

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: HQ 3217 132 INT
2. DATE (YYYYMMDD): 7/MAY/1941
3. TIME: 17:30
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED]
6. SSN: [REDACTED]
7. GRADE/STATUS:
8. ORGANIZATION OR ADDRESS: [REDACTED]

EX 6 3.2.16

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

EX 6 3.2.16

ON NOV 29 03 A PHOTOGRAPH WAS TAKEN UNDER COVERTURE CAUSE HE HAD A COPIES OF MAGAZINES AND AN ALBUM. HE WAS PHOTOGRAPHED AT ALGERIA VILLAGE. I WAS LIKE DO NOT KNOW SO I COULDN'T SEE WHO IT WAS UNTIL AFTER WE GOT DOWN AND [REDACTED] NEEDED ACADEMIC KAN SO I WENT OUT THERE AND FILM FOR A BIT. I COULDN'T SEE THE DETAINEE BEING ABOVE IN PERFECT [REDACTED]

EX 6 3.2.16

[REDACTED] REMEMBERED WHEN THE VIDEO WAS SHOWN. I SAW A GROUP OF PEOPLE AROUND US CAN'T REMEMBER WHO OR WHERE I THINK IT WAS AT THE BASE WHERE WE WERE OR IT MIGHT HAVE BEEN TOLD EARLY. I'M PRETTY SURE NOT COMPLETELY THAT [REDACTED] ALMOST THE HOBBY SAID BUT I CAN'T ASSURE THAT.

EX 6 3.2.16

THE DETAINEE WAS FROM THERE MOVE TO A BROTHER THAT WAS THE LAST TIME I SAW IT, BUT BEFORE THAT

10. EXHIBIT:
11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED]
PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

001381

b(6), b(3)

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

46  
3.2.14

STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED 7 MAY 64

9. STATEMENT (Continued)

I DON'T THINK HE WAS BRAVE, BUT WHEN I WAS THERE HE DIDN'T GET HIT OR ANYTHING I REMEMBER [REDACTED] TROWS ON SOMETHING AND FALLING ON THE PRISONER.

NOTHING FOLLOWS

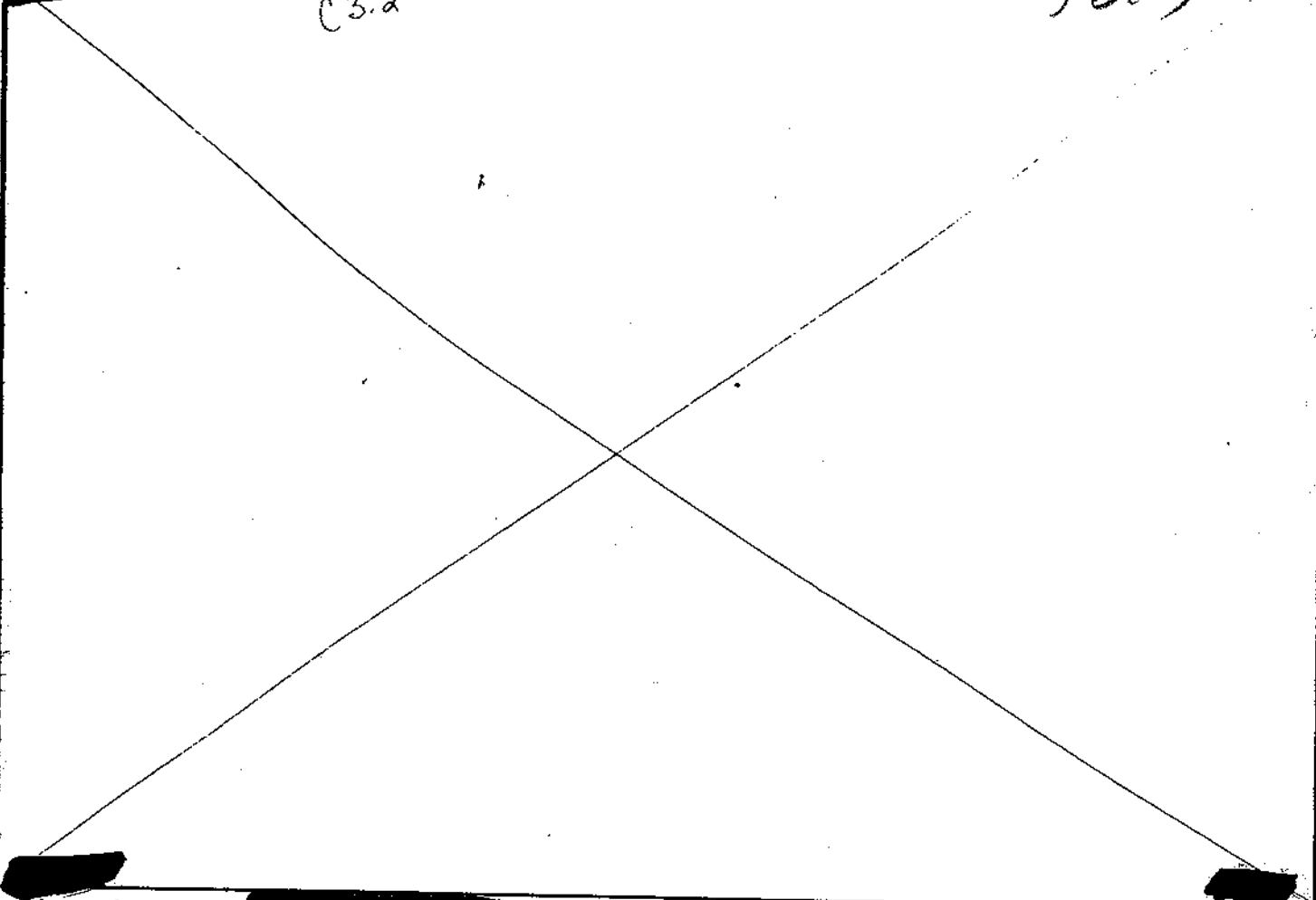
INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

001382

STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED 2.4.10.04

9. STATEMENT (Continued) Ex 4 C3.2.1.6 b(6), b(3)



AFFIDAVIT

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

Ex 6 C3.2.1.4

[REDACTED] (Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 7 day of MAY 04 at [REDACTED]

\_\_\_\_\_  
ORGANIZATION OR ADDRESS

[REDACTED] (Signature of Person Administering Oath)

\_\_\_\_\_  
ORGANIZATION OR ADDRESS

\_\_\_\_\_  
(Typed Name of Person Administering Oath)

\_\_\_\_\_  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 3 OF 3 PAGES

M. M. V. D. 7  
AUG 21 OF FALL

[REDACTED]

B

[REDACTED]

(S) (S) (S)

EX 4  
C3.2.1.4

b(6), b(3)

Interview questions

Incident

What was your mission: OPERATION "STEP ON A LAND MINE"  
LOOKING FOR WPN'S CASSETS

EX 4  
C3.2.1.4

What was the mentality of the soldiers like: MOTIVATED TIRIED LOTS OF PATROLS  
[REDACTED] WAS HIS TEAM LEADER ALSO  
FOUND LANDMINES BECAME NERVOUS

How many other detainees had you delt with that day:  
NO OTHERS

What had been the previous detainee actions like:  
DETAINED SEVERAL PEOPLE AT BEGINNING OF MISSION IN HIAB  
MORE THAN HE COULD REMEMBER. ARREST SETCH FLEX CUFF  
SEPARATE & MOVE

When did you detain the individual in question:  
AFTER AKE & AMMO FOUND WITH HERIN'S MIB TIME  
HE WAS IN GENERAL AREA

Why was he detained (circumstances):  
Resisting? NO MUMBLING IN ARABIC (DID NOT UNDERSTAND)

EX 4  
C3.2.1.4  
[Vertical text on left margin]

Who initially detained him:  
[REDACTED] & [REDACTED]  
HAD CONTROL OF HIM ENTIRE TIME

Was he interrogated at all prior to the film or after:  
LATER AFTER DETAINED

Who interrogated him: NOT SURE

Was any paperwork filled out on him being detained:  
NOT AWARE

Did he speak any English:  
NO

How long before the video had he been detained:  
ALMOST AT END OF VIDEO IS WHEN IT HAPPENED

DETAINED 2 1/2 HOURS BROUGHT TO BRIDLEY

THAT IS ITS FUNNY

b(6), b(3)

(MADE SLAPPING MOTION)

EX 6  
C3.2.1.4

How was his treatment prior to and after the video:

PUSHED HIM WHEN HE KEPT TALKING  
HOLDING HIM BY FLEXICUFFS  
HAD IN TEMP TELL HIM TO BE QUIET

[REDACTED]

PULL AWAY

When was he flexicuffed:

Who did it DOESN'T KNOW

What happened after the video:

AWAKE OF VIDEO WATCHED AS VIDEO TAKEN  
TOOK CAMERA FROM [REDACTED] AND DID VIDEO  
MOVED BACK TO HIS AREA

EX 6  
C3.2.1.6

Who else was in the immediate area:

[REDACTED]

Was he stuck again:

NOT AWARE OF

Where was he taken:

TOOK TO BRIDGES AFTER CROSSING WIRE

Who took him there:

[REDACTED]

EX 6  
C3.2.1.6

Was there any additional interrogation done:

NOT AWARE OF

Was the detainee humiliated in any other way:

NOT AWARE OF

Did anyone say anything to stop it:

NO

Why was he released and how:

To your knowledge has there been any other incidents of mistreatment of detainees:

CHAINS PEOPLE AROUND BUT CAN'T REMEMBER

[REDACTED] TRIPPED KNOCKED DOWN DOWN

DETAINEE

EX 6  
C3.2.1.6

001385

SHOWN ON LAPTOP @ HUSABA TO PLT

b(6), b(3)

~~WITH PLT~~  
MAJORITY OF PLT & EVERYONE IN SQUAD

Video

EX4  
C3.2.1.4

When and How many times was the video shown to the platoon:  
IN HUSABA ON CAMERA  
ON LAPTOP [REDACTED] IN TALL AREA IN LIVING TENT

Who was there and who was not:  
SHOWN TO PEOPLE ON LAPTOP

Was it shown repeatedly:

Who showed it:

Did anyone narrate the video:

What did they say: LAUGHING

Was the showing of the video selective to certain individuals: NO GENERAL VIEW

EX6  
C3.2.1.4

Was the video shown to anyone outside the platoon: <sup>WETSURE-</sup> SURE [REDACTED] SAW IT  
LT SAW IT? CAN'T REMEMBER

What the demeanor or attitude when the video was being shown: THOUGHT OF AS JOKE

What was the feelings of the group toward the video:

Were people laughing about it:

YES

Did they take it seriously or as a joke: JOKE

To your knowledge who has copies of the video:

When did you report it to the chain of command:

DIDN'T

Why didn't you report it:

THOUGHT IT WAS A JOKE

Who in the chain of command had knowledge of this incident:

BELIEVES LT SAW IT

Did the chain of command take any action regarding this incident at the time it happened or after they became aware of it:

Has this incident been discussed to anyone outside of the unit to your knowledge:

Why was the video deleted off the computer:  
When?

001387

# RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

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

## DATA REQUIRED BY THE PRIVACY ACT

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

b(6), b(3)

1. LOCATION HHC 3 <sup>RD</sup> BN 3-187 INF	2. DATE 7 MAY 04	3. TIME 1:03	4. FILE NO.
5. NAME (Last, First, MI) [REDACTED]	8. ORGANIZATION OR ADDRESS [REDACTED]		
6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]		

EX 6  
C3.2.1.6

## PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

### Section A. Rights

The investigator whose name appears below, told me that he/she is with the United States Army HHC 3<sup>RD</sup> BN DE  
101<sup>ST</sup> ABN DIV and wanted to question me about the following offense(s) of which I am suspected/accused: INCIDENT INVOLVING POSSIBLE MISTREATMENT TO DETAINEE

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

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

5. COMMENTS (Continue on reverse side)

### Section B. Waiver

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

WITNESSES (if available)	3. SIGNATURE OF INTERVIEWEE [REDACTED]
1a. NAME (Type or Print) [REDACTED]	4. SIGNATURE OF INVESTIGATOR [REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE [REDACTED]	5. TITLE [REDACTED]
2a. NAME (Type or Print) [REDACTED]	6. ORGANIZATION OF INVESTIGATOR HHC 3 <sup>RD</sup> BN DE 101 <sup>ST</sup> ABN DIV
b. ORGANIZATION OR ADDRESS AND PHONE [REDACTED]	

EX 6  
C3.2.1.6

### Section C. Non-waiver

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

2. SIGNATURE OF INTERVIEWEE

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



PART II - RIGHTS WARNING PROCEDURE

THE WARNING

1. WARNING - Inform the suspect/accused of:
  - a. Your official position.
  - b. Nature of offense(s).
  - c. The fact that he/she is a suspect/accused.
2. RIGHTS - Advise the suspect/accused of his/her rights as follows:
 

"Before I ask you any questions, you must understand your rights."

  - a. "You do not have to answer my questions or say anything."
  - b. "Anything you say or do can be used as evidence against you in a criminal trial."
  - c. (For personnel subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer

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

- or -

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

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

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

THE WAIVER

"Do you understand your rights?"

(If the suspect/accused says "no," determine what is not understood, and if necessary repeat the appropriate rights advisement. If the suspect/accused says "yes," ask the following question.)

"Have you ever requested a lawyer after being read your rights?"

(If the suspect/accused says "yes," find out when and where. If the request was recent (i.e., fewer than 30 days ago), obtain legal advice whether to continue the interrogation. If the suspect/accused says "no," or if the prior request was not recent, ask him/her the following question.)

"Do you want a lawyer at this time?"

(If the suspect/accused says "yes," stop the questioning until he/she has a lawyer. If the suspect/accused says "no," ask him/her the following question.)

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

SPECIAL INSTRUCTIONS

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

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

PRIOR INCRIMINATING STATEMENTS:

1. If the suspect/accused has made spontaneous incriminating statements before being properly advised of his/her rights he/she should be told that such statements do not obligate him/her to answer further questions.

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

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

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

COMMENTS (Continued)

b(6), b(3)

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: HHC 3.157214
2. DATE (YYYYMMDD): 20040507
3. TIME: 11:00
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED]
6. SSN: [REDACTED]
7. GRADE/STATUS: [REDACTED]
8. ORGANIZATION OR ADDRESS: [REDACTED]

246
3.2.11

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
ON 29 NOV 03 WE WERE ON A MISSION IN THE ARMY AREA
THE MISSION WAS TO SEARCH THE WOODS FOR EVIDENCE OF
VIOLATIONS. AFTER SEARCHING THE WOODS I ENCOUNTERED
A FIRE OF SMALL ARMS FIRE THAT I BELIEVE WAS
A COUPLE HUNDRED ROUNDS IN A TIRE. I WAS HURT BY THE
FIRE AND SAW A MAN STANDING NEARBY. HE WAS WEARING
A HAT AND A COAT. HE SAID THE FIRE WAS HERE AND
HE WAS INTERFERED BY THE FIRE AND CONTINUED ON THE MISSION.
THOUGH FOR A MISSION HE BELIEVES WAS HURTING FROM THE FIRE.
HE WOULD NOT CONFESSE TO HIM. HE WALKED WITH THE GROUP
THROUGH THE WOODS. I HEARD A SHOT WHICH I DIDNT SEE BEING MADE
BECAUSE I WAS WHICH WAS IN FRONT OF ME SO I DIDNT GET HURT.
I GOT TO THE ROAD THEN STOPPED. THE [REDACTED] WAS
PLACED INSIDE OF A TRUCK THAT WAS PARKED DOWN THE STREET
BY [REDACTED] AND LEFT INSIDE WITH THE [REDACTED].
HE WAS IN THERE FOR ABOUT 15-30 MINUTES AND WAS RELEASED
AS WE WERE WALKING TO THE WAY HE WALKED DOWN THE ROAD
AWAY FROM US AND THATS THE LAST I SAW OF HIM [REDACTED]

246
3.2.11

10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED]
PAGE 1 OF [REDACTED] PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.



Ex 4  
C3.2.1.4

b(6), b(3)

PUSHED OUT TO PROVIDE SECURITY  
AFTER DETAINMENT

Interview questions

Incident

What was your mission: LOOKING FOR CACHES, ON LINE MOVING  
THROUGH AREA. CLEAR TOWN OF WARIS, HVTK RAIDS ON TOWN

What was the mentality of the soldiers like: NERVOUS ABOUT GOING DUE TO  
CURRENT SITUATION, NORMAL DAY OF OPERATIONS

How many other detainees had you dealt with that day:

DOES NOT RECALL 1 OR 2 MAYBE

What had been the previous detainee actions like:

SEARCH FIRST FLEX CUFF SEPARATE FROM OTHERS LOAD ON VEHICLE  
NOT AWARE OF PAPER WORK ON SITE

When did you detain the individual in question:

INTERP CALLED OVER INDIVIDUAL WHEN THE SQUAD (D) HAD  
IN VICINITY WITH SLEEP

Why was he detained (circumstances):

Ex 4  
C3.2.1.4

Resisting? [REDACTED] FOUND WARIS FOR 2 AKS 10 BOXES OF AK R  
UNDER STACK OF WOOD IN BAG NOT RUSTY  
SAID WARIS WERE MET HIS & THEN CHANGED HIS MIND  
NERVOUS & SEEMED SCARED DID NOT RESIST

Who initially detained him:

[REDACTED] CAME OVER, INTERP

Was he interrogated at all prior to the film or after:

Ex 6  
C3.2.1.4

2 HRS DETAINED, PLACED IN BRADLEY (SPARK) WHICH WAS  
CORNER OF DIRT ROAD

[REDACTED] TOOK HIM TO BRADLEY WATCHED BY [REDACTED]

Who interrogated him: INTERP [REDACTED]

Was any paperwork filled out on him being detained:

NOT AWARE OF

Did he speak any English:

NOT AWARE OF

How long before the video had he been detained:

WALKED WITH SGD FOR MISSION DURATION -> PLACED IN BRADLEY.

AWARE OF FILM DID NOT SEE -> 001392

PICKED UP AT BEGINNING OF MISSION  
RELEASED AFTER 2 HOURS

b(6), b(3)

How was his treatment prior to and after the video:  
WALKED HIM W/ SGT INTER BY INTERP  
NOT AWARE OF ANY BAD TREATMENT

EX 6  
3.2.1.4

When was he flexicuffed: AFTER ADMITTING WPNS WERE HIS  
Who did it: [REDACTED]

What happened after the video:

Who else was in the immediate area:  
PLT SPREAD OUT ZOOM SPREAD OUT ON LINE  
COULDN'T SEE EVERYONE WHILE IN UZZED LINE

Was he stuck again:  
DID NOT SEE HIM GET HIT WAS NOT PAYING  
ATTENTION TO DETAINEE

Where was he taken:  
TO BRADLEY ON DIRT ROAD

EX 6  
3.2.1.4

Who took him there:  
[REDACTED]

Was there any additional interrogation done:  
HIDING WPNS CAUSE HE DIDN'T WANT US TO FIND THEM  
BELONGED TO HIM AND WANTED TO KEEP THEM  
OVER HEARD INTERP TELLING [REDACTED] OR LT

EX 6  
3.2.1.4

Was the detainee humiliated in any other way:  
DIDN'T SEE ADVISE SAID HE WAS FALLING DOWN  
DUE TO MUD & TERRAIN BEING UNEVEN & HOLES

Did anyone say anything to stop it:

Why was he released and how:  
WAS NOT LONG AFTER 15 TO 30 MINS OF BEING PLACED  
IN BRADLEY HE WAS RELEASED

To your knowledge has there been any other incidents of mistreatment of detainees:

NOT AWARE OF ANY MISTREATMENT

TALKED WITH HIM INITIALLY BUT NOT MUCH

PVT IN 2 TENTS  
2 SQD PER TENT

WPNS SQD # 2<sup>ND</sup>  
1 # 3<sup>RD</sup>

b(6), b(3)

Video

When and How many times was the video shown to the platoon:

SAW WHEN THE UNIT RETURNED TO CAMP AFTER  
SHOWN COUPLE OF TIMES IN TENT WHERE THEY SLEPT

EX 6  
C3.2.1.4

Who was there and who was not:

MOST OF PEOPLE IN PLATOON HAD SEEN [REDACTED] NOT PRESENT  
OTHER PVT. THINKS BUT NOT SURE OF # OR PFC. (LIVED IN OTHER TENTS)

Was it shown repeatedly:

MORE THAN ONCE  
SHOWN ON CAMERA # ON LAPTOP (CAP GAMES)

Who showed it: [REDACTED] ON HIS DIGITAL CAMERA W/ SOUND

Did anyone narrate the video: NOT AWARE

What did they say: ASKED PEOPLE IF THEY WANTED TO SEE  
CLIP OF MISSION

Was the showing of the video selective to certain individuals  
WHOEVER WAS AROUND OR INTERESTED

Was the video shown to anyone outside the platoon:  
NOT TO HIS KNOWLEDGE

What the demeanor or attitude when the video was being shown:  
NO BEASTING OR BRAVADO

What was the feelings of the group toward the video:  
LAUGHED IT OFF, NO CONCERN

Were people laughing about it:  
SOME THOUGHT IT WAS FUNNY

Did they take it seriously or as a joke:  
TAKEN AS JOKE THOUGHT IT WAS FUNNY  
NO ONE OBJECTED

To your knowledge who has copies of the video:  
NO KNOWLEDGE

When did you report it to the chain of command:

b(6), b(3)

Why didn't you report it:

Who in the chain of command had knowledge of this incident:

Did the chain of command take any action regarding this incident at the time it happened or after they became aware of it:

Has this incident been discussed to anyone outside of the unit to your knowledge:

Why was the video deleted off the computer:  
When?

SOME PEOPLE THINK IT IS MESSED UP  
BEING AN INVESTIGATION NOTHING REALLY HAPPENED.

2255 HRS

ADMITS ~~VIDEO~~ VIDEO WAS ON HIS COMPUTER

Ex 6  
3.2.1.6 DOESN'T RECALL STANDING TO [REDACTED] COULD  
HAVE BEEN DANK GOT IT FROM [REDACTED] or [REDACTED]  
DOESN'T REMEMBER WHICH

b(6), b(3)

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**DISCLOSURE:** Disclosure of your social security number is voluntary.

nlb  
3.2.1.6

1. LOCATION DLDC Ft Rumphell Ky	2. DATE (YYYYMMDD) 08 MAR 04	3. TIME 12 29 PM	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	
8. ORGANIZATION OR ADDRESS			

nlb  
3.2.1.6  
nlb  
3.2.1.6  
nlb  
3.2.1.6

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I am aware of the situation involving a video and [REDACTED]. I have not seen the video but am sure that one exist. Due to the information put out by [REDACTED] called my self [REDACTED] into his office. At that time we were told that there was an issue involving Soldier A video and something that happened to a captive in USHBA. Since that time other issues have occurred with [REDACTED], He was taken in to mental health, had been place under suicide watch, and presently is in F.D.A.P. Other than the explanation given to me by [REDACTED] about the tape I have no knowledge and have not yet seen the video. Nothing follows.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.



ENC, C3.2.1.6

b(6), b(3)

STATEMENT OF [REDACTED] TAKEN AT PLDC DATED 28 MAY 04

9. STATEMENT (Continued)

[REDACTED]

266  
3.2.1.6

AFFIDAVIT

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

[REDACTED]  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 day of MAY, 04 at PLDC FTIC KW 42222

[REDACTED]  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]

(Typed Name of Person Administering Oath)  
INVESTIGATING OFFICER  
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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

b(6), b(3)

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

Form fields: 1. LOCATION (3rd Barracks classroom), 2. DATE (2004 05 07), 3. TIME (21:25), 4. FILE NUMBER, 5. LAST NAME, FIRST NAME, MIDDLE NAME, 6. SSN, 7. GRADE/STATUS, 8. ORGANIZATION OR ADDRESS, 9. I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

xl
3.2.1.6

Ex 6
C3.2.1.6

I saw the video in the month of March or April in the 3rd barracks barracks, I was in [redacted] room. We were messing around with some instruments and he flipped through pictures on his computer. One of the pictures/videos was the one with the prisoners in Huseba. I didn't have any reaction to it. It was just another video to me. People in our platoon acting silly (ie. the glasses [redacted] were that kind out); [redacted] and myself were the only ones there in his room, to my knowledge [redacted] is the only one with the video. This was the first and only time I saw/heard about the video (= did hear about it today).

Nothing more follows

Ex 6
C3.2.1.6

EXHIBIT, 11. INITIALS OF PERSON MAKING STATEMENT, PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT DATED
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

001398

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT *(Continued)*

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

b(6), b(3)

STATEMENT OF [REDACTED] TAKEN AT 21140 DATED 2004 05

9. STATEMENT (Continued)

Ex 6  
C3.2.1.4

[Large area with a large 'X' drawn across it, indicating a redacted or crossed-out statement.]

AFFIDAVIT

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

Ex 6  
C3.2.1.6

WITNESSES:

\_\_\_\_\_  
ORGANIZATION OR ADDRESS  
  
\_\_\_\_\_  
ORGANIZATION OR ADDRESS

[REDACTED]  
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 7 day of MAY 04 at HIA 3030 197th

[REDACTED]  
(Signature of Person Administering Oath)

[REDACTED]  
(Typed Name of Person Administering Oath)  
INVESTIGATING OFFICER  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

[REDACTED]

Ex 6  
C3.2.1.6

b(6), b(3)

EARLY APRIL

Video

When and How many times was the video shown to the platoon:

1ST TIME SAW VIDEO MONTH AGO IN BARRACKS  
[REDACTED] DESKTOP IN HIS ROOM

ONLY  
TIME

Who was there and who was not:

[REDACTED]

Was it shown repeatedly: NO

Who showed it:

[REDACTED]

Did anyone narrate the video: NO, SHOWING VIDEOS FROM IRAQ

What did they say: NOTHING

Was the showing of the video selective to certain individuals:

Was the video shown to anyone outside the platoon:

What the demeanor or attitude when the video was being shown: DIDN'T GIVE  
IT ANY REAL CONSIDERATION

What was the feelings of the group toward the video:

Were people laughing about it:

Did they take it seriously or as a joke:

To your knowledge who has copies of the video:

When did you report it to the chain of command:

Ex 6  
C3.2.1.6

Why didn't you report it:

Who in the chain of command had knowledge of this incident:

Did the chain of command take any action regarding this incident at the time it happened or after they became aware of it:

Has this incident been discussed to anyone outside of the unit to your knowledge:

Why was the video deleted off the computer:  
When?

001402

b(6), b(3)

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately  
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION 3rd BATTALION CLASSROOM	2. DATE (YYYYMMDD) TIME 1004/05/07 2125	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]
8. ORGANIZATION OR ADDRESS [REDACTED] INF		

246  
3.2.16

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I saw the video sometime in April in the B<sup>1</sup> 3rd PII CP. There was a number of people in there. I recall myself [REDACTED] and possibly [REDACTED] but there might have been more people in there at the time. I don't recall who was showing the pictures but when the pictures were being showed and everybody started to remark and then when the video clip was shown most people just laughed. Most people didn't think much of it.

246  
3.2.16

Nothing Follows

246  
3.2.16

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 1 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT *(Continued)*

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

001404



1.2.1.6

b(6), b(3)

STATEMENT OF [REDACTED] TAKEN AT Battle Creek CLASSROOM DATED 07 MAY 04

9. STATEMENT (Continued)

[REDACTED]

3.2.1.6

AFFIDAVIT

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

[REDACTED]

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 7 day of MAY, 04 at HQ 3<sup>rd</sup> BN 187 INF

ORGANIZATION OR ADDRESS

[REDACTED]

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]

(Typed Name of Person Administering Oath)

INVESTIGATIVE OFFICE 3

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

001405

b(6), b(7)

157  
24  
3.2.1.4



Video

When and How many times was the video shown to the platoon:  
SAW IT BACK AT FT CAMPBELL IN CT (PLT) DUNSTARS  
AFTER BLOCK LEAVE COMPUTER STAYS IN THERE ALL TI

Who was there and who was not:  
[REDACTED], [REDACTED], & SEVERAL OTHER

Was it shown repeatedly: JUST ONE TIME

Who showed it: DON'T KNOW  
REVIEWING ALL PICTURES FROM IRAC

Did anyone narrate the video: NO

What did they say: LAUGHED

Was the showing of the video selective to certain individuals NO

Was the video shown to anyone outside the platoon: NOT AWARE OF

What the demeanor or attitude when the video was being shown: LAUGHED IT OFF

What was the feelings of the group toward the video:

Were people laughing about it: YES

Did they take it seriously or as a joke: SOMETHING STUPID

To your knowledge who has copies of the video: POSSIBLE

When did you report it to the chain of command:

24  
3.2.1.4

Why didn't you report it:

Who in the chain of command had knowledge of this incident:

Did the chain of command take any action regarding this incident at the time it happened or after they became aware of it:

Has this incident been discussed to anyone outside of the unit to your knowledge:

Why was the video deleted off the computer:  
When?

POSSIBLY ON PIN DRIVE.

001407

SWORN STATEMENT

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

b(6), b(3)

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately  
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION 2. DATE (YYYYMMDD) 3. TIME 4. FILE NUMBER  
20040507 2245

5. LAST NAME 6. SSN 7. GRADE/STATUS

8. ORGANIZATION OR ADDRESS  
IN BN, Ft. Campbell KY 42223

9. I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:  
Sometime after re-deploying to Tall Area Airfield, I did see parts of the video in question in our tent. It was on a laptop computer, I don't recall the dates or times, but I saw it several times in parts while walking around. I don't recall seeing it back in the USA, but I have seen so many pictures and such so many time & places, that I am not sure of exact dates & places.  
Nothing follows

46  
3.2.1.6

46  
3.2.1.6

10. EXHIBIT 11. INITIALS OF PERSON MAKING STATEMENT PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

46  
3.2.1.6

b(6), b(3)

STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED May 07 2004

9. STATEMENT (Continued)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

AFFIDAVIT

46  
3.2.1.6

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

[REDACTED]  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 7 day of MAY, 04 at HQ 3<sup>rd</sup> VSJN 187<sup>th</sup>

[REDACTED]  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]  
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

INVESTIGATING OFFICER  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 2 PAGES

b(6), b(3)

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately  
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
DISCLOSURE: Disclosure of your social security number is voluntary.

x6  
216

1. LOCATION: Bn HQ's 3/197  
2. DATE (YYYYMMDD): 2004 02 07 18  
3. TIME: 2240  
4. FILE NUMBER:

5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED]  
6. SSN: [REDACTED]  
7. GRADE/STATUS: [REDACTED]

8. ORGANIZATION OR ADDRESS: [REDACTED]

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

That on the date of 7 Aug 04 was the first time that I witness sexual activity from  
operator with [REDACTED] At no other time had I seen [REDACTED] PFC

[REDACTED]

10. EXHIBIT: [REDACTED]  
11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED]  
PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

Video

When and How many times was the video shown to the platoon:

DIDN'T SEE VIDEO UNTIL CHAIN OF COMMAND  
SHOWED HIM

Who was there and who was not:

Was it shown repeatedly:

Who showed it: BY ISG

Did anyone narrate the video:

What did they say:

~~Was the showing of the video selective to certain individuals:~~

Was the video shown to anyone outside the platoon:

What the demeanor or attitude when the video was being shown:

What was the feelings of the group toward the video:

Were people laughing about it:

Did they take it seriously or as a joke:

To your knowledge who has copies of the video:

When did you report it to the chain of command:

001411

Why didn't you report it:

Who in the chain of command had knowledge of this incident:

CoC WANTED TO DEAL W/ RIGHT AWAY

Did the chain of command take any action regarding this incident at the time it happened or after they became aware of it:

Has this incident been discussed to anyone outside of the unit to your knowledge:

Why was the video deleted off the computer:  
When?

SEEN AS QUITE SERIOUS

POOR JUDGEMENT

(BELIEVES)  
NO MALICIOUS INTENT BY SOLDIERS



AR 15-6 Investigation Report

Christopher Macavoy

001413

1367



REPLY TO  
ATTENTION OF:

AETV-THZ

SS#s, Names, ranks, unit addresses, and

DEPARTMENT OF THE AR

1ST ARMORED DIVISION

APO AE 09324-3054

Official titles

redacted IAW

b(6), b(3)

throughout investigation

MEMORANDUM FOR Commander, 2d Armored Cavalry Regiment

SUBJECT: Relief for Cause,

The Regimental Commander's recommendation that  
for cause is denied.

be relieved

Personal Info  
Redacted IAW  
Sec of Def Memo  
01-CORR-101, 9 Mar

001414



DEPARTMENT OF THE ARMY  
 Headquarters, 2d Armored Cavalry Regiment  
 APO-AE 09322



23 August 2003

AFZX-C-CO

*b(1), b(2)*

MEMORANDUM FOR :

SUBJECT: Notification of AR 15-6 Investigating Officer's Report

1. I have reviewed the Investigating Officer's report into alleged detainee abuse by soldiers in your platoon. I concur with investigating officer's findings. While serving as the platoon sergeant, you mistreated Iraqi detainees who were under your control.
2. I have provided you with a copy of this AR 15-6 investigation. Before I take final action on this matter, you will be afforded an opportunity to submit a reply to the investigating officer's report in writing and submit relevant rebuttal materials. I will review and evaluate your response before I take final action on this report. You will have three days from the date you receive this memorandum to submit your reply and rebuttal.
3. You are suspended from your platoon sergeant duties pending resolution of this matter.

[REDACTED]

Encl.

*Of memo 01-2002-101, dtd 9 Mar 01*

001415



DEPARTMENT OF THE ARMY  
2D ARMORED CAVALRY REGIMENT  
APO AE 09322



REPLY TO  
ATTENTION OF:

28 AUG 2003

b(6), b(7)

AFZX-C-JA

MEMORANDUM FOR RECORD

SUBJECT: Chain of command recommendations of relief for cause of:

2

1. On 28 AUG 2003, the soldier's company commander, \_\_\_\_\_, recommended that \_\_\_\_\_ be relieved for cause.
2. On \_\_\_\_\_, the soldier's squadron commander, \_\_\_\_\_ recommended that \_\_\_\_\_ be relieved for cause.
3. On 28 AUG 2003, the soldier's regimental commander, \_\_\_\_\_, recommended that \_\_\_\_\_ be relieved for cause.
4. POC is the undersigned at \_\_\_\_\_



*Personal Info Redacted LTR  
Date of O&A phone 01-COER-101,  
27 Jul 97 00 00*

DEPARTMENT OF THE ARMY  
2d Armored Cavalry Regiment  
APO AE 09322

b(6), b(7)(C)

AFZX-CB-EN

MEMORANDUM FOR Commander, 2d Armored Cavalry Regiment

SUBJECT: Investigating Officer's Report

I acknowledge receipt of the AR 15-6 investigating officer's report and accompanying memorandum from the Commander, 2d ACR. I acknowledge that I will have three days from today's date to reply to this report and to submit relevant rebuttal materials on my behalf.

           I waive my rights to reply to this investigation in writing and to submit any rebuttal materials.

           I request an opportunity to reply to this investigation in writing and submit rebuttal materials on my behalf.

[REDACTED]

DATE: 25 Aug 2003  
0900 hrs

1  
Doc of AD Mems 01-2028-101  
dtd 9 Mar 01

001417



b1(A) b(3)



DEPARTMENT OF THE ARMY  
84<sup>th</sup> Combat Engineer Company, 2d Armored Cavalry Regiment  
Camp Dragoon, Baghdad, Iraq APO AE 09322-2381

AFZX-CB-EN

27 August 2003

MEMORANDUM FOR COMMANDER, 2<sup>ND</sup> ARMORED CAVALRY REGIMENT

SUBJECT: Response to 15-6 Investigation

During the first week of June 2003, we first detained looters from the back of Camp Marlboro. At the time we (EN 27, EN22) took the looters to the CMOC, they told us they could not take them at the time, and told us to take them out and scared them. I told my translator to tell the looters they are going to the jail. After we told them they are going to jail, we took them to their house next to Camp Marlboro, turned them over to their family, and witnessed the detainee's father beat them front of us. When I saw this, I told all my squad leaders when we detain any looters we will take them back to their family. The second time we detained looters, I took them back to their house located down an ally. I didn't feel comfortable going down the alleyway and I didn't want my platoon to get ambushed, so I decided that the next time we detained looters I wasn't going to take them back to their house.

In mid June 2003, my platoon was on a mission to retrieve copper wire and drop off in the back of Camp Marlboro. We again detained looters from the back of Camp Marlboro. Instead of taking them to their house, I took them to the CMOC. At the time our ROE was not to shoot the looters. Only time we were authorized to shoot or kill anyone was when we felt our life or another soldiers' life was in danger, i.e.; someone is pointing weapon at you or get shoot at. That's what I understood about our ROE. It wasn't true because Bulldog element shot and killed one looter, and wounded at least two other people. When they shot and killed the looter, they put the dead body on the hood of a vehicle and took the body into Al-Thawra. When I took the looters from the back of Camp Marlboro I could have shot and killed them when they tried to run, but I didn't. I attempted to turn them over to Bulldog elements and let them take care of it. When I walked into the CMOC (same location as Bulldog TOC) I saw ( ), and told him I have detained the looters for them. At that time ( ) told me, "just take them back and beat the fuck out of them". I was shocked at what he just told me to do. ( ) was standing next to me and heard what was said. I walked out and told the squad leaders what ( ) had just told me. I was going to just take them out of Camp Marlboro and release them. At that time ( ) said, if you want to teach them a lesson, why don't you strip them and send them away. When ( ) told me I really wasn't thinking about stripping the looters, but while I was taking the looters to the back of the camp, I realize these looters will return and possibly be killed by Bulldog elements. I didn't want that to happen to them, so when we stopped at the back of Camp Marlboro there was an empty building we went to. I wanted to just release them but I feared that they would return. I made a bad decision and told ( ) to strip the detainee. I know that it was not the right thing to do, but at the same time I wanted for the detainee to never want to return to our camp to steal. I never saw the same looters again after that striping.

memo, 01-2008-101, dtd 9 Mar 01

On 3 July 2003 we had a mission to pick up sodas for the squadron 4<sup>th</sup> July party. When we were coming back from picking up the sodas we saw looters at the back of Camp Marlboro. We tried to detain them, but they got away. EN22 had a flat tire, so I told EN22, EN23 to return back to camp. When EN23 came in to our AO, ( ) told me he had detained a looter after all. I told him we would just take him back later since dinner chow was almost ending. I told them to go to the chow, then we will take the looter back to the CMOC. ( ) didn't want to eat so he stayed back and watched the detainee. After I returned from chow, I was sitting on my cot, ( ) told me ( ) was bouncing a soccer ball on the detainees' head. I went to the back of the AO and asked ( ) what the hell he was doing and told him not to do that again. We took the detainee to the CMOC. When the entire platoon was back at our AO, I told them we would not abuse or miss treat detainees. When we do pick up any detainees in future we will just take them to the COMC.

001418

b(6), b(3)

Around mid July 2003, while we were returning from the RTOC, I saw a person on the top of the telephone pole cutting wire. We stopped and detained them. I was with EN26, SIGO, when I detained the individuals and took them to the CMOOC turning them over to Bulldog elements.

On 19 July 2003, we were going to the ASP. I saw a person pointing to a vehicle and copper wire on the sidewalk. It looked like someone stole the wire. I told EN21; EN22 to stop. When I walked up with my translator to try to find out where they got this copper wire, my translator told me it was stolen. I was trying to talk to the Iraqi citizen who owned the vehicle to find out where he got this wire from when he tried to push me or grab me. I felt like he was going for my weapon. I grabbed him and told my Driver to hand cuff him. While we were trying to put the handcuffs on, I heard gun shots coming from my left. I told stay and cuff the detainee. When I walked over to the vicinity the gunshot came from, I saw a person with an AK-47 ready to shoot again. The individual was aiming at EN21, I fired 3 shots and took him down. When I walked over to the body, I saw that it was a female, she was trying to get to the AK-47 she dropped. I took the AK-47 and took her to Camp Marlboro. a gave the shooter first AID, and she lived. Later we found out, from our translator who escorted the women through the medical channels, that the woman's brother was the shooter. After he ran she thought he was shot and brought out another AK-47. I feel that if I had not taken the actions I did, that she would have shot and possibly killed members of my platoon who could not see her. I know that what I did was wrong, I made a bad judgement call on stripping the looters. I am ready to take responsibility for my action.

[REDACTED]

Prisoner  
01 - 2008 - 201, 211 9765 01



b(6), b(3)

DEPARTMENT OF THE ARMY  
84<sup>th</sup> Combat Engineer Company, 2d Armored Cavalry Regiment  
Camp Dragoon, Baghdad, Iraq APO AE 09322-2381



28 August 2003

AFZX-CB-EN

MEMORANDUM FOR COMMANDER, 2<sup>ND</sup> ARMORED CAVALRY REGIMENT

SUBJECT: Response to 15-6 Investigation

\_\_\_\_\_ was assigned to \_\_\_\_\_ about two weeks after I took over as the Platoon Leader. Since his first day, he has mentored and coached me to be a leader. His emphasis on taking care of the soldier and living the Army values has set a base for my development as an officer. During Operation Iraqi Freedom, \_\_\_\_\_ has demonstrated his ability to react to any situation, ranging from helping a depressed soldier to calming upset citizens of Iraq. When the platoon started detaining looters, \_\_\_\_\_ was the first to make sure they were treated right. He would give water to the thirsty and when informed of possible mistreatments, he talked to the platoon to make sure it would not happen. For a brief period looters were being shot when looter on the back of Camp Marlboro. When told to rough up, scare, and release detainees, \_\_\_\_\_ felt it necessary to embarrass them to the point they would not return to loot and possibly get shot. His decision was to make he detainee strip and walk home nude. The decision may not have been the best, but it worked. \_\_\_\_\_ is aware that he made a bad choice, but in that choice had saving the lives of the looters in his mind. He is a great asset to the platoon and should not be punished to the point of losing his position as Platoon Sergeant.

Personnel file -  
Memo 01-CORR-101, RDD 9716001



b(6), b(3)

**VIOLATION OF THE UCMJ, ARTICLE 92:**

**SPECIFICATION 1:** In that \_\_\_\_\_, U.S. Army, at or near Baghdad, Iraq, between 15 January 2003 and 15 July 2003, was derelict in the performance of his duties in that he willfully directed his soldiers to strip all clothing from a detainee, a person whose name is unknown, and release said detainee naked in public, when it was his duty not to do so.

**SPECIFICATION 2:** In that \_\_\_\_\_, U.S. Army, at or near Baghdad, Iraq, between 15 January 2003 and 15 July 2003, was derelict in the performance of his duties in that he willfully failed to process through the Civilian Military Operations Center (CMOC), a detainee in his custody, a person whose name is unknown, when it was his duty to do so.

Prisoner - U.S. Army  
01-202R-101, dated 9/9/03

b(6), b(3)

UNITED STATES

v.

PRETRIAL AGREEMENT  
(OFFER TO PLEAD GUILTY)

8 January 2004

\*\*\*\*\*

I, \_\_\_\_\_, the accused in a court-martial now pending, have examined the charges preferred against me, and all of the supporting evidence thus far provided by the government. After consulting with my defense counsel, and being fully advised that I have a legal and moral right to plead not guilty and to place the burden of proving my guilt beyond a reasonable doubt upon the prosecution, I offer to plead guilty to the following offenses:

<u>CHARGE</u>	<u>ARTICLE</u>	<u>SPEC</u>	<u>PLEA</u>
I.	92	1	Guilty
		2	Guilty

2. I offer to plead guilty, provided that the convening authority will approve the terms attached hereto as Appendix I. I understand that the terms of the Appendix are binding upon the convening authority only if my plea is accepted and if findings and sentence are entered pursuant to that plea. In offering to plead guilty, I state the following:

a. I agree upon acceptance of this offer, to enter into a written stipulation of fact with the trial counsel as to the circumstances of the offenses. This stipulation may be used pursuant to this agreement to determine the providence of my plea and to inform the summary court martial officer of matters pertinent to an appropriate sentence. If my plea is not accepted, this offer to stipulate and the stipulation is null and void.

b. This offer to plead guilty originated with me, and no person or persons have made any attempt to force or coerce me into making this offer to plead guilty.

c. My defense counsel has advised me of the meaning and effect of my guilty plea, and I understand the meaning and effect thereof.

d. I understand that I may request to withdraw this plea at any time before sentence is announced, and the summary court martial officer determines whether the request should be granted.

e. I further understand that this agreement may become null and void upon the occurrence of any of the following events:

*Personal info removed I'm sure of  
Memo 01-CORR-101, dtd 9 Nov 01*

b(6), b(3)

UNITED STATES

v.

M  
S

APPENDIX I TO  
OFFER TO PLEAD GUILTY

8 January 2004

\*\*\*\*\*

I, \_\_\_\_\_, offer to plead guilty as stated in the Offer to Plead, provided the convening authority agrees to refer my case to a summary court martial. As part this offer to plea any other lawful punishment adjudged at the summary court martial may also be approved.

[REDACTED]

1-11-04  
971111 01-2004-101, dtd 9 9 2004

b(6), b(3)

i) failing to agree upon the contents of a stipulation of fact with the trial counsel;

ii) my withdrawal from the agreement prior to trial;

iii) the refusal of the summary court martial officer to accept my plea of guilty.

3. This agreement shall not be affected by dismissal of any specifications or charges by the summary court martial officer or upon motion by defense counsel.

4. I agree to be tried by a summary court martial officer. By doing so, I freely choose not to exercise my forum right to have a panel of officers, commissioned or warrant, or a panel consisting of at least one-third enlisted members, to decide my guilt or innocence and determine an appropriate sentence.

[REDACTED]

*Personnel who Redacted IAW Secy 01  
Memo, 01-CORR-101, dtd 97Nov01*



REPLY TO  
ATTENTION OF:

DEPARTMENT OF THE ARMY  
HEADQUARTERS, FIRST ARMORED DIVISION  
BAGHDAD INTERNATIONAL AIRPORT COMPLEX  
UNIT 93054  
APO AE 09324-3054

b(6), b(3)

8 JAN 2004

AETV-THZ

MEMORANDUM FOR Commander, 2<sup>d</sup> Armored Cavalry Regiment, 1<sup>st</sup> Armored  
Division

SUBJECT: United States v. [REDACTED]

1. I have reviewed the redacted charge. The accused now faces two specifications of willful dereliction under Article 92 of the Uniform Code of Military Justice.
2. I have also reviewed the offer communicated by defense counsel dated 8 January 2004. The accused has agreed to plead guilty as charged at a summary court-martial.
3. I accept do not accept the accused's offer to plead guilty.

[REDACTED]

Memor, 01-0088-101, dtd 99MAR 01

001425



15-6 Report  
Maltreatment of Detainees  
July - August 2003

001426

**REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS**

For use of this form, see AR 15-6; the proponent agency is OT.

b(6), b(3)

IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS

**SECTION I - APPOINTMENT**

Appointed by \_\_\_\_\_ (Appointing authority)

on 28 JULY 2003 (Date) (Attach inclosure 1: Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6.)

**SECTION II - SESSIONS**

The (investigation) (board) commenced at Camp Marlboro, Baghdad, Iraq (Place) at \_\_\_\_\_ (Time)

on 29 July - 8 Aug 03 (Date) (If a formal board met for more than one session, check here . Indicate in an inclosure the time each session began and ended, the place, persons present and absent, and explanation of absences, if any.) The following persons (members, respondents, counsel) were present: (After each name, indicate capacity, e.g., President, Recorder, Member, Legal Advisor.)

The following persons (members, respondents, counsel) were absent: (Include brief explanation of each absence.) (See paras 5-2 and 5-8a, AR 15-6.)

The (investigating officer) (board) finished gathering/hearing evidence at 1800hrs (Time) on 8 August 2003 (Date)

and completed findings and recommendations at 1600hrs (Time) on 10 August 2003 (Date)

**SECTION III - CHECKLIST FOR PROCEEDINGS**

**A. COMPLETE IN ALL CASES**

		YES	NO <sup>1)</sup>	NA <sup>2)</sup>
1	Inclosures (para 3-15, AR 15-6)			
	Are the following inclosed and numbered consecutively with Roman numerals: (Attached in order listed)			
	a. The letter of appointment or a summary of oral appointment data?	X		
	b. Copy of notice to respondent, if any? (See item 9, below)			X
	c. Other correspondence with respondent or counsel, if any?	X		
	d. All other written communications to or from the appointing authority?	X		
	e. Privacy Act Statements (Certificate, if statement provided orally)?	X		
	f. Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?	X		
	g. Information as to sessions of a formal board not included on page 1 of this report?			X
	h. Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?			X

**FOOTNOTES:** <sup>1)</sup> Explain all negative answers on an attached sheet.  
<sup>2)</sup> Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

001427

Inclosure 1 - Letter of Appointment - 01-CORR-101, 11 Aug 03

	YES	NO <sup>1)</sup>	NA <sup>2)</sup>
<b>2 Exhibits (para 3-16, AR 15-6)</b>			
a. Are all items offered (whether or not received) or considered as evidence individually numbered or lettered exhibits and attached to this report?	X		
b. Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?	X		
c. Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?	X		
d. Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?			X
e. Are descriptions or diagrams included of locations visited by the investigating officer or board (para 3-6b, AR 15-6)?			X
f. Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim record?	X		
g. If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit (para 3-16d, AR 15-6)?			X
3 Was a quorum present when the board voted on findings and recommendations (paras 4-1 and 5-2b, AR 15-6)?			X
<b>B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)</b>			
4 At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment (para 5-3b, AR 15-6)?			
5 Was a quorum present at every session of the board (para 5-2b, AR 15-6)?			
6 Was each absence of any member properly excused (para 5-2a, AR 15-6)?			
7 Were members, witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?			
8 If any members who voted on findings or recommendations were not present when the board received some evidence, does the inclosure describe how they familiarized themselves with that evidence (para 5-2d, AR 15-6)?			
<b>C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)</b>			
<b>9 Notice to respondents (para 5-5, AR 15-6):</b>			
a. Is the method and date of delivery to the respondent indicated on each letter of notification?			
b. Was the date of delivery at least five working days prior to the first session of the board?			
c. Does each letter of notification indicate --			
(1) the date, hour, and place of the first session of the board concerning that respondent?			
(2) the matter to be investigated, including specific allegations against the respondent, if any?			
(3) the respondent's rights with regard to counsel?			
(4) the name and address of each witness expected to be called by the recorder?			
(5) the respondent's rights to be present, present evidence, and call witnesses?			
d. Was the respondent provided a copy of all unclassified documents in the case file?			
e. If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?			
<b>10 If any respondent was designated after the proceedings began (or otherwise was absent during part of the proceedings):</b>			
a. Was he properly notified (para 5-5, AR 15-6)?			
b. Was record of proceedings and evidence received in his absence made available for examination by him and his counsel (para 5-4c, AR 15-6)?			
<b>11 Counsel (para 5-6, AR 15-6):</b>			
a. Was each respondent represented by counsel?			
Name and business address of counsel:			
(If counsel is a lawyer, check here <input type="checkbox"/> )			
b. Was respondent's counsel present at all open sessions of the board relating to that respondent?			
c. If military counsel was requested but not made available, is a copy (or, if oral, a summary) of the request and the action taken on it included in the report (para 5-6b, AR 15-6)?			
<b>12 If the respondent challenged the legal advisor or any voting member for lack of impartiality (para 5-7, AR 15-6):</b>			
a. Was the challenge properly denied and by the appropriate officer?			
b. Did each member successfully challenged cease to participate in the proceedings?			
<b>13 Was the respondent given an opportunity to (para 5-8a, AR 15-6):</b>			
a. Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent?			
b. Examine and object to the introduction of real and documentary evidence, including written statements?			
c. Object to the testimony of witnesses and cross-examine witnesses other than his own?			
d. Call witnesses and otherwise introduce evidence?			
e. Testify as a witness?			
f. Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)?			
4 If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in arranging for the presence of witnesses (para 5-8b, AR 15-6)?			
5 Are all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an inclosure or exhibit to it (para 5-11, AR 15-6)?			

**FOOTNOTES:** 1) Explain all negative answers on an attached sheet.  
2) Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

001428



SECTION IV - FINDINGS (para 3-10, AR 15-6)

b(6), b(3)

The (investigating officer) (board), having carefully considered the evidence, finds:  
find that soldiers of 2nd Platoon, 84th Engineers Company have committed detainee abuse.

The first incident was on or about the middle of June 03. An Iraqi civilian was detained in the fields behind Camp Marlboro. The Iraqi was trying to steal copper wire. He was arrested by members of 2nd Platoon. The detainee was then brought to the Civilian Military Operations Center (CMOC) for processing into the detention center. Upon 2nd Platoon's arrival at the CMOC, Sergeant [redacted] told the Platoon that he did not want any detainees at the CMOC. It was better for him to take the detainee away and to release him. [redacted] recommended that the detainee be scared, beaten, or whatever the Platoon wanted to do to him. [redacted] then decided to take the detainee to an abandoned building behind Camp Marlboro. When they arrived, [redacted] gave an order to [redacted] to remove all the clothing of the detainee. They yelled and screamed at him. [redacted] released the detainee after all of his clothing was removed. Exhibits M, T, & U support these facts.

The second incident occurred a few days to a week later. The Platoon had detained two looters trying to steal copper wire. They took the detainees to the same building behind Camp Marlboro. [redacted] took the two detainees into the building. [redacted] told [redacted] to remove all of the clothing of the detainees. The detainees were released once all of their clothing was removed. Exhibits A, D, E, M, O, Q, T, & U support these facts.

The third incident occurred on the 3rd of July. The Platoon was tasked to get sodas for the Squadron's fourth of July party. On their way back to Camp Marlboro with the sodas, they were tasked to chase looters away from the back fields. ENG23 captured a looter. ENG23 was then told to take the detainee back to the Engineers barracks on Camp Marlboro. ENG23 arrived at the barracks and the detainee was removed from the back of the truck and placed up against the wall. [redacted] bounced a soccer ball off the head of the detainee. He was reprimanded by both [redacted] and [redacted]. In addition, [redacted] admitted to hitting the detainee and stated in his sworn statement that others also hit the detainee. Exhibits B, D, E, G, H, J, K, L, M, O, Q, R, T, U, Z, & AA support these facts.

Three soldiers wrote sworn statements of the use of an M34 blasting device to shock Iraqi detainees. Exhibits B, D, I, W, & Y support these statements. However, during further investigation, the accused denied any use of the M34 blasting device to shock any Iraqi detainee. Exhibits M, U, V, X, & Z support these statements.

In addition, during the course of this investigation, [redacted] was implicated in numerous alleged questionable actions. These alleged actions are serious and are detrimental to the overall mission. Exhibit T supports this statement.

SECTION V - RECOMMENDATIONS (para 3-11, AR 15-6)

In view of the above findings, the (investigating officer) (board) recommends:  
At a minimum the unit:

1. Enforce patrol and mission debriefs at the Troop level at a minimum. For more significant events a debrief should be conducted by the [redacted].
2. Reprimand [redacted] for his poor judgement, lack of battlefield composure, and loss of military discipline and professionalism as a senior noncommissioned officer. Continued performance like this could result in an uprising of the citizens of Iraq against US Forces.
3. Refine and clarify the ROE and treatment of detainees. Conduct a stand down day to refocus the Troops and establish clear procedures for processing detainees.
4. Appoint an Investigating officer in commensurate grade or higher to conduct an inquiry of [redacted] alleged actions.

Platoon Sgt Name - [redacted] Acc of 04 of [redacted] 01-CDK R. 101, dated 7/11/03

SECTION VI - AUTHENTICATION (para 3-17, AR 15-6)

THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE. (If any voting member or the recorder fails to sign here or in Section VII below, indicate the reason in the space where his signature should appear.)

b(6), b(3)  
0

\_\_\_\_\_  
(Recorder)  
\_\_\_\_\_  
(Member)  
\_\_\_\_\_  
(Member)

\_\_\_\_\_  
(Investigating Officer) (President)  
\_\_\_\_\_  
(Member)  
\_\_\_\_\_  
(Member)

SECTION VII - MINORITY REPORT (para 3-13, AR 15-6)

To the extent indicated in inclosure \_\_\_\_\_, the undersigned do(es) not concur in the findings and recommendations of the board. (In the inclosure, identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur. State the reasons for disagreement. Additional/substitute findings and/or recommendations may be included in the inclosure.)

\_\_\_\_\_  
(Member)

\_\_\_\_\_  
(Member)

SECTION VIII - ACTION BY APPOINTING AUTHORITY (para 2-3, AR 15-6)

The findings and recommendations of the (investigating officer) (~~board~~) are (approved) (~~disapproved~~) (~~approved with following exceptions/ substitutions~~). (If the appointing authority returns the proceedings to the investigating officer or board for further proceedings or corrective action, attach that correspondence (or a summary, if oral) as a numbered inclosure.)

Handwritten note on the right margin: "Handwritten note on the right margin, possibly indicating a signature or reference." (The text is partially illegible due to the angle and handwriting.)



DEPARTMENT OF THE ARMY  
Headquarters, 2d Armored Cavalry Regiment  
Unit 92401  
APO AE 09322-2401

b(6), b(3)



AFZX-C-CO

28 July 2003

MEMORANDUM FOR RECORD

SUBJECT: Appointment of Investigating Officer

1. \_\_\_\_\_, you are hereby appointed an investigating officer pursuant to AR 15-6 to conduct an informal investigation into the circumstances involving alleged detainee abuse by soldiers assigned to the 84<sup>th</sup> Engineer Company.
2. In your investigation, all witness statements will be sworn. From the evidence, you make findings of fact.
3. Submit four copies of your findings on DA form 1574 to this headquarters, ATTN: AFZX-C-RS1, within 3 days.

FOR THE COMMANDER:

01-CORR-101, dtd 9 Mar 01

001431

**TS WARNING PROCEDURE/WAIVER CERTIFICATE**

Use of this form, see AR 190-30; the proponent agency is ODCSDPS

b(6), b(3)

**DATA REQUIRED BY THE PRIVACY ACT**

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

1. LOCATION <i>Camp Harburo, Baghdad, Iraq</i>	2. DATE <i>31 July 03</i>	3. TIME <i>2040hrs</i>	4. FILE NO.
5. NAME (Last, First, MI)	8. ORGANIZATION OR ADDRESS		
6. SSN	7. GRADE/STATUS		

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**Section A. Rights**

The investigator whose name appears below told me that he/she is with the United States Army and wanted to question me about the following offense(s) of which I am suspected/accused: *Stripping Iraqi citizen and beating an Iraqi citizen*

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

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

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

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

5. COMMENTS (Continue on reverse side)

**Section B. Waiver**

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

WITNESSES (If available)		2. SIGNATURE OF INTERVIEWEE
1a. NAME (Type or Print)	b. ORGANIZATION OR ADDRESS AND PHONE	4. SIGNATURE OF INVESTIGATOR
2a. NAME (Type or Print)		5. TYPED NAME OF INVESTIGATOR
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR <i>HHT, 1/2 Lt Col M. P. K. LA RUSSE</i>

**Section C. Non-waiver**

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

2. SIGNATURE OF INTERVIEWEE

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

did 99mas 01

b(6), b(3)

DATA REQUIRED BY THE PRIVACY ACT

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

1. LOCATION <i>Camp Marlboro 2/2 ACIR Baghdad Iraq</i>	2. DATE <i>1 Aug 03</i>	3. TIME <i>1245 hrs</i>	4. FILE NO.
5. NAME (Last, First, MI)	B. ORGANIZATION OR ADDRESS		
6. SSN	7. GRADE/STATUS		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below is with the United States Army and wanted to question me about the following offense(s) of which I am suspected/accused: *Stripping Iraq Citizens + Beating Iraq Citizens*

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

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

with 9 pages of

5. COMMENTS (Continue on reverse side)

Section B. Waiver

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

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE
1a. NAME (Type or Print)		<i>S, Matt</i>
b. ORGANIZATION OR ADDRESS AND PHONE		4. SIGNATURE OF INVESTIGATOR
2a. NAME (Type or Print)		5. TYPED NAME OF INVESTIGATOR
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR

*SPT PLI, HMI MSCDDU, 2d ACIR*

Section C. Non-waiver

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

2. SIGNATURE OF INTERVIEWEE

b(6), b(3)

DATA REQUIRED BY THE PRIVACY ACT

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

1. LOCATION <i>Camp Mahabero IRAQ</i>	2. DATE <i>1 AUG 03</i>	3. TIME <i>15:54</i>	4. FILE NO.
5. NAME (Last, First, MI)	8. ORGANIZATION OR ADDRESS		
6. SSN	7. GRADE/STATUS		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that she is with the United States Army and wanted to question me about the following offense(s) of which I am

suspected/accused: *Stripping of Iraq citizens and Beating Iraq citizens*

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

- I do not have to answer any question or say anything.
- Anything I say or do can be used as evidence against me in a criminal trial.
- (For personnel subject to the UCMJ)* I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.
- (For civilians not subject to the UCMJ)* I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.
- If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

Section B. Waiver

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

WITNESSES (If available)

1a. NAME (Type or Print)	3. SIGNATURE OF INTERVIEWEE
b. ORGANIZATION OR ADDRESS AND PHONE	4. SIGNATURE OF INVESTIGATOR
2a. NAME (Type or Print)	5. TYPED NAME OF INVESTIGATOR
b. ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR <i>SPT PLT, HHT, 1/2 LCR</i>

Section C. Non-waiver

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

2. SIGNATURE OF INTERVIEWEE

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

01-000R-101, dtd 9 Nov 01

b(6), b(3)

DATA REQUIRED BY THE PRIVACY ACT

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

1. LOCATION <u>CAMP MARBOL BANGHAB JANG</u>	2. DATE <u>1 AUG 03</u>	3. TIME <u>17:00</u>	4. FILE NO.
5. NAME (Last, First, MI)	B. ORGANIZATION OR ADDRESS		
6. SSN	7. GRADE/STATUS		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator, whose name appears below, told me that she is with the United States Army and wanted to question me about the following offense(s) of which I am suspected/accused: Stepping Down Citizens + Baiting Iraqi Citizens

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

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

5. COMMENTS (Continue on reverse side)

Section B. Waiver

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

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE
1a. NAME (Type or Print)		4. SIGNATURE OF INVESTIGATOR
b. ORGANIZATION OR ADDRESS AND PHONE		5. TYPED NAME OF INVESTIGATOR
2a. NAME (Type or Print)		6. ORGANIZATION OF INVESTIGATOR
b. ORGANIZATION OR ADDRESS AND PHONE		<u>SPT PLT. AHT, 1/2 ACIZ</u>

Section C. Non-waiver

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

2. SIGNATURE OF INTERVIEWEE

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

01-2008-101, dtd 9 Nov 01

b(6), b(3)

**DATA REQUIRED BY THE PRIVACY ACT**

**AUTHORITY:**  
**PRINCIPAL PURPOSE:**  
**ROUTINE USES:**  
**DISCLOSURE:**

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

1. LOCATION <b>Camp Marlboro, Baghdad</b>	2. DATE <b>8 Aug 03</b>	3. TIME <b>1417</b>	4. FILE NO.
5. NAME (Last, First, MI)	8. ORGANIZATION OR ADDRESS		
6. SSN	7. GRADE/STATUS		

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**Section A. Rights**

The investigator whose name appears on the attached States Army and wanted to question me about the following offense(s) of which I am

suspected/accused: **Detention Abuse**

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

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

5. COMMENTS (Continue on reverse side)

**Section B. Waiver**

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

WITNESSES (if available)		3. SIGNATURE OF INTERVIEWEE
1a. NAME (Type or Print)		4. SIGNATURE OF INVESTIGATOR
b. ORGANIZATION OR ADDRESS AND PHONE		
2a. NAME (Type or Print)		5. SIGNATURE OF INTERVIEWEE
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR

**OP/PLI 1104, 1/2 AC12**

**Section C. Non-waiver**

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

2. SIGNATURE OF INTERVIEWEE

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

01-0000101, 0111 9/11/01



**4TS WARNING PROCEDURE/WAIVER CERTIF.**

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

**DATA REQUIRED BY THE PRIVACY ACT**

b(6), b(3)

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

1. LOCATION <i>Camp Marburo, Baghdad Iraq</i>	2. DATE <i>8 Aug 03</i>	3. TIME <i>1050hrs</i>	4. FILE NO.
5.	8. ORGANIZATION OR ADDRESS		
6. SSN	7. GRADE/STATUS		

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**Section A. Rights**

The investigation was conducted by *[redacted]* with the United States Army and wanted to question me about the following offense(s) of which I am

suspected/accused: *Detainee Abuse*

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

- I do not have to answer any question or say anything.
- Anything I say or do can be used as evidence against me in a criminal trial.
- (For personnel subject to the UCMJ)* I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.
- (For civilians not subject to the UCMJ)* I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.
- If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

**Section B. Waiver**

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

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE
1a. NAME (Type or Print)		4. SIGNATURE OF INVESTIGATOR
b. ORGANIZATION OR ADDRESS AND PHONE		
2a. NAME (Type or Print)		5. TYPED NAME OF INVES
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR

*Sgt. PLI HAF 1/2 AC2*

**Section C. Non-waiver**

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

2. SIGNATURE OF INTERVIEWEE

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

Memo 01-CORE, 101 dtd 9 Mar 01

**RIGHTS WARNING PROCEDURE/WAIVER CERTIF.**

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

**DATA REQUIRED BY THE PRIVACY ACT**

b(6), b(3)

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

1. LOCATION <i>Camp Marshall Baghdad Iraq</i>	2. DATE <i>8 Aug 03</i>	3. TIME <i>1000hrs</i>	4. FILE NO.
5. NAME (Last, First, MI)	6. ORGANIZATION OR ADDRESS		
6. SSN	7. GRADE/STATUS		

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**Section A. Rights**

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

suspected/accused: *Detainee Abuse*

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

- I do not have to answer any question or say anything.
- Anything I say or do can be used as evidence against me in a criminal trial.
- (For personnel subject to the UCMJ)* I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.
- (For civilians not subject to the UCMJ)* I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.
- If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

**Section B. Waiver**

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

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE
1a. NAME (Type or Print)		<i>[Signature]</i>
b. ORGANIZATION OR ADDRESS AND PHONE		4. SIGNATURE OF INVESTIGATOR
		<i>[Signature]</i>
2a. NAME (Type or Print)		5. TYPED NAME OF INVESTIGATOR
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR
		<i>3rd Lt. HET 1/2 ACB</i>

**Section C. Non-waiver**

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

2. SIGNATURE OF INTERVIEWEE

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

Memo 01-2008-101, Htd 971201

b(6), b(3)

9. STATEMENT (Continued)

[Large area crossed out with a large X, indicating redacted content]

Personal Info Redacted IAW Sec of Def Memo 01 - COOR-101, dtd 9 Nov 01

AFFIDAVIT

I, \_\_\_\_\_, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 6. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE OR UNLAWFUL INDUCEMENT.

\_\_\_\_\_  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 1st day of August 2003 at Camp Marlboro, Special Ops

\_\_\_\_\_  
ORGANIZATION OR ADDRESS

\_\_\_\_\_  
(Signature of Person Administering Oath)

\_\_\_\_\_  
ORGANIZATION OR ADDRESS

\_\_\_\_\_  
(Typed Name of Person Administering Oath)

15-6  
(Authority To Administer Oaths)

001439

SWORN STATEMENT

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

b(6), b(3)

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.  
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION CAMP MARLBORO BAGDAD, IRAQ	2. DATE (YYYYMMDD) 01 AUG 2003	3. TIME 12:22	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS			

9. I, \_\_\_\_\_, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON THE THIRD OF JULY, THE SUPPOSIVE TIME A CERTAIN INCIDENT MAY HAVE HAPPENED, I WAS ON MY WAY TO THE BAY, TO CHECK A BUSTED HUB SEAL AND A CLASS TWO TRANSFER LEAK, AFTER WAITING AN HOUR - HOUR 1/2 I WAS BRAXIN INTO A SLOT IN THE BAY WHERE I WAS TURNED AWAY, AFTER RETURNING FROM THE BAY I AAVE AN OBSTACLE OF 100 CASES OF SPAS IN MY WAY SO THAT I CAN PARK MY VECTOR IN THE DESIGNATED SPOT. SOME TIME AFTER THE 4TH OF JULY, ACTUAL DATE, I DONT RECALL, MY PLATOON CAME IN CONTACT AND 27D CAME OVER COUGAR NET AND SAID THE WERE SHOT AT AND RETURNED FIRE. 22 CAME ON GAVE AN EXPLANATION OF THE SHOOTING AND A GRID POINT, LATER THAT DAY SAPPER 6 TALKED TO THE MEN INVOLVED, ONE-ON-ONE, THEN THE WHOLE PLATOON ABOUT NOT BEATING IRAQI AND TO JUST TAKE THEM TO THE C-MOCK; BUT ABOUT THE SHOOTING, HE WAS PLEASED NOONE WAS HURT AND WE DETAINED THE SHOOTER.

10. EXHIBIT P	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 1 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

Consolidated into Redacted LAW Sec of Def Memo 01 - COOR-101, did 9 Nov 01

STATEMENT OF

TAKEN AT

DATED

b(6), b(3)

9. STATEMENT (Continued)

[Large area crossed out with a large X]

Personal Info Redacted IAW Sec of Def Memo 01  
COOR-101, dtd 9 Nov 01

AFFIDAVIT

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

\_\_\_\_\_  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 1st day of August 2003 at Camp Hardham, Rockland, Me.

\_\_\_\_\_  
(Signature of Person Administering Oath)

\_\_\_\_\_  
(Typed Name of Person Administering Oath)

\_\_\_\_\_  
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

SWORN STATEMENT

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

b(6), b(3)

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: Camp Marble Beach, Iraq
2. DATE (YYYYMMDD): 20030801
3. TIME: 1346
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS

1. I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
As far as mistreatment of Iraqi civilians, all I've seen is discomfort and embarrassment. On two separate occasions an Iraqi had been stripped and then released for with no clothes as punishment for stealing from 2/2 ACR's scrap yard. Also an Iraqi detainee picked up for the same offense was brought to the sapper AD tent by 2B and detained for 20 minutes, sat against a wall flexed cuffed with a sandbag over his head and then brought to the CDOC. It was not in sight of him for the whole time but I didn't see any mistreatment while I did see him. Regarding the shooting of an armed Iraqi civilian, we stopped because a large amount of wire stored in a truck. An Iraqi in the crowd pushed... so he was detained. Another Iraqi armed with an AK-47 was shot multiple times. I did see if she fired or not. She was then taken to medics at camp Marble and treated. She survived.

10. EXHIBIT: (Q)
11. INITIALS OF PERSON MAKING STATEMENT
PAGE 1 OF 1 PAGES

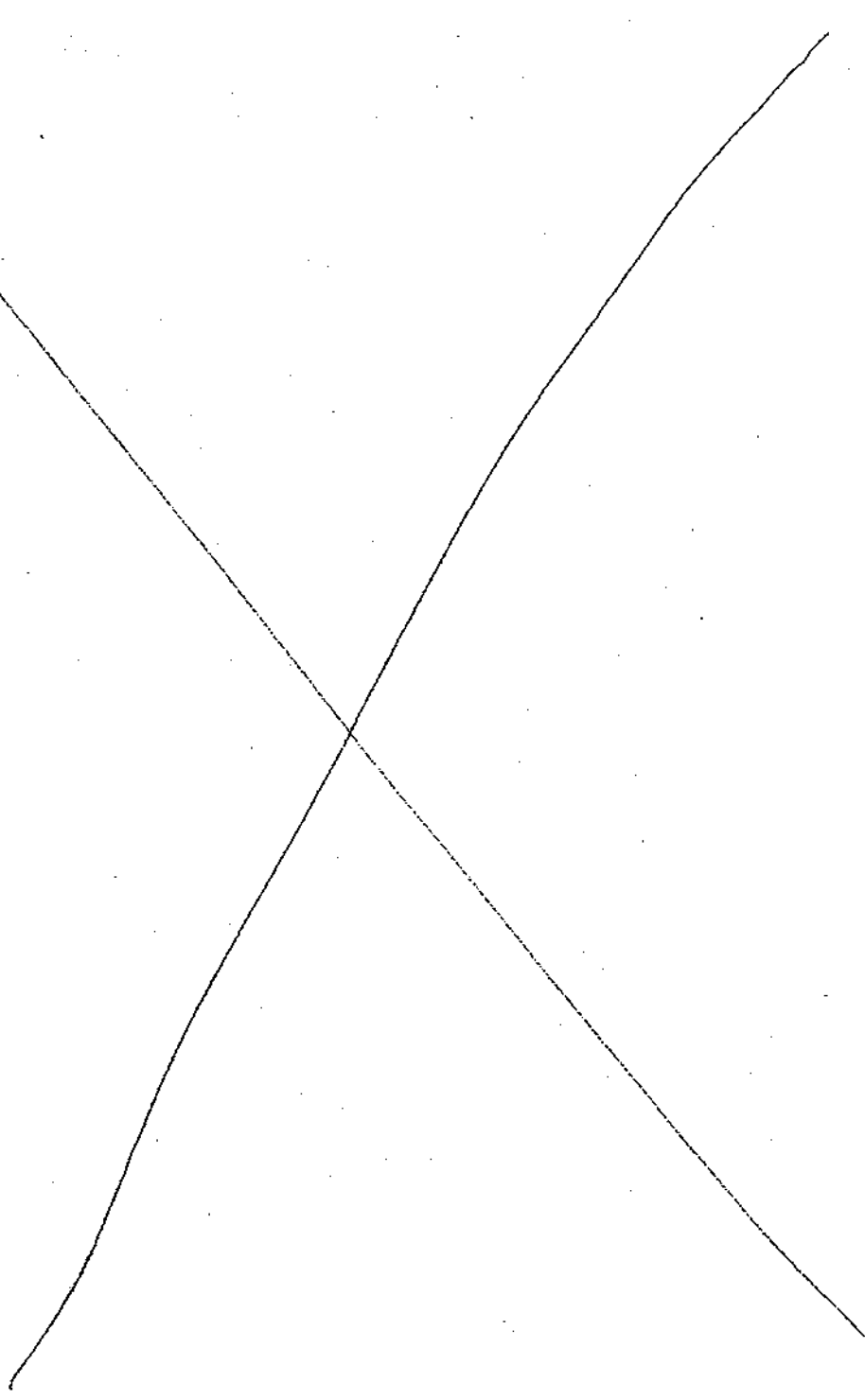
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF" TAKEN AT DATED
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

Personal info redacted IAW Sec of Def Memo 01- COOR-101, dtd 9 Nov 01

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT (Continued)



Personal Info Redacted IAW Sec of Def Memo 01-  
COOR-101, dtd 9 Nov 01

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

STATEMENT OF

TAKEN AT

DATED

b(6), b(3)

9. STATEMENT (Continued)

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Personal Info Redacted IAW Sec of Def Memo 01-  
COOR-101, dtd 9 Nov 01

AFFIDAVIT

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

CL  
*[Signature]*  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 1 day of August, 2003 at Camp Marshall, Beaufort, Fla

[Signature]  
\_\_\_\_\_  
ORGANIZATION OR ADDRESS

*[Signature]*  
(Signature of Person Administering Oath)

\_\_\_\_\_  
ORGANIZATION OR ADDRESS

15-6  
(Typed Name of Person Administering Oath)  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES



b(6), b(3)

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately  
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
DISCLOSURE: Disclosure of your social security number is voluntary.

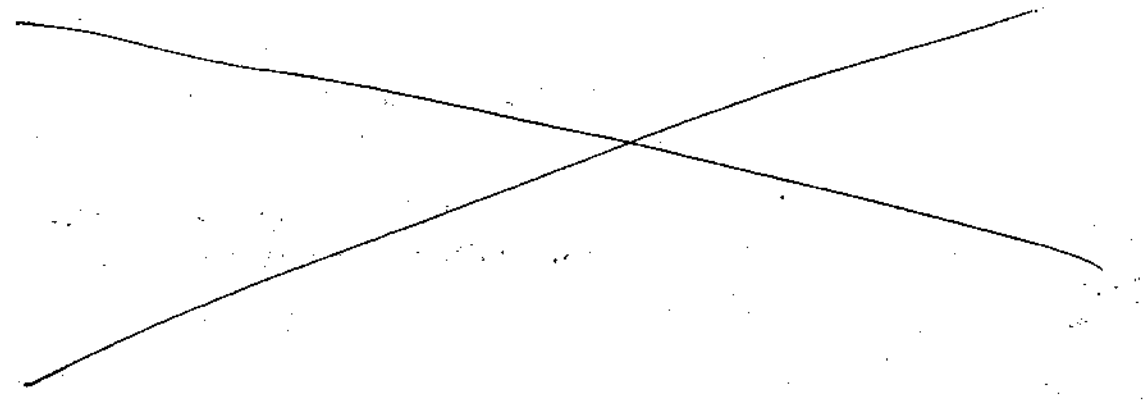
1. LOCATION <i>Camp Marlboro</i>	2. DATE (YYYYMMDD) <i>2003 08 01</i>	3. TIME <i>1530</i>	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS	

8. ORGANIZATION OR ADDRESS

9. \_\_\_\_\_, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

The day we arrived to our AO with an Iraqi, I was downloading the trailer of sodas. I saw people take an Iraqi out of 27 and sit him against a wall. I then went to go and eat in the chow hall, when I returned, they were putting the Iraqi back into 27 and the vehicle then left our AO.

One day I was gunning on the 50 cal of EN22. We arrived at a building behind our compound that I had never been to before. I stepped down into the back of 22 for a moment to drink some water and load my M-16. When I stepped back up to the 50 cal, I noticed a naked Iraqi run by the vehicle. I took a double take and then we left the area and returned to Camp Marlboro.



10. EXHIBIT <i>R</i>	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF <i>1</i> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

Personal Info Redacted IAW Sec of Def Memo 01-  
COOR-101, dtd 9 Nov 01

001445

b(1), b(3)

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT (Continued)

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Personal Info Redacted IAW Sec of Def Memo 01-  
COOR-101, dtd 9 Nov 01

AFFIDAVIT

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

\_\_\_\_\_  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 1<sup>st</sup> day of August, 2003 at Camp Marlboro, Bachelard, Iraq

\_\_\_\_\_  
(Signature of Person Administering Oath)

\_\_\_\_\_  
(Typed Name of Person Administering Oath)

15-6  
(Authority To Administer Oaths)

\_\_\_\_\_  
ORGANIZATION OR ADDRESS

\_\_\_\_\_  
ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

b(6), b(3) 1514 hrs

SWORN STATEMENT

1 AUG 03

In the month of June 2003, 27, 22, and 23 went to a designated spot behind Camp Markoro to drop off and download a trailer full of stolen wire that we picked up in a neighborhood. When we arrived at the spot, there were about 10 looters that started running. I dismounted and chased the looters with 5

... and ... The looters were running away about 200 meters ahead of us. While chasing after them, ... raised his weapon toward the looters and fired a shot in their direction.

claimed it was a "warning shot". - Nothing follows.

Personal Info Redacted IAW Sec of Def Memo 01-COOR-101, dtd 9 Nov 01

*[Faint, mostly illegible handwritten notes]*

1 August 2003,

Investigator.

Exhibit "S"

SWORN STATEMENT

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

b(6), b(3)

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: CAMP MARLBORO, BAGHDAD, IRAQ
2. DATE (YYYYMMDD): 2003/08/01
3. TIME: 1554
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS

9. I, \_\_\_\_\_, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

In mid June 2003, my platoon was on a mission to retrieve copper wire and drop it off in the rear fields of Camp Marlboro. The squads that were with me were ENG22, ENG23, & my truck of ENG27. We were heading back from picking up wire when we found some looters in the back field of Camp Marlboro. We ended detaining one looter. We took the looter to the [redacted] said that we should take the looter and drive around a while, scare him, beat him up, or whatever that we wanted to do. So, we took the looter to a empty building in the rear field of Camp Marlboro. Myself, [redacted] took the detainee inside the building yelled and screamed at him then I had to make a decision of what I should do next. I heard that a looter was shot and killed earlier this month and the guys who shot him was not punished. I didn't want to kill him so I decided that I needed to teach him a lesson. So, I told [redacted] to strip the man and make him run home and hopefully he would incur some embarassment but at least he would be alive. We had another incident to where we detained two looters in the rear field of Camp Marlboro and instead of taking to CMOC we took them to the same building and then Myself, [redacted] had the two guys take their clothes off and run home.

On the 3rd of July my platoon was tasked to pick up sodas for the SQDN Fourth of July party. On our way back to Camp Marlboro we were told to help pick up looters in the rear field. We ended up catching one looter. ENG23 actually caught the looter. ENG23 ended up bringing the detainee back to our AO. I spoke with [redacted] and told [redacted] to watch the guy. ENG22 had a flat tire so they were fixing the tire during this time. I told the platoon to go to chow. [redacted] had bounced a soccerball of the head of the detainee. [redacted] chewed him out then told me and I again chewed him out. We took the detainee to the CMOC. I told the Squad Leaders that we are going to tone this stuff down. Two weeks later we had another incident that we shot an Iraqi woman because she had fired numerous rounds with an AK-47. We returned fire on the woman. She received four to five gunshot wounds to the chest. We applied first aid and took her to the Camps Aid Station. [redacted] came and spoke to the Platoon that afternoon about how we had followed the ROE and did a good job.

reason I made looters strip is, I didn't want to shoot them and agreed with [redacted] orders "take them back and beat the fuck out of them out ROE at the time we could shoot the looters, I didn't want to shoot or kill unarmed looters, or just let them go, and they can come back and get killed by Bulldog elements.

10. EXHIBIT: 1
11. INITIALS OF PERSON MAKING STATEMENT
PAGE 1 OF 1 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

001448

COOR-101, dtd 9 Nov 01

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

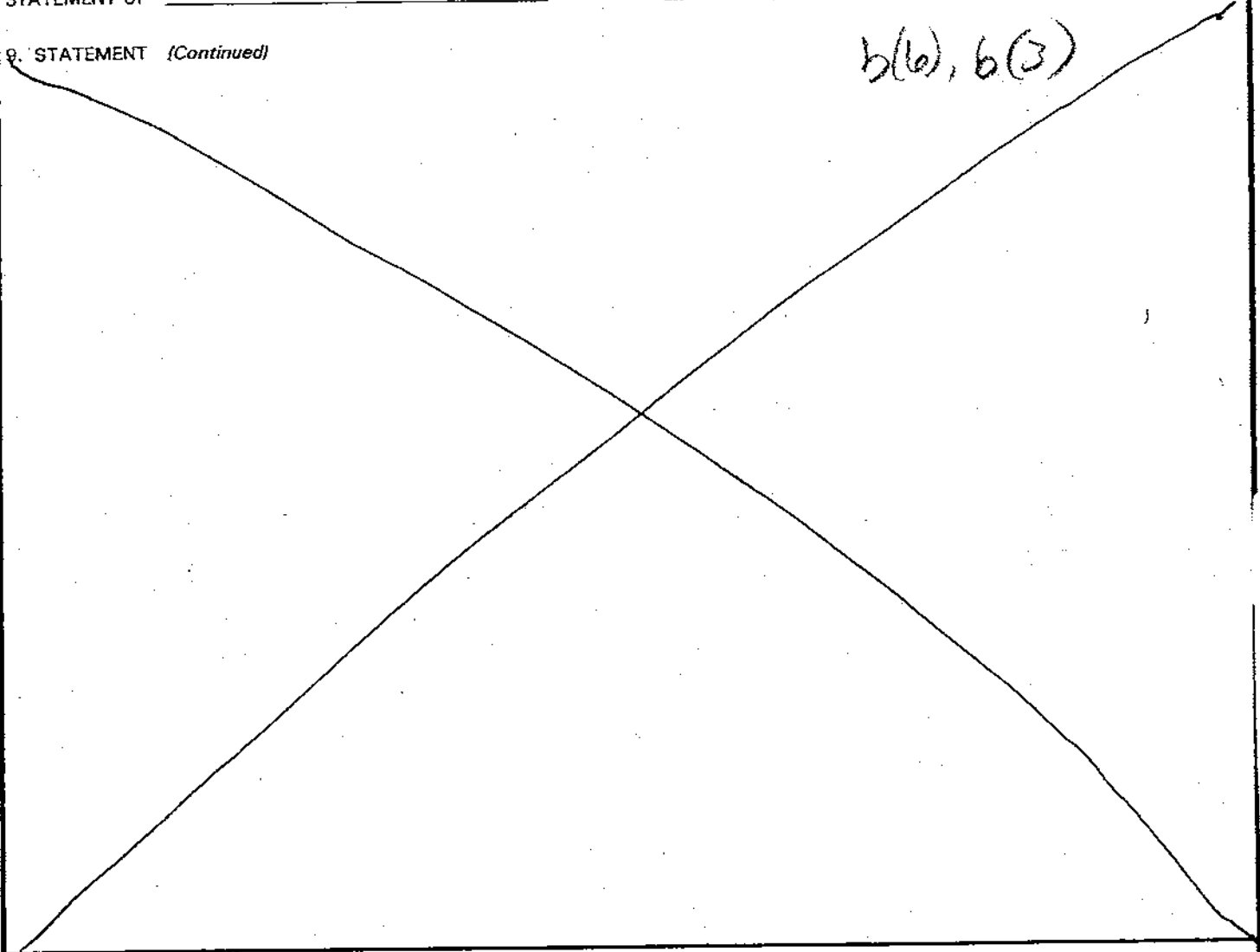
9. STATEMENT (Continued)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

9. STATEMENT (Continued)

b(6), b(3)



AFFIDAVIT

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

\_\_\_\_\_  
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 3<sup>rd</sup> day of August, 2003 at Camp Marlboro, Baghdad, Iraq

\_\_\_\_\_  
(Signature of Person Administering Oath)

\_\_\_\_\_  
(Typed Name of Person Administering Oath)

156  
(Authority To Administer Oaths)

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_  
ORGANIZATION OR ADDRESS  
\_\_\_\_\_  
\_\_\_\_\_  
ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

TO AONT 6 MIN 'STAT-5000

**SWORN STATEMENT**

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

b(6), b(3)

**PRIVACY ACT STATEMENT**

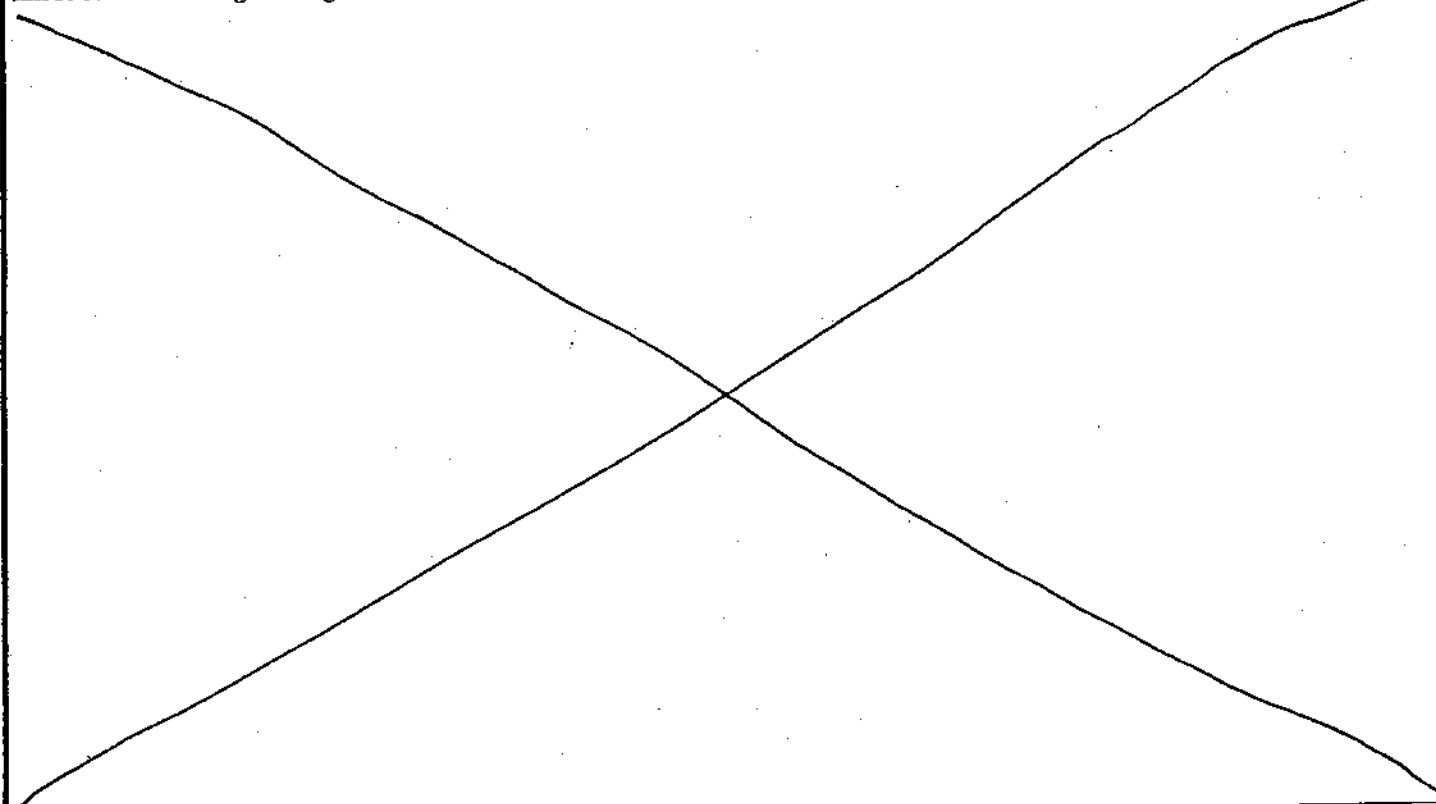
**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately  
**ROUTINE USES:** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your social security number is voluntary.

1. LOCATION CAMP MARLBORO, BAGHDAD, IRAQ	2. DATE (YYYYMMDD) 2003/08/01	3. TIME 1700	4. FILE NUMBER
5. LAST NAME FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS			

9. I, \_\_\_\_\_, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

During Operation Scorpion we had finished picking up wire in Eagle's sector. We were headed back to Cmp to drop off the wire when we saw looters in the rear field behind Camp Marlboro. We chased them down and picked up a total of 7 detainees. We had them download the wire from the back of the trailers and then took them to the CMOC. We were out on mission again and caught one looter stealing the copper wire. We took him to the CMOC to turn him in when \_\_\_\_\_ was told by \_\_\_\_\_, totake him out and beat him or do whatever you want to with him. So, we took this guy to a building in field behind the camp. \_\_\_\_\_ old \_\_\_\_\_, to strip the detainee of his clothes. \_\_\_\_\_ followed his orders. Then we released the detainee to go home. So he ran outside and went home. We had another incident a few days later to where we detained two looters. We took them to the building again and stripped them of their clothes and made them run home. In both incidents \_\_\_\_\_, and myself were in the building. On the 3rd of July we had to go get sodas for the 4th of July party for SQDN. On our way back we checked the field for looters. There were looters in the back field so we tried to catch them. While trying to catch these looters my truck got a flat tire. So we went back to Camp Marlboro and I told my guys to get the tire fixed. When we got back ENG23 came into our AO with a detainee in the back of the truck. I wasn't around much after that because I wanted to get the tire on my truck fixed. After the tire got changed ENG27 took the detainee up to CMOC.

COOK-101, dtd 9 Nov 01



10. EXHIBIT u	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 1 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

001451

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT (Continued)

*(This section is crossed out with a large X, indicating that the statement content is not provided.)*

COOR-101, dtd 9 Nov 01

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

001452



STATEMENT OF \_\_\_\_\_

TAKEN AT \_\_\_\_\_

b(1), b(3)

9. STATEMENT (Continued)

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AFFIDAVIT

I, \_\_\_\_\_, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

\_\_\_\_\_  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 3<sup>rd</sup> day of August, 2003 at Camp Harbors, Berkeley, Calif.

\_\_\_\_\_  
(Signature of Person Administering Oath)

\_\_\_\_\_  
ORGANIZATION OR ADDRESS

\_\_\_\_\_  
(Typed Name of Person Administering Oath)

\_\_\_\_\_  
ORGANIZATION OR ADDRESS

156  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

SWORN STATEMENT

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

b(6), b(3)

PRIVACY ACT STATEMENT

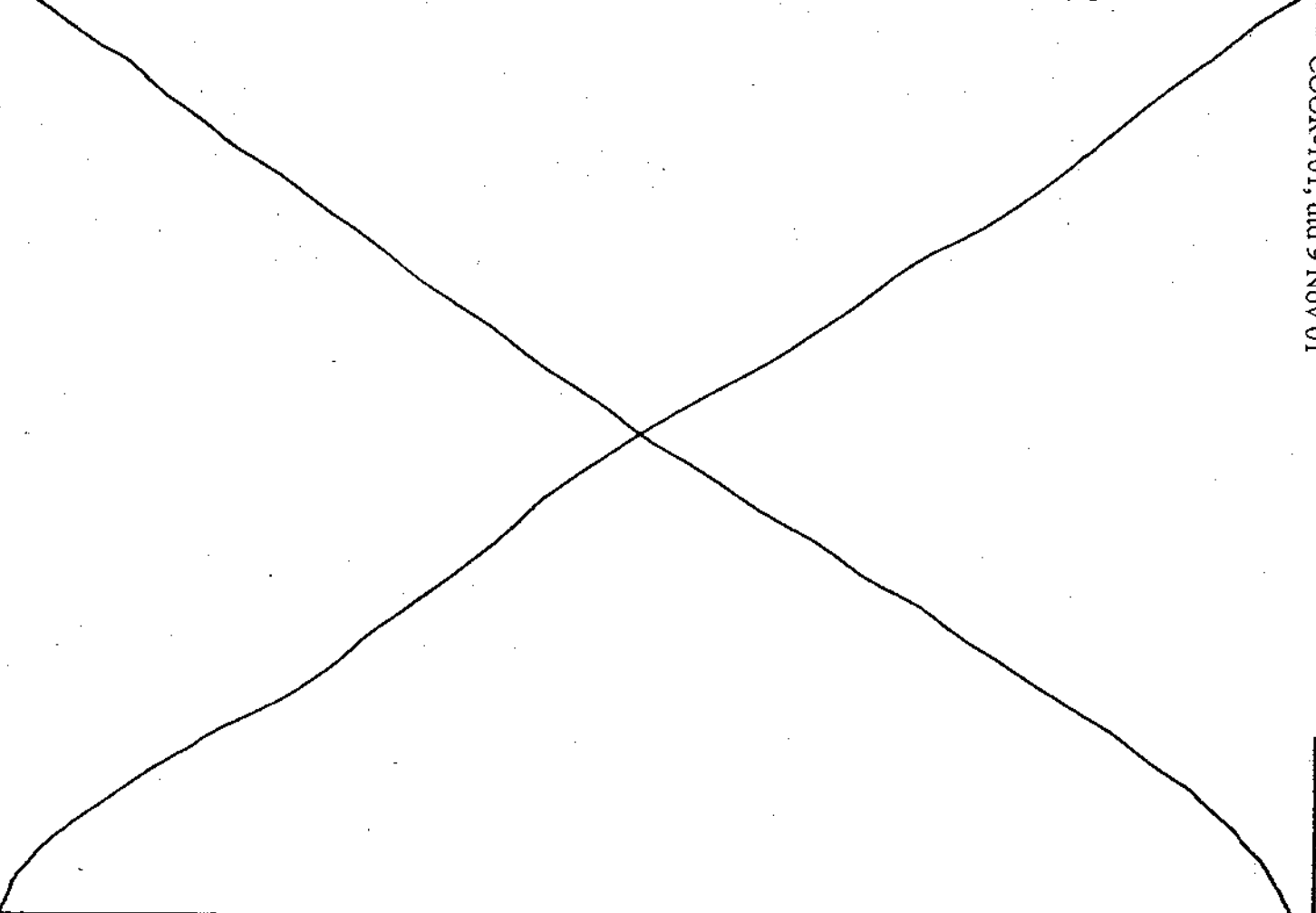
AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.  
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION <i>Camp Marlboro, Baghdad</i>	2. DATE (YYYYMMDD) <i>20030808</i>	3. TIME <i>1942</i>	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS <i>E-4</i>	

8. ORGANIZATION OR ADDRESS

9. \_\_\_\_\_, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

*I have not, or have not witness any Iraqi detainees get shocked, slapped, punched, kicked or beaten. - NOTHING FOLLOWS*



10. EXHIBIT <i>V</i>	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF <i>1</i> PAGES
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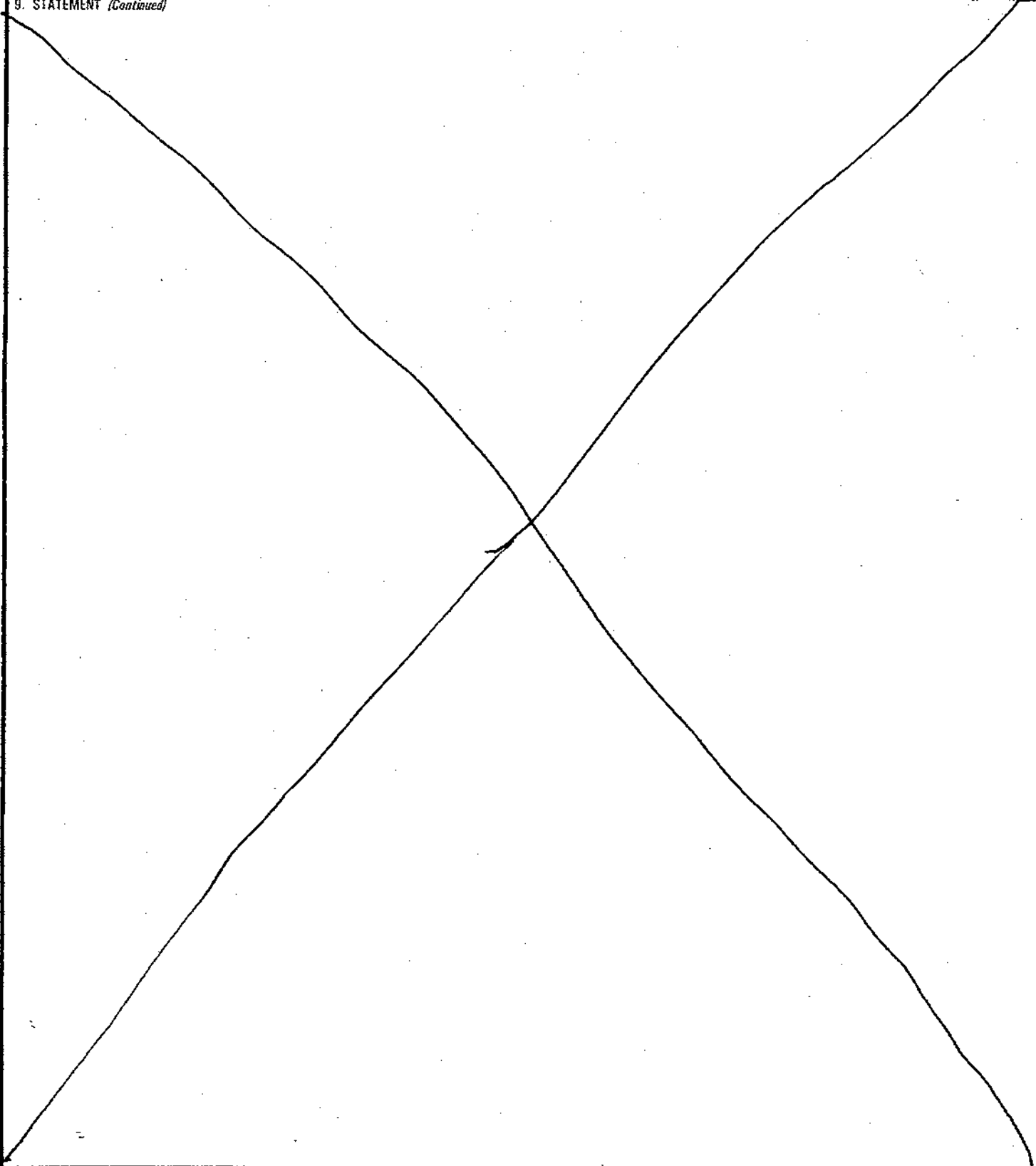
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

Personal Info Redacted IAW Sec of Def Memo 01-  
COOR-101, dtd 9 Nov 01

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT (Continued)



INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

STATEMENT OF

TAKEN AT

DATED

8. STATEMENT (Continued)

b(1), b(3)

Personal Info Redacted IAW Sec of Def Memo 01-  
COOR-101, dtd 9 Nov 01

AFFIDAVIT

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

*Joseph D.*  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 8th day of August 2003 at Camel Harbor, Bachelard, France

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

IS-C  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

b(6), b(3)

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately  
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
DISCLOSURE: Disclosure of your social security number is voluntary.

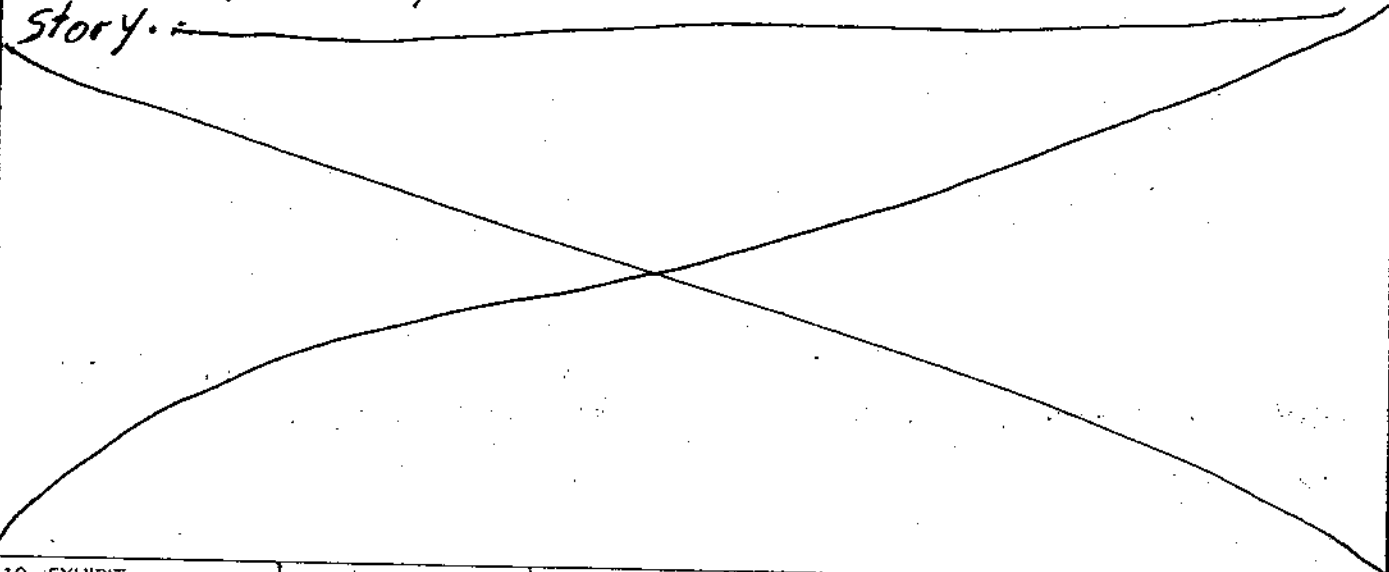
1. LOCATION <i>Camp Marlboro Baghdad Iraq</i>	2. DATE (YYYYMMDD) <i>20030809</i>	3. TIME <i>1105</i>	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME	6. SSN	7. GRADE/STATUS	

8. ORGANIZATION OR ADDRESS

9. I, *[Signature]*, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:  
*In my last statement I wrote that I saw [Signature] and Shokha Iraqi. I am reconfirming this in this statement.*

*I did not see any person or persons walk to the back of the Warehouse. I heard rumors that the Iraqi was being abused.*

*This morning around 0930 [Signature] came to me and asked me what I was going to say and said we all need to have the same story.*



10. EXHIBIT <i>W</i>	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF <i>1</i> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

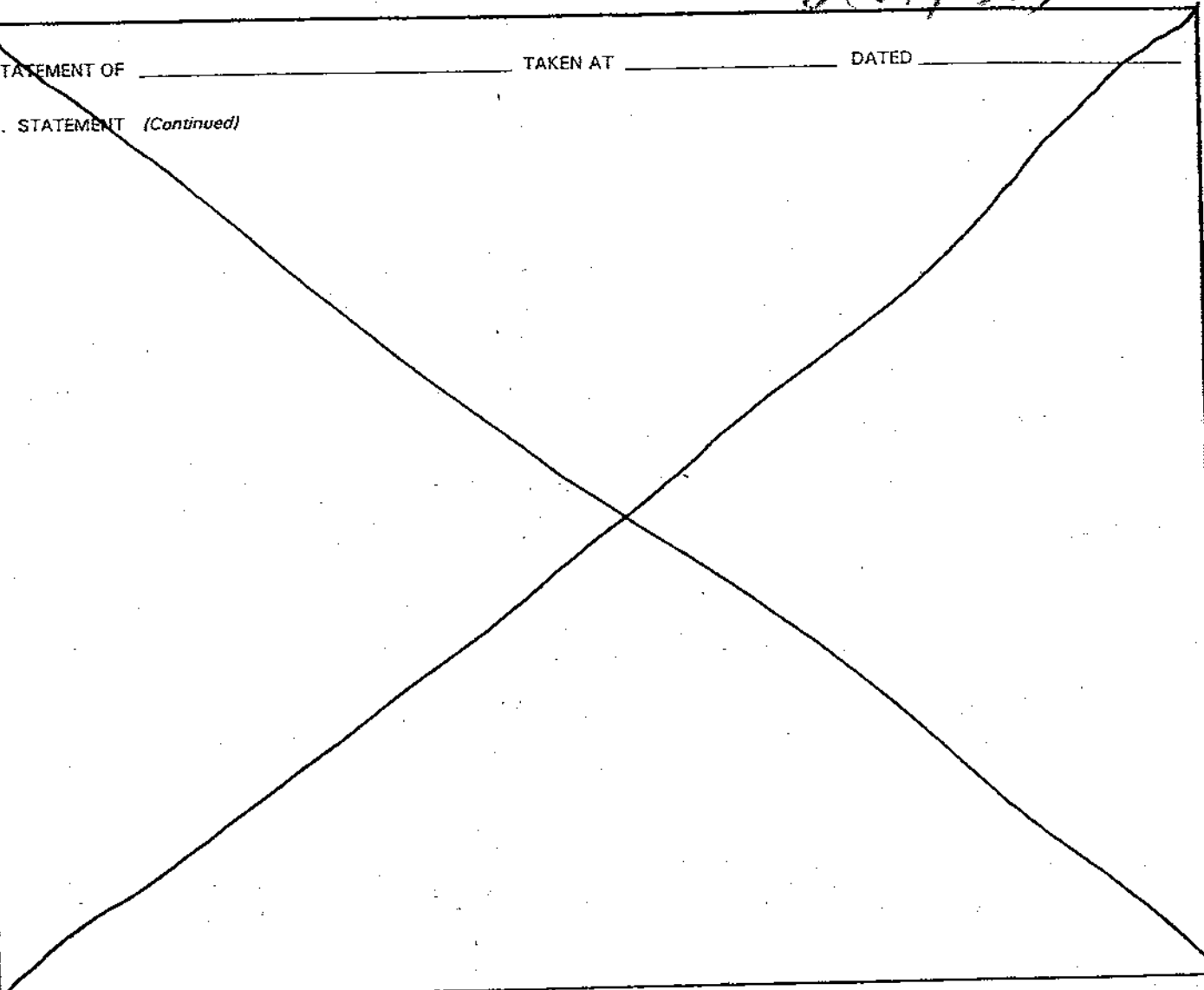
Personal Info Redacted IAW Sec of Def Memo 01-  
COOR-101, dtd 9 Nov 01

001457

b(6), b(3)

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT (Continued)



COOR-101, did 9 Nov 01

AFFIDAVIT

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

\_\_\_\_\_  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 8<sup>th</sup> day of August, 2003 at Camp Harbore, Baghdad, Iraq

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

\_\_\_\_\_  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

\_\_\_\_\_  
(Typed Name of Person Administering Oath)

D  
HH  
\_\_\_\_\_

15-X  
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

001458

b(6), b(3)

### SWORN STATEMENT

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

#### PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately  
**ROUTINE USES:** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your social security number is voluntary.

1. LOCATION <i>Camp Marlboro</i>	2. DATE (YYYYMMDD) <i>20030808</i>	3. TIME <i>1700</i>	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME	6. SSN	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS			

9. \_\_\_\_\_, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

*NO I DID NOT USE m34 TO Shock a IRAQI person.  
 NO I DID NOT HIT, kick, or punch a Iraqi person.  
 NO ONE CAME TO ME TO MAKE THE STORIES THE  
 SAME.  
 NO I am NOT Aware of anyone Trying to make  
 THERE stories the SAME.*

COOR-101, dtd 9 Nov 01

10. EXHIBIT <i>X</i>	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF <u>1</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING \*STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

001459

b(1), b(3)

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT (Continued)

[Redacted area with large X]

Personal Info Redacted LAW Sec of Def Memo 01.  
CORR-101, dtd 9 Nov 01

AFFIDAVIT

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

\_\_\_\_\_  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 8<sup>th</sup> day of August, 2003 at Camp Mariborn Kabul Afghanistan

\_\_\_\_\_  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS \_\_\_\_\_

\_\_\_\_\_  
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS \_\_\_\_\_

15-10  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT \_\_\_\_\_

PAGE \_\_\_\_\_ OF \_\_\_\_\_ PAGES



b(6), b(3)

### SWORN STATEMENT

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

#### PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately  
**ROUTINE USES:** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your social security number is voluntary.

1. LOCATION Camp Marlboro	2. DATE (YYYYMMDD) 20030808	3. TIME 1135	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS			

9. I, \_\_\_\_\_, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I saw I shock an Iraqi with a blasting machine. I saw I put their foot in the chest of an Iraqi. I know that the PS6 and I go off to the PS6's bunk and talk amongst themselves. The PS6 has taken the Evis off to the side and talked to them about what's going on now. One of my soldiers brought to my attention that the PS6 and I were trying to find out if I had done anything. One the first incident I discussed before in my first sworn statement I fired a warning shot at the ground off to the side and get the Iraqis to stop.

10. EXHIBIT Y	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 1 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"  
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

001461

b(6) b(3)

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT (Continued)

[Large area containing a large handwritten 'X' over the statement content.]

Casualty info Redacted IAW Sec of Def Memo 01-  
CORR-101, dtd 9 Nov 01

AFFIDAVIT

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

\_\_\_\_\_  
(Signature of Person Making Statement)

WITNESSES:                              

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 8<sup>th</sup> day of August, 2003 at Point Harbor, Portland, Iraq

\_\_\_\_\_  
ORGANIZATION OR ADDRESS

\_\_\_\_\_  
(Signature of Person Administering Oath)

\_\_\_\_\_  
ORGANIZATION OR ADDRESS

\_\_\_\_\_  
(Typed Name of Person Administering Oath)

15-6  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT \_\_\_\_\_ PAGE \_\_\_\_\_ OF \_\_\_\_\_ PAGES

001462

b(6), b(3)

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately  
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION <i>Camp Medora Baghdad Iraq</i>	2. DATE (YYYYMMDD) <i>2007 08 09</i>	3. TIME <i>1240</i>	4. FILE NUMBER
5. LAST NAME FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS			

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

The platoon picked up a few detainees. We then went to the back of the camp where we scared them and then told ~~them~~ to strip them.

Another incident was at the AO where a detainee was brought. I didn't see anyone beat him, but scared him

There was no corroboration of stories for this investigation

10. EXHIBIT <i>2</i>	11. SIGNATURE OF PERSON MAKING STATEMENT <i>[Signature]</i>	PAGE 1 OF 1 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

CORR-101, dtd 9 Nov 01



**SWORN STATEMENT**

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

b(6), b(3)

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.  
**ROUTINE USES:** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your social security number is voluntary.

1. LOCATION <i>Camp Marlboro, Baghdad, Iraq</i>	2. DATE (YYYYMMDD) <i>20020808</i>	3. TIME <i>13:10</i>	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	R SSN	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS			

9. \_\_\_\_\_ WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

In the morning of a day which I can not recollect, but do know that it was prior to the Fourth of July, three trucks (22, 23, 27) from the 2nd Platoon 84th ENG CO went on a mission to pick up sodas for the Squadron Fourth of July festivities. I myself was riding on the back of 27 as rear security. When returning from the mission, one of our trucks spotted looters on the eastern side of RTE AEROS. We then began to chase the looters out into open fields, but after fifteen minutes of chasing, decided to head back to Camp Marlboro. Upon returning to the camp, 23 called 27 on the net and asked him, what he should do with his detainee. Until we were inside the gates, 27 had negative knowledge of any detainees. What orders to 23 were are unclear. Once we returned to the warehouse, I dismounted from the back of 27 and went to my cot to lay down. A few minutes later, I got up and went back to where the trucks were parked so that I could get some water out of 21. When I got to the back of the warehouse, I heard a commotion.

I can not remember \_\_\_\_\_ and several other members of my platoon which were hitting, kicking, and tearing at the clothes of the Iraqi detainee. My feelings at the time were excitement. I went to my bunk to get a camera, but when I returned, I took the camera. I turned and went to my truck, 21, to get the water which I had initially gone to the back for.

10. EXHIBIT <i>AA</i>	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF <u>3</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"  
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

10 AON 6 DID 'TUT-NFON

b(6), b(3)

STATEMENT OF \_\_\_\_\_ TAKEN AT Camp Marlboro DATED 8-8-03

9. STATEMENT (Continued)

I then decided to go back to where the detainee was. \_\_\_\_\_ was alone with the detainee. ~~\_\_\_\_\_~~

~~\_\_\_\_\_~~ He coaxed me into coming over and hitting the detainee. I went over and thumped the detainee on the head very lightly, which made \_\_\_\_\_ laugh and call me a pussy. I can't begin to express how bad I felt for only that. That is when I went back to my cot for good. Roughly fifteen minutes later, 27 called for 21 and 23 to come and escort him to the open area behind Camp Marlboro. We escorted 27 and the detainee out to an abandoned building where the detainee would be stripped and later released. I myself was driving 21 at the time, and when we arrived at the building, I exited the truck and pulled security. I do not know who made the call to strip the detainee, but I do know that \_\_\_\_\_ and \_\_\_\_\_ were in the building with the detainee. If there was someone else in the building, it is not to my knowledge. Once the detainee was released, we all went back to the warehouse.

On another occasion, which occurred several weeks after the first incident, three trucks (21, 22, 27) left camp Marlboro to explode several UXOs at the Dragon ASP. When returning from the ASP, one of our trucks again sighted a couple of looters. We then began to chase them. The looters managed to escape safely, but \_\_\_\_\_ decided to stop and investigate further. At the time, I was driving 21, and upon stopping I got out and pulled security. Several minutes later, I walked to the back of my truck and witnessed, \_\_\_\_\_ and \_\_\_\_\_ destroying a truck. They were breaking the windshield and mirrors, slashing the tires, and ripping wires out from under the hood. At the time, I had no idea why

CORR-101, did 9 Nov 01

001466

b(6), b(3)

STATEMENT OF

TAKEN AT

Camp Marlboro

DATED

8-8-03

9. STATEMENT (Continued)

they were doing this. My thoughts were that they had lost their minds. Several minutes later, we mounted back on to our trucks and drove across the street. Again, and I dismounted to further investigate the stolen wire. I again pulled security for 21. I went to a nearby home and took from the owner a cooler and a burlap tarp of some sort. They then came to my truck and took my 5 gal. can of fuel, which they used to burn the cooler and the bag. It wasn't until we had returned to the warehouse at Camp Marlboro that I was informed as to why they had done these seemingly uncivil acts. Apparently, the truck which they had destroyed was carrying wire in the back. The cooler contained fuel which the thieves used to burn the wire, and the tarp is what the thieves used to hide the wire. After this incident, no other incidents took place to my knowledge.

Personal Info Redacted IAW Sec of Def Memo 01-  
CORR-101, dtd 9 Nov 01

AFFIDAVIT

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

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 8<sup>th</sup> day of August 2003 at Camp Marlboro, Pgs Island, King

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

156  
(Authority To Administer Oaths)

b(6), b(7)

AFZX-CB

MEMORANDUM FOR Commander, 2d Armored Cavalry Regiment, APO AE 09322

SUBJECT: Transmittal of Court-Martial Charges in the case of [REDACTED]

1. The attached court-martial charges against [REDACTED] have been reviewed. The specifications allege offenses under the Uniform Code of Military Justice and are supported by the evidence attached. The charges are forwarded in accordance with R.C.M. 403, MCM (2002), for appropriate disposition.

2. I recommend:

a.  Trial by  Summary Court-Martial,  Special Court-Martial,  Special Court-Martial empowered to adjudge a Bad Conduct Discharge, or  General Court-Martial.

b.  Nonjudicial punishment under Art. 15.

c.  Nonpunitive administrative action.  Relief of duties for cause,  Letter of concern/nonpunitive reprimand, or  Administrative discharge proceedings.

d.  That no action be taken at this time.

[REDACTED]

3 Encls

- 1. Charge Sheet
- 2. Allied Papers
- 3. Enlisted Record Brief

Resubmit into Redacted IAW Sec of Def Memo 01-  
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b(3) b(6)

AFZX-C-CO

10 DEC 2003

MEMORANDUM FOR Commander, 1st Armored Division, Baghdad, Iraq, APO AE 09324

SUBJECT: Transmittal of Court-Martial Charges in the case of [REDACTED]

1. The attached court-martial charges against [REDACTED] have been reviewed. The specifications allege offenses under the Uniform Code of Military Justice and are supported by the evidence attached. The charges are forwarded in accordance with R.C.M. 404, MCM (2002), for appropriate disposition.

2. I recommend:

a. \_\_\_ Trial by ( ) Summary Court-Martial, ( ) Special Court-Martial, (X) Special Court-Martial empowered to adjudge a Bad Conduct Discharge, or ( ) General Court-Martial.

b. \_\_\_ Nonjudicial punishment under Art. 15.

c. \_\_\_ Nonpunitive administrative action. ( ) Relief of duties for cause, ( ) Letter of concern/nonpunitive reprimand, or ( ) Administrative discharge proceedings.

d. \_\_\_ That no action be taken at this time [REDACTED]

3 Encls

- 1. Charge Sheet
- 2. Allied Papers
- 3. Enlisted Record Brief

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b(6), b(3)

From: [REDACTED]  
Sent: Monday, January 05, 2004 5:26 PM  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: [REDACTED]

ATTORNEY WORK PRODUCT

here's my charging suggestion based on my review of the 15-6 investigation:

**VIOLATION OF THE UCMJ, ARTICLE 92:**

**SPECIFICATION 1:** In that [REDACTED], U.S. Army, at or near Baghdad, Iraq, between 15 January 2003 and 15 July 2003, was derelict in the performance of his duties in that he willfully directed his soldiers to strip all clothing from a detainee, a person whose name is unknown, and release said detainee naked in public, when it was his duty not to do so.

**SPECIFICATION 2:** In that [REDACTED], U.S. Army, at or near Baghdad, Iraq, between 15 January 2003 and 15 July 2003, was derelict in the performance of his duties in that he willfully failed to process through the Civilian Military Operations Center (CMOC), a detainee in his custody, a person whose name is unknown, when it was his duty to do so.

Have you dismissed / withdrawn the 6 DEC 03 charges without prejudice? I'll need a copy of that for the file, please.

Please let me know when [REDACTED] is done with [REDACTED] CH 10. Got a cohiba with your name on it up here when you come up.

Thx.

v/r,

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CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED (Last, First, MI)			2. SSN	3. GRADE OR RANK	4. PAY GRADE
5. UNIT OR ORGANIZATION				6. CURRENT SERVICE	
				a. INITIAL DATE	b. TERM
				1 Jan 00	10 years
7. PAY PER MONTH			8. NATURE OF RESTRAINT OF ACCUSED		9. DATE(S) IMPOSED
a. BASIC	b. SEA/FOREIGN DUTY	c. TOTAL			
\$		\$	None.		N/A

II. CHARGES AND SPECIFICATIONS

10. CHARGE I: VIOLATION OF THE UCMJ, ARTICLE 134.

SPECIFICATION 1: In that \_\_\_\_\_, U.S. Army, did, at or near Baghdad, Iraq, on or about between 15 June 2003 and 15 July 2003, wrongfully solicit \_\_\_\_\_ to commit an assault consummated by battery against a detainee by unlawfully shocking the detainee with a blasting device.

(26 DEC 03) SPECIFICATION 2: In that \_\_\_\_\_, U.S. Army, did, at or near Baghdad, Iraq, on or about between 15 June 2003 and 15 July 2003, wrongfully solicit \_\_\_\_\_ to maltreat an Iraqi detainee by ordering \_\_\_\_\_ to strip the detainee of his clothing.

(26 DEC 03) SPECIFICATION 3: In that \_\_\_\_\_, U.S. Army, did, at or near Baghdad, Iraq, on or about between 15 June 2003 and 15 July 2003, wrongfully maltreat two Iraqi detainees by stripping them of their clothing.

CHARGE II: VIOLATION OF (See continuation sheet) THE UCMJ, Article 93.

(26 DEC 03)

III. PREFERRAL

11a. NAME OF ACCUSER (Last, First, MI)	b. GRADE	c. ORGANIZATION OF ACCUSER
d. SIGNATURE OF ACCUSER	e. DATE	
	06 DEC 2003	

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this \_\_\_\_\_ day of \_\_\_\_\_, and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.

Typed Name of Officer

Organization of Officer

Official Capacity to Administer Oath (See R.C.M. 307(b) - must be a commissioned officer)

Signature

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12.

On 07 DEC, 2003, the accused was informed of the charges against him/her and of the name(s) of The accuser(s) known to me (See R.C.M. 308 (a)). (See R.C.M. 308 if notification cannot be made.)

\_\_\_\_\_  
Typed Name of Immediate Commander

\_\_\_\_\_  
Organization of Immediate Commander

\_\_\_\_\_  
Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13.

The sworn charges were received at 1335 hours, 7 Dec, 2003 at \_\_\_\_\_  
Designation of Command or

\_\_\_\_\_  
Officer Exercising Summary Court-Martial Jurisdiction (See R.C.M. 403)

FOR THE <sup>1</sup> \_\_\_\_\_

\_\_\_\_\_  
Typed Name of Officer

\_\_\_\_\_  
Official Capacity of Officer Signing

\_\_\_\_\_  
Signature

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY      b. PLACE      c. DATE (YYYYMMDD)

Referred for trial to the \_\_\_\_\_ court-martial convened by \_\_\_\_\_

\_\_\_\_\_, subject to the following instructions: \_\_\_\_\_

By \_\_\_\_\_ of \_\_\_\_\_  
Command or Order

\_\_\_\_\_  
Typed Name of Officer

\_\_\_\_\_  
Official Capacity of Officer Signing

\_\_\_\_\_  
Grade

\_\_\_\_\_  
Signature

15.

On \_\_\_\_\_, I (caused to be) served a copy hereof on (each of) the above named accused.

\_\_\_\_\_  
Typed Name of Trial Counsel

\_\_\_\_\_  
Grade or Rank of Trial Counsel

\_\_\_\_\_  
Signature

FOOTNOTES: 1 - When an appropriate commander signs personally, inapplicable words are stricken.  
2 - See R.C.M. 601(e) concerning instructions. If none, so state.

ORIGINAL AND RECALLED LAW Sec 01 Det Memo 01 -  
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Item 10, continued:

CHARGE III VIOLATION OF THE UCMJ, ARTICLE, 92. (

26 DEC 03)

SPECIFICATION 1: In that \_\_\_\_\_, U.S. Army, who knew or should have known of his duties at or near Baghdad, Iraq, on or about between 15 June 2003 and 15 July 2003, was derelict in the performance of his duties in that he willfully failed to prevent \_\_\_\_\_ from committing assault consummated by battery, as it was his duty to do. *Assaulting a detainee in custody, a person whose name is unknown.*

26 DEC 03)

SPECIFICATION 2: In that \_\_\_\_\_, U.S. Army, who knew or should have known of his duties at or near Baghdad, Iraq, on or about between 15 June 2003 and 15 July 2003, was derelict in the performance of his duties in that he willfully failed to prevent \_\_\_\_\_ from committing assault consummated by battery, as it was his duty to do. *Assaulting a detainee in custody, a person whose name is unknown.*

CHARGE IV VIOLATION OF THE UCMJ, ARTICLE, 128. (

26 DEC 03)

THE SPECIFICATION: In that \_\_\_\_\_, U.S. Army, did, at or near Baghdad, Iraq, on or about between 15 June 2003 and 15 July 2003, unlawfully strike a detainee, *A person whose name is unknown.*

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REPLY TO  
ATTENTION OF:

DEPARTMENT OF THE ARMY  
2.



b(6)  
b(3)

AFZX-C-CO

4 September 2003

MEMORANDUM FOR  
09322

APO AE

SUBJECT: Recommendations for Action Regarding AR 15-6 Investigation

1. I have reviewed the AR 15-6 investigation into detainee abuse by soldiers in the  
I concur with the investigating officer's findings.
2. Based upon this investigation, I have recommended that the  
use for maltreating detainees.
3. In accordance with your recommendations, I am returning full authority to you to discipline  
I in a manner that you believe is appropriate.
4. Finally, I am concerned that soldiers from the  
did not understand the Rules of Engagement for handling detainees and for using deadly force against intruders within your base camp. I direct you to evaluate your subordinates' understanding of the Rules of Engagement. Based upon your review, you may want to consider additional training on the Rules of Engagement and the law of war.

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DEPARTMENT OF THE ARMY

AFG AE 07321

b(6), b(3)

REPLY TO  
ATTENTION OF:

AFZX-C-JA

28 AUG 2003

MEMORANDUM FOR RECORD

SUBJECT: Chain of command recommendation of relief for cause of

1. On 28 AUG 2003, the soldier's recommended that \_\_\_\_\_ be relieved for cause.
2. On 28 AUG 2003, the soldier's recommended that \_\_\_\_\_ be relieved for cause.
3. On 28 AUG 2003, the soldier's that \_\_\_\_\_ be relieved for cause. \_\_\_\_\_, recommended
4. POC is the undersigned at \_\_\_\_\_

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b(6), b(3)



DEPARTMENT OF THE ARMY



AFZX-CB-EN

27 August 2003

MEMORANDUM FOR

T

SUBJECT: Response to IS-6 Investigation

During Operation Scorpion Sting our whole platoon was attached to Eagle Troop. We assisted them in cleaning up the streets from copper wire in their sector. We spent two days doing that, and we would take at least 15 truck loads of copper wire to the back of the camp each day. About one week later, we got a call from Cougar x-ray to go link up with Eagle Troop to go pick up some copper wire. When we got there we loaded up the copper wire into our trailers, and headed back to the camp where we had put the copper wire from the week before. As we arrived at the camp where we had put the copper wire the week prior, and I chased

them. We didn't catch them, so we headed back where everyone else was at. About 20 minutes later, the platoon sergeant told the platoon sergeant that he wanted to go after them again. He said ok. When we got back from going after the looters, he came back with five detainees. We down loaded them and had them help the other two unload the trailers. I stayed at my truck because I was hurting from the heat. I also explained to my soldiers why we need to give the detainees water. Then, after we had them finish down loading the trailers, we took them to the CMOC.

That day at [redacted] said they saw me shock a detainee. The statements were false, I did not shock a detainee. After [redacted] brought back the five detainees, [redacted] was on the 27 truck as a M249 gunner, [redacted] stayed at my truck like I did because he also was hurting from the heat. All of our trucks were about fifty feet apart at the site facing the opposite way from each other pulling security. [redacted] never once, that I saw, got off of the truck he was on to do anything. I never saw [redacted] come around my truck after arriving back at Camp Marlboro. He was a prior heat injury so he really did not move out of his truck unless it benefited him. I feel that both [redacted] have had it out for me since they both got moved from my squad.

Periodically we would go in the back entrance of the camp to see if we could catch looters in the back of the camp. On two occasions we detained looters. The first time, we took them to the CMOC where we attempted to hand them over to Bulldog elements. Bulldog 6 told my platoon sergeant that he didn't want them here. Then he told my platoon sergeant to "take them out back and beat the fuck out of them." I thought he was serious because every sense we had crossed the berm, it appeared that he had it out for the Iraqi people. We took the detainees to a building in back of the camp, and a team leader in the platoon told the platoon sergeant if he wanted to teach them we should strip them and send them on their way. We could have shot them because they said that they were breaching the outer perimeter. At the time we were way beyond the outer perimeter. We didn't make the outer perimeter until the first week in August. The ROE was to only shoot when you felt your life or another soldier's life was threatened or when fired upon. The Bulldog element was shooting the looters I thought that was to extreme at the time. Therefore, the platoon sergeant didn't want to shoot them and that is why they got stripped.

July 3, 2003 was the day that [redacted] brought back a detainee to the warehouse where we lived. I don't now why he did that, or what he was thinking when he brought him back. That day we went to go get cokes for the 4<sup>th</sup> of July party at the camp. When we headed back to the camp we entered into the back gate because I believe the front gate was closed due to the threat con. As we entered the back gate, there were Iraqi people running from where the copper wire was at. As we started to chase them I got a flat tire, so my truck stopped and we waited for the other trucks. We headed back to the camp and I went to get the spare tire so my squad could fix the flat tire. When I came back [redacted] had pulled in with a detainee in the back of his truck. We unloaded him and put him next to the wall. The platoon sergeant sent everyone to chow since it was about to be over. [redacted] said that he would watch him while we go to chow. The

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two soldiers of mine also stayed back that day so they change the tire. When soldiers in the platoon found out that I brought back the detainee they were going back there to take pictures. I told them to stop. I don't know what happen while I was at chow, but when we got done with chow we took the detainee to the CMOC. When you come in the way we enter into the building, you can not see to the other half of the warehouse due to a camo net up between were we parked our trucks and were we live. So when I came back I couldn't see if anything was happening around the trucks.

I don't understand why only two people in the platoon said they saw me do something I didn't do. Everyone else in the platoon said they didn't see me do any of those things.

I admit to participating in the stripping of an Iraqi national. I know this was wrong. I am sorry for this and am fully prepared to take responsibility for my actions and the consequences. I have not beat, kicked, or otherwise physically abused Iraqi nationals at any point in time during my time in theatre.

I have been in the Regiment for six of the seven years I have been in the Army. I deployed ahead of the Regiment with . Due in large part to my expertise in engineer operations and ability to make quick and sound judgments, I was selected as one of 10 engineers to accompany the squadron. My service to the country and Regiment is a source of great pride for me. I look forward to continuing to serve both as soon as possible.



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DEPARTMENT OF THE ARMY  
84<sup>th</sup> Combat Engineer Company, 2d Armored Cavalry Regiment  
Camp Dragoon, Baghdad, Iraq APO AE 09322-2381



AFZX-CB-EN

28 August 2003

MEMORANDUM FOR

SUBJECT: Response to 15-6 Investigation

I have worked with [redacted] or approximately one year. During that year he served as the [redacted], performing well above the standards. When [redacted] received deployment orders, [redacted] I was chosen to deploy ahead of the rest of the [redacted] y. He was selected based on his knowledge on engineer task and his ability to make quick, sound decisions. These were characteristics needed to provide initial advice to the Squadron Commander and the TAC. [redacted] saved numerous lives of Iraqi citizens by destroying DPICM submunitions and other UXO's from neighborhoods in Iraq. He had always had the best interest of the locals in mind. The platoon started assisting Bulldog Company with looters on Camp Marlboro's "back 40" around mid June 2003. During this time [redacted] was involved with detaining several looters from the back 40. On one occasion, that I was present for, 3-4 looters were detained. We attempted to hand them off to Bulldog personnel and were told to take the looters out scare them, rough them up and release them. I return to our platoon AO and sent the others trucks out to release the looters. Just a day or two earlier a looter had been shot and killed on the back 40, therefore the [redacted] I made a decision to make the detainee strip. This was done to embarrass the looter so he would not return to be shot and possibly killed. The decision may not have been the right one politically, but was effective on saving the lives of those looters. [redacted] realizes that the wrong decision was made and is prepared to accept the consequences of his actions.

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DEPARTMENT OF THE ARMY



b(6), b(7)

AFZX-CB-EN

27 August 2003

MEMORANDUM FOR

SUBJECT: Response to 15-6 Investigation

During the first week of June 2003, we first detained looters from the back of Camp Marlboro. At the time we (EN 27, EN22) took the looters to the CMOC, they told us they could not take them at the time, and told us to take them out and scared them. I told my translator to tell the looters they are going to the jail. After we told them they are going to jail, we took them to their house next to Camp Marlboro, turned them over to their family, and witnessed the detainee's father beat them front of us. When I saw this, I told all my squad leaders when we detain any looters we will take them back to their family. The second time we detained looters, I took them back to their house located down an ally. I didn't feel comfortable going down the alleyway and I didn't want my platoon to get ambushed, so I decided that the next time we detained looters I wasn't going to take them back to their house.

In mid June 2003, my platoon was on a mission to retrieve copper wire and drop off in the back of Camp Marlboro. We again detained looters from the back of Camp Marlboro. Instead of taking them to their house, I took them to the CMOC. At the time our ROE was not to shoot the looters. Only time we were authorized to shoot or kill anyone was when we felt our life or another soldiers' life was in danger, i.e.; someone is pointing weapon at you or get shoot at. That's what I understood about our ROE. It wasn't true because Bulldog element shot and killed one looter, and wounded at least two other people. When they shot and killed the looter, they put the dead body on the hood of a vehicle and took the body into Al-Thawra. When I took the looters from the back of Camp Marlboro I could have shot and killed them when they tried to run, but I didn't. I attempted to turn them over to Bulldog elements and let them take care of it. When I walked into the CMOC (same location as Bulldog TOC) I saw [redacted] and told him I have detained the looters for them. At that time [redacted] told me "don't take them back and beat the fuck out of them". I was shocked at what he just told me to do. [redacted] as standing next to me and heard what was said. I walked out and told the squad leaders what [redacted] had just told me. I was going to just take them out of Camp Marlboro and release them. At that time [redacted] said, if you want to teach them a lesson, why don't you strip them and send them away. When [redacted] told me I really wasn't thinking about striping the looters, but while I was taking the looters to the back of the camp, I realize these looters will return and possibly be killed by Bulldog elements. I didn't want that to happen to them, so when we stopped at the back of Camp Marlboro there was an empty building we went to. I wanted to just release them but I feared that they would return. I made a bad decision and told [redacted] to strip the detainee. I know that it was not the right thing to do, but at the same time I wanted for the detainee to never want to return to our camp to steal. I never saw the same looters again after that striping.

On 3 July 2003 we had a mission to pick up sodas for the squadron 4<sup>th</sup> July party. When we were coming back from picking up the sodas we saw looters at the back of Camp Marlboro. We tried to detain them, but they got away. EN22 had a flat tire, so I told EN22, EN23 to return back to camp. When EN23 came in to our AO, [redacted] told me he had detained a looter after all. I told him we would just take him back later since dinner now was almost ending. I told them to go to the chow, then we will take the looter back to the CMOC. [redacted] didn't want to eat so he stayed back and watched the detainee. After I returned from chow, I was sitting on my cot, [redacted] told me [redacted] was bouncing a soccer ball on the detainees' head. I went to the back of the AO and asked [redacted] what the hell he was doing and told him not to do that again. We took the detainee to the CMOC. When the entire platoon was back at our AO, I told them we would not abuse or miss treat detainees. When we do pick up any detainees in future we will just take them to the COMC.

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