED]

Continuation of statement of [REDACTED] USMC [REDACTED]
on 21 September 2005

[REDACTED] and was told that he had been notified about 15 minutes ago and was on his way. I was relieved that he was in route because I did not have time to do a spur of the moment interrogation today. I saw the words "Abu Hatem" written next to the guys' name on the apprehension list and couldn't remember if it was a tribe or district in the city. So I tapped him on the shoulder and asked the detainee in Arabic (I only speak a few common phrases) what tribe he was and he replied "Abu Issa" paused and said "Al Issawi". [REDACTED]

[REDACTED] I wanted to get the detainee out of there so I could use the space for my source meet but I didn't say anything. Then [REDACTED] and [REDACTED] left, I assume to go next store to say high to the Marines that run the BATS. I can't remember if [REDACTED] said anything about the detainees. [REDACTED] asked me to watch the detainee and stepped out of the door very quickly. I decided I needed to be in condition one with my pistol as I was now effectively guarding this detainee. [REDACTED]

[REDACTED] I was facing west towards the door that was nailed shut and the detainee was on my right. I was only about a foot away from the detainee and easily within arms reach. I drew my M9 and chambered a round before I got to ensure the weapon was on safe the detainee was up and lunging at me. I don't even remember seeing the detainee get up and move from the cot. He knocked me to my left and I had to step with my left foot to keep my balance and then I pivoted to my right and squared up to him. The detainee grabbed my left wrist with one of his hands and I couldn't get free from his grasp. I pointed my M9 pistol at him, as I had not returned it to my holster, and I pushed it towards him. I put the pistol to his chest and pushed against him. The detainee did not back down and pushed back against the pistol. I pulled the trigger and shot the detainee because I felt him still coming at me. I had no doubt he was trying to get my weapon. I was scared for my own personal safety. I felt that if the detainee had gotten my gun I would have been killed. [REDACTED]

[REDACTED] After I shot the detainee he sort of sat back down on the cot as he had never really fully stood up. [REDACTED] He rocked back moaning and at sometime he had let go of my left wrist. I looked at my weapon and saw the hammer was forward and knew that something was wrong. [REDACTED] came through the door then. I don't think he had been out of the room for just a couple of seconds. I don't remember saying anything and I don't know why I called for help. I don't remember hearing the detainee say anything during the struggle. I told [REDACTED] that my weapon had jammed and he asked me what happened and I told him that the detainee had come at me. Then I said get a Doc and [REDACTED] yelled for a medic. The white male medic that had been guarding the other prisoner came in and he and [REDACTED] moved the detainee so that he was laying length wise on the cot with his head towards the door that was nailed shut. The medics began treating the detainee and the SOG told everyone that wasn't helping to get out. The [REDACTED] the detainee was wearing were taken off by the medics. I think they actually belong to [REDACTED] Just after shooting the detainee while the medics were first starting to treat the detainee I put my pistol back into [REDACTED]

P9459 20f4 [REDACTED]

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Continuation of statement of [REDACTED], USMC [REDACTED]
on 21 September 2005

[REDACTED] Condition three and cleared the spent shell casing from my weapon. It did not eject and did not stove pipe. It seems like the slide did not come back either. [REDACTED]

[REDACTED] Once outside I talked to [REDACTED] and [REDACTED] and talked to them about what had happened. I saw [REDACTED] guarding the other detainee. Then the SOG locked down the site. My source called [REDACTED] on his cell phone and told us he was going to be late and then we advised him the meet was off as something had happened. I was then told to go to the COC. While in the COC I heard the radio call for help to help subdue the detainee as he was resisting and tried to grab a medic's pistol. I talked with [REDACTED] who is a big guy and has lots of tats. The [REDACTED] came out and asked me why I only shot the detainee once. I told him that after I shot him he went down and I wasn't scared any more. I remember hearing over the radio that the detainee had died and that just sucked. After the shooting the Line SOG (Not [REDACTED] or [REDACTED]) told me he had removed [REDACTED]

[REDACTED] I think the detainee heard me charging my M9 and thought he had a chance to get out. After the shooting [REDACTED] told me that the detainee had been [REDACTED]. [REDACTED] I think the detainee [REDACTED] leave and thought he could take me when I was alone. I don't know how he knew if [REDACTED] had left the room or if someone had come in as he acted so quickly. [REDACTED]

[REDACTED] I was not trying to interrogate the detainee and I was not violating the Regimental Policy on Interrogations. My co-workers from here in Iraq will support that I have never violated our regimental policy on interrogations. I did not shot the detainee by having and accidental discharge while chambering the round in my pistol. If I had, the weapon would not have been touching him, it would have been away from him. [REDACTED]

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[REDACTED] I normally leave my pistol in condition three, mag in the well and no round in the chamber with the weapon on safe. I do this for several reasons. I am always protected by an infantry squad, my M16 is my primary weapon and I would probably have plenty of time to make my pistol condition 1, plus I ride in an armored vehicle.. It is just too big of a hassle to have to unload it every time I come into a fire base or camp. When I wind up pulling security on detainee's, which is not my normal role or function but I sometimes have to cover down on it briefly, I do chamber a round in my pistol as I don't take my M16 to interrogations. Many times, depending on the location I rely on external security for my protection during interviews. [REDACTED]

[REDACTED] When I shot the detainee the barrel of my pistol was touching him and it looked as if the bullet hole smoked after I shot him. People commented to me that the gunshot was quiet. The 15 rounds of ammunition that I had loaded the magazine that I had in my weapon when I shot the detainee was some old foreign ammunition that [REDACTED] scrounged from the armory where it was loose in an ammo can. The 15 rounds in the magazine that [REDACTED]

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Continuation of statement of [REDACTED] USMC [REDACTED]
on 21 September 2005

[REDACTED] was in the pouch on my Black Hawk Holster was US ammo. After the incident I placed my M9, the magazine and the spent shell casing that I had cleared from my weapon into an MRE box at the request of [REDACTED]. When I did that the magazine that came from my weapon had 14 rounds in it. [REDACTED]

[REDACTED] This statement consisting of this page and 3 others was typed for my by Special Agent [REDACTED] as we discussed it. I have read this statement and have made any changes and or corrections I so desire. This statement is true and correct to the best of my knowledge and belief. [REDACTED]

[REDACTED]

21 SEP 05 1624 D
Date and Time

Sworn/affirmed to and subscribed before me this the 21th day of September in the year 2005, Camp Fallujah, Iraq.

[REDACTED]
[REDACTED] addressed by

[REDACTED]
Representative, Naval Criminal
Investigative Service
AUTH: DERIVED FROM ARTICLE 136,
UCMJ (10USC 936) and 5 USC 303

107C

STATEMENT

PLACE: NCIS DET (TRAILER 36), CAMP FALLUJAH, IRAQ
DATE: 23SEP05

I, [REDACTED] USMC, make the following free and voluntary statement to Special Agent [REDACTED] whom I know to a representative of the Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of the events that transpired between [REDACTED] and the Iraqi detainee that was shot. [REDACTED]

For purposes of identification I am [REDACTED] male, born on [REDACTED] in [REDACTED] and my SSN is [REDACTED]. I am [REDACTED] inches tall and weigh [REDACTED] lbs. I have [REDACTED] hair and [REDACTED] eyes. I am enlisted in the USMC as a ~~G-1~~ series and I am currently assigned to 2nd Battalion, 7th Marine Regiment, F Company, 2nd Platoon. I do not have a security clearance. My stateside residence is [REDACTED] 29th Palms, CA, 92277. [REDACTED]

This statement is intended to elaborate upon information provide in my 20SEP05, statement given by myself to my Command regarding the shooting at the BATs area near ECP 5, Fallujah, Iraq. [REDACTED]

[REDACTED] was Sergeant of the Guard (SOG) between 0630 and 1800 on 20SEP05. [REDACTED]

Around 0830 I was at the CoC at ECP 5. This around the time that we have a shift change between personnel conducting searches through the ECP. [REDACTED]

Around 0850 [REDACTED] came up to the CoC and told me that there was a person being detained who the BATs system hit on. Since everyone was pretty busy with the change I walked out and grabbed [REDACTED] and walked across the street to the BATs area. [REDACTED]

Around 0852 we arrived over at the entrance way (near the Constantine wire) to the BATs area and found [REDACTED] (he left after we picked up the detainee) standing next to the Iraqi detainee who the BATs system hit on. The Iraqi was sitting on the cement barricade and [REDACTED] and I escorted the Iraqi to the second shack, located next to the shack which holds the BATs system. After all three of us stopped there, [REDACTED] had entered into the shack and had brought with him a [REDACTED] [REDACTED] (for them). [REDACTED]

Around 0855 or 0900 [REDACTED]
[REDACTED] The detainee was sitting on the cot. At this time there was the detainee, [REDACTED] myself and [REDACTED]

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[REDACTED]
Exhibit (10)

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Continuation of statement of [REDACTED], USMC [REDACTED] on
23 September 2005

[REDACTED] Around 0905 myself along with [REDACTED] left the shack, leaving [REDACTED] with the detainee. We had gone over to the BATs shack and I relieved [REDACTED] who ran across the street to the ECP to grab something [REDACTED]

[REDACTED] Between 0905 and 0920 [REDACTED] and I would periodically go back over to the second shack to check on [REDACTED]. During one of this checks, I noticed the detainee was complaining of his [REDACTED] (calling out mista, mista, and it appeared to me that he was in pain). So I [REDACTED] and gave him water (I routinely give detainees water). It was at this time the detainee started rubbing his chest like he was in pain (the best way I can describe it is when you have heart burn). I then left the shack leaving the detainee with [REDACTED] and went back to the BATs shack [REDACTED]

[REDACTED] Around 0920 a second detainee popped on the BATs system. We detained the second guy and our interpreter [REDACTED] felt the guy was staring at him, like he was trying to remember or figure out his face. So myself, [REDACTED] moved the second guy out of the BATs shack and placed him in between the two shacks near the HESCOs. I then went back into the BATs shack [REDACTED]

[REDACTED] Around 0930, while in the BATs shack I heard a soft pop, sort of like a gunshot in the distance, really muffled. At that time [REDACTED] comes inside the BATs area and tells me they need ^{the other} a corpsman with the other medical kit. I ask him why and he tells me the detainee was shot. I immediately kicked everyone out of the BATs area and started to call for the corpsman and went to check on the detainee [REDACTED]

[REDACTED] At this time things start to get crazy, I started assessing the situation calling up relaying the information on his wound to the CoC and passing up the information. I assisted helping the Doc with a pressure bandage (chest area). I noticed the detainee's mouth was dry and so I put some water into his mouth. [REDACTED] came in and switched with me and he started helping the Doc. I went outside and started coordinating the other detainee and the medi-vac team. [REDACTED]

[REDACTED] During my coordination [REDACTED] came down and assessed the situation and called the CoC and then left the area. I kept calling in on the status of the medi-vac and even asked if we could throw the detainee into a civilian vehicle to get him to a hospital, but they kept telling me to stand by for the QRF [REDACTED]

[REDACTED] Just for clarification after I [REDACTED], I didn't use another [REDACTED] because the detainee had already been searched and he had no weapons. Besides that Marines are taught to keep their distance from detainees. My opinion was the detainee at that time didn't appear to be dangerous. Plus the whole BATs system Alerts are not always correct. For example we had an alert on one guy and when we checked on the alert it was because the individual had a poor iris scan in the system. Also sometimes they've been rescanned before or just not taken off the alert list. Besides everyone who [REDACTED]

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[REDACTED]

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Continuation of statement of [REDACTED] USMC [REDACTED] on
23 September 2005

[REDACTED] MET interviews aren't always on detainee status and we don't use [REDACTED] on all the individuals that are brought down there. After hearing about how the detainee went for [REDACTED]'s gun and how the detainee had a hold of his blouse or hand, I would have shot the detainee repeatedly. That's what I teach my Marines, if deadly force is justified they're to ensure the threat is stopped by all means. In my mind I would have at least shot the detainee twice. [REDACTED]

Overall I would characterize [REDACTED] as being a real mellow person, not high strung, he was happy he was going home and he was happy he was turning over his source. [REDACTED] would always try and be nice to the Iraqis he meets at the BATs by trying to talk to them in Arabic. [REDACTED]

[REDACTED] Immediately after the incident he really looked shook up, sweating really badly, over all he looked like I said shook up that he shot the guy. [REDACTED]

[REDACTED] This statement consisting of this page and [REDACTED] other was typed for my by Special Agent [REDACTED] as we discussed it. I have read this statement and have made any changes and or corrections I so desire. This statement is true and correct to the best of my knowledge and belief. [REDACTED]

[REDACTED]
2104 050923

Date and Time

Sworn/affirmed to and subscribed before me this the 23rd day of September in the year 2005, Camp Fallujah, Iraq.

Witnessed by _____

[REDACTED]
Representative, Naval Criminal
Investigative Service
AUTH: DERIVED FROM ARTICLE 136,
UCMJ (10USC 936) and 5 USC 303

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[REDACTED]
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STATEMENT

PLACE: NCIS DET (TRAILER 36), CAMP FALLUJAH, IRAQ
DATE: 23SEP05

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I, [REDACTED] USMC, make the following free and voluntary statement to Special Agent [REDACTED] whom I know to a representative of the Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of the events that transpire the morning of 20SEP05 at ECP 5 when [REDACTED] shot and a killed a detainee.

For purposes of identification I am [REDACTED] male, born on [REDACTED] in [REDACTED] and my SSN is [REDACTED]. I am [REDACTED] inches tall and weigh [REDACTED] lbs. I have [REDACTED] hair and [REDACTED] eyes. I am enlisted in the USMC as a [REDACTED] and I am currently assigned to Fox Company, 2/7 Marines. I do not have a security clearance. I currently reside at ECP 5 in the city of Fallujah, Iraq. My home of record is 4 [REDACTED]

This statement is intended to elaborate upon information provide in my 20SEP05, hand written statement [REDACTED]

The detainee that was shot came in to the BAT Cave where I was working as a BATs operator. [REDACTED]

[REDACTED] The detainee was calm until I got up and started looking through papers to find the black list. I told my translator [REDACTED] to tell the detainee to be calm and not to do anything stupid because if he runs we will take him down. After I did that I walked him up to personnel where we could put a guard on him. I can't remember who I left him with. I then went to go to the COC and get the HET guy code named [REDACTED]. I told [REDACTED] what was going on and he said to put the guy in the HET room (same room as where he was shot) and let him "marinate" for a while and he would be down there. Then I went to the COC and informed [REDACTED] and [REDACTED] the current SOG. While I was up there [REDACTED] called for [REDACTED] and went to grab the detainee and transport him to the HET room. I grabbed the [REDACTED] and caught up to [REDACTED] [REDACTED] I went down to the BAT cave and then I put [REDACTED]

[REDACTED] After that [REDACTED] was on guard for him. The detainee was already in the HET room when [REDACTED] I then went back to the BAT Cave. I don't know what time that was at [REDACTED]

Then [REDACTED] got the second detainee that was suspected of motor attacks. As I understand it at that time [REDACTED] took some water to the first detainee who had been [REDACTED]

As a force of habit I ask people if they were ever in jail. I would have remembered if he had said anything different than "The Marines came page 1194654 and got no for no reason [REDACTED]"

File

Continuation of statement of [REDACTED]
23 September 2005

[REDACTED] complaining about the [REDACTED] and said he needed some water. [REDACTED] I just don't know when he did it. Then I brought out the second detainee and sat him down on the ground between the BAT Cave and the Het room. I stayed on him there as the guard. Then I knocked on the door to the HET room to tell [REDACTED] that we had a second detainee for suspected motor attacks. [REDACTED] was in with the first detainee by himself. I told [REDACTED] that we should switch guys so that I could talk to the first detainee so I could practice my Arabic by asking some basic questions. I went to two months of classes to learn to speak Arabic, I learned some from my wife who is a USN Arabic linguist and I learned some from [REDACTED]. So we switched. I can't remember what [REDACTED] said to me but he related that the first detainee was shady or nervous.

When I went into the Het Room I saw the detainee was [REDACTED] and I asked [REDACTED] why and [REDACTED] told me it was because [REDACTED] had given him water. I then alone with first detainee. In Arabic I asked him if he was mujadeen and I told him not to lie to me. He understood me so I knew that I had my phases down. The guy was nervous and kept rubbing his hands together and kept putting his hand to his upper chest and was scratching his chest. Every sound that I made his head would snap towards it. He never said anything to me besides answering my questions with "No". While I was walking around the room he kept moving his feet and pointing his toes towards me. I kept telling him to stop and relax in Arabic. Once I got behind him and he could no longer turn towards me sat up taller where he had been slouched before.

I think I was still behind him when [REDACTED] walked in. [REDACTED] came with [REDACTED] and the new HET guy. After they came in I told them the situation with the first detainee and the second outside. I showed [REDACTED] the black list and a scrap of paper that the translator had written the detainee's name on so he could check the name because he is always getting on me to make sure the names are spelled correctly. The new Het guy and [REDACTED] walked out to look at the other guy. I told [REDACTED] it was good to see him so that he could interrogate the detainee. [REDACTED] told me he was there for an appointment and that a [REDACTED] was coming down. I think [REDACTED] asked him what tribe he was from but I don't remember what he said. Then I told [REDACTED] I was going to check and see where they moved the other detainee to and I stepped outside. I think I said he's all yours. I can't remember where his rifle was but I know he had his 9mm on his leg. I walked out and took about four steps and the door had just shut and a second or two later the "pop" went off.

I knew immediately that the pop was a gun shot and I realized it came from inside the building. I immediately turned around and ran back inside. [REDACTED] had his pistol in his hand and he said the detainee had lunged at him and grabbed him. When I came through door I was holding my weapon at the ready on fire in Condition one because I was expecting [REDACTED] to be down. The detainee was laying on his back like half off the cot. He was not in the middle of the cot where he had been sitting he was now closer to the door. I heard the detainee moan when he got shot but now he wasn't saying. I did [REDACTED]

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Continuation of statement of on [REDACTED]
23 September 2005

[REDACTED] not here [REDACTED] chamber a round but I was already yeling at [REDACTED] the generator was running and the door rattles when it shuts so it may have masked the sound of the pistol being charged [REDACTED]

[REDACTED] Then the new HET guy came in and yelled for [REDACTED] I was looking at [REDACTED] to see if he was OK. [REDACTED] didn't look angry he just looked shocked. [REDACTED] said he couldn't believe the guy had lunged at him and I said so he lunged at you and [REDACTED] [REDACTED] said yeah. Then [REDACTED] came in and I started to help perform first aide. I think [REDACTED] walked out of the room or he was standing behind me because I was concentrating on the detainee. I don't remember seeing the brass from the bullet that [REDACTED] fired and remember even smelling any smoke [REDACTED]

In less than a minute [REDACTED] had the guy patched up with Asherman chest seal and some gauze. We also rolled the guy to check for and exit wound and there wasn't one. The detainee's eyes were rolled into the back of his head. I poked my head out the door and told [REDACTED] that we had a guy shot and [REDACTED] got on the horn and called for help. Then I continued to help [REDACTED] We put a blanket on the detainee because he was getting cold. During that time he [REDACTED] told me to slap the guy in the face and keep him awake. I was smacking the guy on both sides of his face and asking him his name in Arabic. I was not hitting him hard. The guy was barely breathing and his eyes were rolled back into his head. While I was doing that [REDACTED] started to apply the green field dressing. The detainee started to come around and was whispering and I couldn't understand what he was saying. The detainee started moving his hand coming up towards my face. 2 or 3 times I put his hand back under the blanket on his stomach. I was putting a lot of pressure on the dressing and kept him from moving around and squirming while [REDACTED] was tying off the pressure dressing. Then other people arrived and then someone told me to go do something so I left. And I think that's when the detainee started coming to and really knew what was going on. That is the last time I saw the detainee while he was alive [REDACTED]

[REDACTED] As I was leaving the room I grabbed all my gear and I picked up my [REDACTED] I remember the [REDACTED] on when I first came in the room but they were [REDACTED] I didn't look at my [REDACTED] until I got up to the COC but I then noticed the when [REDACTED] and I [REDACTED] we must have let them land in a pool of blood as there was blood on the [REDACTED] I am pretty sure I have the [REDACTED] still but we did a field day cleaning and they could have been thrown out but I don't think so. *Can't remember if the [REDACTED] were [REDACTED] before or after we moved the detainee*

[REDACTED] I have worked with [REDACTED] for the last three weeks. He is a very honest guy and and friendly. He was very friendly with the Iraqi's that came in and he treated people fairly. He would help us organize stuff and learn to spell Iraqi names while he would wait on his sources to me him. He encouraged us to hand out candy to the kids. He always told us to let people see us give candy to the kids because it will help him get more people inside his door as sources. [REDACTED] never told any war stories. He just talked about [REDACTED]

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Continuation of statement of on [REDACTED]
23 September 2005

[REDACTED] his wife and kids back home. I have never heard any rumors that [REDACTED] had abused prisoners or used unlawful methods to extract information. [REDACTED] never did interrogations or screenings for he just met sources there. [REDACTED] is the one who did our interrogation.

[REDACTED] don't believe I could identify the exact [REDACTED] I did not hear [REDACTED] call for help while I was outside. The pistol shot did seem kind of muffled but I thought it might have been because it was inside but the walls of the HET room are just a single piece of plywood [REDACTED]

[REDACTED] This statement consisting of this page and 3 other was typed for my by Special Agent [REDACTED] as we discussed it. I have read this statement and have made any changes and or corrections I so desire. This statement is true and correct to the best of my knowledge and belief [REDACTED]

[REDACTED]

23 sep 2005 2126
Date and Time

Sworn/affirmed to and subscribed before me this the 23rd day of September in the year 2005, Camp Fallujah, Iraq.

[REDACTED]

Witnessed by _____

Representative, Naval Criminal
Investigative Service
AUTH: DERIVED FROM ARTICLE 136,
UCMJ (10USC 936) and 5 USC 303

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STATEMENT

PLACE: NCIS Det Fallujah, Iraq

DATE: 23SEP05

[REDACTED] USN [REDACTED] make the following free and voluntary statement to Special Agent [REDACTED], whom I know to be a representative of the Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended to me. I full understand this statement is given concerning my knowledge of the shooting of detainee later identified as Haskem Shefi ABDULLAH inside the Human Exploitation Team (HET) room on 20SEP05.

For purposes of identification, I'm a [REDACTED] male with [REDACTED] hair and [REDACTED] eyes. I'm [REDACTED]" tall, [REDACTED] pounds and I was born on [REDACTED] in [REDACTED]. I'm a [REDACTED] in the USN and am currently assigned to 27 Fox Company, 2nd Platoon, USMC aboard Camp Fallujah, Iraq.

One 20SEP05, I reported to duty at 0700 and was assigned duties as the corpsman which entailed roving the line and making sure everyone was OK. When not actually roving, I station myself in the female search area due to it's location in the middle of the line. As a rover, I'm considered an extra body and am used as needed.

I'm not exactly sure what time it was, but sometime during the mid-morning, [REDACTED] called me in order to assist with moving a detainee who I will refer to as ABDULLAH. ABDULLAH was located behind the female search area and we had to move him down to an area which is known as the BAT cave, this is the area where badges are issued out. Once there, ABDULLAH's retina was scanned and we received a notice that he was considered a high value individual and was to be further detained. As a result of that, I escorted ABDULLAH to the HET room and was guarding him while we were waiting for HET personnel to arrive and interview him. At that time ABDULLAH

PAGE 1 of 3

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Exhibit (12)

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SWORN STATEMENT OF [REDACTED] (CONT)

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[REDACTED] was [REDACTED] by [REDACTED] and [REDACTED] which were covered with with material were [REDACTED]. Up until the point ABDULLAH was [REDACTED] he was very compliant but he appeared to become nervous. I was pretty much left alone with ABDULLAH while another detainee was being processed and I estimate I guarded ABDULLAH for approximately fifteen minutes until I switched detainees with [REDACTED]. During the time I was guarding ABDULLAH, he would move his feet in the direction of any noise that he heard and it made me pretty uncomfortable because I did not know what he was doing [REDACTED].

[REDACTED] shortly after I changed detainees with [REDACTED] the HET personnel arrived. Since I had changed detainees with [REDACTED], I was located outside the HET room but could still hear what was being said inside the HET room. As a security precaution, I moved the detainee I was now guarding to an area away from the HET room where he would not be able to overhear what was being said. I would say approximately 10-15 minutes after I moved the detainee I was guarding, I heard a noise that reminded me of a cap gun being fired and a couple of seconds after that, [REDACTED] came running out and shouted "shots fired, corpsman up". Once [REDACTED] had the detainee I was guarding secured I ran into the HET room and observed [REDACTED] standing to my left and ABDULLAH lying perpendicular on a cot. I didn't noticed whether [REDACTED] had anything in his hands or not because I was focused on ABDULLAH. I asked where ABDULLAH was shot and [REDACTED] replied he was shot in the chest. I placed ABDULLAH horizontal on the cot on his back, got my scissors from my pack and started cutting his shirt off. Once his shirt was off, I noticed a gunshot wound to the upper left portion of his right breast. I immediately placed a Asherman chest seal over the wound along with a compression bandage in order to soak up the blood that was coming from the wound. I told [REDACTED] to check for an exit wound as I turned ABDULLAH towards me and [REDACTED] advised there was no exit wound visible. At that point, myself and [REDACTED] took turns applying pressure to the wound and checking his vital signs. Shortly after that, ABDULLAH seemed to come around and started fighting trying to get off the cot. On two different occasions, ABDULLAH seemed to try and grab my pistol but I think it was as a result of him going into shock and being confused. At some point, [REDACTED] came into the room and assisted me with ABDULLAH. It seemed like we treated ABDULLAH for approximately 1 1/2 hours before the medvac personnel [REDACTED].

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[REDACTED] arrived, however, shortly before they arrived ABDULLAH's pulse stopped. We attempted to resuscitate him but were unsuccessful. [REDACTED]

This statement consisting of this page and two others was typed for me by Special Agent [REDACTED] after we discussed it. I have read this statement and have made any changes and or corrections I so desire. This statement is true and correct to the best of my knowledge and belief. [REDACTED]

23 SEP 05 2104
Date and Time

Sworn/affirmed to and subscribed before me this 23rd day of SEPTEMBER in the year 2005, Camp Fallujah, Iraq

Witnessed by

[REDACTED]

Representative, Naval Criminal
Investigative Service
AUTH: DERIVED FROM ARTICLE
136 UCMJ (10USC 936) and 5 USC 303

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STATEMENT

By [REDACTED], USMC

Date: 23Sep05

Place: NCIS Det Camp Fallujah, IZ

[REDACTED] USMC, [REDACTED], make the following free and voluntary statement to [REDACTED], whom I know to be a Special Agent of the U.S. Naval Criminal Investigative Service. I make this statement of my own free will, without any threats and or promises extended. This statement is provided regarding my knowledge surrounding the fatal shooting at Entry Control Point (ECP) 5, Fallujah, Iraq, on 20Sep05 and my role after the shooting [REDACTED]

[REDACTED] For purposes of identification, I am a [REDACTED] male, enlisted Marine, assigned to 2nd Bn, 7th Marines, RCT-8, II MEF. I was born on [REDACTED] in [REDACTED]. I weigh approximately [REDACTED] lbs and my height is approximately [REDACTED]. My home of record is [REDACTED]. I am due to rotate back to Twenty-nine Palms, CA in Jan06 [REDACTED]

[REDACTED] On Tuesday, 20Sep05, I was at my post in the COC at Entry Control Point 5, on route Michigan in Fallujah, IZ. Early in the morning two male Iraqi nationals had been processed by the Biometric Automated Tool Set (BATS) and positive hits came up on each. This meant that both had been processed in the past and were noted to be affiliated with anti-coalition activities. Based on this, each local national were detained and separated. The BATS processing center, commonly referred to as the "BAT CAVE" is located across the street from ECP 5, as is the Humit Exploitation Team building. One detainee, known as Haskem Shafi ABDULLA was taken into the HET bldg, while the other was staged outside the BAT CAVE. This same morning [REDACTED] a HET member assigned to G Co, was to meet a source at the HET bldg. Another HET member was summoned to assist in the interviews of the detained LN's. [REDACTED]

[REDACTED] At approximately 0935 or 40, I received radio traffic in the COC that a HET G Co member shot a detainee in the HET bldg across the street. [REDACTED] was directed to the scene to render any medical assistance. In a short time, radio traffic regarding the shooting was being directed to the COC. I was fielding calls from BN and other locations. At approx. 0947 or 50, a call went out to F Co, for a Quick Reaction Force to assist in a MEDVAC of the detainee. At approximately 1005/10, two vehicles arrived at my location, which I thought was the MEDVAC; however, I learned that they were there for another reason and were not capable of doing a MEDVAC, because more than two vehicles are required for such a movement. At the same time, I received radio traffic in the COC that the detainee (Abdulla) was resisting aid to those at the scene attempting to aid him, being combative, even though he had been shot. I also learned that [REDACTED]

[REDACTED]

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Exhibit (13)

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Continuation of STATEMENT

By [REDACTED] USMC

[REDACTED] within approximately 10 minutes after being shot, [REDACTED] and [REDACTED] were able to stop the bleeding from the gunshot wound on Abdulla [REDACTED]

[REDACTED] At approximately 1010/15, I did a turnover with [REDACTED] who subsequently made a second call for a QRF/MEDVAC. I subsequently departed ECP 5/COC and crossed the street to the HET bldg. Upon entering the HET bldg, I observed [REDACTED] and [REDACTED] alongside the detainee Abdulla who was on the cot. Almost simultaneously, the MEDVAC/QRF arrived. At the same time, both Corpsmen noticed that detainee Abdulla had stopped breathing; however, he had a slight pulse. [REDACTED] performed breath resuscitation for approximately 2-3 minutes at which time both Corpsmen noted that the detainee had no pulse. Full CPR was given by both for another 3 minutes. At approximately 1050, they ceased life saving efforts [REDACTED]

[REDACTED] ensured the scene was secured and the COC at ECP 5 was notified of the death. Within approx. 40 minutes or 1120, [REDACTED] (phonetic), BN CO, arrived at the scene. He instructed [REDACTED] to take photographs of any tattoos on Abdulla, while I assisted. I cut the trouser off of Abdulla to look for other tattoos. I recall three were found on his arms. A photo of the entry wound was also taken. The photos or camera were passed to the BN SJA, to the best of my knowledge. The XO also took photos. [REDACTED]

[REDACTED] At approx. 1200, I returned to the ECP/COC and provided a written statement concerning the events as directed by the BN SJA. I also received, at about the same time, a call from NCIS. The agent directed me to seize the weapon used by [REDACTED] the HET G Co Marine, who shot detainee Abdulla as well as any shell casings. I took the M9, 15 round magazine and the spent cartridge and placed them into a MRE box. I took the box across the street and placed it on the floor of the HET bldg, which is where the shooting took place. I recall seeing the spent cartridge being in poor condition. The rim was fine. According to [REDACTED] the casing was lying in the chamber, as if there was not enough powder to eject the shell from the chamber. I suspect it was a "Haji" round, meaning that it was local or Iraqi ammo. [REDACTED] mentioned that he had been issued this ammo. [REDACTED]

[REDACTED] After the incident and while waiting for NCIS to arrive on scene, I had a brief conversation with [REDACTED] and [REDACTED]. I learned from this conversation that prior to the shooting; [REDACTED] and [REDACTED] were in the HET building with the detainee. The detainee had [REDACTED]

[REDACTED] The detainee complained that the [REDACTED] he was thirsty and he had chest pains. I was told that [REDACTED] left the room, leaving [REDACTED] alone with the detainee. Soon, almost immediately, after [REDACTED] left the room/bldg, the detainee lunged at [REDACTED] who was within a matter of feet from him. The detainee was still [REDACTED] The detainee grasped the right shoulder of [REDACTED] and was going for his pistol. [REDACTED] said he had his pistol (M9) out just prior to [REDACTED]

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