

DEPARTMENT OF THE ARMY 10th MILITARY POLICE BATTALION (CID) THIRD MILITARY POLICE GROUP, USACIDO UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND **CAMP VICTORY, IRAQ 09335**

CIMPX-FB (195-6)

21 Jan 04

MEMORANDUM FOR

Director, U.S. Army Crime Records Center, U.S. Army Criminal Investigation Command, 6010 6th Street, Ft. Belvoir, VA 22060-5585 Special Agent In Charge, 43d Military Police Detachment (CID) (FWD), 3d Military Police Group (USACIDC), Tikrit, Iraq APO AE 09323-2647

SUBJECT: Polygraph Examination Report

INVESTIGATIVE CASE REFERENCE: 0011-03-CID469-79630-5H1

AUTHORIZATION NUMBER: 04-0076, 21 Jan 04

DATE OF EXAMINATION: 21 Jan 04

LOCATION OF EXAMINATION: Tikrit, Iraq

1-5/67C-5

SUBJECT EXAMINED Ft. Carson, CO 80913;

A Company, 1/8th Infantry,

OFFENSE: Murder.

PURPOSE OF EXAMINATION: Criminal Investigation

INVESTIGATIVE/OPERATIONAL SUMMARY: Investigation was initiated on 13 Jan 04, when it was reported from Forward Operating Base (FOB) Brassfield, Samarra, Iraq, of an alleged murder of an Iraqi national by American forces. Preliminary investigation revealed Samarra, Iraq (NFI), reported to the Iraqi Civil Defense Mr. Corp (ICDC) on 3 Jan 04, that he and his cousin, Mr. Zaydun Ma'mun FADHIL, Samarra, Iraq (NFI) were detained by the American forces which resulted in the death of Mr. FADHIL. 66-41-676-4

approached the ICDC security check point in Further investigation revealed that Mr. Samarra, late in the evening of 3 Jan 04 or early in the morning of 4 Jan 04, and reported he and Mr. FADHIL were stopped, searched and later detained by the American Forces. He reported that after they were detained they were both pushed off of a bridge into a river and Mr. FADHIL apparently drowned.

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is Polygraph Examination Report (DA Form 2802). This exhibit will be Attached as Exhibit destroyed not later than 3 months after the date of the report of investigation (para 2-6h, AR 195-6). The original, to include related polygraph records, is at the U.S. Army Crime Records Center, USACIDC, 6010 6th Street, Ft. Belvoir, VA 22060-5585. Reproduction of this exhibit or its contents is prohibited.

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was interviewed by USACIDC and stated he and Mr. FADHIL On 16 Jan 04, Mr. were returning from Baghdad, where they had purchased some plumbing supplies. He stated that about 2230, 3 Jan 04, while traveling to their home in Samarra, they arrived at the ICDC stated at the check point their vehicle was searched, their identifications cards were checked, and they were allowed to proceed. However, they were instructed to immediately go to their residences as the curfew was nearing (2300). Mr. said they departed the checkpoint and about 2 or 3 kilometers away they approached an oncoming American convoy. He said the Americans stopped their vehicle and instructed them to exit the vehicle. According to Mr. their vehicle was searched, they were personally searched and then they were handcuffed and placed in the rear of a military vehicle, later identified as a Bradley Fighting Vehicle (BFV). Mr. stated they were never informed why they were being detained but were released before the vehicle drove away. He said they got back into their vehicle and drove about 20 meters, when the same soldiers once again stopped them, handcuffed them again and placed them in the back of the BFV. Mr. indicated the BFV drove away and about 15 minutes later it stopped and they were ordered to exit the vehicle, and once he got out of the vehicle he could see the lights form the ICDC check point and they were un-cuffed and instructed to stand near the bridge. Mr. they stood near the bridge, the soldiers instructed them to jump off of it and when they did not a soldier approached MR. FADHIL and pushed him off into the water and soon after he also was pushed into the water. Mr. said when he went into the water he could hear Mr. FADHIL screaming because he did not know how to swim, but he was unable to get to him due to the strong currents in the water. Mr. stated he swam to the shore and hid because he could hear the soldiers laughing about the incident. Mr. soldier that pushed Mr. FADHIL as skinny, not very tall and his skin was a little darker than white. He was unable to describe the soldier that pushed him into the water and was not sure if was the same person or another soldier standing near by. Mr. stated once the soldiers departed he made his way back to the ICDC check point and reported the incident to the Iraqi guards, who went back to the river with him to assist in the search of Mr. FADHIL. He stated they could not find him and he spent the remainder of the night at the ICDC area. The next morning when he returned to his vehicle he discovered it had been destroyed by unknown means. Photographs were exposed of the vehicle by a friend and the local community continued to search for the body of Mr. FADHIL. The photographs of the vehicle were obtained by USACIDC, and a review of the prints depicts enormous damage to the vehicle and a trailer, apparently caused by a BFV running completely over it.

On 15 Jan 04, the remains of Mr. FADHIL were apparently discovered by the local nationals and he was soon thereafter buried in a local cemetery. Photographs were also exposed of the human remains. According to Mr. FADHIL had injuries to his head and facial area caused by unknown means. Photographs of the human remains have not yet been collected by USACIDC to confirm the identity of the human remains in relation to Mr. FADHIL.

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On 16 Jan 04, three members of the ICDC on duty the night of the incident were interviewed. NFI): PFC They were, PFC NFI). Each of them stated they recalled the two YNFI); and CPL 107C-5 Iraqi's coming through their check point and being cleared by themselves. They stated that about 15 minutes after releasing the vehicle they observed an American convoy stop near the bridge and remain there for about 5 minutes. They were unable to see any specific acts or movements and were unable to hear what was being said, although they said they could hear some talking. They stated that about 5 minutes after the convoy departed they observed an They said he was war L-4 individual approaching their check point, later identified as Mr. soaking wet and informed them that the Americans had thrown he and Mr. FADHIL from the bridge into the water. Members of the ICDC assisted in a search for Mr. FADHIL, but were unable to locate the body.

Additional investigative activities resulted in the identification of the soldiers involved in this incident. This was accomplished by obtaining historical data of particular units and their mission for that particular date and location. As a result of this investigative activity, the particular soldiers involved were interviewed and all denied any wrongdoing pertaining to this investigation.

Eight soldiers were identified as being at the scene and interviewed, three under rights advisement. One of the soldiers interviewed, SSG Company, 1/8th Infantry, stated they stopped the vehicle because of a curfew violation and the Iraqi's were detained. He stated he did not exit his vehicle but heard what was transpiring over the radio and that he called the 1LT to request permission to run over the detainee's vehicle with his BFV. According to SSG he was denied permission and the convoy all proceeded with the detainees in the front BFV, and their vehicle left behind undamaged. SSG 2-06 related that a few minutes later the convoy stopped and he heard the detainees were 676-5. being released because of a shortage at the detention facility. SSG convoy drove away he observed the two detainees standing near the bridge. SSG denied he witnessed, assisted, or conspired with anyone to throw the two detainees into the river. He also denied he or anyone else in the convoy drove over the detainee's vehicle with their BFV.

On 16 Jan 04, 1LT A Company, 1/8th Infantry, was interviewed and denied any wrongdoing pertaining to this investigation. 1LT stated his unit was returning from their nightly patrols and stopped a vehicle that contained two Iraqi's for a curfew violation. He stated SGT reported to him that one of the individuals had a false identification card as the photograph appeared to be that of a younger individual. 1LT ordered that the two Iraqi's be detained and placed in the rear of their BFV. He said that once they were moving again, with the two detainees, he realized the detention facility was closed so he stopped and ordered SGT remove the flexiculfs and release the detainees. 1LT said once that was accomplished they began rolling out and he looked in the mirror and observed the two detainees standing on the north

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denied he ordered, witnessed, or

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destroyed not later than 3 months after the date of the report of investigation (para 2-6h, AR 195-6). The original, to include related polygraph records, is at the U.S. Army Crime Records Center, USACIDC, 6010 6th Street, Pt. Belvoir, VA 22060-5585. Reproduction of this exhibit or its

is Polygraph Examination Report (DA Form 2802). This exhibit will be

side of the road as the convoy drove away. 1LT

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Attached as Exhibit

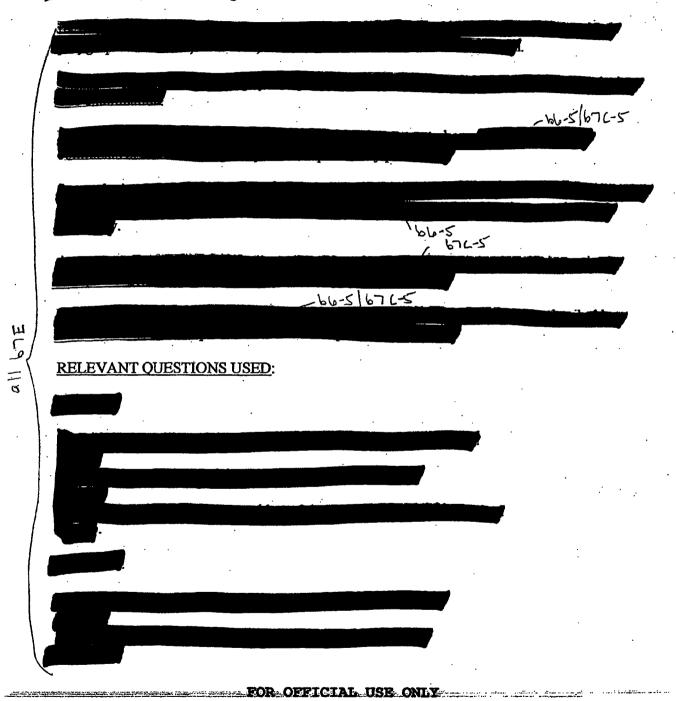
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two detainees near the bridge on the right side of the road, removed the cuffs, and SGT told them (the detainees) to leave. SPC stated the last time he saw the two detainees they were standing on the side of the road as the convoy departed. SPC was offered the opportunity to undergo a polygraph examination to verify the truthfulness of his statement, to which he agreed.

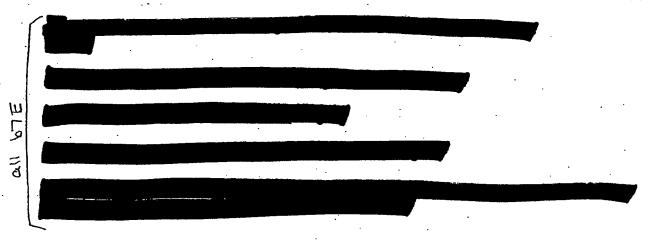


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	A Company of the Comp	30; the proponent agency is ODCSOPS
AUTHORITY: PRINCIPAL PURPOSE: ROUTINE USES: DISCLOSURE:	Title 10, United States Code, Section 3012(To provide commanders and law enforcemen	nt officials with means by which information may be accurately identified. dditional/alternate means of identification to facilitate filling and retrieval.
1. LOCATION Building 214	Camp Bronhorse, Tikn't, In	2. DATE 3. TIME 4. FILE NO.
S. NAME (Last), First, MI		8. ORGANIZATION OR ADDRESS A Company, 1/8 th Infantry BN, 3BCT Balad, I rag APO AE 09323-2598
	The state of the s	NON-WAIVER CERTIFICATE
Section A. Rights		
Before he/she asked me any do not have to enswe Anything I say or do ca For personnel subject during questioning. This or both. I For civilians not subject me during questioning. Will be appointed for me I am now willing to do	s lawyer can be a civilian lawyer I arrange for at no ex if to the UGMU) I have the right to talk privately to a I I understand that this lawyer can be one that I arrange a before any questioning begins.	e it clear to me that I have the following rights: ver before, during, and after questioning and to have a lawyer present with me pense to the Government or a military lawyer detailed for me at no expense to me, or - lawyer before, during, and after questioning and to have a lawyer present with e for at my own expense, or if I cannot afford a lawyer and want one, a lawyer nout a lawyer present, I have a right to stop answering questions at any time, or
5. COMMENTS (Continu	ie on reverse side)	
Section B. Waiver		
I understand my rights as st having a lawyer present wit		under investigation and make a statement without talking to a lawyer first and withou
1a. NAME Type or A	WITNESSES (If available)	3. B6-5, 69C-5
b. ORGANIZATION ON.		4. SIGNATURE OF INVESTIGATOR 66-1, b1c-1
2a. NAME (Type or Pri	nt)	5. SER NAME OF INVESTIGATOR 66-1, 67C-1
b. ORGANIZATION OR	ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR (Det) (FWD) (CID) 43rd Military Police (Det) (FWD) (CID)
		Camp Ironhorse, liket Irag APOHE 0930:
Section C. Non-waiver		Camp Ironhorse, Tikrit, Irag APOAE 0933:
Section C. Non-waiver 1. I do not want to give	up my fights	☐ I do not want to be questioned or say anything
1. I do not want to give	up my fights et	- Camp Tronhorse, Tikrit, Iraq HICHEODS

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SWORN STATEMENT

	Location Date	22 Jan 2004	PO AE 09323	6-5,	Time: /404	
	Statement Of SSN Org/Address		, 1/8 th Infantry Br		ade/Status: 0-2/AD PO AE 09323-259	9 8
bles - bles	I, 1LT	der oath: 1 wo	ould prefer to just d. 	want to make	the following ons and not give a	
	A: 1LT Q: While you platoon frequ	are wearing ency?			ng to company or	
	frequency?		elease the detain	ees, where you	on the platoon	
· ••		adio into high	er chain of comm d?			
	A: No. My c	nain of comm	and wasn't intolli			
	Q: Are you : detainees w	supposed to c ere detained	all into the nigher and released?			
	Q: When you	. *	release the detail	nees, which dire	ection were you	
	A: To the w	est and south instruct SGT	west. to un	cut the cuffs on	the detainees when	
	A: No. O: Then w	v does your p	previous statemer	•	1.3 Aug. 1. 2.2 Aug. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2.	
	uncut the o	uff on the det remember tell Il my soldiers	ainees. ing you that befor to do	re and that's no	t something that I wo	uld
	Q: Did you A: I observ North into Q: Have yo	observe the red them(sold	elease of the two	s) distributing the soldi	ers return to the BFV	e '.
	A: Yes. Q: How m A: Twice.	any times did	you physically sto	op at that location	on after this incident?	;
1 territoria de la companya de la co	Q: Why di	d you stop? e_alleged_alle	gation came out	went back ther	e to determine if may	be.
•	there coul	d have been a	a third individual t	nere. Talougii.	· M. F. Water Cape Co.	
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66-5, 67C-5

SWORN STATEMENT OF ILT AT Tikrit, IRAQ, APO AE 09323, 22 Jan 04: CONTINUED

TAKEN

detainees standing when I left but yet one died then maybe there could have been a third individual somewhere.

Q: What about the second time, why did you stop?

A: Same reason, trying to determine what happened and how one detainee may have been killed.

Q: At anytime since the incident, did you personally go into the river for any reason?

A: I prefer not to answer that question.

Q: At anytime since the incident, did any member of your unit physically get into the river or water?

A: I prefer not to answer that question.

Q: Were you aware that the detainee who initially showed what was believed to be a fake ID, produced an alleged valid ID during the search of the detainees? A: No.

Q; Was there talk among members of your unit about throwing Iraqi's into a river that night?

A: I prefer not to answer that question.

Q: Did you know your soldiers were going to do anything to the detainees, other than release them when they were released?

A: I prefer not to answer that question.

Q: Before anyone was detained, did you discuss with your soldiers how they were going to be released into the river?

A: I prefer not to answer that question.

Q: After the detainees were released, did you have knowledge that the two detainees were pushed or forced to jump into the river?

A: I prefer not to answer that question.

Q: Before anyone was detained that evening, were you aware that it was discussed to have a detainee thrown or forced to jump into the river? A: No.

and 66-5, 67c-5 gather SGT SPC Q: Did you and SFC SPC **The two discuss what had happened with the two detainees days after** the detainees were released?

A: Yes. We spoke about it numerous times.

Q: During these discussions did everyone agree on what to say if questioned

about what happened to the detainees? A: I prefer not to answer that question.

Q: Did you encourage SPC and SPC SGT

clean up the story about what really happened to the detainees? A mo on the wording of the question, I prefer not to ensurer.

FOR OFFICIAL USE ONLY 67C-5

Q: Did you agree with SFC SPC and SPC 36-5, 67C-5 SGT that you would all say that the last time you saw the detainees was

standing on the side of the road?

Q: Do you have any knowledge of what happened to the detained vehicle after they were detained?

EXHIBIT

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SWORN STATEMEN (OF 1LT AT Tikrit, IRAQ, APO AE 09323; 22 Jan 04. CONTINUED

TAKEN

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A: Yes. As I pulled away from the site of detaining the individuals, the vehicle was not in the condition or location that I have seen on the video. After talking to my platoon sergeant that night, the vehicle was pushed to the south side of Albino St. I was not aware of any significant damage that could be caused by pushing the vehicle with a BFV.

Q: Was there any other units patrolling the area that night?

A: Not that I know of.

Q: Did any member of your platoon destroy the detainees vehicle the night they were detained?

A: I know it was pushed but I don't know the extent of damage the vehicle sustained.

Q: Do you know which soldier pushed the vehicle out of the road with a BFV?

A: SFC BROWN BFV. The driver was I believe PFC BROWN be-3, 674

Q: Prior to this alleged incident, do you have any knowledge of members of your platoon throwing or forcing a detainee to jump or get into a river after being released in the past?

A: Yes, I have seen at least one detainee in a body of water in Balad somewhere. My platoon was conducting a mission with Special Forces and the detainee was an informant and I didn't see him being pushed or forced in the water, but I know he wasn't providing the information SF needed and he was put into the water. I don't know if members of my unit got him in the water or if it was SF. He then provided the information and he took us to where we needed to go for a raid. That happened months ago.

Q: Was there a bridge or floating bridge in that area where this occurred? A: No.

Q: Is that the only knowledge you have about members of your unit placing anyone into a body of water?

A: No, there was another time where we had taken a detainee and then we released him on a noating bridge in a BALAD, IRAQ. This detainee was detained because a kid he was with was flicking us off or had a toy gun or something and we took the guy just to teach them a lesson and he was released.

Q: When did this occur?

A: Probably Sep or Oct 03.

Q: Was that detainee in BALAD pushed or forced to get into a body of water by members of your unit?

A: I didn't see anyone pushing him into the water. I don't know.

Q: Do you have any knowledge that the detainee in BALAD was in fact either pushed or forced into the water by members of your unit?

665,676-5 A: No.

Q: Did you know that these two detainees were in the river that night in Samarra?

A: Im not going to answer that question.

Q: Do you know for sure if your soldiers did anything to those two detainees other than release them on the road?

A: I prefer not to answer that question.

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EXHIBIT 24

SWORN STATEMENT OF ILT AT Tikrit, IRAQ, APO AE 09323, 22 Jan 04. CONTINUED

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		ees that nigh			환화 그리 나무한 사람이	
triose	two detain	ees mai nigi	W. C. C. C. C.			

A: I'd rather not answer that question.

Q: Where was SPC position when the detainees were released?

A: I didn't see where he was. I just saw him get out of the Bradley and get back

in. Q: Who escorted the two detainees and actually released them?

A: I don't know for sure who released the detainees but it was members of SGT 66-5,676-5 team te include SGT

b16-5

Q: What was your order when you told SGT to release the detainees?

A: I don't remember exactly and I don't want to guess.

to take the detainees into the water and release もらっち, bつくら Q: Did you tell SGT them?

A: I'd rather not answer that question.

Q: Have you threatened any soldiers with bodily harm if they spoke the truth about this incident? 66-5,67C-T

A: No.

Q: Did you see the two detainees being pushed or thorn into the river that night? A: No.

Q; Why didn't you release the detainees at the ICDC checkpoint located a few hundred meters away from where they were released?

A: Because it didn't occur to me and plus I don't trust ICDC personnel and that's not something we normally do.

Q: If the CMOC was unable to process the two detainees, why weren't they taken to another holding facility?

A: There isn't one other than FOB Brassfield/Mora and I didn't think these detainees belonged there. The detention facility there is for people detained in raids, not really for a curfew violation.

Q: Did you ever acknowledge to your commander that members of your platoon did in fact throw or cause an Iraqi detainee to go into any body of water?

A: I'd rather not answer that question. 66-5, 67c-5

to the incident location to demonstrate Q: Did your platoon take MAJ what had occurred?

A: He was with us one of times we went back there.

what happened? \$6-5, 64c-5 Q: Did you demonstrate for MAJ

A: No. He just wanted to go to see the location where the alleged incident 66-5, 67C-5 occurred.

the events that occurred when the Q: Did you verbally state to MAJ two detainees were released?

A: I'd rather not answer that question.

Q: Did you conspire to have these two detainees released into the water/river that night? A-I'd-rather-not-answer that question __ Conspice _ presumes quite

Q: What was the date on the night this incident occurred?

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PAGE 40F A PAGES INITIALS:

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EXHIBIT_24

66-5, 67c-5

SWORN STATEMENT OF ILT

TAKEN

AT Tikrit, IRAQ, APO AE 09323, 22 Jan 04. CONTINUED

A: I was initially told 4 Jan 04, then I was told is was 3 Jan 04 but I don't really remember. I know it was in the beginning of Jan 04 sometime.

Q: Did you enter into an agreement with anyone in your platoon to have the detainees pushed or throw into the river or water after they were released? A: No.

Q; Were you told by any members of your unit that those two detainees had actually been in the water or river?

A: I'd rather not answer that.

Q: Do you have knowledge that those two detainees were put into the water by any means, while in custody of your unit's personnel?

A: I'd rather not answer that question.

Q: Did you witness the cuffs being removed from the two detainees prior to their release?

A: No.

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

A: Yes, when I was driving away that night I saw two individuals standing there, neither which led me to believe that they were in a life threatening situation.

Q: Are the two individuals you saw standing there, the same two individuals your platoon detained?

A: To the best of my knowledge.

Q: Can you describe the two individuals you saw standing there when you were departing the area?

A: They were just two Iraqi males. I couldn't ell what they were wearing or anything.

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

A: We had stopped two vehicles earlier that night prior to picking up the two detainees. Both the vehicles were stopped for violating curfew. The one vehicle was returning from the hospital because I think they just had a baby and we let them go. And the second vehicle was stopped for curfew as well but the guy seemed trustworthy and stated he was city counsel and had a valid ID, and he was also released. The reason I'm saying this is because the victim is saying we stopped them prior to 2300 but that was not the case.

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

A: No.

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16-5,67c-5

SWORN STATEMENT OF 1LT AT Tikrit, IRAQ, APO AE 09323, 22 Jan 04. CONTINUED TAKEN

665, 67C-5

AFFIDAVIT

HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 1 HAVE INITIALED 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.

(Sig Making Statement)

Subscribed and swom to before me, a person authorized by law to administer oaths, 22nd of January 2004, at Tikrit, Iraq.

(Signature of Person Administering Oath)

SA

(Typed Name of Person Administering Oath)

ARTICLE 136, UCMJ

(Authority To Administer Oaths)

WITNESS: b6-1, b7c-1

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		27C-5" FXHI	RIT 24

EXHIBIT

	RIGHTS WARNING PROC	PEDURE/WAIVER CERTIFICATE 9-90; the proponent agency is ODCSOPS
	DATA REQUIRED	BY THE PRIVACY ACT
AUTHORITY:	Title 10, United States Code, Section 3012	2(a)
PRINCIPAL PURPOSE:	To provide commanders and law enforcement	ent officials with means by which information may be accurately (dentified,
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 i	in indirection
		66-5,67C-5
I. LOCATION Buildian 215 C	ama Icophage Tivel In	2. DATE 3. TIME 4. FILE NO.
5. NAME Itast, First, M.	amp Ironhorse, Titrit, Ira	8. ORGANIZATION OF ADDRESS A CO. 18 TO F BN, 3rd BCT
SSN	SPC I AD	Balad, Iraq APO AE 09323
	PART I - RIGHTS WAIVE	ER/NON-WAIVER CERTIFICATE
Section A. Rights		
66-5, 676- The investigator whose names Commande(5) seppears below told me that he/she is with the Unite 15 0-5060101 00.80+	ed States Army Criminal In vestigation
suspected/actuates		2 Official Statement///
	questions about the offense(s), however, he/she made	de it clear to me that I have the following rights:
	r any question or say anything.	
	in be used as evidence against me in a criminal trial.	
(For personnel subject o	othe UCMJ. I have the right to talk privately to a law	yer before, during, and after questioning and to have a lawyer present with me
during questioning. This	s lawyer can be a civilian lawyer i arrange for at no e	xpense to the Government or a military lawyer detailed for me at no expense to me,
or both.		•
		- or -i
(For civilians not subject	t 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 arrang	ge for at my own expense, or if I cannot afford a lawyer and want one, a lawyer
will be appointed for m	e before any questioning begins.	
If I am now willing to d	iscuss the offense(s) under investigation, with or with	hout a lawyer present, I have a right to stop answering questions at any time, or
	awyer before answering further, even if I sign the wa	
	•	•
<u> </u>		
5. COMMENTS (Continu	e on reverse side)	
Section B. Waiver		
Section D. Warvei		
l understand my rights as st having a lawyer present with	ated above. I am now willing to discuss the offense(s i me,	s) under investigation and make a statement without talking to a lawyer first and without
. V	Nitteerre (if available)	3. SIGNATURE OF INTERVIEWEE
1a.	h6-1.	66-5,670-3
· .	h1c-1	
ORGANIZATION OR A	DURESS AND PHONE	4 SIGNATURE OF INVESTIGATOR 66-1, 676-1
10m filt po	CCED) APO AE	66-5 676-5
Camp Victory	Bachdad Too	
2a. NAME (Type or Prin		5. TYPED NAME OF INVESTIGATOR
za. HAME Trype of The	,,	
	•	5A 66-1-5X-1
b. ORGANIZATION OR A	ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR
		6. OFFICATION OF INVESTIGATION (Det) (FUR) (CD)
•	•	is tributary rotton
· <u></u>		Camp Ironhorse Tikrit, Irag APOAE OB
Section C. Non-waiver		7
1. I do not want to give	un my rights	
I want a lawyer		I do not want to be questioned or say anything
- twantamie		t do not want to be questioned or say anything
2. SIGNATURE OF INTE	RVIEWEE	
t t	7-	
ATTACH THIS WAIVER CEF	TIFICATE TO ANY SWORN STATEMENT (DA FORM	(2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED
DA FORM 3881, NO		
DW LOUIN 300 I' NI	JV 03 EDITION OF	NOV 84 IS OBSOLETE 015356 USAPA 2

END ACTIONS HOT ONLY

FOR USE OF THIS FORM.	SE 28 190-45; THE PR	OPONENT AGEN	CY IS OFFICE	THE DEPUTY CHIEF OF	STAFF FOR
PERSONNEL LOCATION	DATE	TIME:	FILE NU	MBER:	
Tikrit, Iraq	22 Jan 04	1310	0011-04-0	DD469-79630-5H1	•
NAME: 670-5	SOCIAL SE	CURITY NU	THE PERSON NAMED IN	GRADE/STATUS: E-4/RA	
			a		
ORGANIZATION	: A Company, 1/8° ≃-5	"Infantry, Ft.	Carson, CO		,
I would like to corredismounted out of the security while SPC individuals. We lost up Drove a little bushed or jumped in up and left. Before into the water to see and told us what to Q: What time did y A: My best guess v Q: Can you provide the correspond to the set of the corresponding to the correspon	want to make ect my initial sworm in Bradley's to determ and SGT and SGT and SGT and SGT are got out, the 1st guy to jump heno the river. I told this investigation see how deep it was, say in the investigation detained the two yould be about 2320 me with a location of sure where we we	i statement to im 2 individualley drove a wa- ley drove a wa- he LT told us e said "No ming guy to jundanted we were He could start tion, Our CO o Iraqi's?), n or grid coordine when we start	clarify what als that were earched the ays, dropped to throw the ster" in Engling and he just back out to dup in the valso helped dinate where opped them.	happened that night. out after curfew. I we vehicle and detained to ramp, got out and load in into the river. SGT ish. I'm not sure if he imped, after that we load the site and our LT ju vater. Our LT sat dow	is pulling he 2 hed back got hed back mped h with us Bradiey.
A: About 10 mittut	es.	shout throwin	o any curieu	violators into the wat	er earlier
in the night?	yone say anyuning a	tout moun	e any canton		
A. Yes.		•			•
Q: Who?				4	
A: SFC	66-5, 676-5				
Q: Who is he?		, ,			
A: My Platoon Ser	geant.	•			
Q: What did he say					
A: Somebody is ge	tting wet tonight.	•			
O What did he me	an by that?				
A: If anybody viol	ated curfew tonight	we would the	ow them into	the water.	
O. Where were vo	ii when he said that	and what tim	e was it?		. idas T
A. Twas in the bac	k of the Bradley at	the FOB Bras	sfield/Mora.	It was either at 1545	or 1745, 1
am not sure. We h	ad changed the time	e we began pa	trois around	that date. It was 15 m	mues
before we left for p		• •			
Q: Did anyone els	e hear this?		سسامه والما	: J lie dhis mlataan f	roameneni
A: Everyone that v	was listening to the	radio in my p	latoon, ne sa	id it over the platoon f	requency.
		id and by who	om when the	convoy stopped and the	ic
detainees were off			مان کانلوناندور همیند. انگ یادر اداخی	1 OF 6	DACES :
EXHIBIT:	INITIALS	A STATE OF THE PARTY OF THE PAR	PAGE_	/_OF	PAGES
DA FORM 2823E		66-5,670	-5	• •	
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	·	FOR OFFICIAL	HEE UNIA	015357	000127
		I OIF OF I JOINT	nôr nuri		<i>J</i>
•		•			

	FOR USE OF THIS FORM, SEE 199-45: THE PROPONENT AGENCY IS OFFICE THE DEPUTY CHIEF OF STAFF FOR PERSONNEL.
	PERSONNEL 66-57 67C-5
4.5	CHADNICTATEMENT OF SPORMER 2Z JAN 04. CONTINUED
	A: When we stopped, the ramp went down and everyone in my vehicle off-loaded to include the
665,625	detainees, except for our doctor (SGT Then the LT said to take them over and throw
<u> </u>	them off by the pump house. We then warked them over and that is
•	Q: Who heard the LT order you guys to throw them into he water?
<i>'</i> . ·	A: Just the three of us; Myself, SGT and and SPC He did not say it over the
	radio. 865, 676-57
	radio. Q: Explain to the how many people were in your vehicle and who got out? 66-5, 67-50.
	AN TRACE TRACE OF ACTOUR AT DIDE DECIDE IN CHILD CHILDEN INTROVING UNITED TO THE SECOND SECOND
	the LT, the doctor, the gunner, the driver and the two detainees. Five of us exited the vehicle.
6-5.67c-5	my self, SGT SPC and the two detainees. The remainder stayed in
	Q: When you walked to the river where was Sire w
	A. He stayed by the Bradley.
•	Q: Do you know why he stayed there instead of going to the river with you?
•	A: To pull security and he did not want anything to do with it.
	Q: Did he say anything or just stay behind?
165 br-5	A. He told SGT
م الله الله الله	A. He told SGT was a supplied in the did not want to have anything to do with it. Q. Did anybody say anything to him for not participating in the incident? A. Yes, SGT chewed him out when we returned to the Bradley.
66-5, 67E-S	A: Yes, SGT Chewed him out when we returned to the Bradley.
	Q: Where was the LT positioned when this was taken place?
	A: On top of the Bradley.
,	Q: Could he observe what was going on from his vantage point?
	A: Yes, he saw the two detainees go into the river. O: Other than you, SGT and the LT, did anyone else observe the two detainees go
	into the water? 66-5,676-5 A: Yes, SFC section will also see it take place.
	Q; Who gave the order to have the detainees pushed into the river?
	A: LT 3 4 5 6 5 6 7 6 7 6 7 6 7 6 7 6 7 6 7 6 7 6
	A: Yes.
	Q: Who told the detainees to jump into the river first?
·	A. SCIT
	A: SGT black black, b1c-5 Q: Did you witness both detainees go into the river?
	A: Yes.
•	Q: Did you witness either of the two detainees exit the river?
	그 🛍 🙀 이 가는 아이들은 사람들은 이 아이들이 그 사람이 모든 사람들이 모
•	Q: Explain to me in detail what took place once the four of you arrived by the water? 66-5,676-5
	A. We were in a single file. I in front was one of the detainees, then 501
	about five feet behind him was the second detainee and then I was directly behind him. My guy
•	was not structling as we were walking. I am not sure about the guy in the front. We supped
	walking at one point near a concrete parrier and I got the cutts from the guy I nad (the neavy
م مدا جد د د د	one). I then gave the knife to SGT. and the cut the cuffs away from his guy (The
D60,016	thin one). The bigger of the two detainees was with me and the smaller one was the guy in the
Le Lan	front with SGT We again started walking and went through the barriers towards
060,00	one). I then gave the knife to SGT and and he cut the cuffs away from his guy (The thin one). The bigger of the two detainees was with me and the smaller one was the guy in the front with SGT We again started walking and went through the barriers towards the water. When we arrived at the waters edge, SGT Record Fold his guy to jump. This is
ا ۾ احق	EXHIBIT: INITIALS: PAGE 2 OF 6 PAGES
	DA FORM 2823E 66-5, 67C-5

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	PERSONNEL 16-5, 67c-5
	SWORN STATEMENT OF SPC 22 JAN 04, CONTINUED:
	when he said "No mister." He does not jump. Then SGT says "You better flicking
	in the state of th
	was pushed or if he jumped into the water, because of my guy standing in from of me. At this
	and I were then the water SCIT was a warm and I were then the
•	there there by the numn house by ourselves. We then turned around and walked back to the
٠	Bradley. When we returned to the Bradley, I could see the LT smiling and saying something
	over the radio but I was unable to hear what he was saying. SGT
,	load up and we departed.
	O: How far was the drop from the edge to the top of the water?
	A: About 10 feet. Q: When they fell into the water did you hear anything else from either of the two detainees?
	A No
•	Q: Did you ever see them again?
	A No.
• .	Q: Who had the knife? 66-5, 670-5
	A: SPC gave it to me before we started to walk. When we cut the cuffs we just left
	them laying on the ground.
	Q: Did your platoon return to the scene of the incident a few days later, and why?
1-5 b1cm	A: Not the entire platoon it was just our team and (myself, and and major, the LT, spc.) SPC. The state of the Commanding Officer (CPT) and Major.
65,670-5	SFC the Commanding Officer (CPT and American Ame
201016	XO). This took place the day before CID was due to come in a talk to us. The XO wanted us to
	on there and that is when the LT jumped in to see how deep it was. I am not sure what the
	officers discussed before we went there. The LT had another change of clothes in the Bradley
	and went to change. This all took place (us going there) after they talked to us about what to say.
•	Q: Who talked to you?
b6-5, b1c-5	
P6-3, DIC.	Q: Who did they speak with?
	A: The three of us, my team.
	O. When did they speak with you?
	A. Several times. They talked to us a bunch of times before we spoke with you guys. The
•	morning you give were there at the unit we rehearsed a lot what we were suppose to say to you
	mys. The IT would drill me and ask me where I was at that night, where I was sitting in the
	Bendley, what I did what happened etc. I would have to respond with the answers they gave
	me. The Commander would sit there and listen to everything the LT would tell us. He, the CO
	was talling us what to expect from CID and that if we stuck to the story it would go away soon.
	The Commander told the three of us that if we took the polygraph test it would get over with
6-5,670-5	faster. The LT and SFC said they would also take the polygraph but they wanted us
26-010 10 7	to go first. They told us the results of the test did not matter and they could not use them against
	us. They would talk to us on a daily basis and when it got close to CID coming (about two or
	three days) they were talking to us about two or three times a day. We discussed the polygraph
	three days) they were taking to us about two of three days. I really wanted to tell the truth but I felt a lot of test the day before and the day of CID's arrival. I really wanted to tell the truth but I felt a lot of
• •	test the day before and the day of CID's arrival. I learly wanted to ten the truth but I lear use the line alor
	pressure from my chain of command to go with the lies. If we don't follow orders we get in a lot
	of trouble.
and the state of t	Q: What did the XO have to do with any of this?
	EXHIBITS INITIALS:
	DA FORM 2823E 665, 6705
	015359
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	FOR OFFICIAL USE ONLY

,	015360 000136
	EXHIBIT: INITIALS: PAGE 4 OF 6 PAGES DA FORM 2823E 56-5, 6-76-5
	Q: Do you know of any other incidents? A: No. Q: Do you know of any other platoons that have thrown people into the river? A: No. Q: Do you know anything else about this incident that we have not discussed? A: No. Q: Why did you not come forward and report this earlier? A: I was scared.
56-5,67C-5	guy you can find. I was the driver so I stayed in the vehicle. Four other guys went inside and returned with a detainee. We started driving and stopped by a pontoon bridge. I was in the rear of the convoy and had to turn my Bradley around for security, so I could not see what happened. When we returned to our base camp they were talking about throwing the guy off of the bridge. Q: Why did they do this? A: There was a competition between platoons to see who would get do it first. The guy had done nothing wrong that I am aware of, SFC
	A: I do not know anything about the vehicle. Q: Do you know of any other incidents where you unit threw Iraqi's into the river? A: Yes, I know of one other incident. On Dec 4 th or 5 th , I had just returned from leave and they went to Anaconda to pick me up. When we were returning back to Balad, we stopped at what I
	Q: What is his name? A: COL
•	The Battalion Commander and the Brigade Commander was not there that day but I have been told by my chain of command that they know everything. Q: Have you or any members of your team talked to the Brigade Commander about this? A: No.
	coming here but he wasn't having much luck. Q: How do you know for sure that they knew what happened? A: The Company Commander and BN XO were at the bridge that day when we discussed it.
	that night? A: My LT, my platoon SGT, the CO, the BN XO, the BN Commander. I am not sure but I would say the Brigade Commander knows also. I know he tried to keep us from coming here and talking to you guys. The CO told us that the Brigade Commander was trying to get us form
	The XO was there at the bridge that day when the LT jumped in. The LT told us that battalion knew everything. That included not only the XO but my Battalion Commander, LTC L -5 6 1c -5 Q: Who in your chain of command knows that these two detainees were forced into the water
	A: Yes, we were discussing it with him that day at the bridge. Q: Did he say anything to you about the story you were told to tell? A: No, he didn't say anything but he was aware of the truth and the lies we were told to say.
	SWORN STATEMENT OF SPC 22 JAN 04, CONTINUED: A: He was just there the day we went out to the bridge. Q: Did the XO know that you guys threw the detainees into the water?
	FOR USE OF THIS FORM, SECTION 191-45: THE PROPONENT AGENCY IS OFFICE OF THE DEPUTY CHIEF OF STAFF FOR PERSONNEL

	PERSON	^{NEL} N STAT	EMEN]	OF SP	66-5	<i>Ы1€-5</i> 22 JA	N 04, COI			f of Staff	FUX
	Q: Dic A: I di	you thro dn't actu	ow anyou	ne into t ow the g	ne river uy but I	/ made him ju	ımp?		*		
5	Q: Wi	y? :ause I w	as follo	wing a d	irect ord	der from the s putting his rights and ag	LT. I felt I hands on p	ne.		rders, SF0	Č
	A. Ye					this interviev					
	A. Ca	od .					•		intomiony?		
	Q: We A: Ye	1.3 20 4.3	iven the	opportu	nity to t	ake any brea	ks today di	uring the	interview <i>r</i>		•
	Q: Di	i you ma	ke this s	statemen	t of you	r own free w	rill?		· ·		
	A: Yes	•	d this st	atement	hefore v	von signed it	.: ? :				
	Q; Di	1 you rea Tes	o mis su	6-5	5 67C	you signed it	• • •	.*			
•	Ω. 117a	7 C S	ven the	opportu	nity to n	nake changes	s to the stat	ement be	fore you si	gned-it?	•
	U: WC	ic you s				at day					
	A. 1			1-6-1	70	5	•	مروندار مواقرات	ationtion?		
	A:	es 🙍	b	6-5, L	o 70 -5	e to add to th	is matter u	nder inve	stigation?	al injury a	and
•	A: Q: Is t	es here any	hing els	6-5, L e you we ck to my	ould like unit, ar	e to add to to iv unit in my	brigade. I	nder inve am afraic	stigation? d of person	al injury a	and
-	A: Q: Is to A: Yes	es here any i, I fear g al harm	hing els joing bad if I retur	6-5, 6 e you we ck to my n after to	ould like unit, ar elling th	e to add to the ry unit in my le truth here t	brigade. I tonight.	am atrai	stigation? d of person	al injury a	and
٠	A: Q: Is to A: Yes	es here any s, I fear g al harm	hing els joing bad if I retur	6-5, 6 e you we ck to my n after to	ould like unit, ar elling th	e to add to the ry unit in my le truth here t	brigade. I	am atrai	stigation? d of person	al injury :	and
٠	A: Q: Is to A: Yes	es here any i, I fear g al harm	hing els joing bad if I retur	6-5, 6 e you we ck to my n after to	ould like unit, ar elling th	e to add to the ry unit in my le truth here t	brigade. I tonight.	am atrai	stigation? d of person	al injury a	and
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	A: Q: Is to A: Yes	es here any i, I fear g al harm	hing els joing bad if I retur	6-5, 6 e you we ck to my n after to	ould like unit, ar elling th	e to add to the ry unit in my le truth here t	brigade. I tonight.	am atrai	stigation? d of person	al injury a	and
	A: A: Ye physic Q: Ar A: No	es here any is, I fear g al harm nything e	ining els oring bac if I retur ise? OF STA	6-5, 6 e you we ck to my n after to	ould like unit, ar elling th	e to add to the ry unit in my le truth here t	brigade. I tonight.	am atrai	stigation? d of person	al injury a	and
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6 PAGES

DA FORM 2823E

SWORN STATEMENT FOR USE OF THIS FORM, SEAR 190-45: THE PROPONENT AGENCY IS OFFICE THE DEPUTY CHIEF OF STAFF FOR PERSONNEL

66-5,670-5

SWORN STATEMENT OF SPC

22 JAN 04, CONTINUED:

Not Used 665, 676-5

66-5,676-5

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.

61C-5

WITNESS:

5A

SIGNATURE OF PERSON MAKING STATEMENT

SUBSCRIBED AND SWORN TO BEFORE ME, A PERSON AUTHORIZED BY LAW TO ADMINISTER OATHS, THIS 22d DAY OF JANUARY 2004, AT TIKRIT, IRAQ

66-1, b70-1



SIGNATURE OF PERSON ADMINISTERING DATH

sa 66-1, 67C-1

TYPED NAME OF PERSON ADMINISTERING OATH

ARTICLE 136 UCMI
AUTHORITY TO ADMINISTER OATH

EXHIBIT:

INITIALS:

PAGE

<u>ن</u> ک

6

PAGES

DA FORM 2823E

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FOR OFFICIAL USE ONLY

ZZ JAN OH to correct my initial Sword statement to clarify what thus night We dismonted out of the Bradleys detain & individuals that 10 after ewfew. I 5,670-5 Searched the vehicle descined the Z individuals. We in the Bradber drove a and loaded degreed rup got out a little bit farter at The 27 total. into the the 1st gay to jump mister in english I'm not sure if or jumped into the viver. I told jump and he jumped after we loaded back Before this investigation started went Back out ře our LT jumped into the He how deep it ي نهاسا m the value. Our LT got down w/us told us what to say in (0 also believe coach us investigation . Our along, SPC FOR OFFICIAL USE CHEY 66-5, 676-570 1000



DEPARTMENT OF THE ARMY 1616 MILITARY POLICE BATTALION (CID) THIRD MILITARY POLICE GROUP, USACIDO UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND GAMP VICTORY, IRAG 09335

CALLIAN MENTAL SERVICE AND REPORTED BY MANES SERVICE OF THE SERVICE MENTAL OF THE SERVICE OF THE

CIMPX-FB (195-6)

23 Jan 04

MEMORANDUM FOR

Director, U.S. Army Crime Records Center, U.S. Army Criminal Investigation Command, 6010 6th Street, Pt. Belvoir, VA 22060-5585

Special Agent In Charge, 43d Military Police Detachment (CID) (FWD), 3d Military Police Group (USACIDC), Tikrit, Iraq APO AE 09323-2647

SUBJECT: Polygraph Examination Report

INVESTIGATIVE CASE REFERENCE: 0011-03-CID469-79630-5H1

AUTHORIZATION NUMBER: 04-0075, 20 Jan 04

DATE OF EXAMINATION: 20 Jan 04, 22 Jan 04

LOCATION OF EXAMINATION: Tikrit, Iraq

66-5/676-5

SUBJECT EXAMINED: Ft. Carson, CO 80913:

A Company, 1/8th Infantry,

OFFENSE: Murder.

PURPOSE OF EXAMINATION: Criminal Investigation

INVESTIGATIVE/OPERATIONAL SUMMARY: Investigation was initiated on 13 Jan 04, when it was reported from Forward Operating Base (FOB) Brassfield, Samarra, Iraq, of an alleged murder of an Iraqi national by American forces. Preliminary investigation revealed Mr. Samarra, Iraq (NFI), reported to the Iraqi Civil Defense Corp (ICDC) on 3 Jan 04, that he and his cousin, Mr. Zaydun Ma'mun FADHIL, Samarra, Iraq (NFI) were detained by the American forces which resulted in the death of Mr. FADHIL.

676-4 676-4

Further investigation revealed that Mr. approached the ICDC security check point in Samaira, late in the evening of 3 Jan 04 or early in the morning of 4 Jan 04, and reported he and Mr. FADHIL were stopped, searched and later detained by the American Forces. He reported that after they were detained they were both pushed off of a bridge into a river and Mr. FADHIL apparently drowned.

FOR OFFICIAL USE ONLY

Attached as Exhibit is Polygraph Examination Report (DA Form 2802). This exhibit will be destroyed not later than 3 months after the date of the report of investigation (para 2-60, AR 195-6). The original, to include related polygraph records, is at the U.S. Army tring Records Center, Usacino, 6010 6 Street, Ft. Selvoir, VA 22060-5585. Reproduction of this exhibit or its contents is prohibited.

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EXHIBIT 21

H-76-99 112

On 16 Jan 04, Mr was interviewed by USACIDC and stated he and Mr. FADHIL were returning from Baghdad, where they had purchased some plumbing supplies. He stated that about 2230, 3 Jan 04, while traveling to their home in Samarra, they arrived at the ICDC stated at the check point their vehicle was searched, their check point. Mr. identifications cards were checked, and they were allowed to proceed. However, they were instructed to immediately go to their residences as the currey was nearing (2300). Mr. said they departed the checkpoint and about 2 or 3 kilometers away they approached an oncoming American convoy. He said the Americans stopped their vehicle and instructed them to exit the vehicle. According to Mr. their vehicle was searched, they were personally searched and then they were handcuffed and placed in the rear of a military vehicle, later identified as a Bradley Fighting Vehicle (BFV). Mr. stated they were never informed why they were being detained but were released before the vehicle drove away. He said they got back into their vehicle and drove about 20 meters, when the same soldiers once again. stopped them, handcuffed them again and placed them in the back of the BFV. Mr. indicated the BFV drove away and about 15 minutes later it stopped and they were ordered to exit the vehicle, and once he got out of the vehicle he could see the lights from the ICDC check point and they were un-cuffed and instructed to stand near the bridge. Mr. they stood near the bridge, the soldiers instructed them to jump off of it and when they did not a soldier approached MR.FADHIL and pushed him off into the water and soon after he also was pushed into the water. Mr. said when he went into the water he could hear Mr. FADHIL screaming because he did not know how to swim, but he was unable to get to him due to the strong currents in the water. Mr. stated he swam to the shore and hid because he could hear the soldiers laughing about the incident. Mr. described the soldier that pushed Mr. FADHIL as skinny, not very fall and his skin was a little darker than white. He was unable to describe the soldier that pushed him into the water and was not sure if it was the same person or another soldier standing near by. Mr stated once the soldiers departed he made his way back to the ICDC check point and reported the incident to the Iraqi guards, who went back to the river with him to assist in the search of Mr. FADEIL. He stated they could not find him and he spent the remainder of the night at the ICDC area. The next morning when he returned to his vehicle he discovered it had been destroyed by unknown means. Photographs were exposed of the vehicle by a friend and the local community communed to search for the body of Mr. FADHIL. The photographs of the vehicle were obtained by USACIDC, and a review of the prints depicts enormous damage to the vehicle and a trailer, apparently caused by a BFV running completely over it.

On 15 Jan 04, the remains of Mr. FADHIL were apparently discovered by the local nationals and he was soon thereafter buried in a local cemetery. Photographs were also exposed of the human remains. According to Mr. FADHIL had injuries to his head and facial area caused by unknown means. Photographs of the human remains have not yet been collected by USACIDC to confirm the identity of the human remains in relation to Mr. FADHIL.

On 16 Jan 04, three members of the ICDC on duty the night of the incident were interviewed. They were PEC

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Attached as Exhibit is Polygraph Examination Report (DA Form 2802); This exhibit will be destroyed not later than 3 months after the date of the report of investigation (para 2-6h, An 195-6). The original, to include related polygraph records, is at the U.S. Army trime records contents is prohibited.

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Additional investigative activities resulted in the identification of the soldiers involved in this incident. This was accomplished by obtaining historical data of particular units and their mission for that particular date and location. As a result of this investigative activity, the particular soldiers involved were interviewed and all denied any wrongdoing pertaining to this investigation.

Eight soldiers were identified as being at the scene and interviewed, three under rights advisement. One of the soldiers interviewed, SSG Company, 1/8th Infantry, stated they stopped the vehicle because of a curfew violation and the Iraqi's were detained. He stated he did not exit his vehicle but heard what was transpiring over the radio and that he called the 1LT to request permission to run over the detainee's vehicle with his BFV. According to SSG he was denied permission and the convoy proceeded with the detainees in the front BFV, and their vehicle left behind undamaged. SSG related that a few minutes later the convoy stopped and he heard the detainees were being released because of a shortage at the detention facility. SSG related that a few minutes later the detainees standing near the bridge. SSG denied he witnessed, assisted, or conspired with anyone to throw the two detainees into the river. He also denied he or anyone else in the convoy drove over the detainee's vehicle with their BFV.

On 16 Jan 04, 1LT A Company, 1/8th Infantry, was interviewed and denied any wrongdoing pertaining to this investigation. 1LT his unit was returning from their nightly patrols and stopped a vehicle that contained two Iraci's for a curfew violation. He stated SGT reported to him that one of the individuals had a false identification card as the photograph appeared to be that of a younger individual. ILT ordered that the two Iraqi's be detained and placed in the rear of their BFV. He said that once they were moving again, with the two detainees, he realized the detention facility was closed so he stopped and ordered SGT remove the flexicuffs and release the detainees. 11.T said once that was accomplished they began rolling out and he looked in the mirror and observed the two detainees standing on the north side of the road as the convoy drove away. 11.7 enied he ordered, witnessed, or had any knowledge of the two detainees being thrown into the river.

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The other three soldiers (SGT SGT and SPC all of A company, 1/8th Infantry, were interviewed and denied having any knowledge of wrongdoing pertaining to this investigation. Each of them were in the back of another BFV and apparently never dismounted their vehicle. On 16 Jan 04, SGT 1 A Company, 1/8th Infantry, Ft. Carson, CO, was interviewed under rights advisement and denied any wrongdoing pertaining stated they stopped the vehicle for a curfew violation to this investigation. SGT and during a search they discovered one of them had a false identification card. It was then decided to detain the two Iraqi's. SCT stated they loaded the two Iraci's into the BFV and departed. He said about 15 minutes after leaving they stopped the vehicles and ILT told him to release the detainees; so he, SPC and SPC the vehicle, removed the cuffs, and left the two Iraqi's standing on the side of the road. SOT stated that when he got back into the BFV, the two Iraqi's were still standing on the side of the road. He also stated he did not know they were located near a river or bridge, because it was dark and he couldn't see. It should be noted that there was a light near the bridge and the ICDC checkpoint had numerous lights illuminating the immediate area, and others interviewed were aware of the bridge being there. SGT matches the description provided by the surviving victim of the individual that pushed Mr. FADHIL from continued to deny he pushed either of the two Iraqi's into the the bridge, SGT river, denied he observed either of the two Iraqi's being pushed into the river, and denied he planned with any members of his unit to conceal the act of pushing the two Iraqi's into the river.

On 16 Jan 04, SPC A Company, 1/8th Infantry, was interviewed under rights advisement and denied any wrongdoing pertaining to this investigation. SPC and stated after they had detained the two Iraqi's, the convoy stopped and they were instructed to release the two detainees. He said himself. SPC and supervised the BFV and he pulled security, SPC are removed the cuffs, and SGT supervised. He stated they escorted the two detainees near the bridge on the right side of the road, removed the cuffs, and SGT told them (the detainees) to leave. SPC stated the last time he saw the two detainees they were standing on the side of the road as the convoy departed.

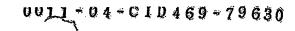
was interviewed under rights advisement and denied any On 16 Jan 04, SPC wrongdoing pertaining to this investigation. SPC stated after the two fract's were detained they drove a while and then the convoy stopped. SPC stated they were directed to release the two detainees, so he, SGT and SPC exited the BFV with the two detainees. He stated SGT supervised, SPC provided him with the knife and then pulled security, while he removed the cuffs from the stated that after the cuffs were removed, SGT two detainees. SPC told the two detainees to leave, and the three of them got back inside the BFV and departed. He said the last time he saw the two detainees, they were walking along the side of the road. was offered the opportunity to undergo a polygraph examination to verify the truthfulness of his statement, to which he agreed.

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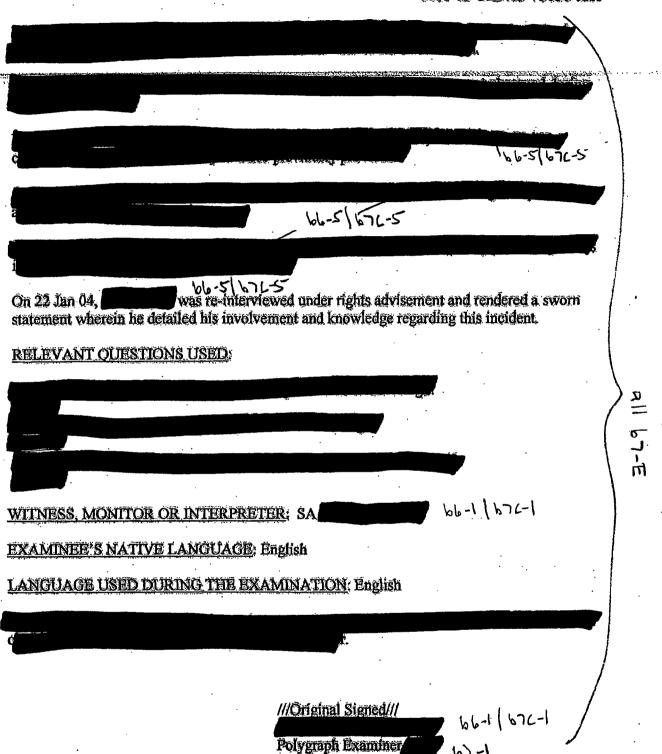
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	DATA REQUIRED BY THE PRIVACY ACT
NINCIPAL PURPOSE: To provide commando	es Code, Section 3012(g) lers and law enforcement officials with means by which information may be accurately identifi Number is used as an additional/alternate means of identification to facilitate filing and retriev ocial Security Number is voluntary.
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we were going to throw them in the water with their hands tied up and I said hell no, cut them loose. So I told one guy, the skinny guy to jump and he didn't so I kicked him in the butt and told him to jump and he still didn't. And somehow during all that the butt and told him to jump and he still didn't. And somehow during all that commotion I believe that pushed him off the bridge and right when I was about to look over the edge I got bum rushed from my left side so I turned around and grabbed to look over the edge I got bum rushed from my left side so I turned around and grabbed to look over the edge I got bum rushed from my left side so I turned around and grabbed to look over the edge I got bum rushed from my left side so I turned around and grabbed to look over the edge I got bum rushed from my left side so I turned around and grabbed to look over the edge I got bum rushed from my left side so I turned around and grabbed to look over the edge I got bum rushed from my left side so I turned around and grabbed to look over the edge I got bum rushed from my left side so I turned around and grabbed to look over the edge I got bum rushed from my left side so I turned around and grabbed to look over the edge I got bum rushed from my left side so I turned around and grabbed to look over the edge I got bum rushed from my left side so I turned around and grabbed to look over the edge I got bum rushed from my left side so I turned around and grabbed to look over the edge I got bum rushed from my left side so I turned around and grabbed to look over the edge I got bum rushed from my left side so I turned around and grabbed to look over the edge I got bum rushed from my left side so I turned around and grabbed to look over the edge I got bum rushed from my left side so I turned around and grabbed to look over the edge I got bum rushed from my left side so I turned around and grabbed to look over the edge I got bum rushed from my left side so I turned around and grabbed to look over the edge I got bum rushed from my le
Statement Of San Company, 1/8th Infantry, Ft. Carson, CO 80913 b6-5, I. San Sabout to tell you everything that I know about the two Iraqi's going in the river. If was on 3 Ian and that night we were going to do a patrol in Sammara which we did, we walked around the streets for about 1 hour-1 ½ hour, but before we did which we did, we walked around the streets for about 1 hour-1 ½ hour, but before we did which we did, we walked around the streets for about 1 hour-1 ½ hour, but before we did which we did, we walked around the streets for about 1 hour-1 ½ hour, but before we did which we did, we walked around the streets for about 1 hour-1 ½ hour, but before we did which we did, we walked around the streets for about 1 hour-1 ½ hour, but before we did which we did, we walked around the streets for about 1 hour-1 ½ hour, but before we did which we were going to do a patrol and then pick the patrol I overheard somehody say "Yeah we are going to do a patrol and then pick the patrol of the Bradley's and there was a car right in front of it, so we told them and myself get our of the Bradley's and there was a car right in front of it, so we told them for curfew violations at first, so we ask them for ID's. The skinny gay was legit them for curfew violations at first, so we ask them for ID's. The skinny gay was legit them for curfew violations at first, so we did. So the Bradley starts moving him and place them in the back of the Bradley, so we did. So the Bradley starts moving him and place them in the back of the Bradley, so we did. So the Bradley starts moving and when it stopped we were by a ICDC checkpoint I believe. So the I.T told us to get the I.T said if you don't feel good throwing them off of the bridge just throw him by the back in the Bradley's, so we did and when it stopped we were by the bridge and I said held he we were going to throw them in the water with their hands tied up and I said held he of the bradley is the back of the Bradley's were all the back of the Bradley's and me and specific them to be
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Vani to make the following statement under oath: About to tell you everything that I know about the two Iraqi's going in the river. If was on 3 Jan and that night we were going to do a patrol in Sammara which we did, we walked around the streets for about 1 hour-1 ½ hour, but before we did which we did you for a swim? So we did the patrol and I assumed that we were going back to somebody up for a swim? So we did the patrol and I assumed that we were going back to Brassfield so we get back in the Bradley? and took off when the Bradley's stopped. My Brassfield so we get back in the Bradley and there was a car right in front of it, so we told team and myself get out of the Bradley and there was a car right in front of it, so we told the mys in the car to get out. We searched them and the car. I thought that we stopped them for curfew violations at first, so we ask them for ID's. The skinny gow was legit and the chunky guy gave us a fake ID. We called it up to the LT and he said to detain him and place them in the back of the Bradley, so we did. So the Bradley starts moving him and place them in the back of the Bradley, so we did. So the Bradley starts moving had when it stopped we were by a ICDC checkpoint I believe. So the LT told us to get back in the Bradley's, so we did and when it stopped we were by the bridge and I believe back in the Bradley's, so we did and when it stopped we were by the bridge and I believe back in the Bradley's so I walked by the shore and called the guys over. Blad one and SCT had one and SCT had one and SPC had one and SPC had one and SPC had one guy, the skinny guy to jump and he didn't so I kicked him in the but and told him to jump and he still didn't. And somehow during all that the but and told him to jump and he still didn't. And somehow during all that the but and told him to jump and he still didn't. And somehow during all that the but and told him to jump and he still didn't. And somehow during all that the but and told him to jump and he still didn't. And somehow during all
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to look over the edge I got burn rushed from my left side so I turned around and geto- because I thought that he was going to fall too and that's when the chunky guy wan. After that everybody went back to the Bradley's and me and the chunky guy swim to the shore and the skinny guy was still on the water saying the chunky guy swim to the shore and the skinny guy was still on the water saying the chunky guy swim to the shore and the skinny guy was still on the water saying to Brassfield I heard that the white truck the guys were in was crushed by a Bradley and to Brassfield I heard that the white truck the guys were in was crushed by a Bradley and to Brassfield I heard that the white truck the guys were in was crushed by a Bradley and to Brassfield I heard that the white truck the guys were in was crushed by a Bradley and to Brassfield I heard that the white truck the guys were in was crushed by a Bradley and to Brassfield I heard that the white truck the guys were in was crushed by a Bradley and to Brassfield I heard that the white truck the guys were in was crushed by a Bradley and to Brassfield I heard that the white truck the guys were in was crushed by a Bradley and to Brassfield I heard that the white truck the guys were in was crushed by a Bradley and to Brassfield I heard that the white truck the guys were in was crushed by a Bradley and to Brassfield I heard that the white truck the guys were in was crushed by a Bradley and to Brassfield I heard that the white truck the guys were in was crushed by a Bradley and to Brassfield I heard that the white truck the guys were in was crushed by a Bradley and to Brassfield I heard that the white truck the guys were in was crushed by a Bradley and to Brassfield I heard that the white truck the guys were in was crushed by a Bradley and to Brassfield I heard that the white truck the guys were in was crushed by a Bradley and to Brassfield I heard that the white truck the guys were in was crushed by a Bradley and to Brassfield I heard that the white truck the guys were
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that was it for the night. A couple of days had gone by when the L1 came to take to the that was it for the night. A couple of days had gone by when the L1 came to take the about that night. He said that it's gotten big, that the Iraqi's send an e-mail saying that about that night. He said that it's gotten big, that the Iraqi's send an e-mail saying that about that night man in the river and that we must not tell nobody about this, because the we killed this man in the river and that we must not tell nobody about this, because the CO could lose his company and the LT could lose the platoon and who knows what else
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about that night. He said that it's gotton of the said that we must not tell nobody about this, because the we killed this man in the river and that we must not tell nobody about this, because the we killed this man in the river and that we must not tell nobody about this, because the content of the killed the weather that the said that we must not tell nobody about this, because the we killed this man in the river and that we must not tell nobody about this, because the we killed this man in the river and that we must not tell nobody about this, because the we killed this man in the river and that we must not tell nobody about this, because the we killed this man in the river and that we must not tell nobody about this, because the we killed this man in the river and that we must not tell nobody about this, because the said the said that the s
we killed this man in the river and that we make the platoon and who knows what else CO could lose his company and the LT could lose the platoon and who knows what else
CO could lose his company and into Date that CID wanted to talk to us about it but we
Let bonned So the next day mey with the second seco
might happen. So the next day they fold us that CID wanted to unit to the LT, CO, plt SGT, and had to stick to the story that we dropped them off on the road. The LT, CO, plt SGT, and had to stick to the story that we dropped daylight hours to find out what really happened.
a Maj, took us back to the bridge during to see how deep it is and they said it was
So we told him and my L1 Jumps in the truth when the LT and SFC
impossible for those for those two guys to be saying the truth whether the story because saw them out of the water. So they told us again to stick to the story because
56-5, 672-5 CID is bad, they are out to get us and that everybody knew the truth but they are out to
get us.
EXHIBIT INITIALS: PAGE _/ OF _/ PAGES
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015366 000140 28 EXHIBIT 28

A: The LT.

Q: Did anyone else hear this?

Q: Explain to me exactly what was said and by whom when the convoy stopped and the A: I don't know.

A: Before we got to the bridge, we stopped once and off loaded. But we were told to get back on and we drove again for a few minutes. This is when we had the detainees exited the vehicle. We were all standing outside the Bradley and looked up to the LT, who was standing in the turret. This is when he said if we were not comfortable with throwing them over the bridge we could throw them by the shore. Nothing else was said.

Q: Who heard the LT order you guys to throw them into he water? 16-5, 17-5 A: I don't know who else heard it other than me, but

was still in the Bradley standing there also. I think

Q: Explain to me how many people were in your vehicle and who got out? PAGE LOF PAGES

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69C-3

	be the second of	5,61C-5
		N. 1
	TRAO APO AE 0937 123 Jan 04. CONTINUE	6-5, 76-5
	The work a total of nine people in our Bradley. Mysen, or	76-5
h6-3	the driver (unknown) and the two detaineds	1,61c-s
b7C-3	Surported the vehicle initially, myself, SPC	
	six of us exited the vehicle initially, myself, SPC and the two detainees.	1 (5) - 101 - 105
66-3,67C-3		
	・ 大学は大学者 教育 表面できょう とうしょう (Angle) (Angle) 「新りから (Angle) 「新りから (Angle) 「おりから (Angle) 「Angle) 「おりから (Angle) 「Angle)	**
•	● 1、 图题 主要 使用的形式 建铁铁矿 1、	
	A: In another Bradley. Q: Explain to me in detail what happened after you exited the vehicle until you re-	, ref , ja 1.
•	Or Explain with a second of the second of th	
	entered it and departed? A. After the LT made that statement I walked down to the barrier by myself and told the walked to where I was standing. b6-5.	b16-5
	A. After the LT made that statement I walked down to the barrier by myser and a standing. b6-5 guys to come over here. Everyone, except walked to where I was standing. b6-5 guys to come over here. Everyone, except walked with the other guys. They	, _ , _ ,
· · · · · · · · · · · · · · · · · · ·	guys to come over not imped down and walked with the other guys. I ney	
66-3,676-	guys to come over here. Everyone, except walked to where I was standing guys to come over here. Everyone, except walked with the other guys. They is the time when successful the property of the cuffs on and I said no. Then asked me if we were going to throw them with the cuffs on and I said no. I guy the cuffs from both detainees. We told them to jump, but they did not. I	•
- معقد ا	asked me if we were going to throw them with the cuits on and 1 sate asked me if we were going to throw them with the cuits of and 1 sate asked me if we were going to throw them with the cuits of and 1 sate asked me if we were going to throw them with the cuits of them (skinny one) in the butt. I don't remember if	
665, 67e-5	out the same of th	
	told them again, and the water when I kicked the guy he did not go into the water.	·
	anyone else said anything or not. When I kicked the guy he did not go anyone else said anything or not. When I kicked the guy he did not go anyone else said anything or not. When I kicked the guy he did not go any he are time I this is when I believe the pushed him into the water and almost at the same time I	
6-3,67C-3	and his detainee. I grabbed	66-6,61c-5
b6-5, b7c.	-S got hit by both falling into the water. When they were both in the water, everybody but myself and falling into the water. When they were both in the water, everybody but myself and falling into the water. When they were both in the water, everybody but myself and falling into the water.	رق مان الم
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16-5,676-5	falling into the water. When they were both in the water, everybody but myself and falling into the water. When they were both in the water, everybody but myself and falling into the water. When they were both in the water, everybody but myself and I water, everybody but myself	•
	heard the skinny guy saying something, shouting and I saw the Sharing guy saying something, shouting and I saw the Sharing guy saying something, shouting and I saw the Sharing guy saying something, shouting and I saw the Sharing guy saying something, shouting and I saw the Sharing guy saying something, shouting and I saw the Sharing guy saying something, shouting and I saw the Sharing guy saying something, shouting and I saw the Sharing guy saying something, shouting and I saw the Sharing guy saying something, shouting and I saw the Sharing guy saying something, shouting and I saw the Sharing guy saying something, shouting and I saw the Sharing guy saying something guy saying something guy saying guy saying something guy saying	•
•		
	loaded up and we left. Q: Did you ever see either one of the detainees exit the water?	•
1	A: No. Q: How far was the drop to the top of the water?	•
	4 4 6 4 2 10 Fact	
	A: 10 to 12 feet. Q: What was the one detainee saying in the water?	
		•
	A: I do not know. Q: When you say LT, whom are you referring to? Q: When you say LT, whom are you referring to?	,
	Q: When you say LT, whom are you referring to? A: 1LT A service are you referring to?	
	A: 1LT have been the is my platoon leader. 000 2700 and 1LT Q: When you say CO, whom are you referring to?	
•	Q: When you say CO, whom are you referring to? A: Captain my Company Company Commander. 66-5, 670-5	
	A: Captain my Company Commander. So 9) Q: When you say MAI, whom are you referring to? Q: When you say MAI, whom are you referring to?	
	O: When you say MAJ, whom are you referring to? A: Major the Battalion Executive Officer (XO). 66-5, 676-5	
	A: Major the Battalion Executive Officer (XO). 56-5, 616-5 Q: When you walked to the river where was SPC 16-5, 616-5, 616-5	•
	O: When you warked to ma	•
•	A: He stayed by the Bradley. Q: Do you know why he stayed there instead of going to the river with you?	•
	O: Do you know why he stayed more	
	A - LIA did not want to come.	
	Q: Did he say anything or just stay behind?	
	A: He did not say anything. Q: Did anybody say anything to him for not participating in the incident? Q: Did anybody say anything to him for not participating in the incident?	•
•	The second of th	
	A: Yes, I told him when I tell him to do solded as a large of the CT positioned when this was taken place? Q: Where was the LT positioned when this was taken place?	•
· ·	Q: Where was the LI positioned when the	
	A: On top of the Bradley.	
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	66-5,67C-5	
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EXHIBIT_

SWORN STATEMENT 23 Jan 04. CONTINUED IRAQ, APO AE 09322 23 Jan 04. CONTINUED	20), 20), 20)
The abserve what was going on from its values for	
Q: Could be observe A: I do not know. Q: Other than the individuals you described as being at the water, did anyone else Q: Other than the individuals you described as being at the water, did anyone else	
O Other than the individuals you described as ourse.	Sec.
sheare the two delatines 8	:: .*
A: I do not know. Q: Who gave the order to have the detainees pushed into the river?	, ; , ;
Q: Who gave the order to make the order to push the detainees into the river? A: LT A: LT A: LT	
O. Did you personally hour the D	
A: Yes, Q: Who told the detainees to jump into the river first?	
Q. Who told the detained to 1	
A: I did. Q: Did you witness both detainees go into the river?	941 N
A: Yes Calle two detainees exit the river?	.:
A: Yes. Q: Did you witness either of the two detainees exit the river?	: \
A: No.	-
Q: Did you ever see and why? A: No. Q: Did your platoon return to the scene of the incident a few days later, and why? Q: Did your platoon return to the scene of the incident a few days later, and why? O: Did your platoon return to the scene of the incident a few days later, and why? O: Did your platoon return to the scene of the incident a few days later, and why? O: Did your platoon return to the scene of the incident a few days later, and why? O: Did your platoon return to the scene of the incident a few days later, and why?	7c-5
A: No. O: Did your platoon return to the scene of the incident a few days later, and why? O: Did your platoon, It was SGT the CO, the LT, the BN XO, 66-5, L	, , en
A: It was just part of the part of the and myself. I am not sure it was incomed	
	ند نده ۱
not. The officers wanted to see how deep the water was. This is when the DT, while we into the water. The CO was going to jump in but the LT said No, I will do it. While we into the water. The CO was going to jump in but the LT said No, I will do it. While we into the water. The CO was going to jump in but the LT said No, I will do it. While we into the water and so we forced them into the river and both this is when he told us we would say we just dropped them off on the road side and not this is when he told us we would say we just dropped them off on the road side and not this is when he told us we would say we just dropped them off on the road side and not this is when he told us we would say we just dropped them off on the road side and not this is when he told us we would say we just dropped them off on the road side and not this is when he told us we would say we just dropped them off on the road side and not this is when he told us we would say we just dropped them off on the road side and not this is when he told us we would say we just dropped them off on the road side and not this is when he told us we would say we just dropped them off on the road side and not this is when he told us we would say we just dropped them off on the road side and not this is when he told us we would say we just dropped them off on the road side and not this is when he told us we would say we just dropped them off on the road side and not	016-3
were standing uncle, we would say we just dropped them off on the road of this is when he told us we would say we just dropped them off on the road of this is when he told us we would say we just dropped them off on the road of this is bad. tell anyone (CID) about the water. Then he gave us a big speech about how CID is bad. tell anyone (CID) about the same thing about our story and about CID.	
tell anyone (CID) about the water. Then he gave us a big spectral tell anyone (CID) about the water. Then he gave us a big spectral tell anyone (CID) about the same thing about our story and about CID. Later the CO and the LT co and XO, did anyone else talk to you about what to say?	
A. CHI.	
Q: Who did they speak with? A: They spoke with me initially then they spoke with my team and me. A: They spoke with me initially then they spoke with my team and me.	
Q: When did they specified we went back to the river, at the river and several times. Before we went back to the river, at the river and several times. Before we went back to the river, at the river and several times. As several times were them. They even had us practice in the Bradley where that but before we spoke with CID. They even had us practice in the Bradley where	
going to say and we would answer them. They even had us practice in the going to say and we would answer them. They even had us practice in the going to say and we would answer them. They even had us practice in the going to say and we would answer them. They even had us practice in the going to say and we would answer them. They even had us practice in the going to say and we would answer them. They even had us practice in the going to say and we would answer them. They even had us practice in the going to say and we would answer them. They even had us practice in the going to say and we would answer them. They even had us practice in the going to say and we would answer them. They even had us practice in the going to say and we would answer them. They even had us practice in the going to say and we would answer them. They even had us practice in the going to say and we would answer them. They even had us practice in the going to say and we would answer them.	
we would sit and rehearse how and who got out. We would sit and rehearse how and who got out. Who got out the LT and SFC control of the water? CID we were told not to talk about it again by the LT and SFC control of the water?	•
	•
Q: Did the XO know that you guys thew the Company XO. A: Yes, the BN XO did. I never spoke with the Company XO. Who in your chain of command knows that these two detainees were forced into the Q: Who in your chain of command knows that these two detainees were forced into the	•
	•
Q: Who in your chain of command know for sure because I spoke with water that night? A: My LT, my platoon SGT, the CO, the BN XO I know for sure because I spoke with A: My LT, my platoon SGT, the CO, the BN XO I know for sure because I spoke with A: My LT, my platoon SGT, the CO, the BN XO I know for sure because I spoke with the command know the truth and that we were told them. I was told everyone in our chain of command know the truth and that we were told them.	
them. I was told everyone in	
the about it.	
Q: How do you know for sure that they knew what nappened? A: The Company Commander and BN XO were at the bridge that day when we	-
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	SWORN STATEMENT OF SGI IRAQ, APO AE 09323, 23 Jan 04: CONTINUED 66-57, 676-5
	discussed it. The Battalion Commander and the Brigade Commander was not there that day but I have been told by my chain of command that they know everything, day but I have been told by my chain of command that they know everything. Q: Have you or any members of your team talked to the Brigade Commander about this?
	A. No. Q. What is his name?
	Q: Do you know of any other incidents where you unit threw fract s into the free. A: Yes, once. In Balad and SFC made the plan to pick somebody up and 66-5, 67c-5 throw them in to the river. We stopped near a store and SFC said "Yes, this 66-5,67c-5 throw them in to the river. We stopped near a store and SFC said "Yes, this 66-5,67c-5 throw them in to the river. We stopped near a store and SFC said "Yes, this b6-5,67c-5"
	guy looks good". We (Myself, with another squad) took him, and we exited the vehicle and stopped by a bridge somewhere. The ramp came down and we exited the vehicle with the detainee. We uncuffed him and threw him off of the bridge. SGT was the other guy that helped me. SFC gave the order to do it and was the other guy that helped me. SFC gave the order to do it and gave the other guy that helped me. SFC gave the order to do it and gave the other guy that helped me. SFC gave the order to do it and gave the other guy that helped me. SFC gave the order to do it and gave the other guy that helped me. SFC gave the order to do it and gave the other guy that helped me. SFC gave the order to do it and gave the other guy that helped me. SFC gave the order to do it and gave the other guy that helped me. SFC gave the order to do it and gave
110 10	pushed him over the edge. I don't remember it the Lit was the same of the pushed him over the edge. I don't remember it the Lit was the Lit was the Lit was the Company of the Plt SGT said to pick him up.
11-6 PUR	Q: Why did you guys detain this man and throw him into the water? A: SFC said so. He did not do anything, the Plt SGT said to pick him up. Q: Did you see this guy exit the water? A: No. SFC said screening at us and called us stupid fucks, because we did not do it the way he wanted us to. Con you describe the location where this took place?
P6-31 01	Q: Can you describe the second
	A: In Balad. Q: When? A: I do not know.
	Q: Do you know of any other incidents?
	A: No. Q: Do you know of any other platoons that have thrown people into the river? A: No. Q: Do you know anything else about either of these two incidents that we have not
<i>.</i>	discussed?
	Q: Why did you not come forward and report this eartier?
-	A: I was scared. Q: Did you voluntarily waive your legal rights and agree to speak with us today? A: Yes. Q: How were you treated today during this interview?
	A: Good. Q: Were you given the opportunity to take any breaks today during the interview?
	A: Yes. Q: Did you make this statement of your own free will?
	A: Yes. Q: Did you read this statement before you signed it? A: Yes b6-5, 676-5
	A: Yes 66-5, 672-5 Q: Were you given the opportunity to make changes to the statement before you signed- it? A: Yes 66-5, 672-5 A: Yes 66-5, 672-5
	A: yes PAGE 5 OF 7 PAGES

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EXHIBIT 28

SWORN STATEMENT OF SGT IRAQ, APO AE 05, 23 Jan 04. CONTINUED 66-5, 22-5 CAKEN AT TIKRIT,

Q: Is there anything else you would like to add to this matter under investigation? A: Yes, I did this because I was following orders. I felt that if my team saw me not obey orders from my chain of command then they would think that it is okay to not obey me. I do not want to go back to my unit. I need to PCS from Ft. Carson to get away from everybody and to protect my family.

Q: Anything else?

665, 676-5 A: No.//END OF STATEMENT//

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I, SGT HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE Z 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.

66-57 670-5 (Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer

oaths, 23 January 2004, at Tikrit, Iraq. 66-1, 67c-1

SA 66-1, 67e-1

(Typed Name of Person Administering Oath)

ARTICLE 136, UCMJ

(Authority To Administer Oaths)

WITNESS:

SA 66-1, 67C-1

66-5, 69c 5

EXHIBIT INITIALS: PAGE 7 OF 7 PAGES

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 \mathcal{M}

665,676-5 is about to tell you everything that . I know about the two trans going in the River if wan 3 Jan and that night we were soing to do a publish in Summera wich we did we walked. expand the streets for about them to a tout 12 1 hour -1/2 but before we did the patrol I overheard Somebody Say year we are going to do a patrol and then pick Somebody up for a Swin" So we did the patrot and I assumed that we were going back to brows field Sine got back in the bradley's and book off when the bradley's. Stopped my blum and myself got out of the biadley and their was a car Right in front of it. So we bold si the goys in the car to get out we Sourched them in the and the car I tought that it was been we stopped then for curren violations at first. So we asked than for Ids the skinny govs was legit and the charky gov gaint us a fake Id you called it up to the Lt and he said to detain him and spe place them in the back of the bradley. So we did , So the bradley Starts Moving and when it Stopped We were by a Icac checkpoint I believe so the 64: 6012 us to get beek in the analogs so we did and when it Stopped we were by the bridge and the Et Sail 015373 and I belie that the Lt Said if you don't feel good about throwing them of the bridge Just throw him by the Shore page 1 28 Jan 04
Ton account you b65, bx-5000142 HIBIT 29

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So I walked by the Shore and Called the 66-3623 grys of over 66-5 p had one and specific come walking with them one and the specific come walking with them one and byc-5 swe were going to them them in the hater with their hands hed up and I said hell No Col them loose, so I told one say the string gay to sump and he didn't st so quicked him in the butt and told him to surp and he still didn't and some how \$6-3 dering all that comotion I believe that. pushed him off the ledge and Right when I was about to both over the ledge I got bum Rushed from my left side 50 to turned around and grabbed hold of because I thought that he Was going to fall too and that's when the chunky gry when in after that everybody when to back to
the bradley's and me and bross the chunky
gry Swim to the Shore and and the Skrinny gry Still on the pater Saying Something and that's then me and breathant back to the bradleys then we got back to brassfield I heard thent the white truck by the guy's were in was crushed and that was it for that night by a bradley I couple day had gone by whon the It came to talk to me about that night he said that it's gotten a 23 Jan 04 015374 - 66.5, 67C-51

000148

that the Iraqis send a E-mail Saying that We had killed this man in the River and that we must not bell notacly about this. because the CO could loose his company and the C+ Could hose the Philoson and who knows what else Might happen so the next told is that cId, Wanted to talk to us about it but we had to stick to the Story that we dropped them of on the Road the Lt, Co, plt Stt, and a ms. took as back to the bridge during daylight hours and for to find at what Really happened to we told him and my It sumps in the water to See how deep it is and they said that it was imposible for those two sey to be saying 16th byc.5 firth when & the lt and ste them out of the nator so they told as again to Stict to the Story because CId is bed they are out to get us and that every body knew the both but they are out to get us. page 3 23 Jan 04

015375

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DEPARTMENT OF THE ARMY 10th MILITARY POLICE BATTALION (CID) THIRD MILITARY POLICE GROUP, USACIDG UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND CAMP VICTORY, IRAQ 09335

CIMPX-FB (195-6)

23 Jan 04

MEMORANDUM FOR

Director, U.S. Army Crime Records Center, U.S. Army Criminal Investigation Command, 6010 6th Street, Ft. Belvoir, VA 22060-5585 Special Agent in Charge, 43d Military Police Detachment (CID) (FWD), 3d Military Police Group (UŠACIDO), Tikrit, Iraq APO AE 09323-2647

SUBJECT: Polygraph Examination Report

INVESTIGATIVE CASE REFERENCE: 0011-03-CID469-79630-5H1

AUTHORIZATION NUMBER: 04-0073, 19 Jan 04

DATE OF EXAMINATION: 20 Jan 04, 23 Jan 04

<u>LOCATION OF EXAMINATION: Tikrit, Iraq</u>

bb-5/676-5

SUBJECT EXAMINED: Infantry, Ft. Carson, CO 80913; Company, 1/8

OFFENSE: Murder.

PURPOSE OF EXAMINATION: Criminal Investigation

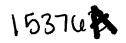
INVESTIGATIVE/OPERATIONAL SUMMARY: Investigation was initiated on 13 Jan 04, when it was reported from Forward Operating Base (FOB) Brassfield, Samarra, Iraq, of an alleged murder of an Iraqi national by American forces. Preliminary investigation revealed Samarra, Iraq (NFI), reported to the Iraqi Civil Defense Mr Corp (ICDC) on 3 Jan 04, that he and his cousin, Mr. Zaydun Ma'mun FADHIL. Samarra, Iraq (NFI) were detained by the American forces which resulted in the death of Mr. FADHIL.

67L-4

approached the ICDC security check point in Further investigation revealed that Mr. Samarra, late in the evening of 3 Jan 04 or early in the morning of 4 Jan 04, and reported he and Mr. FADHIL were stopped, searched and later detained by the American Forces. He reported that after they were detained they were both pushed off of a bridge into a river and Mr. FADIIL apparently drowned.

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Attached as Ethibit is Folygraph Eximination Report (DA Form 2802). This exhibit will be destroyed not later than 3 months after the date of the report of investigation (para 2-6h, AR 195-6). The original, to include related polygraph records, is at the U.S. Army Crime Records Center, Usacine, 6010 6° Street, Ft. Belvoir, VA 22060-5585. Reproduction of this exhibit or its contents is prohibited.





0011-03-CID469-79630-5H1

On 16 Jan 04, Mr. was interviewed by USACIDC and stated he and Mr. FADHID were returning from Baghdad, where they had purchased some plumbing supplies. He stated that about 2230, 3 Jan 04, while traveling to their home in Samarra, they arrived at the ICDC stated at the check point their vehicle was searched their check point. Mr. identifications cards were checked, and they were allowed to proceed. However, they were instructed to immediately go to their residences as the curfew was nearing (2300). Mr. said they departed the checkpoint and about 2 or 3 kilometers away they approached an oncoming American convoy. He said the Americans stopped their vehicle and instructed them to exit the vehicle. According to Mr. which we helr vehicle was searched, they were personally searched and then they were handcuffed and placed in the rear of a military vehicle, later identified as a Bradley Fighting Vehicle (BFV). Mr. stated they were never informed why they were being detained but were released before the vehicle drove away. He said they got back into their vehicle and drove about 20 meters, when the same soldiers once again stopped them, handcuffed them again and placed them in the back of the BFV. Mr. indicated the BFV drove away and about 15 minutes later it stopped and they were ordered to exit the vehicle, and once he got out of the vehicle he could see the lights from the ICDC check point and they were un-cuffed and instructed to stand near the bridge. Mr. they stood near the bridge, the soldiers instructed them to jump off of it and when they did not a soldier approached MR FADHIL and pushed him off into the water and soon after he also was pushed into the water. Mr. said when he went into the water he could hear Mr. FADHIL screaming because he did not know how to swim, but he was unable to get to him due to the strong currents in the water. Mr. stated he swam to the shore and hid because he could hear the soldiers laughing about the incident. Mr. states described the soldier that pushed Mr. FADHIL as skinny, not very tall and his skin was a little darker than white. He was unable to describe the soldier that pushed him into the water and was not sure if was the same person or another soldier standing near by. Mr. stated once the soldiers departed he made his way back to the ICDC check point and reported the incident to the Iraqi guards, who went back to the river with him to assist in the search of Mr. FADHIL. He stated they could not find him and be spent the remainder of the night at the ICDC area. The next morning when he returned to his vehicle he discovered it had been destroyed by unknown means. Photographs were exposed of the vehicle by a friend and the local community continued to search for the body of Mr. FADHIL. The photographs of the vehicle were obtained by USACIDC, and a review of the prints depicts enormous damage to the vehicle and a trailer, apparently caused by a BFV running completely over it.

On 15 Jan 04, the remains of Mr. FADHIL were apparently discovered by the local nationals and he was soon thereafter buried in a local cemetery. Photographs were also exposed of the human remains. According to Mr. Mr. FADHIL had injuries to his head and facial area caused by unknown means. Photographs of the human remains have not yet been collected by USACIDC to confirm the identity of the human remains in relation to Mr. FADHIL.

Additional investigative activities resulted in the identification of the soldiers involved in this incident. This was accomplished by obtaining historical data of particular units and their.

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0011-03-CID469-79630-5H1

mission for that particular date and location. As a result of this investigative activity, the particular soldiers involved were interviewed and all denied any wrongdoing pertaining to this investigation.

Eight soldiers were identified as being at the scene and interviewed, three under rights advisement. One of the soldiers interviewed, SSG Company, 1/8th Infantry, stated they stopped the vehicle because of a curiew violation and the Iraqi's were detained. He stated he did not exit his vehicle but heard what was transpiring over the radio and that he called the ILT to request permission to run over the detainee's vehicle he was denied permission and the convoy with his BFV. According to SSG proceeded with the detainees in the front BFV, and their vehicle left behind undamaged. SSG related that a few minutes later the convoy stopped and he heard the detainees were being released because of a shortage at the detention facility. SSO convoy drove away he observed the two detainees standing near the bridge. SSG denied he witnessed, assisted, or conspired with anyone to throw the two detainees into the river. He also denied he or anyone else in the convoy drove over the detaines's vehicle with their BFV. A Company, 1/8th Infantry, was On 16 Jan 04, 1LT interviewed and denied any wrongdoing pertaining to this investigation. ILT his unit was returning from their nightly patrols and stopped a vehicle that contained two Iraci's for a curfew violation. He stated SGT reported to him that one of the individuals had a false identification card as the photograph appeared to be that of a younger individual. ILT ordered that the two Iraqi's be detained and placed in the rear of their BFV. He said that once they were moving again, with the two detainees, he realized the detention facility was closed so he stopped and ordered SGT to remove the flexicuffs and release the detainees. ILT seems said once that was accomplished they began rolling out and he looked in the mirror and observed the two detainess standing on the north side of the road as the convoy drove away. ILT lenied he ordered, witnessed, or had any knowledge of the two detainees being thrown into the river. The other three soldiers (SGT) and SPC all of A company, 1/8th Infantry, were interviewed and denied having any knowledge of wrongdoing pertaining to this investigation. Each of them were in the back of another BFV and apparently never dismounted their vehicle. On 16 Jan 04, three members of the ICDC on duty the night of the incident were interviewed. They were, PFC NFI); PFC (NFI); and CPL (NFI). Each of them stated they recalled the two Iraqi's coming through their check point and being cleared by themselves. They stated that about 15 minutes after releasing the vehicle they observed an American convoy stop near the bridge and remain there for about 5 minutes. They were unable to see any specific acts or movements and were unable to hear what was being said, although they said they could hear

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some talking. They stated that about 5 minutes after the convoy departed they observed an

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0011-03-CID469-79630-5H1

individual approaching their check point, later identified as Mr. They said he was soaking wet and informed them that the Americans had thrown himself and Mr. FADHIL from the bridge into the water. Members of the ICDC assisted in a search for Mr. FADHIL, but were unable to locate the body.

A Company, 1/8th Infantry On 16 Jan 04, SPC was interviewed under rights advisement and denied any wrongdoing stated after the two fragi's were detained they pertaining to this investigation. SPC drove a while and then the convoy stopped. SPC stated they were directed to release the two detainees, so he, SGT and SPC A Company, 1/8th Infantry (27 Jul 79, Lima, OH), exited the BFV with the two detainees. He supervised, SPC provided him with the knife and then stated SGT pulled security, while he emoved the cuffs from the two detainees. SPC stated that after the cuffs were removed. SGT hold the two detainees to leave, and the three of them got back inside the BFV and departed. He said the last time he saw the two detainees, they were walking along the side of the road.

On 16 Jan 04, SPC was interviewed under rights advisement and denied any wrongdoing pertaining to this investigation. SPC stated after they had detained the two fragil's, the convoy stopped and they were instructed to release the two detainees. He said SPC SQT and himself exited the BFV, while he pulled security, SPC removed the cuffs, and SGT supervised. He stated they escorted the two detainees near the bridge on the right side of the road, removed the cuffs, and SGT told them (the detainees) to leave. SPC security stated the last time he saw the two detainees they were standing on the side of the road as the convoy departed.

On 16 Jan 04, SGT 1 was interviewed under rights advisement and denied any wrongdoing pertaining to this investigation. SGT stated they stopped the vehicle for a curfew violation and during a search they discovered one of them had a false identification card. It was then decided to detain the two Iraqi's. SGT stated they loaded the two Iraqi's into the BFV and departed. He said about 15 minutes after leaving they stopped the vehicles and ILT told him to release the detainees; so he, SPC exited the vehicle, removed the cuffs, and left the two fragi's standing and SPC on the side of the road. SGT stated that when he got back into the BFV, the two Iragi's were still standing on the side of the road. He also stated he did not know they were located near a river or bridge, because it was dark and he couldn't see. It should be noted that there was a light near the bridge and the ICDC checkpoint had numerous lights illuminating the immediate area, and others interviewed were aware of the bridge being there. SGT matches the description provided by the surviving victim of the individual that pushed Mr. FADHIL from the bridge. SGT continued to deny he pushed either of the two Iraqi's into the river, denied he observed either of the two Iraqi's being pushed into the river, and denied be planned with any members of his unit to conceal the act of pushing the two Iraqi's into the river. SGT was offered the opportunity to undergo a polygraph examination to yerify the fruthfulness of his statement, to which he agreed

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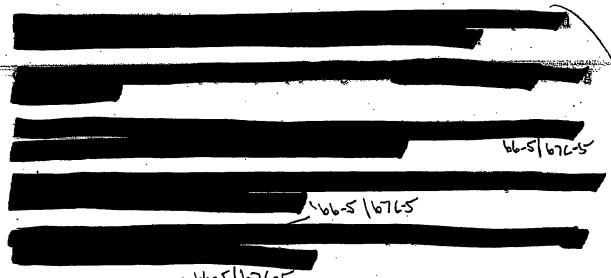
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EXHIBIT 30

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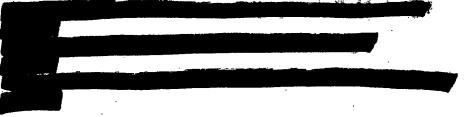
0011-04-CID469-79630

0011-03-CID469-79630-5H1



On 23 Jan 04, was re-interviewed under rights advisement and rendered a sworn statement wherein he described his involvement pertaining to the two detainees being thrown into the water, and his knowledge of actions that occurred after the incident by members of his unit.

RELEVANT QUESTIONS USED:



WITNESS, MONITOR OR INTERPRETER: SA

1-254 11-94

EXAMINEE'S NATIVE LANGUAGE: English

LANGUAGE USED DURING THE EXAMINATION: English

Polygraph Examiner 62-1

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PIG S WARNING	PROCEDURE/WAIVER CEI ICATE
For use of this form, see	AR 190-30; the proposes as
	QUIRED BY THE PRIVACY ACT
HORITY: Title 10, United States Code, Section of Purpose: To provide commanders and law en Your Social Security Number is used to SURE: Disclosure of your Social Security Number is used to Sure of Your Social Security N	of as an additional/alternate means of identification to facilitate filing and retrieval. Number is voluntary.
LOCATION THAT TARK	2. DATE 3. TIME 4. FILE NO. 24 Jan 04 1348 0011-04-CE0489-7963
NOME TIESE FIRST MILE 465 676-5	atus paladi Liag
SSN EY/R	TATE WAIVER/NON-WAIVER CERTIFICATE
	and wanted to question me about the following offense(s) of which I am
spected/accesed; Murder Confidery Fable of the she asked me any questions about the offense(s), however, 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 criffor personnel subject othe UCMJ I have the right to talk private during questioning. This lawyer can be a civilian lawyer I arrange.	•
y among lunderstand that this lawyer can be one	or -
5. COMMENTS (Continue on reverse side)	
Section B. Waiver	without talking to a lawyer first and without
I understand my rights as stated above. I am now willing to discuss having a lawyer present with me.	s the offense(s) under investigation and make a statement without talking to a lawyer first and withou
WITNESSES (If available)	3. SIGNATURE OF INTERVIEWEE 565167C-5
1a. NAME (Type or Print)	
b. ORGANIZATION OR ADDRESS AND PHONE	4. SIGNATURE OF INVESTIGATION 16-1, U 67C-1
2a. NAME (Type or Print)	6. ORGANIZATION OF INVESTIGATOR
b. ORGANIZATION OR ADDRESS AND PHONE	Ugad MADET GED) Tikit, INAG
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	THE PROPERTY OF THE PROPERTY O
	THE SUSPECTION OF THE SUSPECTI
ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATES	MENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED USAI EDITION OF NOV 84 IS OBSOLETE

ACLU-RDI 1563 p.43

		orm, se R 190-	\$6.55°	DATE	i ii Aic	of Staff for Personnel. FILE NUMBER 0011-04-CID469-79630
LOCATIO	N n Horse, Building 214	l, Tikrit, Iraq	h7C-5	24 Jan 2004	1500	GRADE/STATUS
FOR IN	ME, FIRST NAME, MIDDLE	E NAME		SOCIAL SECURIT	A NOWBEK	E-4/RA
LAST NA	ME, FIROJI II.					
ORGANI	ZATION OR ADDRESS	17	نسم ما			
A Com		86-5, 61	<u> </u>			ATT
	w	ANT TO MAK	E THE FOLL	OWING STATE	NEWI, OWNER O	Mil.
	The same of the sa	11" 1 1 7	7 . I'	•	•	
A. SPC		66-5,67	C - 5	ease the Iragi Deta	ainees?	
O. Who	else was with you when	n you exited the	SGT	66-5	67C-5	
A: It wa	is myself, SGT	SPC	3 LIC-	3		p of the Bradley. 66-3, 67C-3
O Did	SPC exit the	he vehicle a fev	w seconds late	r because he was e	xiting from the to	b of the drawing.
A: Yes,	SPC exited to was SPC on	ton of the Dia	moy: Oe -	, -		•
Q: Why	ause he is the gunner.		والمناسبة	16-3.	b7c-3	s. 11-1
A: Dec	someone order SPO	to help	release the del	ainees? & 6 -3,	Usually a	gunner will not exit a vehicle unless
A I do	someone order SPQ n't know, but the only p	person who cou	IG Dave Oldere	d julia	e de la companya de l	
				•		
Q: Wh	ed to, o escorted the detainees	SGT	66-	5, b7C-5	a bainin accorded to	o the pump house? 66-37, 672-5 arrier near the pump house.
A: My	self, SPC	nd SPC	doing while	the detainees wer	standing by the ba	arrier near the pump house.
Q: Wh	was oulling s	security by the	Bradley and S	was	C-C	
A. Sr	obse	rve the release	of the detained	ees in the water	ວັງ ້	
A: Th	e only thing SGT	could see v	heine mehed	into the water		
14. 2	i SGT belle observ	e the detainees				· · · · · · · · · · · · · · · · · · ·
A. No). 6-5, d	らんう ■state to CID a	gents that he	lid not leave the ve	chicle when the de	tainees were being released? time the detainees were released.
Q: W			TO LED	CID IIC Was III.		
A: Be	cause LT ins	he detainee into	the water?	66-3, 67C-3	into the water. A	All I heard was "No Mister" and "You
A. To	ould not see if SPC	or 201				••
	A 1.1. himmy k/7 k	57€-3 -"3	D6-31	676-5		
O: W	ho stated "You better it	ickin lamb	_			•
A: S	id you see the Iraqi in the	he water at any	time?	· ·		
Q: D	id you see the madi in th	TO MAIGE ME TO S				
A: N	o. That did you do with you	ur Iraqi you had	I detained?	Tthen proces	eded to cut his cuf	fs off. Then I walked him towards th
Q. Y	once I exited the vehicle	e I led the Iraqi	to the pump n	ouse. I then proces		•
همامم ا	At the honge and mon -	Tio mad-1 t	i into the water		•	•
Q: I	oid you tell the Iraqi to I es I told him to jump w	jump? 	ring him to the	bridge.		
	es I told him to jump w	rah you?			La Tampa going to f	all into the river with the Iraqi.
	oid anyone attempt to go Yes, SGT	grabbed the bac	k of my IBAS	because he though	Il I was going to a	
A: Y	Tana Tanai in	nto the water (·	
A:	No.		aging to 1	all into the water?	66-5, b7C-	.5
Ö:	Why did SGT	think you v	vere going to . he edge than I	actually was		1-011/- 1705
Δ	think he thought that I	Was Closed to b	Librarios	o while you were	walking him to the	e edge? 66-5, b 7C-5
Q:	Did SGT There I don't think so. There	is a possibility	because the ar	ea is very narrow.	112 470.2	kan di kacamatan di Kabupatèn Kabupatèn Kabupatèn Kabupatèn Kabupatèn Kabupatèn Kabupatèn Kabupatèn Kabupatèn
	VR9	NILALITHIS ATTITUDE	4.0	•	שביין ש (כיספ	
	Did SPC say I can't remember if he	said anything.		le of the vehicle?	b6-557C-	5
Į V.	Did SGT	anything while	he was outside	ie of the venicio	66-5,6	7E-5
A:		INITIALS OF P	ERSON MAKIN	G STATEMENT		PAGE 1 OF 2 PAGE
A: Q:	WOIT			7	A STATE OF THE STA	
A: Q: EX	HIBIT	·				VENIAT DATED CONTINU
A: Q: EX	•		NTAIN THE H	EADING STATEM	IENT OF THE PERSO	KEN AT DATED CONTINU ON MAKING THE STATEMENT AND
A: Q: EX	ADDITIONAL PAG	GES MUST CO	NTAIN THE H PAGE MUST E	EADING STATEM BEAR THE INITIAL	IENT OF TA S OF THE PERSO SES ARE UTILIZE	KEN AT DATED CONTINUED MAKING THE STATEMENT AND DIED, THE BACK OF PAGE 1 WILL BE ANOTHER COPY OF THIS FORM.

TAKEN AT C	amp Iron Horse ATED 2	4 Janos Octobro	
STATEMENT OF SPC	ng.		1
STATEMENT (Continued) A: Not that I know of because he was to far away for me to hear anything. When you were escorting the detained towards the edge were you was to find the property of the page.	alking or running?		
O. When you were escoring	, Vilkii 1.	•	
O Where was the detainee located? was off to the left side. 66-5/	him to the edge?	,	
A: In front of me. SGI hands on the detained while you were escorting. Q: Did you have your hands on the detained while you were escorting to be clothing on the back of the Iraqi with my letters.	A hand.		
Q. Did you have your hands on the detained while you was Q. Did you have your hands on the back of the Iraqi with my le A: Yes, I was grabbing the clothing on the clothes?	The Court of the C		
O When did you release Jun 5 1 2015 adda	·		
A. I don't think I let go unit in Junea he numbed off the edge?	•		
Q: Why did you hold onto the tradi when it party was in front of me. A: I could not see the edge because the tradi was in front of me.			
Q: Did the Iraq understand water in the water. A: Yes, because he saw his friend in the water.	ssistance?		
Q. Did the Iraqi you were escorting July			ţ
A. Yes.	V P	•	
Q. Did you assist the man when a	sinees?	•	
A. No. O: Was anyone else outside of the vehicle when you released the detribute have been there. b6-3, b7c-	3	•	
The Article Court and the state of the state	.		
O Why do you think he was more.		·	,
A Because he is on our team.			
Q: Did you physically see SPC 66-3, 6.72 A: Yes, I saw him in the vehicle I was in. Q: Do you know if SPC 65 dismounted his vehicle when you stored his part he did not walk over to the pump house.	onned to release the detainee	s? b6-3, b7C3	
O: Do you know if SPC dismounted his vehicle when you so	opper	• 🚈	ł
		he order to push the Iraqi into the	
Q: Do you have anything each rushed the Iraqi into the water in B	alad was SGI	in order on Error	
A: The name of the person who person bid 5,67c-5 water was given by SFC was given by SFC water was given by SFC was given by SFC water was given by SFC was		•	. [
Co. The way anything further to add to this	•	,	3
A: No.//End of Statement//			
	•		
66-5, 676-5 AFFIE)AVII	AD READ TO ME THIS STATEMENT	
	HAVE READ ON THE E	NTIRE STATEMENT MADE BY ME.	THE
WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 21 FULLY UNDERSTA STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAV STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOP STATEMENT. I HAVE MADE THIS STATEMENT, OR UNLAWFUL IN	E INITIALED THE BOTTOM OF	MITHOUT THREAT OF PUNISHMENT	Γ,
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		Statement)	-
	(Signature	of Person Making Statement)	:
WITNESSES:	Subscribed and sworn	o before me, a person authorized by la	w
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	atF() 3	ron Horse Tikrit Iraq	
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ORGANIZATION OR ADDRESS	(Signatura	of Person Administering Oath)	
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ORGANIZATION OR ADDRESS	(Aut	Article 136, UCMJ hority To Administer Oaths)	
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MAKING STATEMENT	665, byc-5	PAGE 2 OF 2 PA	GES
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	요즘 사람들은 아이를 가는 것이다.			
HORITY: Title 10, United States To provide commander	code, Section 3012(g) s and law enforcement officials	with means by which informate alternate means of identifications	tion may be accurate in to facilitate filing a	ly identified. and retrieval.
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tion A. Rights		O Land Taylor	Haation Comma	nd
investigator whose name appears below told me that	t he/she is with the United State	d wanted to question me about	the following offense	(s) of which I am
o Special Agent /// 66-5 b/C-5	A STATE OF THE STA	All Took III		
a Special Agent./// 66-5 1012-5 pected/secusion Obstruction of Justice, Conformer he/she asked and any questions about the offense and any questions about the offense conformer any anything.	nspiracy, Accessory after	ear to me that I have the following	ng rights:	•
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	WAIVER/NON-WAIVER CERTIFICATE
ction A. Rights	
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SWORN STATEMENT

File Number: 0011-04-CID469-79630 Location : Tikrit, Iraq APO AE 09323 Date : 27 Jan 2004 155	3, b7c-3
Date : 27 Jan 2004: 56-3, 67C-3 Grade/Status: PFC/AD SSN : A Company, 1/8 th Infantry Bn, 3 rd BCT, Balad, Iraq, APO AE 09323	
want to make the following statement under oath: On 3 Jan 04, I was on patrol with my Platoon, 1 st Platoon, Alpha under oath: On 3 Jan 04, I was on patrol with my Platoon, 1 st Platoon, Alpha Company, 1/8 th Inf, in Samarra. About 2330-2400, 3 Jan 04, my platoon stopped two Iraqi's for violating curfew. They were driving a white Bongo truck and after they were detained their vehicle was left in the middle of the road. I was the last told me to move the vehicle to the side of the road. I was the last vehicle in the convoy and the three Bradley's in front of me passed the truck without moving it out of the way. At that time, the front of my Bradley, A14, was without moving it out of the way. At that time, the front of my Bradley and facing the front of the Bongo truck. I approached the truck with my Bradley and pushed it off to the side of the Bongo truck. I felt my track make contact with Bongo truck and I could feel the Bongo Truck moving but I never climbed the Bongo truck with my Bradley to destroy it.	
A: PFC Bloom b6-3, b7c-3 Q: I just showed you pictures of the Bongo truck and the damages the truck on the night of sustained, did you cause those damages when moving that truck on the night of 3 Jan 04? A: No. The only damage I may have caused by moving the Bongo truck was maybe a dent to the front left side of that truck. I did not cause all those other	
damages. Q: Did you feel your truck mount the Bongo truck when you moved the truck that night? A: No. Q: At what point throughout the night did you move the truck from the middle of	
the road? A: It was right after my platoon detained someone, as we were leaving that area. A: It was right after my platoon detained someone, as we were leaving that area. A: When you pushed the Bongo truck out of the road, did you know why the truc was there? A: I assumed we had picked up someone for curfew violation, but I had not seen how many people were picked up or what happened during the search of their	
vehicle. Q: Did your convoy return to the Bongo after you pushed the Bongo truck out from the middle of the road? A: No. Q: Who caused the damages to the Bongo truck that night?	
A: I don't have a clue. Say that someone is going to get wet tonight at	elektrigungketejjaranasireks vi er vented Š
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ACLU-RDI 1563 p.48

SWORN STATEMENT OF PFC Tikrit, IRAQ, APO AE 09323, 27 Jan 04. CONTINUED Q; Could you hear radio traffic from the platoon and company frequencies while mounted on your Bradley that evening? A: No. I just heard internal radio conversations within the Bradley. Q: What did you see when the two detainees were released? A; I couldn't see anything. I still didn't know if there was one individual or three. I didn't even know that someone was being dropped off. Q: At what point after that night did you become aware that two Iraqi detainees may have been forced into a river in Samarra? A: Either the next day or the day after that. Q: Who did you hear that from? A: I don't remember anyone in particular, I just heard rumors from other platoon members. Q: What was the rumors? A: That some guys had got thrown in the river on the night of 3 Jan 04. Q: Was their talk as to who threw the Iraqi's into the river? Q: Who in your chain of command had talked to you about this investigation? came up to me first and he told me that we were getting investigated because of the two Iraqi's that were forced into the river on 3 Jan 04. He told me that about 3 or 4 days before CID came to interview us in Samarra Q: At anytime, did he influence you on what to tell CID about the two Iraqi's or the Bongo truck? 66-5, b7C-5 approached you that the two A: No. Q: Was it common knowledge when SFC Iraqi's had been forced into the river on 3 Jan 04? Q: At what point did the rumors of the two Iraqi's being forced into the river become the truth about what happened? A: Once the investigation started I knew the rumors could be true and then when and SPC told the whole platoon, "the cats SGT after being questioned by CID, SFC out of the bag" and I knew that meant that the two Iraqi's had in fact been forced into the river that night. say this comment about, "the cats out of the bag"? 66-5, 61c-5 Q: When SFC A: He said that after he was questioned by CID, I think two nights ago. Q: Were you aware of any type of cover-up from your chain of command to the soldiers involved in the actual incident? 66-5, 67C-5 discussed this investigation with your A: No. Q: When was the last time LT 66-3,670-3 665, bK5 we were going to be questioned by CID, but he didn't really say anything else.

PAGE COF 4_PAGES INITIALS: EXHIBIT

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SWORN STATEMENT OF PFC Tikrit, IRAQ, APO AE 09323, 27 Jan 04. CONTINUED あるらんたっち ever stated that he knew the two Iraqi's were in fact forced into the river on the night of 3 Jan 04? discussed this investigation with you? Q: Has CPT A: No, not with me personally. He has talked to the whole platoon about the investigation but I really don't remember what he said. was aware of what actually happened at the ららう りつこう Q: Do you know if MAJ river that night? A: I don't know. Q: Did you go back to the scene of the incident after 3 Jan 04? and 1 66-5, 67c-5 A: Yes, I went back when MAJ think the commander was there too and a few other soldiers. I stayed in the Bradley the whole time we were there, so I did not see anything and I wasn't sure what was going on. I assumed it had to do with the investigation. jump into the river when you all returned to the Q: Did you see LT river? <u>ba-5, bac-5</u> A: No. I didn't see anything that happened.

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

b6-3,67C-3

EXHIBIT

A: No.

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EXHIBIT <u>33</u>

For use of this form, see AR 190-3	io; 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 of ROUTINE USES: Your Social Security Number is used as an addi Disclosure of your Social Security Number is v	fficials with means by which information may be accurately identified. itional/alternate means of identification to facilitate filing and retrieval, oluntary.
1. LOCATION	2. DATE 3. TIME 4. FILE NO. 0011-04-CID469-7963
PMO, LSA Nonconda, Balad Irag, APO AI 5. NAME CAN FIRM MID.	8 ORGANIZATION OR ADDRESS 7C-3 A CO, V8 th Inf Bw, 3rd BCT
6. SSN GRADE/STATUS. SPC/E-4	Balad, Iraq, APOAE
PART 1 - RIGHTS WAIVER	NON-WAIVER CERTIFICATE
Section A. Rights	
	and the same of th
The investigator whose name appears below told me that he/she is with the United	States Army Criminal Investigation Command and wanted to question me about the following offense(s) of which I am
as a Special Agent ///	suit Maufed to direction use about me toniowing oriense(2) or miner i and
suspected/accused Mixder, Conspirated /// 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.
do not have to answer any questions or say anything.	if clear to the mary interesting values and a series
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 lawy	er before, during, and after questioning and to have a lawyer present with me pense to the Government or a military lawyer detailed for me at no expense to me,
or both.	
appointed for me before any questioning begins. If I am now willing to discuss the offense(s) under investigation, with or without privately with a lawyer before answering further, even if I sign the waiver below	ut a lawyer present, I have a right to stop answering questions at any time, or speak
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) without having a lawyer present with me.	under investigation and make a statement without talking to a lawyer first and
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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	
66-3, 670-3	the state of the s
ATTACH THIS WATER CERTIFICATE TO ANY SWORN STATEMENT (D.	A form 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED.

DA FORM 3881, NOV 89

EDITION OF NOV 84 IS OBSOLETE

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	or use of this form, see AR 180-30	the proposent agency is nocsops The Privacy act
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SWORN STATEMENT

			b6-3, b7c-3	
·	ile Number : 0011-04-CID4	69-79630	2.00 mg	
· į	ocation I Irag APC	DAE 09323 66-31 676-3 D	Time: 7636 hrs	· · · · · · · · · · · · · · · · · · ·
Ţ	Date Jan 2004	06919	Grade/Status: O-6/COL	į.
·	Statement Of:	ADO A≣ 09323		Š.
اربي	SSN Org/Address:3 [@] BCT, Bala	d, Iraq, APO AE 09320	66-3,69C-3	, A
b6-31		W	rant to make the following	6-3, 676-3
b6-31 b1c-3	f, COL statement under oath. Arou contacted me and told me he	ind the 6-7 Jan 04, 1/66 A	The suffer TIS Forces had	() () ()
	forced tradis to jump into an	manding general when he	Visited that I was all a commander's	•
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	inquiry. He alrected the to s	I be of the allegation an	d that for her to comes.	16-3 brc-3
66-3, 67e-3	CPT and investigation	on started. I met with CP	d offer that	D= 1
p6-3,0				:
	meeting, I met with the	olleged incident. There w	as an interpreter diversity	
	checkpoint the high Loot the V	ictim's verbal statement of	what had occurred.	670-3
·	THE AND DO WAS UILINGS	A STATE OF THE STA		•
	questioned. He said they were motioned by the sold	were then taken to the river.	He stated he knew his	
	were motioned by the sold	hat's why he didn't want to	jump. He stated his country	. .
	THE RAID DISCUSSION OF THE COLUMN	and the state of t	LAT KANNONDII I UIVII VETTI	
	He then went to the 1000	d then pretty much had the	same Story on what and	t
				t .
•	and muddy and told them		TELL TO COOK IN PILLY VIII """	-,
	meeting, I was at FOB Di	He came to spe	ak with me will the compean	.
66-5,67C-	Platoon Sergeant, SFC Commander, CPT his rights and he said yes	I asked SFC	shout the incident. I don't	•
66-5,010	his rights and he said yes	and lasked lilling quite asked him, but he said that	t he was the last vehicle in ng the incident scene, the tw	/Ö
	remember exactly what i	that when he was departi	ng the incident scene, and the	
	anyone tell me triat air "	an Iradi had	peen pushed as a result of a	IIŞ
	side of the road. I only in	nfessions CID has received	1.	
	Q: SA 6			_
	A: COL	make tall you that he killey	v that the two IRAQI's were in	
66-5,690	-5 Q: Did LTC	and the hight of the inclus	1353 '	
- ,	A: No.	Fe-37F	<u> </u>	A STATE OF THE PARTY OF THE PAR
-		NUTIAL S:	PAGE OF 3 PAGE	ES
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ACLU-RDI 1563 p.55

66-3, 69C-3

EXHIBIT ____

INITIALS:

. - PAGE 2 OF 43 PAGES

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015390

SWORN STATEMENT OF COL TAKEN AT Tikrit, IRAQ, APO AE 09323, 27 Jan 04: CONTINUED

b6-3, b10-3

66-3, 67€-3 AFFIDAVIT

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.

61c-3

gnature of Pesson Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, 27th of January 2004, at LSA Anonconda, Iraq.

66-1, b1c-1

(Sign) .ure of Person Administering Oath)

66-1, byc-1

(Typed Name of Person Administering Oath)

ARTICLE 136, UCMJ

(Authority To Administer Oaths)

WITNESS:

6-3,67C-3

EXHIBIT

INITIALS:



PAGE 3 OF \$ PAGES

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BATES PAGE 15392 IS A PHOTO REVIEWED IN ACCORDANCE WITH CRITERIA PROVIDED IN PRIOR IN CAMERA SESSIONS AND HAVE BEEN DETERMINED TO BE NONRESPONSIVE

	UTHORITY: RINCIPLE PURPOSE; ROUTINE USES: COUTINE USES: Disclosure of your Social Security Number is voluntary: Disclosure of your Social Security Number is voluntary:	
	LOCATION: Balad, Iraq DATE; 30 Jan 94 TIME: 0740-3 CRADE / STATUS: COL SSAN: GRADE / STATUS: COL NAME (Last, First MI): ORGANIZATION OR ADDRESS: 3d Brigade Combat Team, Samarra, Iraq	
6-3,	RIGHTS WAIVER/NON-WAIVER CERTIFICATE The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Agent and wanted to question me about the following offense(s) of which I am Suspected/accepted. Misprison of a Serious Offense Conspiracy Suspected/accepted. Misprison of a Serious Offense Conspiracy Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the Before he/she asked me any questions or say anything. I do not have to answer questions or say anything. Anything I say or do can be used as evidence against me in a criminal trial. Anything I say or do can be used as evidence against me in a criminal trial. Anything I say or do can be used as evidence against me in a criminal trial. Anything I say or do can be used as evidence against me in a criminal trial. Anything I say or do can be used as evidence against me in a criminal trial. Anything I say or do can be used as evidence against me in a criminal trial. Anything I say or do can be used as evidence against me in a criminal trial. Anything I say or do can be used as evidence against me in a criminal trial. Anything I say or do can be used as evidence against me in a criminal trial. Anything I say or do can be used as evidence against me in a criminal trial. Anything I say or do can be used as evidence against me in a criminal trial. Anything I say or do can be used as evidence against me in a criminal trial. Anything I say or do can be used as evidence against me in a criminal trial. Anything I say or do can be used as evidence against me in a criminal trial. Anything I say or do can be used as evidence against me in a criminal trial. Anything I say or do can be used as evidence against me in a criminal trial. Anything I say or do can be used as evidence against me in a criminal trial. Anything I say or do can be used as evidence against me in a criminal trial. Anything I say or do can be used as evidence against me in a c	7¢ -3
	Witness# 2	
	Signature of Witness 10TH MP BN (CID) BAGHDAD, IRAQ	<i>!</i> ·
	NON-WAIVER CERTIFICATE I do not want to give up my rights: I want a lawyer: I do not want to be questioned or say anything:	
	Signature of Interviewee:	ċ
	DA Form 3881-E	
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015393 000171



DEPARTMENT OF THE ARMY 10th MILITARY POLICE BATTALION (CID) THIRD MILITARY POLICE GROUP, USAGING UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND CAMP VICTORY, IRAQ 09335

CIMPX=FB (195-6)

30 Jan 04

MEMORANDUM FOR

Director, U.S. Army Crime Records Center, U.S. Army Criminal Investigation Command. 6010 6th Street, Rt. Belvoir, VA 22060-5585 Special Agent in Charge, 43d Military Police Detachment (CID) (FWD), 3d Military Police Group (USACIDO), Tikrit, Iraq APO AE 09323-2647

SUBJECT: Polygraph Examination Report

INVESTIGATIVE CASE REFERENCE: 0011-03-CID469-79630-5H1

<u>AUTHORIZATION NUMBER:</u> 04-0164, 29 Jan 04

DATE OF EXAMINATION: 30 Jan 04

LOCATION OF EXAMINATION: FOB Anaconda, Balad, Iraq

SUBJECT EXAMINED: Combat Team, Ft. Carson, CO (Deployed to Balad, Iraq);

OFFENSE: Misprison of a Serious Offense, Conspiracy.

<u>PURPOSE OF EXAMINATION: Criminal Investigation</u>

INVESTIGATIVE/OPERATIONAL SUMMARY: Investigation was initiated on 13 Jan 04, when it was reported from Forward Operating Base (FOB) Brassfield, Samarra, Iraq, of an alleged murder of an Iraqi national by American forces. Preliminary investigation revealed Samarra, Iraq (NFI), reported to the Iraqi Civil Defense Corp (ICDC) on 3 Jan 04, that he and his cousin, Mr. Zaydun Ma'mun FADHIL, Samarra, Iraq (NFI) were detained by the American forces which resulted in the death of Mr. FADHIL.

H- 01d 676-4

Further investigation revealed that Mr. approached the ICDC security check point in Samarra, late in the evening of 3 Jan 04 or early in the morning of 4 Jan 04, and reported he and Mr. FADHIL were stopped, searched and later detained by the American Forces. He reported that after they were detained they were both pushed off of a bridge into a river and Mr. Fadhil apparently drowned.

FOR OFFICIAL USE ONLY

Attached as Exhibit is Polygraph Examination Report (DA Form 2002). This exhibit will be destroyed not later than 3 months after the date of the report of investigation (para 2-6h, AB 193-6). The original, to include related polygraph records, is at the U.S. Army Crime Records Center, USACIDO, 6010 & Street, Pt. Belvoiz, VA 22060-5585. Reproduction of this exhibit or its contents is prohibited.

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H-769 110

On 16 Jan 04, Mr. was interviewed by USACIDC and stated he and Mr. FADITIL were returning from Baghdad, where they had purchased some plumbing supplies. He stated that about 2230, 3 Jan 04, while traveling to their home in Samarra, they arrived at the ICDC stated at the checkpoint their vehicle was searched, their identifications cards were checked, and they were allowed to proceed. However, they were instructed to immediately go to their residences the curfew was nearing (2300). Mr. said they departed the checkpoint and about 2 or 3 kilometers away they approached an oncoming American convoy. He said the Americans stopped their vehicle and instructed them to exit the vehicle. According to Mr. their vehicle was searched, they were personally searched and then they were handcuffed and placed in the rear of a military vehicle, later identified as a Bradley Fighting Vehicle (BFV), Mr. stated they were never informed why they were being detained but were released before the vehicle drove away. He said they got back into their vehicle and drove about 20 meters, when the same soldiers once again stopped them, handcuffed them again and placed them in the back of the BFV. Mr. indicated the BFV drove away and about 15 minutes later it stopped and they were ordered to exit the vehicle, and once he got out of the vehicle he could see the lights from the ICDC check point and they were un-cuffed and instructed to stand near the bridge. Mr. they stood near the bridge, the soldiers instructed them to jump off of it and when they did not a soldier approached MR FADHIL and pushed him off into the water and soon after he also said when he went into the water he could hear Mr. was pushed into the water. Mr. FADHIL screaming because he did not know how to swim, but he was unable to get to him due to the strong currents in the water. Mr. stated he swam to the shore and hid because he could hear the soldiers laughing about the incident. Mr. soldier that pushed Mr. FADHIL as skinny, not very tall and his skin was a little darker than white. He was unable to describe the soldier that pushed him into the water and was not sure if it was the same person or another soldier standing near by. Mr. stated once the soldiers departed he made his way back to the ICDC check point and reported the incident to the Iraqi guards, who went back to the river with him to assist in the search of Mr. PADHIL. He stated they could not find him and he spent the remainder of the night at the ICDC area. The next morning when he returned to his vehicle he discovered it had been destroyed by unknown means. Photographs were exposed of the vehicle by a friend and the local community continued to search for the body of Mr. FADHIL. The photographs of the vehicle were obtained by USACIDC, and a review of the prints depict enormous damage to the vehicle and a trailer, apparently caused by a BFV running completely over it

A Company, 1/8th Inf, was identified as the unit having contact with the two Iraqi's in question. Unit members were interviewed and described detaining, and subsequently releasing, these two individuals but denied injuring or causing injury to either person.

On 20 and 21 Jan 04 three A Co. unit members underwent polygraph examinations. All three rendered sworn statements wherein they detailed their involvement in throwing the two men into the water and how their chain of command ordered them to deny doing so. Specifically, one soldier stated 11.7 CPT and MAJ had knowledge of the men being thrown into the water and that they were involved in covering up this incident

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Attached as Exhibit is Polygraph Exhibitation Report (DA Form 2802). This exhibit will be destroyed not later than 3 months after the data of the report of investigation (para 2-ch, AR 195-6). The original, to include related polygraph records, is at the U.S. Army Crime Records Center, USACIDC, 5010 60 Street, Pt. Belovir, VA 22060-5583. Reproduction of this exhibit on its contents is probabiled.

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EXHIBIT 39 000173



0011-03-CID469-79630-SH1

afterwards. One soldier also stated he was told by someone in his chain of command that LTC Tand COL knew the two men were thrown into the water and knew about the distortion of the facts. He did not specify who provided him the information Another solder dentified CPT pertaining to COL aware of these facts, but was not aware of anyone else higher in his chain of command being involved in or having any knowledge of this incident. The third solder identified Major and LTC and the other two unit members involved had not spoken with COL about this incident but he was told by members of his chain of command that they (referring to the knew everything. He was unable to specifically identify who made these comments.

On 22 Jan 04, 1LT was interviewed under rights advisement and denied any wrongdoing pertaining to this investigation. ILT did not discuss anything about having knowledge of this incident.

On 25 Jan 04, CPT was advised of his legal rights which he invoked, electing not to be questioned about the incident. He did not discuss anything pertaining to COL knowledge or involvement in this investigation.

HHC, 1/8th Infantry Battalion, was On 25 Jan 04, MAJ interviewed under rights advisement and continued to deny any wrongdoing pertaining to this investigation. Major is the specifically identified in statements as being aware of the incident and being directly involved in the false information initially reported. Major did not provide any information regarding COL knowledge of or involvement in this investigation.

HHC, 1/8th Infantry Battalion, Ft. On 27 Jan 04, LTC Carson, CO, was interviewed under rights advisement and admitted he was made aware of the two Iraqi's being thrown into the water from CPT stated he instructed everyone involved to say they released the Iraqi's on the side of the road. instead of describing how they were thrown into the water. LTC did say that he was not aware of the possibility that one of the fragi's drowned, as he was told that both men were seen on the roadside when the convoy departed. LTC knowledge Major and COL were not involved in this incident from any perspective.

On 29 Jan 04 all members of the 19 platoon that were present on the night of this incident were interviewed and either denied having any knowledge or elected not to speak about the incident. None of the soldiers indicated COL had any knowledge and/or involvement in this investigation.

A Company, 1/8th Infantry, was On 29 Jan 04, 18G interviewed and stated he was first informed about the incident through his Commander, CPT

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Attached as Exhibit is polygraph Examination Report (DA Form 2802), this exhibit will be destroyed not later than 3 months after the date of the report of investigation (para 2-ch, AR 195-6). The original, to include related polygraph records, is at the U.S. Army Crims Records Center, Usacide, 6010 pt Street, Ft. Belvoir, VA 22050-5589. Reproduction of this exhibit or its contents is prohibited.

15394



0011-03-CID469-79630-SH1

Although, 1SQ stated he instructed the Commander to not tell him any details, as someone had to remain in control of the remainder of the unit. 1SG claimed he had no knowledge of the incident or of any cover up until the CID investigation was initiated. Also: ISC stated to his knowledge COL had no involvement in the incident or the actions taken afterwards.

On 29 Jan 04, CSM 586-66-1015, HHC, 1/8th Infantry, was interviewed and denied having any knowledge pertaining to this incident. CSM stated once he heard the rumors of the incident he approached LTC o question what was going on and he was told by him to not be concerned with it and stay out of it. CSM stated to his knowledge, COL was not involved in any phase of the incident.

On 29 Jan 04, SGM 3d Brigade Combat Team, was interviewed and denied having any involvement pertaining to this investigation. Also, CSM stated to his knowledge COL aid not have any prior knowledge pertaining to the two men being thrown into the river and that he did not have any involvement in the actions taken by certain members to conceal information after the incident.

On 27 Jan 04, COL was interviewed under rights advisement and denied any wrongdoing pertaining to this investigation. COL stated he initially heard of the incident when he was notified by the local city counsel of the allegations that US Forces had forced Iraqi's to jump into the river. COL stated he briefed the Commanding General, 4th Infantry Division, Tikrit, Iraq, the next day, telling him he did not believe it was true but that he had initiated a commander's inquiry, and that the CG had instructed him to get CID involved. COL stated that at the next city counsel meeting, he spoke with the surviving victim and the ICDC personnel, who all told him about the two being thrown into the water. COL said a few days later he spoke with and SFC and was never told about anyone being pushed into the water, saying he discovered they were pushed as a result of the CID interviews of his soldiers. Although LTC denies informing COL about the offense as it occurred and about the plan to cover the truth, it is believed COL informed about the incident prior to his being briefed about the results of the USACIDC continued to deny that he had any knowledge of the two men interviews. COL being thrown into the water (prior to the confession to USACIDC), denied any of his subordinates informed him that the two men were forced into the water, and denied planning with anyone to distort the truth about the two men being thrown into the water. COL was offered the opportunity to undergo a polygraph examination to verify the truthfulness of his statement, to which he agreed.

67-E

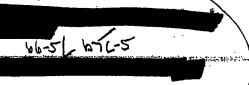
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Attached as Exhibit 19 Polygraph Examination Report (DR Form 2802). This exhibit will be destroyed not later than 3 months after the date of the report of investigation (page 2-60, AR 195-6). The original, to include related polygraph records, is at the U.S. Army Crime Records Genter, USACIDA, 6010 6th Street, Pt. Belvolr, VA 22060-55ed, Reproduction of this exhibit or its contents is prohibited.

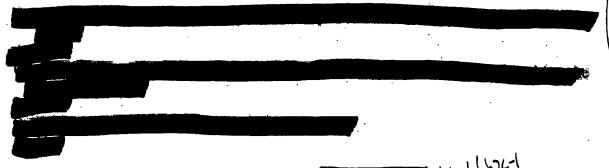
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RELEVANT QUESTIONS USED



WITNESS, MONITOR OR INTERPRETER: SA

1-264 1-00

EXAMINEE'S NATIVE LANGUAGE; English

LANGUAGE USED DURING THE EXAMINATION: English

//Original Signed/// 1-259 [1-019 Polygraph Examiner,

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Attached as Exhibit is tolygraph Examination Report (DA Form 280%). This exhibit will be destroyed not later than 2 months after the date of the report of investigation (para 2-6h, AB 185-6): The original, to include related polygraph records, is at the U.S. Army Crime Records Center, USACIDC, 6010 6" Street, Fb. Belvoir, VA 22060-5585. Reproduction of this exhibit or its contents is prohibited.

15394 E EXHIBIT

67-E

Photographic Packet

Case Number 0011-04-CID469-79630

Number	Description
1	Photograph depicting the pump house area adjacent to the north end of the bridge where Mr. FADHIL and Mr. were forced into the river.
2	Photograph depicting the area where Mr. 176-4, bb-4 FADHIL and Mr. stood when their flexi cuffs were removed prior to them being forced into the water.
3	Photograph depicting the area between the pump house and cylinder blocks where Mr. 176-4,66-4 were forced to walk through before being forced into the river.
4	Photograph depicting a soldier standing at 676-4,66-4 the location where Mr. FADHIL and Mr. were forced into the river-
5	Photograph depicting the vegetation area where Mr. FADHIL climbed out of the river.
6	Photograph depicting a close-up of the vegetation area where Mr. FADHIL climbed out of the river.

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Exhibit 40

015395

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BATES PAGES 15396-15401 ARE PHOTOS REVIEWED IN ACCORDANCE WITH CRITERIA PROVIDED IN PRIOR IN CAMERA SESSIONS AND HAVE BEEN DETERMINED TO BE NONRESPONSIVE

Page(s)

184

translation provided at page 185

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____ Photos depicting Americans

Photos depicting foreign nationals

____ Civilian Agency Records

015402

MEMORANDUM FOR RECORD

9 February 2004

676-3,66-3

SUBJECT: Transliteration of a one page letter written in Arabic, transliterated by Titan Interpreter, Detainee Central Collection Point, Forward Operating Base, Iron Horse, Tikrit, Iraq, on 9 February 2004 at 1330 hours, local, in response to a request by Special Agent US Army CID.

//BEGIN TRANSLITERATION//

In the name of God the merciful

NOT UNDERSTOOD (Direct quotes from the Koran, very proper Arabic)

And after: God had created humans and preferred them over all other creations.

NOT UNDERSTOOD (Direct quotes from the Koran, very proper Arabic)

Nobody has the right to destroy this creation, or take this life to a place of destruction or sabotage, and his body is protected in life and death, and is forbidden to be disturbed even after death, and nobody has the right to hurt the body in anyway. Even after death, nobody has the right to cremate the body or break any of its bones. Also, nobody has the right to step or sit on the grave. Also, the rules say you are prevented from exhuming the grave to remove the body, unless it is very important to do so.

67C-3,66-3 regarding the exhuming of On the question of Mr. Zaydoon's body in order to discover the cause of the death and solve a mystery by opening the grave.

I declare under God:

By law, the opening of the grave, as long as there is an important need to open it, with knowledge that this action will not be in conflict with the dead person's rights under the Koran, and has been determined as necessary and as defined in the law of the Koran, is hereby approved by God, without whom nothing is possible.

676-3,66-3 Director, Head of Religious Counsel in Salah Aldeen Imam and Preacher, The Big Mosque, Samarra

//END TRANSLITERATION//

015403

uvu185

Page(s)

186-194

Referred to:

U.S. CENTRAL COMMAND
7115 SOUTH BOUNDARY BLVD
ATTN: CCJ6-DM
MACDILL AIR FORCE BASE
FLORIDA 33621-5101

Master Sergeant Pamela Andrews andrewsp@centcom.smil.mil (813) 827-5341/2830

015404

	TATE CONTINUE DEPORT	0014-04-CID919 (RFA)
-	AGENT'S INVESTIGATION REPORT CID Regulation 195-1	PAGE 1 OF 1 PAGES
	BASIS FOR NOTIFICATION: About 1904, 22 Jan Request for Assistance (RFA) from 43 rd Milita Ironhorse, Tikrit, Iraq, requesting this off conduct subject interviews of CPT both of A	04, this office received a ry Police Detachment, Camp ice locate, fully identify and and Co. 1/8th Infantry, Balad,
	66-1, 67c-1	56-5,b/c-s
16-5, 10-5	About 0928, 25 Jan 04, SA A Company, 1/8 th Ind Fort Carson, CO, which he waived and provide stated he had made joking statements Iraqi into the water, and that statements we incident that "someone's going to get wet". a white truck belonging to one of the detain	ere made the night of the 165,676-5 SFC stated he pushed
6-5, 170-5, 6-5, 670-5	Bradley vehicle the night of the incident. knew two individuals had been thrown in the incident, but when he drove past he saw two side of the road. SFC stated he knew the true version of what happened that night knew. SFC provided a har scene. SFC refused to sign his writthe interview by requesting legal counsel.	sfc further stated he water the night of the individuals standing on the was aware of the but would not state how CPT and drawn sketch of the incident ten statement and terminated (See written statement and
66-5,	About 1158, 25 Jan 04, SA Executive Officer, Company (HHC), 1/8 th Infantry Battalion (INF Carson, CO 80913, which he waived and render his knowledge of the incident and his role as requested by his chain of command (see Wastatement for details). About 1202, 27 Jan 04, SA Commander, HHC 1/8 th INF BN, (Balad, I which he waived and rendered a sworn statem ordering CPT and 1LT to the detainees being put in the water (see Wastatement for details).//Last Entry/// TYPED AGENT'S NAME AND SEQUENCE NUMBER 12 th Mills Mil	red a swoll statement detailing as an appointed inquiry officer aiver Certificate and Sworn 66-5, 676-5 Craq), Fort Carson, CO 80913, ent, where in he confessed to change their story regarding aiver Certificate and Sworn P DET (CID) (MINUS), haconda, Iraq APO AE 09391 TAN DY EXHIBIT 44

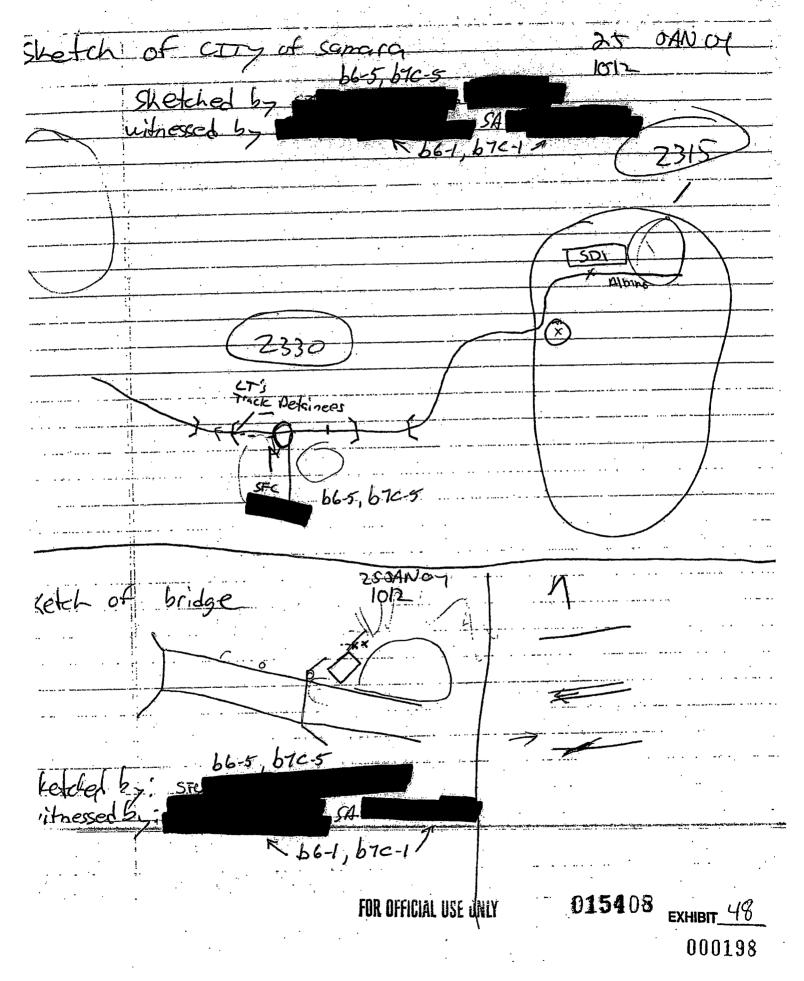
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NAME Cost First MI	- 6	-5,67e-5	8. OR A Co	GANIZATIO mpany, 1/8	NOR ADDRESS 8th Infantry Batta	alion, 3 rd BCT
SSN		7. GRADE/STATUS SFC/E-7			O AE 09391	
	PAR	T 1 - RIGHTS WAIVER/	NON-WAIVER CI	ertificati	•	
is a Special Agent./// for he/sne asked me any q I do not have to answer any Anything I say or do can b (For personnel subject to to during questioning. This is or both.	intary Manslaughter, destions about the offense questions or say anythin e used as evidence agains	Conspiracy, Obstruct (s), however, he/she made i	and wanted to que ion of Justice./// clear to me that 11	stion me about	wing rights:	nse(s) of which I am
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SWORN STATEMENT

	File Number: 0014-04-CID919 Location: LSA Anaconda CID Office, Balad, IZ APO PE 09391 Date: 25 Jan. 04 Statement Office, Balad, IZ APO PE 09391 Time: 115 & Control of Control o	
6-5,870-5	I, MAJ MAJER AND	6-5, 7e-5
	they first detained the two Iraqi males to the point they released them, and what was the LAST thing each of them saw as they drove away in their M2A2 Bradleys. The next day after my questioning of the platoon leader and platoon sergeant, I accompanied the entire first platoon, A Company back to the proposed site that they released the two Iraqi male detainees. I had the soldiers replay the exact events that happened that night to include where they stood and what they saw from their vantage point that night. Then, I had the Platoon Leader show me what he saw from his Bradley as he drove away, which was the two males standing apart from each other. As the Platoon Sergeant drove away, as the last vehicle in the patrol facing to the rear, he saw both males facing each other, approximately 10 feet from where LT saw them moments earlier. They were facing each other and talking. Based off of these verbal statements and seeing the location, I believed what the Platoon Leader and Platoon Sergeant told me. I reported back to the Battalion and Brigade Commander that I honestly believed, based off of what the members of 1st platoon told me, and	5, c-5
	that neither of the male detainees drown during that incident. Q: SA A: MAJ Q: How many times did you meet with the soldiers from 1 st Platoon to discuss the incident? A: Twice Q: How many times did you meet with 1LT Q: How many times did you meet with 1LT A: Twice Q: How many times did you meet with 1LT A: Twice Q: How many times did you meet with 1LT A: Twice, I met with him the night before we went out to the scene and the day	5, b1c-5

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. **	EXHIBIT	INITIALS;	PAGE A	OF 4 PAGES	
	him? A: Because I was copossibility of the deta	nducting a commander's ainees being thrown into	inquiry and I wante a swift current and c	d to refute any Irowning. The	nampanysta. The sittle
Ö	A: Why then would	you have 1LT	ump into the water if	you believed	
2007,070	an the pavement, the	en I believe him, I don't to that on to the Command	nink they lied based	upon my 670-5	
h15 1908	them talking to each	other in the dirt parking a because I've known hir	area on the side of th	ne road. I they were there	
•	Q: Do you believe the A: Based upon the s	e detainees were release tatements of SFC	and 1LT	who saw 060,67	16-S
	getting information fr	and I was not told until a om the soldiers	66-5, 67C-5		
	the water and that is	were accused of, they verthe only thing I was awa	re of. Again it is diff	cult when you	٠
	detainees into the wa	your aware of the soldie ater?			
	swift current and one Commanders inquiry	of them had drown as a and wanted to check all	result. I was condi- possibilities	66-5, 61¢-5	
	President of the U.S. Platoon soldiers were	and Tony BLAIR (British intoxicated and that the	n Prime Minister) rela by had thrown the de	iting that the 1° tainees into the	
	reason I had him jum	p in the water was base of the detainees had for	d upon an printed co warded as far as I k	py of an email now to the	
	of near a pump hous indicated the two det	e on the side of the road ainees were seen togeth	er as the Patrol left t	he area. The	
66-5,676-5	were dropped of as v	vell as the current speed 1LT had state	of the water. The P d the two detainees	atoon SG1 were dropped	
	A: Yes, I asked the P to check the depth of	latoon Leader (1LT the located	to go in the wa ion on the road whe	re the detainees	, , C - J.
	Commander Q: When at the site,	did vou instruct anyhody	to go in the water ar	nd why?	10-6
	and replay the events	river. I wanted to go to of what happened so I	ould report it back t	o the BN	
	A. I went to the site lo	the river with 1 st Platoor scation where they stated	d they dropped the d	etainees off	
b65,b1C5	was based upon wha	wasn't there either the soldiers stated.	₩ 66-5,676-5		()
	him to instruct the un	it nersonnel to withhold i	nformation regarding	the incident?	
•	wasn't there	しるのでは、 しるう。 b をう。 b で、 u instruct CPT	665, 67C-3	발흥하게 된 동생님 사람들이 되었다.	.;
	O. What govou belie	ve happened to the two to Samarra, again base	detainees the night of what I was told	of the incident? because I	
	information regarding	ou instructed by your hig the incident? , しつとっち			· } ·
	1. No 6-5	b7c-5			*
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SWORN STATEMENT OF MAJ	TAKEN AT 060) 010-
THE CID OFFICE A Anaconda, Balad, IZ, 25 Jan 04. ONTINU	ED
uniter was still and not that deen, about knee to waist deep near the	e bank. I
wented to check the possibility of what happened and to refute the	accusations
within the email and to report this information to the BN Commande	
Q: Why would soldiers within the unit state they were instructed to	withhold
information regarding this incident?	
A. N. de	مساعة أمدما
Q: Were you aware that the truck had been pushed to trie side of the	ie road by one
of the 1 st Platoon Bradley's?	and the second of the second
A: Yes, based upon a statement given by SFC Q; Do you have anything to add to this statement at this time?	6-5, 610-5
Q; Do you have anything to add to this statement at this time?	

EXHIBIT _____ INITIALS: PAGE 3_ OF 7 PAGES

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b65, b7C-5	AFFIDAVÍT				TT	
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(Signature of Person Wak	ing Statement)					
Subscribed and sworn	to before me, a perso	n authoriz	ed by lav	v to		٠
dminister oaths, this 25th o	lav 1 1 1 1 2 1 2 1 2 1 2 1 1 2 1 2 1 2 1 	A Anacono	la, Balad	l, IZ.		
	66-1,6	7C-1				
Person Adm	ninistering Oath).					
(Typed Name of Person A	Administering Oath)				•	
ARTICLE 136 UCMJ	,			• .	•	
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spected/accuse 150 fore he/she asked me any qu	risetions shout the of	fense(s), however, he/	she made it clear to me t	hat I have the followin	g rights:
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EXHIBIT 50

	SWORN STATEMENT For use of this form, see AR 190-46; the proponent agency is ODCSOPS	
AUTHORITY: PRINCIPAL PURPOSE: ROUTINE USES! DISCLOSURE:	PRIVACY ACT STATEMENT Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN). To provide commanders and law enforcement officials with means by which information may be accurately. Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieved Disclosure of your social security number is voluntary. A. FILE NUMBER	al.
1. LOCATION PM a office, L	2. DATE WYYMMUDI SA AMACE A Z 2 2004 01 27 1/202 1 - 665, 670-53 T NAME, MIDDLE NAME 6. SSN. 7. GRADE/STATUS T NAME, MIDDLE NAME 7. GRADE/STATUS	
HHC, 1/8	ADDRESS 6-5, 676-3 LNF BN (BALMB, 17) FOFF CARSON, CO 80913 6-5, 676- 66-5, 676-5 66-5, 676-5 66-5, 676-5	>
e. LTC	WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:	
I re the day	is what el know to be true. turned back to Samarra (Brassfield-Mora) on of CPT Paliwoda's memorial service (7 JAW 04 of Know, Eric's death deeply affected me. In).
the days	afterward, I was definitely not found die in	- Cen_
and ve	ry upset. It also bothered me to greatly while it died on Paliwoda FOB (formerly Eagle) while	,
pretty u approache		
Samarro I Cdr for returning	needed to meet the Bde Car and The 1-66 146, a fransition meeting since I was	<u>.</u>
J	Pantry 50 in a 10 minute meeting or so, CPT b65,676-56 to me the events that on the f 3 JAN 04, 1st platoon, A Company had detained	e
10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT PAGE 1 OF A PAGE 1	GES:-
ADDITIONAL PAGE	ES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED	= —
	EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUM CATED.	
DA FORM 2823	TO IC ODCOLETE	50°2

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO MALE PAGE OF THIS FORM. TAKEN AT LSA Anacon da DATED 27 JAN DY 2 individuals breaking curfew up near the SOI Complex 9. STATEMENT (Continued) in Samarra, however, instead of moving them to the CMOC or police station across from the CMOC, they moved the 2 detainees to a location just past checkpoint K2 and had them get out of the Bradley, they uncuffed the detainees, and motioned to have the 2 individuals jump into the nearby water - the 2 tragis did just that and then soldiers watched as the Iraqis got out of the water and walked away. The soldiers then remounted their Bradleys and confinued movement back to Brassfield-Mora. As a result of this information, I made a poor, hasty decision to have everyone involved just talk about dropping the tragis off on the road. First, I was clearly not myself - still focused on the mortan attacks in Balad, Eric, and finding his Killers. Second, I thought the water was inconsequential since the soldiers had watched them get out ! I was very upset with the platoon's leadership, their poor judgement/actions, and wanted to handle this at my level. 16-5, 67c-5 is my best company commander and A Company is my best infantry company. Well-trained, organized, effective, and aggressive, A Company has done a phenomenal job in both phases engagement. Eliminating attackers while also -66-5,67C-5 PAGE 2 OF 6 PAGE INITIALS OF PERSON MAKING STATEMENT

PAGE 2, DA FORM 2823, DEC 1998

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110206 EXHIBIT 50

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED AL PAGE OF THIS FORM. 676-5,66-5 TAKEN AT 25A Anaconda DATED 27 TAN 04 STATEMENT OF LIC 67C-5,66-5 in a highly successful civil affairs campaign in Balad. So, I told the Company Cdr and Platoon leader to not mention anything about the water. And then I left the next day for Balad and basically took my "eye off the ball" in Samarra since we launched into several consecutive operations to capture/detain CPT 676-4,66-4 and by the time of came out of those operations -CID was involved, the investigation was on-going, and everything was clearly out of my hands. And so, though it am quite sure to this. 66-4,676-4 I have made hundreds of decisions out here in combat - many split-second under fire, many that fall into the "life or death" category, and many on the future of detainers (release or hold). In all cases, I know I have made the right call - but in this instance, I did not. I do not excuse the behavior of those involved in having the leagis jump into the water - it was an act of stupidity, but no one drowned - and hopefully in two weeks or so el will be able to detain and prove that. I also do not excuse my decision - of the hundreds of right calls of have made, this one - no matter that I was still suffering 57C-5,66-5 INITIALS OF PERSON MAKING STATEMENT PAGE 3 OF 6 PAGES 015417 PAGE 2, DA FORM 2823, DEC 1998 FOR OFFICIAL USE ONLY EXHIBIT_50

tement of LTC	TAKEN AT LSA Amaconda DATED 275	9N 04 576
TEMENT OF	I should have conducte inquiry and presented the I wish I could have	
STATEMENT (Continued)	I should have conducte	d a
rom Eric's atala	and presented the	facts
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in the Bde Cdr.	I wish I come have	
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50 el take 1	full responsibility for what he incident. Labbes, bac-5 And ILT come to you to of the possibility that one of	
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5150		1.
Q. Sh	666-5,676-5	
A COLOR CRT	and 11 To your to you	lid you
(a) when on	a of the special the Hard and of	Mag
Lilians de Sand ?	is in the possibility that one of	The state of the s
de tainees drowned?	· · · · · · · · · · · · · · · · · · ·	
A: No.	66-5, 672-5	57c-5
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USE THIS PAGE IF NEEDED. IF THIS PAGE	IS NOT NEEDED, PLEASE PROCEED TO FINAL	PAGE OF THIS FORM.	676-5,66-5
	TAKEN AT <u>LSA Angoon da</u> DA	TED 27 JAN 04	
STATEMENT OF LTC 67C-5, bb-5	TAKEN AT CONTINUES OF		
	676-5,66-5		.
Q: At any point was MAJ	AWARE of ye	our instructi	ins
9. STATEMENT (Cominued) Q! At Any point was may or lid you instruct him detaines being thrown of	r told to an into the wa	tor ?	<i>LE</i>
detaines being 1	67C-5,66-5	,	
A: Please restate the 9	676-5,66-5		
Q! Did you at my point ins	struct MHJ te	withhold or	, _
cover up any in for mation	n regarding the detainees	and the wat	iri
Q: were aware or did you	believe at any point than	CPT	
676-5, wand ILT could	have or did lie to you wi	nen they breese	d you]
A: NO. 672-5,000 Q: were aware or did you bit-5,665,665 and ILT would A: Absolutely Not.	6/6-9, 66-3		
di After you became awa drowning, did you at ions given to cot information? 676-	ere of the possibily of	me of the de	Fringes
drowning, did you at	my point deade to che	inge your ins	trust.
in formation? 676-	5,66-5 67C-5,66-5	to withhold	<i>'</i>
A B. the time I be	came aware of this	DOSSIBILITY .	
to the top of the	ucers on operations in	- Balau	- 1
1 investigation had	C progressed 10		'
DWALL INCIA WAS	, ,	/ -	•
a: Doyon believe that "down the night of the	Zaydoon", the ILARi Deta	ince actually	
drown the night of the	incident?	J	
A: Not at all - in fa alive and well in ei	et, I firmly believe	he is still	
alive and well in ei	ther Samarra or Bay	head. b	16-3, 66-5
0: Do you regret and a to cover and/or withhe	rayou remorseful fo	r your decis	ian
to cover andlor withhe	old information regards	ng this meio	lent;
A: Clearly it was a regret making "re-do" that meeting	bad decision and a	ch of com	16
the regret making	with CPT	and U	723
Q: Do you have try thing	TO ACK TO THE CONTROLLED	CAL TIOS	time?
n: No, 11/END OF STA	PYEMENT //	, ,	I.
676-5,66-5	676-5,66-5		-5,66-5
INITIALS OF PERSON MAKING STATEMENT	nzs	PAGE 5 OF 6	
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AGENT'S INVESTIGATION REPORT

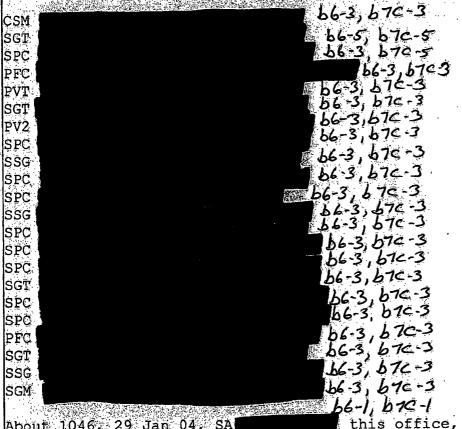
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PAGE 1 OF 1 PAGES

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DETAILS

Between 0930 and 1550, 29 Jan 04, the following individuals from A Company, 1-8th Infantry, 4ID, (Balad, Iraq), Fort Carson, CO 80913 (FCCO), were canvass interviewed for their knowledge of the reported incident. None of the listed individuals had anything pertinent to add to the investigation. All denied they had prior knowledge of any incident involving throwing detained individuals into the river. All claimed they learned about the alleged incident after their command informed them a USACIDC investigation was ongoing. All denied anyone in their chain of command informed them how to answer any questions posed by investigators.



About 1046; 29 Jan 04, SA This office, interviewed 1SG A Company, 1-8th Infantry, 4ID, (Balad, Iraq), FCCO, who provided a sworn statement. 1SG denied he had any 66-3,6 %

FCCO, who provided a sworn statement. 1SG means denied he had any **O**cknowledge pertaining to the alleged incident. (See Sworn Statement for details)//LAST ENTRY//

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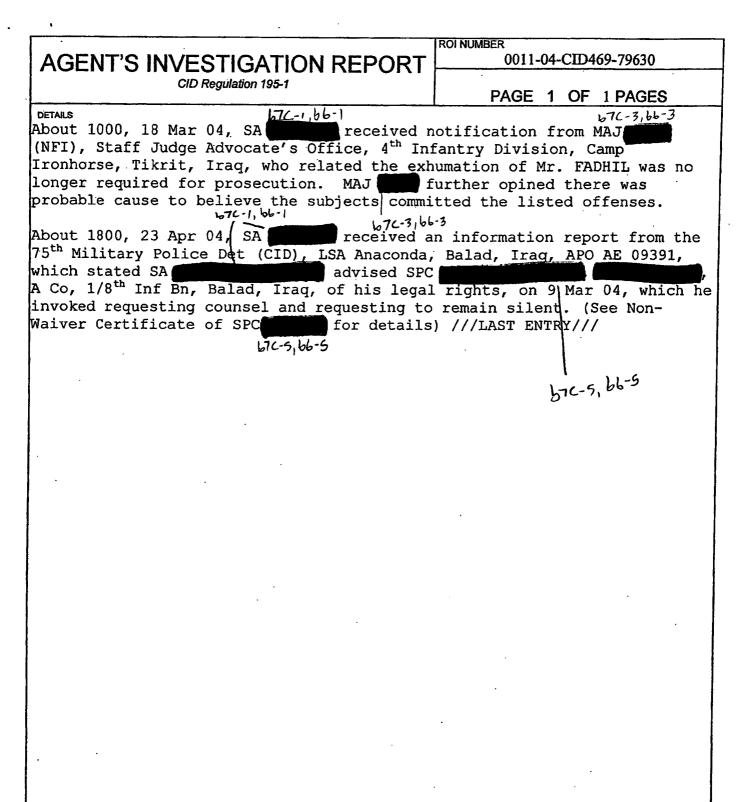
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E-5/RA	Fortemson, colorado 80913
PART I - RIGHTS WAIVER/	NON-WAIVER CERTIFICATE
SECTION A. Rights	
The investigator whose name appears below told me that he/she is with the	
as a Special Agent and wanted to suspected deceased Agent evaluated to	o question me about the following offense(s) of which I am
Before he/she asked me any questions about the offense(s), however, he/sh	the made it clear to me that I have the following rights:
1. I do not have to answer any questions or say anything.	
2. Anything I say or do can be used as evidence against me in a criminal t	rial.
3. (For personnel subject to the UCM). I have the right to talk privately	to a lawyer before, during, and after questioning and to have a lawyer I arrange for at no expense to the Government or a military lawyer detailed
for me at no expense to me or both.	a drauge for at no expense to the Government of a limitary lawyer detailed
-	OT-
(For civilians not subject to the UCMJ) I have the right to talk privately to	a players haders during and after marking and at 1
present with me during questioning. I understand that this lawver can be o	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	S.
4. If I am now willing to discuss the offense(s) under investigation, with o	or without a lawyer present, I have the right to stop answering questions at
any time, or speak privately with a lawyer before answering further, even i	ii I sign the warver below.
5. COMMENTS (Continue on reverse side)	
Have your sea colod langue as has	advised of merchanter 11 x 100 1
HAVE YOU requested a cawyer or been	advised of your rights in the Last 30 day
SECTION B. Waiver	
I understand my rights as stated above. I am now willing to discuss the off lawyer first and without having a lawyer present with me.	tense(s) under investigation and make a statement without talking to a
WITNESSES (if available)	3. SIGNATURE OF INTERVIEWEE
la. NAME (Type or Print)	1
	h6-1 h7c-1
ORGANIZATION OR ADDRESS AND PHONE	1,000
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o contraction of engineering indicate	124h MP DET (CID) (MINUS) LSA Amaconda, BALAD, IZ APONE 09391
	LSA Anaconda, BALAD, IZ APONE 09391
SECTION C. Non-waiver	
1. I do no want to give up my rights	
I want a lawyer	☑ I do not want to be questioned or say anything
2. SIGNATURE OF INTERVIEWEE	
b65 b7c-5	i i
ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA	FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

DA FORM 3881, NOV 89 (AUTOMATED)

EDITION OF NOV 84 IS OBSOLETE

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SA SIGNATURE SIGNATURE 67C-1, 66-1 Baghdad, Iraq, APO AE 09342 DATE 23 Apr 04 EXHIBIT

CID FORM 94

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I so not want to give us my rights

ant to be questiones or say anything

015428A ₀₀₀₂

EXHIBIT

BATES PAGES 15428B-15428R ARE PHOTOS REVIEWED IN ACCORDANCE WITH CRITERIA PROVIDED IN PRIOR IN CAMERA SESSIONS AND HAVE BEEN DETERMINED TO BE NONRESPONSIVE

236-237

Withheld due to:

____ Foreign Language

____ Photos depicting Americans

Y Photos depicting foreign nationals

____ Civilian Agency Records

BATES PAGES 15428T-15428Y ARE PHOTOS REVIEWED IN ACCORDANCE WITH CRITERIA PROVIDED IN PRIOR IN CAMERA SESSIONS AND HAVE BEEN DETERMINED TO BE NONRESPONSIVE

244-245

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____ Foreign Language

X Photos depicting Americans

X Photos depicting foreign nationals

____ Civilian Agency Records

BATES PAGES 15428AA-15428AC ARE PHOTOS REVIEWED IN ACCORDANCE WITH CRITERIA PROVIDED IN PRIOR IN CAMERA SESSIONS AND HAVE BEEN DETERMINED TO BE NONRESPONSIVE

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__ Civilian Agency Records

15428AE

AGENT'S INVESTIGATION REPORT CD Regulation 195-1 PAGE 1 OF 1 PAGES About 1800, 27 Sep 04, SA ENTIRE STABILL's Coordinated with Mr. And Mrs. And Mrs. (Mr. FADHIL's Mr. (M		FOR OFFICI	AL GOL ONE!		ROI NUMBER	14011147		
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About 1800, 27 Sep 04, SA attorney for Mr. attorney for Mr. who provided this agent with Arabic letters from himself, Mr. stated the Arabic letters describe how they identified Mr. Stated the Arabic letter from Mr. Stated the Arabic letter stated with a photograph depicting Mr. Stated the Indian from Indian India				176.41.11			PAGES	•
attorney for Mr. who provided this agent with Arabic letters from himself, Mr. (Mr. FADHIL's Mr		27 Sep 04 S	67(-1,66-1	<i>_</i>	_			
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stated the Arabic letters describe how they identified Mr. FADHIL remains after his body was discovered on 15 Jan 04. Mr. also provided an Arabic letter from Mr. Engineer in Samarra, Iraq, who stated he assisted Mr. FADHIL's family in searching for his remains by closing the dam in the river where Mr. FADHIL was forced into the water. Further, Mr. with a ring and an identification card, which were allegedly removed from Mr. FADHIL's remains after his body was discovered on 15 Jan 04. Mr. also provided SA with a photograph depicting Mr. FADHIL with his flancé and other family in with a photograph depicting Mr. FADHIL with his flancé and other family. About 1813, 27 Sep 04, SA collected the ring, the identification card, and the photograph as evidence from Mr. Mr. And DA FORM 137, Evidence/Property Custody Document, voucher (VO) 707-04. b7C-3, b-3 On 29 Sep 04, Mrs. Corporation, Baghdad, Iraq, translated the Arabic letters obtained from Mr. And the Arabic information on the identification card collected as evidence. (See English Translation for details) ///LAST ENTRY/// NOTE: A collected as evidence. (See English Translation for details) ///LAST ENTRY/// SA SIGNATURE DATE EXHIBIT			and the second second			_		
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Engineer in Samarra, Iraq, who stated he assisted Mr. FADHIL's family in searching for his remains by closing the dam in the river where Mr. FADHIL was forced into the water. Further, Mr. Provided SA 57C-7, but a ring and an identification card, which were allegedly removed from Mr. FADHIL's remains after his body, was discovered on 15 Jan 04. Mr. Alleged Mr. FADHIL with his fiance and other family members. About 1813, 27 Sep 04, SA Collected the ring, the identification card, and the photograph as evidence from Mr. FORM 137, Evidence/Property Custody Document, voucher (VO) 770-04. ATC-1, bb-1 On 29 Sep 04, Mrs. Collected the Arabic letters obtained from Mr. Baghdad, Iraq, translated the Arabic letters obtained from Mr. Baghdad, Iraq, translation for details) ///LAST Typed AGENT'S NAME AND SEQUENCE NUMBER 17C-1, bb-1 ATC-1, bb-1 ATC								
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1 FEB 77

277

translation provided at page 278

Withheld due to:

X Foreign Language

____ Photos depicting Americans

Photos depicting foreign nationals

__ Civilian Agency Records

In the name of God

Ministry of Agriculture

Department of, the Dam and reservoir Department of Samera'a Site

Number: 6-2-1-26

Date: Tan-17-2004

To: Subject: Search for abody

on the bates of the Third, Fourth, fifth of Jamery-2004, the Dam of the ditch was closed for the reason of finding the body of zidoon Ma'amon fadel, we closed the Dam in different periods of time, in with was the drainage of the ditch about 100 meter, opening the Dam about 85 centimeter, the Level of the water was 5 meter Deep.

the Dam was closed on the 15th Jan-2004 as are! For Six hours, on that Day we find the body

with all of my appreciation

the Engineer

66-3,67-3

The Site Director.

67C-3, bb-3

015431

000278

EXHIBIT 73

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279

translation provided at page 280

Withheld due to:

X Foreign Language

____ Photos depicting Americans

____ Photos depicting foreign nationals

____ Civilian Agency Records

In the Name of God To the United States of America Army

after thirteen Days of emadated searching and chasing of the water Moument and the strong Current that is rushing towards the ditch, we did find the body of 2idoon. his body was about one Kilo meter for From the dam, he was picked up from there and Moved to his favents house for the family to See him for the hast time, we buried him in Samerala Cemetery for that I would like to assure you withe no doubt that the body we find and snatch away from the ditch in Jan-15-2004 it was bics. 66-3 Zidoon bo Zidoon body and that is after searching for his body Since the day he was pushed into the Lake from the Part 08 the American Soldiers in Jan-30ry-2004. he was the one who was buried in the Same day? own Self, 67C-3,66-3 I Know him as of Knowing my

Thank you. 08 Zidoon 67C-3,66-3 67C-3,66-3

SS\$ ~ 67C-3,66-3

FOR OFFICIAL USE ONLY

015433

000289

EXHIBIT_75

281

translation provided at page 282

Withheld due to:

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X Foreign Langua	VC.

_____ Photos depicting Americans

Photos depicting foreign nationals

____ Civilian Agency Records

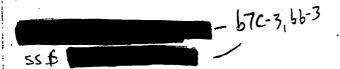
In the name of God

To / united states Army

Subject / Confirming.

I am assuring with No doubt, that on the 15th of January 2004, I was one of the ' People who Saw the body of the deceased Zidoon Maamon Fadd Al Samara'ay, when he was brought home, after he was picked up from the ditch. I did I doubtly him as well as his family members and his friends For that I am Signing this Statement.

hawyer 66-3,67C-3
Baghdad on SEP-12-2004



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015435

1/10282

283

translation provided at page 284

Withheld due to:

X Foreign Language

____ Photos depicting Americans

Photos depicting foreign nationals

____ Civilian Agency Records

In the name of God To the United States Army

be3 On January -15-2004, we find the deceased

be3 body of Zidon Makmon fadel

Al Samerday, after he was pushed into the

ditch by some of the American Soldiers

on January-3-2004, after we saw him for

the Last time we had the funered and he was

bursed in Samerda Cemetery.

67 c-3 66-3 Neither me or his sibling, his relative mor his friends have any doubt that it was zidoon body,

who would not know her own son. according to your request I wrote this statement.

vole for ungarstang mind emotion as

thank you

676-3,66-3 Zidoon SER-13-2004

67C-3, 66-3

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EXHIBIT 79

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Page(s)

285-286

translations provided at pages 287 and 288.

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____ Civilian Agency Records

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Iraq republic Ministry of interior

Division : Samera'a

file number: 302

Page Number: 37

Identification number

b7C-4, 66-4

Department of Citizens and Civilian

Identification.

Issued under the Low of Civilians Rights number 65

name: zidoon

-67C-3, 66-3

host name: AL samera'ay

Mother name:

Sex: Male

DESued Date JAN-18-2008

Signature of employee:

full name:

676-3,66-3

- 67 C-3, 66-3

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EXHIBIT 81

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OFFICIAL

DATE: 03 FEB 2004

FROM: SAC, 43RD MILITARY POLICE DET (CID)(FWD)

TO: DIRECTOR, USACRC, USACIDC, FORT BELVOIR, VA CDR, USACIDC //CIOP-ZA// CDR, 10TH MP BN (CID)(ABN)(FWD) //OPS// CDR, 3D MP GROUP (CID)(FWD) //OPS// PROVOST MARSHAL //PM// //4ID// CHIEF OF STAFF //4ID//

SUBJECT: CID REPORT – 5TH STATUS/SSI – 0011-04-CID469-79630-5H1/5H7/5H3L/5P2/5X1/5X5/9G1

DRAFTER: 66-1, b7c-1
RELEASER: 66-4, b7c-1

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1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

- 1. 03 JAN 2004/2245 03 JAN 2004/2330; VIC GRID COORDINATE 38S LC 9386 8451, ADJACENT TO A BRIDGE, SAMARRA, IRAQ
- 2. 16 JAN 2004/1300 16 JAN 2004/1500; 1/66 ARMOR BATTALION AREA, FORWARD OPERATNG BASE (FOB) BRASSFIELD/MORA, SAMARRA, IRAQ
- 3. 1 DEC 2003/0800 15 DEC 03/1600; UNKNOWN LOCATION AND RIVER IN OR AROUND BALAD, IRAQ (NFI)
- 4. 0900/29 JAN 04 1100/29 JAN 04; BUILDING 4010, CID OFFICE, LSA ANACONDA, APO AE 09391
- 2. DATE/TIME REPORTED: 13 JAN 2004, 1011 66-1, 67c-1, 62-1

66-1,670-1,62-1

4. SUBJECT: 1.

M; WHITE; CO A, 1/8 IN, 3D BCT, 4ID, APO AE 09391; CT; [INVOLUNTARY MANSLAUGHTER] [AGGRAVATED ASSAULT][FALSE OFFICIAL STATEMENT][CONSPIRACY][OBSTRUCTION OF JUSTICE]

M; OTHER; CO.A, 1/8 IN, 3D BCT, 4ID, APO AE 09391; CT; [INVOLUNTARY MANSLAUGHTER] [AGGRAVATED ASSAULT][FALSE OFFICIAL STATEMENT][CONSPIRACY]

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3. SPC; 7 MAY 83; PLEASANT HILL, MO; M; WHITE; CO A, 1/8 IN, 3D BCT, 4ID, APO AE 09391; CT; [INVOLUNTARY MANSLAUGHTER] [AGGRAVATED ASSAULT][FALSE OFFICIAL STATEMENT][CONSPIRACY]
4. SPC; 27 JUL 79; LIMA, OH; M; WHITE; CO A, 1/8 IN, 3D BCT, 4ID, APO AE 09391; CT; [FALSE OFFICIAL STATEMENT][CONSPIRACY]
5. CPT; 22 MAY 74; M; WHITE; CO A, 1/8 IN, 3D BCT, 4ID, APO AE 09391; CT; [OBSTRUCTION OF JUSTICE][CONSPIRACY][ACCESSORY AFTER THE FACT]
6. SFC; JUN 71; SULLIVAN, MO; M; WHITE; CO A, 1/8 IN, 3D BCT, 4ID, APO AE 09391; CT; [INVOLUNTARY MANSLAUGHTER][OBSTRUCTION OF JUSTICE] [CONSPIRACY]
7. MAJ; MAJ; 11 MAY 67; PHOENIX, AZ; M; WHITE; HHC, 1/8 IN BN, 3D BCT, 4ID, APO AE 09391; CT; [OBSTRUCTION OF JUSTICE][ACCESSORY AFTER THE FACT][CONSPIRACY]
8. (CORRECTED) 28 APR 63; PORTLAND, OR; M; WHITE; HHC, 1/8 IN BN, 3D BCT, 4 ID, APO AE 09391; CT; [OBSTRUCTION OF JUSTICE][ACCESSORY AFTER THE FACT][CONSPIRACY]
9. CARACAS, VENEZUELA; M; WHITE; CO A, 1/8 IN,3D BCT, 4ID,APO AE 09391; CT; [FALSE OFFICIAL STATEMENT][CONSPIRACY]
10. (ADD) SGT; SGT; 1 AUG 76; BADGER, CA; M; WHITE; CO A, 1/8 IN, 3D BCT, 4ID, APO AE 09391; CT; [AGGRAVATED ASSAULT][CONSPIRACY][FALSE OFFICIAL STATEMENT]
5. VICTIM: 1. FADHIL, ZAYDUN MA'MUN (DECEASED); CIV; 1 JUN 1984; IRAQ; M; OTHER; IZ; (NFI) [INVOLUNTARY MANSLAUGHTER][CONSPIRACY]
2. CIV; 19 MAR 1981; 67C-4, 66-4 SAMARRA, IRAQ; M; OTHER; ALRMOUSHYA AREA OF SAMARRA; IZ; (NFI) [AGGRAVATED ASSAULT][CONSPIRACY]
3. U.S. GOVERNMENT [FALSE OFFICIAL STATEMENT][OBSTRUCTION OF JUSTICE][CONSPIRACY][ACCESSORY AFTER THE FACT]
015443

4. (ADD) UNKNOWN; CIV; M; OTHER; (NFI)[AGGRAVATED ASSAULT][CONSPIRACY]

6. INVESTIGATIVE SUMMARY: THE INFORMATION IN THIS REPORT IS BASED UPON AN ALLEGATION OR PRELIMINARY INVESTIGATION AND MAY CHANGE PRIOR TO THE COMPLETION OF THE INVESTIGATION.

"THIS IS AN OPERATION IRAQI FREEDOM INVESTIGATION".

5TH STATUS:

THE PURPOSE OF THIS STATUS REPORT IS TO ADD SGT SUBJECT OF AGGRAVATED ASSAULT/FALSE OFFICIAL STATEMENT/CONSPIRACY AND ADD AN UNKNOWN IRAQI MALE AS A VICTIM OF AGGRAVATED ASSAULT IN WHICH HE WAS FORCED INTO A BODY OF WATER DURING AN EARLIER INCIDENT.

, PROMPTED BY SFC INVESTIGATION FURTHER DISCLOSED SGT , SELECTED AN AS YET UNIDENTIFIED IRAQI MALE IN BALAD FOR DETENTION SOLEY TO PUT THE IRAQI MALE INTO A BODY OF WATER IN THE VICINITY OF BALAD. THE DETAINEE WAS THEN TRANSPORTED TO AN UNIDENTIFIED BODY OF WATER AT AN ARMY FLOAT BRIDGE IN THE VICINITY OF BALAD AND FORCED OFF THE BRIDGE INTO THE WATER.

676-5

ON 29 JAN 04, WHEN INITIALLY INTERVIEWED AS A POTENTIAL WITNESS LIED AND DENIED ANY 676-5, 66-5 IN THIS INVESTIGATION, SGT KNOWLEDGE OF A PREVIOUS INCIDENT OF FORCING AN IRAQI INTO A BODY OF WATER.

INVESTIGATION CONTINUES BY THE USACIDC.

** REQUEST A USACRC NAMECHECK BE CONDUCTED ON

4TH STATUS:

676-5,66-5 THE PURPOSE OF THIS STATUS REPORT IS TO ADD SGT SUBJECT OF CONSPIRACY AND FALSE OFFICIAL STATEMENT AND TO 'S NAME. 67C-5,66-5 CORRECT THE SPELLING OF LTC

67C-4.

WAS INTERVIEWED AND ADMITTED HE WAS AT ON 27 JAN 04, SGT AND MR. FADHIL WERE FORCED INTO THE RIVERS EDGE WHEN MR 66-4 THE RIVER. HE FURTHER STATED HE WAS ONE OF THE LAST SOLDIERS TO AND MR. FADHIL IN THE RIVER. HE STATED MR WITNESS BOTH MR. WAS SWIMMING TOWARD THE SHORE AND MR. FADHIL WAS

67C-5,66-5

015444

676-5,66-5

67C-5,66-5

TREADING WATER WHEN SGT DEPARTED THE AREA. SGT DID NOT WANT TO BE QUESTIONED ABOUT THE INCIDENT AND HE SUBSEQUENTLY INVOKED HIS RIGHTS.

DURING AN ADMINISTRATIVE REVIEW OF THE CASEFILE IN WAS NOTED LTC S NAME WAS SPELLED INCORRECTLY.

***REQUEST USACRC NAME CHECK BE CONDUCTED ON SGT LTC

INVESTIGATION CONTINUES BY THE USACIDC.

676-5,66-5

UNDERWAY AND OUT OF HIS HANDS.

3D STATUS:

676-9

676-5

66-5

66-5

THE PURPOSE OF THIS STATUS REPORT IS TO ADD THE OFFENSE OF
OBSTRUCTION OF JUSTICE FOR 1LT ADD LTC AS A
SUBJECT OF OBSTRUCTION OF JUSTICE, ACCESSORY AFTER THE FACT, AND
CONSPIRACY; AND FULLY IDENTIFY MAJ

WAS INTERVIEWED AND ADMITTED HE WAS ON 27 JAN 04, LTC REGARDING THIS 676-5,66-5 AND 1LT BRIEFED BY CPT AND MR 67C-4.66-4 INCIDENT, SPECIFICALLY REGARDING THE FACT THAT MR FADHIL WERE PUSHED INTO THE RIVER AFTER THEY WERE DETAINED. HOWEVER, HE RELATED THE SOLDIERS AND OFFICERS REPORTED SEEING THE TWO VICTIMS ALONGSIDE THE ROAD AFTER THEY CLIMBED BACK OUT OF THE WATER AND BEFORE THE PATROL DEPARTED THE AREA. LTC RELATED HE BELIEVED THIS AND FURTHER ADMITTED HE DIRECTED THE OFFICERS AND SOLDIERS TO LEAVE THE PART OUT OF ANY STATEMENTS THEY MADE ABOUT PUSHING THE VICTIMS IN THE RIVER IN ORDER TO PREVENT THE CIRCUMSTANCES FROM BEING 'TAKEN OUT OF CONTEXT' AS HE DIDN'T BELIEVE ONE OF THE VICTIMS DROWNED, BUT INSTEAD BELIEVED THE STORY WAS BEING PROPOGATED BY THE VICTIM'S FAMILY TO CREATE NEGATIVE PROPAGANDA AGAINST FURTHER RELATED BY THE TIME HE COALITION FORCES. LTC DECIDED HE DIDN'T BELIEVE THE SOLDIER'S AND OFFICER'S STORY OF SEEING THE VICTIMS ALIVE AND WELL ON THE SIDE OF THE ROAD UPON THEIR DEPARTURE FROM THE AREA, THE INVESTIGATION WAS WELL

FURTHER, ON 27 JAN 04, PFC

AND SPC

AND SPC

ALL

OF CO A, 1/8 IN BN, 3D BCT, 4ID, APO AE 09391, WERE INTERVIEWED. ALL

RELATED 1LT

SPOKE TO THEM REGARDING THIS INVESTIGATION

AND PERSONALLY TOOK THEM TO THE TRIAL DEFENSE SERVICE OFFICE

(TDS) TO SEE ATTORNEYS, INDICATING HE WANTED THEM TO KNOW

WHAT THEIR RIGHTS WERE PRIOR TO THEIR BEING INTERVIEWED BY THIS

015445

OFFICE. 1LT DID THIS IN SPITE OF A VERBAL ORDER GIVEN TO HIM BY THE 3D BCT COMMANDER ON 22 JAN 04 AND IN THE PRESENCE OF THE 4ID SJA NOT TO DISCUSS THIS INVESTIGATION WITH ANYONE IN THE CHAIN OF COMMAND AT ANY LEVEL.

INVESTIGATION CONTINUES BY THE USACIDC.

2D STATUS: FURTHER INVESTIGATION DISCLOSED SGT , PUSHED MR FADHIL AND ON THE INSTRUCTIONS OF 1LT 676-4,66-4 TO JUMP INTO A BODY OF WATER ADJACENT THE PROMPTED MR BRIDGE CITED, RATHER THAN ESCORT THEM TO A DETENTION FACILITY AFTER BEING TAKEN INTO CUSTODY FOR CURFEW VIOLATION. LOGAN REFUSED TO PARTICIPATE, BUT PROVIDED FALSE INFORMATION TO INVESTIGATORS IN COLLUSION WITH THE OTHERS. NO EVIDENCE WAS UNCOVERED THERE WAS EVER ANY INTENTION ON THEIR PART TO 676-4,66-4 OR MR FADHIL MURDER MR 676-5,66-5 WAS INTERVIEWED AND ADMITTED HE ON 21 JAN 04, SPC PROVIDED FALSE INFORMATION DURING HIS INITIAL INTERVIEW. AND SPC 6765 FURTHER, HE IDENTIFIED SGT INTO THE WATER 676-4 66-4 RESPONSIBLE FOR PUTTING MR FADHIL AND MR AS INITIALLY ALLEGED. HE DENIED DIRECT PARTICIPATION AND CHOSE TO REMAIN WITH THE VEHICLES, BUT RELATED HEARING A SPLASH SPOKE WITH SGT AND SPC FURTHER RELATED THE PLATOON AS ABOUT THE DETAINEES. SPC A WHOLE DISCUSSED THROWING DETAINEES CAUGHT OUT AFTER CURFEW IN THE RIVER ON A FEW OCCASIONS, BUT THE EVENING OF THIS REMARKED THAT INCIDENT, THE PLATOON SERGEANT, SFC "SOMEBODY'S GOING TO GET WET TONIGHT!" OVER THE PLATOON FREQUENCY. FURTHER RELATED HE WAS PARTY TO A GATHERING AFTERWARD OF SGT SPC WHERE THEY DISCUSSED WHAT STORY TO TELL REGARDING THIS INCIDENT BEFORE CID WAS NOTIFIED. SPC RELATED HE AND THE OTHER SOLDIERS WERE COACHED ON WHAT TO SAY AND WHAT NOT TO SAY IN ORDER TO OBSTRUCT ANY INVESTIGATION. THESE INSTRUCTIONS CAME FROM CPT ACCORDING TO SPC AND SFC 676-5,66-5 WAS INTERVIEWED, BUT DECLINED TO ON 22 JAN 04, 1LT¶ ANSWER PERTINENT QUESTIONS PERTAINING TO THIS INCIDENT AND

015446

000294

DENIED ANY WRONGDOING.

ON 22 JAN 04, SPC WAS INTERVIEWED AND ADMITTED HE PROVIDED FALSE INFORMATION DURING HIS INITIAL INTERVIEWS. SPC ADMITTED PROMPTING ONE OF THE DETAINEES TO JUMP INTO THE WATER AFTER INSTRUCTIONS FROM 1LT AND SEEING SGT PROMPT THE OTHER DETAINEE TO GO INTO THE WATER. SPC FURTHER RELATED HE WAS LATER A PARTY TO A GATHERING AND INSTRUCTED ON WHAT TO SAY AND AS DESCRIBED BY SPC WHAT NOT TO SAY IN ORDER TO OBSTRUCT ANY INVESTIGATION. SPC IDENTIFIED THOSE INSTRUCTIONS AS COMING FROM CPT SFC AND 1LT ON 23 JAN 04, SGT WAS INTERVIEWED AND ADMITTED HE PROVIDED FALSE INFORMATION DURING HIS INITIAL INTERVIEWS. SGT ADMITTED PROMPTING ONE OF THE DETAINEES TO JUMP INTO THE WATER AND KICKED THE DETAINEE IN THE BUTTOCKS IN AN EFFORT IMPLICATED SPC TO MAKE HIM JUMP. SGT SAME ACTS REGARDING THE OTHER DETAINEE AND FURTHER ADMITTED OBSERVING THE TWO DETAINEES IN THE WATER. ONE SWAM BACK TO SHORE AND THE OTHER WAS TRYING TO KEEP HIS HEAD ABOVE WATER RELATED THEY THEN WALKED BACK AND SCREAMING. SGT TO THE VEHICLES, MOUNTED AND DEPARTED. FURTHER RELATED HE WAS LATER A PARTY TO FURTHER, SGT A GATHERING AS DESCRIBED BY SPC AND SPC THEY WERE INSTRUCTED ON WHAT TO SAY AND WHAT NOT TO SAY IN ORDER TO OBSTRUCT ANY INVESTIGATION. SGT THOSE INSTRUCTIONS AS COMING FROM MAJ (BATTALION EXECUTIVE OFFICER), CPT AND 1LT INVESTIGATION CONTINUES BY THE USACIDC. **INITIAL:** THE DELAY IN REPORTING WAS DUE TO LOGISTICAL SUPPORT AND THE INABILITY TO HAVE THE VICTIM AND WITNESSES AVAILABLE FOR QUESTIONING BY CID PERSONNEL IN A MORE TIMELY MANNER. 676-3,66-3 HHC, 1/66 THIS OFFICE WAS NOTIFIED BY CPT ARMOR BATTALION, FORWARD OPERATING BASE (FOB) BRASSFIELD/MORA, SAMARRA, IRAQ, APO AE 09323, WHO REPORTED THE ALLEGED MURDER OF AN UNKNOWN LOCAL NATIONAL. 67 6-4, 66-4

PRELIMINARY INVESTIGATION DISCLOSED MR.

IRAQLCIVIL DEFENSE CORP (ICDC) AT A CHECK POINT IN SAMARRA THAT HE AND MR. FADHIL, HIS COUSIN, WERE DETAINED BY US AMERICAN SOLDIERS WHILE ON THEIR WAY HOME FROM BAGHDAD, FOR REASONS

015447

REPORTED TO THE

000295

676-5

UNKNOWN, AND TRANSPORTED A SHORT DISTANCE, THEN RELEASED AT A BRIDGE APPROXIMATELY 15 MINUTES LATER. AFTER THE US SOLDIERS REPORTEDLY CUT THEIR BINDINGS AND RELEASED THEM, MR. REPORTED THE RELEASING SOLDIERS PUSHED HIM AND MR. FADHIL OFF THE BRIDGE AND INTO THE RIVER WHERE MR. FADHIL DROWNED AS A RESULT OF NOT KNOWING HOW TO SWIM.

676-4,66-4 WAS INTERVIEWED AND STATED HE AND HIS ON 16 JAN 04, MR. COUSIN, MR. FADHIL, WERE ATTEMPTING TO GET HOME FROM BAGHDAD BEFORE CURFEW WHEN THEY ARRIVED AT AN ICDC CHECKPOINT AT 67C-4,66-4 APPROXIMATELY 2230 HOURS. MR. STATED ICDC PERSONNEL SEARCHED THEM BOTH AND FURTHER SEARCHED THEIR VEHICLE, A 2001 KIA PICK-UP TRUCK, WHICH REVEALED NO CONTRABAND OR WEAPONS. HE STATED THEY CONTINUED TO DRIVE HOME WHEN AN ONCOMING US MILITARY CONVOY STOPPED AND DETAINED THEM. HE STATED IT WAS BEFORE CURFEW AND DID NOT UNDERSTAND WHY THEY WERE DETAINED. HE STATED THEY WERE BOTH HANDCUFFED WITH FLEXIBLE CUFFS AND PLACED IN THE BACK OF A BRADLEY FIGHTING VEHICLE (BFV), AT VIC GRID COORDINATE LC 975 857, WITH FIVE OTHER US SOLDIERS. MR CONTINUED THAT THEY WERE DRIVEN TO THE 676-4, 66-4 INCIDENT LOCATION, A BRIDGE IN SAMARRA, WHERE THE SOLDIERS REMOVED THEM FROM THE VEHICLE, CUT THEIR HANDCUFFS AND TOLD THEM TO JUMP INTO THE RIVER. HE STATED THEY BOTH REFUSED TO JUMP, BUT ONE SOLDIER PUSHED MR. FADHIL INTO THE WATER. 67C-4, 66-9 ANOTHER SOLDIER THEN PUSHED HIM INTO THE WATER. THE SOLDIERS STOOD BY AND LAUGHED AT THEM BEFORE LEAVING THE AREA. HE STATED HE ATTEMPTED TO RESCUE MR. FADHIL, BUT WAS UNABLE TO REACH HIM AS HE HIMSELF WAS NOT A GOOD SWIMMER. HE STATED HE WAS ABLE TO GET OUT OF THE WATER AND HIDE UNTIL HE SAFELY REPORTED THE INCIDENT TO THE ICDC CHECK POINT APPROXIMATELY 800 METERS AWAY.

ON 16 JAN 04, THE ICDC PERSONNEL WERE INTERVIEWED AND STATED THEY DID SEARCH MR. AND MR. FADHIL WHEN THEY CROSSED THE 676-4 66-4 ICDC CHECK POINT AT APPROXIMATELY 2240. THEY STATED THEY DID NOT WITNESS ANYONE BEING PUSHED INTO THE RIVER AS THEY WERE NOT CLOSE ENOUGH TO SEE; HOWEVER, THEY DID WITNESS A CONVOY STOP ON THE BRIDGE FOR APPROXIMATELY 2-3 MINUTES, THEN PROCEED THROUGH THE CHECK POINT. THEY STATED ABOUT 10-15 MINUTES AFTER THEY SAW THE CONVOY STOP ON THE BRIDGE THEN PRCEEDED ONWARD, WAS SEEN WALKING TOWARD THE CHECK POINT AND HE 67C-4 46-4 REPORTED THE INCIDENT TO THEM. THE ICDC PERSONNEL STATED MR. WAS COLD, WET AND SEEMED TO BE CONCERNED FOR MR. FADHIL 676-4 WHEN HE REPORTED THE INCIDENT. THEY FURTHER RELATED A SEARCH PARTY WAS ASSEMBLED, BUT THE SEARCH WAS UNABLE TO LOCATE MR FADHIL.

015448

676-5, 66-5

1ST PLATOON, A ON 16 JAN 04, SGT COMPANY, 1/8TH INFANTRY BN, 3RD BDE, SAMARRA, IRAQ, APO AE 09323, WAIVED HIS RIGHTS AND STATED HIS PLATOON WAS CONDUCTING ROUTINE PATROL IN SAMARRA AT THE TIME OF THIS REPORTED INCIDENT AND HE REMEMBERED PICKING UP MR. AND MR. FADHIL FOR VIOLATING CURFEW. THEY WERE ALSO FOUND IN POSSESSION OF A STATED THEY WERE PICKED UP 6765, 66-5 FALSE IDENTIFICATION CARD. SHORTLY AFTER 2300, BUT THEN ABOUT 15 MINUTES LATER HE WAS PLATOON LEADER, TO RELEASE 676-5, 66-5 GIVEN AN ORDER BY LT 676-5, 66-5, 676-5, 66-5 AND SPC THEM. HE STATED HE WITNESSED SPC REMOVE THE HANDCUFFS AND LEAVE THE TWO INDIVIDUALS ON THE SIDE OF THE ROAD. HE STATED IT WAS DARK AND HE HAD NO IDEA THEY WERE NEAR A RIVER OR ON BRIDGE. HE STATED NO ONE PUSHED THE TWO DETAINEES OR MALTREATED THEM IN ANY WAY. HE DENIED 67c-4, 66-4 HAVING ANY INVOLVEMENT WITH PUSHING MR. AND MR. FADHIL OFF A BRIDGE. HE STATED MR. WAS MAKING THE STORY UP.

676-4,66-4 PLATOON LEADER, 1ST ON 16 JAN 04, LT PLATOON, A COMPANY, 1/8111 IN BN, 3D BDE, 4ID, WAS INTERVIEWED AND 676-4,66-4 , MR. FADHIL STATED HE WITNESSED HIS SOLDIERS SEARCH MR. AND THEIR VEHICLE AS A RESULT OF A CURFEW VIOLATION AROUND 2320. HE STATED THE LOCAL CIVIL MILITARY OPERATIONS CENTER (CMOC) DID NOT HAVE ANYONE AVAILABLE TO PROCESS THE TWO INDIVIDUALS AND HE MADE THE DECISION TO RELEASE THEM. THEY WERE RELEASED TO WALK TO THEIR VEHICLE, WHICH WAS APPROXIMATELY 2-3 KILOMETERS AWAY. HE FURTHER RELATED HE AND MR. FADHIL STANDING ON THE SIDE OF THE WITNESSED MR ROAD AS THE CONVOY WAS DEPARTING THE AREA.

66-4

L7C-4.66-4

ON 16 JAN 04, SPO

1/8TH IN BN, 3D BDE, 4ID, WAIVED HIS RIGHTS AND STATED HE WAS
PRESENT WHEN MR
AND MR. FADHIL WERE RELEASED ON THE
NORTH END OF THE BRIDGE IN SAMARRA. HE STATED HE WITNESSED SPC

CUT THE HANDCUFFS OFF WITH A KNIFE AND MR.

AND MR. FADHIL WERE THEN LEFT ON THE SIDE OF THE ROAD. HE
STATED NO US SOLDIERS HARMED MR.

OR MR. FADHIL IN ANY
WAY. HE DENIED BEING INVOLVED WITH PUSHING MR.

AND MR.

FADHIL OFF THE BRIDGE.

676-4.66-4

ON 16 JAN 04, SPC , 1ST PLATOON, A COMPANY, 1/8TH IN BN, 3D BDE, 4ID, WAVED HIS RIGHTS AND STATED HE WAS PRESENT WHEN MR. AND MR. FADHIL, WERE DETAINED, AND LATER RELEASED. HE STATED HE CUT BOTH MR. AND MR. 576-4, 16-4 FADHIL'S HANDCUFFS OFF WHILE THEY WERE ON A ROAD NEAR A BRIDGE IN SAMARRA. HE STATED NO ONE HARMED MR. 676-4, 16-4

015449

676-4,66-4

HE DENIED BEING INVOLVED WITH PUSHING THEM OFF THE BRIDGE. HE FURTHER STATED HE WITNESSED MR. AND MR. FADHIL STANDING ON THE SIDE OF THE ROAD WHEN THE RAMP WAS BEING CLOSED ON THEIR BFV WHILE DEPARTING THE AREA.

BETWEEN 1130-1200, 15 JAN 04, MR. FADHIL'S REMAINS WERE ALLEGEDLY DISCOVERED BY LOCAL NATIONALS IN THE VICINITY OF SAMARRA AT GRID COORDINATES 38S LC 940 788. ON 16 JAN 04, MR REPORTED THE DISCOVERY OF THE REMAINS TO CID. HE FURTHER STATED THE REMAINS WERE BURIED IN A CEMETERY (NFI) ON THE SOUTH END OF SAMARRA ON 15 JAN 04. HE STATED HIS FAMILY PHOTOGRAPHED AND VIDEO TAPED THE REMAINS TO DOCUMENT HIS INJURIES AND IDENTIFICATION; HOWEVER, THE PHOTOGRAPHS AND VIDEO TAPES WERE NOT PROVIDED TO CID. NO CONFIRMATION HAS BEEN MADE OF THE IDENTIFICATION OF MR. FADHIL'S REMAINS AT THE TIME OF THIS REPORT.

EFFORTS ARE ONGOING TO POSITIVELY IDENTIFY THE REMAINS OF MR. FADHIL.

INVESTIGATION CONTINUES BY THE USACIDC.

***REOUEST	USACRC NAME	E CHECKS BE	CONDUC	TED ON SGT
SPC		AND LT	***	67C-5,66-5
676-5,66-5	b7C-5,66-5	\$		

- 7. COMMANDERS ARE REMINDED OF THE PROVISIONS OF AR 600-8-2 PERTAINING TO SUSPENSION OF FAVORABLE PERSONNEL ACTIONS AND AR 300-67 FOR THE SUSPENSION OF SECURITY CLEARANCES OF PERSONS UNDER INVESTIGATION.
- 8. CID REPORTS ARE EXEMPT FROM AUTOMATIC TERMINATION OF PROTECTIVE MARKING IN ACCORDANCE WITH CHAPTER 3, AR 25-55.

015450

.000298

DATE: 03 FEB 2004

FROM: SAC, 43RD MILITARY POLICE DET (CID)(FWD)

DIRECTOR, USACRC, USACIDC, FORT BELVOIR, VA CDR, USACIDC //CIOP-ZA// CDR, 10TH MP BN (CID)(ABN)(FWD) //OPS// CDR, 3D MP GROUP (CID)(FWD) //OPS// PROVOST MARSHAL //PM// //4ID// CHIEF OF STAFF //4ID//

SUBJECT: CID REPORT - 4TH STATUS/SSI - 0011-04-CID469-79630-5H1/5H7/5H3L/5P2/5X1/5X5/9G1

66-1,670+ DRAFTER: 661,676-1 RELEASER:

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1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 03 JAN 2004/2245 - 03 JAN 2004/2330; VIC GRID COORDINATE 38S LC 9386 8451, ADJACENT TO A BRIDGE, SAMARRA, IRAQ

2. 16 JAN 2004/1300 - 16 JAN 2004/1500; 1/66 ARMOR BATTALION AREA, FORWARD OPERATNG BASE (FOB) BRASSFIELD/MORA, SAMARRA, IRAQ

2. DATE/TIME REPORTED: 13 JAN 2004, 1011

3. INVESTIGATED BY: SA

5,67C-5

4. SUBJECT: 1.

M; WHITE; CO A, 1/8 IN, 3D BCT, 4ID, APO AE 09391; CT; [INVOLUNTARY MANSLAUGHTER] [AGGRAVATED ASSAULT][FALSE OFFICIAL STATEMENT][CONSPIRACY][OBSTRUCTION OF JUSTICE] 616.5

SGT: M; OTHER; CO A, 1/8 IN, 3D BCT, 4ID, APO AE 09391; CT; [INVOLUNTARY MANSLAUGHTER] [AGGRAVATED ASSAULT][FALSE

OFFICIAL STATEMENT][CONSPIRACY

M; WHITE; CO A, 1/8 IN, 3D BCT, 4ID, APO AE 09391; CT; [INVOLUNTARY MANSLALIGHTER] [AGGRAVATED ASSAULT][EALSE

OFFICIAL STATEMENT][CONSPIRACY]

OFFICIAL US

-015451

b6-5.

M; WHITE; CO A, 1/8 IN, 3D BCT, 4ID, APO AE 09391; CT; [FALSE OFFICIAL STATEMENT][CONSPIRACY] hc-5 64e-5

M; WHITE; CO A, 1/8 IN, 3D BCT, 4ID, APO AE 09391; CT; [OBSTRUCTION OF JUSTICE][CONSPIRACY][ACCESSORY AFTER THE FACT]

M; WHITE; CO A, 1/8 IN, 3D BCT, 4ID, APO AE 09391; CT; [INVOLUNTARY MANSLAUGHTER][OBSTRUCTION OF JUSTICE] [CONSPIRACY] b7C-5

M, WHITE; HHC, 1/8 IN BN, 3D BCT, 4ID, APO AE 09391; CT; [OBSTRUCTION OF JUSTICE][ACCESSORY AFTER THE FACT][CONSPIRACY]

46-5

8 (CORRECTED) M; WHITE; HHC, 1/8 IN BN, 3D BCT, 4 ID, APO AE 09391; CT; [OBSTRUCTION OF JUSTICE][ACCESSORY AFTER THE FACTICONSPIRACY] 61C-5 165

9. (ADD) CO A, 1/8 IN,3D BCT, 4ID,APO AE 09391; CT; [FALSE OFFICIAL STATEMENT][CONSPIRACY]

1. FADHIL, ZAYDUN MA'MUN (DECEASED); CIV; 1 JUN 1984; 5. VICTIM: IRAQ; M; OTHER; IZ; (NFI) [INVOLUNTARY MANSLAUGHTER][CONSPIRACY]

M; OTHER; ALRMOUSHYA AREA OF SAMARRA; IZ; (NFI) [AGGRAVATED ASSAULT][CONSPIRACY]

3. U.S. GOVERNMENT [FALSE OFFICIAL STATEMENT][OBSTRUCTION OF JUSTICE][CONSPIRACY][ACCESSORY AFTER THE FACT

6. INVESTIGATIVE SUMMARY: THE INFORMATION IN THIS REPORT IS BASED UPON AN ALLEGATION OR PRELIMINARY INVESTIGATION AND MAY CHANGE PRIOR TO THE COMPLETION OF THE INVESTIGATION.

"THIS IS AN OPERATION IRAQI FREEDOM INVESTIGATION".

015452

nnn390

4TH STATUS: THE PURPOSE OF THIS STATUS REPORT IS TO ADD SGT SUBJECT OF CONSPIRACY AND FALSE OFFICIAL STATEMENT AND TO CORRECT THE SPELLING OF LTC WAS INTERVIEWED AND ADMITTED HE WAS AT ON 27 JAN 04, SGT THE RIVERS EDGE WHEN MR AND MR. FADHIL WERE FORCED INTO THE RIVER. HE FURTHER STATED HE WAS ONE OF THE LAST SOLDIERS TO AND MR. FADHIL IN THE RIVER. HE STATED MR WITNESS BOTH MR. 676-9,66-4 WAS SWIMMING TOWARD THE SHORE AND MR. FADHIL WAS 67C-4,66-4 TREADING WATER WHEN SGT DEPARTED THE AREA. SGT 676-5,66-5 DID NOT WANT TO BE QUESTIONED ABOUT THE INCIDENT AND HE SUBSEQUENTLY INVOKED HIS RIGHTS. DURING AN ADMINISTRATIVE REVIEW OF THE CASEFILE IN WAS NOTED NAME WAS SPELLED INCORRECTLY. ***REQUEST USACRC NAME CHECK BE CONDUCTED ON SGT LTC AND CPT , SFC MAJ INVESTIGATION CONTINUES BY THE USACIDC. 3D STATUS: THE PURPOSE OF THIS STATUS REPORT IS TO ADD THE OFFENSE OF OBSTRUCTION OF JUSTICE FOR 1LT ADD LTC 676-5 SUBJECT OF OBSTRUCTION OF JUSTICE, ACCESSORY AFTER THE FACT, AND 66-5 CONSPIRACY; AND FULLY IDENTIFY MAJ WAS INTERVIEWED AND ADMITTED HE WAS ON 27 JAN 04, LTC AND 1LT REGARDING THIS BRIEFED BY CPT 67C-4, 66-4 INCIDENT, SPECIFICALLY REGARDING THE FACT THAT MR FADHIL WERE PUSHED INTO THE RIVER AFTER THEY WERE DETAINED. HOWEVER, HE RELATED THE SOLDIERS AND OFFICERS REPORTED SEEING THE TWO VICTIMS ALONGSIDE THE ROAD AFTER THEY CLIMBED BACK OUT OF THE WATER AND BEFORE THE PATROL DEPARTED THE AREA. LTC RELATED HE BELIEVED THIS AND FURTHER ADMITTED HE 67c-s DIRECTED THE OFFICERS AND SOLDIERS TO LEAVE THE PART OUT OF ANY b6-5. STATEMENTS THEY MADE ABOUT PUSHING THE VICTIMS IN THE RIVER IN

ORDER TO PREVENT THE CIRCUMSTANCES FROM BEING 'TAKEN OUT OF CONTEXT' AS HE DIDN'T BELIEVE ONE OF THE VICTIMS DROWNED, BUT

DECIDED HE DIDN'T BELIEVE THE SOLDIER'S AND OFFICER'S STORY OF

INSTEAD BELIEVED THE STORY WAS BEING PROPOGATED BY THE VICTIM'S FAMILY TO CREATE NEGATIVE PROPAGANDA AGAINST

015453

FURTHER RELATED BY THE TIME HE

000301

COALITION FORCES. LTC

SEEING THE VICTIMS ALIVE AND WELL ON THE SIDE OF THE ROAD UPON THEIR DEPARTURE FROM THE AREA, THE INVESTIGATION WAS WELL UNDERWAY AND OUT OF HIS HANDS.

67C-3,66-3 5

676-5 66-5

67C-S

26-5

FURTHER, ON 27 JAN 04, PFC ALL AND SPC OF CO A, 1/8 IN BN, 3D BCT, 4ID, APO AE 09391, WERE INTERVIEWED. ALL SPOKE TO THEM REGARDING THIS INVESTIGATION RELATED 1LT AND PERSONALLY TOOK THEM TO THE TRIAL DEFENSE SERVICE OFFICE (TDS) TO SEE ATTORNEYS, INDICATING HE WANTED THEM TO KNOW WHAT THEIR RIGHTS WERE PRIOR TO THEIR BEING INTERVIEWED BY THIS DID THIS IN SPITE OF A VERBAL ORDER GIVEN TO OFFICE. 1LT HIM BY THE 3D BCT COMMANDER ON 22 JAN 04 AND IN THE PRESENCE OF THE 4ID SJA NOT TO DISCUSS THIS INVESTIGATION WITH ANYONE IN THE CHAIN OF COMMAND AT ANY LEVEL.

INVESTIGATION CONTINUES BY THE USACIDC. 676-5,66-5

2D STATUS:

FURTHER INVESTIGATION DISCLOSED SGT AND SPC , PUSHED MR FADHIL AND ON THE INSTRUCTIONS OF 1LT TO JUMP INTO A BODY OF WATER ADJACENT THE PROMPTED MR BRIDGE CITED, RATHER THAN ESCORT THEM TO A DETENTION FACILITY AFTER BEING TAKEN INTO CUSTODY FOR CURFEW VIOLATION. LOGAN REFUSED TO PARTICIPATE, BUT PROVIDED FALSE INFORMATION TO INVESTIGATORS IN COLLUSION WITH THE OTHERS. NO EVIDENCE WAS UNCOVERED THERE WAS EVER ANY INTENTION ON THEIR PART TO 675-4,66-4 OR MR FADHIL MURDER MR

67C-4, 66-4

> WAS INTERVIEWED AND ADMITTED HE ON 21 JAN 04, SPC PROVIDED FALSE INFORMATION DURING HIS INITIAL INTERVIEW. AND SPO FURTHER, HE IDENTIFIED SGT INTO THE WATER RESPONSIBLE FOR PUTTING MR FADHIL AND MR AS INITIALLY ALLEGED. HE DENIED DIRECT PARTICIPATION AND CHOSE TO REMAIN WITH THE VEHICLES, BUT RELATED HEARING A SPLASH AND SPC SPOKE WITH SGT AFTER 1LT FURTHER RELATED THE PLATOON AS ABOUT THE DETAINEES. SPC A WHOLE DISCUSSED THROWING DETAINEES CAUGHT OUT AFTER CURFEW IN THE RIVER ON A FEW OCCASIONS, BUT THE EVENING OF THIS , REMARKED THAT INCIDENT, THE PLATOON SERGEANT, SFC "SOMEBODY'S GOING TO GET WET TONIGHT!" OVER THE PLATOON FREQUENCY.

FURTHER RELATED HE WAS PARTY TO A GATHERING , SPC AFTERWARD OF SGT

015454

SGT

WHERE THEY DISCUSSED WHAT STORY TO TELL AND CPT REGARDING THIS INCIDENT BEFORE CID WAS NOTIFIED. SPO RELATED HE AND THE OTHER SOLDIERS WERE COACHED ON WHAT TO SAY AND WHAT NOT TO SAY IN ORDER TO OBSTRUCT ANY 66-5, 67C-5 INVESTIGATION. THESE INSTRUCTIONS CAME FROM CPT ACCORDING TO SPC AND SFC 1LT 65,67C-5 ON 22 JAN 04, 1LT WAS INTERVIEWED, BUT DECLINED TO ANSWER PERTINENT QUESTIONS PERTAINING TO THIS INCIDENT AND DENIED ANY WRONGDOING. WAS INTERVIEWED AND ADMITTED HE ON 22 JAN 04, SPC PROVIDED FALSE INFORMATION DURING HIS INITIAL INTERVIEWS. SPC ADMITTED PROMPTING ONE OF THE DETAINEES TO JUMP INTO THE WATER AFTER INSTRUCTIONS FROM 1LT AND SEEING SGT 66-5, 67C-5 PROMPT THE OTHER DETAINEE TO GO INTO THE WATER. SPC 665,67C5 FURTHER RELATED HE WAS LATER A PARTY TO A GATHERING 665,6765 66-5, 67c-5 AS DESCRIBED BY SPC AND INSTRUCTED ON WHAT TO SAY AND WHAT NOT TO SAY IN ORDER TO OBSTRUCT ANY INVESTIGATION. SPC IDENTIFIED THOSE INSTRUCTIONS AS COMING FROM CPT 665,67C-5 AND 1LT 66-5,670.5 WAS INTERVIEWED AND ADMITTED HE ON 23 JAN 04, SGT PROVIDED FALSE INFORMATION DURING HIS INITIAL INTERVIEWS. SGT ADMITTED PROMPTING ONE OF THE DETAINEES TO JUMP INTO THE WATER AND KICKED THE DETAINEE IN THE BUTTOCKS IN AN EFFORT IMPLICATED SPC TO MAKE HIM JUMP. SGT SAME ACTS REGARDING THE OTHER DETAINEE AND FURTHER ADMITTED OBSERVING THE TWO DETAINEES IN THE WATER. ONE SWAM BACK TO SHORE AND THE OTHER WAS TRYING TO KEEP HIS HEAD ABOVE WATER 665, 61C-5 AND SCREAMING. SGT RELATED THEY THEN WALKED BACK TO THE VEHICLES, MOUNTED AND DEPARTED. 66-5, 67C-5 FURTHER RELATED HE WAS LATER A PARTY TO FURTHER, SGT AND 66-5, 67C-5 A GATHERING AS DESCRIBED BY SPC AND SPC THEY WERE INSTRUCTED ON WHAT TO SAY AND WHAT NOT TO SAY IN IDENTIFIED 66-5, b1c-5 ORDER TO OBSTRUCT ANY INVESTIGATION. SGT (BATTALION 66.5,67C-5 THOSE INSTRUCTIONS AS COMING FROM MAJ AND 1LT EXECUTIVE OFFICER), CPT INVESTIGATION CONTINUES BY THE USACIDC. INITIAL:

015455

THE DELAY IN REPORTING WAS DUE TO LOGISTICAL SUPPORT AND THE INABILITY TO HAVE THE VICTIM AND WITNESSES AVAILABLE FOR QUESTIONING BY CID PERSONNEL IN A MORE TIMELY MANNER.

THIS OFFICE WAS NOTIFIED BY CPT HIC, 1/66 ARMOR BATTALION, FORWARD OPERATING BASE (FOB)
BRASSFIELD/MORA, SAMARRA, IRAQ, APO AE 09323, WHO REPORTED THE ALLEGED MURDER OF AN UNKNOWN LOCAL NATIONAL.

PRELIMINARY INVESTIGATION DISCLOSED MR REPORTED TO THE IRAQI CIVIL DEFENSE CORP (ICDC) AT A CHECK POINT IN SAMARRA THAT HE AND MR. FADHIL, HIS COUSIN, WERE DETAINED BY US AMERICAN SOLDIERS WHILE ON THEIR WAY HOME FROM BAGHDAD, FOR REASONS UNKNOWN, AND TRANSPORTED A SHORT DISTANCE, THEN RELEASED AT A BRIDGE APPROXIMATELY 15 MINUTES LATER. AFTER THE US SOLDIERS REPORTEDLY CUT THEIR BINDINGS AND RELEASED THEM, MR. REPORTED THE RELEASING SOLDIERS PUSHED HIM AND MR. FADHIL OFF THE BRIDGE AND INTO THE RIVER WHERE MR. FADHIL DROWNED AS A RESULT OF NOT KNOWING HOW TO SWIM.

676-4.66-4 ON 16 JAN 04, MR WAS INTERVIEWED AND STATED HE AND HIS COUSIN, MR. FADHIL, WERE ATTEMPTING TO GET HOME FROM BAGHDAD BEFORE CURFEW WHEN THEY ARRIVED AT AN ICDC CHECKPOINT AT APPROXIMATELY 2230 HOURS. MR. STATED ICDC PERSONNEL SEARCHED THEM BOTH AND FURTHER SEARCHED THEIR VEHICLE, A 2001 KIA PICK-UP TRUCK, WHICH REVEALED NO CONTRABAND OR WEAPONS. HE STATED THEY CONTINUED TO DRIVE HOME WHEN AN ONCOMING US MILITARY CONVOY STOPPED AND DETAINED THEM. HE STATED IT WAS BEFORE CURFEW AND DID NOT UNDERSTAND WHY THEY WERE DETAINED. HE STATED THEY WERE BOTH HANDCUFFED WITH FLEXIBLE CUFFS AND PLACED IN THE BACK OF A BRADLEY FIGHTING VEHICLE (BFV), AT VIC GRID COORDINATE LC 975 857, WITH FIVE OTHER US SOLDIERS. MR CONTINUED THAT THEY WERE DRIVEN TO THE INCIDENT LOCATION, A BRIDGE IN SAMARRA, WHERE THE SOLDIERS REMOVED THEM FROM THE VEHICLE, CUT THEIR HANDCUFFS AND TOLD THEM TO JUMP INTO THE RIVER. HE STATED THEY BOTH REFUSED TO JUMP, BUT ONE SOLDIER PUSHED MR. FADHIL INTO THE WATER. ANOTHER SOLDIER THEN PUSHED HIM INTO THE WATER. THE SOLDIERS STOOD BY AND LAUGHED AT THEM BEFORE LEAVING THE AREA. HE STATED HE ATTEMPTED TO RESCUE MR. FADHIL, BUT WAS UNABLE TO REACH HIM AS HE HIMSELF WAS NOT A GOOD SWIMMER. HE STATED HE WAS ABLE TO GET OUT OF THE WATER AND HIDE UNTIL HE

SAFELY REPORTED THE INCIDENT TO THE ICDC CHECK POINT

APPROXIMATELY 800 METERS AWAY.

WC-4,66-4

015456

000304

676-4,56-4

67C-4,66-4 ON 16 JAN 04, THE ICDC PERSONNEL WERE INTERVIEWED AND STATED AND MR. FADHIL WHEN THEY CROSSED THE THEY DID SEARCH MR. ICDC CHECK POINT AT APPROXIMATELY 2240. THEY STATED THEY DID NOT WITNESS ANYONE BEING PUSHED INTO THE RIVER AS THEY WERE NOT CLOSE ENOUGH TO SEE; HOWEVER, THEY DID WITNESS A CONVOY STOP ON THE BRIDGE FOR APPROXIMATELY 2-3 MINUTES, THEN PROCEED THROUGH THE CHECK POINT. THEY STATED ABOUT 10-15 MINUTES AFTER THEY SAW THE CONVOY STOP ON THE BRIDGE THEN PRCEEDED ONWARD, WAS SEEN WALKING TOWARD THE CHECK POINT AND HE 67C-4 REPORTED THE INCIDENT TO THEM. THE ICDC PERSONNEL STATED MR. WAS COLD, WET AND SEEMED TO BE CONCERNED FOR MR. FADHIL 676-4 WHEN HE REPORTED THE INCIDENT. THEY FURTHER RELATED A SEARCH 66-4 PARTY WAS ASSEMBLED, BUT THE SEARCH WAS UNABLE TO LOCATE MR FADHIL. 67C-5,66-5 1ST PLATOON, A ON 16 JAN 04, SGT COMPANY, 1/8TH INFANTRY BN, 3RD BDE, SAMARRA, IRAQ, APO AE 09323, WAIVED HIS RIGHTS AND STATED HIS PLATOON WAS CONDUCTING ROUTINE PATROL IN SAMARRA AT THE TIME OF THIS REPORTED INCIDENT AND HE REMEMBERED PICKING UP MR AND MR. FADHIL FOR VIOLATING CURFEW. THEY WERE ALSO FOUND IN POSSESSION OF A FALSE IDENTIFICATION CARD. STATED THEY WERE PICKED UP 676-5, 66-5 SHORTLY AFTER 2300, BUT THEN ABOUT 15 MINUTES LATER HE WAS GIVEN AN ORDER BY LT (NFI), PLATOON LEADER, TO RELEASE AND SPC THEM. HE STATED HE WITNESSED SPO REMOVE THE HANDCUFFS AND LEAVE THE TWO INDIVIDUALS ON THE SIDE OF THE ROAD. HE STATED IT WAS DARK AND HE HAD NO IDEA THEY WERE NEAR A RIVER OR ON BRIDGE. HE STATED NO ONE PUSHED THE TWO DETAINEES OR MALTREATED THEM IN ANY WAY. HE DENIED HAVING ANY INVOLVEMENT WITH PUSHING MR. AND MR. FADHIL OFF A BRIDGE. HE STATED MR. WAS MAKING THE STORY UP. 676-5,66-5 PLATOON LEADER, 1ST ON 16 JAN 04, LT PLATOON, A COMPANY, 1/8¹¹ IN BN, 3D BDE, 4ID, WAS INTERVIEWED AND STATED HE WITNESSED HIS SOLDIERS SEARCH MR. MR. FADHIL 676-4, 66-4 AND THEIR VEHICLE AS A RESULT OF A CURFEW VIOLATION AROUND 2320. HE STATED THE LOCAL CIVIL MILITARY OPERATIONS CENTER. (CMOC) DID NOT HAVE ANYONE AVAILABLE TO PROCESS THE TWO INDIVIDUALS AND HE MADE THE DECISION TO RELEASE THEM. THEY WERE RELEASED TO WALK TO THEIR VEHICLE, WHICH WAS APPROXIMATELY 2-3 KILOMETERS AWAY. HE FURTHER RELATED HE WITNESSED MR. AND MR. FADHIL STANDING ON THE SIDE OF THE 67C-4 ROAD AS THE CONVOY WAS DEPARTING THE AREA. 676-5, 66-5 , 1ST PLATOON, A COMPANY, ON 16 JAN 04, SPO 1/8TH IN BN, 3D BDE, 4ID, WAIVED HIS RIGHTS AND STATED HE WAS 015457

PRESENT WHEN MR. AND MR. FADHIL WERE RELEASED ON THE NORTH END OF THE BRIDGE IN SAMARRA. HE STATED HE WITNESSED SPC CUT THE HANDCUFFS OFF WITH A KNIFE AND MR. AND MR. FADHIL WERE THEN LEFT ON THE SIDE OF THE ROAD. HE STATED NO US SOLDIERS HARMED MR. OR MR. FADHIL IN ANY WAY. HE DENIED BEING INVOLVED WITH PUSHING MR. AND MR. FADHIL OFF THE BRIDGE.

ON 16 JAN 04, SPC (COMPANY, 1/8TH IN BN, 3D BDE, 4ID, WAVED HIS RIGHTS AND STATED HE WAS PRESENT WHEN MR. (COMPANY, 1/8TH IN BN, 3D BDE, 4ID, WAVED HIS RIGHTS AND STATED HE WAS PRESENT WHEN MR. (COMPANY, 1/8TH IN BN, 3D BDE, 4ID, WAVED HIS RIGHTS AND STATED, AND LATER RELEASED. HE STATED HE CUT BOTH MR. (COMPANY) AND MR. (COMPANY) AND MR. (COMPANY) AND MR. (COMPANY) OR MR. FADHIL. (COMPANY) AND MR. FADHIL. (COMPANY) AND MR. FADHIL STANDING (COMPANY) AND MR. FADHIL STANDIN

BETWEEN 1130-1200, 15 JAN 04, MR. FADHIL'S REMAINS WERE ALLEGEDLY DISCOVERED BY LOCAL NATIONALS IN THE VICINITY OF SAMARRA AT GRID COORDINATES 38S LC 940 788. ON 16 JAN 04, MR REPORTED THE DISCOVERY OF THE REMAINS TO CID. HE FURTHER STATED THE REMAINS WERE BURIED IN A CEMETERY (NFI) ON THE SOUTH END OF SAMARRA ON 15 JAN 04. HE STATED HIS FAMILY PHOTOGRAPHED AND VIDEO TAPED THE REMAINS TO DOCUMENT HIS INJURIES AND IDENTIFICATION; HOWEVER, THE PHOTOGRAPHS AND VIDEO TAPES WERE NOT PROVIDED TO CID. NO CONFIRMATION HAS BEEN MADE OF THE IDENTIFICATION OF MR. FADHIL'S REMAINS AT THE TIME OF THIS REPORT.

EFFORTS ARE ONGOING TO POSITIVELY IDENTIFY THE REMAINS OF MR. FADHIL.

INVESTIGATION CONTINUES BY THE USACIDC.

***REQUEST USACRC NAME CHECKS BE CONDUCTED ON SGT SPC SPC AND LT ***

7. COMMANDERS ARE REMINDED OF THE PROVISIONS OF AR 600-8-2 PERTAINING TO SUSPENSION OF FAVORABLE PERSONNEL ACTIONS AND AR 300-67 FOR THE SUSPENSION OF SECURITY CLEARANCES OF PERSONS UNDER INVESTIGATION.

015458

000306

67C-4,66-4

8. CID REPORTS ARE EXEMPT FROM AUTOMATIC TERMINATION OF PROTECTIVE MARKING IN ACCORDANCE WITH CHAPTER 3, AR 25-55.

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015459

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FROM: SAC, 43RD MILITARY POLICE DET (CID)(FWD)

TO: DIRECTOR, USACRC, USACIDC, FORT BELVOIR, VA CDR, USACIDC //CIOP-ZA// CDR, 10TH MP BN (CID)(ABN)(FWD) //OPS// CDR, 3D MP GROUP (CID)(FWD) //OPS// PROVOST MARSHAL //PM// //4ID//

CHIEF OF STAFF //4ID//

Edstat

SUBJECT: CID REPORT - INITIAL/SSI - 0011-04-CID469-79630-5H1/5H7/5H3L/5P2/5X1/5X5/9G1

DRAFTER: 66-1, 67C-1
RELEASER: 66-1, 67C-1

UNCLASSIFIED - FOR OFFICIAL USE ONLY

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 03 JAN 2004/2245 - 03 JAN 2004/2330; VIC GRID COORDINATE 38S LC 9386 8451, ADJACENT TO A BRIDGE, SAMARRA, IRAQ

2. DATE/TIME REPORTED: 13 JAN 2004, 1011

66-1,6K-1,6Z-1

4. SUBJECT: 1.

M; WHITE; CO A, 1/8 IN, 3D BCT, 4ID, APO AE 09391; CT; [INVOLUNTARY MANSLAUGHTER] [AGGRAVATED ASSAULT][FALSE OFFICIAL STATEMENT][CONSPIRACY][OBSTRUCTION OF JUSTICE]

AG-5 , 67-5

2. SGT;
M; OTHER; CO A; 1/8 IN, 3D BCT, 4ID, APO AE 09391; CT;
[INVOLUNTARY MANSLAUGHTER] [AGGRAVATED ASSAULT][FALSE

OFFICIAL STATEMENT][CONSPIRACY]

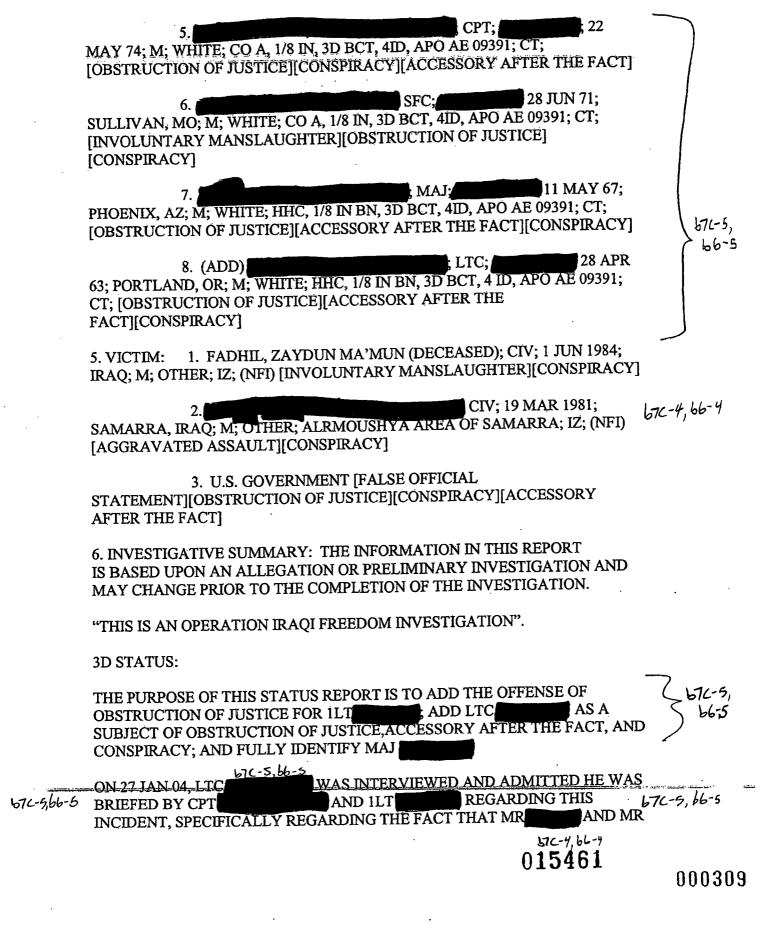
3. SPC;
M; WHITE; CO A, 1/8 IN, 3D BCT, 4ID, APO AE 09391; CT;
[INVOLUNTARY MANSLAUGHTER] [AGGRAVATED ASSAULT][FALSE
OFFICIAL STATEMENT][CONSPIRACY]
66-5-67-67-5

SPC;

M; WHITE; CO A, 1/8 IN, 3D BCT, 4ID, APO AE 09391; CT; [FALSE OFFICIAL STATEMENT][CONSPIRACY]

OFFICIAL USE

015460



FADHIL WERE PUSHED INTO THE RIVER AFTER THEY WERE DETAINED. HOWEVER, HE RELATED THE SOLDIERS AND OFFICERS REPORTED SEEING THE TWO VICTIMS ALONGSIDE THE ROAD AFTER THEY CLIMBED BACK OUT OF THE WATER AND BEFORE THE PATROL DEPARTED THE AREA. LTC RELATED HE BELIEVED THIS AND FURTHER ADMITTED HE DIRECTED THE OFFICERS AND SOLDIERS TO LEAVE THE PART OUT OF ANY STATEMENTS THEY MADE ABOUT PUSHING THE VICTIMS IN THE RIVER IN ORDER TO PREVENT THE CIRCUMSTANCES FROM BEING 'TAKEN OUT OF CONTEXT' AS HE DIDN'T BELIEVE ONE OF THE VICTIMS DROWNED, BUT 67C-5 INSTEAD BELIEVED THE STORY WAS BEING PROPOGATED BY THE VICTIM'S FAMILY TO CREATE NEGATIVE PROPAGANDA AGAINST 66-5 FURTHER RELATED BY THE TIME HE COALITION FORCES. LTC DECIDED HE DIDN'T BELIEVE THE SOLDIER'S AND OFFICER'S STORY OF SEEING THE VICTIMS ALIVE AND WELL ON THE SIDE OF THE ROAD UPON THEIR DEPARTURE FROM THE AREA, THE INVESTIGATION WAS WELL UNDERWAY AND OUT OF HIS HANDS. FURTHER, ON 27 JAN 04, PFC 676-5,66-5 ALL 676-5,66-5 AND SPC OF CO A, 1/8 IN BN, 3D BCT, 4ID, APO AE 09391, WERE INTERVIEWED. ALL RELATED 1LT SPOKE TO THEM REGARDING THIS INVESTIGATION AND PERSONALLY TOOK THEM TO THE TRIAL DEFENSE SERVICE OFFICE (TDS) TO SEE ATTORNEYS, INDICATING HE WANTED THEM TO KNOW WHAT THEIR RIGHTS WERE PRIOR TO THEIR BEING INTERVIEWED BY THIS DID THIS IN SPITE OF A VERBAL ORDER GIVEN TO 676-5,66-5 OFFICE. 1LT HIM BY THE 3D BCT COMMANDER ON 22 JAN 04 AND IN THE PRESENCE OF THE 4ID SJA NOT TO DISCUSS THIS INVESTIGATION WITH ANYONE IN THE CHAIN OF COMMAND AT ANY LEVEL. INVESTIGATION CONTINUES BY THE USACIDC. 2D STATUS: 676-5,66-5 FURTHER INVESTIGATION DISCLOSED SGT AND SPC PUSHED MR FADHIL AND ON THE INSTRUCTIONS OF 1LT 1576-4 PROMPTED MR TO JUMP INTO A BODY OF WATER ADJACENT THE BRIDGE CITED, RATHER THAN ESCORT THEM TO A DETENTION FACILITY 676-5,66-5 AFTER BEING TAKEN INTO CUSTODY FOR CURFEW VIOLATION. LOGAN REFUSED TO PARTICIPATE, BUT PROVIDED FALSE INFORMATION TO INVESTIGATORS IN COLLUSION WITH THE OTHERS. NO EVIDENCE WAS UNCOVERED THERE WAS EVER ANY INTENTION ON THEIR PART TO 6764,66-4 OR MR FADHIL MURDER MR WAS INTERVIEWED AND ADMITTED HE 676-5,66-5 ON 21 JAN 04, SPC PROVIDED FALSE INFORMATION DURING HIS INITIAL INTERVIEW.

AND SPC

67C-5, 66-5

ACLU-RDI 1563 p.133

FURTHER, HE IDENTIFIED SGT

000310

AS BEING

67c-5, 16-5 015462

676-4,66-4 RESPONSIBLE FOR PUTTING MR FADHIL AND MR INTO THE WATER AS INITIALLY ALLEGED. HE DENIED DIRECT PARTICIPATION AND CHOSE TO REMAIN WITH THE VEHICLES, BUT RELATED HEARING A SPLASH AND SPC SPOKE WITH SGT AFTER 1LT FURTHER RELATED THE PLATOON AS ABOUT THE DETAINEES. SPO A WHOLE DISCUSSED THROWING DETAINEES CAUGHT OUT AFTER CURFEW IN THE RIVER ON A FEW OCCASIONS, BUT THE EVENING OF THIS REMARKED THAT INCIDENT, THE PLATOON SERGEANT, SFC "SOMEBODY'S GOING TO GET WET TONIGHT!" OVER THE PLATOON FREQUENCY.

SPC FURTHER RELATED HE WAS PARTY TO A GATHERING AFTERWARD OF SGT SPC SPC N, 1LT SFC AND CPT WHERE THEY DISCUSSED WHAT STORY TO TELL REGARDING THIS INCIDENT BEFORE CID WAS NOTIFIED. SPC RELATED HE AND THE OTHER SOLDIERS WERE COACHED ON WHAT TO SAY AND WHAT NOT TO SAY IN ORDER TO OBSTRUCT ANY INVESTIGATION. THESE INSTRUCTIONS CAME FROM CPT 1LT AND SFC ACCORDING TO SPC

ON 22 JAN 04, 1LT WAS INTERVIEWED, BUT DECLINED TO ANSWER PERTINENT QUESTIONS PERTAINING TO THIS INCIDENT AND DENIED ANY WRONGDOING.

ON 22 JAN 04, SPC WAS INTERVIEWED AND ADMITTED HE PROVIDED FALSE INFORMATION DURING HIS INITIAL INTERVIEWS. SPC ADMITTED PROMPTING ONE OF THE DETAINEES TO JUMP INTO THE WATER AFTER INSTRUCTIONS FROM 1LT AND SEEING SGT PROMPT THE OTHER DETAINEE TO GO INTO THE WATER. SPC FURTHER RELATED HE WAS LATER A PARTY TO A GATHERING AS DESCRIBED BY SPC AND INSTRUCTED ON WHAT TO SAY AND WHAT NOT TO SAY IN ORDER TO OBSTRUCT ANY INVESTIGATION. SPC IDENTIFIED THOSE INSTRUCTIONS AS COMING FROM CPT SFC AND 1LT

ON 23 JAN 04, SGT WAS INTERVIEWED AND ADMITTED HE PROVIDED FALSE INFORMATION DURING HIS INITIAL INTERVIEWS. SGT ADMITTED PROMPTING ONE OF THE DETAINEES TO JUMP INTO THE WATER AND KICKED THE DETAINEE IN THE BUTTOCKS IN AN EFFORT TO MAKE HIM JUMP. SGT IMPLICATED SPC IN THE SAME ACTS REGARDING THE OTHER DETAINEE AND FURTHER ADMITTED OBSERVING THE TWO DETAINEES IN THE WATER. ONE SWAM BACK TO SHORE AND THE OTHER WAS TRYING TO KEEP HIS HEAD ABOVE WATER AND SCREAMING. SGT RELATED THEY THEN WALKED BACK TO THE VEHICLES, MOUNTED AND DEPARTED.

015463

000311

07C-5 106-5 67C-5 106-5 FURTHER, SGT FURTHER RELATED HE WAS LATER A PARTY TO A GATHERING AS DESCRIBED BY SPO AND SPC AND THEY WERE INSTRUCTED ON WHAT TO SAY AND WHAT NOT TO SAY IN ORDER TO OBSTRUCT ANY INVESTIGATION. SGT IDENTIFIED THOSE INSTRUCTIONS AS COMING FROM MAJES (BATTALION EXECUTIVE OFFICER), CPT SFC AND 1LT

INVESTIGATION CONTINUES BY THE USACIDC.

INITIAL:

THE DELAY IN REPORTING WAS DUE TO LOGISTICAL SUPPORT AND THE INABILITY TO HAVE THE VICTIM AND WITNESSES AVAILABLE FOR QUESTIONING BY CID PERSONNEL IN A MORE TIMELY MANNER.

- THIS OFFICE WAS NOTIFIED BY CPT ARMOR BATTALION, FORWARD OPERATING BASE (FOB)
 BRASSFIELD/MORA, SAMARRA, IRAQ, APO AE 09323, WHO REPORTED THE
 ALLEGED MURDER OF AN UNKNOWN LOCAL NATIONAL.
- PRELIMINARY INVESTIGATION DISCLOSED MR REPORTED TO THE IRAQI CIVIL DEFENSE CORP (ICDC) AT A CHECK POINT IN SAMARRA THAT HE AND MR. FADHIL, HIS COUSIN, WERE DETAINED BY US AMERICAN SOLDIERS WHILE ON THEIR WAY HOME FROM BAGHDAD, FOR REASONS UNKNOWN, AND TRANSPORTED A SHORT DISTANCE, THEN RELEASED AT A BRIDGE APPROXIMATELY 15 MINUTES LATER. AFTER THE US SOLDIERS REPORTEDLY CUT THEIR BINDINGS AND RELEASED THEM, MR. REPORTED THE RELEASING SOLDIERS PUSHED HIM AND MR. FADHIL OFF THE BRIDGE AND INTO THE RIVER WHERE MR. FADHIL DROWNED AS A RESULT OF NOT KNOWING HOW TO SWIM.
 - WAS INTERVIEWED AND STATED HE AND HIS ON 16 JAN 04, MR. 67C-4 COUSIN, MR. FADHIL, WERE ATTEMPTING TO GET HOME FROM BAGHDAD 66-4 BEFORE CURFEW WHEN THEY ARRIVED AT AN ICDC CHECKPOINT AT APPROXIMATELY 2230 HOURS. MR. FADEL STATED ICDC PERSONNEL SEARCHED THEM BOTH AND FURTHER SEARCHED THEIR VEHICLE, A 2001 KIA PICK-UP TRUCK, WHICH REVEALED NO CONTRABAND OR WEAPONS. HE STATED THEY CONTINUED TO DRIVE HOME WHEN AN ONCOMING US MILITARY CONVOY STOPPED AND DETAINED THEM. HE STATED IT WAS BEFORE CURFEW AND DID NOT UNDERSTAND WHY THEY WERE DETAINED. HE STATED THEY WERE BOTH HANDCUFFED WITH FLEXIBLE CUFFS AND PLACED IN THE BACK OF A BRADLEY FIGHTING VEHICLE (BFV), AT VIC GRID COORDINATE LC 975 857, WITH FIVE OTHER US SOLDIERS MR CONTINUED THAT THEY WERE DRIVEN TO THE

SOLDIERS. MR CONTINUED THAT THEY WERE DRIVEN TO THE INCIDENT LOCATION, A BRIDGE IN SAMARRA, WHERE THE SOLDIERS REMOVED THEM FROM THE VEHICLE, CUT THEIR HANDCUFFS AND TOLD

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THEM TO JUMP INTO THE RIVER. HE STATED THEY BOTH REFUSED TO JUMP, BUT ONE SOLDIER PUSHED MR. FADHIL INTO THE WATER. ANOTHER SOLDIER THEN PUSHED HIM INTO THE WATER. THE SOLDIERS STOOD BY AND LAUGHED AT THEM BEFORE LEAVING THE AREA. HE STATED HE ATTEMPTED TO RESCUE MR. FADHIL, BUT WAS UNABLE TO REACH HIM AS HE HIMSELF WAS NOT A GOOD SWIMMER. HE STATED HE WAS ABLE TO GET OUT OF THE WATER AND HIDE UNTIL HE SAFELY REPORTED THE INCIDENT TO THE ICCC CHECK POINT APPROXIMATELY 800 METERS AWAY.

ON 16 JAN 04, THE ICDC PERSONNEL WERE INTERVIEWED AND STATED AND MR. FADHIL WHEN THEY CROSSED THE THEY DID SEARCH MR. ICDC CHECK POINT AT APPROXIMATELY 2240. THEY STATED THEY DID NOT WITNESS ANYONE BEING PUSHED INTO THE RIVER AS THEY WERE NOT CLOSE ENOUGH TO SEE; HOWEVER, THEY DID WITNESS A CONVOY STOP ON THE BRIDGE FOR APPROXIMATELY 2-3 MINUTES, THEN PROCEED THROUGH THE CHECK POINT. THEY STATED ABOUT 10-15 MINUTES AFTER THEY SAW THE CONVOY STOP ON THE BRIDGE THEN PRCEEDED ONWARD, WAS SEEN WALKING TOWARD THE CHECK POINT AND HE REPORTED THE INCIDENT TO THEM. THE ICDC PERSONNEL STATED MR. WAS COLD, WET AND SEEMED TO BE CONCERNED FOR MR. FADHIL WHEN HE REPORTED THE INCIDENT. THEY FURTHER RELATED A SEARCH PARTY WAS ASSEMBLED, BUT THE SEARCH WAS UNABLE TO LOCATE MR FADHIL.

676-5,66-5 1ST PLATOON, A ON 16 JAN 04, SGT COMPANY, 1/8TH INFANTRY BN, 3TD BDE, SAMARRA, IRAQ, APO AE 09323, WAIVED HIS RIGHTS AND STATED HIS PLATOON WAS CONDUCTING ROUTINE PATROL IN SAMARRA AT THE TIME OF THIS REPORTED INCIDENT AND HE REMEMBERED PICKING UP MR AND MR. FADHIL FOR

VIOLATING CURFEW. THEY WERE ALSO FOUND IN POSSESSION OF A STATED THEY WERE PICKED UP FALSE IDENTIFICATION CARD.

SHORTLY AFTER 2300, BUT THEN ABOUT 15 MINUTES LATER HE WAS PLATOON LEADER, TO RELEASE

676-5,66-5 GIVEN AN ORDER BY LT AND SPC 676-5,66-5 THEM. HE STATED HE WITNESSED SPC

REMOVE THE HANDCUFFS AND LEAVE THE TWO INDIVIDUALS ON THE SIDE OF THE ROAD. HE STATED IT WAS DARK AND HE HAD NO IDEA THEY WERE NEAR A RIVER OR ON BRIDGE. HE STATED NO ONE PUSHED THE TWO DETAINEES OR MALTREATED THEM IN ANY WAY. HE DENIED HAVING ANY INVOLVEMENT WITH PUSHING MR AND MR. FADHIL OFF A BRIDGE. HE STATED MR. WAS MAKING THE STORY UP.

674,66.4 676-4, 66-4

PLATOON LEADER, 1ST 676-5,66-5 ON 16 JAN 04, LT PLATOON, A COMPANY, 1/8TH IN BN, 3D BDE, 4ID, WAS INTERVIEWED AND 676-4, 66-4 STATED HE WITNESSED HIS SOLDIERS SEARCH MR AND THEIR VEHICLE AS A RESULT OF A CURFEW VIOLATION AROUND

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676-5,66-5

676-4,66-4

67C-4. 66-4 2320. HE STATED THE LOCAL CIVIL MILITARY OPERATIONS CENTER (CMOC) DID NOT HAVE ANYONE AVAILABLE TO PROCESS THE TWO INDIVIDUALS AND HE MADE THE DECISION TO RELEASE THEM. THEY WERE RELEASED TO WALK TO THEIR VEHICLE, WHICH WAS APPROXIMATELY 2-3 KILOMETERS AWAY. HE FURTHER RELATED HE WITNESSED MR AND MR. FADHIL STANDING ON THE SIDE OF THE ROAD AS THE CONVOY WAS DEPARTING THE AREA.

ON 16 JAN 04, SPC 1ST PLATOON, A COMPANY, 1/8TH IN BN, 3D BDE, 4ID, WAIVED HIS RIGHTS AND STATED HE WAS

PRESENT WHEN MR. AND MR. FADHIL WERE RELEASED ON THE NORTH END OF THE BRIDGE IN SAMARRA. HE STATED HE WITNESSED SPC

AND MR. FADHIL WERE THEN LEFT ON THE SIDE OF THE ROAD. HE
STATED NO US SOLDIERS HARMED MR. OR MR. FADHIL IN ANY
WAY. HE DENIED BEING INVOLVED WITH PUSHING MR. AND MR. 676-9, 66-9
FADHIL OFF THE BRIDGE.

ON 16 JAN 04, SPC

COMPANY, 1/8TH IN BN, 3D BDE, 4ID, WAVED HIS RIGHTS AND STATED HE

WAS PRESENT WHEN MR.

AND MR. FADHIL WERE DETAINED, AND

LATER RELEASED. HE STATED HE CUT BOTH MR.

FADHIL'S HANDCUFFS OFF WHILE THEY WERE ON A ROAD NEAR A BRIDGE

IN SAMARRA. HE STATED NO ONE HARMED MR.

OR MR. FADHIL.

ON THE BRIDGE. HE

FURTHER STATED HE WITNESSED MR.

AND MR. FADHIL STANDING

ON THE SIDE OF THE ROAD WHEN THE RAMP WAS BEING CLOSED ON

THEIR BFV WHILE DEPARTING THE AREA.

BETWEEN 1130-1200, 15 JAN 04, MR. FADHIL'S REMAINS WERE ALLEGEDLY DISCOVERED BY LOCAL NATIONALS IN THE VICINITY OF SAMARRA AT GRID COORDINATES 38S LC 940 788. ON 16 JAN 04, MR. REPORTED \$\frac{1}{27}\cdot - \frac{1}{2}\cdot \cdot - \frac{1}{2}\cdot - \frac{1}{2}\cdot \cdot - \frac{1}{2}\cdot - \frac{1}{2}\cdot \cdot - \frac{1}{2}\cdot - \frac{1}{2}\cdot - \frac{1}{2}\cdot - \frac{1}{2}\cdot \cdot - \frac{1}{2}\cdot - \frac{1}

EFFORTS ARE ONGOING TO POSITIVELY IDENTIFY THE REMAINS OF MR. FADHIL.

INVESTIGATION CONTINUES BY THE USACIDC.

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67C-4,66-4

***REQUEST USACRC NAME CHECKS BE CONDUCTED ON SGT SPC SPC SPC AND LT

66-5, 67c5

7. COMMANDERS ARE REMINDED OF THE PROVISIONS OF AR 600-8-2 PERTAINING TO SUSPENSION OF FAVORABLE PERSONNEL ACTIONS AND AR 300-67 FOR THE SUSPENSION OF SECURITY CLEARANCES OF PERSONS UNDER INVESTIGATION.

8. CID REPORTS ARE EXEMPT FROM AUTOMATIC TERMINATION OF PROTECTIVE MARKING IN ACCORDANCE WITH CHAPTER 3, AR 25-55.

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DATE: 23 JAN 2004 OFFICIAL USE FROM: SAC, 43RD MILITARY POLICE DET (CID)(FWD) TO: DIRECTOR, USACRC, USACIDC, FORT BELVOIR, VA CDR, USACIDC //CIOP-ZA// CDR, 10TH MP BN (CID)(ABN)(FWD) //OPS// CDR, 3D MP GROUP (CID)(FWD) //OPS// PROVOST MARSHAL //PM// //4ID// CDR, 1/8TH INF BN //4ID// CDR, 3RD BDE//4ID// CHIEF OF STAFF //4ID// SUBJECT: CID REPORT - INJUNAL/SSI - 0011-04-CID469-79630-5H1/5H7/5H3L/5P2/5X1/5X5 66-1, b7C-1 DRAFTER: RELEASER: 66-1, b7c-1 UNCLASSIFIED - FOR OFFICIAL USE ONLY 1. DATES/TIMES/LOCATIONS OF OCCURRENCES: 1. 03 JAN 2004/2245 - 03 JAN 2004/2330; VIC GRID COORDINATE 38S LC 9386 8451, ADJACENT TO A BRIDGE, SAMARRA, IRAQ 2. DATE/TIME REPORTED: 13 JAN 2004, 1011 661,67C-1,62 3. INVESTIGATED BY: SA 66-1, b1c-1, 62-1 SUBJECT: 1. M; WHITE; CO A, 1/8 IN, 3D BCT, 4ID, APO AE 09391; CT; [INVOLUNTARY MANSLAUGHTER] [AGGRAVATED ASSAULT][FALSE OFFICIAL STATEMENT][CONSPIRACY]

M; WHITE; CO A, 1/8 IN, 3D BCT, 4ID, APO AE 09391; CT; [INVOLUNTARY MANSLAUGHTER] [AGGRAVATED ASSAULT][FALSE OFFICIAL STATEMENT][CONSPIRAGY]

[INVOLUNTARY MANSLAUGHTER] [AGGRAVATED ASSAULT][FALSE

SGT;

67C-5

M; OTHER; CO A, 1/8 IN, 3D BCT, 4ID, APO AE 09391; CT;

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OFFICIAL STATEMENT [CONSPIRACY]

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27 JUL 79; LIMA, OH; M; SPC; WHITE; CO A, 1/8 IN, 3D BCT, 4ID, APO AE 09391; CT; [FALSE OFFICIAL STATEMENT][CONSPIRACY] 22 MAY CPT: 676-5 74; M; WHITE; CO A, 1/8 IN, 3D BCT, 4ID, APO AE 09391; CT; [OBSTRUCTION b6-5 OF JUSTICE][CONSPIRACY][ACCESSORY AFTER THE FACT] 28 JUN 71; SFC; SULLIVAN, MO; M; WHITE; CO A, 1/8 IN, 3D BCT, 4ID, APO AE 09391; CT; [INVOLUNTARY MANSLAUGHTER][OBSTRUCTION OF JUSTICE] [CONSPIRACY] MAJ; M; HHC, 1/8 IN BN, 3D BCT, 4ID, APO AE 09391; CT; (NFI); [OBSTRUCTION OF JUSTICE][ACCESSORY AFTER THE FACT| [CONSPIRACY] 1. FADHIL, ZAYDUN MA'MUN (DECEASED); CIV; 1 JUN 1984; 5. VICTIM: IRAQ; M; OTHER; IZ; (NFI) [INVOLUNTARY MANSLAUGHTER][FALSE OFFICIAL STATEMENT][[CONSPIRACY][OBSTRUCTION OF JUSTICE] 676-466-4 ; CIV; 19 MAR 1981; SAMARRA, IRAQ; M; OTHER; ALRMOUSHYA AREA OF SAMARRA; IZ; (NFI) [AGGRAVATED ASSAULT [FALSE OFFICIAL STATEMENT] [CONSPIRACY] U.S. GOVERNMENT [FALSE OFFICIAL STATEMENT][OBSTRUCTION OF JUSTICE][CONSPIRACY][ACCESSORY AFTER THE FACT] 6. INVESTIGATIVE SUMMARY: THE INFORMATION IN THIS REPORT IS BASED UPON AN ALLEGATION OR PRELIMINARY INVESTIGATION AND MAY CHANGE PRIOR TO THE COMPLETION OF THE INVESTIGATION. "THIS IS AN OPERATION IRAQI FREEDOM INVESTIGATION". 2D STATUS: 576-5,56-5 676-5,66-5 AND SPO FURTHER INVESTIGATION DISCLOSED SGT PUSHED MR FADHIL AND ON THE INSTRUCTIONS OF 1LT TO JUMP INTO A BODY OF WATER ADJACENT THE 67K-4,66-4 PROMPTED MR BRIDGE CITED, RATHER THAN ESCORT THEM TO A DETENTION FACILITY 67C-5,66-5 AFTER BEING TAKEN INTO CUSTODY FOR CURFEW VIOLATION. REFUSED TO PARTICIPATE, BUT PROVIDED FALSE INFORMATION TO INVESTIGATORS IN COLLUSION WITH THE OTHERS. NO EVIDENCE WAS <u> UNCOVERED THERE WAS EVER ANY INTENTION ON THEIR PART TO</u> MURDER MR OR MR FADHIL 67C-4, 66-4

ACLU-RDI 1563 p.140

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676-5 66-5

FREQUENCY.

1

ON 21 JAN 04, SPC WAS INTERVIEWED AND ADMITTED HE PROVIDED FALSE INFORMATION DURING HIS INITIAL INTERVIEW. AS BEING 67C-5, 66-5 FURTHER, HE IDENTIFIED SGT AND SPC 676-5,66-5 NTO THE WATER 676-4,66-4 RESPONSIBLE FOR PUTTING MR FADHIL AND MR AS INITIALLY ALLEGED. HE DENIED DIRECT PARTICIPATION AND CHOSE TO REMAIN WITH THE VEHICLES, BUT RELATED HEARING A SPLASH AND SPC SPOKE WITH SGT AFTER 1LT ABOUT THE DETAINEES. SPC FURTHER RELATED THE PLATOON AS 676-5,66-5 A WHOLE DISCUSSED THROWING DETAINEES CAUGHT OUT AFTER CURFEW IN THE RIVER ON A FEW OCCASIONS, BUT THE EVENING OF THIS INCIDENT, THE PLATOON SERGEANT, SFC REMARKED THAT "SOMEBODY'S GOING TO GET WET TONIGHT!" OVER THE PLATOON

> FURTHER RELATED HE WAS PARTY TO A GATHERING 1LT AFTERWARD OF SGT SPC WHERE THEY DISCUSSED WHAT STORY TO TELL AND CPT REGARDING THIS INCIDENT BEFORE CID WAS NOTIFIED. SPO RELATED HE AND THE OTHER SOLDIERS WERE COACHED ON WHAT TO SAY AND WHAT NOT TO SAY IN ORDER TO OBSTRUCT ANY INVESTIGATION. THESE INSTRUCTIONS CAME FROM CPT AND SFC ACCORDING TO SPC

ON 22 JAN 04, 1LT WAS INTERVIEWED, BUT DECLINED TO ANSWER PERTINENT QUESTIONS PERTAINING TO THIS INCIDENT AND DENIED ANY WRONGDOING.

ON 22 JAN 04, SPC WAS INTERVIEWED AND ADMITTED HE PROVIDED FALSE INFORMATION DURING HIS INITIAL INTERVIEWS. SPC ADMITTED PROMPTING ONE OF THE DETAINEES TO JUMP INTO AND SEEING SGT THE WATER AFTER INSTRUCTIONS FROM 1LT PROMPT THE OTHER DETAINEE TO GO INTO THE WATER. SPC FURTHER RELATED HE WAS LATER A PARTY TO A GATHERING AND INSTRUCTED ON WHAT TO SAY AND AS DESCRIBED BY SPC WHAT NOT TO SAY IN ORDER TO OBSTRUCT ANY INVESTIGATION. SPC IDENTIFIED THOSE INSTRUCTIONS AS COMING FROM CPT AND 1LT , SFC

WAS INTERVIEWED AND ADMITTED HE ON 23 JAN 04, SGT PROVIDED FALSE INFORMATION DURING HIS INITIAL INTERVIEWS. SGT ADMITTED PROMPTING ONE OF THE DETAINEES TO JUMP INTO THE WATER AND KICKED THE DETAINEE IN THE BUTTOCKS IN AN EFFORT TO MAKE HIM JUMP. SGT IMPLICATED SPC IN THE SAME ACTS REGARDING THE OTHER DETAINEE AND FURTHER ADMITTED OBSERVING THE TWO DETAINEES IN THE WATER. ONE SWAM BACK TO SHORE AND THE OTHER WAS TRYING TO KEEP HIS HEAD ABOVE WATER

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676-5

b6-5

RELATED THEY THEN WALKED BACK AND SCREAMING. SGT TO THE VEHICLES, MOUNTED AND DEPARTED. FURTHER RELATED HE WAS LATER A PARTY TO 676-5 FURTHER, SGT AND SPO 665 A GATHERING AS DESCRIBED BY SPO THEY WERE INSTRUCTED ON WHAT TO SAY AND WHAT NOT TO SAY IN ORDER TO OBSTRUCT ANY INVESTIGATION. SGT IDENTIFIED (BATTALION THOSE INSTRUCTIONS AS COMING FROM MAJ AND ILT EXECUTIVE OFFICER), CPT INVESTIGATION CONTINUES BY THE USACIDC. **INITIAL**: THE DELAY IN REPORTING WAS DUE TO LOGISTICAL SUPPORT AND THE INABILITY TO HAVE THE VICTIM AND WITNESSES AVAILABLE FOR QUESTIONING BY CID PERSONNEL IN A MORE TIMELY MANNER. 676-3,66-3 HHC, 1/66 THIS OFFICE WAS NOTIFIED BY CPT ARMOR BATTALION, FORWARD OPERATING BASE (FOB) BRASSFIELD/MORA, SAMARRA, IRAQ, APO AE 09323, WHO REPORTED THE ALLEGED MURDER OF AN UNKNOWN LOCAL NATIONAL. 676-4,66-4 PRELIMINARY INVESTIGATION DISCLOSED MR REPORTED TO THE IRAQI CIVIL DEFENSE CORP (ICDC) AT A CHECK POINT IN SAMARRA THAT HE AND MR. FADHIL, HIS COUSIN, WERE DETAINED BY US AMERICAN SOLDIERS WHILE ON THEIR WAY HOME FROM BAGHDAD, FOR REASONS UNKNOWN, AND TRANSPORTED A SHORT DISTANCE, THEN RELEASED AT A BRIDGE APPROXIMATELY 15 MINUTES LATER. AFTER THE US SOLDIERS REPORTEDLY CUT THEIR BINDINGS AND RELEASED THEM, MR. 676-4,66-4 REPORTED THE RELEASING SOLDIERS PUSHED HIM AND MR. FADHIL OFF THE BRIDGE AND INTO THE RIVER WHERE MR. FADHIL DROWNED AS A RESULT OF NOT KNOWING HOW TO SWIM. 676-4-66-4 WAS INTERVIEWED AND STATED HE AND HIS ON 16 JAN 04, MR COUSIN, MR. FADHIL, WERE ATTEMPTING TO GET HOME FROM BAGHDAD BEFORE CURFEW WHEN THEY ARRIVED AT AN ICDC CHECKPOINT AT 676-4,66-4 STATED ICDC PERSONNEL APPROXIMATELY 2230 HOURS. MR. SEARCHED THEM BOTH AND FURTHER SEARCHED THEIR VEHICLE, A 2001 KIA PICK-UP TRUCK, WHICH REVEALED NO CONTRABAND OR WEAPONS. HE STATED THEY CONTINUED TO DRIVE HOME WHEN AN ONCOMING US MILITARY CONVOY STOPPED AND DETAINED THEM. HE STATED IT WAS BEFORE CURFEW AND DID NOT UNDERSTAND WHY THEY WERE DETAINED. HE STATED THEY WERE BOTH HANDCUFFED WITH FLEXIBLE CUFFS AND PLACED IN THE BACK OF A BRADLEY FIGHTING VEHICLE

(BFV), AT VIC GRID COORDINATE LC 975 857, WITH FIVE OTHER US

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CONTINUED THAT THEY WERE DRIVEN TO THE SOLDIERS. MR INCIDENT LOCATION, A BRIDGE IN SAMARRA, WHERE THE SOLDIERS REMOVED THEM FROM THE VEHICLE, CUT THEIR HANDCUFFS AND TOLD THEM TO JUMP INTO THE RIVER. HE STATED THEY BOTH REFUSED TO JUMP, BUT ONE SOLDIER PUSHED MR. FADHIL INTO THE WATER. ANOTHER SOLDIER THEN PUSHED HIM INTO THE WATER. THE SOLDIERS STOOD BY AND LAUGHED AT THEM BEFORE LEAVING THE AREA. HE STATED HE ATTEMPTED TO RESCUE MR. FADHIL, BUT WAS UNABLE TO REACH HIM AS HE HIMSELF WAS NOT A GOOD SWIMMER. HE STATED HE WAS ABLE TO GET OUT OF THE WATER AND HIDE UNTIL HE SAFELY REPORTED THE INCIDENT TO THE ICDC CHECK POINT APPROXIMATELY 800 METERS AWAY.

676-4 66-4

ON 16 JAN 04, THE ICDC PERSONNEL WERE INTERVIEWED AND STATED THEY DID SEARCH MR. AND MR. FADHIL WHEN THEY CROSSED THE ICDC CHECK POINT AT APPROXIMATELY 2240. THEY STATED THEY DID NOT WITNESS ANYONE BEING PUSHED INTO THE RIVER AS THEY WERE NOT CLOSE ENOUGH TO SEE; HOWEVER, THEY DID WITNESS A CONVOY STOP ON THE BRIDGE FOR APPROXIMATELY 2-3 MINUTES, THEN PROCEED THROUGH THE CHECK POINT. THEY STATED ABOUT 10-15 MINUTES AFTER THEY SAW THE CONVOY STOP ON THE BRIDGE THEN PRCEEDED ONWARD. WAS SEEN WALKING TOWARD THE CHECK POINT AND HE REPORTED THE INCIDENT TO THEM. THE ICDC PERSONNEL STATED MR. WAS COLD, WET AND SEEMED TO BE CONCERNED FOR MR. FADHIL WHEN HE REPORTED THE INCIDENT. THEY FURTHER RELATED A SEARCH PARTY WAS ASSEMBLED, BUT THE SEARCH WAS UNABLE TO LOCATE MR FADHIL.

1ST PLATOON, A ON 16 JAN 04, SGT COMPANY, 1/8TH INFANTRY BN, 3^{TO} BDE, SAMARRA, IRAQ, APO AE 09323, WAIVED HIS RIGHTS AND STATED HIS PLATOON WAS CONDUCTING ROUTINE PATROL IN SAMARRA AT THE TIME OF THIS REPORTED INCIDENT AND HE REMEMBERED PICKING UP MR AND MR. FADHIL FOR 676-4.66-4 VIOLATING CURFEW. THEY WERE ALSO FOUND IN POSSESSION OF A FALSE IDENTIFICATION CARD. STATED THEY WERE PICKED UP SHORTLY AFTER 2300, BUT THEN ABOUT 15 MINUTES LATER HE WAS GIVEN AN ORDER BY LT PLATOON LEADER, TO RELEASE 676-5,66-5 676-9,66-5 THEM. HE STATED HE WITNESSED SPC AND SPO 67C-5, 66-5

REMOVE THE HANDCUFFS AND LEAVE THE TWO INDIVIDUALS ON THE SIDE OF THE ROAD. HE STATED IT WAS DARK AND HE HAD NO IDEA THEY WERE NEAR A RIVER OR ON BRIDGE. HE STATED NO ONE PUSHED THE TWO DETAINEES OR MALTREATED THEM IN ANY WAY. HE DENIED HAVING ANY INVOLVEMENT WITH PUSHING MR. AND MR. FADHIL OFF A BRIDGE. HE STATED MR. WAS MAKING THE STORY UP.

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676-4,66-4

ON 16 JAN 04, LT
PLATOON, A COMPANY, 1/8TH IN BN, 3D BDE, 4ID, WAS INTERVIEWED AND
STATED HE WITNESSED HIS SOLDIERS SEARCH MR
AND THEIR VEHICLE AS A RESULT OF A CURFEW VIOLATION AROUND
2320. HE STATED THE LOCAL CIVIL MILITARY OPERATIONS CENTER
(CMOC) DID NOT HAVE ANYONE AVAILABLE TO PROCESS THE TWO
INDIVIDUALS AND HE MADE THE DECISION TO RELEASE THEM. THEY
WERE RELEASED TO WALK TO THEIR VEHICLE, WHICH WAS
APPROXIMATELY 2-3 KILOMETERS AWAY. HE FURTHER RELATED HE
WITNESSED MR.
AND MR. FADHIL STANDING ON THE SIDE OF THE
ROAD AS THE CONVOY WAS DEPARTING THE AREA.

676-4,66.4

ON 16 JAN 04, SPC AND MAIVED HIS RIGHTS AND STATED HE WAS

1/8TH IN BN, 3D BDE, 4ID, WAIVED HIS RIGHTS AND STATED HE WAS

PRESENT WHEN MR. AND MR. FADHIL WERE RELEASED ON THE

NORTH END OF THE BRIDGE IN SAMARRA. HE STATED HE WITNESSED SPC

AND MR. FADHIL WERE THEN LEFT ON THE SIDE OF THE ROAD. HE
STATED NO US SOLDIERS HARMED MR. FADHIL IN ANY
WAY. HE DENIED BEING INVOLVED WITH PUSHING MR. AND MR. 676-47, 6
FADHIL OFF THE BRIDGE.

676-4,66.4

ON 16 JAN 04, SPC

COMPANY, 1/8TH IN BN, 3D BDE, 4ID, WAVED HIS RIGHTS AND STATED HE
WAS PRESENT WHEN MR. AND MR. FADHIL WERE DETAINED, AND
LATER RELEASED. HE STATED HE CUT BOTH MR. AND MR. 67C-4,66-4
FADHIL'S HANDCUFFS OFF WHILE THEY WERE ON A ROAD NEAR A BRIDGE
IN SAMARRA. HE STATED NO ONE HARMED MR. OR MR. FADHIL. 67C-4,66-4
HE DENIED BEING INVOLVED WITH PUSHING THEM OFF THE BRIDGE. HE
FURTHER STATED HE WITNESSED MR. AND MR. FADHIL STANDING
ON THE SIDE OF THE ROAD WHEN THE RAMP WAS BEING CLOSED ON
THEIR BFV WHILE DEPARTING THE AREA.

BETWEEN 1130-1200, 15 JAN 04, MR. FADHIL'S REMAINS WERE ALLEGEDLY DISCOVERED BY LOCAL NATIONALS IN THE VICINITY OF SAMARRA AT GRID COORDINATES 38S LC 940 788. ON 16 JAN 04, MR REPORTED THE DISCOVERY OF THE REMAINS TO CID. HE FURTHER STATED THE REMAINS WERE BURIED IN A CEMETERY (NFI) ON THE SOUTH END OF SAMARRA ON 15 JAN 04. HE STATED HIS FAMILY PHOTOGRAPHED AND VIDEO TAPED THE REMAINS TO DOCUMENT HIS INJURIES AND IDENTIFICATION; HOWEVER, THE PHOTOGRAPHS AND VIDEO TAPES WERE NOT PROVIDED TO CID. NO CONFIRMATION HAS BEEN MADE OF THE IDENTIFICATION OF MR. FADHIL'S REMAINS AT THE TIME OF THIS REPORT.

EFFORTS ARE ONGOING TO POSITIVELY IDENTIFY THE REMAINS OF MR. FADHIL.

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INVESTIGATION CONTINUES BY THE USACIDC.

16-5,676-5

***REQUEST USACRC NAME CHECKS BE CONDUCTED ON SGT SPC AND LT

- 7. COMMANDERS ARE REMINDED OF THE PROVISIONS OF AR 600-8-2 PERTAINING TO SUSPENSION OF FAVORABLE PERSONNEL ACTIONS AND AR 300-67 FOR THE SUSPENSION OF SECURITY CLEARANCES OF PERSONS UNDER INVESTIGATION.
- 8. CID REPORTS ARE EXEMPT FROM AUTOMATIC TERMINATION OF PROTECTIVE MARKING IN ACCORDANCE WITH CHAPTER 3, AR 25-55.

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015474

DATE: 17 JAN 2004

FROM: SAC, 43RD MILITARY POLICE DET (CID)(FWD)

OFFICIAL USE

TO: DIRECTOR, USACRC, USACIDC, FORT BELVOIR, VA

CDR, USACIDC //CIOP-ZA//

CDR, 10TH MP BN (CID)(ABN)(FWD) //OPS//

CDR, 3D MP GROUP (CID)(FWD) //OPS//

PROVOST MARSHAL //PM// //4ID//

CDR, 1/8TH INF BN //4ID//

CDR, 3RD BDE//4ID//

CHIEF OF STAFF //4ID//

SUBJECT: CID REPORT - INITIAL/SSI - 0011-04-CID469-79630- 5H1/5H7

DRAFTER: RELEASER:

676-1,66.1

671-1,66-1

UNCLASSIFIED - FOR OFFICIAL USE ONLY

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

03 JAN 2004/2245 – 03 JAN 2004/2330; VIC GRID COORDINATE
 38S LC 9386 8451, ADJACENT TO A BRIDGE, SAMARRA, IRAQ

2. DATE/TIME REPORTED: 13 JAN 2004, 1011

3. INVESTIGATED BY: SA

SA

67C-1,661 6Z-1

4. SUBJECT: 1. UNKNOWN; [MURDER] [ATTEMPTED MURDER]

5. VICTIM: 1. FADHIL, ZAYDUN MA'MUN (DECEASED); CIV; 1 JUN 1984; IRAQ; M; OTHER; IZ; (NFI) [MURDER]

2. CIV; 19 MAR 1981; SAMARRA, IRAQ; M; OTHER; ALRMOUSHYA AREA OF SAMARRA; IZ; (NFI) [ATTEMPTED MURDER]

6. INVESTIGATIVE SUMMARY: THE INFORMATION IN THIS REPORT IS BASED UPON AN ALLEGATION OR PRELIMINARY INVESTIGATION AND MAY CHANGE PRIOR TO THE COMPLETION OF THE INVESTIGATION.

"THIS IS AN OPERATION IRAQI FREEDOM INVESTIGATION".

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THE DELAY IN REPORTING WAS DUE TO LOGISTICAL SUPPORT AND THE INABILITY TO HAVE THE VICTIM AND WITNESSES AVAILABLE FOR QUESTIONING BY CID PERSONNEL IN A MORE TIMELY MANNER.

THIS OFFICE WAS NOTIFIED BY CPT HIC, 1/66 ARMOR BATTALION, FORWARD OPERATING BASE (FOB)
BRASSFIELD/MORA, SAMARRA, IRAQ, APO AE 09323, WHO REPORTED THE ALLEGED MURDER OF AN UNKNOWN LOCAL NATIONAL.

PRELIMINARY INVESTIGATION DISCLOSED MR
REPORTED TO THE
IRAQI CIVIL DEFENSE CORP (ICDC) AT A CHECK POINT IN SAMARRA THAT
HE AND MR. FADHIL, HIS COUSIN, WERE DETAINED BY US AMERICAN
SOLDIERS WHILE ON THEIR WAY HOME FROM BAGHDAD, FOR REASONS
UNKNOWN, AND TRANSPORTED A SHORT DISTANCE, THEN RELEASED AT
A BRIDGE APPROXIMATELY 15 MINUTES LATER. AFTER THE US SOLDIERS
REPORTEDLY CUT THEIR BINDINGS AND RELEASED THEM, MR
REPORTED THE RELEASING SOLDIERS PUSHED HIM AND MR. FADHIL OFF
THE BRIDGE AND INTO THE RIVER WHERE MR. FADHIL DROWNED AS A
RESULT OF NOT KNOWING HOW TO SWIM.

676-4,66-4 ON 16 JAN 04, MR. WAS INTERVIEWED AND STATED HE AND HIS COUSIN, MR. FADHIL, WERE ATTEMPTING TO GET HOME FROM BAGHDAD BEFORE CURFEW WHEN THEY ARRIVED AT AN ICDC CHECKPOINT AT 676-4,66-4 APPROXIMATELY 2230 HOURS. MR STATED ICDC PERSONNEL SEARCHED THEM BOTH AND FURTHER SEARCHED THEIR VEHICLE, A 2001 KIA PICK-UP TRUCK, WHICH REVEALED NO CONTRABAND OR WEAPONS. HE STATED THEY CONTINUED TO DRIVE HOME WHEN AN ONCOMING US MILITARY CONVOY STOPPED AND DETAINED THEM. HE STATED IT WAS BEFORE CURFEW AND DID NOT UNDERSTAND WHY THEY WERE DETAINED. HE STATED THEY WERE BOTH HANDCUFFED WITH FLEXIBLE CUFFS AND PLACED IN THE BACK OF A BRADLEY FIGHTING VEHICLE (BFV), AT VIC GRID COORDINATE LC 975 857, WITH FIVE OTHER US CONTINUED THAT THEY WERE DRIVEN TO THE INCIDENT LOCATION, A BRIDGE IN SAMARRA, WHERE THE SOLDIERS REMOVED THEM FROM THE VEHICLE, CUT THEIR HANDCUFFS AND TOLD THEM TO JUMP INTO THE RIVER. HE STATED THEY BOTH REFUSED TO JUMP, BUT ONE SOLDIER PUSHED MR. FADHIL INTO THE WATER. 676-4,66-4 ANOTHER SOLDIER THEN PUSHED HIM INTO THE WATER. THE SOLDIERS STOOD BY AND LAUGHED AT THEM BEFORE LEAVING THE AREA. HE STATED HE ATTEMPTED TO RESCUE MR. FADHIL, BUT WAS UNABLE TO REACH HIM AS HE HIMSELF WAS NOT A GOOD SWIMMER. HE STATED HE WAS ABLE TO GET OUT OF THE WATER AND HIDE UNTIL HE

SAFELY REPORTED THE INCIDENT TO THE ICDC CHECK POINT

APPROXIMATELY 800 METERS AWAY.

015476

THEY DID SEARCH MR. AND MR. FADHIL WHEN THEY CROSSED THE ICDC CHECK POINT AT APPROXIMATELY 2240. THEY STATED THEY DID NOT WITNESS ANYONE BEING PUSHED INTO THE RIVER AS THEY WERE NOT CLOSE ENOUGH TO SEE; HOWEVER, THEY DID WITNESS A CONVOY STOP ON THE BRIDGE FOR APPROXIMATELY 2-3 MINUTES, THEN PROCEED THROUGH THE CHECK POINT. THEY STATED ABOUT 10-15 MINUTES AFTER THEY SAW THE CONVOY STOP ON THE BRIDGE THEN PRCEEDED ONWARD, MR. WAS SEEN WALKING TOWARD THE CHECK POINT AND HE REPORTED THE INCIDENT TO THEM. THE ICDC PERSONNEL STATED MR. WAS COLD, WET AND SEEMED TO BE CONCERNED FOR MR. FADHIL WHEN HE REPORTED THE INCIDENT. THEY FURTHER RELATED A SEARCH PARTY WAS ASSEMBLED, BUT THE SEARCH WAS UNABLE TO LOCATE MR

ON 16 JAN 04, THE ICDC PERSONNEL WERE INTERVIEWED AND STATED

676-5,66-5 1ST PLATOON, A ON 16 JAN 04, SGT COMPANY, 1/8TH INFANTRY BN, 3RD BDE, SAMARRA, IRAQ, APO AE 09323, WAIVED HIS RIGHTS AND STATED HIS PLATOON WAS CONDUCTING ROUTINE PATROL IN SAMARRA AT THE TIME OF THIS REPORTED INCIDENT AND HE REMEMBERED PICKING UP MR. AND MR. FADHIL FOR 67C-4, 66-4 VIOLATING CURFEW. THEY WERE ALSO FOUND IN POSSESSION OF A STATED THEY WERE PICKED UP FALSE IDENTIFICATION CARD. SHORTLY AFTER 2300, BUT THEN ABOUT 15 MINUTES LATER HE WAS GIVEN AN ORDER BY LT PLATOON LEADER, TO RELEASE THEM. HE STATED HE WITNESSED SPC AND SPC REMOVE THE HANDCUFFS AND LEAVE THE TWO INDIVIDUALS ON

REMOVE THE HANDCUFFS AND LEAVE THE TWO INDIVIDUALS ON THE SIDE OF THE ROAD. HE STATED IT WAS DARK AND HE HAD NO IDEA THEY WERE NEAR A RIVER OR ON BRIDGE. HE STATED NO ONE PUSHED THE TWO DETAINEES OR MALTREATED THEM IN ANY WAY. HE DENIED HAVING ANY INVOLVEMENT WITH PUSHING MR. AND MR. FADHIL OFF A BRIDGE. HE STATED MR. WAS MAKING THE STORY UP.

676-4,66-4

676-4,66-4

ON 16 JAN 04, LT
PLATOON, A COMPANY, 1/8TH IN BN, 3D BDE, 4ID, WAS INTERVIEWED AND
STATED HE WITNESSED HIS SOLDIERS SEARCH MR
AND THEIR VEHICLE AS A RESULT OF A CURFEW VIOLATION AROUND
2320. HE STATED THE LOCAL CIVIL MILITARY OPERATIONS CENTER
(CMOC) DID NOT HAVE ANYONE AVAILABLE TO PROCESS THE TWO
INDIVIDUALS AND HE MADE THE DECISION TO RELEASE THEM. THEY
WERE RELEASED TO WALK TO THEIR VEHICLE, WHICH WAS
APPROXIMATELY 2-3 KILOMETERS AWAY. HE FURTHER RELATED HE
WITNESSED MR. AND MR. FADHIL STANDING ON THE SIDE OF THE
ROAD AS THE CONVOY WAS DEPARTING THE AREA.

676-4,66

ON 16 JAN 04, SPC (MAIN DE LA COMPANY, 1/8TH IN BN, 3D BDE, 4ID, WAIVED HIS RIGHTS AND STATED HE WAS

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FADHIL.

676-4,66-4

PRESENT WHEN MR AND MR. FADHIL WERE RELEASED ON THE NORTH END OF THE BRIDGE IN SAMARRA. HE STATED HE WITNESSED SPC CUT THE HANDCUFFS OFF WITH A KNIFE AND MR. AND MR. FADHIL WERE THEN LEFT ON THE SIDE OF THE ROAD. HE STATED NO US SOLDIERS HARMED MR. OR MR. FADHIL IN ANY 67C-4,66-4 WAY. HE DENIED BEING INVOLVED WITH PUSHING MR. AND MR. 67C-4,66-4 FADHIL OFF THE BRIDGE.

ON 16 JAN 04, SPC

ON 16 JAN 04, SPC

COMPANY, 1/8TH IN BN, 3D BDE, 4ID, WAVED HIS RIGHTS AND STATED HE
WAS PRESENT WHEN MR.

LATER RELEASED. HE STATED HE CUT BOTH MR.

FADHIL'S HANDCUFFS OFF WHILE THEY WERE ON A ROAD NEAR A BRIDGE
IN SAMARRA. HE STATED NO ONE HARMED MR.

HE DENIED BEING INVOLVED WITH PUSHING THEM OFF THE BRIDGE. HE
FURTHER STATED HE WITNESSED MR.

ON THE SIDE OF THE ROAD WHEN THE RAMP WAS BEING CLOSED ON
THEIR BFV WHILE DEPARTING THE AREA.

BETWEEN 1130-1200, 15 JAN 04, MR. FADHIL'S REMAINS WERE ALLEGEDLY DISCOVERED BY LOCAL NATIONALS IN THE VICINITY OF SAMARRA AT GRID COORDINATES 38S LC 940 788. ON 16 JAN 04, MR REPORTED THE DISCOVERY OF THE REMAINS TO CID. HE FURTHER STATED THE REMAINS WERE BURIED IN A CEMETERY (NFI) ON THE SOUTH END OF SAMARRA ON 15 JAN 04. HE STATED HIS FAMILY PHOTOGRAPHED AND VIDEO TAPED THE REMAINS TO DOCUMENT HIS INJURIES AND IDENTIFICATION; HOWEVER, THE PHOTOGRAPHS AND VIDEO TAPES WERE NOT PROVIDED TO CID. NO CONFIRMATION HAS BEEN MADE OF THE IDENTIFICATION OF MR. FADHIL'S REMAINS AT THE TIME OF THIS REPORT.

EFFORTS ARE ONGOING TO POSITIVELY IDENTIFY THE REMAINS OF MR. FADHIL.

INVESTIGATION CONTINUES BY THE USACIDC.

***REQUEST USACRC NAME CHECKS BE CONDUCTED ON SGT 5/6-5

7. COMMANDERS ARE REMINDED OF THE PROVISIONS OF AR 600-8-2 PERTAINING TO SUSPENSION OF FAVORABLE PERSONNEL ACTIONS AND AR 300-67 FOR THE SUSPENSION OF SECURITY CLEARANCES OF PERSONS UNDER INVESTIGATION.

015478

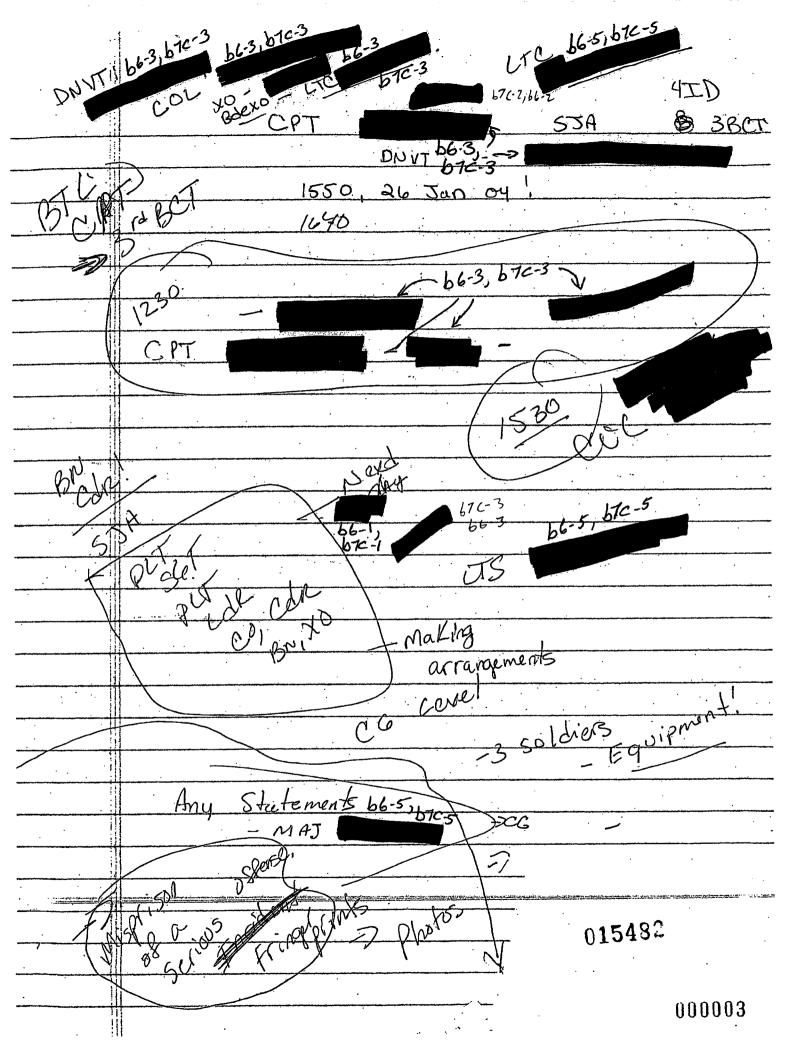
8. CID REPORTS ARE EXEMPT FROM AUTOMATIC TERMINATION OF PROTECTIVE MARKING IN ACCORDANCE WITH CHAPTER 3, AR 25-55.

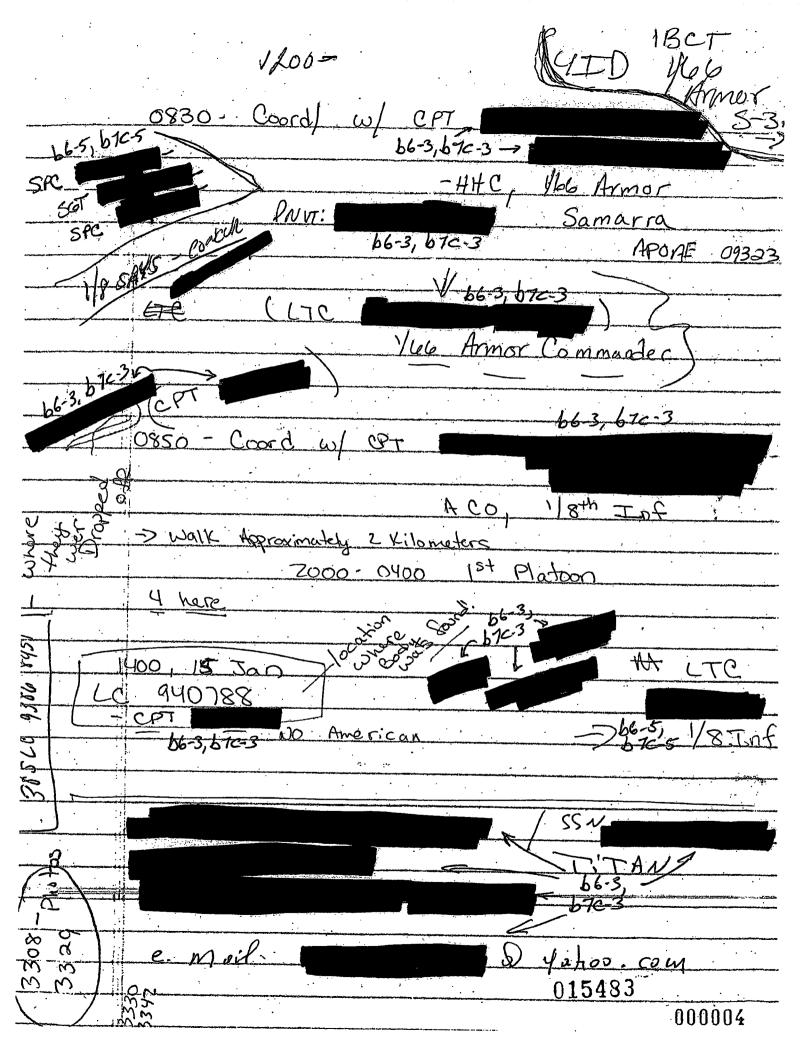
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1130-1140 Is gan 04 - publis the bet don't know What hopen, didn't hear what horsened heard This a.m., 0700, was tald coming to CID. dedit here anothing, don't know about, dedit know heard numers, some mages I dead, dealer hear how - no one confided they were involve didn't hear of anyme who was going to lie about what - Mar 03 As unit, oraps 03 came to luge, never heard about past incidents involving Ira - no one in chain told to be about hage a weedent - don't know who was involved minly rumors about what happened, 1140-1150 dream, in unit gun 03, July 03 in Diag stopped aufer moletin (2); put in a hadley, drove out A city stopped by a budge 1-2 min; drove off. a couple day later, unit said somene gut Miden of Judge, dedot hea names, heard "smuon have been more Than I ow one came up to say they were convolued no one came up to say Thing knew what happened or who 61.676-1 heard about this before PLT SGT admitte noun told to 015484 000005

43nd mp DitCOD 66-1, 676-1, 62 1/10, 29 JAN 04 ACO 1/8, Dalas, FACCE FOR. - nut present - first heard when investigation started haven't heard, 187 heard when cas no me said They were invalued, or saw what hopped dedn't hear about making up story nothers heard unrestigation was about maps (2) diging in - dedit hear specific names of person's involved no one tred by chain to not say anything set sq leader, told squarl Thuis was an The rever invistegatio patilles + 0 p's, guard; 3 days on 3 days obb-Cook of track, debit see, debit here anything chiple day later, head a few Iragis, I sould up in water deart hear about what pappened ofthe incident - no names - dist hear about anyone cour up: - arrived, 5 weeks to cent, didn't hear about anything from the past - Read in passing about what hazzered. - were told by unit that everyme was coming to C is To talk menn told lig chain of command to not talk or lie about mothing to add.

	b6-3, b7c-3
11:12	SG A 18th Lat your real
	1) . If I I f hat I would death (A14) - wiser sek of ch
	god des late In is to hand. I were do nowled by some
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b63, 67c-3

0945

0110 904 on american convoy, and stoped on bridge 10 minutes after convoy styled they sow a person coming towards the check point about 500 meters. vehicles were thre for 5 minutes they hard a lot of screaming in english. Temp way cold in fig

663,616-3

one sow some three anerican traks going towards Tihort. worked by on bridge for 5 minutes. About 10 walking towards ICAC min later he saw a person

Where the vehicles were styred on the bridge there was an embankment the person could climb up.

they could not see any soldiers get out. Heard screaming in english but can't tell due to weeker flowing loudly.

16-3, b1c-3

When person arrived at duckpoint he Hated an American Follier threw my cousin hate the water. He did not appear angry, themerson was very wet + dirty. Never asked for help. The ICAC took him to the guy in charge them. He is on leave now. Within 5 minutes TEAC sent some people (5) to search the bridge. Fuy appeared to be in shock. It now elaged when the guy stowed - up to a search was conducted, buy told him the was with his cousts and they were coming from Anghad with construction equipment. He verified the purchased. Guy was walked 015487 and speaked very cold 000008 194 now pearls the two guys care through town in there touch which was suspected by It oc. They deported towards foundarion, He does not know it any us forces were notified. Have heard talk a few days later about Americans throwing Englis is the viver.

NOTES - CEDY-4-79630

015438

	- How old is picture on e-mail - Photos of him before death
	- Photos of him before death
	- where is cometary - How far from 15A Anaconda
.	- Plot grid where body was pushed t
·	grid where body was bond -their full ID-
	- Did parents ID Body after death + location
	Plot grid where body was found their full ID - Did parents ID Body after death + location - Set time for Monday - exume body - Set time for Monday - exume body
	- Ask Victim any additional questions
. \	- Any previous medical Records - X-RAYS
	> Did he know = - clarify who found body
	1 48 F 70 100
	Re-ASK ICOC Personnel - Could they ID
	-Where's Vehicle Son
:	
	- Cemetary - LC 9856282510 - New Cemetary
	From LSA Anaconda 48.2 Kilometers - straight line
	-> CPT 1120 - obtained MAP to reflect
	Both where body was pished
	4 found
	- Pirture 2-3 months old from e-mail
	h6-3, b7c-3
ر المعاون المع	Victims uncle id'd body
	- 15 Jan 04 Thursday 1130 - He was not the
	one to pul body out of water -
	Body was floating when found in River by locals
**************************************	- Body was also brought to Father on same day
	and he Id'd body - yes it was his 500
	- who took the tideo (decrased brother took video victim)
	- Victim took pictures of Vehicle
	b6-3, b7c-3
•	015439 000010

s-tietms. 5-tietms. 3-tietms.

Hart post.

- Dam -

Other people to ID Body

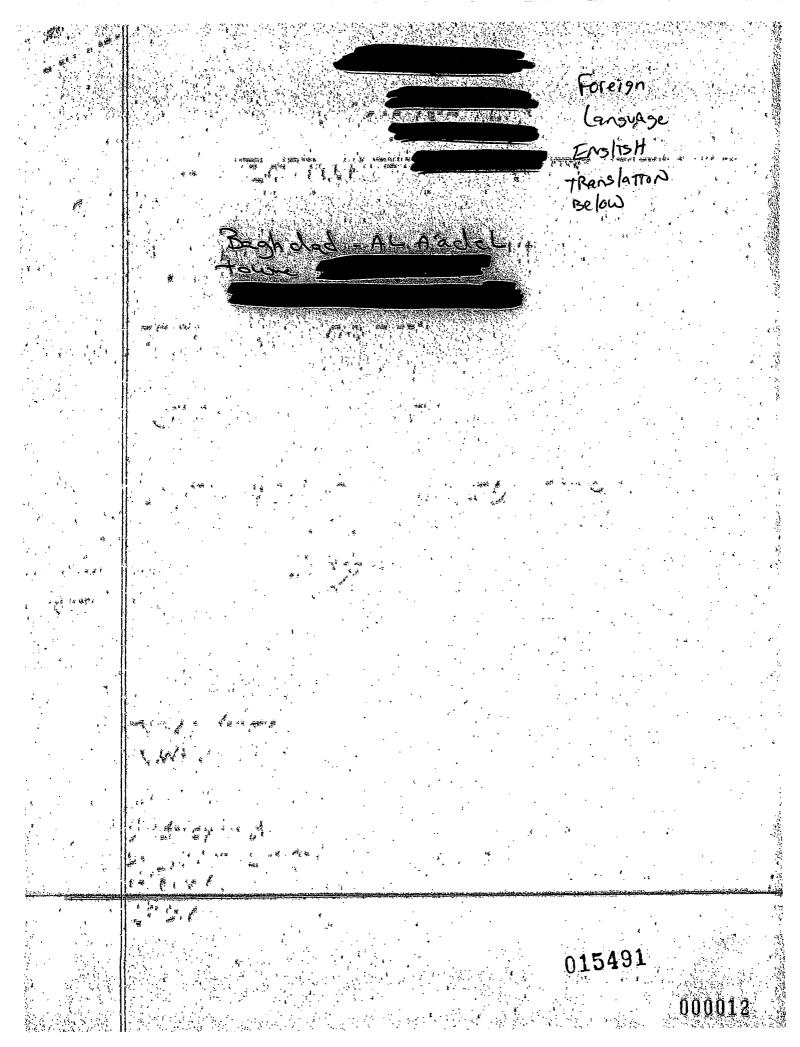
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Eggineet Statement

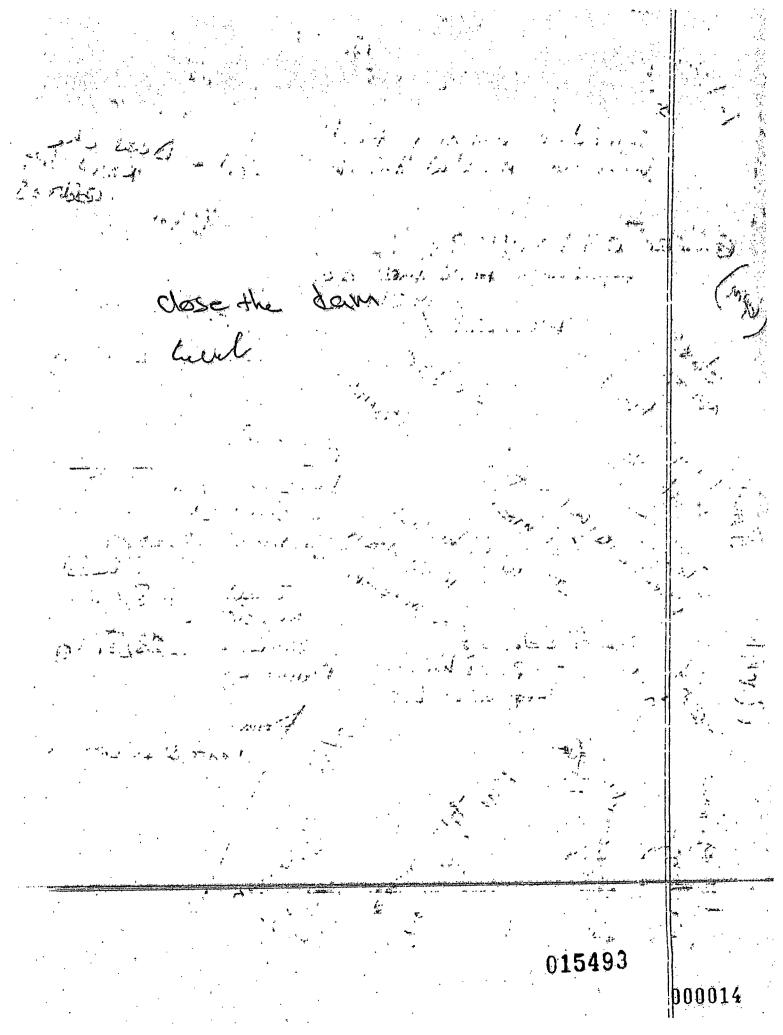
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____ Civilian Agency Records

DEPARTMENT OF THE ARMY

UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND
3rd MILITARY POLICE GROUP (CID)
78th MILITARY POLICE DETACHMENT (CID) (FWD)
Detainee Abuse Task Force
BAGHDAD, IZ
APO AE 09342

CIMPR-FR

27 October 2004

- (U) MEMORANDUM FOR SEE DISTRIBUTION
- (U) SUBJECT: CID REPORT OF INVESTIGATION CORRECTED FINAL (C)/SSI 0232-04-CID259-80267–/5C2B/5Y2E
- (U) DATES/TIMES/LOCATIONS OF OCCURRENCES:
- 1. 8 JUN 2004/ 0600 11 JUN 2004/ 2359; UNKNOWN LOCATION NEAR MUDIA, IRAO.
- (U) DATE/TIME REPORTED: 27 JUL 2004, 0900

(U) SUBJECT: 1. (UNKNOWN); (NFI); [ASSAULT] [CRUELTY AND MALTREATMENT]

(U) VICTIM: 1.
INTERNMENT SERIAL NUMBER (ISN).
WHITE; XZ: DATE OF CAPTURE: 8 JUN 04; AKA:

CIV: IRAQI; M. 66-4, 67C-4 66-4, 67C-4

[ASSAULT] [CRUELTY AND MALTREATMENT]

- (U) INVESTIGATIVE SUMMARY:
- (U) On 27 Jul 04, this office received Memorandum of Transmittal (MOT) 0090-04-CID789, from the Prisoner Interview/Interrogation Team (PIT), 75th Military Police Detachment (CID), Baghdad Central Confinement Facility (BCCF), Abu Ghraib, IZ, APO AE 09342, regarding allegations Mr. was abused by U.S. Coalition Forces.

SECRET-NOFORN LAW ENFORCEMENT SENSITIVE

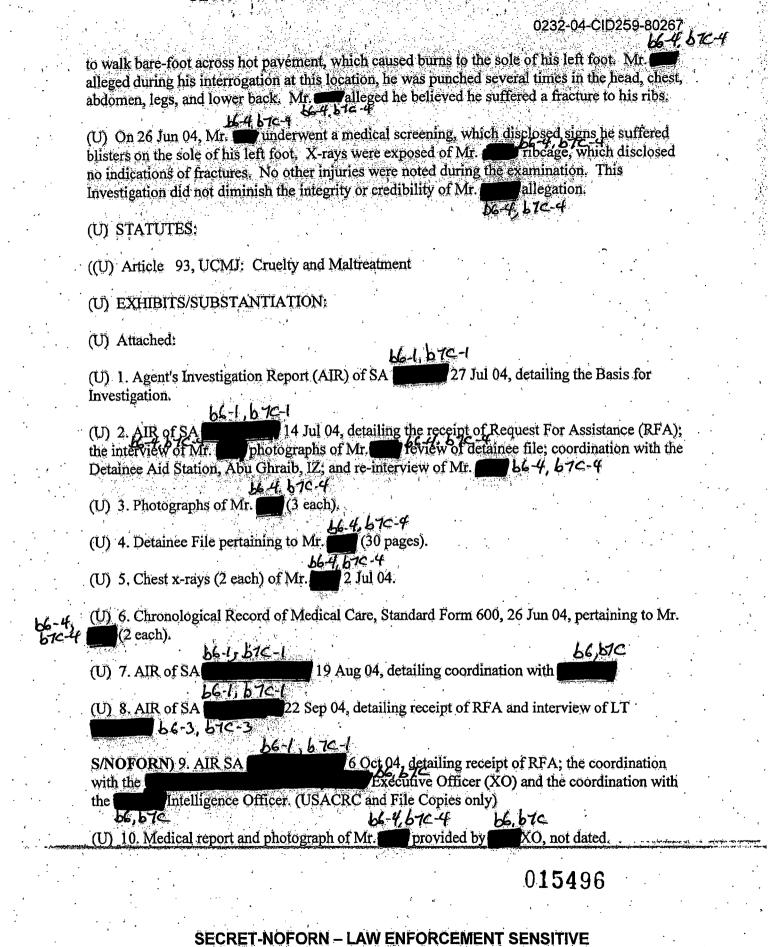
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2.67-2 FROM CLASSIPIED ENCLOSURES

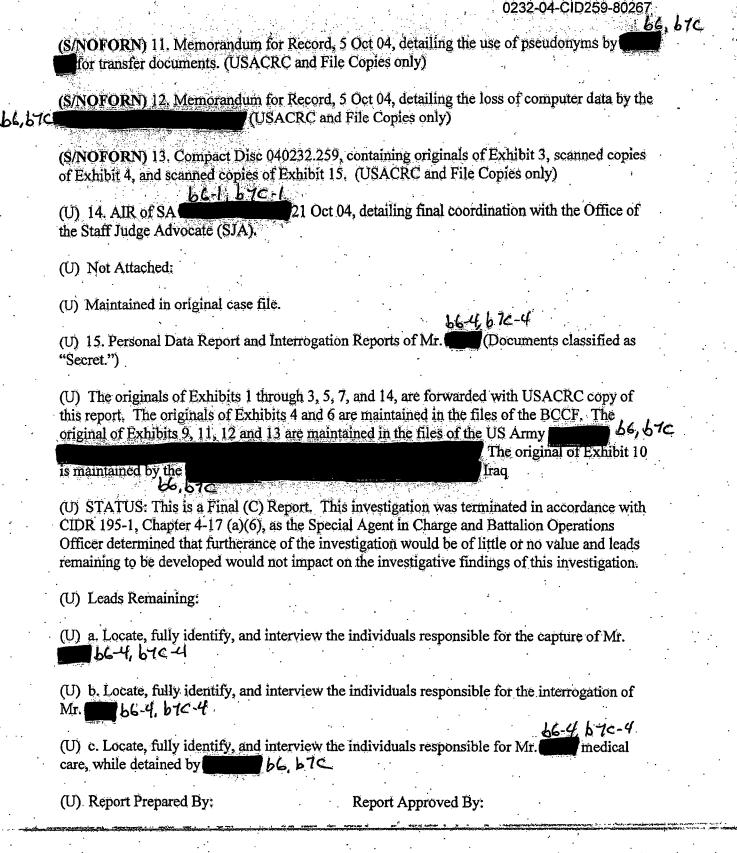
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ACLU-RDI 1563 p.167

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SECRET-NOFORN - LAW ENFORCEMENT SENSITIVE



015497

SECRET-NOFORN - LAW ENFORCEMENT SENSITIVE

000001-2

Special Agent,

Special Agent in Charge

ATTN: SA

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Thru; CDR, 3rd MP Group (CID)

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