

COMMANDER'S REPORT OF DISCIPLINARY OR ADMINISTRATIVE ACTION <small>For use of this form, see AR 190-45; the proponent agency is DDCSOPS</small>		SUSPENSE DATE (YYYYMMDD) 2003/10/23																								
PRIVACY ACT STATEMENT																										
AUTHORITY:	Title 10 USC Section 301; Title 6 USC Section 2851; E.O. 9397 dated November 22, 1943 (SSN).																									
PRINCIPAL PURPOSE:	To provide commanders and law enforcement officials with means by which information may be accurately identified.																									
NOTICE USER:	Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.																									
DISCLOSURE:	Disclosure of your social security number is voluntary.																									
1. THRU Commander 2/3rd Special Forces Grp Fort Bragg, NC 28310	2. TO Special Agent in Charge 87th MP Det (CID) Fort Bragg, NC 28310	3. FROM Commander Opn Det Alpha, 2/3rd Special Forces Grp Fort Bragg, NC 28310																								
4. USACRC CONTROL NUMBER 1130-02-CID023	5. MP REPORT NUMBER 0114-02-CID369-23525	6. SUB-INSTALLATION IDENTIFIER																								
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7. NAME OF SUBJECT (Last, First, MI) [REDACTED]	8. GRADE CPT	9. SSN [REDACTED]																								
10. DATE OF BIRTH (YYYYMMDD) [REDACTED]	11a. OFFENSE(S) 67C-5, B6-5	11b. DATE OF OFFENSE(S) 2002/08/28																								
Conspiracy, Dereliction of Duty, Murder, Obstruction of Justice		2002/08/28																								
12. ACTION TAKEN																										
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<input type="checkbox"/> m. OTHER (For example, suspension of driving privileges. Explain in Remarks.)																										

DA FORM 4833, DEC 1999

DA FORM 4833, JUN 80, IS OBSOLETE

16. REMARKS

b7C-3, b6-3
PER CPT [REDACTED] SJA, SPECIAL OPS COMMAND

16a. TYPED NAME AND GRADE OF COMMANDING OFFICER
[REDACTED] SPECIAL AGENT IN CHARGE *b7C-1, b6-1*

16b. SIGNATURE
[REDACTED] *b7C-1, b6-1*

16c. DATE OF REPORT (YYYYMMDD)
2004/03/08

PAGE 2, DA FORM 4833, DEC 1998

COMMANDER'S REPORT OF DISCIPLINARY OR ADMINISTRATIVE ACTION For use of this form, see AR 100-45; the proponent agency is DDCSOPG		SUSPENSE DATE (YYYYMMDD) 2003/10/23
PRIVACY ACT STATEMENT		
AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2851; E.O. 1387 dated November 21, 1943 (SSN). PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified. ADDITIONAL USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval. DISCLOSURE: Disclosure of your social security number is voluntary.		
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4. USACRG CONTROL NUMBER 1130-02-CID023	5. MP REPORT NUMBER 0114-02-CID369-23525	6. SUB-INSTALLATION IDENTIFIER
To be completed by the commander or supervisor of the subject identified below and in corresponding MP/CD report. Check all applicable blocks. Briefly explain circumstances not covered by blocks. For multiple offenses resulting in more than one type of action taken or action taken for offenses not listed in the report, explain in block 15, Remarks, which offenses apply to blocks checked and action taken for other offenses. Retain last copy and return all others to address indicated in "TO" block on completion of final action.		
7. NAME OF SUBJECT (Last, First, MI) <i>(67C-5) 66-5</i>	8. GRADE SFC	9. SSN [REDACTED]
10. DATE OF BIRTH (YYYYMMDD) [REDACTED]	11a. OFFENSES <i>(67C-5) 66-5</i>	11b. DATE OF OFFENSES 2002/08/28
Conspiracy, Dereliction of Duty, Murder		
12. ACTION TAKEN <input checked="" type="checkbox"/> a. NONE <input type="checkbox"/> (1) INSUFFICIENT EVIDENCE <input type="checkbox"/> (2) OTHER (Explain in Remarks) * Subject was advised that although no action was taken, the report would be retained in Army records and that requests for amendment, correction, or expungement may be submitted IAW AR 100-45 (MP Reports) or AR 100-2 (CD Reports). <input type="checkbox"/> b. ADMINISTRATIVE REFERRED TO (Check appropriate blocks) DATE REFERRED (YYYYMMDD) DATE RESPONDED (YYYYMMDD) F = FAMILY ADVOCACY D = DRUG/ALCOHOL ABUSE S = SPECIAL REFERRAL E = EQUAL OPPORTUNITY L = LEGAL OFFICE M = MENTAL HEALTH R = RELIEF AGENCY <input type="checkbox"/> c. NONJUDICIAL (Article 15, UCMJ) <input type="checkbox"/> COMPANY GRADE <input type="checkbox"/> FIELD GRADE <input type="checkbox"/> SUMMARIZED <input type="checkbox"/> GCM AUTHORITY <input type="checkbox"/> GENERAL OFFICER <input type="checkbox"/> d. JUDICIAL (If subject was tried by court-martial attach a copy of the court-martial order giving findings and sentences.) <input type="checkbox"/> SUMMARY COURT-MARTIAL <input type="checkbox"/> GENERAL COURT-MARTIAL <input type="checkbox"/> SPECIAL COURT-MARTIAL <input type="checkbox"/> CIVIL COURT		
13. JUDICIAL FINDINGS <input type="checkbox"/> GUILTY <input type="checkbox"/> DISMISSED <input type="checkbox"/> NOT GUILTY <input type="checkbox"/> OTHER (For example, guilty of a lesser included offense. Explain in Remarks.)		
14. RESULTANT SENTENCES, PUNISHMENTS, OR ADMINISTRATIVE ACTION <input type="checkbox"/> a. REPRIMAND <input type="checkbox"/> b. ADMONITION <input type="checkbox"/> (1) ORAL <input type="checkbox"/> (2) IN WRITING <input type="checkbox"/> c. DETENTION <input type="checkbox"/> d. FORFEITURE <input type="checkbox"/> e. FINED \$ _____ MONTHS <input type="checkbox"/> f. REDUCED FROM _____ TO _____ <input type="checkbox"/> g. EXTRA DUTY FOR _____ DAYS <input type="checkbox"/> h. RESTRICTED FOR _____ DAYS <input type="checkbox"/> i. CORRECTIONAL CUSTODY FOR _____ DAYS <input type="checkbox"/> j. CONFINED _____ YEARS _____ MONTHS <input type="checkbox"/> k. PUNITIVE DISCHARGE ADJUDGED TYPE: _____ <input type="checkbox"/> l. ADMINISTRATIVE DISCHARGE _____ EFFECTIVE DATE _____ <input type="checkbox"/> m. OTHER (For example, suspension of driving privileges. Explain in Remarks.)		

DA FORM 4833, DEC 1998

DA FORM 4833, JUN 80, IS OBSOLETE

15. REMARKS

(b7c-3, b6-3)

PER CPT [REDACTED] SJA, SPECIAL OPS COMMAND

16a. TYPED NAME AND GRADE OF COMMANDING OFFICER

[REDACTED], SPECIAL AGENT IN CHARGE b7c-1, b6-1

18a. SIGNATURE

[REDACTED] b7c-1, b6-1

18c. DATE OF REPORT (YYYYMMDD)

2004/03/08

COMMANDER'S REPORT OF DISCIPLINARY OR ADMINISTRATIVE ACTION		SUSPENSE DATE (YYYYMMDD)																					
For use of this form, see AR 198-45; the proposing agency is DDCSOPF		2003/10/23																					
PRIVACY ACT STATEMENT																							
ARTICULARITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSA2). PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified. ROUTINE USES: Your social security number is used as an additional means of identification to facilitate filing and retrieval. DISCLOSURE: Disclosure of your social security number is voluntary.																							
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DA FORM 4833, DEC 1998

DA FORM 4833, JUN 80, IS OBSOLETE

15. REMARKS

b7c-3, b6-3

PER CPT [REDACTED] SJA, SPECIAL OPS COMMAND

16a. TYPED NAME AND GRADE OF COMMANDING OFFICER

[REDACTED] SPECIAL AGENT IN CHARGE b7c-1, b6-1

18b. SIGNATURE

[REDACTED] b7c-1, b6-1

18c. DATE OF REPORT (YYYYMMDD)

2004/03/08

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COMMANDER'S REPORT OF DISCIPLINARY OR ADMINISTRATIVE ACTION For use of this form, see AR 180-45; the proponent agency is DDCSOPB		SUSPENSE DATE (YYYYMMDD) 2003/10/23																					
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DA FORM 4833, DEC 1988

DA FORM 4833, JUN 80, IS OBSOLETE

15. REMARKS

b7c-3, b6-3
PER CPT [REDACTED] SJA, SPECIAL OPS COMMAND

16a. TYPED NAME AND GRADE OF COMMANDING OFFICER

[REDACTED] SPECIAL AGENT IN CHARGE *b7c-5, b6-5*

16b. SIGNATURE

[REDACTED] *b7c-5, b6-5*

16c. DATE OF REPORT (YYYYMMDD)

2004/03/08

PAGE 2, DA FORM 4833, DEC 1998

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7. NAME OF SUBJECT <i>Rest. Fmt. M9</i> [REDACTED]	8. GRADE CW2	9. SSN [REDACTED]	10. DATE OF BIRTH (YYYYMMDD) <i>b7c-5, b6-5</i> [REDACTED]																					
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R = RELIEF AGENCY																								
13. JUDICIAL FINDINGS <input type="checkbox"/> GUILTY <input type="checkbox"/> DISMISSED <input type="checkbox"/> NOT GUILTY <input type="checkbox"/> OTHER (For example, guilty of a lesser included offense. Explain in Remarks.)																								
14. RESULTANT SENTENCES, PUNISHMENTS, OR ADMINISTRATIVE ACTION <input type="checkbox"/> a. REPRIMAND <input type="checkbox"/> b. ADMONITION <input type="checkbox"/> (1) ORAL <input type="checkbox"/> (2) IN WRITING <input type="checkbox"/> c. DETENTION <input type="checkbox"/> d. FORFEITURE <input type="checkbox"/> e. FINED \$ _____ / _____ MONTHS <input type="checkbox"/> f. REDUCED FROM _____ TO _____ <input type="checkbox"/> g. EXTRA DUTY FOR _____ DAYS <input type="checkbox"/> h. RESTRICTED FOR _____ DAYS <input type="checkbox"/> i. CORRECTIONAL CUSTODY FOR _____ DAYS <input type="checkbox"/> j. CONFINED _____ YEARS _____ MONTHS <input type="checkbox"/> k. PUNITIVE DISCHARGE ADJUDGED TYPE: _____ <input type="checkbox"/> l. ADMINISTRATIVE DISCHARGE EFFECTIVE DATE _____ <input type="checkbox"/> m. OTHER (For example, suspension of driving privileges. Explain in Remarks.)																								

DA FORM 4833, DEC 1988

DA FORM 4833, JUN 80, IS OBSOLETE

15. REMARKS

PER CPT *b7C-3, b6-3* [REDACTED] SJA, SPECIAL OPS COMMAND

16a. TYPED NAME AND GRADE OF COMMANDING OFFICER

[REDACTED] SPECIAL AGENT IN CHARGE *b7C-1, b6-1*

16b. SIGNATURE

[REDACTED] *b7C-1, b6-1*

16c. DATE OF REPORT (YYYYMMDD)

2004/03/08

PAGE 2, DA FORM 4833, DEC 1998

DEPARTMENT OF THE ARMY
87TH MP DETACHMENT (ABN) (CID) (FWD)
CAMP STRONGHOLD FREEDOM
APO AE 09311

CICR-EF

23 May 2003

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL - 0114-02-CID369 -
23525 - 5H1A / 5X4 / 5Y2 / 7X2 / 7X6 / 9G2A / 9G2C / 9G2E

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 28 Aug 2002/1500 - 28 Aug 2002/1800; ROAD ADJACENT TO
U.S. ARMY FIRE BASE, LWARA, Afghanistan

DATE/TIME REPORTED: 25 Sep 2002, 1630

INVESTIGATED BY: SA [REDACTED] *b7C-1, b6-1, b2*

b7C-5, b6-5 SUBJECT: 1. [REDACTED] *b7C-5, b6-5* CPT ; [REDACTED] *b7C-5, b6-5*
[REDACTED] M; WHITE; ODA 343, 2/3RD SPECIAL FORCES
GROUP, BAGRAM AIR FIELD, AFGHANISTAN, APO AE 09354;
[CONSPIRACY], [DERELICTION OF DUTY], [MURDER], [OBSTRUCTION OF
JUSTICE].

b7C-5, b6-5 2. [REDACTED] *b7C-5, b6-5* SFC ; [REDACTED] *b7C-5, b6-5*
[REDACTED] M; WHITE; ODA 343, 2/3RD SPECIAL FORCES
GROUP, BAGRAM AIR FIELD, AFGHANISTAN, APO AE 09354;
[CONSPIRACY], [DERELICTION OF DUTY], [MURDER].

b7C-5, b6-5 3. [REDACTED] *b7C-5, b6-5* SSG ; [REDACTED] *b7C-5, b6-5*
[REDACTED] M; WHITE; ODA 343, 2/3RD SPECIAL FORCES
GROUP, BAGRAM AIR FIELD, AFGHANISTAN, APO AE 09354;
[CONSPIRACY], [MURDER].

b7C-5, b6-5 4. [REDACTED] *b7C-5, b6-5* SSG ; [REDACTED] *b7C-5, b6-5*
[REDACTED] M; WHITE; ODA 343, 2/3RD SPECIAL FORCES
GROUP, BAGRAM AIR FIELD, AFGHANISTAN, APO AE 09354;
[CONSPIRACY], [DERELICTION OF DUTY], [MURDER].

b7C-5, b6-5 5. [REDACTED] *b7C-5, b6-5* CW2 ; [REDACTED] *b7C-5, b6-5*
[REDACTED] M; WHITE; ODA 343, 2/3RD SPECIAL FORCES
GROUP, BAGRAM AIR FIELD, AFGHANISTAN, APO AE 09354; [ACCESSORY
AFTER THE FACT].

VICTIM: 1. SAYARI, MOHAMED [DECEASED]; CIV; Afghanistan;
MORGAH, Afghanistan; M; OTHER; LWARA, Afghanistan; [NFI];
[CONSPIRACY], [MURDER].

2. US GOVERNMENT (2/3RD SF GROUP) BAF, APO AE 09354;
[ACCESSORY AFTER THE FACT], [DERELICTION OF DUTY], [OBSTRUCTION

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OF JUSTICE].

INVESTIGATIVE SUMMARY:

"This is a Camp Stronghold Freedom Investigation."

b7c-4, b6-4
This investigation was initiated upon notification from SSG [redacted] A Co, 519th Military Intelligence Battalion, Bagram Air Field, Afghanistan, APO AE 09354 (BAF), that he was suspicious of the shooting death of Mr SAYARI by a Special Forces team.

-5,5,5, b6-5,5,5
Investigation established probable cause to believe SFC [redacted] *b7c-5, b6-5*
c-5,5, b6-5,5 SSG [redacted], CPT [redacted] and SSG [redacted] committed the offenses of Murder and Conspiracy when they conspired to lure Mr SAYARI into an ambush to murder him. SFC [redacted] and SSG [redacted] shot and killed Mr SAYARI upon detaining him.

b7c-5, b6-5
Investigation established probable cause to believe CPT [redacted] committed the offenses of Dereliction of Duty and Obstruction of Justice when he violated the unit standard operating procedures (SOP) for detaining captives and instructed SFC [redacted] *b7c-5, b6-5* (formerly SSG) to not forward certain incriminating photographs of SAYARI's body, and to destroy them. SFC [redacted] and SFC [redacted] committed the offense of Dereliction of Duty when they violated SOP for detaining captives. SSG [redacted] did not commit the *b7c-5, b6-5* offense of Dereliction of Duty as he was not directly involved in handling a detained captive.

b7c H6
Investigation established probable cause to believe CW2 [redacted] committed the offense of Accessory After the Fact when he took the weapon that Mr. SAYARI allegedly had prior to the shooting and lost it.

STATUTES:

- ARTICLE 92, UCMJ: DERELICTION OF DUTY
- ARTICLE 81, UCMJ: CONSPIRACY
- ARTICLE 118, UCMJ: MURDER
- ARTICLE 78, UCMJ: ACCESSORY AFTER THE FACT
- ARTICLE 134, UCMJ: OBSTRUCTION OF JUSTICE

EXHIBITS/SUBSTANTIATION:

Attached:

- 1. Agent's Investigation Report (AIR) of SA [redacted] *b7c-1, b6-1* 7 Nov 02, detailing the initial notification; receipt of original results of Commanders Inquiry; interviews of SFC [redacted], SSG [redacted] *SSG-b7c-5, b6-5* [redacted] SFC [redacted] SSG [redacted] CPT [redacted] SFC [redacted] SSG [redacted] SSG [redacted] CW2 [redacted] SPC [redacted] SFC [redacted] SSG [redacted] Afghan Commander [redacted] CPT [redacted] SPC [redacted] SGT [redacted] and PFC [redacted] collection of evidence; canvass interviews; *- b7c-3, b6-3* and coordinations with the Office of the Staff Judge Advocate *- b7c-5, 3, 5, 4, 3, b6-5, 3, 5, 4, 3*
- b7c-4, 3, 5, 5, 5, b6-4, 3, 5, 5* *b7c-3, 3, 3, 3, 2, b6-3, 3, 3, 3, 3*

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(SJA), unit commanders, and Afghan tribal leaders.

2. Copy of Request for and Results of Commanders Inquiry, which included Request for Commanders Inquiry, 29 Aug 02, requested by BG MIXON; Results of Commanders Inquiry, 10 Sep 02, completed by CPT [REDACTED]; Results of Commanders Inquiry, 24 Sep 02, completed by LTC [REDACTED]; Enclosure A (Background Intelligence) to Command Inquiry; Sworn Statement of SSG [REDACTED]; Sworn Statement of SFC [REDACTED]; Sworn Statement of CPT [REDACTED]; Sworn Statement of SSG [REDACTED]; sketch prepared by ODA 343 depicting death scene; and (10) photographs supplied by ODA 343 for the Commanders Inquiry.

3. Sworn Statement of SFC [REDACTED] ^{b7c-5) b6-5}, 26 Sep 02, in which he detailed the shooting of Mr. SAYARI.

4. Rough Sketch by SFC [REDACTED] ^{b7c-5) b6-5}, 26 Sep 03, of the death scene.

5. Sworn Statement of SSG [REDACTED] ^{b7c-4) b6-4}, 27 Sep 02, in which he detailed his knowledge of this investigation.

6. Waiver Certificate and Sworn Statement of SSG [REDACTED] ^{b7c-5) b6-5}, 30 Sep 02, in which he denied being involved in the shooting of Mr. SAYARI.

7. Waiver Certificate and Sworn Statement of CPT [REDACTED] ^{b7c-5) b6-5}, 30 Sep 02, in which he denied being involved in the shooting of Mr. SAYARI.

8. Non-Waiver Certificate of SFC [REDACTED] ^{b7c-5) b6-5}, 30 Sep 02.

9. Non-Waiver Certificate of SSG [REDACTED] ^{b7c-5) b6-5}, 30 Sep 02.

10. Sworn Statement of CW2 [REDACTED] ^{b7c-5) b6-5}, 1 Oct 02, in which he detailed his knowledge of this investigation.

11. Sworn Statement of SPC [REDACTED] ^{b7c-4) b6-4}, 2 Oct 02, in which he detailed his knowledge of this investigation.

12. Sworn Statement of SSG [REDACTED] ^{b7c-4) b6-4}, 2 Oct 02, in which he detailed his knowledge of this investigation.

13. Rough Sketch of death scene completed by Mr. [REDACTED] ^{b7c-8) b6-8}, 3 Oct 02.

14. Rights Non-Waiver Certificate of CPT [REDACTED] ^{b7c-5) b6-5}, 6 Oct 02.

15. Rights Non-Waiver Certificate of SSG [REDACTED] ^{b7c-5) b6-5}, 6 Oct 02.

16. Sworn Statement of SFC [REDACTED] ^{b7c-5) b6-5}, 9 Oct 02, in which he further detailed his knowledge of this investigation.

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17. Rough Sketch by SPC [REDACTED] 11 Oct 02. *b7C-4/b6-4*
18. Sworn Statement of 2LT [REDACTED] 20 Oct 02, in which he detailed his knowledge of this investigation. *b7C-4/b6-4*
19. Sworn Statement of SFC [REDACTED] 20 Oct 02, in which he detailed his knowledge of this investigation. *b7C-4/b6-4*
20. Handwritten Statement of PFC [REDACTED] not dated. *b7C-3, b6-3*
21. Handwritten Statement of SSG [REDACTED] 20 Oct 02. *b7C-3, b6-3*
22. Handwritten Statement of SSG [REDACTED] 20 Oct 02. *b7C-3, b6-3*
23. Handwritten Statement of SPC [REDACTED] 21 Oct 02. *b7C-3, b6-3*
24. Handwritten Statement of PFC [REDACTED] 21 Oct 02. *b7C-3, b6-3*
25. Handwritten Statement of PFC [REDACTED] 21 Oct 02. *b7C-3, b6-3*
26. Handwritten Statement of PFC [REDACTED] 21 Oct 02. *b7C-3, b6-3*
27. Handwritten Statement of SPC [REDACTED] 21 Oct 02. *b7C-3, b6-3*
28. Handwritten Statement of PFC [REDACTED] 21 Oct 02. *b7C-3, b6-3*
29. Handwritten Statement of PFC [REDACTED] 21 Oct 02. *b7C-3, b6-3*
30. Handwritten Statement of PFC [REDACTED] 21 Oct 02. *b7C-3, b6-3*
31. Handwritten Statement of PFC [REDACTED] 21 Oct 02. *b7C-3, b6-3*
32. Handwritten Statement of CPL [REDACTED] 21 Oct 02. *b7C-3, b6-3*
33. Canvass Interview worksheet, 22 Oct 02, of personnel assigned to A Co, 1/505th Parachute Infantry Regiment (PIR), 82D Airborne Division, Kandahar Airfield, APO AE 09355 (KAF).
34. Canvass Interview worksheet, 22 Oct 02, of personnel assigned to A Co, 1/505th PIR, 82D Airborne Division, KAF.
35. Crime Lab Examination Request, 27 Oct 02, requesting the examination of collected evidence. (USACIDC and file copies only)
36. Sworn Statement of CPT [REDACTED] 7 Nov 02, in which he detailed his knowledge of this investigation. *b7C-4/b6-4*
37. Sworn Statement of SPC [REDACTED] 7 Nov 02, in which he detailed his knowledge of this investigation. *b7C-4/b6-4*
38. Sworn Statement of SGT [REDACTED] 7 Nov 02, in which he detailed his knowledge of this investigation. *b7C-4/b6-4*

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39. Sworn Statement of PFC [redacted] 7 Nov 02, in which he detailed his knowledge of this investigation.

40. AIR of SA [redacted] this office, 2 Oct 02, detailing the interview of SSG [redacted]

41. Rough Sketch of the death scene, by SA [redacted]

42. AIR of SA [redacted] 2 Oct 02, detailing the interviews of SPC [redacted] and SFC [redacted]

43. Sworn Statement of SPC [redacted] 1 Oct 02, in which he detailed his knowledge of this investigation.

44. Rough Sketch of the death scene, by SPC [redacted] 1 Oct 02.

45. Sworn Statement of SFC [redacted] 1 Oct 02, in which he detailed his knowledge of this investigation.

46. AIR of SA [redacted] 18 Oct 02, detailing the interviews of Mr. [redacted] and Dr. [redacted]

47. AIR of SA [redacted] 10 Dec 02, detailing receipt of Commanders Inquiry; collection of evidence; coordination with US Army Criminal Investigation Laboratory; receipt of Laboratory Results; interviews of MSG [redacted] SSG [redacted] SSG [redacted] CW2 [redacted] SSG [redacted] SSG [redacted] SFC [redacted] SFC [redacted] SPC [redacted] SPC [redacted] SFC [redacted] CPT [redacted] CW3 [redacted] LTC [redacted] MAJ [redacted] collection of unit maintenance records; and coordinations with SJA.

48. Commanders Inquiry, 10 Jun 02, consisting of the following documents: Memorandum for Commander, Combined Joint Special Operations Task Force-Afghanistan (CJSOTF-A), Bagram, Afghanistan, signed by LTC [redacted] Memorandum for Commander, CJSOTF-A, Bagram, Afghanistan, signed by MAJ [redacted] DA Form 1574 (Report of Proceedings by Investigating Officer/Board of Officers); Memorandum for Commander, 2d Battalion, 3d SFG, signed by CPT [redacted] Memorandum for MAJ [redacted] XO, FOB 32, Kandahar, Afghanistan, signed by LTC [redacted] AAR documenting the incident on 2 Jun 02; statement of SPC [redacted] statement of SSG [redacted] statement of SFC [redacted] statement of SSG [redacted] statement of SFC [redacted] statement of SSG [redacted] statement of SFC [redacted] Memorandum for Commander, CJSOTF-A, signed by CPT [redacted] Memorandum for Commander, CJSOTF-A, signed by BG MIXON; Memorandum for Commander, CJSOTF-A, signed by CPT [redacted] Memorandum for Commander, CJSOTF-A, signed by CPT [redacted] Memorandum for Commander, CJSOTF-A, signed by CPT [redacted]; Intelligence background pertaining to SAYARI; sworn statement of SSG [redacted] 24 Sep 02; sworn statement of SFC [redacted] 24 Sep 02; sworn statement of SSG [redacted] 24 Sep 02; sworn statement of CPT [redacted]

b7C-5/b6-5
 [REDACTED] 24 Sep 02; statement detailing actions of SF personnel on 28 Aug 02 (appears to be statement of CW2 [REDACTED]; Memorandum for CPT [REDACTED] signed by COI [REDACTED] and a sketch of the death scene/pertaining to SAYARI. *b7C-3/b6-3*

49. FB Form 2488-1, Weapons and Ammunition Control Sheet/Log, pertaining to members of ODA 343 on which they signed out their weapons from the unit arms room.

50. DA Form 5990-E, Maintenance Request, 29 Oct 02, pertaining to 2/3d SFG.

51. (12) DA Form 2404, Equipment Inspection And Maintenance Worksheet, 28 Oct 02, pertaining to M-4 weapons assigned to 2/3d SFG personnel.

52. Weapons assignment sheet, 26 Feb 02, pertaining to 2/3d SFG personnel.

53. DA Form 3655, Crime Lab Examination Request, 6 Nov 02, requesting the examination of the weapons assigned to 2/3d SFG personnel. (USACIDC and file copies only)

54. U.S. Army Criminal Investigation Laboratory (USACIL) Examination Report, 2002-CID131-2225, 2 Dec 02, reporting that an examination of the submitted 5.56mm caliber cartridge and full metal jacketed bullet were identified as having been fired in and through the M-4, serial number W339108, assigned to SFC [REDACTED] *b7C-4, b6-4*

55. Sworn Statement of SSG [REDACTED] *b7C-4/b6-4* 7 Nov 02, in which he detailed his knowledge of this investigation.

56. Waiver Certificate and Sworn Statement of SSG [REDACTED] *b7C b6* 12 Nov 02, in which he detailed his knowledge of this investigation.

57. Waiver Certificate and Sworn Statement of CW2 [REDACTED] *b7C-4/b6-4* 12 Nov 02, in which he detailed his knowledge of this investigation.

58. Sworn Statement of SSG [REDACTED] *b7C-4/b6-4* 14 Nov 02, in which he detailed his knowledge of this investigation.

59. Waiver Certificate and Sworn Statement of SFC [REDACTED] *b7C-4/b6-4* 14 Nov 02, in which he detailed his knowledge of this investigation.

60. Sworn Statement of SSG [REDACTED] *b7C-4/b6-4* 5 Nov 02, in which he detailed his knowledge of the incident in Jun 02.

61. Sworn Statement of SSG [REDACTED] *b7C-4/b6-4* 5 Nov 02, in which he detailed his knowledge of the incident in Jun 02.

62. Sworn Statement of SFC [REDACTED] ^{b7c-4, b6-4} 14 Nov 02, in which he detailed his knowledge of this investigation.

63. AIR of SA [REDACTED] ^{b7c-1, b6-1} 17 Dec 02, detailing the interview of CW2 [REDACTED] ^{b7c-5, b6-5} and the receipt of USACIL Examination Report 2002-CID131-2225.

64. Photographic packet comprised of 15 photographs.

65. AIR of SA [REDACTED] ^{b7c-1, b6-1}, 10 Apr 03, detailing Other Significant Interviews.

66. AIR of SA [REDACTED] ^{b7c-1, b6-1} 23 May 03, detailing the receipt of the USACIL Report, Other Interviews, and Final SJA Coordination.

67. USACIL Laboratory Examination Report, 2002-CID131-2225, 22 Jan 03

68. Compact disc 02-CID131-2225, containing all photographic images and originals of Exhibit 64. (USACRC copy only)

69. (1-6) DA Form 4137, Evidence/Property Custody Documents, Document Numbers (DN) 046-02, 047-02, 048-02, 049-02, 650-02, and 651-02, various dates. (USACIDC and file copies only)

Not Attached:

Retained in the evidence depository, Ft Bragg, NC:

- 70. One zip disc (SFC [REDACTED] ^{b7c-4, b6-4}), Item 1, DN 046-02.
- 71. One Sony laptop computer (US Government), Item 1, DN 047-02.
- 72. One bead necklace (SAYARI), Item 1, DN 048-02.
- 73. One shell casing, Item 1, DN 049-02.
- 74. One expended bullet, Item 2, DN 049-02.
- 75. One piece of metal, Item 3, DN 049-02.
- 76. Twelve M-4 rifles (US Government), Items 1 through 12, DN 650-02.
- 77. FB Form 2488-1, Weapons and Ammunition Control Sheet/Log (US Government), Item 13, DN 650-02.
- 78. Twelve 9mm M-9 pistols (US Government), Items 1 through 12, DN 651-02.

The originals of Exhibits 1, 33, 34, 40, 42, 63, 65 and 66 were forwarded with the USACRC copy of this report. The originals of Exhibits 2, 17, and 48 through 52 were maintained in the files

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of 2/3rd SFG, Fort Bragg, NC. The originals 3 through 16, 18 through 32, 36 through 39, 41, 43 through 45, 54 through 62, and 68 were maintained in the files of this office pending adjudication. The originals of Exhibits 35, 53, and 63 were maintained in the files of USACIL, Forest Park, GA. The originals of Exhibit 69 were maintained in the files of the evidence depository, Fort Bragg, NC.

STATUS: This is a final report. Commanders Report of Disciplinary Action Taken (DA Form 4833) is pending.

Report Prepared By

b7C-1/b6-1/b2

[REDACTED]

Special Agent

Report Approved By

b7C-1/b6-1

[REDACTED]

Special Agent in Charge

DISTRIBUTION:

- 1 - Director, US Army Crime Records Center, USACIDC, ATTN: CICR-CR, 6010 6th Street, Fort Belvoir, VA 22060 (original)
- 1 - Commander, 3rd Military Police Group (CID), Fort Gillem, GA 30297
- b7C-3/b6-3*
- 1 - Commander, 3d Military Police Group (CID) (FWD), ATTN: SA [REDACTED] Camp Doha, Kuwait (e-mail only/less exhibits)
- b7C-1/b6-1*
- 1 - Office of the Staff Judge Advocate, CJTF-180, ATTN: LTC [REDACTED] Bagram Air Field, APO AE 09354
- b7C-3, b6-3*
- 1 - Office of the Provost Marshal, ATTN: CPT [REDACTED] Bagram Air Field, APO AE 09354 (e-mail only/less exhibits)
- b7C-3/b6-3*
- 1 - Commander, Task Force Dragon, CJTF-180, ATTN: COL [REDACTED] Bagram Air Field, APO AE 09354 (e-mail only/less exhibits)
- b7C-3/b6-3*
- 1 - Chief of Staff, 82nd Airborne Division, ATTN: COL [REDACTED] Bagram Air Field, APO AE 09354 (e-mail only/less exhibits)
- b7C-3/b6-3*
- 1 - Commander, 2/3rd SFG, ATTN: LTC [REDACTED] Fort Bragg, NC 28310
- 1 - SJA, 3rd SFG, Fort Bragg, NC 28310
- 1 - Commander, HQ USACIDC, ATTN: CIOP-COP-CO, 6010 S. 6th Street, Fort Belvoir, VA 22060-5505
- 1 - Director, Armed Forces Institute of Pathology, AFIP Annex - Bldg 102, 1413 Research Blvd, Rockville, MD 20858
- 1 - File

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0114-02-CID369-23525

Page 1 of 7 Pages

DETAILS

All times indicated are in Zulu (Z). Local time is 4-1/2 hours plus.

At 1200, 25 Sep 02, SFC [REDACTED] A Co, 519th Military Intelligence (MI) Battalion, Bagram Airfield, Afghanistan, APO AE 09354 (BAF), reported a possible War Crime involving members of the 3rd Special Forces Group (SFG) assigned to Operational Detachment Alpha (ODA) 343 in Lwara, Afghanistan.

At 1205, 25 Sep 02, SA [REDACTED] and SA [REDACTED] this office, interviewed SFC [REDACTED] who stated he was attached to ODA 343 as a Counterintelligence Agent on 28 Aug 02. Approximately one hour after his arrival at Firebase (FB) Lwara, his team was called out to a road adjacent the FB to document the shooting death of a local Afghan known as Mohammed SAYARI (NFI). SFC [REDACTED] stated he exposed digital photographs of the scene, collected DNA samples (hair and blood), and obtained fingerprints from the body of SAYARI. SFC [REDACTED] stated he asked the members of ODA 343 what had occurred and did not feel as though their story was consistent with the evidence at the scene. Additionally, CPT [REDACTED] Team Commander, ODA 343, 3rd SFG, FB Lwara, instructed him to only provide certain photographs he [REDACTED] selected, to the Commander's Inquiry into the shooting requested by BG Benjamin R. MIXON, Director, Combined/Joint Staff, 18th Airborne Corps, Coalition Joint Task Force (CJTF)-180, BAF. SFC [REDACTED] stated the photographs selected were vague and did not include questionable photographs exposed at the scene. CPT [REDACTED] then instructed SFC [REDACTED] to delete all records of the photographs from his computer and took the zip disk containing all photographs. SFC [REDACTED] had made a copy of the zip disk and had forwarded that disk to his HQ at BAF. SFC [REDACTED] provided the zip disk to this office, which was collected as evidence and documented on a DA Form 4137, Evidence/Property Custody Document, Document Number (DN) 046-02.

At 1510, 25 Sep 02, SA [REDACTED] and SA [REDACTED] coordinated with CPT [REDACTED], Office of the Staff Judge Advocate (SJA), Combined Joint Special Operations Task Force (CJSOTF), BAF, who stated he conducted a Commander's Inquiry and was satisfied that the shooting of Mohamed SAYARI was justified, and therefore, no charges would be made against any of the SF personnel. CPT [REDACTED] stated he turned over all his paperwork to COL [REDACTED], Chief Legal, SJA, CJTF-180, BAF, in order to be briefed to LTG Dan MCNEIL, Commanding General, CJTF-180, BAF.

At 1630, 25 Sep 02, SA [REDACTED] and SA [REDACTED] briefed COL [REDACTED] on the status of this investigation. COL [REDACTED] agreed this incident warranted further investigation by USACIDC. COL [REDACTED] further briefed LTG MCNEIL, who agreed further investigation was warranted. Additionally, COL [REDACTED] stated he received 10 photographs with the Commander's Inquiry. A review of those photographs revealed the questionable photographs had not been included in the packet provided to COL [REDACTED]. COL [REDACTED] provided copies of the request for Commander's Inquiry from BG Benjamin R. MIXON, photographs submitted with the Commander's Inquiry, and Sworn Statements of CPT [REDACTED], SFC [REDACTED].

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED] 67C-1, 66-1, 62

ORGANIZATION

87th MP Det (CID), Bagram Airfield, Afghanistan
APO AE 09354

SIGNATURE

[REDACTED] 67C-1, 66-1

DATE

7 Nov 02

EXHIBIT

1

CID FORM 94

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DETAILS *b7c-5, b6-5* SSG *b7c-5, b6-5* and SSG *b7c-5, b6-5* all assigned to ODA 343, 3rd SFG. (See attached documentation for details)

At 1135, 26 Sep 02, SA *b7c-1, b6-1* and SA *b7c-1, b6-1* interviewed SFC *b7c-4, b6-4* who rendered a sworn statement in which he detailed his knowledge of this incident. (See Sworn Statement of SFC *b7c-4, b6-4* for details)

At 0745, 27 Sep 02, SA *b7c-1, b6-1* coordinated with LTC *b7c-3, b6-3* SJA, CJSOTF-A, BAF, who stated he would coordinate getting all ODA 343 team members to BAF for interviews. Additionally, LTC *b7c-3, b6-3* stated he would attempt to locate and fully identify all the team members prior to their arrival at BAF, to include SFC *b7c-3, b6-3* (NFI) and SPC *b7c-3, b6-3* (NFI).

At 0820, 27 Sep 02, SA *b7c-1, b6-1* coordinated with COL *b7c-3, b6-3* and requested coordinations be completed for the exhumation of SAYARI's remains.

At 0934, 27 Sep 02, SA *b7c-1, b6-1* interviewed SSG *b7c-6, b6-6* A Co, 519th MI Bn, BAF, who rendered a sworn statement in which he detailed receiving evidence and original photographs from SFC *b7c-1, b6-1* (See Sworn Statement of SSG *b7c-6, b6-6* for details)

At 0940, 27 Sep 02, SA *b7c-1, b6-1* interviewed SFC *b7c-4, b6-4* CJSOTF-A, BAF, who stated he attempted to track down the documents SAYARI had on him at the time of the shooting, as CPT *b7c-3, b6-3* had asked him if he could obtain them for his Commander's Inquiry investigation. SFC *b7c-3, b6-3* said he knew the documents had been sent to the Document Exploitation (DOCEX) cell at BAF, as it was standard routine to do so. He spoke with SFC *b7c-3, b6-3* who told him SPC *b7c-3, b6-3* (NFI) had taken everything to the Bagram Collection Point (BCP), BAF, and had turned everything over to SSG *b7c-3, b6-3*. SFC *b7c-3, b6-3* attempted to collect the documents from SSG *b7c-3, b6-3* however, SSG *b7c-3, b6-3* told him everything had been turned over to the Defense Investigative Agency (DIA) DOCEX, BAF. Once SFC *b7c-3, b6-3* coordinated with the DIA DOCEX *b7c-3, b6-3* (NFI) informed him they had never received the documents. SFC *b7c-3, b6-3* stated he was never able to locate any of the documents, and had never looked for any photographs or DNA evidence as he was only trying to locate the documents for CPT *b7c-3, b6-3*. Additionally, SFC *b7c-3, b6-3* stated SFC *b7c-3, b6-3* (NFI) and SPC *b7c-3, b6-3* (NFI) were part of his unit and had been attached to ODA 343 in Lwara; however, SFC *b7c-3, b6-3* and SPC *b7c-3, b6-3* had replaced them both. They both returned to their home station, 3D SFG, Fort Bragg, NC.

At 0845, 30 Sep 02, SA *b7c-1, b6-1* advised SSG *b7c-5, b6-5* of his legal rights, which he waived and rendered a sworn statement denying his team murdered SAYARI. (See Sworn Statement of SSG *b7c-5, b6-5* for details)

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA <i>b7c-1, b6-1, b2</i>	ORGANIZATION 87 th MP Det (CID), Bagram Airfield, Afghanistan APO AE 09354	
SIGNATURE <i>b7c-1, b6-1</i>	DATE 7 Nov 02	EXHIBIT 1

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At 1008, 30 Sep 02, SA [redacted] ^{b7C1, b6-1} advised CPT [redacted] ^{b7C5, b6-5} of his legal rights, which he waived and rendered a sworn statement denying his team murdered SAYARI. (See Sworn Statement of CPT [redacted] ^{b7C5, b6-5} for details)

At 1245, 30 Sep 02, SA [redacted] ^{b7C1, b6-1} advised SFC [redacted] ^{b7C5, b6-5} of his legal rights, which he invoked requesting legal counsel. (See Non-Waiver Certificate of SFC [redacted] ^{b7C5, b6-5} for details)

At 1300, 30 Sep 02, SA [redacted] ^{b7C4, b6-1} advised SSG [redacted] ^{b7C5, b6-5} of his legal rights, which he invoked requesting legal counsel. (See Non-Waiver Certificate of SSG [redacted] ^{b7C5, b6-5} for details)

At 0700, 1 Oct 02, SA [redacted] ^{b7C1, b6-1} and SA [redacted] ^{b7C1, b6-1}, Operations Officer, 87th Military Police Detachment, Camp Stronghold Freedom, Uzbekistan, APO AE 09311, briefed LTC [redacted] ^{b7C5, b6-5} and MAJ [redacted] ^{b7C5, b6-5} Commander, A Co, 2/3rd SFG, BAF, on the status of this investigation. Additionally, MAJ [redacted] ^{b7C5, b6-5} stated he would coordinate with the Mullah from Lwara on obtaining consent from SAYARI's family on the exhumation of his remains and transport of the remains to Lwara.

At 0835, 1 Oct 02, SA [redacted] ^{b7C1, b6-1} interviewed SSG [redacted] ^{b7C3, b6-3} ODA 343, 2/3rd SFG, BAF, who stated he was within the compound fixing radio equipment when the incident occurred on 28 Aug 02, and did not leave the compound. He stated he did not see SAYARI's body or the scene. SSG [redacted] ^{b7C3, b6-3} could provide no further information to assist with this investigation.

At 1010, 1 Oct 02, SA [redacted] ^{b7C1, b6-1} interviewed CW2 [redacted] ^{b7C5, b6-5} ODA 343, 2/3rd SFG, BAF, who rendered a sworn statement in which he detailed his knowledge of this incident. (See Sworn Statement of CW2 [redacted] ^{b7C5, b6-5} for details)

About 0800, 2 Oct 02, SA [redacted] ^{b7C1, b6-1} interviewed SPC [redacted] ^{b7C4, b6-4} A Co, 519th MI Bn, BAF, who rendered a sworn statement in which he detailed his knowledge of this incident. (See Sworn Statement of SPC [redacted] ^{b7C4, b6-4} for details)

At 1100, 2 Oct 02, SA [redacted] ^{b7C1, b6-1} interviewed SFC [redacted] ^{b7C3, b6-3} ODA 343, 2/3D SFG, who stated he was in the ODA 343 living tent on 28 Aug 02, playing a Sony Playstation video game when SSG [redacted] ^{b7C3, b6-3} told him about the shooting. SFC [redacted] ^{b7C5, b6-5} stated he asked if everyone on the team was okay and if he was needed for anything. Once he was informed everyone was okay and that he was not needed, he went back to playing the video game. He said he never saw the shooting scene and only saw SAYARI's body when it was transferred from the truck used to transport his remains to the local AMF Commander at the FB. SFC [redacted] ^{b7C3, b6-3} said he was not informed as to what happened as CPT [redacted] ^{b7C5, b6-5} had asked everyone involved in the shooting to go to the Operations tent to document what had occurred. He learned about the circumstances ^{b7C1, b6-1} surrounding the shooting once he arrived at Kandahar, prior to arriving at BAF for this interview. SFC [redacted] ^{b7C3, b6-3}

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA [redacted] ^{b7C1, b6-1}		87 th MP Det (CID), Bagram Airfield, Afghanistan ^{b7C3, b6-3}	
SIGNATURE [redacted] ^{b7C1, b6-1}		DATE	EXHIBIT
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DETAILS

stated he had no idea who SAYARI was prior to the shooting, and was never told, or perceived, him as a threat to the team. SFC [redacted] stated he had no other information to provide regarding this investigation.

b7c-3, b6-3 b7c, b6-1
At 1100, 2 Oct 02, SA [redacted] this office, interviewed and obtained a sworn statement from SSG [redacted] ODA 343, 2/3rd SFG, BAF. SSG [redacted] stated he was not present on the mission when the shooting occurred. SSG [redacted] was present for the After Action Review (AAR) at the Team Op Center at the Fire Base. SSG [redacted] clarified what was discussed at the AAR in reference to the shooting (See Sworn Statement of SSG [redacted] for details)

b7c, b6-1 b7c, b6-1 b7c, b6-3
At 0515, 3 Oct 02, SA [redacted] and SA [redacted] interviewed Commander [redacted] Afghanistan Military Forces (AMF), and interpreter [redacted], with the following information noted: The AMF soldier who was with SAYARI had since quit the AMF and was currently residing at an unknown location in Pakistan. According to [redacted] SAYARI was utilizing his truck as a taxi-cab, and the AMF soldier and other occupants were his customers and were being transported to different locations. Additionally, the road on which SAYARI traveled and was detained by ODA 343 had been in the direction the AMF soldier wanted to go. [redacted] stated he had been at the front gate of the FB at the time SAYARI was conversing with CW2 [redacted] about renting his truck. According to [redacted], SAYARI did not immediately follow the ODA 343 patrol when it left the FB, as previously stated [redacted] stated SAYARI was still trying to get CW2 [redacted] to rent his truck when CW2 [redacted] very angrily told SAYARI to return in the morning. SAYARI still wanted to enter the FB after the ODA left, but CW2 [redacted] angrily insisted SAYARI leave immediately and return in the morning. [redacted] and [redacted] both stated SAYARI had previously shown no acts of aggression toward the Americans, and according to them had not sympathized with Taliban or al-Qaida forces. As a matter of fact, they stated SAYARI hated the Taliban and had gone against their rules and ways. They also stated they never heard of him placing a hit on CW2 [redacted] and had not heard of SAYARI reacting violently if cornered or threatened [redacted] and [redacted] stated SAYARI had previously lived in Morgah, Afghanistan, but had moved to the Lwara area due to him killing a relative during a dispute about land, approximately 15 years prior [redacted] stated SAYARI had previously collected taxes from people traveling on the road adjacent the FB, prior to the Americans' arrival, and prior to the shooting. They stated SAYARI was sort of a businessman, utilizing his truck as a taxi and being involved in the harvesting and selling of fruit during the fall season. He also stated SAYARI, although not an elder of the tribe, was respected by the elders because of his tax collecting, which he pocketed, and because of his security or bodyguards [redacted] stated he was called to the site of the shooting, and upon his arrival, noticed SAYARI's turban was still on his head and there was a wound to his head and to his chest. [redacted] described the wound to the chest as elliptical in shape. [redacted] drew the area and two representations of the wounds he saw on SAYARI's chest. (See attached rough sketch of [redacted] for details)

b7c, b6-1
At 0940, 3 Oct 02, SA [redacted] coordinated with SAYARI's tribal elders and his father (NFI), who would not allow SAYARI's body to be exhumed due to religious beliefs. The elders stated several of them washed

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA [redacted] b7c, b6-1/2		87 th MP Det (CID), Bagram Airfield, Afghanistan	
SIGNATURE [redacted] b7c, b6-1		DATE	EXHIBIT
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SAYARI's body prior to his burial and could possibly describe the wounds. The elders stated they would meet SA [redacted] again and would discuss matters further

b7C-1, b6-1

Agent's Comments: Due to time constraints of awaiting travel from the FB, the meeting between SA [redacted] and the elders was short and no definite matters were discussed. It was agreed to discuss matters further when USACIDC traveled back to the FB.

b7C-1, b6-1

At 0620, 3 Oct 02, SA [redacted] coordinated with LTC [redacted] who informed SA [redacted] that MSG [redacted] had re-deployed to Fort Bragg, along with SSG [redacted] on emergency leave. Additionally, SPC [redacted] and SPC [redacted] were both support personnel at FB Lwara and were possibly mechanics. LTC [redacted] did not know to what unit they were assigned, and stated they had no interaction with ODA 343 other than to offer support when needed in regard to mechanical problems. LTC [redacted] had no idea as to why their names were added to the team roster.

b7C-1, b6-1

b7C-1, b6-3

b7C-1, b6-1

At 0320, 6 Oct 02, SA [redacted] Polygrapher, 11th MP Det (CID), Fort Hood, TX, advised CPT [redacted] of his legal rights, which he invoked requesting legal counsel. (See Rights Non-Waiver Certificate of CPT [redacted] for details)

b7C-1, b6-1

At 0335, 6 Oct 02, SA [redacted] advised SSG [redacted] of his legal rights, which he invoked requesting legal counsel. (See Rights Non-Waiver Certificate of SSG [redacted] for details)

b7C-1, b6-1

b7C-1, b6-5

At 1205, 9 Oct 02, SA [redacted] interviewed SFC [redacted] who rendered a sworn statement further detailing his knowledge of the death of SAYARI and the actions of the SF Team, ODA 343. (See sworn statement of SFC [redacted] for details)

b7C-1, b6-1

b7C-1, b6-5

At 0915, 9 Oct 02, SA [redacted] collected a Sony laptop computer, serial number 28318330 3621694, as evidence from SPC [redacted]. The evidence was documented on a DA Form 4137, Evidence/Property Custody Document, DN 047-02.

b7C-1, b6-1

At 1203, 10 Oct 02, SA [redacted] collected beads, which were in the right hand of SAYARI at the time of his death, as evidence from LTC [redacted]. The evidence was documented on a DA Form 4137, Evidence/Property Custody Document, DN 048-02.

b7C-1, b6-1

At 1200, 18 Oct 02, SA [redacted] and SA [redacted] briefed LTC [redacted] Deputy SJA, to date on this investigation. LTC [redacted] opined there was insufficient evidence at this time to title CW2 [redacted] with any offense, however, a suspect interview should be conducted to ascertain his involvement with the recently developed information pertaining to the acts of the subjects of this investigation. There may possibly be two other members of the ODA involved in the conspiracy to kill SAYARI. LTC [redacted] opined to obtain ODA

b7C-1, b6-1

b7C-1, b6-1

b7C-1, b6-3

TYPED AGENT'S NAME AND SEQUENCE NUMBER
SA [redacted] b7C-1, b6-1, b2

ORGANIZATION
87th MP Det (CID), Bagram Airfield, Afghanistan
APO AE 09354

SIGNATURE
[redacted] b7C-1, b6-1

DATE
7 Nov 02

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343's weapons now that a partial bullet was recovered from the crime scene, and submit items to USACIL for examination.

At 0330, 22 Oct 02, SA [REDACTED] coordinated with CPT [REDACTED] who stated he had interviewed members of 1ST Platoon, A Co, 1/505TH Parachute Infantry Regiment (PIR), 82D Airborne Division, Kandahar, Afghanistan, APO AE 09355 (KAF). CPT [REDACTED] provided statements he obtained from 2LT [REDACTED]

[REDACTED] SSG [REDACTED] SSG [REDACTED] CPL [REDACTED] PFC [REDACTED]

[REDACTED] PFC [REDACTED] SPC [REDACTED] PFC [REDACTED] PFC [REDACTED] SPC [REDACTED] PFC [REDACTED]

[REDACTED] and PFC [REDACTED] 2LT [REDACTED] and SFC [REDACTED] stated they had attended an AAR with members of ODA 343 on the day of the shooting in which CPT [REDACTED] CW2 [REDACTED] and SFC [REDACTED] spoke about the shooting. (See sworn statements of 2LT [REDACTED] and

SFC [REDACTED] for details)

At 0545, 22 Oct 02, SA [REDACTED] conducted canvass interviews of personnel from 1ST Platoon, A Co, 1/505TH PIR, 82D Airborne Division, KAF. (See Canvass Interview Worksheet for details)

At 0625, 22 Oct 02, SA [REDACTED] conducted canvass interviews of CPL [REDACTED] and PFC [REDACTED], both assigned to 1ST Platoon, A Co, 1/505TH PIR, 82D Airborne Division, KAF. (See Canvass Interview Worksheet for details)

At 0720, 27 Oct 02, SA [REDACTED] drafted DA Form 3655, Crime Lab Examination Report, for evaluation by the U.S. Army Criminal Investigations Laboratory (USACIL) in reference to this investigation. (See DA Form 3655 for details)

At 0600, 7 Nov 02, SA [REDACTED] this office, and CPT [REDACTED] conducted canvass interviews of the following soldiers assigned to the Mortar Platoon, HHC, 1/505TH PIR, 82D Airborne Division, KAF, who had no information to provide. SGT [REDACTED] PFC [REDACTED] PFC [REDACTED] SGT [REDACTED] PV2 [REDACTED] PFC [REDACTED] PV2 [REDACTED] SPC [REDACTED] PFC [REDACTED] SGT [REDACTED] and SPC [REDACTED]

[REDACTED] SGT [REDACTED] PV2 [REDACTED] SPC [REDACTED] PFC [REDACTED] SGT [REDACTED] and SPC [REDACTED]

At 0644, 7 Nov 02, SA [REDACTED] interviewed CPT [REDACTED] Platoon Leader, Mortar Platoon, HHC, 1/505TH PIR, 82D Airborne Division, KAF, who rendered a sworn statement in which he detailed his knowledge of this incident. (See sworn statement of CPT [REDACTED] for details)

[REDACTED] SGT [REDACTED] PV2 [REDACTED] SPC [REDACTED] PFC [REDACTED] SGT [REDACTED] and SPC [REDACTED]

[REDACTED] SGT [REDACTED] PV2 [REDACTED] SPC [REDACTED] PFC [REDACTED] SGT [REDACTED] and SPC [REDACTED]

[REDACTED] SGT [REDACTED] PV2 [REDACTED] SPC [REDACTED] PFC [REDACTED] SGT [REDACTED] and SPC [REDACTED]

[REDACTED] SGT [REDACTED] PV2 [REDACTED] SPC [REDACTED] PFC [REDACTED] SGT [REDACTED] and SPC [REDACTED]

[REDACTED] SGT [REDACTED] PV2 [REDACTED] SPC [REDACTED] PFC [REDACTED] SGT [REDACTED] and SPC [REDACTED]

[REDACTED] SGT [REDACTED] PV2 [REDACTED] SPC [REDACTED] PFC [REDACTED] SGT [REDACTED] and SPC [REDACTED]

[REDACTED] SGT [REDACTED] PV2 [REDACTED] SPC [REDACTED] PFC [REDACTED] SGT [REDACTED] and SPC [REDACTED]

[REDACTED] SGT [REDACTED] PV2 [REDACTED] SPC [REDACTED] PFC [REDACTED] SGT [REDACTED] and SPC [REDACTED]

[REDACTED] SGT [REDACTED] PV2 [REDACTED] SPC [REDACTED] PFC [REDACTED] SGT [REDACTED] and SPC [REDACTED]

[REDACTED] SGT [REDACTED] PV2 [REDACTED] SPC [REDACTED] PFC [REDACTED] SGT [REDACTED] and SPC [REDACTED]

[REDACTED] SGT [REDACTED] PV2 [REDACTED] SPC [REDACTED] PFC [REDACTED] SGT [REDACTED] and SPC [REDACTED]

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED] b7c, b6, b2

ORGANIZATION

87th MP Det (CID), Bagram Airfield, Afghanistan
APO AE 09354

SIGNATURE

[REDACTED] b7c, b6, b1

DATE

7 Nov 02

EXHIBIT

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DETAILS b7c-1, b6-1
 At 0703, 7 Nov 02, SA [REDACTED] interviewed SPC [REDACTED] b7c-4, b6-4 Mortar Platoon, HHC, 1/505th PIR, 82D Airborne Division, KAF, who rendered a sworn statement in which he stated he observed CW2 [REDACTED] at the front gate to Lwara Fire Base conversing with SA [REDACTED] SPC [REDACTED] b7c-1, b6-1 subsequently observed CW2 [REDACTED] leave with the patrol that went after Mr. SAYARI. (See sworn statement of SPC [REDACTED] for details)

At 0712, 7 Nov 02, SA [REDACTED] b7c-1, b6-1 interviewed SGT [REDACTED] Mortar Platoon, HHC, 1/505th PIR, 82D Airborne Division, KAF, who rendered a sworn statement in which he detailed his knowledge of this incident. SGT [REDACTED] performed duties as Sergeant of the Guard while at Lwara Fire Base. (See sworn statement of SGT [REDACTED] for details)

At 0730, 7 Nov 02, SA [REDACTED] interviewed PFC [REDACTED] b7c-4, b6-4 Mortar Platoon, HHC, 1/505th PIR, 82D Airborne Division, KAF, who rendered a sworn statement in which he stated he observed CW2 [REDACTED] at the front gate to Lwara Fire Base conversing with SAYARI. PFC [REDACTED] then observed an SF patrol leave the FB after SAYARI left the gate. (See sworn statement of PFC [REDACTED] for details)

//LAST ENTRY//////////////////////////////////////

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA [REDACTED] b7c-1, b6-1 b7c-1, b6-1		ORGANIZATION 87 th MP Det (CID), Bagram Airfield, Afghanistan APO AE 09354	
SIGNATURE [REDACTED]		DATE 7 Nov 02	EXHIBIT 1

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Referred to:

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

MS. JACQUELINE SCOTT
scottj@centcom.smil.mil
(813) 827-5341/2830

Sworn Statement

0114-02-C10569-23525

LOCATION: Bagram Airfield, Afghanistan, APO AE 09354

DATE: 26 SEP 02 b7c-4/b6-4

TIME: 1135zulu b7c-4/b6-4

NAME: [REDACTED]

SSAN: [REDACTED]

RANK: SFC

ORGANIZATION: A CO, 519TH MILITARY INTELLIGENCE BATTALION,
BAGRAM AIRFIELD, AFGHANISTAN APO AE 09354

b7c-4/b6-4

I, [REDACTED] want to make the following statement under oath:

I am currently serving as a Counterintelligence Special Agent with Company A, 519th Military Intelligence Battalion located at Bagram Airfield, Afghanistan. On or about 28 Aug 02, I was transferred to Firebase Lwara, Afghanistan in support of the Combined Joint Special Operations Task Force as the Counterintelligence Special Agent in Charge. I arrived at Firebase Lwara at approximately 1400 hours local time on or about 28 Aug 02. At approximately 1500 hours local time on or about 28 Aug 02, a member of Operational Detachment Alpha (ODA) 343 approached myself and SPC [REDACTED] along with the outgoing Counterintelligence team, SFC [REDACTED] and SPC [REDACTED] (NFI), and told us that we needed to get our gear to process a suspected aggressor that had just been shot. I secured my digital camera, notebook and pen, and left Firebase Lwara in a government vehicle along with [REDACTED] and [REDACTED]. Approximately one half mile south of the firebase there were approximately eight members of ODA 343 situated in a circular defensive perimeter approximately fifty meters in diameter around an individual lying prone on the west side and approximately fifteen meters from the center of the riverbed that is also used as a road. The individual was oriented with his head farthest away from the road or riverbed, lying prone with the left side of his head against the ground and face oriented to the right. In his right hand, clenched in a fist, was a string of beads. His right arm was bent and oriented toward his head and shoulders, his right forearm had brain matter and skull fragments splattered on it. His left arm was lying to his side and his left hand was empty. After an initial visual inspection of the body I took several pictures of the body in its undisturbed state. I then pulled the shirt of the body toward the head in order to expose the posterior of the torso because I had noticed several holes in the shirt. I took a picture of approximately five punctures in the back of the body. I then rolled the body over and took additional pictures. I then instructed SPC [REDACTED] to search the body and collect DNA samples from the body. While SPC [REDACTED] was taking the DNA samples, an unknown individual said to me that [REDACTED] was the one that did the shooting. I asked the unidentified person who [REDACTED] was and was directed to a soldier that was on the East side of the perimeter farthest from the body. I asked [REDACTED] what had happened and he told me that the person that had been shot was, on several occasions, suspected of following Special Forces soldiers out of Firebase Lwara on their patrols. ODA 343 left the firebase in order to observe the subject's actions. ODA 343 traveled south from the firebase down the riverbed to a location where a hasty defense could be set and a roadblock established. This action was termed a Crazy Ivan by [REDACTED]. The subject along with approximately five local persons that were riding in the subject's truck entered the perimeter and ODA 343 initiated the stop of the vehicle.

[REDACTED] b7c-4/b6-4

[REDACTED] b7c-4/b6-4

[REDACTED] b7c-4/b6-4

[REDACTED] b7c-4/b6-4

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Exhibit: 3

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Statement of SFC [redacted] taken at Bagram, Afghanistan, on 26 Sep 02, continued:

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The five passengers in the vehicle were instructed to leave the area immediately, which they did. The subject was the driver of the vehicle and was taken to the West side of the road, his weapon taken from him and placed approximately ten feet from him. The person that took the weapon from the subject left the subject to return to a M-1025 High Mobility Multipurpose Wheeled Vehicle to radio the firebase and have the counterintelligence team dispatched to the location of the detention. When the person left the subject to call the firebase [redacted] and I believe an individual named [redacted] fired on the subject. I was told by [redacted] the subject lunged for his weapon, picked up his weapon, turned and pointed the weapon at the Special Forces soldiers. I then returned to the body and loaded the body into the back of the deceased truck. The body was driven back to Firebase Lwara by one of the contract Afghanistan Military Force (AMF) soldiers in the truck that belonged to the deceased. The body was fingerprinted by SPC [redacted] and [redacted] then the body and truck were released to the family. I placed the DNA evidence that had been collected at the scene in a freezer that was located in my tent and had SPC [redacted] have a category II interpreter, named [redacted] (NFI), that was assigned to the signals intercept section of the firebase look over the documents that were collected from the body [redacted] said that there was nothing significant to report about the documents. I transferred the digital photographs that I had taken with my camera to my laptop computer and then to a zip disk. Approximately 3 Sep 02, [redacted] and [redacted] left Firebase Lwara under normal conditions leaving the evidence at Firebase Lwara. I instructed SPC [redacted] that he would travel to the Bagram Collection Point on the next available aircraft in order to hand carry the evidence there and to personally hand the disk of digital pictures to SSG [redacted]. SPC [redacted] turned the evidence and photographs over to SSG [redacted] approximately the week of 15 Sep 02. On 24 Sep 02, CPT [redacted] ODA 343's Team Commander, approached me and told me that a member of the Judge Advocate General's Corps would be arriving on the 0800 Zulu aircraft in order to secure statements from several of the team members that were involved in the shooting incident and that he needed the pictures that I had taken. I still had all of the pictures I had taken of the incident on my computer and I took the computer into the briefing room in order to transfer the pictures to a zip disk. CPT [redacted] reviewed the pictures with me and indicated the photos he wanted me to transfer to the zip disk. He did this by having me enlarge the pictures so he could look at the pictures. CPT [redacted] told me, while viewing the picture of the body that shows brain and skull matter on the forearm and the beads clinched in the fist, that he did not want that picture on the disk. Additionally, CPT [redacted] told me that he did not want the picture showing the holes in the back to be transferred to the disk. CPT [redacted] instructed me to not transfer several other pictures to the disk and identified the pictures to transfer. I transferred the pictures to the zip disk and CPT [redacted] told me that he wanted me to delete the pictures that were not transferred from my computer. I deleted the pictures and then CPT [redacted] told me to delete the pictures from the recycle bin of my computer, which I did. I left CPT [redacted] with the zip disk and returned, with my computer, to my quarters. I returned to Bagram Airfield at approximately 1800 hours Zulu on 24 Sep 02. At approximately 0500 hours Zulu, 25 Sep 02, SFC [redacted] (NFI) from the intelligence section of the Special Combined Joint Special Operations Task Force (CJSOTF) called me and said that he needed to collect the evidence that I had sent to the Bagram Collection Facility for exploitation. SFC [redacted] went with me to collect the evidence. SSG [redacted] non-commissioned officer in-charge (NCOIC), turned the evidence over to SFC [redacted] then asked SSG [redacted] for the disk of pictures I had sent by [redacted].

67C-316-3

INITIALS

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Page 2 of 6 Pages

Exhibit: 3

67C-4, b6-4
Statement of SFC [REDACTED] taken at Bagram, Afghanistan, on 26 Sep 02, continued:

67C-4, b6-4 0114-02-610369-23525
way of SPC [REDACTED] I took the disk of pictures to the Bagram Criminal Investigative Detachment (CID) for processing.

67C-1, b6-1
Q: SA [REDACTED] 67C-4, b6-4
A: SSG [REDACTED]

Q: How many ODA 343 members were present when you arrived on the scene?

A: Four that I know of, and several AMF soldiers.

Q: Who were the four?

A: [REDACTED] 67C-4, b6-5 and CPT [REDACTED]

Q: Do you know their full identification?

A: No, I know [REDACTED] 67C-4, b6-5 last name is [REDACTED]

Q: Who went with you to the scene? 67C-4, b6-4

A: SPC [REDACTED] 67C-4, b6-5 SFC [REDACTED] and SPC [REDACTED] (NFI).

Q: Who else was present at the scene when you arrived?

A: CPT [REDACTED] 67C-4, b6-5 and [REDACTED] 67C-4, b6-5 along with the AMF soldiers.

Q: Do you know or did you see SSG [REDACTED] 67C-4, b6-5 at the scene?

A: I can't recall 67C-4, b6-4 67C-4, b6-5 67C-4, b6-5

Q: Did SPC [REDACTED] 67C-4, b6-5 SFC [REDACTED] 67C-4, b6-5 or [REDACTED] 67C-4, b6-5 express any concerns as to what they saw?

A: Yes, SFC [REDACTED] 67C-4, b6-5 said [REDACTED] 67C-4, b6-5 got another one.

Q: Were any of them upset?

A: Yes, SFC [REDACTED] 67C-4, b6-5 was unhappy about it.

Q: Can you describe unhappy about the situation?

A: He seemed disgusted about it.

Q: Did he say anything to you at the scene, or later, that would lead you to believe that the shooting was not justified? 67C-4, b6-5

A: I don't think it was SFC [REDACTED] 67C-4, b6-5 but I overheard someone say that [REDACTED] 67C-4, b6-5 had previously stated that he was "going to get one before I leave." I believed that it meant that he was going to kill someone before he left. 67C-4, b6-5

Q: Did SFC [REDACTED] 67C-4, b6-5 ever tell you anything about prior experiences with [REDACTED] 67C-4, b6-5 or any SF soldiers?

A: SFC [REDACTED] 67C-4, b6-5 told me that [REDACTED] 67C-4, b6-5 had killed an Afghan before. I remember SFC [REDACTED] 67C-4, b6-5 saying "not again" before we left from the Firebase.

Q: What type of weapons did the ODA 343 soldiers have with them?

A: M-4's, all of them had M-4's.

Q: Where was the AK-47 when you arrived?

A: It wasn't even at the scene.

Q: Did you ever see it?

A: No.

Q: How long after the shooting were you notified?

A: Approximately 10 minutes, and we responded right away.

Q: Did anyone attempt to contact a MEDEVAC, that you know of?

A: Not that I know of.

Q: Do you know whether or not its procedure for someone to contact a MEDEVAC?

A: The teams have SF trained Medics and it would be their determination.

67C-4, b6-4
[REDACTED]
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Exhibit: 3

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Q: Do you know who their Medic was?

A: I think it was [REDACTED] ^{b7C-5, b6-5}

Q: When you arrived, was SAYARI fully clothed?

A: He was fully clothed and his body was returned to his family.

Q: Were there any powder burns on his clothes that you noticed?

A: I can't remember.

Q: Who moved the body?

A: SPC [REDACTED] ^{b7C-5, b6-5} and myself.

Q: Had the body been moved prior to that?

A: I don't know.

Q: Where were the ODA 343 personnel when you arrived?

A: They were still established in a perimeter pulling security.

Q: Do you remember who was where?

A: [REDACTED] ^{b7C-5, b6-5} and [REDACTED] ^{b7C-5, b6-5} were on the eastern edge of the riverbed opposite the body. CPT [REDACTED] ^{b7C-5, b6-5} was to the south, and [REDACTED] ^{b7C-5, b6-5} was in the center with the body. [REDACTED] ^{b7C-5, b6-5} is a Warrant Officer with the team. He's the one who notified us of the shooting. ^{b7C-5, b6-5}

Q: Where was SAYARI's body in relation to his truck?

A: It was about 15 meters north of the back of his truck.

Q: Did it appear as if the body had been moved?

A: No.

Q: Did you notice any changes in personalities after the shooting? ^{b7C-5, b6-5} ^{b7C-5, b6-5}

A: I had never met any of those guys before I got there. I did notice that [REDACTED] ^{b7C-5, b6-5} and [REDACTED] ^{b7C-5, b6-5} were kind of quiet and reserve. They were away from the body.

Q: Do you know whether or not anyone took any type of "war trophy" from the body?

A: No.

Q: Do you know who the individuals with SAYARI were?

A: No.

Q: Do you know if anyone else does?

A: I'm sure the AMF would.

Q: Was SAYARI a suspected Taliban or al-Quaida that you know of?

A: SAYARI was suspected of following the convoys leaving Firebase Lwara, but was not a suspected Taliban or al-Quaida that I know of. The folks around that area are not Taliban or al-Quaida, they are more soldiers of the local warlords.

Q: Do you know who he worked for?

A: No, but I did think he was an AMF soldier.

Q: Did you notice any blood splatter on any of the ODA 343 personnel?

A: No.

Q: Why was the U.S. M-16 placed in some of the photographs?

A: For reference, it was my M-16.

Q: What was the mood or atmosphere in the firebase after the shooting?

A: Normal.

Q: When you saw the body, did you notice any apparent stomach wounds?

A: No.

Q: Were there any apparent gunshot wounds to the front of the body?

[REDACTED] ^{b7C-4, b6-4}

b7c4/b6-4

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A: Not that I saw.

Q: What did the gunshot wounds to the front of the body look like?

A: I saw an exit wound to the top right front of the head. I didn't lift the shirt up on his chest, but I did see blood and what I thought to be exit wounds to the front of the body.

Q: Why didn't you lift the front of the shirt?

A: I was scared to raise the shirt up as they were watching me at this time.

Q: Did anyone tell you what you could and could not do while you were out there?

A: No, they didn't know me, I had just gotten there.

Q: Was there any intelligence information on SAYARI?

A: There was nothing of intelligence value collected from SAYARI.

Q: Did you completely delete the pictures from your computer?

A: Yes.

Q: Is the pictures by chance still on your cameras memory stick?

A: No, they were deleted as well.

Q: What other events transpired after you arrived, aside from you examining the body?

A: Upon my arrival, I placed my truck adjacent to SAYARI's body in order to block the view of the body from any persons walking or driving by. While we were there, there were three trucks full of local nationals that passed by. My tan colored truck was the truck in one of the photographs that was near SAYARI's body.

Q: Did the SF soldiers say why the other occupants of SAYARI's truck were let go?

A: They stated that they had no reason to detain them, that they were only after SAYARI.

Q: How did you know that the material on SAYARI's shirt was brain and skull fragments?

A: The same fragments and material that was on his arm was the same fragments and material that was coming from the wound in his head.

Q: Is this statement is your own words?

A: Yes.

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

A: No ///End of Statement/// [REDACTED] b7c-4, b6-4

b7c4/b6-4

[REDACTED]
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Exhibit: 3

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b7C, b6-4

Statement of SFC [redacted] taken at Bagram, Afghanistan, on 26 Sep 02, continued:

0114-02-10369-23525

b7C-4, b6-4

AFFIDAVIT

I, [redacted], HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS OF PAGE 1 AND ENDS ON PAGE 6 I FULLY UNDERSTOOD 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, WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT [redacted]

b7C-4, b6-4

b7C, b6-4

b7C, b6-1

WITNESSES:

SA [redacted]
8TH MD DET (C.O.)
BAGRAM AIRFIELD, AFGHANISTAN
APO AE 09354

ORGANIZATION AND ADDRESS

[redacted]
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 26th day of September, 2002, at Bagram, Afghanistan [redacted]

b7C, b6-1

[redacted]
(Signature of Person Administering Oath)

b7C, b6-1

SA [redacted]
(Typed Name of Person Administering Oath)

Article 136, UMCJ

(Authority to Administer Oaths)

[redacted]
INITIALS

b7C, b6-4

Page 6 of 6 Pages

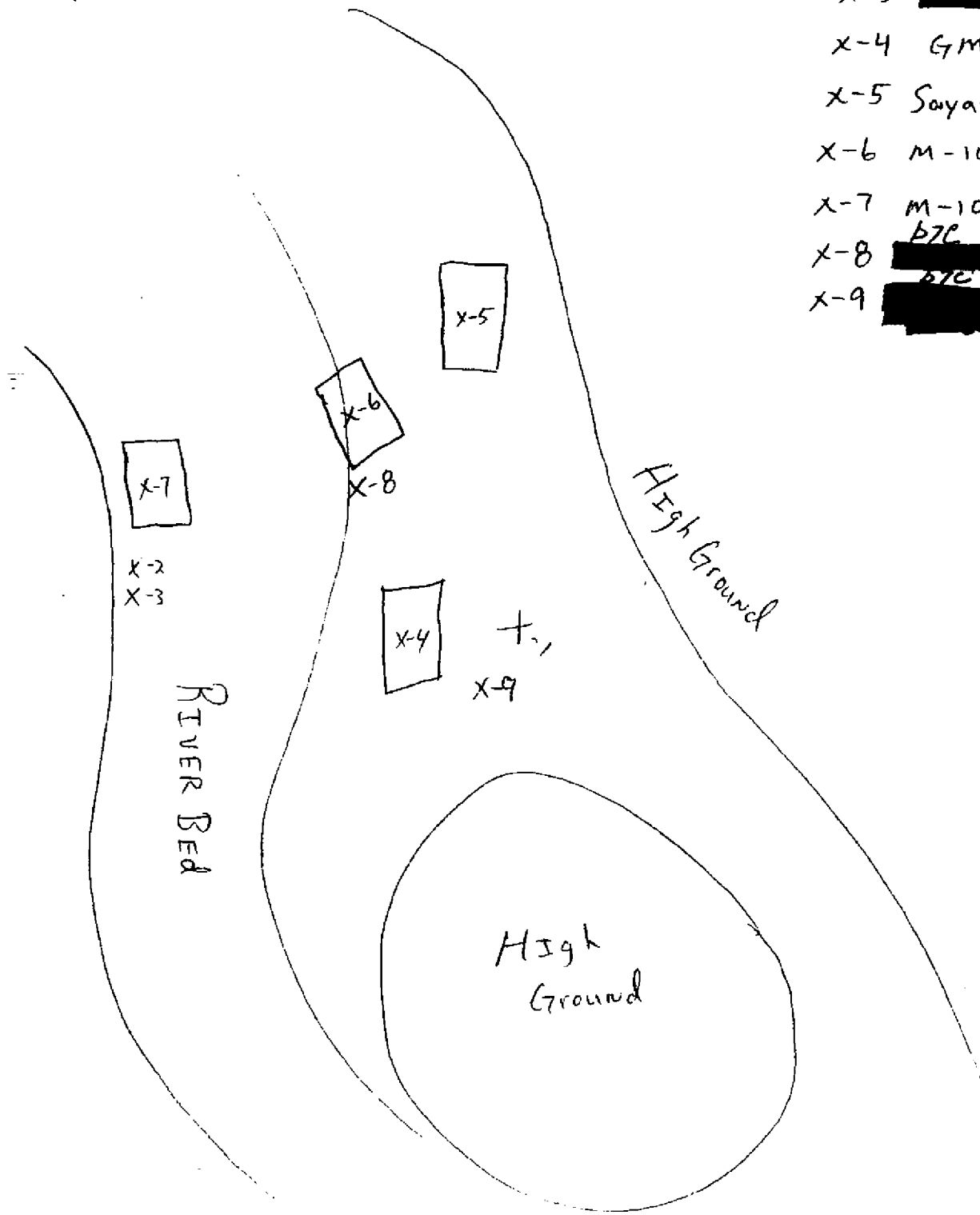
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Exhibit: 3

North

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- X-1 Sayari
- X-2 [REDACTED] b7c-5/b6-5
- X-3 [REDACTED] b7c-5/b6-5
- X-4 GMV (Nissan)
- X-5 Sayari's truck
- X-6 M-1025
- X-7 M-1025
- X-8 [REDACTED] b7c-6/b6
- X-9 [REDACTED] b7c-6/b6



SKETCHED BY. SFC [REDACTED] b7c-4/b6-4
 26 Sep 02, 1120z

VERIFIED BY. SA [REDACTED] b7c-1/b6-1 63

4

Sworn Statement

LOCATION: Bagram Airfield, Afghanistan, APO AE 09354

DATE: 27 Sep 02 ^{b7c-4, b6-4}

TIME: 0934Z

NAME: ^{b7c-4, b6-4}

SSAN: ^{b7c-4, b6-4}

RANK: SSG/Active

ORGANIZATION: A Company, 519th Military Intelligence Battalion, Bagram Airfield, Afghanistan, APO AE 09354

^{b7c-4, b6-4} SSG ^{b7c-4, b6-4} want to make the following statement under oath:

Sometime in early September, I received as the Noncommissioned Officer in Charge of the Bagram Collection Point (BCP) two Persons Under United States Control from an Operational Detachment Alpha Team in Lwara. SSG(P) ^{b7c-4, b6-4} who was attached to the ODA in Lwara sent accompanying information and documents on these two persons. Approximately one week later, SPC ^{b7c-4, b6-4}, one of SSG ^{b7c-4, b6-4} soldiers working in Lwara, returned to Bagram AF with a package of forensic evidence and documents. I incorrectly assumed these documents and evidence to be from the same raid in Lwara. In the package was human tissue from a deceased local national, fingerprints from the same local national, assorted documents and a zip disk. Upon inspection of the zip disk, I found pictures of the deceased local national. Later that day, I signed over the forensic evidence (including the human tissue and fingerprints on an index card) and copies of the pictures from the zip disk (burned onto a CD) to SA ^{b7c-4, b6-4} of the Criminal Investigative Task Force (CITF). As a matter of practice all forensic evidence is turned over to CITF upon arrival at the Bagram Collection Point for proper documentation to ensure proper chain of custody. A DA Form 4137 was signed from myself to SA ^{b7c-4, b6-4} and he evacuated the tissue, fingerprints, and copies of the pictures. I maintained the zip disk I received from SPC ^{b7c-4, b6-4} in my office in the BCP until 25 SEP 02. The documents received from SPC ^{b7c-4, b6-4} were evacuated through Document Exploitation (DOCEX) channels to Defense Intelligence Agency DOCEX. This is the normal procedure for documents brought into the BCP. On 24 SEP 02, SSG ^{b7c-4, b6-4} returned from Lwara on a routine resupply mission. In the evening of 24 SEP 02, SSG ^{b7c-4, b6-4} asked me if I still had the zip disk SPC ^{b7c-4, b6-4} had given me. He said that he wanted to take possession of the disk because the zip disk was the last copy of the pictures from the shooting and there were people who may want those pictures destroyed. He further explained that the Staff Judge Advocate had initiated an investigation into the shooting that resulted in the death of the individual. The forensic evidence was from the individual who died. He also stated that the Staff Judge Advocate was not given copies of all of the pictures contained on the zip disk that he had forwarded to me with SPC ^{b7c-4, b6-4}. On 25 SEP 02, SSG ^{b7c-4, b6-4} found me at approximately 1100Z in the MWR Room of the BCP where I was sleeping. He woke me and told me that SFC ^{b7c-4, b6-4} was in my office and wanted to take possession of all of the property that came in with SPC ^{b7c-4, b6-4}. SSG ^{b7c-4, b6-4} also told me not to give the zip disk to SFC ^{b7c-4, b6-4} and not to mention the existence of the pictures. I recovered the zip disk from my office and checked with my DOCEX team to learn the location of the documents that came in with SPC ^{b7c-4, b6-4}. My DOCEX Chief informed me that the documents

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Page 1 of 3 Pages

Exhibit: 5

Statement of SSG [redacted], taken at Bagram Airfield, Afghanistan, on 27 Sep 02, continued:

were at DIA DOCEX being scanned into the Harmony Database. I instructed my DOCEX Chief to wait until DIA DOCEX was done scanning the documents and then turn the documents over to SFC [redacted]. After about 20 minutes, SFC [redacted] said that he would recover the documents himself from [redacted] at DIA DOCEX personally. SFC [redacted] left the facility and I then passed the zip disk to SSG [redacted]. I then told SSG [redacted] that I recalled signing copies of the pictures over to SA [redacted]. I suggested that we check with SA [redacted] to ensure that he still had these pictures and to seek his counsel regarding the events surrounding the shooting in Lwara. SA [redacted] then referred us to SA [redacted].

Q: SA [redacted]

A: SSG [redacted]

Q: Is SSG [redacted] the same as SFC [redacted]?

A: Yes he was promoted in September.

Q: Did SFC [redacted] ever tell you what happened in Lwara?

A: I was present when he told SA [redacted] about the incident.

Q: Have you ever, or were you present at Lwara at the time of this incident?

A: I have never been to Lwara.

Q: Prior to SFC [redacted] telling you about this incident, have you heard anything about ODA 343?

A: Not to my knowledge. I have had extensive contact with personnel from the Forward Fire Bases, but I never really knew from what Fire Base they were from.

Q: Is this statement is your own words and typed by this agent?

A: Yes

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

A: No ///End of Statement///

[redacted]

[redacted] INITIALS

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Exhibit: 5

b7c4/b6-4

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Statement of SSG [redacted] taken at Bagram Airfield, Afghanistan, on 27 Sep 02, continued:

b7c4/b6-4

AFFIDAVIT

I, SSG [redacted], HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS OF PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTOOD 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, WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

b7c4, b6-4

[redacted signature]

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 27th day of September, 2002, at Bagram Airfield, Afghanistan, APO-AE 09354

WITNESSES:

[redacted signature]

(Signature of Person Administering Oath)

ORGANIZATION AND ADDRESS

SA [redacted]
(Typed Name of Person Administering Oath)

Article 136, UMCI
(Authority to Administer Oaths)

b7c4/b6-4

[redacted initials]

INITIALS

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Exhibit: 5

RIGHTS • WARNING PROCEDURE/WAIVER CERTIFICATE

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

DATA REQUIRED BY THE PRIVACY ACT

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

1. LOCATION Bagram Airfield, Afghanistan, APO AE 09354	2. DATE 30 Sep 02	3. TIME 0845 E	4. FILE NO. 0114-02-CID369-
5. NAME (Last, First, MI) [REDACTED] b7c-5) b6-5	8. ORGANIZATION OR ADDRESS Operational Detachment-Alpha 343 rd Special Forces Group Bagram Airfield, Afghanistan APO AE 09354		
6. SSN [REDACTED] b7c-5) b6-5	7. GRADE/STATUS SSG/AD		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command
As a Special Agent b7c-5) b6-5 and wanted to question me about the following offense(s) of which I am suspected: Conspiracy and Murder!!!

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

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

- or -

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

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

5. COMMENTS (Continue on reverse side)

Have you been advised of your legal rights within the last 30 days? NO Do you currently have a lawyer? NO

Section B. Waiver

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

WITNESSES (if available) [REDACTED] b7c-5) b6-5		3. SIGNATURE OF INTERVIEWEE [REDACTED] b7c-5) b6-5
1a. NAME (Type or Print) [REDACTED]	4. SIGNATURE OF INVESTIGATOR [REDACTED] b7c-5) b6-1	
5. ORGANIZATION OR ADDRESS 87th MP Det (ASW)(CID) APO AE 09311	5. TYPED NAME OF INVESTIGATOR SA [REDACTED] b7c-5) b6-1	
2a. NAME (Type or Print) [REDACTED]	6. ORGANIZATION OF INVESTIGATOR 87th Military Police Det (CID), Bagram, Afghanistan, APO AE 09354	

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

SIGNATURE OF INTERVIEWEE

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

Exhibit 6

Sworn Statement

LOCATION: Bagram Airfield, Afghanistan, APO AE 09354

DATE: 30 Sep 02 *b7C-5, b6-5*TIME: 0939Z *[REDACTED]*NAME: *[REDACTED]*SSAN: *[REDACTED] b7C-5, b6-5*

RANK: SSG/Active

ORGANIZATION: Operational Detachment-Alpha 343, 3rd Special Forces Group, Bagram Airfield, Afghanistan, APO AE 09354I, SSG *[REDACTED] b7C-5, b6-5*, want to make the following statement under oath:

I left Fire Base Lwara around 1000z, on a patrol designed to capture an al-Qaida informant who had been watching and following the FB's patrols. We left in a 2 vehicle convoy to see if the suspect would follow. Myself and CPT *[REDACTED] b7C-5, b6-5* were tasked with flank security and I positioned myself on the backside of the hill to give me the best view of the road. I continued to monitor the road. A few minutes later, I heard shots, I ran back to where the road block was at and saw the subjects laying on the ground. Also at the time, I saw SSG *[REDACTED]* kicking the suspects weapon away from him. After determining my team mates were fine and uninjured, I posted myself back on security.

Q: SA *[REDACTED] b7C-1, b6-1*A: SSG *[REDACTED] b7C-5, b6-5*

Q: On what date did this occur?

A: 28 August 2002.

Q: Did you conspire with your team members to shoot and kill Mohammed SAYARI?

A: No.

Q: Do you know if any of your team members wanted to shoot and kill SAYARI?

A: No, none of my team members wanted to kill SAYARI.

Q: At any time, while your unit had SAYARI detained, did you see anything in his hands?

A: No, I was on security behind the hill and could not see his hands.

Q: Did you see SAYARI in possession of a weapon?

A: He had an AK-47 with him when we initially stopped him. When he stepped outside of the vehicle, he had it in his hands. I then went over and set up security.

Q: Did you see any of your team members take SAYARI's weapon and place it anywhere?

A: SFC *[REDACTED] b7C-5, b6-5* took the weapon and placed it on the ground, about 10 feet away from SAYARI's truck.

Q: Did the other local nationals within SAYARI's truck have any weapons?

A: One of the AMF soldiers had an AK-47 on him.

Q: Did the other local nationals present any threat to you or your team members, or attempt to resist you moving them away from the scene?

A: No.

Q: After the shooting, were you able to see SAYARI's body?

A: After the shooting, I was only able to see the body from a distance. He was lying face down on the ground. I could not see how his arms, legs and head were positioned.

[REDACTED] b7C-5, b6-5
INITIALS
DA Form 2823

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Page 1 of 4 PagesExhibit: 6

b7C5) b6-5

Statement of SSG [REDACTED] taken at Bagram Airfield, Afghanistan, on 30 Sept 02, continued:

Q: Where on his body were his injuries?
A: I could not tell from the distance.
Q: Did he have anything in his hands?
A: I could not tell from the distance.
Q: What happened with the weapon confiscated from SAYARI?
A: After the incident occurred, I believe it was placed inside one of our trucks.
Q: What weapons did your team carry with them to the roadblock?
A: All U.S.
Q: Did any of your team members carry any non-U.S. issued weapons?
A: No.
Q: What happened after the shooting?
A: SFC [REDACTED] b7C5) b6-5 could not get communications with the Fire Base, so he and I drove one of our vehicles back. At that time, we also notified Counter-Intelligence about the shooting.
Q: After Counter Intelligence arrived on the scene, were you able to see SAYARI's body?
A: Yes. I saw a wound to his head and abdomen.
Q: Describe those wounds?
A: The head shot looked like a small hole in the center of the forehead about as big around as my pinkie size I guess. The stomach wound just looked like an entrance wound, a pinkie sized wound, about center on the abdomen.
Q: When you say pinkie, what are you referring to with that term?
A: My pinkie finger.
Q: Did you see any other wounds on the head?
A: No.
Q: Did you see anything in his hands?
A: No.
Q: Did any of your team members ever tell you what to say to the Commander's Inquiry Investigating Officer?
A: No.
Q: Did any of your team members ever tell you what to say to USACIDC?
A: No. b7C5) b6-5
Q: Did CPT [REDACTED] ever tell you to leave out certain information to the Investigating Officer, or USACIDC?
A: No. b7C5) b6-5
Q: Did you know if CPT [REDACTED] ever left out any information, or withhold evidence to the Investigating Officer, or USACIDC?
A: No.
Q: Did any of your team members mention, or state to you that they had lied to the Investigating Officer?
A: No.
Q: Did you know if SAYARI had ever presented a direct threat to U.S. Forces?
A: Before the incident, not that I know of.
Q: Before the 28th of August, had SAYARI ever presented a direct threat to any Special Forces unit?
A: Before the incident, not as far as I know.

[REDACTED] b7C5) b6-5
INITIALS
DA Form 2823

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Page 2 of 4 Pages
Exhibit: 6

b7C-5, b6-5

Statement of SSG [REDACTED] taken at Bagram Airfield, Afghanistan, on 30 Sept 02, continued:

Q: Do you know if any of the other local nationals with SAYARI, observed the shooting?

A: Not that I know of.

Q: Near which hand of SAYARI was the AK-47 after he was dead and you saw SSG [REDACTED] kicking it away?

b7C-5, b6-5

A: It was near his right hand on his right side.

Q: Who checked SAYARI for signs of life?

A: I don't know.

Q: How many rounds did you hear fired?

A: Between 5 to 8 shots.

Q: What was the position of SAYARI's body in relationship to the road?

A: The road ran in a SW to NE direction and SAYARI's body was laying in a SE to NW west direction with his head facing towards the NW. He was face down about four feet from where the hill started to rise.

Q: What would you do if a member of your team shot an unarmed captive/detainee?

A: If he was unarmed and they were wrong. Then they were wrong. Turn 'em in I guess. If it needed to be brought to attention, bring to attention.

Q: Did you see the actual shooting?

A: No.

Q: Did anything about the shooting of SAYARI look odd to you?

A: No.

Q: Have you been involved in any shootings?

A: Yes. We were fired upon by Al Qaeda fighters and we returned fire.

Q: Were you ever involved in an incident similar to this one?

A: No.

Q: If SAYARI was shot and killed in cold blood, what should happen to the person(s) that shot him?

A: Whatever the legal people feel fit to do.

Q: If you had the say, what would you say should happen to them?

A: They should be dealt with according to the law.

Q: Is this statement is your own words and typed by this agent?

A: Yes.

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

A: No. [REDACTED] b7C-5, b6-5 [REDACTED] b7C-5, b6-5

END OF STATEMENT [REDACTED]

b7C-5, b6-5

[REDACTED]

INITIALS
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Page 3 of 4 Pages

Exhibit: 6

b7C-5/b6-5

Statement of SSG [redacted] taken at Bagram Airfield, Afghanistan, on 30 Sept 02, continued:

b7C-5/b6-5

AFFIDAVIT

I, SSG [redacted] HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS OF PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTOOD 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, WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT [redacted]

b7C-5/b6-5

b7C-5/b6-5

b7C-1/b6-1

WITNESSES:

[redacted]
SA [redacted]
87th Military Police Detachment (CID)

[redacted]
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 30th day of September, 2002, at Bagram Airfield, Afghanistan, APO AE 09354

[redacted] b7C-1, b6-1
(Signature of Person Administering Oath)

SA [redacted] b7C-1, b6-1
87th Military Police Detachment (CID)
Bagram Airfield, Afghanistan
APO AE 09354
(Name of Person Administering Oath)

Article 136, UMCJ
(Authority to Administer Oaths)

b7C-5/b6-5

[redacted]
INITIALS
DA Form 2823

Page 4 of 4 Pages

Exhibit: 6

FOR OFFICIAL USE ONLY

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

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

DATA REQUIRED BY THE PRIVACY ACT

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

1. LOCATION Bagram Airfield, Afghanistan, APO AE 09354	2. DATE 30 Sep 02	3. TIME 1008z	4. FILE NO. 0114-02-CID369 -
5. NAME (Last, First, MI) <i>b7C-5 b6-5</i>	8. ORGANIZATION OR ADDRESS Operational Detachment-Alpha 343 rd Special Forces Group Bagram Airfield, Afghanistan APO AE 09354		
6. SSN <i>b7C-5 b6-5</i>	7. GRADE/STATUS CPT/AD		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command
 As a Special Agent *b7C-5 b6-5* and wanted to question me about the following offense(s) of which I am
 suspect *b7C-5 b6-5* Conspiracy and Murder!!!

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

- I do not have to answer any question or say anything.
- Anything I say or do can be used as evidence against me in a criminal trial.
- b7C-5 b6-5* For personnel subject to the UCMJ I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

b7C-5 b6-5 For civilians not subject to the UCMJ I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

b7C-5 b6-5 If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)
 Have you been advised of your legal rights within the last 30 days? *No* Do you currently have a lawyer? *No*

Section B. Waiver

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

1a. WITNESSES (If available) <i>HC-1/b6-1</i>	3. SIGNATURE OF INTERVIEWEE <i>b7C-5 b6-5</i>
b. ORGANIZATION OR ADDRESS AND PHONE 87th MP DET (ABN) (CID) APO AFE 09311	4. SIGNATURE OF INVESTIGATOR <i>b7C-1 b6-1</i>
2a. NAME (Type or Print)	5. TYPED NAME OF INVESTIGATOR <i>b7C-1, b6-1</i>
b. ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR 87th Military Police Det (CID), Bagram, Afghanistan, APO AE 09354

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

SIGNATURE OF INTERVIEWEE

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

Sworn Statement

LOCATION: Bagram Airfield, Afghanistan, APO AE 09354

DATE: 30 Sep 02 *b7C-5166-5*

TIME: 1202Z *b7C-5166-5*

NAME: *b7C-5166-5*

SSAN: *b7C-5166-5*

RANK: CPT/Active

ORGANIZATION: Operational Detachment-Alpha 343, 3rd Special Forces Group, Bagram Airfield, Afghanistan, APO AE 09354

I, CPT *b7C-5166-5*, want to make the following statement under oath:

We had received information that a local national was following our patrols out of Fire Base Lwara. CW2 *b7C-5166-5* had gathered enough information to know that the individual was Mohammed SAYARI, who was a local sub-elder. My unit had decided to attempt to detain SAYARI and question to him as to why he was following our patrols. On 28 Aug 02, CW2 *b7C-5166-5* stated that SAYARI was at the Fire Base, and the determination was made to *516-5* attempt to detain him. The plan was to see if SAYARI would follow us. Upon his arrival, SFC *b7C-5166-5* and SSG *b7C-5166-5* got their equipment on and were getting ready to move out. SSG *b7C-5166-5*, our Commo NCO was originally supposed to go, but he had to do something else, so I decided to go. On our way out of the gate, we saw CW2 *b7C-5166-5* talking with SAYARI. We told CW2 *b7C-5166-5* that we were moving out on a hot mission, which was the plan in order to fool SAYARI and see if he was following us. Some distance away from the Fire Base, we set up a roadblock. SSG *b7C-5166-5* and myself were tasked with setting up security. When SAYARI arrived, there were four other occupants in his vehicle, which we let go. I could not see what was going on, but a few minutes after the other local nationals left, I heard shots from where SFC *b7C-5166-5* and SSG *b7C-5166-5* were standing. I looked back to make sure everything was ok, and called out to SFC *b7C-5166-5* and SSG *b7C-5166-5* who both said everything was ok. After about a few minutes and I was sure that nobody was going to approach our position, I moved back to where SFC *b7C-5166-5* and SSG *b7C-5166-5* was. I asked them what had happened. SSG *b7C-5166-5* stated SAYARI had attempted to shoot SFC *b7C-5166-5*. When he (SSG *b7C-5166-5*) had fired on SAYARI. SFC *b7C-5166-5* then fired upon SAYARI until he was down on the ground. SSG *b7C-5166-5* said that SAYARI had been able to obtain his AK-47. I did not see much of the body when I originally came up to the position, so I cannot say what injuries he had sustained. SFC *b7C-5166-5* and SSG *b7C-5166-5* returned back to the Fire Base, because we could not get communications, and at that time notified Counter-Intelligence to come to the scene. When CI arrived at the scene, I only saw the body a little bit more, but could not really tell his injuries.

Q: SA *b7C-5166-5*

A: CPT *b7C-5166-5*

Q: On what date did this occur?

A: 28 August 2002.

Q: Did you conspire with your team members to shoot and kill Mohammed SAYARI?

A: No. *b7C-5166-5*

b7C-5166-5
INITIALS

DA Form 2823

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Page 1 of 4 Pages

Exhibit: 7

b7C-5/b6-5

Statement of CPT [redacted] taken at Bagram Airfield, Afghanistan, on 30 Sept 02, continued:

Q: Do you know if any of your team members wanted to shoot and kill SAYARI?
A: No.

Q: At any time, while your unit had SAYARI detained, did you see anything in his hands?
A: No I could not see his hands.

Q: Did you see SAYARI in possession of a weapon?
A: No I did not.

Q: Did the other local nationals within SAYARI's truck have any weapons?
A: One of them was an AMF soldier, so I believe he had a weapon.

Q: Did the other local nationals present any threat to you or your team members, or attempt to resist you moving them away from the scene?
A: No they did not.

Q: After the shooting, were you able to see SAYARI's body? Can you describe?
A: I saw what looked like a head wound and what appeared to be a center mass wound.

Q: How was his body positioned?
A: Face down and generally away from me when I arrived at the scene.

Q: Where on his body was the center mass wound?
A: I didn't go close enough to verify.

Q: Did he have anything in his hands?
A: I did not see anything at the time.

Q: When did you see something in his hands?
A: When I reviewed the pictures with CI.

Q: What did you see in his hands?
A: I believe they were stress beads.

Q: What happened with the weapon confiscated from SAYARI?
A: After the shooting, it was put into one of our trucks and at some time brought back to our Fire Base. I can only assume that it was destroyed.

Q: What weapons did your team carry with them to the roadblock?
A: We do carry AK-47's in order to appear to be local nationals when we are out on some of our patrols. The AK-47's were inside of our vehicles, but none of my team members had them during this incident. My team members carried M-4's.

Q: After CI arrived on the scene, what other injuries did you see on SAYARI's body?
A: Nothing definite. I could see a head wound, which looked pretty bad, but I could not see anything else.

Q: Did you ever tell any of your team members what to say to the Commander's Inquiry Investigating Officer?
A: No I did not.

Q: Did you ever tell any of your team members what to say to USACIDC?
A: No I did not.

Q: Did you willfully leave out any information, or withhold evidence to the Investigating Officer, or USACIDC?
A: No I did not.

Q: Did any of your team members mention, or state to you that they had lied to the Investigating Officer?
A: b7C-5/b6-5

[redacted] INITIALS

DA Form 2823

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Page 2 of 4 Pages

Exhibit: 7

b7c-5, b6-5

Statement of CPT [redacted] taken at Bagram Airfield, Afghanistan, on 30 Sept 02.
continued:

A: No they did not.

Q: Did you ever tell any of the CI personnel not to download certain pictures to be presented to the Investigating Officer?

A: CI had taken all of the pictures and decided what pictures were to be downloaded.

Q: Did you ever tell any of the CI personnel to download certain pictures and then delete all of the rest of the pictures on file?

A: No I did not. They chose what pictures were to be downloaded.

Q: Who was present when the pictures were downloaded?

A: I only know his name was [redacted] b7c-3, b6-3

Q: Prior to this incident, did you know if SAYARI had ever presented a direct threat to U.S. Forces?

A: No.

Q: Do you know if any of the other local nationals with SAYARI, observed the shooting?

A: I don't think so.

Q: How long and how far away were the local nationals when the shooting occurred?

A: Five minutes. They were about a couple hundred meters away. The road took a turn and a dip, and I saw them go that way.

Q: How much time transpired between the time you stopped SAYARI's vehicle, and when you heard the shooting?

A: About 8-10 minutes.

Q: Near which side of SAYARI was the AK-47 after he was dead?

A: SSG [redacted] had picked up the weapon and cleared it by the time I got up to the scene.

Q: How many rounds did you hear fired?

A: I heard about 4 or 5 shots, but after counting the brass on the ground, we counted about 10-12 rounds. That kind of surprised us about how many rounds were actually fired. SFC [redacted] and SSG [redacted] commented that they did not realize that they had fired that many rounds.

Q: What was the position of SAYARI's body in relationship to the road?

A: Laying on the side of the road. His head was facing away from me. I would say that he was at an angle from the road.

Q: Did you see the actual shooting?

A: No.

Q: Did anything about the shooting of SAYARI look odd to you?

A: No.

Q: Have you been involved in any shootings?

A: Yes. While attempting to detain al Qaeda fighters we were fired upon. I was with the middle team, and did not fire, but saw the front team fire.

Q: Were you ever involved in an incident similar to this one?

A: Nothing like it.

Q: Is this statement is your own words and typed by this agent?

A: Yes. [redacted] b7c-5, b6-5

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

A: NO. END OF STATEMENT [redacted] b7c-5, b6-5

[redacted] INITIALS

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Page 3 of 4 Pages

Exhibit: 7

Q - Who said [redacted] was Bullshit?
A - [redacted] AND CPT [redacted]
b7c-5, b6-5

END OF STATEMENT

b7c-5, b6-5

AFFIDAVIT

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

[redacted signature]
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 20th day of October, 2002

at Kandahar, Afghanistan
[redacted signature]
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

b7C-5, b6-5

Statement of CPT [REDACTED] taken at Bagram Airfield, Afghanistan, on 30 Sept 02, continued:

b7C-5/b6-5

AFFIDAVIT

I, CPT [REDACTED], HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS OF PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTOOD 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, WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT [REDACTED] b7C-5/b6-5

b7C-5/b6-5

[REDACTED]

(Signature of Person Making Statement)

b7C-1/b6-1

WITNESSES:

[REDACTED]

SA [REDACTED]
87th Military Police Detachment (CID)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 30th day of September, 2002, at Bagram Airfield, Afghanistan, APO AE 09354

[REDACTED]

b7C-1/b6-1

(Signature of Person Administering Oath)

b7C-1/b6-1

SA [REDACTED]
87th Military Police Detachment (CID)
Bagram Airfield, Afghanistan
APO AE 09354
(Name of Person Administering Oath)

Article 136, UMCI
(Authority to Administer Oaths)

b7C-5/b6-5

[REDACTED]

INITIALS
DA Form 2823

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Page 4 of 4 Pages

Exhibit: 7

RIGHTS TRAINING PROCEDURE/WAIVER CERTIFICATE

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

DATA REQUIRED BY THE PRIVACY ACT

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

1. LOCATION Bagram Airfield, Afghanistan, APO AE 09354	2. DATE 30 Sep 02	3. TIME 1245	4. FILE NO. 0114-02-CID369
5. NAME (Last, First, MI) [REDACTED] b7C5/b6-5	8. ORGANIZATION OR ADDRESS Operational Detachment-Alpha 343, 3rd Special Forces Group Bagram Airfield, Afghanistan APO AE 09354		
6. SSN [REDACTED]	7. GRADE/STATUS SFC/AD		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command
As a Special Agent b7C-5/b6-5 and wanted to question me about the following offense(s) of which I am suspected: Conspiracy and Murder!!!

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

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

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

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

5. COMMENTS (Continue on reverse side)
Have you been advised of your legal rights within the last 30 days? NO Do you currently have a lawyer? NO

Section B. Waiver

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

WITNESSES (if available)		3. SIGNATURE OF INTERVIEWEE [REDACTED] b7C-1, b6-1	
1a. NAME (Type or Print) SA [REDACTED]	b. ORGANIZATION OR ADDRESS AND PHONE 87th Military Police Det (CID) [REDACTED] b7C-1/b6-1	4. SIGNATURE OF INTERVIEWER [REDACTED]	5. TYPED NAME OF INVESTIGATOR SA [REDACTED] b7C-1, b6-1
2a. NAME (Type or Print) SA [REDACTED]		6. ORGANIZATION OF INVESTIGATOR 87th Military Police Det (CID), Bagram, Afghanistan, APO AE 09354	

Section C. Non-waiver

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

SIGNATURE OF INTERVIEWEE
[REDACTED]

ATTENTION: THIS STATEMENT IS NOT A SWORN STATEMENT (FOR FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

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

DATA REQUIRED BY THE PRIVACY ACT

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

b7C5/b6-5

1. LOCATION Bagram Airfield, Afghanistan, APO AE 09354	2. DATE 30 Sep 02	3. TIME 1300Z	4. FILE NO. 0114-02-CID369
5. NAME (Last, First, MI) <i>b7C5/b6-5</i>	7. GRADE/STATUS SSG 3EE/AD		8. ORGANIZATION OR ADDRESS Operational Detachment-Alpha 343, 3rd Special Forces Group Bagram Airfield, Afghanistan APO AE 09354
6. SSN <i>b7C5/b6-5</i>	B. ORGANIZATION OR ADDRESS <i>23525</i>		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command
 As a Special Agent *b7C5/b6-5* and wanted to question me about the following offense(s) of which I am suspected Conspiracy and Murder//

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

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

5. COMMENTS (Continue on reverse side)
 Have you been advised of your legal rights within the last 30 days? *No* Do you currently have a lawyer? *No*

Section B. Waiver

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

1a. NAME (Type or Print) SA <i>b7C5/b6-5</i>	3. SIGNATURE OF INTERVIEWEE <i>b7C5/b6-5</i>
b. ORGANIZATION OR ADDRESS AND PHONE 87th Military Police Det (CID) <i>b7C5/b6-5</i>	4. SIGNATURE OF INVESTIGATOR <i>b7C5/b6-5</i>
2a. NAME (Type or Print) SA <i>b7C5/b6-5</i>	5. TYPED NAME OF INVESTIGATOR SA <i>b7C5/b6-5</i>
b. ORGANIZATION OR ADDRESS AND PHONE 87th Military Police Det (CID), Bagram, Afghanistan, APO AE 09354	6. ORGANIZATION OF INVESTIGATOR 87th Military Police Det (CID), Bagram, Afghanistan, APO AE 09354

Section C. Non-waiver

1. I do not want to give up my rights
 I want a lawyer *b7C5/b6-5* I do not want to be questioned or say anything

SIGNATURE OF INTERVIEWEE
b7C5/b6-5

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

9

Sworn Statement

LOCATION: Bagram Airfield, Afghanistan, APO AE 09354

DATE: 1 Oct 02 b7C5, b6-5

TIME: 1818Z [REDACTED] b7C5, b6-5

NAME: [REDACTED]

SSAN: [REDACTED] b7C5, b6-5

RANK: CW2/Active

ORGANIZATION: Operational Detachment-Alpha, 2/3rd Special Force Group, Bagram Airfield, Afghanistan, APO AE 09354

I, CW2 [REDACTED] b7C5, b6-5, want to make the following statement under oath:

My unit had information that a local national was following our patrols. I was able to gather intelligence and identify the individual as Mohammed SAYARI. I was also able to gather a description and what kind of vehicle he drove. On 28 Aug 02, he arrived at our Fire Base and asked if we wanted to rent a truck. I told him we did not want to rent one at present, but asked if he could come back later on. I informed my team, and the plan was to see if SAYARI would follow the patrol, and if so, to stop him and ask him why he was following our patrols. Just after SAYARI arrived, which was about 1030Z, we launched two government vehicles in the rouse that they were going out on a mission. SAYARI stated that he had to go, and left the base. About 1100Z, SFC [REDACTED] b7C5, b6-5 and SSG [REDACTED] b7C5, b6-5 returned to the Fire Base and informed me about the shooting. SFC [REDACTED] b7C5, b6-5 also turned in SAYARI's AK-47. I am not sure what happened to SAYARI's weapon. We contacted Counter-Intelligence, and along with them and the Afghan Military Forces Commander, I went to the scene. Upon my arrival, I saw SAYARI lying on the ground with what appeared to be a head wound. I cannot remember what exact position his body was in. The CI examined the scene, took some photos and notes. I coordinated with the AMF Commander, who made arraignments to have SAYARI's body turned over to his family. When I spoke with the AMF Commander, [REDACTED] b7C5, b6-5, he stated that SAYARI was a thug in the area and had been extorting money from the local people. SAYARI had killed a local tribal member in Margah and was living in Lwara for fear of retribution.

Q: SA [REDACTED] b7C5, b6-5

A: CW2 [REDACTED] b7C5, b6-5

Q: Did any of your team members conspire to kill SAYARI?

A: No.

Q: Do you know if any of your team members had murdered SAYARI?

A: No they did not.

Q: Did anything seem odd to you about the shooting?

A: No.

Q: When you arrived on the scene, did you see anything in SAYARI's hands?

A: No, I could not see. b7C5, b6-5

Q: Did you know if CPT [REDACTED] b7C5, b6-5 told CI what pictures to download to be presented to the Commander's Inquiry Investigating Officer?

A: I have no idea.

Q: Did you see the photos which CI had taken?

[REDACTED] b7C5, b6-5

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Exhibit: 10

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b7c-5) b6-5

0114-02-CID369-23525

Statement of CW2 [redacted] taken at Bagram Airfield, Afghanistan, on 1 Oct 02, continued:

A: No I never saw the photos. We were informed prior to coming into the country, that any photos we had of Afghani's that were either blindfolded, captured, shot, or dead, were to be reviewed for intelligence purposes. After the photos were reviewed and whatever information gathered from them, that we were not allowed to hold on to the photos.

Q: Why were you not allowed to hold on to them?

A: It was not meant to cover-up any situations we were involved in, it was meant to insure that nothing was construed from the photos. And also that no photos were to end up being sent by email, or end up in some newspaper or magazine.

Q: Did SSG [redacted] or SFC [redacted] ever say that SAYARI's hands were over his head?

A: No they did not. They said that while they were shooting him, his body turned and then fell on the ground.

Q: Prior to this incident what contact did you have with SAYARI?

A: Prior to our arrival to Lwara, SAYARI had set up a checkpoint near where the Fire Base was. He used the checkpoint in order to extort money from the local people. SAYARI was considered a sub-elder. Many of the elders did not like him, but respected him because he always had some security with him. When we arrived, we essentially knocked down his checkpoint, and he tried to get any jobs on the installation, which we refused. I had spoken with him several times, whenever he tried to get a job on post. On the day of the incident, he was trying to rent us a truck.

Q: Describe how you came to know that it was SAYARI that was following your patrols?

A: We had heard information that somebody was following some of our patrols, but we did not know who it was. A few weeks prior to the incident, [redacted] told me that SAYARI was the one that was following our patrols, but that he currently was not in the area. Up until the morning of the incident, none of my unit members knew about SAYARI. On the 28th, SAYARI came up to our compound, at which time I informed my team.

Q: Did you ever find out why SAYARI was following your patrols?

A: [redacted] had informed me that it was to inform personnel, whether it be Taliban or al-Quaeda, that we were coming. An early warning for them.

Q: Is this statement in your own words and typed by this agent?

A: Yes.

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

A: No. ///End of Statement/// [redacted] b7c-5) b6-5

b7c-5) b6-5

[redacted]
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Exhibit: 10

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DOD-DOACID000795

b7C5/b6-5

0114-02-CID369-23525

Statement of CW2 [redacted] taken at Bagram Airfield, Afghanistan, on 1 Oct 02, continued:

b7C5/b6-5

AFFIDAVIT

I, CW2 [redacted], HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS OF PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTOOD 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, WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

b7C5/b6-5

[redacted signature]

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 30th day of September, 2002, at Bagram Airfield, Afghanistan, APO AE 09354

[redacted signature]

b7C1/b6-1

(Signature of Person Administering Oath)

SA [redacted]
87th Military Police Detachment (CID)
Bagram Airfield, Afghanistan
APO AE 09354
(Name of Person Administering Oath)

Article 136, UMCJ
(Authority to Administer Oaths)

b7C5/b6-5

[redacted initials]
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Exhibit: 10

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Sworn Statement

LOCATION: Bagram Airfield, Afghanistan, APO AE 09354

DATE: 2 Oct 02 ^{b7c4/b6-4}

TIME: 0800Z [redacted]

NAME: [redacted] ^{b7c-4, b6-4}

SSAN: [redacted] ^{b7c-4, b6-4}

RANK: SPC/Active

ORGANIZATION: A Company, 519th Military Intelligence Battalion, Bagram Airfield, Afghanistan, APO AE 09354

I, SPC ^{b7c-4/b6-4} [redacted], want to make the following statement under oath: ^{b7c-3, b6-3}

On the first day of work at FB Lwara, ^{b7c-4} [redacted] and myself were discussing a continuity change over, in a tent within the compound on FB Lwara when Chief ^{b7c-3, b6-3} [redacted], ODA 343's team Chief came to the tent we were in. Chief ^{b7c-3, b6-3} [redacted] stated something serious had happened, someone has been shot. He then asked if we would come and take a look at the body. ^{b7c-3, b6-3} [redacted] and myself all rode in a Nissan pickup truck down to the location of the shooting. The shooting had taken place about 1500m to the south, from the Fire Base, in a riverbed, one of the common roads in the area. When we arrived at the shooting site ODA 343 had set up a security perimeter around the body. The man was approximately 72" tall and weighed approximately 145lbs he had dark brown to black hair slightly curly, with the same colored mustache. The man was lying in a face down position with his legs slightly bent. The man's right arm was extended above his head on the ground with a set of prayer beads clenched in his closed fist. Photographs were taken, and I conducted a full search of the body. During the search I found many various things to include three small bottles of cologne, a wooden toothbrush, a hair comb, a few small pieces of paper, a mirror, and an undetermined amount of Pakistani rupees. The man was wearing a white knee length shirt, a dark red vest and a white pair of pants, common clothing in the area. The man wore a wristwatch on his left hand, and a pair of sandals. Also at the shooting location was the dead mans vehicle. The vehicle was a slate blue, or gray Hilux pickup truck. The vehicle was also searched although nothing of value was found. After completing the vehicle search approximately ten AMF soldiers who work at FB Lwara to include their commander, came to the shooting location. The commander was ^{b7c-5/b6-5} [redacted] asked to inform the elders of the dead man's tribe in order for them to retrieve the body. ^{b7c-3, b6-3} [redacted] (NFI) and ^{b7c-3, b6-3} [redacted] (NFI) were team members from ODA 343 who had shot the man. When asked to explain the sequence of events leading up to the shooting, they explained what had happened. ^{b7c-3, b6-3} [redacted] and ^{b7c-3, b6-3} [redacted] said that the man had been following them as they left the FB for a patrol. They stated that this was not the first time this man had been seen following them, and that he was wanted for questioning. They had set up a vehicle checkpoint, and when the vehicle was stopped, they had removed the man wanted for questioning from the vehicle and allowed the other three passengers to proceed down the river bed on foot. ^{b7c-5/b6-5} [redacted] and ^{b7c-5, b6-5} [redacted] said they had removed an AK47 from the vehicle and placed both the man and the weapon against a hill, near to the location of where the body of the man was found. They stated that when ^{b7c-3, b6-3} [redacted] turned his back in order to radio in a report of what was happening, the man got the AK47 from the bank and was aiming it at ^{b7c-3, b6-3} [redacted] ^{b7c-5, b6-5} [redacted] fired at the man and hit him in the lower abdomen or in the ^{b7c-3, b6-3} [redacted]

^{b7c b6} [redacted]

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Page 1 of 5 Pages

Exhibit: 11

b7C-4166-4

Statement of SPC [redacted] taken at Bagram Airfield, Afghanistan, on 2 Oct 02, continued:

b7C-5166-5

upper hip. [redacted] stated that he quickly turned to see the man still standing and fired at the man several times. [redacted] and [redacted] stated that the man then fell to the ground dead. When asked where the AK47 was located now, they said that it had been taken to the FB. No weapon was ever seen by [redacted] or myself at or near the location of the body. After questioning [redacted] and [redacted] the body was then placed in the back of his Hilux, and driven back to FB Lwara where fingerprints were taken. A short time later the tribal elders arrived to remove the body from FB Lwara. Upon arrival of the elders at the FB, they did not seem to be saddened by the death of one of their tribe members, in fact they thanked [redacted] and [redacted] for shooting the man. It was later determined that the man that was killed was considered a bad man within the tribe. The tribal elders claimed that the man had previously been banned from returning to his original tribe because he had murdered many of his fellow tribesmen.

Q: SA [redacted]

A: SPC [redacted]

Q: The man that was killed was his name SAYARI?

A: Yes.

Q: Did [redacted] or [redacted] ever tell you what hand SAYARI had his weapon in?

A: No they did not.

Q: [redacted] stated he was the first person to shoot SAYARI, correct?

A: Correct. [redacted] had his back to him.

Q: Did [redacted] tell you where he hit SAYARI?

A: No.

Q: Did [redacted] tell you where else he hit SAYARI?

A: No he did not. We didn't ask any of these questions at that time, because we didn't think the shooting was odd. But, after viewing the photos, we noticed that SAYARI had brain matter on his right arm and was also clenching a set of prayer beads in his right hand. We thought that odd since it was stated that SAYARI had picked up his AK47. We did not ask [redacted] or [redacted] any further questions, because we sent our photos up higher to be analyzed.

Q: Who else saw the photos?

A: The Commander and other members of ODA 343 had seen them, as well as [redacted] and I.

Q: What were the comments from the members of ODA 343 when viewing the photos?

A: Pretty much "we did a good job with that guy, because he pointed a weapon at us", that sort of thing was said.

Q: Did anyone comment about the brain matter on SAYARI's sleeve or the prayer beads in his hands?

A: No. [redacted] and I never brought it up, except between us.

Q: How did you and [redacted] feel after seeing the brain matter and prayer beads?

A: I was sent up to Bagram with all of the evidence and pictures. We are not trained on this matter, but we found it suspicious, and that is why I hand-carried the items to Bagram.

Q: How many photos were taken at the scene?

A: I am not sure.

Q: Did any of the SF personnel, at the scene, tell you what pictures not to take?

A: No. The team of 343, in especially [redacted] was upset about the shooting. [redacted] had also commented that he felt that the Detention Facility was not keeping suspects long enough. An

b7C-4166-4

[redacted]

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Exhibit: 11

b7C-4, b6-4

Statement of SPC [redacted] taken at Bagram Airfield, Afghanistan, on 2 Oct 02, continued:

Afghan in particular who was making timing devices for rockets to fire at our Fire Base was sent back to Lwara after only being in the Detention Facility for three weeks.

Q: How was [redacted] upset about the shooting?

A: He was saddened about the shooting. But, he was mad that the Government was investigating the shooting.

Q: Who had seen the photos and thought that they were odd?

A: [redacted] and myself.

Q: Did [redacted] or [redacted] ever say that SAYARI had his hands over his head?

A: No.

Q: Did anyone in your unit, in Bagram comment on the photos?

A: No. When I came back to Bagram I turned them over to the Detention Facility in order to be turned over to SSG [redacted].

Q: Did you overhear, or know of, CPT [redacted], the ODA Commander, instructing [redacted] to delete certain pictures and not to present them to the Commander's Inquiry Investigating Officer?

A: No I never heard of this. I knew something was wrong when [redacted] had told me to take the pictures to Bagram myself and not send them through distribution, or to drop them off at CJSOTF.

Q: Did you know of any other Commander's Inquiry Investigation looking into other shootings?

A: No. I know that [redacted] has shot someone else prior to this.

Q: Do you know when the other shooting occurred?

A: No I do not know the date.

Q: Do you recall the circumstances behind the other shooting?

A: No I do not know.

Q: Did any of the members of ODA 343 threaten you?

A: No one had threatened me. Although I was asked many probing questions about the investigation by [redacted].

Q: What did [redacted] say?

A: When ODA 343 and myself were recalled back to Bagram, the general consensus of the team was that the shooting incident was no big deal, and that the team might get an ass-chewing from the CG and then sent back to the US. [redacted] had asked me how serious was the investigation, or how serious did it seem. He also commented that if they were going to do something to him, then they would have escorted him back to Bagram when he was initially interviewed by the Investigating Officer.

Q: Did you feel threatened by the members of ODA 343?

A: No.

Q: CPT [redacted] stated in his statement that CI had made the determination which photos were to be sent to the Investigating Officer and what photos were to be deleted. Do you know if this is true?

A: There may have been photos that were taken at the scene that were messed up, such as, not enough light, too much light, a shot of the dirt, ect. [redacted] had pulled me aside and told me that there was an investigation going on and that the disk that he gave to me needed to be taken to Bagram. He had a sense that many people on the Fire Base did not want all of the photos to be sent to Bagram. I was not there when CPT [redacted] had discussed with [redacted] on what

b7C-4, b6-4

[redacted] INITIALS DA Form 2823

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Exhibit: 11

b7c-4, b6-4

Statement of SPC [redacted] taken at Bagram Airfield, Afghanistan, on 2 Oct 02, continued:

photos to give to the Investigating Officer, and I was not on the Fire Base when the Investigating Officer was there.

Q: How soon after the incident did you come back to Bagram with the photos?

A: About two weeks after the incident is when I returned back to Bagram.

Q: Did [redacted] ever tell you that he was threatened?

A: No. b7c-3, b6-3

Q: Did [redacted] ever tell you that he felt threatened?

A: No. Although, his departure from Fire Base Lwara was kind of unexpected. I kind of suspected that the reason why was because of this incident. I was asked several times by several persons where was [redacted] b7c-3, b6-3 I commented that he had to go back to Bagram in order to take care of personal problems.

Q: How do you feel about the shooting?

A: Pretty impartial. He didn't point the weapon at me.

Q: After being with ODA 343 for awhile, do you believe that any members had murdered SAYARI?

A: I had no indications that they had murdered SAYARI. There were a few things, which were odd, such as the elders thanking [redacted] b7c-3, b6-3 and [redacted] b7c-3, b6-3 for shooting SAYARI. I was there at the time and overheard the elders thanking the SF team for shooting SAYARI.

Q: Did you overhear any persons say that they felt the shooting was wrong?

A: No, I know that the ODA teams were very tight lipped.

Q: Do you know if the team members of ODA 343, knew the individual following the patrols was SAYARI?

A: I know that they knew the description of the person and the vehicle. but I don't know if they knew that it was SAYARI, by name.

Q: Is this statement in your own words?

A: YES [redacted] b7c-4, b6-4

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

A: NO End of statement [redacted] b7c-4, b6-4

b7c-4, b6-4

[redacted]

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Exhibit: 11

Statement of SPC [redacted] taken at Bagram Airfield, Afghanistan, on 2 Oct 02, continued:

b7c-4, b6-4

AFFIDAVIT

I, SPC [redacted], HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS OF PAGE 1 AND ENDS ON PAGE 5. I FULLY UNDERSTOOD 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, WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

b7c-4, b6-4

[redacted signature]
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 2nd day of October, 2002, at Bagram Airfield, Afghanistan, APO AE 09354 b7c-1, b6-1

[redacted signature]
(Signature of Person Administering Oath)

SA [redacted] b7c-1, b6-1
87th Military Police Detachment (CID)
Bagram Airfield, Afghanistan
APO AE 09354
(Name of Person Administering Oath)

Article 136, UMCJ
(Authority to Administer Oaths)

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DA Form 2823

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Page 5 of 5 Pages
Exhibit: 11

Sworn Statement

LOCATION: Bagram Airfield, Afghanistan, APO AE 09354

DATE: 2 October 2002 *b7c-4/b6-4*

TIME: 1247Z *b7c-4/b6-4*

NAME: *b7c-4, b6-4*

SSAN: *b7c-4, b6-4*

RANK: SSG / E-6

ORGANIZATION: , Bagram Airfield, Afghanistan, APO AE 09354

I, *b7c-4/b6-4*, want to make the following statement under oath:

On the same day of the shooting of SAYARI we had a team meeting after the shooting when everyone returned back to the fire base. It was in the evening some time that we had a Team AAR in reference to the shooting in the Team Op Center. During the AAR it was put out in reference to the days events that the team (CPT *b7c-5, b6-5* and *b7c-5, b6-5*) had gained *b7c-5, b6-5* information that there was intelligence that SAYARI had put a hit out on Chief *b7c-5, b6-5* and that he was following the team on missions. The team as mentioned above was assembled to conduct a vehicle stop on SAYARI. The plan was to stop him and have the interpreters come and talk to him. The team got the vehicle stopped, 2 of the team members were sent out on security and the rest of the team got everyone out of the vehicle. They checked the vehicle and the people and then sent the other (possibly 4) vehicle occupants away. *b7c-5, b6-5* was walking back toward the vehicle that *b7c-5, b6-5* was standing in the .50 caliber gun turret. That is when SAYARI grabbed his AK 47 and *b7c-5, b6-5* fired two shots to the abdomen of SAYARI and then *b7c-5, b6-5* turned and fired a good number of rounds unknown how many. *b7c-5, b6-5* then stated that he fired again and the last round hit SAYARI in the head. This information was put out during the AAR by *b7c-5, b6-5* Chief *b7c-5, b6-5*, CPT *b7c-5, b6-5* and *b7c-5, b6-5*.

Q: SA *b7c-1, b6-1*

A: SSG *b7c-4, b6-4*

Q: Is this statement in your own words and typed by this agent?

A: Yes.

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

A: No.///END OF STATEMENT// *b7c-4, b6-4*

b7c-4/b6-4
[Redacted]
INITIALS
DA Form 2823

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Page 1 of 2 Pages
Exhibit: 12

Statement of taken at Bagram Airfield, Afghanistan, on 2 October 02, continued:

b7c, b6, b4

b7c, b6, b4

AFFIDAVIT

I, [REDACTED] HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS OF PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTOOD 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, WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

b7c, b6, b4

[REDACTED SIGNATURE]

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 2nd day of October, 2002, at Bagram Airfield, Afghanistan, APO AE 09354

b7c, b6, b1

[REDACTED SIGNATURE]

(Signature of Person Administering Oath)

b7c, b6, b1

SA [REDACTED]
87th Military Police Detachment (CID)
Bagram Airfield, Afghanistan
APO AE 09354

(Name of Person Administering Oath)

Article 136, UMCJ
(Authority to Administer Oaths)

[REDACTED INITIALS]

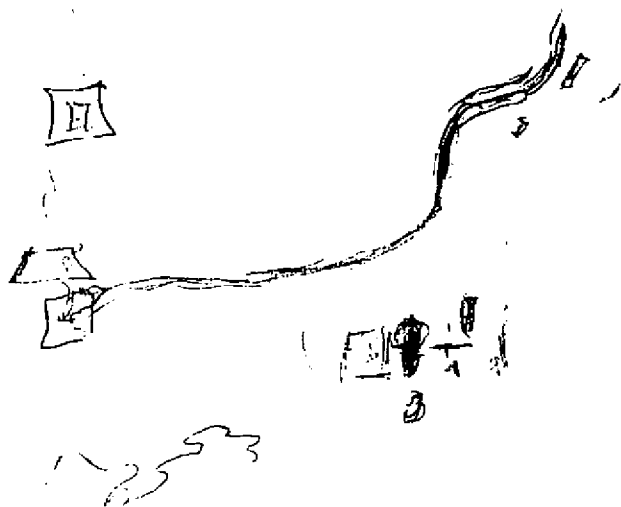
INITIALS

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Exhibit: 12



NR: A S



RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

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

LOCATION: BAGRAM AIRFIELD, AFGHANISTAN DATE: 6 Oct 02 TIME: 0750
FILE NUMBER: 0114-02-CID369-5H1A - 23525 b7c, b6-5
NAME: [REDACTED] IPT
ORGANIZATION OR ADDRESS: 3RD SPECIAL FORCES GRP, BAGRAM AIRFIELD AFGHANISTAN, APO AE 09311. b7c-5, b6-5

RIGHTS WAIVER/NON-WAIVER CERTIFICATE

The investigator whose name appears below told me that he is with the United States Army Criminal Investigation Command as a Special Agent and wanted to question me about the following offense(s) of which I am suspected/accused: **CONSPIRACY; MURDER; OBSTRUCTION OF JUSTICE; ACCESSORY AFTER THE FACT.**

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

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

- or -

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

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

5. COMMENTS:

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

Witness# 1: [REDACTED] b7c-1, b6-1
Signature of Witness: [REDACTED]
[REDACTED] b7c MP Det (CID), Ft. Hood, TX 76544

Witness# 2
Signature of Witness: [REDACTED]

Signature of Interviewer: [REDACTED] b7c, b6-1
Signature of Investigator/Special Agent: [REDACTED]
11th MP Det CID b7c-1, b6-1
Fort Hood, TX 76544

NON-WAIVER CERTIFICATE

I do not want to give up my rights: I do not want to be questioned or say anything:

Signature of Interviewee: [REDACTED] 0151L 00 Oct 02 [REDACTED] b7c-5, b6-5
DA Form 3881-E [REDACTED] b7c-5, b6-5

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Exhibit 14 91

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

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

LOCATION: BAGRAM AIRFIELD, AFGHANISTAN **DATE:** 6 Oct 02 **TIME:** 0805
FILE NUMBER: 0114-02-CID369-5H1A 23525
NAME: [REDACTED] SSG [REDACTED] b7C5b6-5
ORGANIZATION OR ADDRESS: 3RD SPECIAL FORCES GRP. BAGRAM AIRFIELD AFGHANISTAN. APO AE 09311. b7C-5) b6-5

RIGHTS WAIVER/NON-WAIVER CERTIFICATE

The investigator whose name appears below told me that he is with the United States Army Criminal Investigation Command as a Special Agent and wanted to question me about the following offense(s) of which I am suspected/accused: **CONSPIRACY; MURDER;**

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

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

- or -

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

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

5. COMMENTS:

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me. b7C-5, b6-5

Witness# 1 [REDACTED] b7C-1) b6-1
Signature of Witness [REDACTED] b7C-1) b6-1
62nd MP DET (CID) Ft. Drum, 13662

[REDACTED] b7C-5, b6-5
Signature of Interviewee [REDACTED] b7C-1) b6-1

Witness# 2
Signature of Witness [REDACTED]

[REDACTED] b7C-5, b6-5
Signature of Investigator/Special Agent [REDACTED]
11th MP Det CID
Fort Hood, TX 76544

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: [REDACTED] 0807 6 OCT 02 [REDACTED] b7C-5) b6-5

DA Form 3881-E

FOR OFFICIAL USE ONLY

Exhibit 15 92

SWORN STATEMENT

File Number : 0114-02-CID369-23525-5H1A
Location : Camp Stronghold Freedom, APO AE 09311
Date : 09 Oct 2002
Statement Of :
SSN :
Org/Address : A CO, 519TH MI BN, FORT BRAGG, NC 28310
Time: 1735
Grade/Status: E7/SFC
b7C/b6-4
b7C/b6-4
b7C/b6-4

I, [redacted] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
About 29 Aug 02, I was transferred to Fire Base (FB) Lwara from Bagram Airfield in order to operate as the FB Lwara CI SAIC. I arrived approximately 1400 hrs local and was orienting myself to the fire base. Approximately 1530 hrs, I believe [redacted] came to the tent I was in and said that he needed the CI team to respond to a shooting incident that had just happened. I believe the first thing said was by [redacted] and was to the effect of "not again." Myself, and [redacted] were the team that just arrived, and [redacted] and [redacted] (Last name unknown [LNU]) the team we were replacing left FB Lwara for the shooting scene. We were led by, I believe, [redacted] to the location that was approximately a quarter of a mile south of the FB. On arrival, I noticed several US Special Forces (USSF) soldiers set in a defensive perimeter securing the scene. There were approximately 2 or 3 GMV's and a gray 4 door Toyota Hilux. One of the GMV's was located close to a small hill that was on the inside turn of the river to the north of the body and was at a blind spot that couldn't be seen from the FB or from either direction of the river bed. One GMV, I believe, was on the east side of the river close to the vertical embankment and had approximately 2 USSF standing near the front of it. A Hilux was on the opposite side of the river bed and was oriented south with 1 USSF soldier standing next to it and it was approximately 25 to 30 feet south of the body. The other GMV was parked on the same side of the river bed as the Hilux and was 10 or 15 feet north and to the left of the Hilux. The vehicle we traveled in was initially parked to the north of the body, but was moved in order to block the view of the locals traveling on the road. The river, also used as a road by the local people, was approximately 10 meters wide with a vertical embankment on the east side and a steep embankment on the west side. The part of the river in which we were located formed a bend to the west, and on the west or north west side of the river was a gradual slope where silt and sand had been deposited that eventually rose to a hill. On this slope, approximately 10 to 15 feet from the west edge of the river, was a body laying prone with the head turned to the right. His feet were closest to the river, and his head was closest to the steep embankment. His right hand and arm were near his head and in his right hand, clenched in a fist, were prayer beads. His left arm was at his side and his legs were generally straight. It was obvious that the man was dead. There was massive trauma to his head that appeared to be the exit wound caused by a bullet. Covering his right forearm and on the ground on both sides of his forearm was material that included brain matter, skull fragments, and hair. All of which came from the head wound. This splatter pattern, I felt, was consistent with the person laying in the prone and the bullet path coming from an angle that was slightly behind and from the left side of the body. Additionally, I noticed approximately 5 small bullet

Exhibit: _____ INITIALS [redacted] PAGE 1 OF 6

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Exhibit 16 93

STATEMENT OF [REDACTED]
TAKEN AT Camp Stronghold Freedom, APO AE 093 DATED 09 Oct 2002 CONTINUED.

entry holes on the back of the shirt. I did not notice any blood or body fluid surrounding the the holes on the shirt and I believed these holes to be bullet entry holes. I took several pictures with my digital camera of the body as I had found it. These pictures included close up pictures of the head wound with the matter on the forearm and the prayer beads in the clenched fist, wide area pictures, and situational pictures of the body in relation to the surroundings. I then raised the shirt of the man and took a picture of the holes in his back. I noticed approximately 5 holes in the victims back, one of which had a small trickle of blood coming from it. The other holes were clean. I became nervous at this time realizing that the man had been shot in the back and felt uncomfortable taking pictures, because I did not know any of the USSF soldiers at the scene and felt they would question my actions of taking pictures of the man's back. I felt all of the pictures that needed to be taken had been, so I instructed [REDACTED] to search the body. When [REDACTED] finished his search, [REDACTED] and I turned the body over, rolling the body to the left. I took pictures of the body including close up pictures of the head and face. During the course of taking pictures, I overheard one of the USSF soldiers say that [REDACTED] was the shooter. When I had taken enough pictures, I instructed [REDACTED] to collect the DNA samples and I asked [REDACTED] to point [REDACTED] out to me [REDACTED] pointed to [REDACTED] who was standing next to a person I later identified as [REDACTED] and [REDACTED] were located on the far side of the river bed next to the vertical embankment. I walked up to them and asked [REDACTED] what happened. [REDACTED] told me that the man was stopped by USSF and was separated from his AK-47 and vehicle. There were 5 additional persons in the truck that were told to hurry up and leave. SAYARI, the driver, was the only person left from the truck. SAYARI had an AK-47 that was taken by USSF and placed 10 feet away from him. The person that was dealing with SAYARI left to call the FB from the GMV. When that person left SAYARI, SAYARI grabbed his weapon and turned to fire on USSF and that's when he was shot [REDACTED] told me that SAYARI was suspected of following USSF from the fire base and the team wanted to find out why. Both [REDACTED] and [REDACTED] seemed quiet, reserved and almost upset during the time I spent talking with them. I returned to the body and CPT [REDACTED] confirmed with me that I was finished and we had a local Afghan back SAYARI's truck up and [REDACTED] and I loaded the body into the back of the truck and the truck was driven back to the FB by the Afghan. Upon arrival at the FB [REDACTED] and [REDACTED] further processed the body by taking fingerprints of SAYARI. The evidence collected from SAYARI was examined for intelligence value by [REDACTED] (LNU), a CAT II linguist assigned to the SOT-A detachment at the FB which was determined to have no intelligence value. The evidence, to include a ZIP disk that I had transferred all the pictures to was turned over from [REDACTED] to SSG [REDACTED] the NCOIC of the BCP. During the time I spent at FB Lwara, I would hear small pieces of information that described the attitudes of ODA 343. On several occasions I expressed my frustrations to [REDACTED] about the deceitful attitudes of the locals when trying to interview them. [REDACTED] would tell me that he wanted to go with me on any field interrogations and that he would drive [REDACTED] told me of a mock

Exhibit: 16

INITIALS [REDACTED] b7c4, b64

PAGE 2 OF 6

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b7c-4/b6-4

STATEMENT OF [REDACTED]
TAKEN AT Camp Stronghold Freedom, APO AE 093 DATED 09 Oct 2002 CONTINUED.

execution where the first person in the group was taken behind a wall, the person was not honest with [REDACTED] and [REDACTED] fired a round from his service weapon and kept the person out of the sight of the rest of the people that were to be questioned. [REDACTED] went back, got another detainee and the person started giving up all kinds of information. Although I never heard derogatory information come from members of ODA 343 about each other, I did hear comments from other persons at the fire base to the effect, "Well [REDACTED] said he wanted to get one before he left." I believe this meant that he wanted to kill a local Afghan before he left Afghanistan to return to the US. The attitudes and actions that I observed while at the fire base described ODA 343 as a group of USSF out operating without any oversight. Incidents also included a rocket attack around the 21st of Sep, 2002 that had 4 rockets impact in and around the fire base around 1200z hours. The previous day a cache of captured mortar rounds and 12.7mm ammunition was destroyed by USSF at the range co-located with the FB using high explosives. Approximately 0400z hours, I heard another explosion, but it sounded different from a rocket attack. The explosion was more muffled and didn't have the distinct metallic crack associated with the rockets. I went to the roof of the TOC and noticed a gathering of local people at a house approximately 150 meters to the northeast of the FB. I asked one of the local hire interpreters what was going on and he told me that a child was playing with some UXO and it detonated. This incident I later read on the intelligence summary, was reported that the child was injured in the rocket attack and not by the UXO that the child was playing with. Generally missions and actions of ODA 343 were kept to the team members and when the missions were conducted, rarely were outside elements used. ODA 343 and ODA 341 were described to me as completely different in nature. Additionally ODA 343 was described to me as the door kicker types and ODA 341 was described as the civil affairs types. Approximately 24 Aug 02, I was approached by [REDACTED] and was told that JAG was flying in and needed to collect sworn statements from team members and also wanted pictures that I took. I told [REDACTED] that the pictures were on my computer and that they could be transferred to a zip disk. I took my computer into the briefing room and set the computer up to transfer the files. [REDACTED] was at the computer with me. I pulled up all of the pictures and [REDACTED] said something to the effect of let's see what you got. I maximized the pictures individually so [REDACTED] could see the pictures and he would comment on the pictures saying yes or no as to transferring the pictures from the computer to the disk. The pictures that [REDACTED] wanted me to transfer to the disk were pictures that were vague and showed little if any detail. I remember one picture that I had short titled as splat for splatter that [REDACTED] commented on that he definitely didn't want that picture on the disk. I believe that 9 or 10 out of approximately 15 of the pictures that I had taken eventually were transferred onto the disk that [REDACTED] took. [REDACTED] then asked me if I had a need for the pictures on the computer and I told him that I didn't and he asked me if I would delete them off of the computer. When I deleted the pictures he asked

Exhibit: 16

INITIALS [REDACTED] b7c-4/b6-4

PAGE 3 OF 6

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b7C4, b6-4

STATEMENT OF [REDACTED]
TAKEN AT Camp Stronghold Freedom, APO AE 093 DATED 09 Oct 2002 CONTINUED.

me if the pictures were completely gone and I had a feeling he meant from the recycle bin so I then emptied the recycle bin. I gave the disk to [REDACTED] and disconnected my computer. I was scheduled to return to BAF to return evidence from another case that same day. The next day when I got to the OMT, SFC [REDACTED] b7C3, b6-3 called and told me that he needed the evidence and pictures I had turned over to [REDACTED] b7C4, b6-4. I felt that he knew of the disk containing all of the pictures, and knowing that [REDACTED] b7C5, b6-5 deleted the questionable pictures, I felt that the disk I had turned into the BCP was at risk of destruction. I went with [REDACTED] b7C3, b6-3 to the BCP and secured the disk, but had [REDACTED] b7C4, b6-4 turn the other evidence over to [REDACTED] b7C3, b6-3. I then went to the Bagram CID office where I turned over the disk.

- Q. Do you know how well, or if, SAYARI spoke English?
- A. No. b7C3, b6-5
- Q. Did CPT [REDACTED] instruct or ask you to delete those pictures?
- A. He asked me to delete the pictures.
- Q. Did he say why he made that request?
- A. No, but it was obvious to me that he didn't want the pictures to exist. That was his way of insuring they didn't exist.
- Q. Can you tell the difference between an AMF soldier and a local Afghan?
- A. To me they're the same. They're dressed the same.
- Q. Did anyone from ODA 343 threaten you over this incident or imply a threat to you?
- A. Not directly; however, their actions led me to believe that they would not threaten me, they would just kill me.
- Q. What made you believe they were capable of killing a US soldier over this incident?
- A. Special Forces have the training, equipment and motivation to protect themselves from anyone that threatens their circle.
- Q. What do you think were the circumstances of SAYARI's death?
- A. I believe SAYARI to have been executed.
- Q. Why do you think they executed SAYARI?
- A. How do you say just for the fun of it? I think that members of the team felt that the Afghan life was less than human.
- Q. What indicators did they exhibit that led you to believe they looked at Afghans as less than human?
- A. I was told by members of ODA 343 that after the incident villagers came to the gate and said that SAYARI was a thorn in the villagers' side and that his life was of no value. No one came to claim his body and they had a general feeling of disgust toward the Afghans working on base. I think they had almost alienated themselves from the AMF and that they failed to train and work with the AMF.
- Q. What members of ODA 343 said this?
- A. [REDACTED] b7C3, b6-3 said that people came to the gate saying, "Thank you for killing SAYARI", but their actions separating themselves from the AMF was what led me to make the other comments.
- Q. Who were the 8 members for ODA 343 that were at the scene when you arrived?
- A. I thought the whole team was out there, since I had only been on the ground about 90 minutes at that time. I didn't know who was who, and there may not have been 8, but there were

Exhibit: 16

INITIALS [REDACTED] b7C4, b6-4

PAGE 4 OF 6

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b7C4/b6-4

STATEMENT OF [REDACTED]
TAKEN AT Camp Stronghold Freedom, APO AE 093 DATED 09 Oct 2002 CONTINUED.

several USSF and Afghan nationals there. They may have been interpreters, they may have just been someone to drive SAYARI's truck, they may have been AMF, but I don't know. My focus was on SAYARI. Sort of a tragic experience.

Q. Which SJA did CPT [REDACTED] say was enroute to the scene to investigate? b7C-5, b6-5 b7C-5, b6-5

A. [REDACTED] didn't say SJA, he said JAG was enroute. He made no mention of an investigation at that time by JAG. Only that they were to collect statements from the team members and pictures. I believe the name of the JAG officer was [REDACTED].

Q. Why did [REDACTED] tell you he needed the evidence? b7C-3, b6-3

A. [REDACTED] said he needed all of the evidence for the case. When he said case he meant the commander's inquiry.

Q. Why did you feel the pictures would be destroyed even if handled by your own people?

A. He was a 97B, but he worked for CJSOTF. He was SF in my mind. I didn't know if he had been tasked to look for all the evidence.

Q. Is there anything further you wish to add to this statement?

A. Yes. I am seriously concerned with my life with these guys. I feel that they will have nothing to lose with their training and experience and access to specialized weapons. I could be killed with little or no evidence.

Q. Is there anything further you wish to add to this statement?

A. No.//////////END OF STATEMENT//////////

b7C4/b6-4

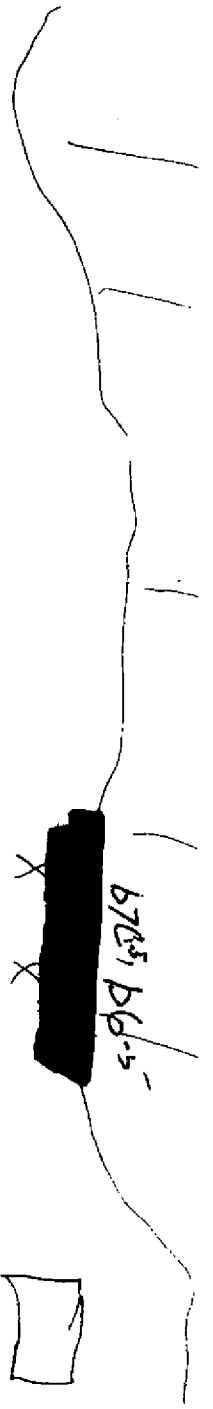
Exhibit: 16

INITIALS [REDACTED]

PAGE 5 OF 6

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67E3 B63
↓



67E5 B6-5

X
IC

Exhibit 1799

67E3 B63
11003791

Sketches by SR

Page(s)

100-132

Referred to:

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

MS JACQUELINE SCOTT
scottj@centcom.smu.mil
(813) 827 5341/2830

CRIME LAB EXAMINATION REQUEST		LAB USE ONLY	
For use of this form, see AR 195-5; the proponent agency is the United States Army Criminal Investigation Command.		REFERRAL NUMBER	
TO: (Include Zip Code) DIRECTOR USACIL-CONUS 4553 North 2nd Street Forest Park, GA 30297-5122 ATTN: Imaging/Tech Supt Div Firearms Div Chemistry Div	FROM: (Include Zip Code) Special Agent in Charge 87th MP Det (Abn)(CID)(Fwd) APO AE 09311 <i>b7C, b6-1</i>	RECEIVED	RETURNED
		REGIS MAIL	REGIS MAIL
		RY EXP	RY EXP
		HAND	HAND
		DATE	DATE
RECEIVED BY		EVIDENCE RECEIPT	
		RECEIVED	INITIATED
1 CONTRIBUTOR CASE NUMBER 0114-02-CID369-23525/5H1A <i>b7C, b6-5</i>	2 INVESTIGATOR'S NAME SA <i>[REDACTED]</i>	3 AUTOVON AND PHONE NUMBER DSN 318-821 <i>[REDACTED]</i>	
4 SUSPECT(S) (Last, first and middle name(s)) <i>b7C, b6-5</i> , CPT; <i>b7C, b6-5</i> , SFC; <i>b7C, b6-5</i> , SSG; <i>b7C, b6-5</i> , SSG			
5 VICTIM(S) (Last, first and middle name(s)) SAYARI, Mohamed (Afghan national)			
6 TYPE OF OFFENSE Murder, Conspiracy, Obstruction of Justice	7. ONE COPY OF EVIDENCE RECEIPT INCLUDED WITH EVIDENCE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	8. OTHER EVIDENCE PREVIOUSLY SUBMITTED ON THIS CASE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
9 IF "YES" IN ITEM 8, LIST OTHER SUSPECT(S), DATE SUBMITTED, UNIT CASE AND LABORATORY REFERRAL NUMBER(S)			
10. EVIDENCE SUBMITTED			
a. EXHIBIT	b. DESCRIPTION OF EXHIBIT		
1	Zip disc (Item 1, voucher 046-02)		
2	Computer, laptop, sn 283183330 3621694 (Item 1, voucher 047-02)		
3	Necklace (Prayer beads), (Item 1, voucher 048-02)		
4	Casing, shell (Item 1, voucher 049-02)		
5	Bullet (Item 2, voucher 049-02)		
6	Metal piece (Item 3, voucher 049-02)		

DA FORM 3655, AUG 74

REPLACES DA FORM 3655 R, 1 NOV 70, WHICH IS OBSOLETE

123

Exhibit 35

10. EVIDENCE SUBMITTED (Continued)

a EXHIBIT	b DESCRIPTION OF EXHIBIT

11 EXAMINATIONS REQUESTED (Briefly furnish any information or instructions that might assist the laboratory in examining, evaluating or returning evidence and/or report)

See attached word document, 2nd Status report and CD containing images of SAYARI's body.

Imaging Div: Obtain and print all images contained on Ex 1; examine Ex 2 for images downloaded, uploaded or deleted between 0001 28 Aug 02, and 24 Sep 02. Please provide images of all photos to include a log of dates/times and activity associated with those images. CPT [redacted] ordered the images of Mr SAYARI's body deleted during a Cdr's inquiry.

b7C, b6-5

Chemistry Div: Examine Ex 3 and determine if any blood or human tissue are on them. The beads were still clutched tightly in Mr SAYARI's strong hand (Right) after the shooting and blood and tissue were spattered on his right arm.

Firearms Div: Examine Ex 4-6 and determine any information pertaining to the type of ammunition or weapon firing them, any ballistic info, caliber, manufacturer (US or foreign), and examine Ex 5 for marks suitable for comparison with the weapon that fired it. All small arms utilized by the entire ODA 343 team are being obtained at Ft Bragg, NC, and will be forwarded for comparison with Ex 5.

Conduct any other examinations deemed appropriate.

Evidence above has not been examined by another expert in the same scientific field.

TYPE/PRINTED NAME OF REQUESTOR *b7C, b6-1*
SPECIAL AGENT [redacted]

SIGNATURE [redacted]

DATE 27 Oct 02 134

Exhibit 35

SWORN STATEMENT 0114-02-210369 - 23525

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

LOCATION Dae. Russia Fire Base, Afghanistan	DATE 2 Jul 08 0600H	TIME 0644Z	FILE NUMBER b7C-4, b6-4
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS O-3 / ACTIVE	
ORGANIZATION OR ADDRESS HHC 4SOS PIR 82nd ABN DIV FT BRAGG NC (Medium Mortar PLATOON 8100)			

[REDACTED] b7C-4, b6-4 WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

- DAY PRIOR TO SHOOTING: AT 1300 INTEL UPDATE, IT WAS PUT OUT THAT A BLACK HI-LUX WAS REPORTED FOLLOWING AND TRACKING U.S. CONVOYS/PATROLS LEAVING THE WIRE. THE SUSPECTED INDIVIDUAL WAS A TALL AFGHAN 6 FEET 2 INCHES (OR THEREABOUTS) AND IF ANYBODY SAW HIM TO DETAIN HIM. HE WAS APPARENTLY A LOCAL "THUG" THAT NONE OF THE LOCALS LIKED AND THAT WERE SCARED OF. ACCORDING TO THE INTEL, THE LOCAL ELDERS WOULD STAND ATTENTION TO THIS TALL YOUNGER MAN (SHOWING THAT HE HAD GREAT INFLUENCE IN THE TOWN).
- DAY OF SHOOTING: MORTAR SECTION WAS ON BASE GUARD AND MY SERGEANT OF THE GUARD AT THE FRONT GATE REPORTED THAT A TALL AFGHAN (6 FEET AT LEAST) WELL DRESSED & SHAVED WALKED UP TO THE FRONT GATE. AFTER THE GENTLEMAN LEFT, MY FRONT GATE GUARD REALIZED THAT IT WAS POSSIBLY THE MAN THE SF WAS LOOKING FOR. WE REPORTED THIS TO THE CP AND IMMEDIATELY A QRF/PATROL LEFT TO INTERCEPT THE BLACK HI-LUX WITH THIS INDIVIDUAL.
- AFTER SHOOTING: WHEN THE QRF RETURNED, WE HELD A 1300 MEETING AND THEY SAID THAT THEY DROVE SOUTH ALONG THE RIVER BED WHEN THEY SPOTTED THE BLACK HI-LUX FOLLOWING THEIR CONVOY. THE CONVOY WAS SAID TO PULL BEHIND A HILL AND STOP THE BLACK TRUCK AS IT DROVE BY. 5 PERSONNEL WERE SAID TO BE IN THE BLACK TRUCK. (1 TALL GUY THAT THEY WERE LOOKING FOR AND 4 OTHERS - AMF POSSIBLY) THEY SAID THAT THEY TOLD THE 4 OTHER INDIVIDUALS TO START WALKING AWAY FROM THE VEHICLE. AS THEY DID, THE TALL INDIVIDUAL STARTED TO GO FOR HIS WEAPON AND POINT IT TOWARDS THE SF SOLDIERS. THEY SAID THAT IN SELF DEFENSE THEY HAD TO SHOOT THE INDIVIDUAL. THE BODY WAS PUT IN THE BACK OF [REDACTED] A TRUCK AND BROUGHT BACK TO THE FIREBASE AT C/WATA. IT WAS LATER TURNED BACK AND GIVEN TO THE LOCALS TO BURY. (ODAS42)
- ADDITIONAL INFORMATION: BECAUSE NONE OF MY MEN WERE ON THE PATROL, I WAS NOT TRACKING EVERYBODY (SPECIAL FORCES) WHO LEFT TO INTERCEPT THE BLACK VEHICLE. THE STORY/INCIDENT AND THE WAY IT HAPPENED WAS CREDIBLE AND I HAD NO REASON TO DOUBT THE INFORMATION GIVEN. I CAN NOT CONFIRM EXACTLY HOW WHO WAS ON THE PATROL BUT I DO KNOW THAT A MINIMUM OF 2 VEHICLES AND 4 SPECIAL FORCES SOLDIERS LEFT THE WIRE. THEY WERE GONE FOR APPROXIMATELY 45 MINUTES.

Q: [REDACTED] b7C-1, b6-1
A: [REDACTED] b7C-4, b6-4

Q: The QRF patrol that left the base was that SF or from your unit?

A: SF [REDACTED] b7C-4, b6-4

Q: Do you know who was in the QRF?
A: I can not sure who they were. [REDACTED] b7C-4, b6-4

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED] b7C-4, b6-4	PAGE 1 OF 2 PAGES
---------	---	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

Exhibit 36

STATEMENT (Continued)

Q: At the 1300 meeting who are you referring to when you stated "they said that they drove..."?

A: The SPECIAL Forces [redacted] b7C-4, b6-4

Q: Do you have anything further to add to your statement? [redacted] b7C-4, b6-4

A: NOTHING ELSE TO STATE IN ACC. P.L. b7C-4, b6-4

Q: Who was at the 1300 Daily meeting?

A: CHIEF [redacted] Sergeant [redacted] Ep. [redacted] b7C-5, b6-5 (Only members from 343 I can recall)

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

A: No. /// — END OF STATEMENT — ///

[redacted] b7C-4, b6-4

AFFIDAVIT

I, [redacted] b7C-4, b6-4 HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

[redacted] b7C-4, b6-4
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 7 day of November 2002, 19 at DAG-RAWSON FIRE BASE, AF HAWAIIAN

ORGANIZATION OR ADDRESS

[redacted] b7C-1, b6-1
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA [redacted] b7C-1, b6-1
(Typed Name of Person Administering Oath)

AR 136, UCMJ
(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[redacted] b7C-4, b6-4

PAGE 2 OF 2 PAGES

SWORN STATEMENT 0114-02-CID369-23525

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

LOCATION DAG- RAJUD FIRE BASE, AFGHANISTAN	DATE 7 NOV 02	TIME 0703Z	FILE NUMBER 66-4
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS SPC / R-A	
ORGANIZATION OR ADDRESS HHC 1/505 PIR, MMP			

1. SPC [REDACTED] b7c-4, b6-4, b7c-3, b6-3, b7c-4, b6-4. WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was on front gate guard with PFC [REDACTED] & SGT [REDACTED] when 2 men pulled up in a blue toyota. The 2 men parked in front of the front gate. They got out and we couldn't understand what they were saying so SGT [REDACTED] left to get an interpreter. An interpreter and chief [REDACTED] came down. Chief [REDACTED] shook the tall mans hand and asked to see the truck. I guessed they wanted to rent it out to the fire base. They lifted the hood and they were checking out the toyota. Something happened and chief [REDACTED] just started going back up the compound. I asked him if the 2 men were good to come up and chief [REDACTED] said no. They he told the interpreter to tell them to get out of here. The 2 men quickly left as if they were scared. They headed toward the river bed and then out of sight. Chief [REDACTED] came back down and told us that the tall guy was Al Qaeda. He went back up and came down with 2 humvees and went down the riverbed. About 5 to 10 minutes later we heard the shots fired. Another toyota with one of the workers that carries an AK. came up. we asked him if he was the one shooting and he said yes but I don't think he understood us. b7c-4, b6-4

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED] b7c-4, b6-4	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

b7C-4, b6-4

STATEMENT (Continued)

After that the 2 Humvee came up and with a toyota behind them and chief [redacted] told me to let those guys in without checking them later on chief [redacted] came down when the workers were leaving to pay them. He told the interpreter to explain to the workers that the man that was shot pulled a weapon out on his men. He told the workers that never to point a weapon at his men. Then he paid them and they left. [redacted]

Q [redacted] b7C-4, b6-4

A [redacted] b7C-4, b6-4

Q: Did the local national in the Humvee leave prior to the patrol leaving the base?

A: Yes [redacted] b7C-4, b6-4

Q: Was CW2 [redacted] b7C-4, b6-4 in one of the Humvees as the patrol left the base?

A: Yes [redacted] b7C-4, b6-4

Q: Do you know the names of the persons in the patrol, or how many there were?

A: I am not sure how many there was [redacted] b7C-4, b6-4

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

A: No ||| END OF STATEMENT ||| [redacted] b7C-4, b6-4

AFFIDAVIT

I, SPC [redacted] b7C-4, b6-4 HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

[redacted] b7C-4, b6-4
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 7th day of November, 2002 at DFE-BAWUN FIVE BASE, AFGHANISTAN

ORGANIZATION OR ADDRESS

[redacted] b7C-4, b6-4
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA [redacted] b7C-4, b6-4
(Typed Name of Person Administering Oath)

ARL 136, UCMJ
(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

SWORN STATEMENT 0114-02-CIR369-23525			
<small>For use of this form, see AR 190-45; the proponent agency is ODGSOPS</small>			
LOCATION DAE - ROAD FIRE BASE AFGHANISTAN	DATE 7 Nov 2002	TIME 0712	FILE NUMBER b7C-4, b6-4
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS E-5/Act J	
ORGANIZATION OR ADDRESS HHC 1/505th PIR			
<p>SGT [REDACTED] b7C-4, b6-4 . WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:</p> <p>On 28 Aug 02 my duty as Sog at Laway Fire base. A Hilux truck approached the entrance of the fire base. Two Personal got out of the vehicle. They both approached myself and my two gate guards. We asked for an interop to come down to help use out to translate. One Special Forces person and one interop came down to talk. Talking with the two for a few min then telling them to leave. We later observed the vehicle as it left just left outa sight it stopped for a few min.</p> <p>The Sp Personal left then came right back asking if and where the local nationals had went I return telling us that those personal was wanted for questioning that vehicle they were driving has been following our Patriots out and was seen around the base. I made my rounds around the guard positions telling my guards to keep there eye out of suspicious activity. b7C-4, b6-4</p> <p>Q: [REDACTED] b7C-4, b6-4 A: [REDACTED] b7C-4, b6-4</p> <p>Q. Do you know the name of the local national that was driving the truck? A: No [REDACTED] b7C-4, b6-4</p> <p>Q. Can you describe the driver? A: I am not sure who the driver was, but when they approached the gate, there was one with a beard and the other that was younger [REDACTED] b7C-4, b6-4</p> <p>Q. Do you know the name of the Special Forces soldier who came to the gate? A. I'm not sure who it was [REDACTED] b7C-4, b6-4</p>			
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED] b7C-4, b6-4	PAGE 1 OF	2 PAGES
<small>ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED" THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM</small>			

DA FORM 2823, JUL 72

SUPERSEDES DA FORM 2823, 1 JAN 69, WHICH WILL BE USED.

USAPPC V2 00

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PAGE 2 OF 2 PAGES

67C-4, 66-4

INITIALS OF PERSON MAKING STATEMENT

ORGANIZATION OR ADDRESS

(Authority to Administer Oath)

(Typed Name of Person Administering Oath)

SA [redacted] 67C-4, 66-4

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

[redacted] 67C-4, 66-4

at [redacted] Post-Reward First Base, AF [redacted]

administered on this 7 day of Nov 2002 19-
Subscribed and sworn to before me, a person authorized by law to

WITNESSES:

(Signature of Person Making Statement)

[redacted] 67C-4, 66-4

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

HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT

AFFIDAVIT

STATEMENT (Continued) 67C-51A-5
67C-31B-3

Q: Was it [redacted] or [redacted] ?
A: I cannot remember - [redacted] 67C-4, 66-4

Q: Did you actually see the Hinx leave the post?
A: Yes [redacted] 67C-4, 66-4

Q: Did an SF patrol leave the post just prior to the Hinx leaving?
A: I cannot recall if a patrol left right at that time. There might have been a patrol outside the base at the time, but I don't know [redacted] 67C-4, 66-4

Q: Did you hear the conversation between the SF soldier and the local national while at the gate?
A: No I do not recall what was said. [redacted] 67C-4, 66-4

Q: Did the SF soldier appear any of the local national, or did he tell the local national to go away?
A: I don't remember [redacted] 67C-4, 66-4

Q: When you saw the Hinx in the numbered below the camp, what were the occupants doing?
A: I could barely see the truck as it rounded the bend in the road. They just sat there, but I can't see what they were doing [redacted] 67C-4, 66-4

Q: When the Hinx left the base gate how many people were in the truck?
A: Just two [redacted] 67C-4, 66-4

Q: Do you have anything further to add to your statement?
A: No. End of statement [redacted] 67C-4, 66-4

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

LOCATION DAE RAWOOD FIRE BASE AFGHANISTAN	DATE 7/31/02	TIME 0730	FILE NUMBER b7C-4, b6-4
LAST NAME, FIRST NAME, MIDDLE NAME (NMN) b7C-4, b6-4	SOCIAL SECURITY NUMBER b7C-4, b6-4		GRADE/STATUS PFC (ACTIVE)
ORGANIZATION OR ADDRESS HHC 1-505th PIR, KANDAHAR AIRFIELD, AFGHANISTAN, APO AE 3354			

I, [redacted] b7C-4, b6-4, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

On Aug. 23rd 2002 there were two men in a toyota come up to our firebase, "Lemara" Sst [redacted] b7C-4, b6-4 SPC [redacted] b7C-4, b6-4 and myself were on front gate guard at the time. Sst [redacted] b7C-4, b6-4 left the guard post so he can get a translator. Along with the translator Chief [redacted] b7C-4, b6-4 and Sst [redacted] b7C-4, b6-4 came to the front gate. They started talking, Chief [redacted] b7C-4, b6-4 the two guys and the translator, and looking under the hood of the toyota. From my understanding they were trying to rent out their toyota to the firebase. A few minutes passed and Chief [redacted] b7C-4, b6-4 told the two guys to leave. His exact words were, "get out of here", "Go". The guys left in a hurry. About 5 minutes later Chief [redacted] b7C-4, b6-4 comes back down to the front gate and asks us "which way ~~the~~ toyota went?" We told him ^{the} direction of the truck. Chief [redacted] b7C-4, b6-4 told us that one of the guys were known Al Qaeda wanted for questioning. Chief [redacted] b7C-4, b6-4 went back up and a few minutes later about 2 GMV's left in the direction of the toyota. Sst [redacted] b7C-4, b6-4 SPC [redacted] b7C-4, b6-4 and I then heard gunshots. I would say about 5 to 8 shots. I then seen one GMV go by the AMF checkpoint and they get a driver from their. Another toyota. As they came back up into the firebase they said to let the toyota in and do not stop him. Later on that day I found out that the SF Team that went out stopped the toyota and the Al Qaeda guy came out with an AK and pointed it at them and the guys just defended themselves. At the end of the day as the workers left Chief [redacted] b7C-4, b6-4 along with a translator told the workers to tell all the locals that "if we stop you and you point your weapon at any U.S. soldier we will defend ourself and shoot you. And that was it." b7C-4, b6-4

- Q: [redacted] b7C-4, b6-4
- A: [redacted] b7C-4, b6-4
- Q: Do you know the names of the soldiers that were in the GMV's when they left the base?
- A: I'm not sure who they were. [redacted] b7C-4, b6-4

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [redacted] b7C-4, b6-4	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [redacted] TAKEN AT [redacted] DATED [redacted] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [redacted] OF [redacted] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823 JUL 72

SUPERSEDES DA FORM 2823, 1 JAN 99, WHICH WILL BE USED.

Exhibit 39

STATEMENT (Continued)

Q. Other than what you already stated did you hear anything further about the shooting?

A: NO b7C-4, b6-4

Q. Did you see anyone else get in the Helix after it left the compound?

A No b7C-4, b6-4

Q. Do you have any thing to add to your statement?

A. NO // END OF STATEMENT " b7C-4, b6-4

AFFIDAVIT

I, [REDACTED] b7C-4, b6-4 HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

[REDACTED] b7C-4, b6-4
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by I w to administer oaths, this 7th day of November, 2002 at DRE-BAWDO FIRE BASE AFGHANISTAN

ORGANIZATION OR ADDRESS

[REDACTED] b7C-4, b6-4
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

JA [REDACTED] b7C-4, b6-4
(Typed Name of Person Administering Oath)
AGT 136, USMCJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0114-02-CID369-23525

PAGE 1 of 1 PAGE(S)

DETAILS

About 1100, 2 October 02, SA [redacted] ^{b7C-1, b6-1} interviewed and obtained a sworn statement from SSG [redacted] ^{b7C-4, b6-5} Alpha 2nd Battalion, 3rd Special Forces Group, Fort Bragg, North Carolina, 28310 (FBNC). SSG [redacted] ^{b7C-4, b6-5} was assigned to the team on or about 22 Apr 02. SSG [redacted] ^{b7C-4, b6-5} stated he was not on the mission the day of the shooting, but heard about it at the Fire Base in Lwara. SSG [redacted] ^{b7C-4, b6-5} indicated he was present for the After Action Review (AAR) that was conducted the same night of the shooting incident involving SAYARI. SSG [redacted] ^{b7C-4, b6-5} stated he did not know the team was assembled to go on the mission that morning. SSG [redacted] ^{b7C-4, b6-5} further stated during the AAR, CPT [redacted] ^{b7C-4, b6-5} (SFC [redacted] ^{b7C-4, b6-5} and Chief [redacted] ^{b7C-4, b6-5}) put out the following information in reference to the shooting incident. SSG [redacted] ^{b7C-4, b6-5} stated the vehicle stop was to take place on SAYARI's vehicle on the road outside the Fire Base to gather information in reference to a "hit" being placed on Chief [redacted] ^{b7C-4, b6-5} and the fact of SAYARI following the team on various missions. SSG [redacted] ^{b7C-4, b6-5} was not sure which one of the four individuals put out that information at the AAR. SSG [redacted] ^{b7C-4, b6-5} could not remember were it was said that SAYARI was positioned at the scene in reference to the vehicles and team members for there was no sketch drawn at the AAR for reference. It was said that [redacted] ^{b7C-4, b6-5} (SFC [redacted] ^{b7C-4, b6-5}) turned his back on SAYARI and was walking back to call the interpreters toward the vehicle that [redacted] ^{b7C-4, b6-5} SSG [redacted] ^{b7C-4, b6-5} was standing in the .50 Cal gun turret covering [redacted] ^{b7C-4, b6-5} (SFC [redacted] ^{b7C-4, b6-5}) SAYARI then grabbed his AK-47, and then [redacted] ^{b7C-4, b6-5} SSG [redacted] ^{b7C-4, b6-5} fired at SAYARI and allegedly hit him in the abdomen area [redacted] ^{b7C-4, b6-5} (SFC [redacted] ^{b7C-4, b6-5}) stated, he then turned and fired a good number of rounds, (unknown how many) at SAYARI. [redacted] ^{b7C-4, b6-5} SSG [redacted] ^{b7C-4, b6-5} then stated he fired again and hit SAYARI in the head. ^{b7C-4, b6-5}

This is all of the information SSG [redacted] ^{b7C-4, b6-5} could recall that was put out at the AAR in reference to this investigation at the Fire Base in Lwara. SSG [redacted] ^{b7C-4, b6-5} further stated he did not have any knowledge / intelligence on SAYARI prior to this incident. SSG [redacted] ^{b7C-4, b6-5} stated SFC [redacted] ^{b7C-4, b6-5} and CPT [redacted] ^{b7C-4, b6-5} got intelligence for the team on the area personnel and then distributed accordingly as necessary. (See sworn statement of SSG [redacted] ^{b7C-4, b6-5} for details, Exhibit [redacted] ^{b7C-4, b6-5})

///NOTHING FOLLOWS///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [redacted] ^{b7C-1, b6-1, b2}

ORGANIZATION

87th MP Det (CID), Bagram Airfield, Afghanistan

SIGNATURE

[redacted] ^{b7C-1, b6}

DATE

2 October 02

EXHIBIT

40

CID FORM 94
1 FEB 77

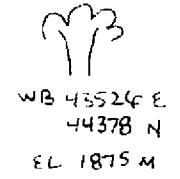
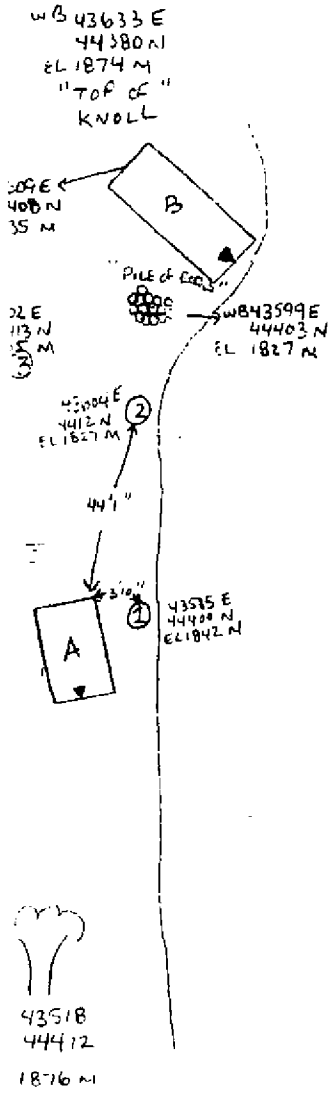
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CASE # 0114-02-CID369-23525

"AGAINST WALL"

43417 E
44357 N
EL 1873 M



LEGEND

- A. Shell Casing
- B. Metal
- C. Metal
- D.
- E.

TITLE BLOCK

Case #: 0114-02-CID369-23525
 Offense: Death Investigation
 Scene Portrayed: River Bed
 Bldg: N/A
 Location: Outside Lwara Fire Base
 Victim: Mr SAYARI
 Time/Date began: 0710z, 14 Oct 02
 Drawn By: SA [redacted] b7c-1, b6-1
 Verified By: SA [redacted] b7c-1, b6-1



North

NOT DRAWN TO SCALE
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EXHIBIT: 41

SWORN STATEMENT 0114-02-CID-369-23525

File Number : 1015-02-CID023-
Location : Fort Bragg, NC 28310-5000
Date : 01 Oct 2002 Time: 1225
Statement Of: [redacted]
SSN : [redacted] Grade/Status: E4/SPC
Org/Address : HHC, 3RD SPECIAL FORCES GROUP, FORT BRAGG, NC 283105000

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

Q. What is your MOS and job title?

A. 97B and my title is Counter Intelligence Agent.

Q. When did you arrive in Afghanistan when you were deployed?

A. We left Fort Bragg on 11 Mar and got there on the 13th of March.

Q. Where were you assigned while there?

A. I was actually assigned in Bagram and Lwara Fire base.

Q. Describe your duties while you were deployed in Afghanistan.

A. Force Protection, interviews of detainees, interviews of locals and sources, debriefing teams after missions, and that's pretty much it.

Q. Describe in detail what occurred on 28 Aug 02 and your involvement in any incidents that occurred that day involving yourself, any teams, and/or local nationals.

A. I got to Bagram on the 17th of August and I had transported "PUC" which was a Person Under Control or Custody. I am not sure what it stands for exactly and have heard other people call it different things. I spent the rest of the time in Bagram waiting for a flight back to Lwara. On 28 Aug 02, I woke up that morning and got all my things together as I had been told early that morning that I was getting a flight out and going back to Lwara. About 0900, 28 Aug, we boarded the helicopters, they were chinhooks, and the first helicopter had a problem so we had to wait to see if they could fix it. We boarded another helicopter and then they fixed the problem on the first one so we went back to that one. It was around 1200, when we finally took off. We made a few stops at a few other fire bases to drop off some supplies. We got into Lwara around 1600. That's local time. We unloaded our stuff off the helicopter and transported it up to the fire base. About 15 minutes later, I was informed along with SFC [redacted] that there was a shooting down in the river bed. Chief [redacted] told us that there had been a shooting and he wanted us to go down there and document the scene. Chief [redacted] told us it was the guy who had been following the teams leaving on the missions. I didn't know what he was talking about at that time due to me being out of the loop for the past week and a half and in Bagram. We grabbed our equipment. We took our LBE, weapon, note pads, camera, and that's it. We got into a Nissan Truck that we were using. It was me, SFC [redacted] SPC [redacted] and SSG or SFC [redacted] (who were our replacements). We all went to the scene together. It was about one and a half KM's to the scene from the fire base. I drove the truck to the scene. It was southwest of the fire base and in the river bed, which was also the roads. The roads were in the riverbeds. When we arrived, which was around 1645, and got out of the vehicle, we saw the guy laying on the ground. The team guys were pulling security. It was ODA 343 that was there. We pulled up and there were two of their HUMVV's there. One was in front of the suspect's vehicle and one was behind it. The

Exhibit: _____

INITIALS [redacted]

PAGE 1 OF 6

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Exhibit 43

STATEMENT OF [REDACTED] b7c-4, b6-4
 TAKEN AT Fort Bragg, NC 28310-5000 DATED 01 Oct 2002 CONTINUED.

7c-4, b6-4
 were in a more defensive position and were about 25-30 meters apart from each other with the suspect vehicle in between. The HUMMV in the front had a 50 cal mounted on it I believe. There were no doors on the vehicle. The one to the rear had a Mark 19 mounted on it and it also did not have any doors. They were both painted a tan/sand desert color. The suspect vehicle was a dark colored Toyota Hylux pick up truck. It was a bed type pickup and didn't have any type of camper on it and it had four doors. That's the way the trucks are over there, they have four door. When I arrived, the doors to the truck were all closed, all four of them. I only saw the dead guy on the ground. He was laying on his stomach and I think, but not 100% sure, but I think his right arm was under his body and his left arm was above his head. He was wearing local type garb. It was like a long shirt and pants with a vest over the shirt. I think he was wearing a pancake type hat. His head was tilted to the right hand side and his eyes were open. His mouth was slightly opened and there was blood coming from his mouth. He had a couple heads wounds and there were some wounds on his back, but we had to lift his shirt up to see them. We had first asked them what had happened. I spoke to SFC [REDACTED] b7c-4, b6-4 and he told me that the Afghanistan Military Force (AMF) checkpoint had stopped him first and there were three people in the vehicle. They said the guy had passed through the AMF checkpoint. Then our ODA team chased the vehicle down and stopped the vehicle. The passengers were told to get out of the vehicle and the suspect was told to set his weapon down and step away from it. They said he had an AK-47 assault rifle. [REDACTED] b7c-4, b6-4 turned to say something to one of the other team guys and when he turned, the suspect grabbed the rifle and was bringing it up to the firing position and that's when SSG [REDACTED] b7c-4, b6-4 fired into the back of the suspect. The suspect did not go down right away and [REDACTED] b7c-5, b6-5 had turned and engaged the suspect with I believe a head shot. Then the suspect went down. That's the story that I got from [REDACTED] b7c-4, b6-4. I don't remember how many shots he fired. Then I went over and I talked to [REDACTED] b7c-4, b6-4 and he collaborated [REDACTED] b7c-5, b6-5 story. He said that when they were asked to get out of the vehicle, the suspect had set his weapon down and was told to move away from it. He said [REDACTED] b7c-4, b6-4 had turned away for a second and the suspect went for the weapon and pointed it towards [REDACTED] b7c-4, b6-4 and that's when he fired. I am not for sure how many he said he fired right off the bat. He said [REDACTED] b7c-5, b6-5 then turned and fired on the suspect. [REDACTED] b7c-4, b6-4 said it happened so quickly and could not remember how many shots [REDACTED] b7c-4, b6-4 fired, but that it was more then one. I didn't specifically ask them how many shots they each fired. It was more along the lines of "Did you fire?" and when they said yes, then we knew who had fired. When we were policing up the scene, after everything was done, we found nine or ten casings. These were M-4 shell cases, 5.56. After we had talked with them, that was when we went over and examined the body. I noticed one head shot. There was a possible entrance and an exit wound. The entrance wound was on his forehead about centered and slightly to the right and was about an inch to an inch and a half about the suspect's right eye. The exit wound was about the center crown area of the back of his head. There were several wounds in the chest area and also several wounds in his back. We had [REDACTED] b7c-4, b6-4

Exhibit: _____

INITIALS [REDACTED] b7c-4, b6-4

PAGE 2 OF 6

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Exhibit 43

STATEMENT OF [REDACTED] b7c-4, b6-4
TAKEN AT Fort Bragg, NC 28310-5000 DATED 01 Oct 2002 CONTINUED.

to pull his shirt up to see the other wounds. We did roll him over and look at the front of his body also. That was how we saw all of his wounds. There were no wounds on his hands. We did fingerprints on him and didn't notice any wounds on his hands. I never saw a weapon. I was told by Chief [REDACTED] b7c-5, b6-5 that they had brought the weapon to the weapons storage area and put it with all the other weapons. I never saw the weapon at the scene or afterwards. They said they brought the weapon up after they could not get any radio coms with the base and Chief drove up to the base himself with the weapon. The chief came back with the weapon and had stored it and that's when he told me that there had been a shooting. After we photographed the body, we placed the body in the back of the pick up truck (the hylux) and turned the body over to the AMF commander so that he could have the family notified and the body buried as soon as possible. In Islamic law, the body has to be buried before sunset. The AMF commander took it from there. The AMF Commander took the truck with the body in the back and took them away. We returned to the base to begin the debriefing. The new guys that had came in assumed control of the investigation. I didn't do any of the debriefing. Chief [REDACTED] wrote up a statement. I am not for sure if he was down there when it happened or not. He sent the statement up to his higher ups and gave the statement to the guys who had assumed the investigation. After the statements were done, the CI guys sent up their reports.

Q. Who all was at the scene when you arrived there? b7c-5, b6-5
A. [REDACTED] Chief [REDACTED] (who was b7c-5, 5, 5, 5, b6-5, 5, 5, 5 the one who actually came [18- up and got us and had returned to the scene with us), and that's it. b7c-5, b6-5

Q. Was there a person named [REDACTED] there?
A. Yes, CPT [REDACTED] was also there. He didn't talk much so I didn't really notice him. I can't actually remember if he was actually there or not as I had never talked to him.

Q. Did anyone say what happened to the other two males who were in the vehicle with the suspect when he was stopped?

A. They were released at the scene before the shooting, I believe. I didn't see any other civilians around when I got to the scene.

Q. Prior to your departure from the fire base, did you hear SFC [REDACTED] b7c-5, b6-5 make a comment of something to the effect of "not again"?

A. No.

Q. What was your knowledge of ODA 343 prior to the incident?
A. I spent four months with those guys in the Lwara there. I didn't know any of them before I got to Afghanistan.

Q. Were there any type of religious type beads in the possession of the suspect?

A. Yes, they were collected with some of the other pocket litter that was on his person.

Q. When you got to the scene, where were the religious beads located?
A. On the ground right next to the suspect. They were on his right hand side.

Q. Were they in his hand when you saw them?

A. Not that I remember.

Q. Did you find an AK-47 casings on the ground after the [REDACTED] b7c-4, b6-4

Exhibit: _____

INITIALS [REDACTED] b7c-4, b6-4

PAGE 3 OF 6

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Exhibit 43

STATEMENT OF ██████████ b7c-4, b6-4
TAKEN AT Fort Bragg, NC 28310-5000 DATED 01 Oct 2002 CONTINUED.

b7c-4, b6-4
incident?

A. No.

Q. Did you find any other weapons on the subject?

A. No.

Q. Did they tell you the time the shooting actually occurred?

A. No.

Q. What did you do with the shell casings that were from the M-4's that were fired? b7c-4, b6-4

A. I gave them to SPC ██████████ and SSG/SFC ██████████ b7c-4, b6-4

Q. Where were the shell casings found that you recovered?

A. Approximately 20 feet from the body. The body was on the back right of the truck. I found approximately 8 shell casings to the back left of the truck, which probably came from ██████████. I found 2-3 shell casings to the back right of the body and b7c-5, b6-5 probably came from ██████████. From what I gathered, the weapon was on the back of the truck and when the suspect went for the weapon, ██████████ shot him and then ██████████ fired.

Q. Were there any attempts by the SFG guys to cover this up?

A. No.

Q. Was this reported up the chain of command by the normal procedures?

A. Yes.

Q. Do you know of any other similar type incidents occurring involving this team?

A. There was one other shooting in May 2002. It was involving ██████████. There was a guy that was armed and gathering information on a fire base, and when ██████████ approached him, the guy attempted to fire on him. ██████████ then shot him. The guy was killed then also. I believe an SA ██████████ from CID, was the one who investigated the incident. b7c-1, b6-1

Q. Did anyone of the parties involved ever approach you after the incident and talk to you about what happened?

A. No.

Q. Did anyone involved in the incident ever ask you not to report the incident?

A. No.

Q. Was there anyone else involved in the incident that we have not mentioned as of yet?

A. No more Americans.

Q. We have information there were four people in the truck with the suspect when he was stopped. Have you heard anything different that the two that you listed early as being with the suspect?

A. I heard two from the team guys.

Q. Did any ever tell you why they let the other two guys go and keep the suspect detained?

A. Because they were going to detain the suspect and the other two guys were not involved with this or believed to be wanted for anything else. The suspect was going to be sent to Bagram. that was the intent.

Q. Did they ever search the truck? b7c-4, b6-4

A. Yes, SPC ██████████ and ██████████ searched the truck.

Q. Did they find anything significant located within the truck?

A. There was a red plastic card that said in Pashtun, "Do Bad Things." We thought that was odd. Nothing else was found in the truck. b7c-4, b6-4

Exhibit: _____

INITIALS ██████████ b7c-4, b6-4

PAGE 4 OF 6

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Exhibit 43 148

STATEMENT OF [REDACTED] b7c-4, b6-4
TAKEN AT Fort Bragg, NC 28310-5000 DATED 01 Oct 2002 CONTINUED.

- Q. Were there any other weapons found in the truck?
- A. No.
- Q. Did anyone tell you they had searched the truck prior to the shooting?
- A. No, no one told me.
- Q. How were they communicating the suspect?
- A. There was an interpreter. It was a local national. I don't know his name.
- Q. Was he there when the shooting occurred?
- A. I believe.
- Q. Did anyone interview him?
- A. SPC [REDACTED] and [REDACTED] did.
- Q. Do you know the name of the person who was killed in the incident on 28 Aug?
- A. Mohammed something.
- Q. Do you know the name of the person killed in the May incident?
- A. Wali ki. b7c-5, b6-5
- Q. Where is [REDACTED] at now?
- A. I believe they are all still in Afghanistan. They are all part of one team so they should all be together.
- Q. Has anyone from your chain of command contacted you about the incident that occurred in August?
- A. Yes, My NCOIC, who was collaborating the report that was sent up by SPC [REDACTED] and SSG/SFC [REDACTED]. It was nothing formal.
- Q. When did you get back from Afghanistan?
- A. The 16th of September.
- Q. Do you have anything to add to this statement?
- A. Nope.///END OF STATEMENT/// b7c-4, b6-4

Exhibit: _____

INITIALS [REDACTED] b7c-4, b6-4

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FOR OFFICIAL USE ONLY

Exhibit 43 149

STATEMENT OF [REDACTED] b7c-4, b6-4
TAKEN AT Fort Bragg, NC 28310-5000 DATED 01 Oct 2002 CONTINUED.

AFFIDAVIT

7c-4, b6-4

I, [REDACTED] b7c-4, b6-4
HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND
ENDS ON PAGE 06. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT
MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND
HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE
MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT
THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR
UNLAWFUL INDUCEMENT.

[REDACTED] b7c-4, b6-4
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to
administer oaths, this 01 day of OCT, 2002 at Fort Bragg, NC 28310-5000

[REDACTED] b7c-4, b6-4
(Signature of Person Administering Oath)

SA [REDACTED] b7c-4, b6-4
(Typed Name of Person Administering Oath)

ARTICLE 136 (b) (4) UCMJ

(Authority To Administer Oaths)

WITNESS:

Exhibit: _____

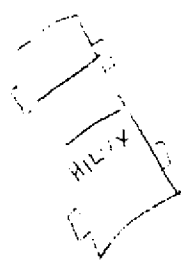
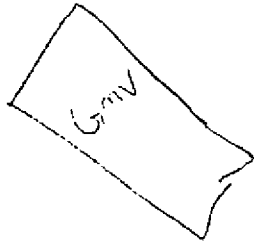
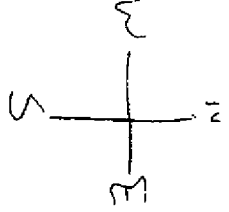
INITIALS [REDACTED] b7c-4, b6-4
FOR OFFICIAL USE ONLY

PAGE 6 OF 6

Exhibit 43 150

SP4 [redacted] b7c-4, b6-4

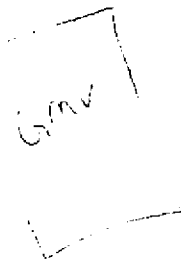
1 OCT 02 witnessed by
SA [redacted]
Farr + [redacted], CID
b7c-1, b6-1



APPROX
8
SHALL
CASINOS

[redacted]
b7c-5, b6-5

2-3
SHALL
CASINOS
[redacted]
b7c-5, b6-5



TO
E. [redacted]
LWACH
1.5 Km
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Exhibit 44

SWORN STATEMENT 011402-CID369-25525

File Number : 1015-02-CID023-
Location : Fort Bragg, NC 28310-5000
Date : 01 Oct 2002 Time: 1250
Statement Of: [redacted] b7c-4, b6-4
SSN [redacted] b7c-4, b6-4 Grade/Status: E7/SFC
Org/Address : GROUP SUPPORT COMPANY, 3RD SPECIAL FORCES GROUP, FORT BRAGG, NC 283105000

I, [redacted] b7c-4, b6-4 WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
I was assigned to Fort Bragg in Apr 02, and have been assigned to the Group Support Company, 3rd Special Forces Group (SFG), Fort Bragg, the whole time. In the end of Apr 02, I left for Afghanistan on deployment with various elements of the 3rd SFG. My MOS is 97E (Interrogator), and I deployed with 3rd SFG in this capacity. Once in country, I deployed in theater. From 1 May 02 to 7 Jul 02, I was deployed with C Company, 2nd Battalion, 3rd SFG, at various locations throughout southern Afghanistan. About 8 Jul 02, I was deployed to Lwara Fire Base with ODA's 343 and 341. Lwara Fire Base was located on the eastern border of Afghanistan and Pakistan, between the Paktia and Paktika provinces. There was also an infantry platoon at the fire base with us. My job was to support the ODA's at the fire base by supplementing their patrol strength and provide MI support. About the 28 Aug 02, I was inside the Fire Base perimeter, when the ODA 343 executive officer, Chief Warrant Officer [redacted] b7c-4, b6-4 came inside the base stating that there was a shooting and that he needed support out at the location. It was that same day that two new Counter Intelligence (CI) Agents arrived to the Fire Base, so myself, SPC [redacted] b7c-4, b6-4 and the two new CI guys jumped in a truck and headed out to the location of ODA 343. They were located not far beyond the perimeter of the base, in a deep river bed that was used as the main roadway for the area. When we arrived, CPT [redacted] b7c-4, b6-4 (Team Captain), SFC [redacted] b7c-4, b6-4 (Team Sergeant), and SSG [redacted] b7c-4, b6-4 (Team Medic) were there. We all called SSG [redacted] b7c-4, b6-4 "doc" as he was MOS 18D. An empty local truck was parked on the right side of the river bed. What appeared to be a local national was lying dead on the ground about 15 feet behind where the truck was parked. I'm pretty sure he was lying on his back with his arms at his side. The first thing I noticed about him was that a significant portion of the top of his skull was missing from an obvious gun shot wound. After we searched him, we discovered three or four bullet holes in his thorax area, also obvious gun shot wounds. I could not tell whether the wounds to the front side of his thorax were entrance or exit wounds. Based on information provided by the Warrant Officer at the fire base and CPT [redacted] b7c-4, b6-4 once at the scene, the local national was Mohammed SAYARI. He was suspected of gathering intelligence against the fire base, but his credentials were unknown, or the entity he may have been providing the intelligence to. As I said, this information was provided to me through second and third hand knowledge of the situation. I do know that HUMINT and SIGINT up until that incident indicated enemy surveillance was keeping close tabs on the movements and operations of the fire base. Just a few days prior to this incident, a local national tribal elder came to the fire base and provided information that SAYARI was in fact collecting intelligence against the fire base. It

xhibit: _____ INITIALS [redacted] b7c-4, b6-4 PAGE 1 OF 4

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Exhibit 45

was at this time that a picture started to form that SAYARI was most likely conducting these operations. For instance, several local national boys would routinely congregate near the front gate to the fire base; however, after the tribal elder informed us specifically of his suspicions about SAYARI, we identified that the one local national boy who was always watching the front gate was SAYARI's 10 year old son. All this information was evaluated and it was decided that ODA 343 would attempt to detain SAYARI in an effort to determine his intentions. So, on 28 Aug 02, ODA 343 set out from the fire base and set up a vehicle control point in the river bed. I know ODA 343 was looking for SAYARI, but I don't know if that was their sole purpose for the vehicle control point. Vehicle control points were fairly common as a routine team mission. SAYARI's vehicle was stopped by ODA 343 at their control point that day. Again, I witnessed none of this. Upon being stopped, SAYARI and several riders in the back of his Toyota truck got out. The other riders were sent off, as apparently ODA 343 was not looking for any of them. The team searched his truck and discovered his AK-47 rifle, which was then leaned against the truck while the ODA 343 members were talking to SAYARI. At some point during this process, SAYARI was informed that he was going to be transported to Bagram for further questioning, after which he remained calm and waited for SFC ██████████ to turn his back. Once SFC ██████████ did this, SAYARI went for his weapon leaning against his truck and was able to retrieve his rifle. SAYARI then raised it in a threatening manner toward SFC ██████████ after which SSG ██████████ shot him (SAYARI). SSG ██████████ apparently shot SAYARI once in the abdomen; however, he (SAYARI) was still standing and retaining his AK-47. SFC ██████████ and SSG ██████████ then shot SAYARI several more times. I don't know who shot SAYARI where on his body after SSG ██████████ initial shot. When we got to the scene, I helped search SAYARI's body and witnessed the new CI guys collect SAYARI's hair and skull fragments for forensic purposes. This was our standard operating procedure for any shooting. I don't recall who took the digital pictures at the scene. I do remember that afterward there was some issue as we did not have the capability to download those pictures, but I don't know what the final outcome of that was. About four or five days later, the sealed box marked for "CID" was released to MP's that were flying to Bagram. That's the last I knew of the box. It was shortly after this, on 14 Sep 02, that I left Afghanistan enroute back to the states.

Q: Did you make the remark, "not again," after first learning of the shooting incident?

A: I do not recall making that specific remark. But I may have made some remark to the effect that SFC ██████████ had been again involved in a shooting since he had shot the only other person shot from our fire base.

Q: What was that other incident?

A: The other incident happened before my arrival.

Q: Do you know any details?

A: A local national was surveilling US operations with binoculars. He was approached by SFC ██████████ SFC ██████████ and SPC ██████████, along with some other US and Afghan personnel. The local national went for his weapon, which I believe was a bolt

Exhibit: _____

INITIALS ██████████ b7c-4, b6-4

PAGE 2 OF 4

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Exhibit 45-153

1015-02-CID023-
STATEMENT OF ██████████ b7c-4, b6-4 0114-02-CID369-23525
TAKEN AT Fort Bragg, NC 28310-5000 DATED 01 Oct 2002 CONTINUED.

██████████ b7c-5, b6-5
action rifle, and SFC ██████████ shot him.

Q: Was there an investigation into this incident?

A: I don't believe so. I never heard of anything else about it, not could I think of any reason as to why there would have been.

Q: What was your knowledge of ODA 343 prior to the incident with SAYARI?

A: I worked with them on a daily basis for almost two months. I would characterize them as aggressive and effective. They were more aggressive than any other unit I have worked with, but I never saw them do anything inappropriate to a combat situation.

Q: Did any of the SFG members say anything about the shooting, other than what was described above?

A: I heard no other comments from any other witnesses to the shooting.

Q: At this time, do you suspect that any aspect of this incident, as you know it or have heard, was illegal in any manner?

A: No, I don't and didn't think it was anything other than a righteous shooting. I know myself and others made a few remarks initially after the incident in question as to what occurred; however, this was merely "monday morning quarterbacking," and completed unsubstantiated and unfounded.

Q: Do you know who the local personnel were that were in the back of SAYARI's truck upon him being stopped? b7c-5, b6-5

A: I was told by either SFC ██████████ or SSG ██████████ that they were local civilians, and at least one "AMF" (Afghan Military Force) member, who they would have recognized from training him at the base.

Q: Do you know the AMF member's name?

A: No.

Q: Were there any attempts by members of the fire base to cover this up?

A: None whatsoever. To the contrary, ODA 343 immediately sent for a local tribal leader and expedited the search of SAYARI's person in order to turn over his corpse and possessions to his tribe as soon as possible.

Q: Is there anything else you wish to add to this statement?

A: Yes. After the shooting, there was a marked decline in SIGINT activity and no further attacks on the base. This indicates that whatever enemy activity was going on was directly related somehow to SAYARI. Also, several local national workers expressed thanks to us for killing him. I believe this is due to his (SAYARI's) reputation as a murderer and thug amongst the members of his own tribe. This was unusual in a society in which tribal ties are far more important than legal or national loyalties.

Q: Anything else you want to add?

A: No.///END OF STATEMENT///

Exhibit: _____

INITIALS ██████████ b7c-4, b6-4

PAGE 3 OF 4

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Exhibit 45

AFFIDAVIT

I, [REDACTED] b7c-4, b6-4
HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND
ENDS ON PAGE 04. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT
MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND
HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE
MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT
THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR
UNLAWFUL INDUCEMENT.

[REDACTED] b7c-4, b6-4
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to
administer oaths, this 01 day of OCT, 2002 at Fort Bragg, NC 28310-5000

[REDACTED] b7c-4, b6-4
(Signature of Person Administering Oath)

SA [REDACTED] b7c-4, b6-4
(Typed Name of Person Administering Oath)

ARTICLE 136 (b) (4) UCMJ

(Authority To Administer Oaths)

WITNESS:

Exhibit: _____

INITIALS [REDACTED] b7c-4, b6-4
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PAGE 4 OF 4

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Exhibit 45

AGENT'S INVESTIGATIVE REPORT

CID Regulation 195-1

ROI NUMBER

0114-02-CID369-23525

PAGE 1 OF 4 PAGES

DETAILS

At 1045, 14 Oct 02, SA [redacted] interviewed Mr [redacted] Lwara, Afghanistan (NFI), with the assistance of interpreters, Mr [redacted] and [redacted] (NFI), both assigned as interpreters at Lwara Fire Base, Afghanistan. Mr [redacted] stated he was working at a hotel in Pakistan at the time of this interview, but he lived with Mr SAYARI when he was still alive. Mr SAYARI was intending to hire Mr [redacted] as a driver if Mr SAYARI could successfully lease his Toyota Hilux, truck to the Lwara Fire Base. About 1000, the day of Mr SAYARI's death (Mr [redacted] could not recall the date) Mr SAYARI was hurrying Mr [redacted] because he wanted to go to the fire base. Mr SAYARI said that [redacted] was going to hire his Hilux and wanted to meet that day. The two of them drove to the gate at Fire Base Lwara and met with [redacted] was checking the Hilux and Mr SAYARI was telling [redacted] to check the interior of the truck. About that time two vehicles full of SF soldiers pulled up in a hurry and were talking excitedly to [redacted]. The soldiers told [redacted] they had to leave in a hurry and drove off. [redacted] immediately became agitated and angry [redacted] insisted Mr SAYARI and Mr [redacted] leave. [redacted] rushed them talking angrily and shooing them with his hands, telling them to come back later. Mr SAYARI still wanted to go inside the fire base and talk about renting his truck to the SF soldiers at Lwara Fire Base. [redacted] insisted they leave and come back later to talk about it. [redacted] wanted them to leave immediately. Mr SAYARI told [redacted] to leave with him fearing there would be an attack from the way [redacted] was acting. They then got into Mr SAYARI's truck and drove away. They were going back to Mr SAYARI's house; which was in the opposite direction that the two vehicles full of SF soldiers went. At the bottom of the hill leading away from the fire base gate they stopped at the Afghan checkpoint and some men wanted to pay Mr SAYARI to take them to different places up the same road the SF team had gone. There were three men wanting to pay to go to the bazaar at Zangee Adda. Mr SAYARI charged them 100 Pakistani rupees for the trip and decided they would pick up some tea and sugar from the bazaar that they needed at their home as well. One of the men was an Afghan Military Forces (AMF) soldier, the soldier's brother and another man they did not know. The AMF soldier's name was [redacted] (NFI) and his brother's name was [redacted] (NFI). The men started up the road toward the Zangee Adda bazaar talking and listening to music. As they drove around a turn in the riverbed they saw one of the SF vehicles blocking their path and two men pointing rifles at them and motioning them to stop. Then four SF soldiers made them all get out of the truck and stand in a straight line in the middle of the road. Only [redacted] and Mr [redacted] had a weapon. Both had their AK-47 rifles, but left them in Mr SAYARI's truck when they got out of the vehicle. Mr SAYARI and the other individuals in the truck did not have weapons [redacted] knew there was one weapon in the truck, because Mr SAYARI told him about Mr [redacted] weapon being in the truck at the gate to the fire base. Everyone was searched. After they searched Mr SAYARI, he was told to sit on a rock on the far side of the road. [redacted] went into Mr SAYARI's truck and took out [redacted] AK-47 rifle, gave it to him and told him to leave by motioning with his hand and saying "Go" loudly and pointing in the direction of the bazaar [redacted] appeared very angry and said "Go quickly!" Mr [redacted] explained all of them understood this simple English. [redacted] took his rifle and went over a little rise and out of sight. [redacted] never removed the magazine or cleared the weapon [redacted] just gave it to [redacted]. Then [redacted] obtained Mr [redacted] AK-47 rifle from the truck and removed the 40 round magazine and cleared the round from

TYPED AGENT'S NAME AND SEQUENCE NUMBER

Special Agent [redacted] 67C-1,66-1

ORGANIZATION

87th Military Police Detachment (ABN)(CID), 3rd MP Group
Camp Stronghold Freedom, APO AE 09311

SIGNATURE

[redacted signature]

DATE

18 Oct 02

EXHIBIT

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CID FORM 94-E

1 Oct 95

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 PROTECTIVE MARKING IS EXCLUDED FROM
 AUTOMATIC TERMINATION (Para 13, AR 340-16)
 (When Data is Entered)

46156

AGENT'S INVESTIGATIVE REPORT

CID Regulation 195-1

ROI NUMBER

0114-02-CID369-23525

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DETAILS

the chamber. [REDACTED] took the weapon to his vehicle, went inside the vehicle, and obtained another magazine from inside the vehicle. He left Mr [REDACTED] magazine in the vehicle. The magazine [REDACTED] got from the vehicle [REDACTED] contained black tipped rounds of the type known to be used by Al Qaeda members in their weapons. Mr [REDACTED] magazine did not have those type rounds in it [REDACTED] then put that magazine back into Mr [REDACTED] weapon and chambered a round. Mr [REDACTED] protested loudly asking [REDACTED] not to load his weapon. Mr [REDACTED] did not want the weapon loaded when it was given back to him as he did not want anyone to think he had any hostile intent toward the SF soldiers when he left with it. Mr [REDACTED] asked [REDACTED] for his weapon to be returned to him, but [REDACTED] refused [REDACTED] told the other passengers to leave and they went off in the same direction as [REDACTED]. Mr [REDACTED] wanted his weapon prior to leaving and when he asked for it again, [REDACTED] pointed the loaded weapon at Mr [REDACTED] stomach and said, "Go! Hurry!" Mr SAYARI got up to leave as well and [REDACTED] pushed him in the chest and directed him to sit back on the rock at the far side of the road. Mr [REDACTED] became concerned at this threat to his person and departed in the same direction as the others. When he looked at Mr SAYARI as he left, Mr [REDACTED] could see that Mr SAYARI was very scared and the fear was apparent on his face. Mr SAYARI was searched previously and had no weapon. One of the other soldier's was leaning on the front of Mr SAYARI's truck with one arm holding a M4 rifle in the other hand, keeping the weapon trained on Mr SAYARI. [REDACTED] placed Mr [REDACTED] AK-47 rifle on the front of Mr SAYARI's truck where the man was standing. There were no interpreters, AMF or other Afghans present with the SF soldiers. Mr SAYARI was seated on the rock, rocking back and forth with his head in his hands. About two minutes after Mr [REDACTED] was out of sight of the SF soldiers and Mr SAYARI over the rise, he heard gunfire. At that point Mr [REDACTED] began to run away from the area. Mr [REDACTED] thought that he heard one burst of about 3 or 4 rounds. Walking in the vicinity of the incident the next morning, Mr [REDACTED] encountered 3 or 4 young Afghan girls who were walking away from where Mr [REDACTED] last saw Mr SAYARI. They had 6 pieces of American brass from a M4 rifle round in their hands. They were on their way to sell the brass after putting it with brass collected from other locations. The girls told Mr [REDACTED] they picked up the brass right next to a pool of blood where Mr SAYARI was killed. Mr [REDACTED] advised the entire tribe knew of the killing almost immediately. Mr [REDACTED] said he recognized the black tipped bullets as those used by Al Qaeda he saw them at an Al Qaeda checkpoint before the Americans came to Afghanistan, and became familiar with the fact that the Al Qaeda members used that type of ammunition known to them as destructive bullets. It was unclear where that analogy came from and neither Mr [REDACTED] nor the interpreter could properly explain. Mr [REDACTED] stated Mr SAYARI was definitely not an Al Qaeda member or sympathizer. Mr SAYARI and the entire tribe to which Mr [REDACTED] and Mr SAYARI belonged, hated Al Qaeda and the Taliban with a passion. One time the Al Qaeda burned Mr SAYARI's vehicle and beat him severely at one of their checkpoints. This act assured that Mr SAYARI thereafter considered Al Qaeda a "big enemy". Mr SAYARI later captured one of the Al Qaeda members that cut his truck tires and burned it. Mr SAYARI kept him captive until Al Qaeda promised to buy him a new truck. Then Mr SAYARI let the Al Qaeda member go free. The Al Qaeda members did not complete their end of the bargain. Mr SAYARI then sent word to the Al Qaeda members that he would shoot at their vehicles whenever he saw them and kill any Al Qaeda members he found

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
Special Agent [REDACTED] b7c-1, b6-1		87th Military Police Detachment (ABN)(CID), 3rd MP Group Camp Stronghold Freedom, APO AE 09311	
SIGNATURE [REDACTED]		DATE	EXHIBIT
		18 Oct 02	46

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in the area controlled by his tribe, the Pepelayu. The Pepelayu controlled an area comprised of about 17 villages in the vicinity of Schkin and Lwara, Afghanistan. Mr [REDACTED] and Mr SAYARI lived in another area during that time and the Al Qaeda came and rocketed their homes and village. The Al Qaeda killed Mr [REDACTED] uncle in a separate incident. They then fled to the Lwara area. Sometime after that the Americans came to Afghanistan. Mr SAYARI had a "big quarrel" with the Al Qaeda members. The interpreter explained that Mr [REDACTED] meant this was like a "blood feud" and Mr SAYARI would ever after consider any Al Qaeda or Taliban his sworn enemies. The Al Qaeda and Taliban are the enemies of Mr [REDACTED], Mr SAYARI, and all of the tribes in the Lwara/Schkin area of Afghanistan. If the Pepelayu tribe found any of the Al Qaeda or Taliban they would arrest or kill them. After the Americans bombed Kabul, Mr SAYARI set up a checkpoint and sent word to the Al Qaeda and Taliban not to come to his area. Mr SAYARI told them they were his enemy and he would kill them. Mr [REDACTED] was adamant that Mr SAYARI had no intention to follow the SF soldiers after he was forced away from the gate at Lwara by [REDACTED]. Mr SAYARI was going to his house in the opposite direction until he picked up paying passengers going in that direction. There were only a couple directions of travel right as you leave the gate of the fire base. It was only natural that many people had to travel the same direction, at least for awhile. Mr SAYARI liked the Americans and the SF soldiers very much. He wanted to rent his truck to the SF soldiers. Mr SAYARI would make more money from that than using his truck as a taxi. Mr [REDACTED] stated the distance from where he last saw Mr SAYARI seated to where his weapon was on the front of Mr SAYARI's truck was about 15 to 20 meters. Mr [REDACTED] illustrated by stepping off a similar distance for SA [REDACTED] and the distance was about 15 to 20 meters.

At 1230, 14 Oct 02, SA [REDACTED] interviewed Dr [REDACTED] Lwara, Afghanistan (NFI), as a spokesman for all of the elders of the Pepelayu tribe. Dr [REDACTED] was fluent in the English language and relayed all answers from the tribal elders to SA [REDACTED] without identifying any of them, except Mr SAYARI's father and son, and his brother. Dr [REDACTED] did not identify them by name. Only by their relationship to Mr SAYARI or himself. Dr [REDACTED] advised that he had helped to wash Mr SAYARI's body after his death and help prepare it for burial. Dr [REDACTED] stated Mr SAYARI was buried in the clothing he died in as this was the custom of the tribe. Dr [REDACTED] remembered a wound; that appeared to be an exit wound, just below the bottom edge of Mr SAYARI's throat on the chest and slightly to the right. The wound was about as big around as his middle finger (appeared to be about 1/2 to 5/8 of an inch in diameter) and had rough edges curled out away from the wound. Dr [REDACTED] did not see and could not remember any other wounds as they did not remove Mr SAYARI's clothing. Dr [REDACTED] wanted to make it clear that he could not say as an expert that the wound was an exit. The entire tribe knew Mr SAYARI to like the Americans and SF soldiers and no one knew of him bearing any ill will toward them, or Mr SAYARI wanting to harm them in any way. Mr SAYARI was very happy that the Americans had come to Afghanistan and freed it from the grip of Al Qaeda and the Taliban. Mr SAYARI hated them both with a passion. Mr SAYARI's father and most of the tribal elders confirmed what Mr [REDACTED] related about Mr SAYARI's hatred for the Al Qaeda and the Taliban. They

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
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^{b7c-3, b6-3}
confirmed Mr. [REDACTED] account of the incidents with the Al Qaeda members burning Mr SAYARI's truck and beating him; attacking the village with rockets; their flight to the area they now lived; and that Mr SAYARI had a very deep hatred for both groups. Mr SAYARI's father stated that Mr SAYARI did kill his cousin many years ago over a dispute for ownership of a field. Both men were engaged in a heated argument when Mr SAYARI killed the man. Mr SAYARI left the area after that and had not murdered anyone since that time. It was an unfortunate incident and both men were hot tempered when younger. Mr SAYARI had 5 children and the oldest was a son of 8 years of age. Mr SAYARI just wanted to make a living and sold fruit when it was in season. Dr. [REDACTED] expressed the tribes belief that it would be very out of character for Mr SAYARI to follow SF soldiers and report their activity to the Al Qaeda or the Taliban. They were his enemies. Mr SAYARI would not harm Americans or seek to cause them harm. Mr SAYARI was very happy the Americans were in Afghanistan and felt the Americans were in Afghanistan to help, not to occupy and support a puppet government like the Russians did before. Dr. [REDACTED] and the tribal elders had nothing further to relate pertaining to this investigation.///////LAST ENTRY///////
^{b7c-3, b6-3}

TYPED AGENT'S NAME AND SEQUENCE NUMBER

Special Agent [REDACTED]

^{b7c-1, b6-1}

ORGANIZATION

87th Military Police Detachment (ABN)(CID), 3rd MP Group
Camp Stronghold Freedom, APO AE 09311

SIGNATURE [REDACTED]

DATE

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BASIS FOR INVESTIGATION: On 23 Oct 02, this office received a Request for Assistance from the 87th Military Police Detachment (FWD), Uzbekistan APO AE 09311, pertaining to a murder investigation being conducted by their office.

COORDINATION WITH THE GROUP JUDGE ADVOCATE:

About 1040, 4 Nov 02, SA [redacted] ^{b7C-1, b6-1} Forensic Science Officer (FSO), 3rd MP Group CID, Fort Campbell, KY and SA [redacted] ^{b7C-1, b6-1} met with CPT [redacted] ^{b7C-3, b6-3} Group Judge Advocate, 3rd Special Forces Group (Airborne), Fort Bragg, NC 28310, and discussed the pending investigative activity. CPT [redacted] ^{b7C-3, b6-3} was requested to provide all pertinent inquiry documents in his possession.

About 1000, 5 Nov 02, SA [redacted] ^{b7C-1, b6-1} and SA [redacted] ^{b7C-1, b6-1} met with CPT [redacted] ^{b7C-3, b6-3} who provided copies of Commander Inquiry documents pertaining (Enclosure 2) to both shooting incidents in Lwara, Afghanistan.

COLLECTION OF EVIDENCE:

Between 1310-1430, 4 Nov 02, SA [redacted] ^{b7C-1, b6-1} coordinated with SGT [redacted] ^{b7C-3, b6-3} Unit Armor, and seized as evidence twelve M4 rifles assigned to ODA 343, A Company, 2/3rd Special Forces Group (Airborne), Fort Bragg, NC 28310. SA [redacted] ^{b7C-1, b6-1} also collected original issue documents (Enclosure 3) pertaining to the weapons. The collection of the weapons and documents was recorded on an Evidence/Property Custody Document, Document Number 650-02 (Enclosure 4).

About 1510, 5 Nov 02, SA [redacted] ^{b7C-1, b6-1} coordinated with SGT [redacted] ^{b7C-3, b6-3} and seized as evidence the twelve M9 pistols assigned to ODA 343, A Company, 2/3rd Special Forces Group (Airborne), Fort Bragg, NC. The collection was recorded on an Evidence/Property Custody Document, Document Number 651-02 (Enclosure 5).

Agent's Comment: The twelve M9 pistols were subsequently returned to the unit. It was determined the pistols would not be needed for laboratory examination.

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SIGNATURE [redacted] ^{POC}	DATE 10 December 2002	ENCLOSURE 47	

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COORDINATION WITH THE U.S. ARMY CRIME LABORATORY.

On 8 Nov 02, Mr. [redacted] b7C-8, b6-8 Evidence Custodian, this office, delivered the seized firearm evidence to the U.S. Army Crime Laboratory, Forest Park, GA. The evidence was accompanied by a DA Form 3655, Crime Lab Examination Request (Enclosure 6), which was prepared by SA [redacted] b7C-1, b6-1

On 13 Nov 02, SA [redacted] b7C-1, b6-1 received confirmation (Enclosure 7) of receipt of evidence from the U.S. Army Crime Laboratory. The submitted evidence was being processed under expedited conditions.

About 1600, 15 Nov 02, SA [redacted] b7C-1, b6-1 and SA [redacted] b7C-1, b6-1 were contacted by Mr. [redacted] b7C-8, b6-8 Firearms Examiner, USACIL. Same stated SFC [redacted] b7C-8, b6-8 weapon was the one that fired the expended bullet and cartridge casing recovered from the crime scene in Lwara. Mr. [redacted] b7C-8, b6-8 requested the weapons be retrieved as soon as possible and the Lab Report is forthcoming.

On 10 December 02, SA [redacted] b7C-1, b6-1 received USACIL Lab Report (Exhibit 8) which reflected SFC [redacted] b7C-8, b6-8 weapon was the one that fired the expended bullet and cartridge casing recovered from the crime scene in Lwara

INTERVIEWS OF ODA 343 PERSONNEL:

MSG [redacted] b7C-3, b6-3, ODA 343, A Company, 2/3rd Special Forces Group (Airborne), Fort Bragg, NC 28310: About 1050, 6 Nov 02, SA [redacted] b7C-1, b6-1 and SA [redacted] b7C-1, b6-1 interviewed MSG [redacted] b7C-3, b6-3 who was the Team Sergeant for ODA 343. MSG [redacted] b7C-3, b6-3 reported he was present at Firebase Lwara when the first shooting occurred in Jun 02, but was home on emergency leave when the second shooting occurred on 28 Aug 02. Regarding the first shooting incident, MSG [redacted] b7C-3, b6-3 reported that he was on the camp when reports came in that there were three male local Afghans who were observing the activity of the camp using a pair of binoculars. One of the individuals was also carrying a weapon. MSG [redacted] b7C-3, b6-3 related that a group of soldiers from the camp, including SFC [redacted] b7C-1, b6-1 and SSG [redacted] b7C-1, b6-1 were enroute to the firing range when the notification went out that the camp was being observed. The group of soldiers, all riding in a government vehicle, diverted from the firing range and drove out to where the individuals were reported to be. MSG [redacted] b7C-3, b6-3 heard the shots fired from his location and knew they were American by the sound of the shot. He then quickly walked out to the scene on foot after he heard the shots to ensure everyone was all right. When he arrived at the scene, he was told by those there what had occurred. MSG [redacted] b7C-3, b6-3 didn't recall who precisely told him, but it

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was reported that the local, who was carrying a weapon slung over his shoulder, would not comply with instructions by the group. As SFC [redacted] approached the man, the man kept approaching SFC [redacted] and reached over and began to raise his weapon. When he did, SFC [redacted] fired one round hitting the man center mass, apparently killing him instantly. SSG [redacted] who was the team medic, informed MSG [redacted] the man was dead. According to MSG [redacted] SFC [redacted] was very upset over the incident appearing physically and emotionally distraught. MSG [redacted] walked SFC [redacted] away from the scene and consoled him. MSG [redacted] comforted SFC [redacted] by telling him he did the right thing under the circumstances. MSG [redacted] felt this incident was a justified shooting given the situation. MSG [redacted] left Firebase Lwara around 30 Jul 02 and returned to CONUS on emergency leave. MSG [redacted] recalled the first he heard about the second shooting in Aug 02, was through SSG [redacted] who was still at the Lwara at the time. MSG [redacted] was unsure when he was notified and only vaguely recalled that it was through SSG [redacted] that he first learned of it. He recalled being told that the incident was under investigation. MSG [redacted] related that about a week or two before the team returned to Fort Bragg, he learned that the shooting involved SFC [redacted] and SSG [redacted]. After the team returned, he learned that the man that was shot had been following the team while they were outside of the camp and that when the team stopped him at a checkpoint, the man raised a weapon towards members of the team. As far as he knew, SFC [redacted] and SSG [redacted] engaged the man and shot him dead. MSG [redacted] believed SFC [redacted] SSG [redacted] CPT [redacted] and SSG [redacted] were present when the incident occurred. MSG [redacted] never heard of anyone else being there. He never asked any of the team members any details of the incident, nor had he asked those involved to "sketch-out" what occurred. MSG [redacted] had no reason to suspect this incident was anything other than a justified shooting.

b7c-4, b6-4 About 1015, 7 Nov 02, SA *b7c-1, b6-1* and SA *b7c-1, b6-1* interviewed SSG *b7c-4, b6-4* [redacted] ODA 343, 2/3rd Special Forces Group (Airborne), Fort Bragg, NC 28310, who provided a sworn statement (Enclosure 9) detailing his knowledge of both shooting incidents occurring outside Firebase Lwara during his deployment there.

About 1015, 12 Nov 02, SA *b7c-1, b6-1* advised SSG *b7c-4, b6-4* [redacted] ODA 343, A Company, 2/3rd Special Forces Group (Airborne), Fort Bragg, NC 28310, of his legal rights, which he waived. SA *b7c-1, b6-1* and SA *b7c-1, b6-1* interviewed SSG *b7c-4, b6-4* [redacted] who provided a sworn statement (Enclosure 10) detailing his knowledge of the shooting incident which took place on 28 Aug 02 in Lwara, Afghanistan.

About 1416, 12 Nov 02, SA *b7c-1, b6-1* advised CW2 *b7c-5, b6-5* [redacted] ODA 343, A Company, 2/3rd Special Forces Group (Airborne), Fort Bragg, NC 28310, of his legal

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rights, which he waived. SA [redacted] ^{b7c-1, b6-1} and SA [redacted] ^{b7c-1, b6-1} subsequently interviewed CW2 [redacted] ^{b7c-1, b6-1}, who provided a sworn statement (Enclosure 11) detailing his knowledge of the shooting incident which took place on 28 Aug 02 in Lwara, Afghanistan.

Agents Comment: On 14 Nov 02, CW2 [redacted] ^{b7c-5, b6-5} was afforded the opportunity to undergo a polygraph examination. See MFR (Enclosure 12)

On 13 Nov 02, SA [redacted] ^{b7c-1, b6-1} coordinated with MAJ [redacted] ^{b7c-3, b6-3}, Commander, A Company, 2/3rd Special Forces Group (Airborne), Fort Bragg, NC 28310, for CPT [redacted] ^{b7c-1, b6-1} and SSG [redacted] ^{b7c-1, b6-1} to be interviewed at this office. MAJ [redacted] ^{b7c-1, b6-1} subsequently contacted SA [redacted] ^{b7c-1, b6-1} and reported neither CPT [redacted] ^{b7c-1, b6-1} nor SSG [redacted] ^{b7c-1, b6-1} were going to be interviewed at the CID Office because both had retained counsel through the Trial Defense Service. Additionally, MAJ [redacted] ^{b7c-3, b6-3} related SFC [redacted] ^{b7c-1, b6-1} and SSG [redacted] ^{b7c-1, b6-1} also retained counsel and refused to be interviewed by CID personnel.

About 1145, 14 Nov 02, SA [redacted] ^{b7c-1, b6-1} interviewed SSG [redacted] ^{b7c-4, b6-4} ODA 343, A Company, 2/3rd Special Forces Group (Airborne), Fort Bragg, NC 28310, who provided a sworn statement (Enclosure 13) detailing his knowledge of the shooting incident which occurred during Jun 02 at Lwara, Afghanistan. SSG [redacted] ^{b7c-1, b6-1} was not in Afghanistan at the time of the second shooting due to him returning to Fort Bragg on emergency leave.

About 1145, 14 Nov 02, SA [redacted] ^{b7c-1, b6-1} advised SFC [redacted] ^{b7c-4, b6-4} ODA 343, A Company, 2/3rd Special Forces Group (Airborne), Fort Bragg, NC 28310, of his legal rights, which he waived and provided a sworn statement (Enclosure 14). SFC [redacted] ^{b7c-1, b6-1} was present at Firebase Lwara when both shooting incidents occurred; however, he denied being present at either shooting. SFC [redacted] ^{b7c-1, b6-1} was not aware his teammates were leaving the camp on 28 Aug 02 to conduct a checkpoint operation. He was in the team tent while his teammates were preparing to leave, but they told him they were going out on a civil affairs mission. SFC [redacted] ^{b7c-1, b6-1} denied having any knowledge of wrongdoing by his teammates.

INTERVIEWS OF ODA 341 PERSONNEL:

^{b7c-4, b6-4} About 1050, 5 Nov 02, SA [redacted] ^{b7c-1, b6-1} and SA [redacted] ^{b7c-1, b6-1} interviewed SSG [redacted] ^{b7c-4, b6-4} ODA 341, A Company, 2/3rd Special Forces Group (Airborne), Fort Bragg, NC 28310, who provided a sworn statement (Enclosure 15) detailing his knowledge of two shooting incidents occurring in the vicinity of Firebase Lwara, Afghanistan. SSG [redacted] ^{b7c-4, b6-4} reported he was present at the first

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shooting occurring in Jun 02, but was not present for the second shooting. Regarding the first shooting, SSG [redacted] recalled that around 1600 local time, he and five others were driving toward the firing range when they received a call from the camp reporting there was a man, and two others, watching the camp with a pair of binoculars. He related SSG [redacted] was driving. SFC [redacted] was in the passenger seat, while SSG [redacted], SSG [redacted], and two others he believed to be counterintelligence personnel sat in the back compartment of the vehicle. When they arrived at the scene, they discovered an older man carrying a rifle slung over his left shoulder with the muzzle down, but there was no sign of the binoculars or others. Reportedly, SFC [redacted] was the first out of the vehicle and began to approach the man. SSG [redacted] said he called out in Pashtun for the man to put his hands in the air, to which he did not comply. Commands were continued towards the man, including a warning shot in the ground by SFC [redacted]. As SSG [redacted] turned to jump out of the vehicle, the man reached across his chest with his right hand towards his weapon. By the time SSG [redacted] turned back around, the second shot already rang out. When SSG [redacted] approached the man on the ground, he noticed the man had a wound to his right arm and a wound around center mass to the front. SSG [redacted] didn't see the full motion of the man's hand, but maintained that the man was not complying with any of the commands.

About 1100, 5 Nov 02, SA [redacted] and SA [redacted] interviewed CPT [redacted] ODA 341, A Company, 2/3rd Special Forces Group (Airborne), Fort Bragg, NC 28310, regarding his knowledge of two shooting incidents which occurred in the vicinity of Firebase Lwara, Afghanistan. CPT [redacted] related he was one of the individuals which had set up Firebase Lwara and had utilized Mr. SAYARI on several occasions in completing this task. CPT [redacted] stated he had read all the initial statements of the second shooting as he was the firebase Commander at the time and he was responsible for notifying his Chain of Command of the shooting. CPT [redacted] further stated he was not at the scene of either incident and could only relate what he had read in the statements. CPT [redacted] also stated he had not discussed the second incident with CPT [redacted], the only other O-3 at the firebase at the time. CPT [redacted] further related on the day of the second incident he spotted Mr. SAYARI at the front gate of the firebase and radioed this information back to the communications center as his team (ODA 341) was head out on a mission. CPT [redacted] commented he did not know anything had occurred until several days later when his team returned from their mission.

Agent's Comment: Subsequent coordination with CPT [redacted] revealed SFC [redacted] who was at Firebase Lwara at the time of the first shooting, was currently at Walter Reed Medical Center for scheduled surgery. The three remaining members of ODA 341, SFC [redacted], SSG [redacted] and SGT [redacted] were not present at Firebase Lwara during the incidents under investigation.

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About 1405, 5 Nov 02, SA [redacted] ^{b7c-1, b6-1} interviewed SSG [redacted] ^{b7c-3, b6-3}, ODA 341, A Company, 2/3rd Special Forces Group (Airborne), Fort Bragg, NC 28310, who provided a sworn statement (Enclosure 16) regarding his knowledge of two shootings which occurred while he was deployed to Firebase Lwara, Afghanistan.

About 1045, 5 Nov 02, SA [redacted] ^{b7c-1, b6-1} interviewed SSG [redacted] ^{b7c-3, b6-3}, ODA 341, A Company, 2/3rd Special Forces Group (Airborne), Fort Bragg, NC 28310, who related all second hand information and had nothing relevant to provide to this investigation.

About 1400, 5 Nov 02, SA [redacted] ^{b7c-1, b6-1}, this office, interviewed SSG [redacted] ^{b7c-3, b6-3}, A Company, 2/3rd Special Forces Group (Airborne), Fort Bragg, NC 28310, who related his knowledge pertaining to the shooting of Mr. SAYARI. SSG [redacted] ^{b7c-3, b6-3} related he heard "through the grapevine" about the events involving ODA 343. SSG [redacted] ^{b7c-3, b6-3} related it was not out of the ordinary not to use "flexcuffs" on detainees, or to not separate them from their weapons. SSG [redacted] ^{b7c-3, b6-3} related there was no SOP from the unit, only individual team SOPs. SSG [redacted] ^{b7c-3, b6-3} further related Team 343 was known to him to be messed up, and often doing things out of the ordinary. SSG [redacted] ^{b7c-3, b6-3} related he did not see the body of Mr. SAYARI and only knew what he had heard through others.

About 1600, 5 Nov 02, SA [redacted] ^{b7c-1, b6-1} interviewed SSG [redacted] ^{b7c-3, b6-3}, ODA 341, A Company, 2/3rd Special Forces Group (Airborne), Fort Bragg, NC 28310, who related he was deployed to Firebase Lwara, Afghanistan, between May - Sep 02. SSG [redacted] ^{b7c-3, b6-3} was present at neither shooting. He advised that he was at the Firebase when the first shooting occurred, but was not present during the shooting. Regarding the first shooting, SSG [redacted] ^{b7c-3, b6-3} recalled there was a man observing the camp with a pair of binoculars. A group of soldiers, including two ODA 341 members, were diverted from a firing range to investigate what the man was doing. SSG [redacted] ^{b7c-3, b6-3} believed SSG [redacted] ^{b7c-3, b6-3} and SSG [redacted] ^{b7c-3, b6-3} were the two members from his team that were present at the scene. Except for SFC [redacted] ^{b7c-3, b6-3}, he did not know who else was part of the party. SSG [redacted] ^{b7c-3, b6-3} repeatedly stated he didn't know what occurred because he was not present. However, it was his understanding that the range party traveled to the area where the man was spotted and approached him. SSG [redacted] ^{b7c-3, b6-3} recalled being told the man would not obey any commands and would not stop moving. Reportedly, the man raised his weapon and SFC [redacted] ^{b7c-3, b6-3} shot him once, killing him. SSG [redacted] ^{b7c-3, b6-3} did not recall who told him of the events, but believed it was likely someone on his team. Regarding the second shooting in Aug 02, SSG [redacted] ^{b7c-3, b6-3} reported he departed the camp prior to the incident, earlier the same day. He, and his team, remained off the camp for a day or two while they conducted unrelated operations. SSG [redacted] ^{b7c-3, b6-3} could not recall who reported the events of the second shooting to him. He was vaguely aware that an Afghan male was suspected to

TYPED AGENT'S NAME AND SEQUENCE NUMBER [redacted] ^{b7c-1, b6-1, b2}	ORGANIZATION 87 th MP DET (CID)(ABN), USACIDC Fort Bragg, NC 28310
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have been following U.S. personnel when they left the camp. SSG [redacted] ^{b7c-3, b6-3} did not know if anyone ever followed him or his team. On the day of the second shooting, as they were departing camp, SSG [redacted] ^{b7c-3, b6-3} heard a call go out over the radio that the man ODA 343 were looking for was at the front gate of the camp, although SSG [redacted] never noticed himself. SSG [redacted] didn't learn the man was shot by ODA 343 until after he returned from the team's mission. SSG [redacted] related the only thing he knew was that the man was stopped by ODA 343 at a checkpoint and at some point the man raised a weapon to SFC [redacted] ^{b7c-3, b6-3} or SSG [redacted] ^{b7c-3, b6-3} while their backs were turned, and as a result he was shot. SSG [redacted] ^{b7c-3, b6-3} reported not to know precisely which personnel were out there during the incident.

About 1600, 5 Nov 02, SA [redacted] ^{b7c-1, b6-1} interviewed SFC [redacted] ^{b7c-3, b6-3}, A Company, 2/3rd Special Forces Group (Airborne), Fort Bragg, NC 28310, who related he arrived to Afghanistan on 30 Jul 02 and departed 30 Sep 02. SFC [redacted] ^{b7c-3, b6-3} related the day following the shooting incident, his team (ODA 341) was on patrol. When they got back to the fire base, he was told by counterintelligence personnel of the shooting. SFC [redacted] ^{b7c-3, b6-3} related later that week, SFC [redacted] ^{b7c-3, b6-3} also told him the story behind the shooting. SFC [redacted] ^{b7c-3, b6-3} related he thought the events strange, but never doubted the story. SFC [redacted] ^{b7c-3, b6-3} related the two SF teams (ODA 341 and ODA 343) shared the fire base, but remained on separate sides of the base due to "bad blood" between the teams. SFC [redacted] ^{b7c-3, b6-3} wasn't sure what caused the "bad blood" but related it was there when he arrived to the team.

OTHER INTERVIEWS/ACTIVITIES:

About 0915, 6 Nov 02, SA [redacted] ^{b7c-1, b6-1} telephonically interviewed SPC [redacted] ^{b7c-3, b6-3} Headquarters Support Company, 2/3rd Special Forces Group (Airborne), Fort Bragg, NC 28310, who reported he was never at Firebase Lwara, Afghanistan, and had no knowledge of either shooting incident.

About 1030, 6 Nov 02, SA [redacted] ^{b7c-1, b6-1} interviewed SPC [redacted] ^{b7c-3, b6-3} Headquarters Support Company, 2/3rd Special Forces Group (Airborne), Fort Bragg, NC 28310, who related he was the mechanic at the Lwara Fire Base, Afghanistan. SPC [redacted] ^{b7c-3, b6-3} related the first time he heard about the shooting was when he was asked to leave the tent by the counterintelligence personnel when they started discussing the incident. SPC [redacted] ^{b7c-3, b6-3} related he heard that a man suspected of providing the Taliban with the location of some Special Forces Teams was detained, and then shot when he went for his weapon. SPC [redacted] ^{b7c-3, b6-3} related he never discussed the specifics of what happened with anyone. SPC [redacted] ^{b7c-3, b6-3} further related he saw the body of Mr. SAYARI when ODA 343 transported it to the Fire Base. SPC [redacted] ^{b7c-3, b6-3} related he briefly viewed the body which was lying on its right side with

TYPED AGENT'S NAME AND SEQUENCE NUMBER [redacted] ^{b7c-1, b6-1, b2}		ORGANIZATION 87 th MP DET (CID)(ABN), USACIDC Fort Bragg, NC 28310	
SIGNATURE [redacted] ^{b7c-1, b6-1}	DATE 10 December 2002	ENCLOSURE 47	

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noticeable blood on the front of the shirt on the deceased. SPC [redacted] ^{b7c-3, b6-3} related he only glanced at the body, and could not remember any specifics.

About 1405, 6 Nov 02, SA [redacted] ^{b7c-1, b6-1} and SA [redacted] ^{b7c-1, b6-1} coordinated with SGT [redacted] ^{b7c-3, b6-3} who provided Maintenance Documents (Enclosure 17) which pertained to the gauging of the M4 weapons assigned to ODA 343. SGT [redacted] stated the weapons had routine maintenance done to them upon their return from Afghanistan but none of them had their barrels or other components exchanged.

About 1700, 7 Nov 02, SA [redacted] ^{b7c-1, b6-1} interviewed CPT [redacted] ^{b7c-3, b6-3}, B Company, 2/3rd Special Forces Group (Airborne), Fort Bragg, NC 28310, who was the original Inquiry Officer tasked to investigate the shooting on 28 Aug 02. CPT [redacted] related he was appointed the Inquiry Officer around 29 Aug 02, however, he redeployed from Afghanistan on 1 Sep 02. As a result of this short time period, he drafted his inquiry findings based solely on statements and information provided to him electronically from Firebase Lwara. CPT [redacted] believed CPT [redacted] forwarded the information to him, but he was unsure. CPT [redacted] never reviewed any photographs and didn't know any were available. He had a recollection that the team would have to go out and recreate the scene with pictures since none were taken at the scene. He was surprised to learn counterintelligence personnel captured photographs of the original scene with a digital camera.

About 1715, 7 Nov 02, SA [redacted] ^{b7c-1, b6-1} interviewed SPC [redacted] ^{b7c-3, b6-3}, HHC, 2/3rd Special Forces Group (Airborne), Fort Bragg, NC, regarding his knowledge of the shooting incidents in Lwara, Afghanistan. SPC [redacted] reported he may have overheard ODA 341 stating they had spotted Mr. SAYARI at the front gate, and not SFC [redacted] stating an AMF checkpoint had first stopped Mr. SAYARI. SPC [redacted] also reported he believed the team had chased down Mr. SAYARI, but it was pure speculation on his part. SPC [redacted] further reported SFC [redacted] ^{b7c-3, b6-3} had told him that he had turned around and SAYARI went for his weapon. SPC [redacted] stated CPT [redacted] ^{b7c-3, b6-3} never had much to say as he was the new guy on the team and he was a quiet and reserved individual. SPC [redacted] said SPC [redacted] or SFC [redacted] may have collected the red card found in SAYARI'S vehicle as evidence. SPC [redacted] then stated he must have combined all the information he overheard and assumed SSG [redacted] was in the position as he reflected in his first statement.

Agents Comment: SPC [redacted] ^{b7c-3, b6-3} stated SFC [redacted] ^{b7c-3, b6-3} was the unidentified person at the first shooting and was currently in the same Intelligence Class as he was. SPC [redacted] related he would have SFC [redacted] contact this agent to schedule an interview. ^{b7c-3, b6-3}

TYPED AGENT'S NAME AND SEQUENCE NUMBER [redacted] ^{b7c-1, b6-1, b2}		ORGANIZATION 87 th MP DET (CID)(ABN), USACIDC Fort Bragg, NC 28310	
SIGNATURE [redacted] ^{b7c-1, b6-1}	DATE 10 December 2002	ENCLOSURE 47	

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67C-1,66-1 and SA 67C-1,66-1 interviewed SFC 67C-3,66-3
 67C-3,66-3 About 0900, 14 Nov 02, SA 67C-1,66-1 and SA 67C-1,66-1 interviewed SFC 67C-3,66-3
 General Support Company, 3rd Special Forces Group (Airborne), Fort Bragg, NC 28310, who
 provided a sworn statement (Enclosure 18) detailing his knowledge of a shooting occurring in Lwara in
 Jun 02. SFC 67C-3,66-3 witnessed the shooting of a local man by SFC 67C-3,66-3. He believed the shooting
 to be justified given the circumstances of the incident.

67C-3,66-3 About 1350, 14 Nov 02, SA 67C-1,66-1 and SA 67C-1,66-1 interviewed CPT 67C-3,66-3
 67C-3,66-3 B Company, 2/3rd Special Forces Group (Airborne), Fort Bragg, NC 28310. CPT 67C-3,66-3
 67C-3,66-3 was the Detachment Commander of ODA 343 until early Jul 02, when CPT 67C-3,66-3
 assumed command of the team at Firebase Lwara. CPT 67C-3,66-3 was at Firebase Lwara during the
 first shooting incident in Jun 02; however, he was not deployed to the base when the second shooting
 occurred in Aug 02. CPT 67C-3,66-3 related on the day of the shooting incident in Jun 02, a mixed
 group of soldiers departed the camp enroute to the firing range for routine training. Around the same
 time, an observer for the camp spotted three individuals watching the camp with binoculars from a
 ridgeline adjacent to the camp. One of the individuals, an older man, was carrying a rifle. The two
 others were believed to possibly be young men or children. CPT 67C-3,66-3 personally observed the
 individuals surveying the camp from his vantage on the camp rooftop. While under observation, the
 three local men separated. CPT 67C-3,66-3 dispatched the soldiers from the firing range to the area to
 investigate the older man with the rifle. He also dispatched another team from the camp to pursue the
 other two men who departed the area. As the range party approached the armed man, CPT 67C-3,66-3
 intermittently monitored the contact from his vantage. CPT 67C-3,66-3 reported it was apparent to
 him that the man was not cooperating or complying with the team's commands for him to put down his
 weapon. This was apparent to CPT 67C-3,66-3 by the physical actions and gesturing he witnessed
 while monitoring the situation. CPT 67C-3,66-3 heard a warning shot fired, but did not witness it.
 CPT 67C-3,66-3 was diverting his attention back and forth between the two teams that were outside the
 camp. As CPT 67C-3,66-3 began to divert his attention from the scene involving the armed man, he
 noticed the man grab for his weapon. He did not witness the actual shooting, but believed he witness the
 erratic movement of the part of the armed man which caused the shooting. CPT 67C-3,66-3 believed
 the action to be justified given the situation. According to CPT 67C-3,66-3 the dead man was brought
 back to the camp until coordination could be made with the local elders from the surrounding area.
 Later in the day, the body was returned to the location of the incident and turned over to locals. CPT
 67C-3,66-3 reported SFC 67C-3,66-3 was the soldier who engaged the armed man. He believed the group
 of soldiers from the range was a mix of individuals from the camp, including some men from ODA 341,
 but he could not recall precisely who was present. He believed SSG 67C-3,66-3 may have been present.

TYPED AGENT'S NAME AND SEQUENCE NUMBER 67C-1,66-1,62	ORGANIZATION 87 th MP DET (CID)(ABN), USACIDC Fort Bragg, NC 28310
SIGNATURE 67C-1,66-1	DATE 10 December 2002
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Regarding the second incident, CPT [redacted] ^{b7C-3, b6-3} could provide no pertinent information since it occurred after he relinquished command of the team to CPT [redacted] ^{b7C-5, b6-5}

^{b7C-5, b6-5} About 1455, 14 Nov 02, SA [redacted] ^{b7C-1, b6-1} and SA [redacted] ^{b7C-1, b6-1} interviewed CW3 [redacted] ^{b7C-5, b6-5} Headquarters Support Company, 2/3rd Special Forces Group (Airborne), Fort Bragg, NC 28310. CW3 [redacted] ^{b7C-3, b6-3} reported he was the Operational Control Cell (OCC) at the FOB in Kandahar, Afghanistan, during the battalion's recent deployment. In this capacity, he received various intelligence reports from those deployed around the country. CW3 [redacted] ^{b7C-3, b6-3} confirmed he was the recipient of Contact Reports filed by CW2 [redacted] ^{b7C-3, b6-3} from his post at Firebase Lwara. However, he was unable to recall any specific information he may have received pertaining to Mr. SAYARI. CW3 [redacted] ^{b7C-3, b6-3} only recalled reading a Situation Report pertaining to the shooting incident in Aug 02. He vaguely remembered that the incident occurred during a checkpoint stop, but was unable to remember who shot whom. CW3 [redacted] ^{b7C-3, b6-3} did not redeploy with any of the filed reports; instead, he passed off all his data to his successor, SFC [redacted] ^{b7C-3, b6-3} 2/7th Special Forces Group (Airborne), Kandahar, Afghanistan (NFI). He related the reports were likely also kept by the Special Plans Group (SPG), CJSOTF, Bagram, Afghanistan.

^{b7C-3, b6-3} About 1520, 14 Nov 02, SA [redacted] ^{b7C-1, b6-1} and SA [redacted] ^{b7C-1, b6-1} interviewed LTC [redacted] ^{b7C-3, b6-3}, Commander, 2/3rd Special Forces Group (Airborne), Fort Bragg, NC 28310. LTC [redacted] ^{b7C-3, b6-3} recalled the first time he was notified of the shooting which occurred on 28 Aug 02, was when he was verbally notified by his unit S-3. LTC [redacted] ^{b7C-3, b6-3} had no reason to suspect the incident was anything other than a fully justified shooting. LTC [redacted] ^{b7C-3, b6-3} could not recall if there was an approved CONOP for the checkpoint operation which targeted Mr. SAYARI. He reported he received direction from his higher headquarters to conduct a Commander's Inquiry into the shooting on 28 Aug 02. LTC [redacted] ^{b7C-3, b6-3} related even after the inquiry was conducted he had no reason to suspect anything other than what was originally reported.

^{b7C-3, b6-3} About 1000, 15 Nov 02, SA [redacted] ^{b7C-1, b6-1} and SA [redacted] ^{b7C-1, b6-1} interviewed MAJ [redacted] ^{b7C-3, b6-3}, Commander, B Company, 2/3rd Special Forces Group (Airborne), Fort Bragg, NC 28310. MAJ [redacted] ^{b7C-3, b6-3} was the Executive Officer for the FOB when the first shooting incident occurred in Lwara in Jun 02. He conducted a Commander's Inquiry into the incident at the request of the FOB Commander. During his inquiry, MAJ [redacted] ^{b7C-3, b6-3} did not develop any reason to suspect the incident was anything other than what was originally reported. According to MAJ [redacted] ^{b7C-3, b6-3} all the statements he obtained corroborated each other and were consistent. Based on his investigation, MAJ [redacted] ^{b7C-3, b6-3} determined the incident did not violate the rules of engagement. He believed the inquiry was predicated

TYPED AGENT'S NAME AND SEQUENCE NUMBER [redacted] ^{b7C-1, b6-1, b2}		ORGANIZATION 87 th MP DET (CID)(ABN), USACIDC Fort Bragg, NC 28310	
SIGNATURE [redacted] ^{b7C-1, b6-1}	DATE 10 December 2002	ENCLOSURE 47	

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on a "comment" that was overheard where it was stated the rules of engagement were violated during the shooting. MAJ [redacted] was not able to determine the original source of the "comment".

67C-1, b6-3 About 1300, 15 Nov 02, SA 67C-1, b6-1 and SA 67C-1, b6-1 coordinated with MAJ 67C-3, b6-3, Senior Defense Counsel, Trial Defense Service (TDS), FBNC, who related SFC 67C-3, b6-3 was seen by CPT 67C-3, b6-3 and it was believed SSG 67C-3, b6-3 was seen by CPT 67C-3, b6-3

Agents Comment: Forwarded contact information, via email, of MAJ 67C-3, b6-3 to CPT 67C-3, b6-3 so they may discuss this case.

About 1325, 20 Nov 02, SA 67C-1, b6-1 was contacted by SFC 67C-3, b6-3 who related he did not maintain any correspondence from Afghanistan which pertained to the intelligence gathered on Mr. SAYARI.

STATUS: This investigation is being closed within the files of this office. No further investigative activity is anticipated.

//////////////////////////////////////LAST ENTRY//////////////////////////////////////

TYPED AGENT'S NAME AND SEQUENCE NUMBER [redacted] 67C-1, b6-1, b2		ORGANIZATION 87 th MP DET (CID)(ABN), USACIDC Fort Bragg, NC 28310	
SIGNATURE [redacted] 67C-1, b6-1	DATE 10 December 2002	ENCLOSURE 47	

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Referred to:

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

MS. JACQUELINE SCOTT
scottj@centcom.smil.mil
(813) 827-5341/2830

CRIME LAB EXAMINATION REQUEST		LAB USE ONLY	
For use of this form, see AR 195-5; the proponent agency is the United States Army Criminal Investigation Command.		REFERRAL NUMBER	
TO: (Include Do Code) Director U.S. Army Criminal Investigation Laboratory 553 North 2nd Street Forest Park, GA 30297-5122	FROM: (Include Zip Code) Special Agent in Charge Attn: SA [redacted] b7c-8, b6-1 87th Military Police Det (ABN)(CID) Building 8-1221 Randolph Street Fort Bragg, NC 28310	RECEIVED	
		RETURNED	
		REGIS MAIL	REGIS MAIL
		RY EXP	RY EXP
		<input checked="" type="checkbox"/> HAND	HAND
DATE		DATE	DATE
3 NOV 02		3 NOV 02	
RECEIVED BY		[redacted] b7c-2, b6-2	
EVIDENCE RECEIPT			
RECEIVED		INITIATED	
CONTRIBUTOR CASE NUMBER 00-02-CID023		Z. INVESTIGATOR'S NAME SA [redacted] b7c-1, b6-1	J. AUTOYON AND PHONE NUMBER DSN 236- [redacted] b7c-1, b6-1
SUSPECT(S) (Last, first and middle name(s)) [redacted] b7c-5, b6-5 [redacted] b7c-5, b6-5 [redacted] b7c-5, b6-5 [redacted] b7c-5, b6-5		email: [redacted]@bragg.army.mil	
SUBMITTER (Last, first and middle name(s)) YARI, Mohamed			
TYPE OF OFFENSE murder	7. ONE COPY OF EVIDENCE RECEIPT INCLUDED WITH EVIDENCE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	8. OTHER EVIDENCE PREVIOUSLY SUBMITTED ON THIS CASE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
YES IN ITEM 8, LIST OTHER SUSPECT(S), DATE SUBMITTED, UNIT CASE AND LABORATORY REFERRAL NUMBER(S) This action is being worked as an RFA in support of the originating office, the 87th MP Det (FWD)-Uzbekistan. They already submitted a request under their case number 0114-02-CID369-23525. This request also pertains to Exhibits 4 and 5 submitted in their original request.			
10. EVIDENCE SUBMITTED			
A. EXHIBIT	B. DESCRIPTION OF EXHIBIT		
	M4 Rifle, Serial Number W307216 (Item 1, Document Number 650-02) M4 Rifle, Serial Number W339055 (Item 2, Document Number 650-02) M4 Rifle, Serial Number W339063 (Item 3, Document Number 650-02) M4 Rifle, Serial Number W339069 (Item 4, Document Number 650-02) M4 Rifle, Serial Number W339082 (Item 5, Document Number 650-02) M4 Rifle, Serial Number W339097 (Item 6, Document Number 650-02) M4 Rifle, Serial Number W339108 (Item 7, Document Number 650-02) M4 Rifle, Serial Number W339110 (Item 8, Document Number 650-02) M4 Rifle, Serial Number W339111 (Item 9, Document Number 650-02) M4 Rifle, Serial Number W339115 (Item 10, Document Number 650-02) M4 Rifle, Serial Number W339116 (Item 11, Document Number 650-02) M4 Rifle, Serial Number W339117 (Item 12, Document Number 650-02) M9 Pistol, Serial Number 1366684 (Item 1, Document Number 651-02) M9 Pistol, Serial Number 1366685 (Item 2, Document Number 651-02) M9 Pistol, Serial Number 1366686 (Item 3, Document Number 651-02) M9 Pistol, Serial Number 1366687 (Item 4, Document Number 651-02) M9 Pistol, Serial Number 1366689 (Item 5, Document Number 651-02) M9 Pistol, Serial Number 1366692 (Item 6, Document Number 651-02) M9 Pistol, Serial Number 1366706 (Item 7, Document Number 651-02) M9 Pistol, Serial Number 1366717 (Item 8, Document Number 651-02) (Continued on back)		

RM 3655, AUG 74 REPLACES DA FORM 3655-R, 1 NOV 70, WHICH IS OBSOLETE USAFPC 01 00

Exhibit 53

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a. EXHIBIT	b. DESCRIPTION OF EXHIBIT
21	M9 Pistol, Serial Number 1367619 (Item 9, Document Number 651-02)
22	M9 Pistol, Serial Number 1367620 (Item 10, Document Number 651-02)
23	M9 Pistol, Serial Number 1367623 (Item 11, Document Number 651-02)
24	M9 Pistol, Serial Number 1367624 (Item 12, Document Number 651-02) b7c-2, b6-2
(nothing further) <i>Items 13-24 Not submitted</i>	
SUBJECTS WEAPONS	
CPT [redacted] weapons are Exhibits #1 and #13 <i>b7c-5, b6-5</i>	
SFC [redacted] weapons are Exhibits #7 and #19 <i>b7c-5, b6-5</i>	
SSG [redacted] weapons are Exhibits # [redacted] and # [redacted] <i>undetermined b7c-5, b6-5</i>	
SSG [redacted] weapons are Exhibits #9 and #21 <i>b7c-5, b6-5</i>	
These are the 4 main individuals involved in the incident, however it is suspected there were other Team members present and who may have been involved in the shooting.	

EXAMINATIONS REQUESTED (Briefly furnish any information or instructions that might assist the laboratory in examining, evaluating or returning evidence and/or report.)

Firearms Division: Please examine Exhibits 4 (shell casing) and 5 (expended bullet) of previously submitted lab request, and determine if Exhibits 1-24 (this request) were used to fire either the shell casing or bullet. *12 b7c-5, b6-5*

Request this examine be processed under expedited conditions due to the high visibility this investigation has at the DA level, and the MACOMS of CID and USASOC. This investigation involves the murder of a host nation civilian in Afghanistan. Additionally, the seizure of these weapons has rendered an entire Special Forces Detachment non-operational until such a time a majority of the weapons may be returned.

Use Conduct Any Other Tests You Deem Necessary.

Evidence above has not been examined by another expert in the same scientific field.

PRINTED NAME OF REQUESTOR

SIGNATURE

DATE

[redacted] *b7c-5, b6-5*

[redacted] *b7c-1, b6-1*

6 Nov 2002

IRM 3655, AUG 74

USAPPC V1.00



DEPARTMENT OF THE ARMY
US ARMY CRIMINAL INVESTIGATION LABORATORY
4553 N 2ND
FOREST PARK GA 30297-5122

REPLY TO
ATTENTION OF

CILA-BEP (195-2c)

2 December 2002

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, 87TH MILITARY POLICE
DETACHMENT, (ABN), (CID) (FWD), 507TH CGS, UZBEKISTAN BRANCH
OFFICE, APO AE 09311

SUBJECT: Submitter Case Number: 0114-02-CID369-23525
USACIL Referral Number: 2002-CID131-2225
Suspect(s): [REDACTED] b7c-5, b6-5
[REDACTED] b7c-5, b6-5
[REDACTED] b7c-5, b6-5
[REDACTED] b7c-5, b6-5

1. Enclosed is the Laboratory Exhibit Listing (Encl 1) and Final
Division Reports for the following divisions: Firearms (Encl 2)
and Imaging and Technical Support (Encl 3). The Serology/DNA
Report is pending.

2. Two original reports have been produced. One report is
enclosed, as stated, and the other is kept in the official files
of this laboratory and maintained IAW AR 25-400-2 and CIDR 195-1.

3. IAW AR 195-2, requests and fund cites for court appearances
of Laboratory Examiners will be made at least 10 working days
prior to the date of court proceedings.

4. POC is the Laboratory Operations Assistant, DSN 797-
[REDACTED] CM (404) 469-[REDACTED] FAX (404) 469-[REDACTED]/DSN 797-
[REDACTED] b7c-2, b6-2 [REDACTED] b7c-2, b6-2

3 Encls

[REDACTED] b7c-2, b6-2
Deputy Records Custodian



AN ASCLD/LAB ACCREDITED LABORATORY (SINCE 1985)

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Exhibit 54

26 November 2002

Page 01 of 01

LABORATORY EXHIBIT LISTING

SUBJECT: Submitter Case Number: 0114-02-CID369-23525
USACIL Referral Number: 2002-CID131-2225
Suspect(s): [REDACTED] b7C-5, b6-5
[REDACTED] b7C-5, b6-5
[REDACTED] b7C-5, b6-5
[REDACTED] b7C-5, b6-5

Exhibits:

- 1 - Zip disc (Item 1, Voucher 046-02).
- 2 - Lap top computer SN: 283183330 3621694 (Item 1, Voucher 047-02).
- 3 - Necklace(prayer beads) (Item 1, Voucher 048-02).
- 4 - Cartridge case (Item 1, Voucher 049-02).
- 5 - Bullet (Item 2, Voucher 049-02).
- 6 - Metal fragment (Item 3, Voucher 049-02).
- 7 - Carbine, M4, SN: W307216 (Item 1, Voucher 650-02).
- 8 - Carbine, M4, SN: W339055 (Item 2, Voucher 650-02).
- 9 - Carbine, M4, SN: W339063 (Item 3, Voucher 650-02).
- 10- Carbine, M4, SN: W339069 (Item 4, Voucher 650-02).
- 11- Carbine, M4, SN: W339082 (Item 5, Voucher 650-02).
- 12- Carbine, M4, SN: W339097 (Item 6, Voucher 650-02).
- 13- Carbine, M4, SN: W339108 (Item 7, Voucher 650-02).
- 14- Carbine, M4, SN: W339110 (Item 8, Voucher 650-02).
- 15- Carbine, M4, SN: W339111 (Item 9, Voucher 650-02).
- 16- Carbine, M4, SN: W339115 (Item 10, Voucher 650-02).
- 17- Carbine, M4, SN: W339116 (Item 11, Voucher 650-02).
- 18- Carbine, M4, SN: W339117 (Item 12, Voucher 650-02).

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Exhibit 54

19 November 2002

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FIREARMS DIVISION REPORT

SUBJECT: Submitter Case Number: 0114-02-CID369-23525

USACIL Referral Number: 2002-CID131-2225

Suspect(s):  b7c-5, b6-5
b7c-5, b6-5
b7c-5, b6-5
b7c-5, b6-5

Exhibits:

- 4 - Cartridge case (Item 1, Voucher 049-02).
- 5 - Bullet (Item 2, Voucher 049-02).
- 6 - Metal fragment (Item 3, Voucher 049-02).
- 7 - Carbine, M4, SN: W307216 (Item 1, Voucher 650-02).
- 8 - Carbine, M4, SN: W339055 (Item 2, Voucher 650-02).
- 9 - Carbine, M4, SN: W339063 (Item 3, Voucher 650-02).
- 10- Carbine, M4, SN: W339069 (Item 4, Voucher 650-02).
- 11- Carbine, M4, SN: W339082 (Item 5, Voucher 650-02).
- 12- Carbine, M4, SN: W339097 (Item 6, Voucher 650-02).
- 13- Carbine, M4, SN: W339108 (Item 7, Voucher 650-02).
- 14- Carbine, M4, SN: W339110 (Item 8, Voucher 650-02).
- 15- Carbine, M4, SN: W339111 (Item 9, Voucher 650-02).
- 16- Carbine, M4, SN: W339115 (Item 10, Voucher 650-02).
- 17- Carbine, M4, SN: W339116 (Item 11, Voucher 650-02).
- 18- Carbine, M4, SN: W339117 (Item 12, Voucher 650-02).

Findings:

1. Exhibit 4 is a 5.56MM caliber cartridge case manufactured for the US Army by the Lake City Army Ammunition plant. Exhibit 5 is a 5.56MM caliber full metal jacketed bullet with six land and groove impressions with a right twist. Microscopic examination of Exhibits 4 and 5 revealed sufficient individual characteristics for comparison purposes.

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Exhibit 54


19 November 2002

Page 02 of 02

FIREARMS DIVISION REPORT (Continued)

SUBJECT: Submitter Case Number: 0114-02-CID369-23525
USACIL Referral Number: 2002-CID131-2225

3. Exhibit 6 (metal fragment) is not firearm related and has no evidentiary value.
4. Exhibits 13 and 15 (carbines) are mechanically functional firearms with the incorporated safety features working properly. Their trigger pull forces are approximately 8½ pounds in the semi-automatic and burst modes of fire.
5. Using laboratory ammunition and magazine, Exhibits 13 and 15 were test fired. The recovered test cartridge cases and bullets were microscopically compared to Exhibit 4 (cartridge case) and Exhibit 5 (bullet). Exhibits 4 and 5 were identified as having been fired in and through Exhibit 13 (M4 Carbine, SN: W339108).
6. The examination of the other submitted firearms was not required due to the above identification.

 b7c, b6-2
Senior Firearms Examiner

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Exhibit 54

UNITED STATES ARMY
CRIMINAL INVESTIGATION LABORATORY
4553 N 2ND
FOREST PARK GA 30297-5122

26 November 2002

Page 01 of 02

IMAGING AND TECHNICAL SUPPORT DIVISION REPORT

SUBJECT: Submitter Case Number: 0114-02-CID369-23525
USACIL Referral Number: 2002-CID131-2225
Suspect(s) [REDACTED] b7c-5, b6-5
[REDACTED] b7c-5, b6-5
[REDACTED] b7c-5, b6-5
[REDACTED] b7c-5, b6-5

Exhibits:

- 1 - Zip Disk (Item 1, Voucher 046-02).
- 2 - Laptop computer (Item 1, Voucher 047-02).

Findings:

1. The copy of this report contained on the attached Compact Disc (CD), Enclosure 1, is a hyperlinked rich text file (.rtf). By viewing the report in Microsoft (MS) Word 97 (or higher version) from the enclosed CD, the reader of this report will have the ability to hyperlink to the referenced files.
2. Examination of Exhibit 1 revealed a directory labeled, "SAYARI INCIDENT," which contained several images of apparent importance to the incident under investigation. The contents of this directory can be found on Enclosure 1 at Exhibit 1\C\SAYARI INCIDENT. Fifteen of the images were copied from Exhibit 1, converted to Tagged Image File Format (TIFF), processed and printed. The prints are attached as Enclosures 2 through 16 (one copy file, three copies to requestor) of this report. Several of the images in this directory were found to be duplicates of other images and were not printed.
3. An examination of the hard drive (HDD) of Exhibit 2 was conducted to see if there were possibly more images pertaining

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Exhibit 54

IMAGING AND TECHNICAL SUPPORT DIVISION REPORT (Continued)

SUBJECT: Submitter Case Number: 0114-02-CID369-23525
USACIL Referral Number: 2002-CID131-2225

to the incident under investigation. All deleted files and recoverable digital images from unallocated space were examined. All images and documents that are believed to pertain to the incident under investigation were recovered and can be found on Enclosure 1. Examples of the images and documents found can be viewed on Enclosure 1 at Exhibit 2, HDD\C\Documents and Settings\All Users\Desktop\My Briefcase\Sayari mv face.jpg; Exhibit 2, HDD\C\Documents and Settings\██████████\Desktop\██████████.b7c-3, b6-3, 3
FPIRS\FPIR-G-067-02.doc; Exhibit 2, HDD\C\Documents and Settings\██████████\Desktop\██████████.FPIRS\FPIR-G-069-02.doc; Exhibit 2, b7c-3, 3, b6-3, 3
HDD\C\Documents and Settings\██████████\Desktop\██████████.IMAGERY\Sayari b7c-3, 3, b6-3, 3
um far.jpg; and Exhibit 2, HDD\C\Documents and Settings\██████████. b7c-3, b6-3
Desktop\██████████.SITREPS OUT\Sep02\7SEP02SITREP.txt. b7c-3, b6-3

3. Enclosure 1 contains a MS Access 2000 database, 022225DB, which lists all active and recently deleted files found on Exhibits 1 and 2 in the allfiles table. In addition to the allfiles table, a query can be found in the queries section which shows the image files found pertaining to the incident under investigation.

4. If there are any questions concerning the examinations or this report, please direct them to the undersigned at DSN 797-
2, b6-2 ██████████ commercial (404) 469-██████████ or email ██████████ usacil-
acirs.army.mil. b7c-2, b6-2 b7c-2, b6-2

Encl
As

██
██ CFCE
Forensic Computer Examiner
b7c-2, b6-2

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Exhibit 54



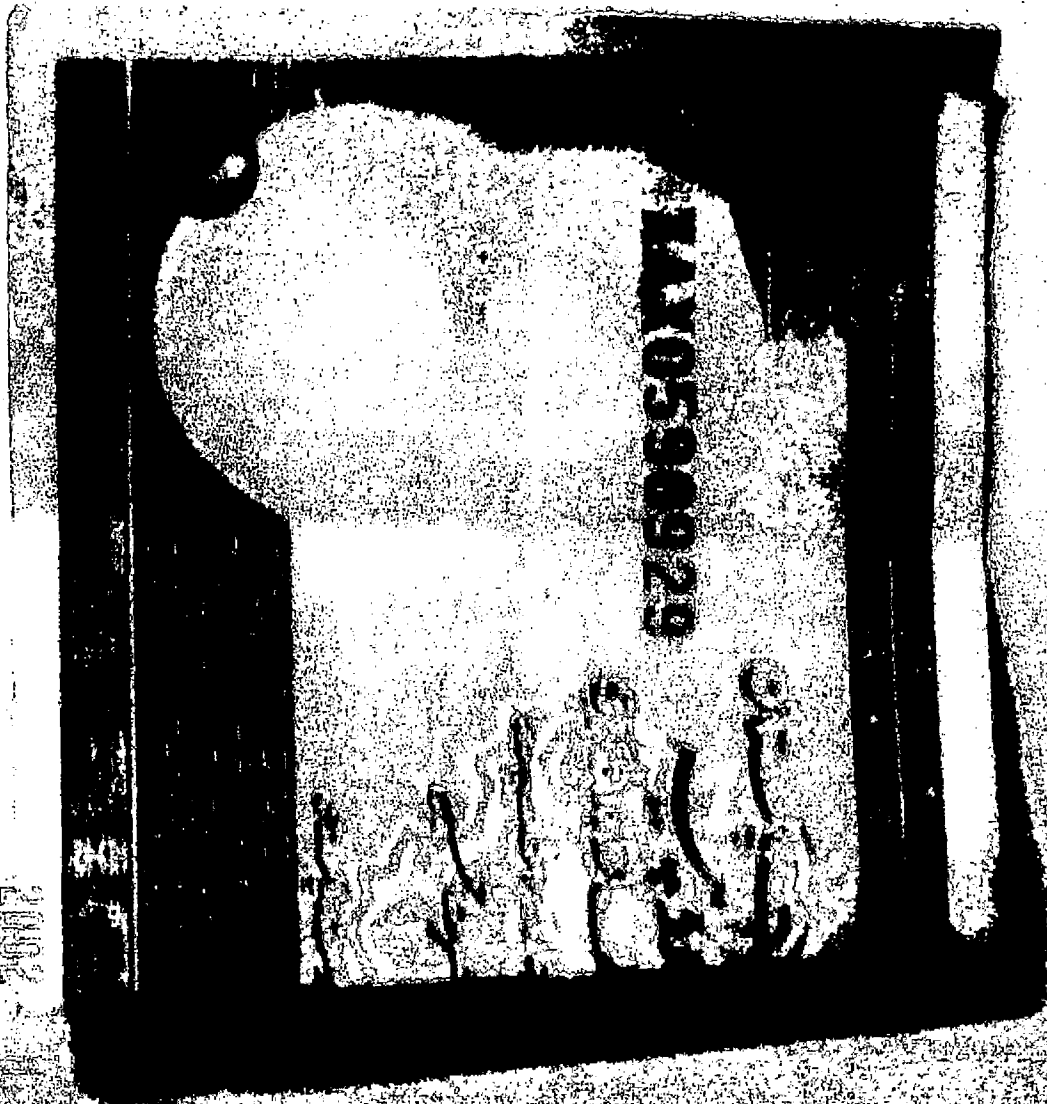
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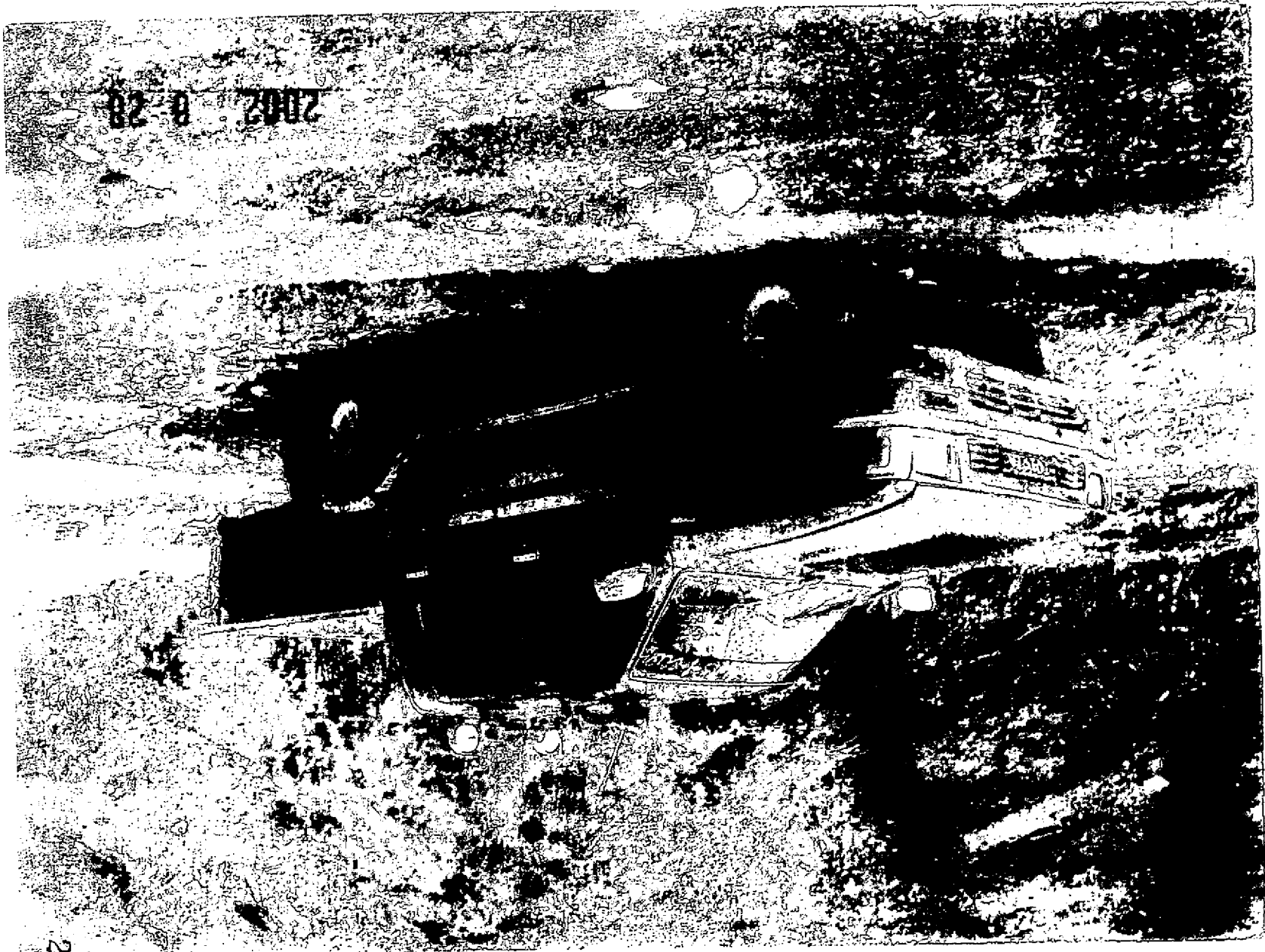
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DOD-DOACID000867

Sworn Statement

LOCATION: 87th Military Police Detachment (CID)(ABN), Fort Bragg, NC 28310

DATE: 7 Nov 02

TIME: 1302

NAME: [REDACTED] b7c-4, b6-4

SSAN: [REDACTED] b7c-4, b6-4

RANK: E-6/SSG

ORGANIZATION: A Company, ODA 343, 2/3 SFG(A), Fort Bragg, NC 28310

I, [REDACTED] b7c-4, b6-4 want to make the following statement under oath:

Between May and Sep 02 I was deployed to Firebase Lwara, Afghanistan.

Q. Were you present at the base when a shooting of a local national occurred on 28 Aug 02?

A. I was at the base, but I was on radio watch when the actual incident occurred. I didn't even know that they left the camp at the time.

Q. Were you aware of the CONOP that was put together to set up a checkpoint to stop the victim?

A. No. There wasn't a CONOP that I know of. This whole thing fell under what we called local security.

Q. Why wouldn't you know about a mission that your team planned and executed that day?

A. I was aware that they were going to stop the guy. ODA 341 left on a mission that day and was watched to see if someone was following them. I heard they weren't followed by anyone.

Q. When your team members left to set up this hasty checkpoint, were you aware they were leaving?

A. No.

Q. Did they conduct a radio check?

A. I don't remember. They may have.

Q. Did you know the victim of this shooting?

A. No.

Q. When did you first learn of the shooting?

A. After they shot the guy, some people came into my radio area and told me what happened.

Q. Who was it that first notified you of the incident?

A. I don't remember. It was several people but I can't remember who.

Q. What were you told?

A. That there had been a shooting. They stopped the guy that they thought was following them. He raised a weapon on [REDACTED] and both [REDACTED] and [REDACTED] returned fire and killed him. I was told they set up a checkpoint outside the camp to stop him. They stopped his vehicle when he came through the checkpoint. He had a few AMF passengers that were sent away from the area. They said they tried to call back here but there was no response on the radio.

Q. Who told you this?

A. I don't remember

Q. Was it members of your team?

A. Yes

Q. What was the primary purpose of the stop?

[REDACTED] b7c-4, b6-4

DA Form 2823

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Page 1 of 4 Pages

Exhibit: 55

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~~55~~

55

Statement of SSG [redacted] taken at Building 8-1221, Fort Bragg, NC 28310 on 7 Nov 02, continued:

0114-02-CID369-23525

1130-02-CID023-

A. To question the guy about what he was doing.

Q. How many passengers were with the victim when he was stopped?

A. I don't know. I was only told there were a few others but I don't know how many that is.

Q. Do you know why [redacted] and [redacted] dismissed the other passengers in the vehicle?

A. From what I understand, they all were AMF and it didn't have anything to do with them.

Q. What happened after you were told about incident?

A. They said they were taking some CI guys out there so they could do what they had to do at the scene.

Q. Did you ever go out to where the shooting occurred after the incident?

A. No.

Q. Do you know if your team ever went back to where the shooting occurred?

A. I don't know.

Q. Where was the information developed that this guy had been following the team?

A. I don't know. [redacted] was in charge of that kind of stuff. He interacted with the locals and developed a lot of information that way.

Q. Did you or any of your team members observe this guy following anyone?

A. I don't know.

Q. Were you present at a briefing after the shooting were some of the details were discussed?

A. Yes.

Q. What was said at this meeting?

A. The same thing. These guys stopped the guy because they thought he was following them and after he was stopped he raised a weapon at them. The way I understand it, CPT [redacted] and [redacted] were pulling security while [redacted] and [redacted] stopped the guy. I think they said that [redacted] was searching the vehicle when the guy picked up his weapon. I'm not sure.

Q. Who else was at the scene during the incident?

A. I wasn't aware anyone else was there besides [redacted] and CPT [redacted]

Q. Did [redacted] state that a "hit" was put out on him by the guy that was shot?

A. He said a hit had been put out on him. One of the locals told him, but I don't know who it was that put a hit out on him. I think [redacted] said that a few days before the shooting took place, but I am not sure.

Q. When everyone came back to the camp, did you see the body in the back of the truck?

A. Yes.

Q. Did you recognize him?

A. No.

Q. Had you ever seen him outside the camp before?

A. No.

Q. Did you see the weapon that the victim had?

A. No.

Q. What were you told about the weapon?

A. I don't know. I think they said it was an AK.

Q. What happens to the weapons that are seized during operations?

A. Sometimes we kept them, sometimes we blew them up, sometimes we give it to the AMF

Statement of SSG [redacted] taken at Building 8-1221, Fort Bragg, NC 28310 on 7 Nov 02, continued:

0114-02-CID369-23525
1130-02-CID023

Q. What happened with this particular weapon?

A. I don't know. I never saw it.

Q. What have you discussed with your team members since this investigation has been under way?

A. Just that CID was looking into to it. As far as I know, this was a justified shooting. I only know what I was told.

Q. Has anyone ever asked you to conceal any of the facts from anyone investigation this matter?

A. No.

Q. Where you present at the first shooting that occurred in Lwara in Jun 02?

A. I was at the base, but I was not involved in the shooting.

Q. What do you know about the incident?

A. I was on radio watch. At the time, we had a few guys watching activity around the base when they noticed two kids and a man with one pair of binoculars and a weapon. There were a group of our guys going to the range. I contacted them over the radio and told them to proceed to the location where this guy was. They weren't sure where to go. I went topside with another radio and asked the spotters where the guy was. I then told them were they needed to go and went back down into my radio hooch.

Q. Did you hear shots fired from where you were?

A. No.

Q. When did you get word that there had been a shooting?

A. I think when the guys on the roof said something. They may have said they heard shots. I can't remember.

Q. What happened next?

A. I got a call from them that shots were fired and a man was down, but no US personnel were injured.

Q. What happened when they returned to the base?

A. They brought the man and his weapon back to the base. A short time after being on the base, he was taken back to the area where he was killed. I think the locals picked him up from there to give him a burial.

Q. Did you look at the body when he was back at the camp?

A. I just glanced at him. I couldn't tell you anything about him.

Q. Who was in the vehicle that went out to intercept the man and the kids?

A. I'm pretty sure [redacted] and [redacted] were there, but I am not sure who else. Maybe [redacted] I really don't know.

Q. Were there others in the vehicle?

A. I don't know.

Q. Is this statement in your own words and typed by this agent?

A. Yes

Q. Do you have anything further to add to your statement?

A. No

////////////////////////////////////End of Statement////////////////////////////////////

[redacted] b7C-4, b6-4
INITIALS
DA Form 2823

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Page 3 of 4 Pages
Exhibit: 55

Statement of SSG [redacted]
continued:

b7C-4, b6-4

taken at Building 8-1221, Fort Bragg, NC 28310 on 7 Nov 02,

01130-02-CID369

0114-02-CID369-23525
1130-02-CID369

AFFIDAVIT

I, [redacted] b7C-4, b6-4 HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS OF PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTOOD 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, WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

SA [redacted]

b7C-1, b6-1

[redacted signature]

b7C-4, b6-4

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 7th day of November, 2002, at Building 8-1221, Fort Bragg, NC 28310

[redacted signature]

b7C-1, b6-1

(Signature of Person Administering Oath)

SA [redacted] b7C-1, b6-1
3d Military Police Group (CID)
Fort Bragg, NC
(Name of Person Administering Oath)

Article 136, UMCJ
(Authority to Administer Oaths)

[redacted signature]

b7C-4, b6-4

DA Form 2823

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Page 4 of 4 Pages

Exhibit: 55

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RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE
For use of this form, see AR 190-30, the proponent agency is ODCSOPS

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g) 0114.02-CID369-23525
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your Social Security Number is voluntary.

1. LOCATION 87 th MP DET (CID) (ABN), Fort Bragg, NC 28310	2. DATE 12 Nov 02	3. TIME 1015 b7c-4, b6-1	4. FILE NO. 1130-02-CID023
5. NAME (Last, First, MI) [REDACTED] b7c-4, b6-4	8. ORGANIZATION OR ADDRESS A Company, 2/3 rd Special Forces Group Fort Bragg, NC 28310		
6. SSN [REDACTED] b7c-4, b6-4	7. GRADE/STATUS SSG/AD		

PART 1 - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Criminal Investigation Command and wanted to question me about the following offense(s) of which I am suspected: Murder/Conspiracy

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

- 1. I do not have to answer any questions or say anything.
- 2. Anything I say or do can be used as evidence against me in a criminal trial.
- 3. (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both. b7c-4, b6-4
- 4. (For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.
- 5. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below. b7c-4, b6-4

5. COMMENTS (Continue on reverse side)

Section B. Waiver

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

WITNESSES (If available)

1a. NAME (Type or Print)
SA [REDACTED] b7c-4, b6-1

b. ORGANIZATION OR ADDRESS AND PHONE
3rd Military Police Group CID
Fort Campbell, KY 42223

3. SIGNATURE
[REDACTED] b7c-4, b6-4

4. SIGNATURE OF INVESTIGATOR
[REDACTED] b7c-4, b6-1

2a. NAME (Type or Print)
SA [REDACTED] b7c-4, b6-1

b. ORGANIZATION OR ADDRESS AND PHONE

5. TYPED NAME OF INVESTIGATOR
SA [REDACTED] b7c-4, b6-1

6. ORGANIZATION OF INVESTIGATOR
87th MP DET CID (ABN)
Fort Bragg, NC 28310

Section C. Non-Waiver

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

2. SIGNATURE OF INTERVIEWEE

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

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Exhibit 56

Sworn Statement

LOCATION: 87th Military Police Detachment (CID) (ABN), Fort Bragg, NC 28310

DATE: 12 Nov 02

TIME: 1310

NAME: [REDACTED] b7c-4, b6-4

SSAN: [REDACTED] b7c-4, b6-4

RANK: E-6/SSG

ORGANIZATION: A Company, 2/3rd SFG (A), Fort Bragg, NC 28310

I [REDACTED] b7c-4, b6-4, want to make the following statement under oath:

I am a member of ODA 343 and was deployed to Firebase Lwara from around May 02 – Sep 02.

Q. Were you present during a shooting that occurred on 28 Aug 02 outside the Lwara Firebase?

A. No. I was at the camp, but I was not part of the mission.

Q. What did you know about this mission on the day it occurred?

A. I didn't know the team had left on a mission. I believe I was working vehicle maintenance that day. The team had Firebase Activities that day.

Q. What are Firebase Activities?

A. Mostly administrative and base operations duty. The two teams alternate and carry out the routine base functions.

Q. What led up to the stopping of Mr. SAYARI for questioning?

A. The day before the shooting some information was put out during a team meeting that a local Afghan had been following the team. I don't think the Afghan had been identified by name, but a description of his vehicle was put out. They said that this guy put out a "hit" on one of the team members.

Q. Where did this information come from?

A. I think from SOT-A intercepts and other informants, maybe AMF folks. Chief [REDACTED] b7c-5, b6-5 dealt with most of the Intel gathering.

Q. Who put out the information at this meeting?

A. I can't remember who said what.

Q. Who was the "hit" put out on?

A. We did not know but presumed it was Chief [REDACTED] b7c-5, b6-5

Q. Why did you presume it was Chief [REDACTED] b7c-5, b6-5

A. I don't know if someone came out and said it, or if we just assumed it.

Q. Did any of the team members personally observe this man following them?

A. I didn't see him. I never heard if anyone else saw him.

Q. During this meeting the day before the shooting, did the team plan a way to detain the man?

A. We were just told to keep an eye for the guy. We wanted to talk to him.

Q. The very next day, which was the day of the shooting, when did you first learn your team members were involved in a shooting?

A. Around mid-day, maybe late morning, a cook stopped and asked me "was it [REDACTED] b7c-5, b6-5 that shot that guy". I didn't know what he was talking about. He said something to the effect of that there was a shooting. I immediately walked over to the radio room and asked SSG [REDACTED] b7c-4, b6-4 if he knew what happened.

[REDACTED] b7c-4, b6-4
INITIALS

DA Form 2823

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Page 1 of 5 Pages

Exhibit: 56

Statement of SSG [redacted] taken at Building 8-1221, Fort Bragg, NC 28310 on 12 Nov 02, continued:

0114-02-210369-23525

Q. Do you know the cook's name?

A. No.

Q. What did SSG [redacted] tell you when you asked him about it?

A. He told me that he was still trying to get information about the shooting, but he wasn't able to raise them on the radio.

Q. How did SSG [redacted] find out about the shooting?

A. I don't know.

Q. What happened next?

A. I went to our tent and asked SFC [redacted] if he heard about the shooting

Q. Did SFC [redacted] know anything about the incident?

A. No. It was the first he heard of it.

Q. What was SFC [redacted] doing when you walked in the tent?

A. He was watching TV, a movie or video game I think.

Q. What happened after you left the tent?

A. I'm pretty sure I went back doing what I was doing. I think I finished up on the vehicles and took over radio watch.

Q. At what point did those involved in the incident come back to the firebase?

A. I am not sure.

Q. Did you see them pull into the camp?

A. No.

Q. Can you detail what you know about what happened when they got back to the camp?

A. I'm pretty sure they went back to the Ops Center. I saw them later in the day when they came into the Ops Center to type up their statements.

Q. Who was typing up statements?

A. CPT [redacted], SFC [redacted], SSG [redacted] and SSG [redacted]. All four individuals who were at the scene.

Q. Was there anyone else at the scene when the shooting incident occurred?

A. No, not to my knowledge.

Q. Were you present at the scene during the shooting incident?

A. No.

Q. Have you ever been to the shooting scene?

A. I never have stopped at the scene, but a couple of days after the shooting I had SFC [redacted] point out to me the area as we drove by the scene. We never stopped, we were on another mission.

Q. Was CW2 [redacted] present at scene during the shooting?

A. Not to my knowledge.

Q. Did you ever see the weapon that reportedly belonged to the man they shot, Mr. SAYARI?

A. No.

Q. Do you know what was done with the weapon?

A. No.

Q. Was there an AAR conducted by the Team regarding what happened?

A. Yes, later that same evening as the shooting, we all met to discuss what happened.

Q. Where did the AAR take place?

A. In the Ops Center

[redacted] INITIALS

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Exhibit: 56

Statement of SSG [REDACTED] ^{b7c-4, b6-4} taken at Building 8-1221, Fort Bragg, NC 28310 on 12 Nov 02,
continued:

0114-02-410369-23525

Q. Who was present?

A. The entire team, minus MSG [REDACTED] ^{b7c-3, b6-3} and SSG [REDACTED] ^{b7c-3, b6-3} who were not at Lwara.

Q. Who led the meeting?

A. CPT [REDACTED] ^{b7c-5, b6-5} and SFC [REDACTED] ^{b7c-5, b6-5} briefed. I think Chief [REDACTED] ^{b7c-5, b6-5} may have spoken as well.

Q. What were you told occurred during the shooting incident?

A. As I understand it, someone saw his guy driving by the camp and the team went out and followed him.

Q. Was this the same man that was talked about during the meeting the day before?

A. They believed it was.

Q. Was it?

A. I don't know. No names were mentioned in the meeting the day before.

Q. Where was the man spotted on the day of the shooting?

A. I believe it was put out that he was driving along River Road which runs along the firebase.

Q. Who spotted him?

A. I don't know.

Q. What did the team do after the man was spotted driving along side the camp?

A. I did not see what happened, but I think the four guys boarded one HMMWV and drove down to stop him.

Q. Is this what was briefed during the AAR after the shooting?

A. I don't recall if this is exactly what was said, but this is what I understood.

Q. What happened next?

A. They put out that he was stopped near the water point. I was told the guy was traveling with bodyguards and that they sent them walking.

Q. Why did they send the bodyguards walking?

A. For their own safety.

Q. Who stopped the vehicle?

A. I don't know.

Q. What were the positions of your four team members?

A. CPT [REDACTED] ^{b7c-5, b6-5} and SSG [REDACTED] ^{b7c-5, b6-5} were on security. SFC [REDACTED] ^{b7c-5, b6-5} and SSG [REDACTED] ^{b7c-5, b6-5} were directing their attention towards the vehicle. I don't know the details.

Q. What happened after they sent the man's passengers away?

A. I believe they patted the guy down and [REDACTED] ^{b7c-5, b6-5} turned to call back for an interpreter. At that point, SSG [REDACTED] ^{b7c-5, b6-5} observed the suspect take hold of the weapon that was found in the vehicle and point it at SFC [REDACTED] ^{b7c-5, b6-5}. SSG [REDACTED] ^{b7c-5, b6-5} then opened fire hitting the man with two shots, one in the abdomen and one in the chest. SFC [REDACTED] ^{b7c-5, b6-5} then turned around and fired several rounds into the man, who was still standing. SSG [REDACTED] ^{b7c-5, b6-5} dispatched one more round hitting the man in head, which finally put him down.

Q. Did the man that was detained carry any weapons?

A. I believe there were weapons on the vehicle based on what was briefed.

Q. What kind of weapon was it?

A. An AK-47.

Q. What happened to the weapon?

A. I don't know.

[REDACTED] ^{b7c-4, b6-4}
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Exhibit: 56

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Statement of SSG ^{b7c-4, b6-4} taken at Building 8-1221, Fort Bragg, NC 28310 on 12 Nov 02,
continued:

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- Q. Why didn't they secure the weapon a safe distance from Mr. SAYARI if they believed he could have put a "hit" out on one of the team members?
- A. I don't know.
- Q. What happened out there immediately after the shooting?
- A. CI personnel, an interpreter, and the AMF sub-commander were dispatched to the scene. I don't know how they got the word.
- Q. Did two of the four team members at the scene drive back to the camp after the shooting?
- A. I don't know.
- Q. What was put out at the AAR?
- A. I don't remember.
- Q. Did they talk about any lessons learned?
- A. I think the big gripe was a communication break-down between the team members, and that the mission was put together a little too hasty.
- Q. Was there a CONOP put forth to get this plan approved?
- A. Not that I know of.
- Q. Have you ever seen any of the photographs taken of the victim at the scene?
- A. I saw one photograph that one of the CI guys had. It was the photo showing the head shot. I never saw any other photographs.
- Q. What did you know about the victim before the shooting occurred?
- A. Nothing. I assume it was the same guy they were talking about the day before, but his name was never mentioned.
- Q. Why would you not have participated in this operation?
- A. I was carrying out base activities, including maintenance on some of the vehicles.
- Q. Did you ever see Mr. SAYARI?
- A. No.
- Q. Was he brought back to the camp?
- A. I wasn't aware he was. I thought he was turned over to the AMF on the spot.
- Q. Did any members of ODA 343 or others, go back to the scene to disturb or disrupt it in any way?
- A. No.
- Q. In your first statement to CID, you mentioned that it was your understanding that SSG ^{b7c-4, b6-4} was in the gun turret of the HMMWV. Do you still believe that?
- A. No. After we got back to Fort Bragg, I learned that SSG ^{b7c-4, b6-4} was not in the turret, but on the ground during the incident?
- Q. How did you learn this?
- A. Through casual conversation within the team.
- Q. Has anyone asked you to be less than truthful regarding your knowledge of this matter?
- A. Absolutely not.
- Q. As far as you know, SFC ^{b7c-4, b6-4} turned his back on the Mr. SAYARI to use the radio to call for an interpreter?
- A. Yes.
- Q. Do you know why they would not have brought an interpreter?
- A. No.

^{b7c-4, b6-4}
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Exhibit: 576

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Statement of SSG [redacted] taken at Building 8-1221, Fort Bragg, NC 28310 on 12 Nov 02, continued:

b7c-4, b6-4

b7c-5, b6-5

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Q. Is it your understanding that SSG [redacted] fired the last shot into Mr. SAYARI which struck his head?

A. Yes. I think it was put out that he was spun around and going down when he was shot.

Q. Is this statement in your own words and typed by this agent?

A. YES [redacted]

Q. Do you have anything further to add to your statement?

A. No

////////////////////////////////////End of Statement////////////////////////////////////

AFFIDAVIT

I, [redacted] HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS OF PAGE 1 AND ENDS ON PAGE 5. I FULLY UNDERSTOOD 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, WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

SA [redacted] b7c-1, b6-1

[redacted signature] b7c-4, b6-4
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12th day of November, 2002, at Building 8-1221, Fort Bragg, NC 28310

[redacted signature] b7c-1, b6-1
(Signature of Person Administering Oath)

SA [redacted] b7c-1, b6-1
3d Military Police Group (CID)
Fort Bragg, NC
(Name of Person Administering Oath)

Article 136, UMCJ
(Authority to Administer Oaths)

[redacted initials] b7c-4, b6-4
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Exhibit: 56

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE
For use of this form, see AR 190-30; the proponent agency is ODCSOPS

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g) 0114-02-CID369-23525
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your Social Security Number is voluntary.

1. LOCATION 87 th MP DET (CID) (ABN), Fort Bragg, NC 28310	2. DATE 12 Nov 02	3. TIME 1416H	4. FILE NO. 1130-02-CID023
5. NAME (Last, First, MI) [REDACTED] b7C-5, b6-5	8. ORGANIZATION OR ADDRESS A Company, 2/3 rd Special Forces Group Fort Bragg, NC 28310		
6. SSN [REDACTED] b7C-5, b6-5	7. GRADE/STATUS CW2/AD		

PART 1 - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Criminal Investigation Command and wanted to question me about the following offense(s) of which I am suspected: [REDACTED] b7C-5

Murder/Conspiracy/False Official Statement

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

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

- or -

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

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

5. COMMENTS (Continue on reverse side)

Section B. Waiver

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

WITNESSES (if available)		3. SIGNATURE OF INTERVIEWEE	
1a. NAME (Type or Print) SA [REDACTED] b7C-1, b6-1		[REDACTED] b7C-5, b6-5	
b. ORGANIZATION OR ADDRESS AND PHONE 3 rd Military Police Group CID Fort Campbell, KY 42223		SIGNATURE OF INVESTIGATOR [REDACTED] b7C-1, b6-1	
2a. NAME (Type or Print)		5. TYPE/NAME OF INVESTIGATOR SA [REDACTED] b7C-1, b6-1	
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR 87 th MP DET CID (ABN) Fort Bragg, NC 28310	

Section C. Non-Waiver

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

2. SIGNATURE OF INTERVIEWEE

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

PART II - RIGHTS WARNING PROCEDURE

THE WARNING

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

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

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

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

- or -

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

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

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

THE WAIVER

"Do you understand your rights?"
 (If the suspect/accused says "no," determine what is not understood, and if necessary repeat the appropriate rights advisement. If the suspect/accused says "yes," ask the following question.) *Yes* **b7c-5, b6-5**

"Have you ever requested a lawyer after being read your rights?"
 (If the suspect/accused says "yes," find out when and where. If the request was recent (i.e. fewer than 30 days ago), obtain legal advice on whether to continue the interrogation. If the suspect/accused says "no," or if the prior request was not recent, ask him/her the following question.) *No* **b7c-5, b6-5**

"Do you want a lawyer at this time?" *No* **b7c-5, b6-5**
 (If the suspect/accused says "yes," stop the questioning until he/she has a lawyer. If the suspect/accused says "no," ask him/her the following question.)

"At this time, are you willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer and without having a lawyer present with you?" (If the suspect/accused says "no," stop the interview and have him/her read and sign the non-waiver section of the waiver certificate on the other side of this form. If the suspect/accused says "yes," have him/her read and sign the waiver section of the waiver certificate on the other side of this form.) *Yes* **b7c-5, b6-5**

SPECIAL INSTRUCTIONS

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

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

PRIOR INCRIMINATING STATEMENTS:

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

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

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

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

COMMENTS (Continued)

Sworn Statement

LOCATION: 87th Military Police Detachment (CID) (ABN), Fort Bragg, NC 28310

DATE: 12 Nov 02

TIME: 1726h

NAME: [REDACTED] b7c-5, b6-5

SSAN: [REDACTED] b7c-5, b6-5

RANK: CW2

ORGANIZATION: A Company, 2/3rd SFG (A), Fort Bragg, NC 28310

I, [REDACTED] b7c-5, b6-5 want to make the following statement under oath:

I am a member of ODA 343 and was deployed to Firebase Lwara from around May 02 – Sep 02.

Q. Can you describe to me what you events led up to the shooting on 28 Aug 02?

A. Yes. Around 23-24 Aug 02, an Afghani contact told me that there was a man named SAYARI who was following the members of the camp.

Q. Who was this contact?

A. I believe it was a local contact at the base, I'm not sure.

Q. Did you prepare a Contact Report for this meeting with a local contact?

A. I may have. I don't remember.

Q. Who would you have sent the contact report to?

A. CW3 [REDACTED] who was my OCE at the FOB.

Q. What else did this contact say about SAYARI during your meeting on 23-24 Aug 02?

A. He believed SAYARI was gathering intelligence about the base. At the time of this meeting, I did not put a face with SAYARI's name. I later learned that SAYARI was someone who I had seen on several occasions while I was outside of the base.

Q. Did this contact describe SAYARI to you?

A. He said SAYARI was tall with a sparse beard and had gapped teeth.

Q. Was any description given regarding his vehicle?

A. Not during this meeting.

Q. What did you tell you team members about what this contact had told you?

A. I told the team that SAYARI was someone we should keep an eye out for. It was more or less a heads-up. There was no formal plan at this point to stop him, but I made it clear that our intent was to detain SAYARI and bring him back to camp.

Q. What did you plan to do with SAYARI once he was back at the camp?

A. He would have been turned over to the counterintelligence folks, and then sent to Bagram if it warranted.

Q. What occurred next regarding the report that SAYARI was following the team?

A. A few days later, ODA 341 headed out on a mission. We decided to follow ODA 341 and see if SAYARI followed.

Q. Was this the same day of the shooting, 28 Aug 02?

A. Yes.

Q. Please detail the events surrounding you following ODA 341

A. ODA 341 departed the camp on a mission and we left about ten minutes later. As we left the camp, I noticed a local man waiting at the gate. It was of interest to me because I was the one

[REDACTED] b7c-5, b6-5
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Statement of CW2 [REDACTED] ^{b7c-5, b6-5} taken at Building 8-1221, Fort Bragg, NC 28310 on 12 Nov 02, continued: ^{0114-02-CID369-23525}

that usually spoke with the locals at the gate. We kept driving following the same route as ODA 341. Shortly after we left, I explained to the interpreter that we were looking for SAYARI. The interpreter told me that SAYARI was the man waiting at the gate. I was surprised to learn that was SAYARI because it was the first time I was able to put a face with the name. At that moment, I realized that SAYARI was someone that I had seen around Lwara on several previous occasions. I told [REDACTED] ^{b7c-5, b6-5} about it. We continued to follow ODA 341 for a while but after it was clear that SAYARI was not following in the direction we were, we broke off and returned to camp.

Q. Who was the interpreter that was with you in the vehicle?

A. It was either [REDACTED] ^{b7c-5, b6-5} or [REDACTED] ^{b7c-5, b6-5}

Q. Could it have been [REDACTED] ^{b7c-5, b6-5}

A. No.

Q. Who was with you in the vehicle during this time?

A. It was me, SFC [REDACTED] ^{b7c-5, b6-5} SSG [REDACTED] ^{b7c-5, b6-5} and the interpreter.

Q. Was there another vehicle with you? ^{b7c-5, b6-5}

A. I'm not sure. Could have been. SSG [REDACTED] ^{b7c-5, b6-5} may have been with us too. It is hard for me to picture.

Q. When you returned to camp after following ODA 341, was SAYARI still waiting at the gate?

A. No.

Q. What happened after you returned to camp?

A. We went over a tentative plan of action in the event he showed back up at the gate.

Q. What was the plan?

A. If he showed back up at the gate, I was going to ID him at the gate. If it was SAYARI, I would take my hat off. That was the signal to let the other guys know that it was SAYARI at the gate. While I talked to him, the other team members were going to abruptly depart the base. They were going to put up a checkpoint down the road to the south, towards the water point. The idea was to see if SAYARI would follow the team out the gate.

Q. What was the team going to do once he was stopped?

A. He was going to be returned to the camp so the CI could talk to him.

Q. Why wouldn't you talk to or detain SAYARI when he came back to the gate?

A. We wanted to catch him in the act of following us. They will deny everything unless you catch them in the act.

Q. Did you prepare an Operation Order or CONOP regarding the plan?

A. No.

Q. How did it all come together?

A. A short time later, SAYARI showed up at the gate. I think it was after lunch. I walked to talk to him. I took my hat off so the team knew it was SAYARI. We talked at the gate for few minutes regarding a vehicle he wanted to rent us. A few minutes later, the team came through the gate. They said to me that there was something big going on involving Al Qaeda. The continued out of the gate.

Q. Who was the interpreter that you used

A. I'm not sure.

Q. Could it have been [REDACTED]

A. Yes. ^{b7c-5, b6-5}

[REDACTED] ^{b7c-4, b6-4}
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Exhibit: 57

Statement of CW2 [REDACTED] ^{b7C-5, b6-5} taken at Building 8-1221, Fort Bragg, NC 28310 on 12 Nov 02, continued:

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Q. Did SAYARI continue to talk to you at the gate after the team left on their ruse?

A. I continued to talk to him for a few moments and then broke off of the conversation. I may have been abrupt in cutting off the conversation with him. I wanted to see if he was going to follow the team.

Q. How many vehicle were the team members in when they left?

A. Two.

Q. Who on the team left out the gate on this mission?

A. CPT [REDACTED] ^{b7C-5, b6-5}, SFC [REDACTED] ^{b7C-5, b6-5}, SSG [REDACTED] ^{b7C-5, b6-5} and SSG [REDACTED] ^{b7C-5, b6-5}. None of the commo guys left.

Q. After you broke off contact with SAYARI at the gate, what happened?

A. I moved up to the commo area to try and get them on the radio.

Q. Did you have luck reaching them via radio?

A. No.

Q. Who was on the radio when you went there?

A. I think it was SSG [REDACTED] ^{b7C-5, b6-5} but I am not sure.

Q. Did you visually see if SAYARI followed the men?

A. I didn't look. I just went back to the radio area.

Q. Did SAYARI have a vehicle at the gate when he talked to you?

A. I didn't notice. I didn't readily see one.

Q. What was the next thing you learned of the incident?

A. I moved over to my tent once I couldn't reach them on the radio. Maybe ten minutes [REDACTED] ^{b7C-5, b6-5} came up and tells me what happened. He gave me a brief description of what happened.

Q. Who was with [REDACTED] ^{b7C-5, b6-5} when he came to your tent?

A. I think SSG [REDACTED] ^{b7C-5, b6-5} was him and I think he was carrying SAYARI's weapon, but I am not sure. I saw the weapon at the camp, but I'm not sure whether I saw it in the tent or the vehicle that they had driven back from the scene.

Q. Did you ever take possession of the weapon?

A. No. I don't think I did.

Q. In your first statement to CID, you reported that you saw SAYARI on the 28 Aug at the gate to talk about renting a vehicle. You said in the statement that you told SAYAIR that you wanted him to come back later in the day, which he did. This was in order to put together the plan to stop him. You are now saying that you only talked to SAYARI once that day. Can you explain the discrepancy between the two statements?

A. As I read my first statement to CID, I recall talking to him as we were leaving to follow ODA 341. I did not know it was SAYARI at the time. It was only after talking to the interpreter that I realize the man I spoke with was SAYARI.

Q. What did [REDACTED] ^{b7C-5, b6-5} tell you about the incident while in your tent?

A. He said that SAYARI came into the roadblock and stopped. At some point, he got a hold of his weapon and pointed his weapon at SFC [REDACTED] ^{b7C-5, b6-5} and they had to shoot him. It was just a brief description of what went on until the AAR later that evening.

Q. What did you do once [REDACTED] ^{b7C-5, b6-5} told you about the incident?

A. I rounded up some AMF personnel and the CI guys and went out to the scene.

Q. Did you go to the scene prior to the arrival of the CI personnel?

A. I think they followed me. Once I got to the scene, I didn't leave until it was over.

67C-5, b6-5
 Statement of CW2 [REDACTED] taken at Building 8-1221, Fort Bragg, NC 28310 on 12 Nov 02,

continued:

0114-02-CID 369-23525

- Q. Were you in the vicinity of the scene when the shooting occurred?
 A. No.
- Q. Did you only go to the scene after being notified there was a shooting by SFC [REDACTED] 67C-5, b6-5
 A. Yes.
- Q. Did you see the wounds of the victim?
 A. Yes. I saw them at the scene. I did a quick review of the body.
- Q. Can you describe what you observed?
 A. I saw the open head wound. I saw the wounds to the back. I thought I saw entrance wounds to the front of the chest. I didn't see any obvious exit wounds.
- Q. Did you collect any expended shell casings from the scene?
 A. No.
- Q. Do you know what happened to the expended shell casings?
 A. No.
- Q. Did you collect any expended bullets from the scene?
 A. No.
- Q. Do you know what happened to the expended bullets?
 A. I have no idea.
- Q. Did you or any members of the team go back and disturb or disrupt the death scene in any way?
 A. No.
- Q. What was done while you were at the scene?
 A. The CI guys did their thing. They took some pictures and did some other things.
- Q. What happened with SAYARI?
 A. He was put in the back of his vehicle and driven back to the camp where the locals later came and retrieved him.
- Q. Who did you coordinate with to have SAYARI's remains returned to the family?
 A. The AMF commander, [REDACTED] 67C-3, b6-3
- Q. What ever came of SAYARI's weapon?
 A. I don't know. I truly don't remember.
- Q. Did the team conduct some sort of AAR after the shooting?
 A. Yes.
- Q. Please detail what you did or said?
 A. We had a team meeting, probably in the Operations Center.
- Q. Who led the AAR?
 A. Probably the team sergeant, SFC [REDACTED] 67C-5, b6-5
- Q. Was there a picture drawn of the scene.
 A. Yes. I think we sketched out the scene on a board. I also typed up an AAR and sent it up to the FOB. I typed up statements for each guy. They told me what happened as I typed each statement.
- Q. Did you identify any problems or lessons learned in AAR?
 A. Yes. We had a commo void.
- Q. Did you have any reason to think this was anything other than a justified shooting?
 A. No.
- Q. Can you detail what you know about a "hit" being put out on you?

[REDACTED] 67C-5, b6-5
 INITIALS
 DA Form 2823

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Page 4 of 4 Pages

Exhibit: 52

Statement of CW2 [redacted] taken at Building 8-1221, Fort Bragg, NC 28310 on 12 Nov 02, continued:

b7c-5, b6-5

0114-02-CID369-23525

A. We were told a white truck with a couple of people in it were going to follow us. It was from a SOT-A intercept. It was inferred that I was the target since I was the one that carried money.

Q. Was this put out during the AAR?

A. The "hit" thing happened a week or two weeks prior to the shooting. I don't think we mentioned it during the AAR. I was put out earlier and everyone was aware of it.

Q. Did this "hit" information develop from any other sources?

A. Yes. It was through local contacts in addition to the SOT-A sources. It was based on the totality of the circumstances.

Q. Did you or any other members of the team ever personally see SAYARI following the team?

A. I never saw him following, but several times I saw his face in areas that we were at. I found that very curious.

Q. When SAYARI left the camp gate after talking to you about leasing a vehicle, did he appear to be in a rush to leave and follow?

A. I couldn't say. I wanted to break contact to see if he would follow.

Q. Would CPT [redacted] have sent up a CONOP on this?

A. No.

Q. Would you have known if he had sent up a CONOP?

A. Yes.

Q. Is this statement in your own words and typed by this agent?

A. Yes b7c-5, b6-5

Q. Do you have anything further to add to your statement?

A. No.

////////////////////////////////////End of Statement////////////////////////////////////

[redacted] b7c-5, b6-5
INITIALS
DA Form 2823

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Page 5 of 6 Pages
Exhibit: 57

Statement of CW2 [redacted] taken at Building 8-1221, Fort Bragg, NC 28310 on 12 Nov 02, continued:

0114-02-CID369-25525

b7c-5, b6-5

AFFIDAVIT

I [redacted], HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS OF PAGE 1 AND ENDS ON PAGE 6. I FULLY UNDERSTOOD 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, WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

SA [redacted]
b7c-1, b6-1

[redacted] b7c-5, b6-5
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12th day of November, 2002, at Building 8-1221, Fort Bragg, NC 28310

[redacted] b7c-1, b6-1
(Signature of Person Administering Oath)

SA [redacted] b7c-1, b6-1
3d Military Police Group (CID)
Fort Bragg, NC
(Name of Person Administering Oath)

Article 136, UMCJ
(Authority to Administer Oaths)

[redacted] b7c-5, b6-5
INITIALS
DA Form 2823

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Page 6 of 6 Pages
Exhibit: 57

0114-02-CID02369-23525

Sworn Statement

LOCATION: 87th Military Police Detachment (CID) (ABN), Fort Bragg, NC 28310

DATE: 14 Nov 02

TIME: 12:13 [redacted] b7C-4, b6-4

NAME: [redacted] b7C-4, b6-4

SSAN: [redacted] b7C-4, b6-4

RANK: E-6/SSG

ORGANIZATION: A Company, ODA 343, 2/3 SFG (A), Fort Bragg, NC 28310

I [redacted] b7C-4, b6-4 want to make the following statement under oath:

Between May and Aug 02 I was deployed to Firebase Lwara, Afghanistan.

Q. Were you present at the base when a shooting of a local national occurred in Jun 02?

A. Yes

Q. What were you doing at the time of this shooting?

A. I was in camp somewhere but can't recall exactly what I was doing.

Q. What did you hear about this incident?

A. I overheard there were three or four guys scoping out the firebase with weapons and binoculars.

Q. What did you do when you heard this?

A. I grabbed my weapon and climbed on top of the building to provide security.

Q. Did you observe these individuals once you climbed on top of the building?

A. I couldn't see anything due to the hills.

Q. Do you remember what time this incident occurred?

A. Sometime during daylight hours but I can't remember the exact time.

Q. When did you first hear that shots had been fired?

A. I can't recall, may have been while on top of the building or later on.

Q. Did you ever look at the individual's body that had been shot?

A. No, but I remember he was brought back to the firebase.

Q. Who was involved in the shooting?

A. [redacted] b7C-5, b6-5 and a couple of other guys. I don't know their names. I believe some of them were from another team.

Q. Who is [redacted] b7C-5, b6-5?

A. [redacted] b7C-5, b6-5

Q. What team were the other guys from?

A. ODA 341

Q. Was there a meeting or an AAR to discuss the events surrounding the shooting?

A. I don't believe so. I can't recall.

Q. What happened to the weapon this individual was carrying?

A. I don't know.

Q. Have you heard in detail what transpired out at the scene of the incident

A. No.

Q. When did you leave Afghanistan?

A. Around Aug 10 or so for emergency leave.

[redacted] b7C-4, b6-4

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Page 1 of 2 Pages

Exhibit: 56

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Statement of SSG [redacted] taken at Building 8-1221, Fort Bragg, NC 28310 on 14 Nov 02, continued:

0114-02-CID369-23525

- Q: When did you learn about the second shooting?
- A: When the team returned to Fort Bragg.
- Q: What did the team say about it?
- A: They said they were being investigated for shooting someone who went for his weapon, while his vehicle was being searched during a checkpoint.
- Q: Has the team sat down and discussed the second shooting.
- A: If they have I don't know about it.
- Q: Have you discussed the second shooting with any of the individuals involved?
- A: No.
- Q: Is this statement in your own words and typed by this agent?
- A: [redacted] b7c-4, b6-4
- Q: Do you have anything further to add to your statement?
- A: No.

////////////////////////////////////End of Statement////////////////////////////////////

AFFIDAVIT

I, [redacted] b7c-4, b6-4, HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS OF PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTOOD 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, WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

[redacted signature] b7c-4, b6-4
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14th day of November, 2002, at Building 8-1221, Fort Bragg, NC 28310

[redacted signature] b7c-4, b6-4
(Signature of Person Administering Oath)

SA [redacted] b7c-4, b6-4
87th MP DET CID (ABN)
3d Military Police Group (CID)
Fort Bragg, NC
(Name of Person Administering Oath)

Article 136, UMCJ
(Authority to Administer Oaths)

[redacted initials] b7c-4, b6-4
INITIALS
DA Form 2823

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Page 2 of 2 Pages

Exhibit: 58

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE
For use of this form, see AR 190-30; the proponent agency is ODCSOPS

DATA REQUIRED BY THE PRIVACY ACT *0114-02-C10369-23525-*

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

1. LOCATION <i>FORT BRAGG CID OFFICE</i>	2. DATE <i>14 NOV 02</i>	3. TIME <i>11:39</i>	4. FILE NO
5. NAME (Last, First, MI) <i>[REDACTED]</i>	8. ORGANIZATION OR ADDRESS <i>ODA 343 2B 3FG(A) FORT BRAGG, NC 28310</i>		
6. SSN <i>[REDACTED]</i>	7. GRADE/STATUS <i>ET/AD</i>		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States *ARMY CRIMINAL INVESTIGATION* **COMMAND** and wanted to question me about the following offense(s) of which I am suspected/accuse *MURDER AND CONSPIRACY*

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

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

- or -

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

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

5. COMMENTS (Continue on reverse side)

Section B. Waiver

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

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

Section C. Non-Waiver

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

7. SIGNATURE OF INTERVIEWEE

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

EXHIBIT 59

Sworn Statement

0114-02-CID369-23525

LOCATION: 87th Military Police Detachment (CID)(ABN), Fort Bragg, NC 28310

DATE: 14 Nov 02

TIME: 13:30

NAME: [REDACTED] b7C-4, b6-4

SSAN: [REDACTED] b7C-4, b6-4

RANK: E-7/SFC

ORGANIZATION: ODA 343, A Company, 2/3 SFG(A), Fort Bragg, NC 28310

I [REDACTED] b7C-4, b6-4 want to make the following statement under oath:

I deployed to Firebase Lwara around 19 May and was there until around 24 Sep. When we got there we were busy setting up the base.

Q. Where you at Firebase Lwara when a shooting incident occurred involving the death of a local man in Jun 02?

A. Yes. I was at the base, but not involved in the shooting.

Q. When did you first become aware there was a shooting?

A. Not until they got back to the camp.

Q. Who are you referring to?

A. I heard SSG [REDACTED] shot the guy, but I don't know who else was with him.

Q. Were you aware that there were reports of a local man watching the camp with a pair of binoculars?

A. I only learned of it after they returned to the camp with the body.

Q. Where were you when the incident took place?

A. I was building a shower for the camp.

Q. Did you see the body or wounds of the dead man?

A. No. He was brought inside the camp, but he was covered when I saw him.

Q. Did you talk to any of the team members about it?

A. No. MSG [REDACTED] b7C-4, b6-4 told us not to ask SFC [REDACTED] b7C-4, b6-4 about it because he may have been upset about it.

Q. Was there an AAR after this shooting incident?

A. Yes.

Q. Did you attend the AAR?

A. No.

Q. Why not?

A. I wasn't involved in the shooting. We didn't have to attend some of the meetings if it didn't involve us.

Q. What were you told happened during the shooting incident?

A. I later learned that there was a group of guys going to the range. Around the same time, someone spotted a guy watching the camp from the ridgeline. The guys from the range went to find out what the guy was doing. As far as I know, the guy pointed a weapon and SFC [REDACTED] b7C-5, b6-5 shot him.

Q. Were you at Firebase Lwara when a second shooting occurred in Aug 02?

A. Yes.

[REDACTED] b7C-4, b6-4
INITIALS

DA Form 2823

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Page 1 of 1 Pages

Exhibit: 59

Statement of SFC [REDACTED] b7C-4, b6-4 taken at Building 8-1221, Fort Bragg, NC 28310 on 14 Nov 02,

continued:

Q. Where you involved in this incident?

0114-02-CID369-23525

A. No.

Q. How were you first notified of this second incident?

A. I was in my tent playing a Tiger Woods Golf game. I had just finished up with radio watch. SSG [REDACTED] came into the tent asked if I heard about it. I didn't know what he was talking about. He said the guys were in a shooting. I asked if all our guys were OK. He said yes. I then asked if we were going to have to roll out to the area. He said no. He said the CI guys went out there so I continued to play my game.

Q. Were you surprised to hear your teammates left the camp on a mission?

A. I knew they were going out because I was in the tent when they left.

Q. Why didn't you go?

A. I was just off from radio watch.

Q. What did they tell you they were doing?

A. They told me they were going out on a civil affairs mission. I don't remember who on the team told me.

Q. What happened next?

A. The guys that were involved came into the tent to take off their gear. I was still playing the game.

Q. Who was at the shooting scene? b7C-5, b6-5 b7C-5, b6-5 b7C-5, b6-5 b7C-5, b6-5

A. As far as I know, it was CPT [REDACTED] SFC [REDACTED] SSG [REDACTED] and SSG [REDACTED]

Q. What did they say to you when they got into the tent? b7C-5, b6-5 b7C-5, b6-5

A. Nothing. They were just taking off their gear. CPT [REDACTED] or SFC [REDACTED] had them go right into the Ops tent so they could write out statements, I can't remember which one had everyone do this.

Q. Did you ask them what happened?

A. No. They were going to do their statements and AAR. I asked if I was needed and they said no.

Q. Who told you that?

A. I don't remember.

Q. Was there an AAR on this shooting?

A. Yes.

Q. Where you present at this AAR?

A. I wasn't there. The shooting didn't involve me.

Q. Was CW2 [REDACTED] b7C-5, b6-5 at the shooting scene?

A. I don't know if he went there after the shooting, but he wasn't there during the shooting.

Q. Was CW2 [REDACTED] b7C-5, b6-5 in your tent when you were notified of the incident by SSG

[REDACTED] b7C-4, b6-4
A. No. I was in there by myself.

Q. Was CW2 [REDACTED] b7C-5, b6-5 in the tent with you when he was notified of the incident?

A. He wasn't in my tent at all while I was playing my game. I assume he was somewhere else on the base.

Q. What were you told about the man that was killed?

A. After the shooting, I was told that he was a bad guy. He was following our team when we were outside of the camp. He also was going to target the Chief.

[REDACTED] b7C-4, b6-4

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Exhibit: 59

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Statement of SFC [REDACTED] ^{67C-4, 66-4} taken at Building 8-1221, Fort Bragg, NC 28310 on 14 Nov 02,

continued: ^{67C-5, 66-5}

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- Q. Do you mean CW2 [REDACTED]?
- A. Yes.
- Q. How did you learn of this information?
- A. I can't remember who told me, but I think the information came in through SOT-A reports.
- Q. What did you know about the man before the shooting?
- A. Before the shooting, a report was put out that there was a man following the patrols in a white Toyota Hylux. I was told that the man that was killed was this same guy.
- Q. Did you ever hear what the man's name was?
- A. No.
- Q. Were you present at the shooting scene?
- A. No.
- Q. Have you ever visited the shooting scene?
- A. No.
- Q. Do you know where the shooting scene was located?
- A. I heard it was in the riverbed, but I don't know where.
- Q. Have you ever seen the dead man's weapon?
- A. No.
- Q. What were you told about the weapon?
- A. Nothing.
- Q. Did he have one when he was stopped by the team?
- A. I don't know. I wasn't there.
- Q. Since you are the team engineer, would you have been responsible for blowing up caches of weapons?
- A. Yes.
- Q. Did you destroy any seized weapons after this shooting occurred?
- A. No.
- Q. Did anyone else destroy seized weapons after the shooting occurred?
- A. Right after the last mission, which was after the shooting, SSG [REDACTED] ^{67C-5, 66-5} blew up some weapons. I didn't participate. I told SSG [REDACTED] ^{67C-5, 66-5} to go by himself.
- Q. Where did all the weapons come from that SSG [REDACTED] ^{67C-5, 66-5} destroyed?
- A. They came from several missions.
- Q. Do you know if the weapon that belonged to the dead man was part of this cache that was destroyed by SSG [REDACTED] ^{67C-5, 66-5}?
- A. I don't know.
- Q. Have you or any other members of the team been back out to the shooting scene to disturb or destroy any evidence?
- A. No. I know I haven't been there.
- Q. Who actually shot the man during the checkpoint stop?
- A. As far as I know, SSG [REDACTED] ^{67C-5, 66-5} shot the first round. SFC [REDACTED] ^{67C-5, 66-5} turned around and shot again. I don't know any other details.
- Q. What happened to the expended shell casings from the shooting?
- A. I don't know. I never saw them or heard about them.
- Q. Is this statement in your own words and typed by this agent?
- A.

[REDACTED] ^{67C-4, 66-4}
INITIALS
DA Form 2823

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Exhibit: 59

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Statement of SFC b7c-4, b6-4 taken at Building 8-1221, Fort Bragg, NC 28310 on 14 Nov 02.

continued:

Q: Do you have anything further to add to your statement? 0114-02-CID369-23525

A: No.

//////////////////////////////////////End of Statement//////////////////////////////////////

AFFIDAVIT

I, b7c-4, b6-4 HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS OF PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTOOD 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, WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[Redacted Signature] b7c-4, b6-4
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14th day of November, 2002, at Building 8-1221, Fort Bragg, NC 28310

[Redacted Signature] b7c-1, b6-1
(Signature of Person Administering Oath)

SA [Redacted Name] b7c-1, b6-1
3d Military Police Group (CID)
Fort Bragg, NC
(Name of Person Administering Oath)

Article 136, UMCJ
(Authority to Administer Oaths)

[Redacted Initials] b7c-4, b6-4
INITIALS
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Page 4 of 4 Pages
Exhibit: 59

Sworn Statement

LOCATION: 87th Military Police Detachment (CID)(ABN), Fort Bragg, NC 28310

DATE: 5 Nov 02

TIME: 1315

NAME: [REDACTED] b7c-4, b6-4

SSAN: [REDACTED] b7c-4, b6-4

RANK: E-6/SSG

ORGANIZATION: A Company, 2/3 SFG(A), Fort Bragg, NC 28310

I, [REDACTED] b7c-4, b6-4, want to make the following statement under oath:

I am assigned to A Company, 2/3 SFG (A). Between May and Sep 02, I was deployed to Firebase Lwara, Afghanistan. In Jun I was present during a shooting of an Afghani national. I'm not sure of the day, but around 1600, myself and several other soldiers departed the camp to fire our weapons at the range located near the landing zone. Just after passing through the gate, we were notified over the radio that some of the Rangers noticed a few Afghans watching the camp with binoculars and one of them was carrying a weapon. Instead of going to the range, we drove to the area where they were reported to be. It wasn't far off and when we arrived there was just one person. He was carrying a weapon that was slung over his right shoulder with the muzzle facing down. SFC [REDACTED] b7c-4, b6-4 was riding in the front passenger seat, SSG [REDACTED] b7c-4, b6-4 was driving, and I was sitting in the back with some other folks. We pulled up on the guy and I immediately started telling him in Pashtun to put his hands up. SFC [REDACTED] b7c-4, b6-4 got out and was the one to confront him. SSG [REDACTED] b7c-4, b6-4 took up a position across the hood of our vehicle. SSG [REDACTED] b7c-4, b6-4 was in the gun turret, but I think he only had his M4. SFC [REDACTED] b7c-4, b6-4 started yelling at him in English, I don't recall what he said but I remember thinking that the guy likely didn't understand English. SFC [REDACTED] b7c-4, b6-4 fired a warning shot into the ground a few feet away from the guy. A moment later, I stepped out to get out of the back of the vehicle. As I did, I saw the guy reach across his chest with his left hand. As I spun around off the truck, a shot was fired by SFC [REDACTED] b7c-4, b6-4. I got off the truck and turned around and the guy was already on the ground. He had a shot through his right forearm that appeared to also go through his midsection around center mass, and what looked like an exit wound on his left rear back area. It turned out the guy was carrying a bolt action rifle. We left the body there and returned to the camp. We took his weapon. The CI guy searched him but didn't find anything. We were looking for the binoculars. Back at the camp, I examined the weapon a little closer and remember there was not a round chambered in the weapon.

Q: Who was present during this first shooting in Jun 02?

A: Myself, SFC [REDACTED] b7c-4, b6-4, SSG [REDACTED] b7c-4, b6-4, SSG [REDACTED] b7c-4, b6-4, one of the CI guys named [REDACTED] b7c-3, b6-3 and one of the SOT-A named [REDACTED] b7c-4, b6-4

Q: Who was the base commander at the time?

A: CPT [REDACTED] b7c-4, b6-4. He is over in B Company now.

Q: What happened to the bolt action rifle that you removed from the scene and brought back to camp?

A: It was stored in the CP tent for a long time. I'm not sure, but it may have still been there when I left in September.

[REDACTED] b7c-4, b6-4
INITIALS

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Exhibit: 60

60301

Statement of SSG [redacted] ^{67C-4,66-4} taken at Building 8-1221, Fort Bragg, NC 28310 on 5 Nov 02, continued:

0114-02-CID369-23525

Q: Why wasn't the weapon destroyed?
A: I don't know.
Q: Was the weapon loaded when you examined it back at Camp?
A: There were rounds in it, but there was not one loaded in the chamber.
Q: Where they "black-tip" rounds?
A: I don't remember.
Q: Is it SOP to fire warning shots into the ground at the feet of detainees?
A: I wouldn't say it was SOP, but I remember talk about a warning shot being OK if it were needed to get their attention.
Q: Was it your practice to destroy weapons?
A: We destroyed some artillery pieces while I was there, but we weren't too concerned with small arm stuff. We mostly worried about RPGs and crew served weapons.
Q: Was there an after action review on the first shooting in Jun 02?
A: When we got back there were people still down in the riverbed dealing with the kids and others. I think I talked to CPT [redacted] about it back at the camp. About a week later, MAJ [redacted] and SGM [redacted] came to Lwara to talk to those involved. We provided written statements to him.
Q: There was a second shooting incident at Lwara which occurred in late Aug 02. Were you present then?
A: I was deployed to the Firebase, but I was not involved in the incident. At the time, I was out with my team on a mission. As we were driving back to the Camp, we observed a civilian vehicle driving away from the camp with a body in the back of it.
Q: Did you recognize the body?
A: I didn't see the body itself long enough as we were driving past, but I later learned it was someone who I had seen twice before. He was a very tall guy and hard to mistake. He was the tallest Afghan I came across while I was there. I saw him while he were driving through a village in the area, and I also stopped him during a routine checkpoint stop.
Q: When did you stop him?
A: It was about a week after the first shooting.
Q: Why did you stop him?
A: We were stopping everyone that passed through. It was routine. We were asking about Al Qaeda and those type of things.
Q: Was he cooperative when you stopped him at your checkpoint.
A: Yes. He was friendly towards us.
Q: Was he carrying a weapon when you stopped him?
A: There was a weapon in the vehicle. I believe there was another person in the vehicle at the time. I don't remember who the weapon belonged to.
Q: Did you ever see or hear about him again other than these two times?
A: No. Not until I saw him in the back of the truck at the Camp
Q: What did you hear about the second shooting that occurred in Aug 02?
A: I heard 343 was involved and it occurred down by the water point?
Q: Did you ever see the weapon that the victim allegedly had when he was shot?
A: No.
Q: What did you hear happened to cause the incident?

[redacted] ^{67C-4,66-4}

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Page 2 of 4 Pages
Exhibit: 60

Statement of SSG [redacted] taken at Building 8-1221, Fort Bragg, NC 28310 on 5 Nov 02.

b7c-4, b6-4

continued:

b7c-4, b6-4 b7c-4, b6-4 0114-02-210369-235-25

A: I heard he went for his AK and that [redacted] and [redacted] were the ones that shot him. I never heard anything else.

1130-02-CID028-

Q: Who did you hear was at the scene at the time of the shooting?

A: I figured the whole team was out there. We were out at the time. I assumed it was the whole team. If they were planning a stop, I imagine it would have involved the whole team.

Q: Why did they stop this guy?

A: I don't know. I heard they were looking for him. I think he had a vehicle that matched the description of one that they were looking for?

Q: Was this guy a known threat?

A: Not that I know of. There was one guy while I was there that we considered a threat, but it wasn't this guy.

Q: Do you know if any of ODA 343 or anyone else ever went back to the scene to disturb or disguise it in any way?

A: I don't know. I never heard that. If they did, I probably wouldn't know about it.

Q: What do you know about "black-tip" rounds?

A: We were told by higher that "black-tip" rounds were armor penetrating. Whenever we came across them during checkpoint stops, we took them from the locals so they couldn't use them. We would always exchange one for one with our 7.72 ammo. They generally weren't happy about it, but they always complied.

Q: Were "black-tip" rounds associated with Al Qaeda?

A: I don't know. We were just told they were armor piercing.

Q: What did you do with the "black-tip" rounds that were brought back to the camp?

A: We either put them up in the CP or took them down to destroy them.

Q: Is this statement in your own words and typed by this agent?

A: Yes / [redacted] b7c-4, b6-4

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

A: No.

////////////////////////////////////End of Statement////////////////////////////////////

[redacted] b7c-4, b6-4
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Page 3 of 4 Pages
Exhibit: 60

Statement of SSG [redacted] continued:

b7c-4, b6-4

taken at Building 8-1221, Fort Bragg, NC 28310 on 5 Nov 02,

01130-02-CID369⁰²³

0114-02-CID369-23525
1130-02-CID023-

AFFIDAVIT

I, b7c-4, b6-4, HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS OF PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTOOD 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, WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

SA [redacted]
b7c-4, b6-4

[redacted signature]
(Signature of Person Making Statement) b7c-4, b6-4

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of November, 2002, at Building 8-1221, Fort Bragg, NC 28310

[redacted signature]
(Signature of Person Administering Oath) b7c-4, b6-4

SA [redacted] b7c-4, b6-4
3d Military Police Group (CID)
Fort Bragg, NC
(Name of Person Administering Oath)

Article 136, UMCJ
(Authority to Administer Oaths)

[redacted initials]
INITIALS
DA Form 2823 b7c-4, b6-4

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Sworn Statement

LOCATION: 87th Military Police Detachment (CID)(ABN), Fort Bragg, NC 28310

DATE: 5 Nov 02

TIME: 1547 [REDACTED] b7C-4, b6-4

NAME: [REDACTED] b7C-4, b6-4

SSAN: [REDACTED] b7C-4, b6-4

RANK: E-6/SSG

ORGANIZATION: A Company, 2/3 SFG(A), Fort Bragg, NC 28310

I, [REDACTED] b7C-4, b6-4, want to make the following statement under oath:

I am a member of ODA 341 and was deployed to Firebase Lwara from around May 02 – Sep 02. Around Jun 02, I was part of a group that was part of a group that were going to the firing range to shoot off some rounds. As we were heading down to the range, we received a call over the radio alerting us that there were several locals spotted in the area that were using binoculars to monitor activity on the camp. Instead of going to the range, we drove around to the area where the locals were believed to be. We found one man alone with a rifle slung over his shoulder. There was no one else present and he didn't appear to have the binoculars. We pulled up on him and started to try to talk to him. [REDACTED] got out and approached him with his weapon drawn. [REDACTED] started calling out from the back of the vehicle in Pashtun. I think he was telling the guy to put up his hands. I stood up through the vehicle turret with my weapon fixed on the man. He didn't comply with the commands and just stood there looking at us. [REDACTED] fired a warning shot into the ground at his feet. A moment later, he reached across his front with his right hand and [REDACTED] fired a round at him. The round appeared to have struck near his sternum and exited through the left side of his back. I jumped out of the vehicle and checked for signs of life. There were none. He was searched but nothing significant was found. Some personal belongings were discovered. We left him there. His weapon was a bolt action that fired AK-type rounds. I had never seen one like it before. We brought it back to the camp and it ended up in the Ops tent. I think it was still there when we left Lwara.

Q. Did you perceive a threat when the man motioned toward the weapon slung over his shoulder?

A. It was hard to say. [REDACTED] obviously felt a threat and he was much closer to it than I. I don't want to second guess him.

Q. Who was in the vehicle with you when you stopped this man?

A. Myself, [REDACTED] b7C-4, b6-4, [REDACTED] b7C-4, b6-4, [REDACTED] b7C-4, b6-4 and two CI guys.

Q. Which two CI guys were there?

A. [REDACTED] b7C-4, b6-4 and [REDACTED] b7C-4, b6-4. I don't know their full names.

Q. There was a second shooting that occurred on 28 Aug 02. What do you know about this incident?

A. We had just departed camp on a mission when we received word over the radio that 343 had just shot someone. I found it hard to believe since we only just left the camp. When we returned in the next day or so, I found out that the shooting really did occur. I don't remember who told me but I was left with the impression that the guy they shot was following our patrol out of the camp and they set up a checkpoint to stop him. I heard that after they stopped him [REDACTED] b7C-4, b6-4 turned around to get something from a vehicle, or something like that, and the guy picked up his weapon

[REDACTED] b7C-4, b6-4
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Page 1 of 3 Pages

Exhibit: 61

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b7C-4, b6-4

01130-02-CID369

Statement of SSG [redacted], taken at Building 8-1221, Fort Bragg, NC 28310 on 5 Nov 02,

continued: [redacted] 11C-5, b6-5 b7C-5, b6-5 0114-02-CID369-23525

and pointed it at [redacted] then engaged him from his position. I heard [redacted] also fired and the man was killed. No one ever told me any of the details and at the time, our two teams were not talking much.

Q. Why did ODA 343 set up this checkpoint to stop this particular guy?

A. They wanted to try and capture whoever was trailing the convoys.

Q. Had you ever received information that this man was the one trailing the convoys?

A. About a week earlier, someone on 343 put out during a meeting that they saw a vehicle coming out of a local compound that they said were keeping tabs on the ODAs. I guess they thought this guy was the one. I don't recall who put it out or exactly what information they put out.

Q. Who was at the scene when the second incident occurred?

A. I heard it was [redacted] CPT [redacted] and [redacted] b7C-5, b6-5

Q. Do you know if 343 or anyone else ever went back to the scene to alter or disrupt it in any way?

A. No.

Q. Was there ever an after action for this second shooting?

A. No, I don't think so.

Q. Do you know if any of ODA 343 altered their weapons (M4 and M9) in any way after the shootings?

A. No.

Q. Is this statement in your own words and typed by this agent?

A. YES

Q. Do you have anything further to add to your statement?

A. No.

////////////////////////////////////End of Statement////////////////////////////////////

[redacted] b7C-4, b6-4
INITIALS
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Page 2 of 3 Pages
Exhibit: 61

b7c-4, b6-4

01130-02-CID369

Statement of SSG [redacted] taken at Building 8-1221, Fort Bragg, NC 28310 on 5 Nov 02, continued:

0114-02-CID369-73525

1130-02-CID023-

AFFIDAVIT

I, b7c-4, b6-4 [redacted] HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS OF PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTOOD 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, WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

[redacted signature] b7c-4, b6-4
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of November, 2002, at Building 8-1221, Fort Bragg, NC 28310

[redacted signature] b7c-1, b6-1
(Signature of Person Administering Oath)

SA [redacted] b7c-1, b6-1
3d Military Police Group (CID)
Fort Bragg, NC
(Name of Person Administering Oath)

Article 136, UMCJ
(Authority to Administer Oaths)

[redacted initials] b7c-4, b6-4
INITIALS
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Exhibit: 61

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Sworn Statement

0114-02-CID 364-23525

LOCATION: 87th Military Police Detachment (CID) (ABN), Fort Bragg, NC 28310

DATE: 14 Nov 02

TIME: 1005 [redacted] b7C-4, b6-4

NAME: [redacted] b7C-4, b6-4

SSAN: [redacted] b7C-4, b6-4

RANK: E-7/SFC

ORGANIZATION: General Support Company, 3 SFG (A), Fort Bragg, NC 28310

I, [redacted] b7C-4, b6-4 want to make the following statement under oath:

I am assigned to GSC Company, 3 SFG (A). Between May and Jul 02, I was deployed to Firebase Lwara, Afghanistan. I spent most of the other deployed time in Bagram. During the month of Jun 02, I can't remember the date, I and several others were on our way to a firing range outside the firebase when we were notified over the radio that someone was spotted on the ridgeline surveying the camp with binoculars. We responded back over the radio and told them that we would go check it out. There was no sense in dispatching another QRF since we were already out. We drove in the direction the man was reported to be but we initially had trouble finding him. We went up and down the ridgeline several times before we spotted a man carrying a weapon. We drove up on the guy and starting calling out to him in Pashtun to lie down on the ground. We also were motioning with our hands for him to get on the ground. He ignored us and turned and started walking away. At that point SFC [redacted] had gotten out of the vehicle and was approaching him on foot. We kept yelling at him to stop and get down. The man turned around and just looked at us with disdain. SFC [redacted] then fired a warning shot into the ground. The man just stood there and looked at us. He wasn't responding to any of our commands. He looked like he was in disbelief. He was ignoring our commands. The man then reached for the stock of his weapon and SFC [redacted] shot him once. The rest of us spread out over the area looking for others. One of the medics that were with us went over the body to check it out. The man was put in the back of the HMMWV and we brought him back to camp until it was figured out what to do with him. The remains were brought back outside the camp later in the day and returned to the locals.

Q. Did the man pose an eminent threat?

A. Yes. I think he would have continued to try and do harm. SFC [redacted] b7C-5, b6-5 was out there in the open. The rest of us were shielded by the HMMWV.

Q. Where did the man reach for when he moved his arm towards his weapon?

A. It looked like he grabbed the hand grip area of the weapon.

Q. Was he moving the barrel of the weapon when he grabbed the stock?

A. No. It looked like he was trying unsling the weapon when he grabbed it. He didn't draw down on us.

Q. How do you know he wasn't trying to disarm himself?

A. He had a couple of chances to do that.

Q. Did you see the man's wound?

A. Yes. It was to the mid-section. I didn't see the exit wound. The medic pulled up his shirt and this is when I saw the wound.

[redacted] b7C-4, b6-4
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Exhibit: 62

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Statement of SFC [REDACTED] ^{b7c-4, b6-4} taken at Building 8-1221, Fort Bragg, NC 28310 on 14 Nov 02,

continued:

6114-02-CID369-23525

Q. Who was in the vehicle when you responded to the scene?

A. Myself, SFC [REDACTED] ^{b7c-3, b6-3} and [REDACTED] ^{b7c-3, b6-3} who were the medics, SPC [REDACTED] ^{b7c-4, b6-4} and another person. I can't remember his name.

Q. Was the sixth person that you can't remember an ODA member?

A. Yes. SPC [REDACTED] ^{b7c-3, b6-3} and I were the only ones that weren't ODA.

Q. Which shoulder did the man have the weapon slung over?

A. I think it was his right, but I am not sure.

Q. Was the muzzle facing up or down?

A. Up.

Q. Did he grab the stock with the same hand that the weapon was shouldered?

A. Yes. He reached straight down and grabbed it. He didn't reach across his chest to grab it.

Q. What happened to the weapon that the man had?

A. We took it back to the firebase and there it sat until I left.

Q. Who was pulling base physical security during that time at Firebase Lwara?

A. I think the Rangers were there. They may have been some overlap with some guys from 20th Group.

Q. Was the man carrying binoculars when you approached him?

A. No. We later learned that there were some men with him that had fled and they were the ones that had the binoculars.

Q. During your subsequent conversations with the locals, were you able to determine who the man was?

A. Yes. It wasn't from the immediate community. He was from an area 5-7 kilometers away. I'm not sure how he fit it.

Q. Were you present at Firebase Lwara when a similar shooting incident occurred in Aug 02?

A. No. I was in Bagram at the time.

Q. Were you the Operational Control Element for the two counterintelligence agents that were at Lwara when the Aug 02 shooting occurred?

A. Yes.

Q. What did they report to you?

A. They reported, through text message, that there had been a shooting involving someone that they thought was watching the firebase. I'm referring to the ODA's, but I'm not sure which one. They set up a hasty checkpoint and stopped the man. During the stop, the man went for his weapon when one of the ODA's turned their back on him and they had to shoot. I'm not sure who sent the message, but it also said they were going to bring the photographs up to me in Bagram. They said the photos looked bad.

Q. Do you know why they looked bad?

A. No. I sent a message back down telling them to catch the next flight up.

Q. Did you ultimately see the photographs they were talking about?

A. Not through them. They delivered the photographs to the detention facility.

Q. Did you ever see them?

A. I saw a few photos on a zip disk that CPT [REDACTED] ^{b7c-3, b6-3} gave me. There were a couple pictures of documents that he wanted translated.

Q. Is this statement in your own words and typed by this agent?

A. Yes [REDACTED] ^{b7c-4, b6-4}

[REDACTED] ^{b7c-4, b6-4}
INITIALS
DA Form 2823

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Page 2 of 3 Pages

Exhibit: 62

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Q. Do you have anything further to add to your statement?

A. No.

////////////////////////////////////End of Statement////////////////////////////////////

AFFIDAVIT

I, [redacted] HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS OF PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTOOD 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, WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

SA [redacted]
[redacted]
[redacted]

[redacted] b7c-4, b6-4
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14 day of November, 2002, at Building 8-1221, Fort Bragg, NC 28310

[redacted] b7c-1, b6-1
(Signature of Person Administering Oath)

SA [redacted] b7c-1, b6-1
3d Military Police Group (CID)
Fort Bragg, NC
(Name of Person Administering Oath)

Article 136. UMCI
(Authority to Administer Oaths)

[redacted] b7c-4, b6-4
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Page 3 of 3 Pages
Exhibit: 62

DETAILS:

About 1030, 6 Dec 02, SA [redacted] ^{b7c-1, b6-1} re-interviewed CW2 [redacted] ^{b7c-5, b6-5} who maintained all aspects of his original statement was true. CW2 [redacted] ^{b7c-5, b6-5} related each Team had their own understood SOP for dealing with armed Afghans. CW2 [redacted] ^{b7c-5, b6-5} related that it was not out of the ordinary to merely separate a man from his weapon, and not to flex-cuff the person while questioned. CW2 [redacted] ^{b7c-5, b6-5} related his Teams mission was to work with the tribe near his fire base, and SAYARI put a "hit" on him because the SF Team was obstructing his extorting the tribe.

AGENT'S COMMENT: CW2 [redacted] ^{b7c-5, b6-5} related his entire company was on block leave from 28 Nov 02 - 2 Jan 03. CW2 [redacted] ^{b7c-5, b6-5} related the team members were scattered all over the country for their respective vacations.

About 0830, 17 Dec 02, SA [redacted] ^{b7c-1, b6-1} received USACIL Laboratory Examination Report 2002-CID131-2225, 2 Dec 02 (Exhibit [redacted]), which detailed their findings.

STATUS: This investigation is closed in the files of this office. No further investigative activity is anticipated.

////////////////////////////////////LAST ENTRY////////////////////////////////////

SA [redacted] ^{b7c-1, b6-1} 87th MP Det (CID) (ABN), DSE
[redacted] ^{b2} 3d Military Police Group (CID)
Fort Bragg, North Carolina 28310

Signature: [redacted] ^{b7c-1, b6-1} Date: 17 Dec 2002 Exhibit: 63

PHOTOGRAPHIC PACKET

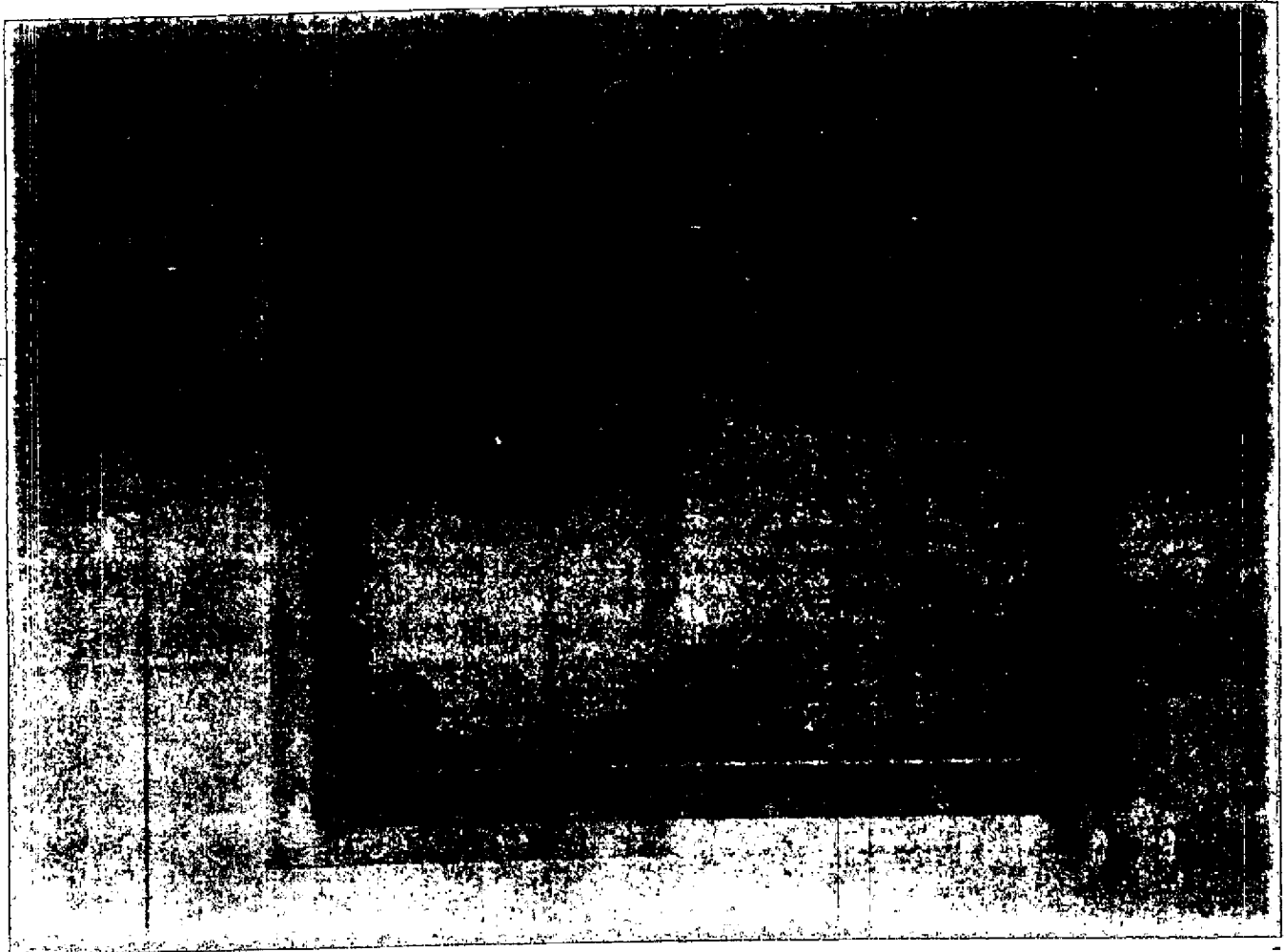
1. Photograph depicting the death scene following the shooting and Mr. SAYARI's remains.
2. Photograph depicting Mr. SAYARI as he was found following the shooting.
3. Photograph depicting Mr. SAYARI as he was found following the shooting.
4. Photograph depicting Mr. SAYARI as he was found following the shooting with the blood spatter on his right arm and prayer beads in his rights hand.
5. Photograph depicting a close up of Mr. SAYARI's face as he was found following the shooting.
6. Photograph depicting several entrance wounds found on Mr. SAYARI's back.
7. Photograph depicting Mr. SAYARI after he was rolled over and an M-16A2 rifle with blood spatter located to his left side.
8. Photograph depicting the wound found on Mr. SAYARI's head.
9. Photograph depicting a close up of the wound found on Mr. SAYARI's head.
10. Photograph depicting a facial shot of Mr. SAYARI.
11. Photograph depicting what was found in Mr. SAYARI's possession.
12. Photograph depicting what was found in Mr. SAYARI's possession.
13. Photograph depicting what was found in Mr. SAYARI's possession.
14. Photograph depicting what was found in Mr. SAYARI's possession.
15. Photograph depicting the truck Mr. SAYARI was in prior to be shot.

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EXHIBIT 64

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CID Regulation 195-1

Page 1 of 2 Pages

BASIS FOR INVESTIGATION: About 0708, 5 Mar 03, this office received Request for Assistance 0014-02-CID369-23525, from the Uzbekistan CID Branch Office, Uzbekistan, to re-interview 1LT [REDACTED] A Co, 1/505th Parachute Infantry Regiment (PIR), Fort Bragg, NC 28310 (FBNC) and CPT [REDACTED] HHC, 1/505th PIR, FBNC, reference an intelligence briefing they received while in Afghanistan. It was requested this office also interview LTC [REDACTED] Commander, 2/3rd Special Forces Group (SFG), FBNC, to determine if he knew the soldier's were planning to stop Mr. SAYARI and if he was aware of how they planned to handle the matter and if he authorized them to conduct the operation.

DETAILS:

About 0945, 20 Mar 03, SA [REDACTED] interviewed LTC [REDACTED] who related he could not remember if he knew CPT [REDACTED] and his unit were planning on stopping and questioning Mr. SAYARI before the event happened. LTC [REDACTED] related that was only one of 563 combat missions he was responsible for during his units deployment to Afghanistan. LTC [REDACTED] stated a telephone notification was needed for missions within a 10-kilometer range from his base. For missions outside 10 kilometers, a written concept operation order (CONOP) was required. LTC [REDACTED] stated there was no formal SOP which detailed parameters around detaining and questioning individuals. LTC [REDACTED] stated each individual team handled these situations in there own way.

About 1300, 25 Mar 03, SA [REDACTED] interviewed CPT [REDACTED] who provided the following information:

1. He was present at the intelligence briefing, but stated only general information was put out concerning Mr. SAYARI. CPT [REDACTED] stated the plan was to (when followed by Mr. SAYARI) pull around a hilltop or other visual obstruction and wait for SAYARI'S vehicle to pass them. Then pull SAYARI over, detain him, and transport him back to base for interview. CPT [REDACTED] stated they did not go into specifics on what methods they would use when separating Mr. SAYARI from his weapon and vehicle, he believed because there were 82nd Airborne personnel there, and the Special Forces team did not want

SA [REDACTED] 87th MP Det (CID) (ABN), FWD
3d Military Police Group (CID)
Fort Bragg, NC 28310-5000

Signature: [REDACTED] Date: 10 Apr 03 Exhibit: 65

CID Form 94

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to give away their SOP. CPT [redacted] ^{b7c-4, b6-4} related he assumed there was an SOP in place to deal with the issue due to the general way in which they addressed the plan.

About 1300, 8 Apr 03, SA [redacted] ^{b7c-1, b6-1} interviewed 1LT [redacted] ^{b7c-4, b6-4} who related he was present at the briefing in Afghanistan where they discussed Mr. SAYARI and his tactics. 1LT [redacted] ^{b7c-4, b6-4} related the briefing wasn't necessarily an "intelligence" briefing, but more like a "leaders meeting" which took place everyday. 1LT [redacted] ^{b7c-4, b6-4} related he remembered everyone discussing how they would execute a hasty vehicle stop on Mr. SAYARI'S vehicle, but he could not remember if they discussed how they would detain or question Mr. SAYARI. 1LT [redacted] ^{b7c-4, b6-4} related he could not remember who provided the briefing on Mr. SAYARI or who was present at the briefing.

About 1100, 10 Apr 03, SA [redacted] ^{b7c-1, b6-1} re-interviewed CPT [redacted] ^{b7c-4, b6-4} who stated he remembered CPT [redacted] ^{b7c-4, b6-4} CW2 [redacted] ^{b7c-4, b6-4}, and [redacted] ^{b7c-4, b6-4} were present at the intelligence briefing which was given where Mr. SAYARI was discussed. CPT [redacted] ^{b7c-4, b6-4} could not remember who provided the briefing.

////////////////////LAST ENTRY////////////////////////////////////

SA [redacted] ^{b7c-1, b6-1}
[redacted] 62

87th MP Det (CID) (ABN), FWD
3d Military Police Group (CID)
Fort Bragg, NC 28310-5000

Signature: [redacted] ^{b7c-1, b6-1}

Date:
10 Apr 03

Exhibit:
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NARRATIVE: On 18 Apr 03, this office received the USACIL Laboratory Examination Report, 2002-CID131-2225, 22 Jan 03, which reflected the results of their examination on the beads found in Mr. SAYARI's hand when he was shot and killed. The tests conducted revealed the presence of blood on the beads, but not a sufficient amount to test.

On 15 May 03, SA [redacted] ^{b7c-1, b6-7} interviewed Mr. [redacted] ^{b7c-8, b6-8} Interpreter, Base Operations, BAF, who related he was very familiar with Afghanistan religious practices. He was briefed on the finding that Mr. SAYARI was found with religious beads in his right hand and the claims made by the soldiers who found and killed him that he was in the process of reaching for his weapon. He explained that when an Afghan national is holding beads in their right hand, they are offering themselves in a peaceful mode and would not have reached for a weapon or acted aggressively.

On 23 May 03, SA [redacted] ^{b7c-1, b6-1} coordinated with LTC [redacted] ^{b7c-3, b6-3} Office of the Staff Judge Advocate, CJTF-180, BAF, who opined there was probable cause to believe all the subjects committed the offenses they were listed.

////////////////////LAST ENTRY////////////////////

SA [redacted] ^{b7c-1, b6-1} 87th MP Det (CID) (ABN), FWD
[redacted] ^{b2} 3d Military Police Group (CID)
APO AE 09354

Signature: [redacted] ^{b7c-1, b6-1} Date: 23 May 03 Exhibit: 66



DEPARTMENT OF THE ARMY
US ARMY CRIMINAL INVESTIGATION LABORATORY
4553 N 2ND
FOREST PARK GA 30297-5122

REPLY TO
ATTENTION OF

CILA-BEP (195-2c)

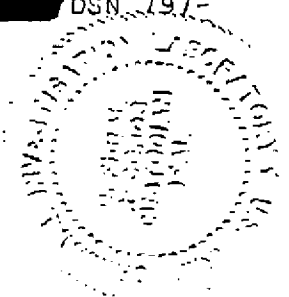
22 January 2002

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, 87TH MILITARY POLICE
DETACHMENT, (ABN), (CID) (FWD), 507TH CGS, UZBEKISTAN BRANCH
OFFICE, APO AE 09311

SUBJECT: Submitter Case Number: 0114-02-CID369-23525
USACIL Referral Number: 2002-CID131-2225
Suspect(s): [REDACTED] b7c-5, b6-5
[REDACTED] b7c-5, b6-5
[REDACTED] b7c-5, b6-5
[REDACTED] b7c-5, b6-5

1. Enclosed is the Laboratory Exhibit Listing and Final Division Report for the following division: Serology/DNA.
2. Two original reports have been produced. One report is enclosed, as stated, and the other is kept in the official files of this laboratory and maintained IAW AR 25-400-2 and CIDR 195-1.
3. IAW AR 195-2, requests and fund cites for court appearances of Laboratory Examiners will be made at least 10 working days prior to the date of court proceedings.
4. POC is the Laboratory Operations Assistant, DSN 797- [REDACTED] CM (404) 469- [REDACTED] FAX (404) 469- [REDACTED] DSN 797- [REDACTED]

Encl [REDACTED] b7c-2, b6-2
[REDACTED] Duty Records Custodian



EVIDENCE TO: SAC, 87TH MILITARY POLICE DETACHMENT, (DSE), THIRD
MILITARY POLICE GROUP, USACIDC, FORT BRAGG, NC 28310



AN ASCLD/LAB ACCREDITED LABORATORY (SINCE 1985)

Exhibit 6831

**UNITED STATES ARMY
CRIMINAL INVESTIGATION LABORATORY
4553 N 2ND
FOREST PARK GA 30297-5122**

14 January 2003

Page 01 of 01

SEROLOGY/DNA DIVISION REPORT

SUBJECT: Submitter Case Number: 0114-02-CID369-23525

USACIL Referral Number: 2002-CID131-2225

Suspect(s): [REDACTED] *b7c-5, b6-5*

[REDACTED] *b7c-5, b6-5*

[REDACTED] *b7c-5, b6-5*

[REDACTED] *b7c-5, b6-5*

Exhibits:

3 - Necklace (prayer beads) (Item 1, Voucher 048-02).

Findings:

1. A chemical indication of blood was found on several beads from Exhibit 3, necklace. Quantities were insufficient for further testing.

2. This exhibit will be returned to the submitter upon completion of the analysis.

2. Please contact the undersigned examiner with any questions regarding this analysis at com. (404)469-[REDACTED] DSN 797-[REDACTED] fax DSN 797-[REDACTED], or email [REDACTED]@usacil-acirs.army.mil.

b7c-5, b6-5

[REDACTED]

b7c-2, b6-2

Forensic Biologist

332
Exhibit 67



Friday, November 22, 2002
CD 1 OF 1 CDs 333
Initials [REDACTED] Enclosure No. 1
b7C, b6-2
EXHIBIT: 68

FOR OFFICIAL USE ONLY

EVIDENCE/PROPERTY CUSTODY DOCUMENT		MPR/CID SEQUENCE NUMBER		
For use of this form see Ar 190-45 and AR 198-5; the proponent agency is US Army Criminal Investigation Command		0114-02-10369 CID REPORT/CID POL NUMBER 23525		
RECEIVING ACTIVITY BAGRAM CID OFFICE		LOCATION BAGRAM AIRFIELD, AFGHANISTAN, APO AE 09354		
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input type="checkbox"/> OWNER SFC [REDACTED] <input checked="" type="checkbox"/> OTHER [REDACTED] b7c-5, b6-5		ADDRESS (include Zip Code) A COMPANY, SIXTH MI BATTALION BAGRAM AIRFIELD, AFGHANISTAN APO AE 09354		
LOCATION FROM WHERE OBTAINED b7c-5, b6-5 OBTAINED FROM SFC [REDACTED] WHILE INSIDE CID BUILDING, BAGRAM AIRFIELD		REASON OBTAINED EVIDENCE	TIME/DATE OBTAINED b7c-5, b6-5 1245Z / 25 SEP 02	
ITEM NO	QUANTITY	DESCRIPTION OF ARTICLES (include model, serial number, condition and unusual marks or scratches)		
1	1	ZIP DISK; BLACK PLASTIC TYPE; IOMEGA NAME BRAND; CONTAINING (15) DIGITAL PHOTOGRAPHS; NUMBERS ON BACK DEPICTED 150102 [REDACTED] MARKED FOR ID WITH 1245Z, 25 SEP 02. 11 b7c-1, b6-1		
		LAST ITEM		
CHAIN OF CUSTODY				
ITEM NO	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1	25 SEP 02	SIGNATURE [REDACTED] b7c-5, b6-5	SIGNATURE [REDACTED] b7c-5, b6-5	EVIDENCE
		NAME, GRADE OR TITLE SFC [REDACTED]	NAME, GRADE OR TITLE SA [REDACTED] b7c-5, b6-5	
1	26 Oct 02	SIGNATURE b7c-5, b6-5	SIGNATURE [REDACTED] b7c-2, b6-2	Released to evidence custodian
		NAME, GRADE OR TITLE SA [REDACTED] b7c-1, b6-1	NAME, GRADE OR TITLE [REDACTED] E/C	
		SIGNATURE	SIGNATURE b7c-2, b6-2	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

DA FORM 4137
1 JUL 76

Replaces DA FORM 4137, 1 Aug 74 and
DA FORM 4137-R Privacy Act Statement
26 Sep 75 Which are Obsolete.

LOCATION _____

DOCUMENT
NUMBER

046-02 334

EXhibit 69

EVIDENCE/PROPERTY CUSTODY DOCUMENT		MPR/CID SEQUENCE NUMBER		
For use of this form see AR 190-45 and AR 195-5. The proponent agency is US Army Criminal Investigation Command		C114-02-C10369		
		CID REPORT/CID RCI NUMBER 23525		
RECEIVING ACTIVITY BAGRAM C.I.O OFFICE		LOCATION DAGRAM AIRFIELD AFGHANISTAN APO AG 09354		
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input type="checkbox"/> OWNER <input checked="" type="checkbox"/> OTHER b7c-4, b6-4		ADDRESS (include Zip Code) APO 519TH MI BN BAGRAM AIRFIELD AFGHANISTAN APO AG 09354		
LOCATION FROM WHERE OBTAINED From b7c-4, b6-4 [redacted] in CI office, Bldg # 6, Bagram Airfield, APO AG 09354		REASON OBTAINED EVIDENCE	TIME/DATE OBTAINED 0915 / 9 Oct 02	
ITEM NO	QUANTITY	DESCRIPTION OF ARTICLES (include model, serial number, condition and unusual marks or scratches)		
1	1	COMPUTER, LAP-TOP TYPE; SONY VAIO NAME BRAND; BLACK IN COLOR; SERIAL# 20318330 3621694. MARKED FOR ID WITH [redacted] 9 OCT 02, 0915. LAST ITEM b7c-4, b6-4		
MFR: ON 26 Oct 02, a sony laptop computer was received in the evidence room (item #1) with a power cord and a Sony AC Adapter, serial number 0149844. [redacted] b7c-4, b6-4				
CHAIN OF CUSTODY				
ITEM NO	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1	9 OCT 02	SIGNATURE b7c-4, b6-4	SIGNATURE [redacted]	EVIDENCE
		NAME, GRADE OR TITLE [redacted]	NAME, GRADE OR TITLE b7c-4, b6-4	
		SIGNATURE b7c-4, b6-4	SIGNATURE [redacted]	
		NAME, GRADE OR TITLE [redacted]	NAME, GRADE OR TITLE [redacted]	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

DA FORM 4137
1 JUL 74

Replaces DA FORM 4137, 1 Aug 74 and DA FORM 4137-R Privacy Act Statement 28 Sep 75 Which are Obsolete.

LOCATION _____

DOCUMENT NUMBER 047-02

335

F. H. L. + L. 9

EVIDENCE/PROPERTY CUSTODY DOCUMENT

For use of this form see Ar 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command

MPR/CID SEQUENCE NUMBER

0114-02-369-

CID REPORT/CID ROL NUMBER

23525

RECEIVING ACTIVITY
CID, BAGRAM AIR BASE

LOCATION
BAGRAM, AIR BASE, AFGHANISTAN.

NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED
 OWNER JG [REDACTED] b7c-3, b6-3
 OTHER JAG - CJSOTF

ADDRESS (Include Zip Code)
CJSOTF - JAG
BAGRAM, AIR BASE
BAGRAM, AFGHANISTAN

LOCATION FROM WHERE OBTAINED
CJSOTF - JAG
BAGRAM AIR BASE
BAGRAM, AFGHANISTAN

REASON OBTAINED
EVIDENCE

TIME/DATE OBTAINED
10 OCT 2002
1203 Z

ITEM NO	QUANTITY	DESCRIPTION OF ARTICLES <small>(Include model, serial number, condition and unusual marks or scratches)</small>
1	1	NECKLACE DESIGN, WOOD TYPE CONSTRUCTION, NUMEROUS SMALL BEADS, BROWNISH CHERRY IN COLOR, SMALL YELLOW IN COLOR FABRIC TYPE CONSTRUCTION, TASEL ON THE END OF NECKLACE ALL IN USED TYPE CONDITION, BEADS ARE ROUND WITH HOLES IN THE MIDDLE FOR ROPE TO PASS THROUGH. PLACED IN PLASTIC BAG M.F.I.D 1203 ^Z 10 OCT 02 [REDACTED] // LAST ITEM !!! b7c-1, b6-1

CHAIN OF CUSTODY

ITEM NO	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1	10 OCT 02	SIGNATURE [REDACTED] b7c-3, b6-3 NAME, GRADE OR TITLE [REDACTED] b7c-3, b6-3	SIGNATURE [REDACTED] b7c-1, b6-1 NAME, GRADE OR TITLE [REDACTED] SA b7c-1, b6-1	EVALUATION AS EVIDENCE
1	12 OCT 02	SIGNATURE [REDACTED] b7c-1, b6-1 NAME, GRADE OR TITLE [REDACTED] SA b7c-1, b6-1	SIGNATURE [REDACTED] b7c-1, b6-1 NAME, GRADE OR TITLE [REDACTED] SA b7c-1, b6-1	SAFEKEEPING
1	26 OCT 02	SIGNATURE [REDACTED] b7c-1, b6-1 NAME, GRADE OR TITLE [REDACTED] SA b7c-1, b6-1	SIGNATURE [REDACTED] b7c-2, b6-2 NAME, GRADE OR TITLE [REDACTED] E/C b7c-2, b6-2	Released To evidence custodian
		SIGNATURE [REDACTED] b7c-1, b6-1 NAME, GRADE OR TITLE	SIGNATURE NAME, GRADE OR TITLE	
		SIGNATURE NAME, GRADE OR TITLE	SIGNATURE NAME, GRADE OR TITLE	

DA FORM 4137
1 JUL 76

Replaces DA FORM 4137, 1 Aug 74 and DA FORM 4137-R Privacy Act Statement 26 Sep 75 Which are Obsolete.

LOCATION _____

DOCUMENT NUMBER 048.02 336

Evk. 61769

EVIDENCE/PROPERTY CUSTODY DOCUMENT		MPR/CID SEQUENCE NUMBER 0114-02-CID369		
For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command		CRD REPORT/CID ROI NUMBER 23525		
RECEIVING ACTIVITY 87th MP DET (ABN) (CID) (FWD)		LOCATION Bagram, Afghanistan APO AE 09354		
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input type="checkbox"/> OWNER Crime Scene <input checked="" type="checkbox"/> OTHER		ADDRESS (Include Zip Code) Lwara, Afghanistan, approximately 1 kilometer south of Firebase Lwara		
LOCATION FROM WHERE OBTAINED Lwara, Afghanistan, approximately 1 kilometer south of Firebase Lwara.		REASON OBTAINED Evaluation as Evidence	TIME/DATE OBTAINED 0954z-0956z/14 Oct 02	
ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <i>(include model, serial number, condition and unusual marks or scratches)</i>		
1	1	Ammunition Shell Casing, unknown caliber. Wrapped in tissue and placed in a metal container. Marked for ID: 0954z, 14 Oct 02, [redacted]. Obtained from just below the soil surface at Grid Coordinate WB 43585 44400.		
2	1	Expendable bullet, unknown caliber. Wrapped in tissue and placed in a metal container. Marked for ID: 0955z, 14 Oct 02, [redacted]. Obtained from the soil surface at Grid Coordinate WB 43604 44412.		
3	1	Metal Piece, of unknown origin. Wrapped in tissue and placed in a metal container. Marked for ID: 0956z, 14 Oct 02, [redacted]. Obtained from just below the soil surface at Grid Coordinate WB 43602 44413.		
-----LAST ITEM-----				
CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1-3	14 Oct 02	SIGNATURE N/A NAME, GRADE OR TITLE Crime Scene	SIGNATURE [redacted] NAME, GRADE OR TITLE SA [redacted]	Evaluation as Evidence
1-3	17 Oct 02	SIGNATURE [redacted] NAME, GRADE OR TITLE SA [redacted]	SIGNATURE [redacted] NAME, GRADE OR TITLE SA [redacted]	SAFEKEEPING
1 Then 3	26 Oct 02	SIGNATURE [redacted] NAME, GRADE OR TITLE SA [redacted]	SIGNATURE [redacted] NAME, GRADE OR TITLE SA [redacted]	Released to evidence custodian
		SIGNATURE [redacted] NAME, GRADE OR TITLE	SIGNATURE [redacted] NAME, GRADE OR TITLE	
		SIGNATURE [redacted] NAME, GRADE OR TITLE	SIGNATURE [redacted] NAME, GRADE OR TITLE	

DA FORM 4137, 1 JUL 76

Replaces DA FORM 4137, 1 Aug 74 and DA FORM 4137-R, Privacy Act Statement 26 Sep 75 Which are Obsolete

LOCATION _____

DOCUMENT NUMBER

049-0237

Exhibit 69

RECEIVING ACTIVITY 87 th MP DET (CID) (ABN)		LOCATION Fort Bragg, NC 28310
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input type="checkbox"/> OWNER SGT [REDACTED] b7c-2, b6-2 <input checked="" type="checkbox"/> OTHER		ADDRESS (Include Zip Code) A Company, 2/3 rd Special Forces Group Fort Bragg, NC 28310 1130-02-C1D023-
LOCATION FROM WHERE OBTAINED b7c-2, b6-2 From the hands of SGT [REDACTED], while in Arms Room, Building E-2048, Fort Bragg, NC 28310		REASON OBTAINED Evidence
		TIME/DATE OBTAINED 4 Nov 2002/1310-1430

ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES (Include model, serial number, condition and unusual marks or scratches)
1	1	M-4 rifle, black in color, metal type construction, serial number W307216 Marked for ID 1310/4 Nov 02 [REDACTED] (Arms Room) b7c-2, b6-2
2	1	M-4 rifle, black in color, metal type construction, serial number W339055 Marked for ID 1310/4 Nov 02 [REDACTED] (Arms Room) b7c-2, b6-2
3	1	M-4 rifle, black in color, metal type construction, serial number W339063 Marked for ID 1310/4 Nov 02 [REDACTED] (Arms Room) b7c-2, b6-2
4	1	M-4 rifle, black in color, metal type construction, serial number W339069 Marked for ID 1310/4 Nov 02 [REDACTED] (Arms Room) b7c-2, b6-2
5	1	M-4 rifle, black in color, metal type construction, serial number W339082 Marked for ID 1310/4 Nov 02 [REDACTED] (Arms Room) b7c-2, b6-2
6	1	M-4 rifle, black in color, metal type construction, serial number W339097 Marked for ID 1310/4 Nov 02 [REDACTED] (Arms Room) b7c-2, b6-2
7	1	M-4 rifle, black in color, metal type construction, serial number W339108 Marked for ID 1310/4 Nov 02 [REDACTED] (Arms Room) b7c-2, b6-2
8	1	M-4 rifle, black in color, metal type construction, serial number W339110 Marked for ID 1310/4 Nov 02 [REDACTED] (Arms Room) b7c-2, b6-2
9	1	M-4 rifle, black in color, metal type construction, serial number W339111 Marked for ID 1310/4 Nov 02 [REDACTED] (Arms Room) b7c-2, b6-2
10	1	M-4 rifle, black in color, metal type construction, serial number W339115 Marked for ID 1310/4 Nov 02 [REDACTED] (Arms Room) b7c-2, b6-2
11	1	M-4 rifle, black in color, metal type construction, serial number W339116 Marked for ID 1310/4 Nov 02 [REDACTED] (Arms Room) b7c-2, b6-2
12	1	M-4 rifle, black in color, metal type construction, serial number W339117 Marked for ID 1310/4 Nov 02 [REDACTED] (Arms Room) b7c-2, b6-2
13	2	FB Form 2488-1 (Weapons and Ammunition Control Sheet/Log), 1 Dec 87, Marked for ID 1430, 4 Nov 02 [REDACTED] (Arms Room) b7c-2, b6-2
//////////////////////////////////////LAST ITEM//////////////////////////////////////		

ITEM NO.	DATE	CHAIN OF CUSTODY		PURPOSE OF CHANGE OF CUSTODY
		RELEASED BY	RECEIVED BY	
1 THRU 13	4 Nov 2002	SIGNATURE [REDACTED] b7c-2, b6-2 NAME, GRADE OR TITLE SGT [REDACTED] b7c-2, b6-2	SIGNATURE [REDACTED] NAME, GRADE OR TITLE [REDACTED] b7c-2, b6-2	Evidence b7c-2, b6-2
1 THRU 13	05 NOV 2002	SIGNATURE [REDACTED] b7c-2, b6-2 NAME, GRADE OR TITLE [REDACTED] b7c-2, b6-2	SIGNATURE [REDACTED] b7c-2, b6-2 NAME, GRADE OR TITLE SA [REDACTED] b7c-2, b6-2	RECEIVED BY US ARMY CID EVIDENCE CUSTODIAN FT BRAGG, NC b7c-2, b6-2
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

DA FORM 4137 1 Jul 76 Replaces DA FORM 4137, 1 Aug 74 and DA FORM 4137-R Privacy Act Statement LOCATION _____ DOCUMENT NUMBER 650-02

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Exhibit 69

EVIDENCE/PROPERTY CUSTODY DOCUMENT

MPRC TO SEQUENCE NUMBER

14-02-CID369-

For use on this form see AR 190-45 and AR 195-5, the proponent agency is US Army Criminal Investigation Command

CID REPORT/CID ROI NUMBER
23525

ACQUIRING ACTIVITY COMP DET (CID) LABS		LOCATION Fort Bragg, NC 28310
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input type="checkbox"/> OWNER SPC [REDACTED] 67C-3, 66-3 <input checked="" type="checkbox"/> OTHER		ADDRESS (Include Zip Code) HSC, 2/3 rd Special Forces Group Fort Bragg, NC 28310
LOCATION FROM WHICH OBTAINED from the hands of SPC [REDACTED] while in Arms Room, Building 2048, Fort Bragg, NC 28310 67C-3, 66-3		REASON OBTAINED Evidence
		TIME/DATE OBTAINED 5 Nov 2002/1510
QTY	QUANTITY	DESCRIPTION OF ARTICLES (Include model, serial number, condition and unusual marks or scratches)
1	1	M9 pistol, black in color, metal type construction, serial number 1366684 Marked for ID 1510/5 Nov 02 [REDACTED] (Arms Room) 67C-2, 66-2
1	1	M9 pistol, black in color, metal type construction, serial number 1366685 Marked for ID 1510/5 Nov 02 [REDACTED] (Arms Room) 67C-2, 66-2
1	1	M9 pistol, black in color, metal type construction, serial number 1366686 Marked for ID 1510/5 Nov 02 [REDACTED] (Arms Room) 67C-2, 66-2
1	1	M9 pistol, black in color, metal type construction, serial number 1366687 Marked for ID 1510/5 Nov 02 [REDACTED] (Arms Room) 67C-2, 66-2
1	1	M9 pistol, black in color, metal type construction, serial number 1366689 Marked for ID 1510/5 Nov 02 [REDACTED] (Arms Room) 67C-2, 66-2
1	1	M9 pistol, black in color, metal type construction, serial number 1366692 Marked for ID 1510/5 Nov 02 [REDACTED] (Arms Room) 67C-2, 66-2
1	1	M9 pistol, black in color, metal type construction, serial number 1366706 Marked for ID 1510/5 Nov 02 [REDACTED] (Arms Room) 67C-2, 66-2
1	1	M9 pistol, black in color, metal type construction, serial number 1366717 Marked for ID 1510/5 Nov 02 [REDACTED] (Arms Room) 67C-2, 66-2
1	1	M9 pistol, black in color, metal type construction, serial number 1367619 Marked for ID 1510/5 Nov 02 [REDACTED] (Arms Room) 67C-2, 66-2
1	1	M9 pistol, black in color, metal type construction, serial number 1367620 Marked for ID 1510/5 Nov 02 [REDACTED] (Arms Room) 67C-2, 66-2
1	1	M9 pistol, black in color, metal type construction, serial number 1367623 Marked for ID 1510/5 Nov 02 [REDACTED] (Arms Room) 67C-2, 66-2
1	1	M9 pistol, black in color, metal type construction, serial number 1367624 Marked for ID 1510/5 Nov 02 [REDACTED] (Arms Room) 67C-2, 66-2
*****LAST ITEM*****		

CHAIN OF CUSTODY				
DATE	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
	5 Nov 2002	SIGNATURE [REDACTED] 67C-3, 66-2 NAME, GRADE OR TITLE [REDACTED] SGT	SIGNATURE [REDACTED] NAME, GRADE OR TITLE [REDACTED]	Evidence 67C-2, 66-2
1 THRU 12	07 NOV 2002	SIGNATURE [REDACTED] 67C-3, 66-2 NAME, GRADE OR TITLE [REDACTED] 67C-3, 66-2	SIGNATURE [REDACTED] 67C-3, 66-2 NAME, GRADE OR TITLE [REDACTED] 67C-1, 66-1	RECEIVED BY US ARMY CID EVIDENCE CUSTODIAN FT BRAGG NC
1 THRU 12	18 NOV 2002	SIGNATURE [REDACTED] 67C-2, 66-2 NAME, GRADE OR TITLE [REDACTED] 67C-2, 66-2 INVESTIGATIVE OPS - CID	SIGNATURE [REDACTED] 67C-2, 66-2 NAME, GRADE OR TITLE [REDACTED] SGT	RETURNED TO UNIT FINAL DISPOSITION
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

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DA FORM 4137 (Rev 76) Replaces DA FORM 4137, 1 Aug 74 and DA FORM 4137-R Privacy Act Statement

LOCATION 21

DOCUMENT NUMBER 651-02

Exhibit 69

DATE: 23 MAY 2003 07:41
 FROM: 87TH MP DET (ABN)(CID)(FWD) //CICR-EF//
 TO: DIRUSACRC USACIDC FT BELVOIR VA //CICR-ZA//
 * ENDURING FREEDOM BRANCH OFFICE //CICR-EF//
 * SAC, CAMP STRONGHOLD FREEDOM BRANCH OFFICE, UZBEKISTAN
 * CDR, 87TH MP DET (CID)(FWD), BAGRAM, AFGHANISTAN
 * SJA, FOB 72 (CPT [REDACTED]) //SFG-SJA// b7c-3, b6-3
 * SJA, CJTF-180 JOC (MAJ [REDACTED]) b7c-3, b6-3
 * CHIEF OF STAFF, 82D AIRBORNE DIV, BAGRAM AIR FIELD
 * PROVOST MARSHAL OFFICE, BAGRAM AIR FIELD (CPT [REDACTED]) b7c-3, b6-3
 * PROVOST MARSHAL OFFICE, CJTF 180 (MAJ [REDACTED]) //CJTF180-PMO-DPM//
 * COMMANDER, TF DRAGON, BAGRAM AIR FIELD (COL [REDACTED]) b7c-3, b6-3
 * SPECIAL OPERATIONS COMMAND LIAISON (SA [REDACTED]) b7c-1, b6-1
 * 3RD MILITARY POLICE GROUP REAR (OPNS OFFICER)
 * SJA, CJSOTF, BAGRAM AIR FIELD (CPT [REDACTED]) b7c-3, b6-3
 * DIR AFIP WASH DC
 * CDR 3D MP GRP CID FT GILLEM GA //CIRC-ZA//
 * CDR 87TH MP DET CID DSE LT ABN FT BRAGG NC //CIMPB-HG//
 * CDR USACIDC FT BELVOIR VA //CIOP-ZA//
 SUBJECT: CID REPORT - 3D STATUS / SSI - 0114-02-CID369 - 23525 -
 5H1A / 5X3 / 5Y2 / 7X2 / 7X6 / 9G2A / 9G2C / 9G2E
 DRAFTER : [REDACTED] b7c-1, b6-1
 RELEASER: [REDACTED] b7c-1, b6-1

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1. DATES/TIMES/LOCATIONS OF OCCURRENCES:
 1. 28 AUG 2002/1500 - 28 AUG 2002/1800; ROAD ADJACENT TO U.S. ARMY FIRE BASE, LWARA, AFGHANISTAN

2. DATE/TIME REPORTED: 25 SEP 2002, 1630

3. INVESTIGATED BY: SA [REDACTED] b7c-1, b6-1, b2
 [REDACTED] b7c-5, b6-5

4. SUBJECT: 1. [REDACTED] CPT; [REDACTED] M; WHITE; ODA 343, 2/3RD SPECIAL FORCES GROUP, BAGRAM AIR FIELD, AFGHANISTAN, APO AE 09354; CT: [CONSPIRACY], [DERELICTION OF DUTY], [MURDER], [OBSTRUCTION OF JUSTICE].

2. [REDACTED] SFC; [REDACTED] M; WHITE; ODA 343, 2/3RD SPECIAL FORCES GROUP, BAGRAM AIR FIELD, AFGHANISTAN, APO AE 09354; CT: [CONSPIRACY], [DERELICTION OF DUTY], [MURDER].

3. [REDACTED] SSG; [REDACTED] M; WHITE; ODA 343, 2/3RD SPECIAL FORCES GROUP, BAGRAM AIR FIELD, AFGHANISTAN, APO AE 09354; CT: [CONSPIRACY], [MURDER].

4. [REDACTED] SSG; [REDACTED] M; WHITE; ODA 343, 2/3RD SPECIAL FORCES GROUP, BAGRAM AIR FIELD, AFGHANISTAN, APO AE 09354; CT: [CONSPIRACY], [DERELICTION OF DUTY], [MURDER].

[ADD] 5. [REDACTED] CW2; [REDACTED] M; WHITE; ODA 343, 2/3RD SPECIAL FORCES GROUP, BAGRAM AIR FIELD, AFGHANISTAN, APO AE 09354; CT: [ACCESSORY BEFORE THE FACT].

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5. VICTIM: 1. SAYARI, MOHAMED (DECEASED); CIV; AFGHANISTAN; MORGAN, AFGHANISTAN; M; OTHER; LWARA, AFGHANISTAN; XZ; [NFI]; [CONSPIRACY], [MURDER].

2. US GOVERNMENT (2/3RD SF GROUP) BAF, APO AE 09354; [ACCESSORY BEFORE THE FACT], [DERELICTION OF DUTY], [OBSTRUCTION OF JUSTICE].

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 A CAMP STRONGHOLD FREEDOM INVESTIGATION."

THIS INVESTIGATION WAS INITIATED UPON NOTIFICATION FROM SSG [REDACTED], A CO, 519TH MILITARY INTELLIGENCE BATTALION, BAGRAM AIR FIELD, AFGHANISTAN, APO AE 09354 (BAF), THAT HE WAS SUSPICIOUS OF THE SHOOTING DEATH OF MR SAYARI BY A SPECIAL FORCES TEAM. *b7c-4, b6-4*

3RD STATUS: THIS STATUS REPORT WAS FORWARDED TO ADD CW2 [REDACTED] AS A SUBJECT OF THIS INVESTIGATION AND TO LIFT THE DISTRIBUTION RESTRICTIONS AS THIS WAS NOT PREVIOUSLY DONE. *b7c-5, b6-5*

ON 23 MAY 03, COORDINATION WAS EFFECTED WITH LTC [REDACTED] OFFICE OF THE STAFF JUDGE ADVOCATE, CJTF-180, BAF, WHO AFTER REVIEW OF THE ENTIRE INVESTIGATION OPINED CW2 [REDACTED] COMMITTED THE OFFENSE OF ACCESSORY AFTER THE FACT. LTC [REDACTED] BASED THIS OPINION ON CW2 [REDACTED] ADMISSION TO TAKING THE WEAPON THAT MR. SAYARI ALLEGEDLY HAD PRIOR TO BEING MURDERED AND LOSING THE WEAPON AT AN UNKNOWN LOCATION. *b7c-3, b6-3* *b7c-5, b6-5* *b7c-3, b6-3* *b7c-5, b6-5*

2ND STATUS: THIS STATUS REPORT WAS SUBMITTED TO FULLY IDENTIFY THE SUBJECTS OF THIS INVESTIGATION AND TO ADD ADDITIONAL OFFENSES.

THE DELAY IN REPORTING WAS DUE TO THE GEOGRAPHIC LOCATION OF THE INVESTIGATION, NOT BEING SUPPORTED BY ACIRS, AND THE INABILITY TO TRANSMIT INFORMATION WHILE THE SYSTEM WAS DOWN.

INVESTIGATION REVEALED THAT CPT [REDACTED] COMMITTED ADDITIONAL OFFENSES OF DERELICTION OF DUTY AND OBSTRUCTION OF JUSTICE WHEN HE VIOLATED THE SOP FOR DETAINING CAPTIVES AND INSTRUCTED SFC [REDACTED] TO NOT FORWARD CERTAIN INCRIMINATING PHOTOGRAPHS OF MR. SAYARI'S BODY AND TO DESTROY THEM. SFC [REDACTED] AND SFC [REDACTED] COMMITTED THE OFFENSE OF DERELICTION OF DUTY WHEN THEY VIOLATED THE SOP FOR DETAINING CAPTIVES. SSG [REDACTED] DID NOT COMMIT THE OFFENSE OF DERELICTION OF DUTY AS HE WAS NOT DIRECTLY INVOLVED IN HANDLING A DETAINED CAPTIVE. *b7c-5, b6-5* *b7c-4, b6-4* *b7c-5, b6-5* *b7c-5, b6-5*

ON 8 OCT 02: LTC [REDACTED] DEPUTY SJA, 18TH AIRBORNE CORPS, BAF, OPINED THERE WAS PROBABLE CAUSE TO BELIEVE CPT [REDACTED] COMMITTED THE ADDITIONAL OFFENSES OF DERELICTION OF DUTY AND OBSTRUCTION OF JUSTICE BASED ON THE TESTIMONIAL AND PHYSICAL EVIDENCE. SFC [REDACTED] AND SSG [REDACTED] COMMITTED ADDITIONAL OFFENSES OF DERELICTION OF DUTY BASED ON THE PHYSICAL *b7c-3, b6-3* *b7c-5, b6-5* *b7c-5, b6-5* *b7c-5, b6-5* *34*

AND TESTIMONIAL EVIDENCE.

REQUEST A USACRC NAME CHECK PERTAINING TO CPT [REDACTED] SFC *b7c-5, b6-5*
[REDACTED], SSG [REDACTED] AND SSG [REDACTED] *b7c-5, 5, 5, b6-5, 5, 5*

INVESTIGATION CONTINUES BY USACIDC.

INITIAL:

THE DISTRIBUTION OF THIS REPORT IS RESTRICTED TO USACIDC CHANNELS ONLY TO PREVENT THE COMPROMISE OF SENSITIVE INFORMATION CONTAINED WITHIN THE REPORT THAT MAY ASSIST THE ALLEGED PERPETRATORS. THIS INFORMATION SHOULD BE HELD CLOSE HOLD UNTIL THE SUBJECTS ARE INTERVIEWED. THIS REQUEST IS TEMPORARY AND THE RESTRICTION WILL BE LIFTED AND NORMAL DISTRIBUTION WILL BE EFFECTED UPON COMPLETION OF THE INTERVIEWS.

PRELIMINARY INVESTIGATION REVEALED THAT MR. SAYARI HAD BEEN ROUTINELY FOLLOWING THE SF TEAM COMPRISED OF CPT [REDACTED] SSG *b7c-5, b6-5*
[REDACTED], AND SSG [REDACTED] FOR SOME TIME AND REPORTING THEIR *b7c-5, 5, b6-5, 5*
WHEREABOUTS TO AN UNKNOWN RECIPIENT. MR. SAYARI WAS NOT KNOWN TO BE THE ENEMY OR ASSOCIATED WITH THE ENEMY, BUT HIS ACTIONS REQUIRED A DETERMINATION BE MADE AS TO HIS INTENT AND REASONS. A DECISION WAS MADE TO LURE MR. SAYARI DOWN A ROAD NEAR A FIRE BASE IN LWARA, AFGHANISTAN, AND THEN CAPTURE HIM FOR QUESTIONING. MR. SAYARI WAS LURED DOWN THE ROAD AS PLANNED AND CAPTURED. UPON BEING QUESTIONED, MR. SAYARI'S WEAPON WAS TAKEN FROM HIM BY THE SF TEAM. THE TEAM THEN REPORTED WHILE ATTEMPTING TO RADIO IN THAT MR. SAYARI WAS CAPTURED AS PLANNED, MR. SAYARI LUNGED FOR HIS WEAPON AND ATTEMPTED TO POINT IT AT SFC [REDACTED] AND WAS SHOT ONCE IN THE STOMACH BY SSG [REDACTED] SFC *b7c-5, 5, b6-5, 5*
[REDACTED] THEN TURNED AND FIRED FIVE ROUNDS AT THE THE CHEST OF MR. SAYARI AND SSG [REDACTED] FIRED AN ADDITIONAL FOUR ROUNDS AT THE *b7c-5, b6-5*
CHEST OF MR. SAYARI. SSG [REDACTED] WAS THEN REQUESTED TO *b7c-4, b6-4*
RESPOND TO THE SCENE TO DOCUMENT THE INCIDENT WITH PHOTOGRAPHS AND COLLECT DNA SAMPLES FROM MR. SAYARI'S BODY. WHEN SSG [REDACTED] VIEWED MR. SAYARI'S BODY AND PHOTOGRAPHED IT, HE *b7c-4, b6-4*
REALIZED THE EVIDENCE DID NOT MATCH THE ACCOUNT OF EVENTS RELATED BY THE SF TEAM. THERE WAS NO ENTRANCE WOUND EVIDENT ON MR. SAYARI'S BODY IN THE STOMACH AREA, AND THERE APPEARED TO BE ENTRANCE WOUNDS INTO MR. SAYARI'S BACK, AS WELL AS A QUESTIONABLE WOUND TO THE HEAD. THERE WERE NO ATTEMPTS TO RESUSCITATE MR. SAYARI AND NO MEDICAL TEAM RESPONDED TO THE SITE.

COORDINATIONS ARE BEING MADE WITH THE AFGHAN GOVERNMENT TO EXHUME MR. SAYARI'S BODY FOR A FORENSIC AUTOPSY, AND SUPPORT FOR THE FORENSIC AUTOPSY IS BEING REQUESTED FROM THE ARMED FORCES INSTITUTE OF PATHOLOGY.

AN EXAMINATION OF THE FORENSIC EVIDENCE BY CW3 [REDACTED] *b7c-2, b6-2*
FORENSIC SCIENCES OFFICER (FSO), USACIDC, REVEALED THE SHOOTING DEATH OF MR. SAYARI WAS A PROBABLE HOMICIDE AND DID NOT MATCH THE STATED ACCOUNT OF THE SF TEAM. IT WAS APPARENT THAT MR. SAYARI'S RIGHT HAND WAS PROBABLY RAISED BESIDE HIS HEAD CLUTCHING PRAYER BEADS AT THE TIME HE WAS SHOT IN THE HEAD. IT APPEARED THE BULLET WOUNDS TO THE BACK OF MR. SAYARI WERE

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ENTRANCE WOUNDS. A FORENSIC EXAMINATION OF MR. SAYARI IS NECESSARY TO SOLIDIFY THESE DETERMINATIONS.

INTERVIEWS OF THE SUBJECTS OF THIS INVESTIGATION ARE PENDING THEIR RETURN TO BAF FROM OPERATIONS AFIELD.

THE DELAY IN REPORTING WAS DUE TO SSG [REDACTED] AWAITING THE *b7c-4, b6-4* OUTCOME OF AN INITIAL INVESTIGATION OF A COMBAT DEATH BY THE SJA, BAF. THAT INVESTIGATION DETERMINED NO WRONGDOING DUE TO CPT [REDACTED] CONTROLLING WHAT EVIDENCE WAS SUBMITTED TO THE SJA. *b7c-5, b6-5* CPT [REDACTED] HAD INCOMPLETE AND MISLEADING EVIDENCE FORWARDED TO *b7c-5, b6-5* THE SJA INVESTIGATING OFFICER. SSG [REDACTED] WAS IN THE FEAR OF *b7c-4, b6-4* HIS SAFETY WHILE OPERATING WITH THE SF TEAM AND THIS ALSO AFFECTED HIS REPORTING THE INCIDENT TO LAW ENFORCEMENT.

REQUEST FOR USACRC NAME CHECKS PERTAINING TO CPT [REDACTED] SFC [REDACTED], SSG, [REDACTED] AND SSG [REDACTED] WILL OCCUR UPON OBTAINING *b7c-5, 5, b6-5, 5* COMPLETE IDENTIFYING DATA OF THE SUBJECTS.

INVESTIGATION CONTINUES BY THE USACIDC.

7. COMMANDERS ARE REMINDED OF THE PROVISIONS OF AR 600-8-2 PERTAINING TO SUSPENSION OF FAVORABLE PERSONNEL ACTIONS AND AR 380-67 FOR THE SUSPENSION OF SECURITY CLEARANCES OF PERSONS UNDER INVESTIGATION.

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

DATE: 08 AUG 2002 1500
FROM: DIRECTOR, NSA/CSS (D/C) OFFICE //CICR-CP//
TO: DIRECTOR, USACT/AF FT BELVOIR VA //CICR-CA//
ENDURING FREEDOM BRANCH OFFICE //CICR-EF//
SAC, 87TH MF BR (CICR), CAMP STRONGHOLD FREEDOM
AOR 80 MF BR 210 FT GILLES SA //CICR-CA//
DIR USAD/DC FT BELVOIR VA //CICR-CA//
SUBJECT: CID REPORT - 80 STATUS / SS: - 0114-02-CID369 - 03525 -
SH1A / 5X2 / 7X2 7X6
DRAFTER: [REDACTED] b7c-1, b6-1
RELEASE: [REDACTED] b7c-1, b6-1

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1. DATES/TIME OCCURRENCE(S) OF OCCURRENCE(S):
1. 28 AUG 2002/1500 - 08 AUG 2002/1510: ROAD ADJACENT A FIRE
BASE, QUARAJ, AFGHANISTAN

2. DATE/TIME REPORTED: 03 SEP 2002 1630

3. 82 [REDACTED] SA [REDACTED] b7c-1, b6-1, b2 b7c-1, b6-1
SA [REDACTED] SA [REDACTED] b7c-1, b6-1, b2 SA [REDACTED] b7c-1, b6-1

4. SUBJECT: [REDACTED] OPT;
[REDACTED] 87TH MF BR (CICR), CAMP STRONGHOLD FREEDOM, MIDDLE EAST 09354;
[REDACTED] 80 MF BR 210 FT GILLES SA (MURDER), CONSTRUCTION OF
[REDACTED]

[REDACTED] SFC [REDACTED] b7c-5, b6-5 b7c-5, b6-5
[REDACTED] 87TH MF BR (CICR), BAGRAM AIRFIELD,
MIDDLE EAST 09354; SA [REDACTED]
[REDACTED] (MURDER)

[REDACTED] SFC [REDACTED] b7c-5, b6-5 b7c-5, b6-5
[REDACTED] 87TH MF BR (CICR), BAGRAM AIRFIELD,
MIDDLE EAST 09354; SA [REDACTED]
[REDACTED] (MURDER)

[REDACTED] SFC [REDACTED] b7c-5, b6-5 b7c-5, b6-5
[REDACTED] 87TH MF BR (CICR), BAGRAM AIRFIELD,
MIDDLE EAST 09354; SA [REDACTED]
[REDACTED] (MURDER)

5. SUBJECT: [REDACTED] (CONSPIRACY), MORGAN,
AFGHANISTAN; [REDACTED] (CONSPIRACY),
[REDACTED]

[REDACTED] SFC [REDACTED] b7c-5, b6-5 b7c-5, b6-5
[REDACTED] 87TH MF BR (CICR), BAGRAM AIRFIELD,
MIDDLE EAST 09354; SA [REDACTED]
[REDACTED] (CONSPIRACY)

6. [REDACTED] THIS REPORT IS BASED
ON [REDACTED] AND WAS CHANGE PRIOR
[REDACTED]

REMEMBER TO REPORT ALL INFORMATION TO THE RADIO CHANNELS ONLY TO PREVENT UNNECESSARY DISSEMINATION OF INFORMATION CONTAINED WITHIN THE REPORT. THIS INFORMATION IS FOR USE BY THE COMBATANT COMMANDS. THIS INFORMATION SHOULD BE DELETED UNTIL THE SUBJECTS ARE IN A POSITION TO BE RELEASED TO THE PUBLIC AND THE RESTRICTION WILL BE REMOVED. THIS INFORMATION SHOULD NOT BE AFFECTED UPON COMPLETION OF THE REPORT.

DMR STATUS: THIS ST- [REDACTED] WAS SUBJECT TO COMPLETELY IDENTIFY THE SUBJECTS OF THIS INVESTIGATION AND TO ADD ADDITIONAL INFORMATION.

THE [REDACTED] OF THE GEOGRAPHIC LOCATION OF THE INVESTIGATION OF THIS SUBJECTS SHOULD BE MAINTAINED AND INABILITY TO TRAVEL TO THE AREA OF THE INVESTIGATION SHOULD BE MAINTAINED.

INVESTIGATION OF SUBJECTS [REDACTED] COMMITTED THE ADDITIONAL OFFENSES OF DERELICTION OF DUTY AND DESTRUCTION OF JUSTICE WHEN HE [REDACTED] FOR [REDACTED] CAPTIVES AND INSTRUCTED [REDACTED] TO NOT FORWARD CERTAIN INFORMATION TO THE [REDACTED] OF [REDACTED] BODY AND TO DESTROY THEM. [REDACTED] AND [REDACTED] COMMITTED THE OFFENSE OF DERELICTION OF DUTY [REDACTED] FOR [REDACTED] CAPTIVES. SSG [REDACTED] [REDACTED] [REDACTED] DERELICTION OF DUTY AS HE [REDACTED] [REDACTED] CAPTIVE.

ON [REDACTED] [REDACTED] 18TH ABN CORPS, [REDACTED] [REDACTED] [REDACTED] PROBABLE CAUSE TO [REDACTED] [REDACTED] ADDITIONAL OFFENSES OF DERELICTION OF DUTY [REDACTED] [REDACTED] BASED ON THE [REDACTED] AND [REDACTED] [REDACTED] AND SSG [REDACTED] [REDACTED] DERELICTION OF DUTY BASED ON [REDACTED] [REDACTED]

AS [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] SFC [REDACTED] [REDACTED] [REDACTED]

THE [REDACTED] [REDACTED] [REDACTED]

INFO:

AT [REDACTED] [REDACTED] COUNTER-INTELLIGENCE, A [REDACTED] [REDACTED] AFGHANISTAN, APO AE [REDACTED] [REDACTED] THE SHOOTING DEATH OF MR [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] SSG [REDACTED] [REDACTED] REPORTING THEIR [REDACTED] [REDACTED] [REDACTED] NOT KNOWN TO [REDACTED] [REDACTED] HIS ACTIONS [REDACTED] [REDACTED] REASONS [REDACTED] [REDACTED] NEAR A FIRE [REDACTED] [REDACTED] [REDACTED] [REDACTED] PLANNED AND [REDACTED] [REDACTED] TAKEN

DATE: 26 SEP 2002 15:27
FROM: UZBEKISTAN BRANCH OFFICE //CICR-EF//
TO: DIRUSACRC USACIDC FT BELVOIR VA //CICR-ZA//
ENDURING FREEDOM BRANCH OFFICE //CICR-EF//
SAC, 87TH MP DET (CID), CAMP STRONGHOLD FREEDOM
CDR 30 MP GRP CID FT GILLEM GA //CICR-ZA//
CDR USACIDC FT BELVOIR VA //CICR-ZA//
SUBJECT: CID REPORT - INITIAL / SSI - 0114-02-CID369 - 23525 -
SHIA / 7X2
DRAFTER : ██████████ b7c-1, b6-1
RELEASER: ██████████ b7c-1, b6-1

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1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 28 AUG 2002/1500 - 28 AUG 2002/1510; ROAD ADJACENT A FIRE
BASE, LWARA, AFGHANISTAN

2. DATE/TIME REPORTED: 25 SEP 2002, 1630

3. INVESTIGATED BY: SA ██████████ b7c-1, b6-1, b2

4. SUBJECT: 1. ██████████ b7c-5, b6-5 CPT; M; 3RD SF GROUP, BAGRAM
AIRFIELD, ARMED FORCES AFRICA/CANADA/EUROPE/MIDDLE EAST 09354; SP;
[NFI]; [CONSPIRACY], [MURDER].

2. ██████████ b7c-5, b6-5 SFC; M; 3RD SF GROUP, BAGRAM AIRFIELD,
ARMED FORCES AFRICA/CANADA/EUROPE/MIDDLE EAST 09354; SP; [NFI];
[CONSPIRACY], [MURDER].

3. ██████████ b7c-5, b6-5 SSG; M; 3RD SF GROUP, BAGRAM AIRFIELD,
ARMED FORCES AFRICA/CANADA/EUROPE/MIDDLE EAST 09354; SP; [NFI];
[CONSPIRACY], [MURDER].

4. ██████████ b7c-5, b6-5 SSG; M; 3RD SF GROUP, BAGRAM AIRFIELD,
ARMED FORCES AFRICA/CANADA/EUROPE/MIDDLE EAST 09354; SP; [NFI];
[CONSPIRACY], [MURDER].

5. VICTIM: 1. SAYARI, MOHAMED [DECEASED]; CIV; AFGHANISTAN; M;
OTHER; X2; [NFI]; [CONSPIRACY], [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 A CAMP STRONGHOLD FREEDOM INVESTIGATION."

REQUEST THIS REPORT BE RESTRICTED TO USACIDC CHANNELS ONLY TO
PREVENT COMPROMISE OF SENSITIVE INFORMATION CONTAINED WITHIN THE
REPORT THAT MAY ASSIST THE ALLEGED PERPETRATORS. THIS
INFORMATION SHOULD BE CLOSE HOLD UNTIL THE SUBJECTS ARE
INTERVIEWED. THIS REQUEST IS TEMPORARY AND THE RESTRICTION WILL
BE LIFTED AND NORMAL DISTRIBUTION WILL BE EFFECTED UPON
COMPLETION OF THE INTERVIEWS.

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09354, REPORTED HE WAS SUSPICIOUS OF THE SHOOTING DEATH OF MR SAYARI BY A SF TEAM.

INVESTIGATION REVEALED THAT MR SAYARI HAD BEEN ROUTINELY FOLLOWING A SF TEAM COMPRISED OF CPT [REDACTED], SFC [REDACTED], SSG [REDACTED] AND SSG [REDACTED] FOR SOME TIME AND REPORTING THEIR WHEREABOUTS TO AN UNKNOWN RECIPIENT. MR SAYARI WAS NOT KNOWN TO BE THE ENEMY OR ASSOCIATED WITH THE ENEMY, BUT HIS ACTIONS REQUIRED A DETERMINATION BE MADE AS TO HIS INTENT AND REASONS. A DECISION WAS MADE TO LURE MR SAYARI DOWN A ROAD NEAR A FIRE BASE IN LWARA, AFGHANISTAN, AND THEN CAPTURE HIM FOR QUESTIONING. MR SAYARI WAS LURED DOWN THE ROAD AS PLANNED AND CAPTURED. UPON BEING CAPTURED, MR SAYARI'S WEAPON WAS TAKEN FROM HIM BY THE SF TEAM. THE TEAM THEN REPORTED WHILE ATTEMPTING TO RADIO IN THAT MR SAYARI WAS CAPTURED AS PLANNED, MR SAYARI LUNGED FOR HIS WEAPON AND ATTEMPTED TO POINT IT AT SFC [REDACTED] AND WAS SHOT ONCE IN THE STOMACH BY SSG [REDACTED]. SFC [REDACTED] THEN TURNED AND FIRED 5 ROUNDS AT THE CHEST OF MR SAYARI AND SSG [REDACTED] FIRED AN ADDITIONAL FOUR ROUNDS AT THE CHEST OF MR SAYARI. SSG [REDACTED] WAS THEN REQUESTED TO RESPOND TO THE SCENE TO DOCUMENT THE INCIDENT WITH PHOTOGRAPHS AND COLLECT DNA SAMPLES FROM MR SAYARI'S BODY. WHEN SSG [REDACTED] VIEWED MR SAYARI'S BODY AND PHOTOGRAPHED IT HE REALIZED THE EVIDENCE DID NOT MATCH THE ACCOUNT OF EVENTS RELATED BY THE SF TEAM. THERE WAS NO ENTRANCE WOUND EVIDENT ON MR SAYARI'S BODY IN THE STOMACH AREA AND THERE APPEARED TO BE ENTRANCE WOUNDS INTO MR SAYARI'S BACK AS WELL AS A QUESTIONABLE WOUND TO THE HEAD. THERE WERE NO ATTEMPTS TO RESUSCITATE MR SAYARI AND NO MEDICAL TEAM RESPONDED TO THE SITE.

COORDINATIONS ARE BEING MADE WITH THE AFGHAN GOVERNMENT TO EXHUME MR SAYARI'S BODY FOR A FORENSIC AUTOPSY, AND SUPPORT FOR THE FORENSIC AUTOPSY IS BEING REQUESTED FROM THE ARMED FORCES INSTITUTE OF PATHOLOGY.

AN EXAMINATION OF THE FORENSIC EVIDENCE BY CWS [REDACTED] 67C-3, 66-3 FORENSIC SCIENCES OFFICER (FSO), USACIDC, REVEALED THE SHOOTING DEATH OF MR SAYARI WAS A PROBABLE HOMICIDE AND DID NOT MATCH THE STATED ACCOUNT OF THE SF TEAM. IT WAS APPARENT THAT MR SAYARI'S RIGHT HAND WAS PROBABLY RAISED BESIDE HIS HEAD CLUTCHING PRAYER BEADS AT THE TIME THAT HE WAS SHOT IN THE HEAD. IT APPEARED THE BULLET WOUNDS TO THE BACK OF MR SAYARI WERE ENTRANCE WOUNDS. A FORENSIC EXAMINATION OF MR SAYARI IS NECESSARY TO SOLIDIFY THESE DETERMINATIONS.

INTERVIEWS OF THE SURVIVORS OF THIS INVESTIGATION ARE PENDING THEIR RETURN TO BAF FROM OPERATIONS AREA.

THE ONLY IN REPORTING WAS ONE TO POC [REDACTED] 67C-4, 66-4 AWAITING THE OUTCOME OF AN INITIAL INVESTIGATION OF A "COMBAT DEATH" BY THE STAFF JUDGE ADVOCATE'S OFFICE (SJA) BAF. THAT INVESTIGATION DETERMINED NO WRONGDOING DUE TO CPT [REDACTED] 67C-5, 66-5 CONTROLLING WHAT EVIDENCE WAS SUBMITTED TO THE SJA. CPT [REDACTED] 67C-6, 66-6 HAD INCOMPLETE AND MISLEADING EVIDENCE FORWARDED TO THE SJA. INVESTIGATING OFFICER [REDACTED] 67C-7, 66-7 WAS IN FEAR OF HIS SAFETY WHILE

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REQUEST FOR USACPC NAME CREDITS PERTAINING TO CPT [REDACTED] SFC [REDACTED] b7c-s, b6-5
[REDACTED] SSG [REDACTED] AND SSG [REDACTED] WILL OCCUR UPON OBTAINING
COMPLETE IDENTIFYING DATA OF THE SUBJECTS.

INVESTIGATION CONTINUES BY THE USACIDC.

7. COMMANDERS ARE REMINDED OF THE PROVISIONS OF AR 600-8-2 PERTAINING TO SUSPENSION OF FAVORABLE PERSONNEL ACTIONS AND AR 380-67 FOR THE SUSPENSION OF SECURITY CLEARANCES OF PERSONS UNDER INVESTIGATION.

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

AGENT ACTIVITY SUMMARY

(CID Regulation 195-1)

CONTROL NUMBER

0114-02-CID369-23525

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

All times indicated are in Zulu (Z). Local time is 4-1/2 hours more than Z.

1200, 25 Sep 02 67C-1,66-1
SA [redacted]
I: 60 T: 0

BASIS FOR INVESTIGATION: At 1200, 25 Sep 02, SFC [redacted] 67C-4,66-4
[redacted] A Co, 519th Military Intelligence (MI) Battalion, Bagram Airfield, Afghanistan, APO AE
09354 (BAF), reported a possible War Crime involving members of the 3rd Special Forces Group
(SFG) assigned to the Operational Detachment Alpha (ODA) 343 in Lwara, Afghanistan. SFC
[redacted] stated he was attached to ODA 343 as a Counterintelligence Agent on 28 Aug 02. 67C-4,66
Approximately one hour after his arrival at Fire Base Lwara (FBL), his team was called out to a
road adjacent the FB to document the shooting death of a local Afghan know as Mohammed
SAYARI (NFI). SFC [redacted] stated he exposed digital photographs of the scene, 67C-4, 66-4
collected DNA samples (Hair and blood), and obtained fingerprints from the body of SAYARI.
SFC [redacted] stated he asked the members of ODA 343 what had occurred, and did not 67C-4,66-4
feel as though their story was consistent with the evidence at the scene. Additionally, CPT
[redacted] Team Commander, ODA 343, 3rd SFG, FB Lwara, 67C-5, 66-5
instructed him to only provide certain photographs he [redacted] selected to the Commander's 67C-5,66-5
Inquiry requested by BG Benjamin R. MIXON, Director, Combined/Joint Staff, 18th Airborne
Corps, Coalition Joint Task Force (CJTF)-180, BAF into the shooting. SFC [redacted] stated 67C-4,66-4
the photographs selected were vague and did not include the questionable photographs exposed at
the scene. CPT [redacted] then instructed SFC [redacted] to delete all records of the 67C-4,66-4
photographs from his computer and took the zip disk containing all photographs. SFC
[redacted] had made a copy of the zip disk and had forwarded that disk to his HQ at BAF. 67C-4,66-4
SFC [redacted] provided the zip disk to this office, which was collected as evidence and 67C-4,66-4
documented on a DA Form 4137, Evidence/Property Custody Document, document number

1510, 25 Sep 02 67C-1,66-1
SA [redacted]
I: 20 T: 0

About 1510, 25 Sep 02, SA [redacted] 67C-1,66-1 and SA [redacted] 67C-1,66-1 coordinated with CPT [redacted] 67C-9,66-3
Staff Judge Advocate (SJA), TF-44, BAF, who stated he conducted a Commander's Inquiry and
was satisfied that the shooting of Mohamed SAYARI was justified, and therefore, no charges
should be made against any of the SF personnel. CPT [redacted] stated he turned in all of his 67C-3,66-3
paperwork to COL [redacted] SJA, CJTF-180, BAF, in order to be briefed to LTG MCNEIL.

1530, 25 Sep 02 67C-1,66-1
SA [redacted]
I: 10 T: 0

About 1530, 25 Sep 02, SA [redacted] 67C-1,66-1 briefed COL [redacted] 67C-3,66-3
Commander, Dragon Brigade, CJTF-180, BAF, on the status of this investigation.

1630, 25 Sep 02 67C-1,66-1
SA [redacted]
I: 10 T: 0

About 1630, 25 Sep 02, SA [redacted] 67C-3,66-1 and SA [redacted] 67C-1,66-1 briefed COL [redacted] 67C-3,66-3
on the status of
of this investigation. COL [redacted] agreed that this incident warranted further investigation by 67C-3,66-3
USACIDC. COL [redacted] further briefed LTG MCNEIL who agreed that further investigation 67C-3,66-3
was warranted. Additionally, COL [redacted] stated he had received 10 photographs with the 67C-3,66-3
Commander's Inquiry. A review of those photographs revealed the questionable photographs had
not been included in the packet provided to COL [redacted]. COL [redacted] provided copies of 67C-3,66-3
the request for Commander's Inquiry from BG Benjamin R. MIXON; photographs submitted with
the Commander's Inquiry; and Sworn Statements of CPT [redacted] SFC [redacted] 67C-5,66-5
[redacted] SSG [redacted] and SSG [redacted] 67C-5,66-5
assigned to ODA 343, 3rd SF Grp

1930, 25 Sep 02 67C-1,66-1
SA [redacted]
I: 15 T: 0

At 1930, 25 Sep 02, SA [redacted] 67C-1,66-1 briefed CW4 [redacted] 67C-3,66-3 Assistant Operations Officer,
3D Military Police (MP) Group, on the circumstances surrounding this investigation. CW4
[redacted] requested a message be sent via SIPERS.

2015, 25 Sep 02 67C-1,66-1
SA [redacted]
I: 60 T: 0

Drafted and sent information requested by CW4 [redacted] 67C-3,66-3 via SIPERS, included copies of
questionable photographs. E-mailed same to SA [redacted] Operations Officer, Uzbekistan
Branch Office, Camp Stronghold Freedom, APO AE 09311 67C-1,66-1

AGENT ACTIVITY SUMMARY

(CID Regulation 195-1)

CONTROL NUMBER

0114-02-CID369-23525

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

0458, 26 Sep 02 *b7c-1, b6-1*
SA [redacted]
I: 20 T: 0

About 0458, 26 Sep 02, SA *b7c-1, b6-1* and SA *b7c-1, b6-1* briefed COL *b7c-3, b6-3* with the statements provided by SJA, and the photographs.

0520, 26 Sep 02 *b7c-1, b6-1*
SA [redacted]
I: 10 T: 0

About 0520, 26 Sep 02, SA *b7c-1, b6-1* briefed CPT *b7c-3, b6-3*, SJA, Task Force Dragon, CJTF-180, BAF, on the status of this investigation.

1135, 26 Sep 02 *b7c-1, b6-1*
SA [redacted]
I: 500 T: 0

About 1135, 26 Sep 02, SA *b7c-1, b6-1* and SA *b7c-1, b6-1* interviewed SFC *b7c-4, b6-4* who rendered a sworn statement in which he detailed his knowledge of this incident. (See Sworn Statement of SFC *b7c-4, b6-4* for details) *b7c-4, b6-4*

1215, 26 Sep 02 *b7c-1, b6-1*
SA [redacted]
I: 20 T: 0

About 1215, 26 Sep 02, SA *b7c-1, b6-1* briefed COL *b7c-3, b6-3* on the status of this investigation. COL *b7c-3, b6-3* stated he would have the appropriate personnel come to BAF for interviews.

0745, 27 Sep 02 *b7c-1, b6-1*
SA [redacted]
I: 10 T: 0

At 0745, 27 Sep 02, SA *b7c-1, b6-1* coordinated with LTC *b7c-3, b6-3*, SJA, CJISOTF-A, BAF, who stated he would coordinate getting all ODA 343 team members to BAF for interviews. Additionally, LTC *b7c-3, b6-3* stated he would attempt to locate and fully identify all the team *b7c-3, b6-3* members prior to their arrival at BAF, to include SFC *b7c-3, b6-3* and SPC *b7c-3, b6-3*.

0755, 27 Sep 02 *b7c-1, b6-1*
SA [redacted]
I: 10 T: 0

At 0755, 27 Sep 02, SA *b7c-1, b6-1* coordinated with CPT *b7c-3, b6-3*, Commander, A Co, 519th MI Bn, BAF, and briefed him on the investigation to date. SA *b7c-1, b6-1* requested CPT *b7c-3, b6-3* have SPC *b7c-3, b6-3* in for an interview as soon as he returned to BAF. CPT *b7c-3, b6-3* informed he was coordinating with his Chain of Command to have both SFC *b7c-3, b6-3* and SPC *b7c-3, b6-3* relocated to avoid any conflicts with the returning ODA 343 team members.

0820, 27 Sep 02 *b7c-1, b6-1*
SA [redacted]
I: 10 T: 0

At 0820, 27 Sep 02, SA *b7c-1, b6-1* coordinated with COL *b7c-3, b6-3* and requested coordination's be completed for the exhumation of SAYARI's remains.

0934, 27 Sep 02 *b7c-1, b6-1*
SA [redacted]
I: 30 T: 0

About 0934, 27 Sep 02, SA *b7c-1, b6-1* interviewed SSG *b7c-4, b6-4*, A Co, 519th MI Bn, BAF, who rendered a sworn statement in which he detailed his receiving evidence and the original photographs from SFC *b7c-3, b6-3*. (See Sworn Statement of SSG *b7c-4, b6-4* for details) *b7c-4, b6-4*

0940, 27 Sep 02 *b7c-1, b6-1*
SA [redacted]
I: 15 T: 0

At 0940, 27 Sep 02, SA *b7c-1, b6-1* interviewed SFC *b7c-3, b6-3*, CJISOTF-A, BAF, who stated he had attempted to track down the documents SAYARI had on him at the time of the shooting as CPT *b7c-3, b6-3* had asked him if he could obtain them for his Commander's Inquiry investigation. SFC *b7c-3, b6-3* said he knew the documents had been sent to the Document Exploitation (DOCEX) cell at BAF as it was standard routine to do so. He spoke with SFC *b7c-3, b6-3* who told him SPC *b7c-3, b6-3* had taken everything to the Bagram Collection Point (BCP), BAF, and had turned everything over to SSG *b7c-3, b6-3*. SFC *b7c-3, b6-3* attempted to collect the documents from SSG *b7c-3, b6-3* however, SSG *b7c-3, b6-3* told him everything had been turned over to the Defense Investigative Agency (DIA) DOCEX, BAF. Once SFC *b7c-3, b6-3* coordinated with the DIA DOCEX, he was informed by *b7c-3, b6-3* (NFI) that they had never received the documents. SFC *b7c-3, b6-3* stated he was never able to locate any of the documents, and had never looked for any photographs or DNA evidence as he was only trying to locate the documents for CPT *b7c-3, b6-3*. Additionally, SFC *b7c-3, b6-3* stated SFC *b7c-3, b6-3* and SPC *b7c-3, b6-3* were part of his unit and had been attached to ODA 343 in FBL; however, SFC *b7c-3, b6-3* and SPC *b7c-3, b6-3* had replaced them both. They both returned to their home stations, 3rd SFG, Fort Bragg, NC. DSN: 239-*b7c-3, b6-3*

AGENT ACTIVITY SUMMARY

(CID Regulation 195-1)

CONTROL NUMBER

0114-02-CID369-23525

TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY
1250, 27 Sep 02 <i>b7c-1, b6-1</i> SA [REDACTED]	About 1250, 27 Sep 02, SA <i>b7c-1, b6-1</i> prepared and dispatched a Request for Assistance (RFA) to Fort Bragg CID Office to interview SFC [REDACTED] and SPC [REDACTED].
1300, 27 Sep 02 <i>b7c-1, b6-1</i> SA [REDACTED]	Coordinated with SA <i>b7c-1, b6-1</i> who stated he would be flying to BAF on 28 Sep 02. Received email from 3 rd MP Group, which stated SA's from Fort Bragg, would be enroute to BAF sometime around the 28 th , in order to assist with this investigation.
1345, 27 Sep 02 <i>b7c-1, b6-1</i> SA [REDACTED]	About 1345, 27 Sep 02, SA <i>b7c-1, b6-1</i> coordinated with MAJ <i>b7c-3, b6-3</i> who stated CPT <i>b7c-3, b6-3</i> SFC <i>b7c-3, b6-3</i> SSG <i>b7c-3, b6-3</i> and SSG <i>b7c-3, b6-3</i> would be returning to BAF on Sunday, or Monday, 29 Sep, or 30 Sep 02.
1310, 28 Sep 02 <i>b7c-1, b6-1</i> SA [REDACTED]	About 1310, 28 Sep 02, SA <i>b7c-1, b6-1</i> coordinated with CPT <i>b7c-3, b6-3</i> who stated SPC <i>b7c-3, b6-3</i> was currently being transferred to K-2, and SPC <i>b7c-3, b6-3</i> would return from Lwara on Tuesday, 1 Oct 02. If transportation would be unavailable for SPC <i>b7c-3, b6-3</i> to be transported on 1 Oct 02, then the unit 1SG would go to Lwara and bring him back to BAF.
1930, 28 Sep 02 <i>b7c-1, b6-1</i> SA [REDACTED]	SA <i>b7c-1, b6-1</i> arrived in BAF
1200, 29 Sep 02 <i>b7c-1, b6-1</i> SA [REDACTED]	Notified by MAJ <i>b7c-3, b6-3</i> that CPT <i>b7c-5, b6-5</i> , SFC <i>b7c-5, b6-5</i> , SSG <i>b7c-5, b6-5</i> and SSG <i>b7c-5, b6-5</i> and several other SF team members were in BAF. Arranged interviews for 30 Sep 02.
0845, 30 Sep 02 <i>b7c-1, b6-1</i> SA [REDACTED] I: 120 T: 0	About 0845, 30 Sep 02, SA <i>b7c-1, b6-1</i> advised SSG <i>b7c-5, b6-5</i> of his legal rights, which he waived and rendered a sworn statement denying that his team had murdered SAYARI. (See Sworn Statement of SSG <i>b7c-5, b6-5</i> for details)
0945, 30 Sep 02 <i>b7c-1, b6-1</i> SA [REDACTED]	Obtained SSG <i>b7c-5, b6-5</i> fingerprints and photographs.
1008, 30 Sep 02 <i>b7c-1, b6-1</i> SA [REDACTED] I: 240 T: 0	About 1008, 30 Sep 02, SA <i>b7c-1, b6-1</i> advised CPT <i>b7c-5, b6-5</i> of his legal rights, which he waived and rendered a sworn statement denying his team had murdered SAYARI. (See Sworn Statement for details)
1205, 30 Sep 02 <i>b7c-1, b6-1</i> SA [REDACTED]	Obtained CPT <i>b7c-5, b6-5</i> fingerprints and photographs.
1245, 30 Sep 02 <i>b7c-1, b6-1</i> SA [REDACTED] I: 30 T: 0	About 1245, 30 Sep 02, SA <i>b7c-1, b6-1</i> advised SFC <i>b7c-5, b6-5</i> of his legal rights, which he invoked, requesting a lawyer, at which time the interview was immediately terminated. (See Non-Waiver Certificate of SFC <i>b7c-5, b6-5</i> for details)
1250, 30 Sep 02 <i>b7c-1, b6-1</i> SA [REDACTED]	Obtained SFC <i>b7c-5, b6-5</i> fingerprints and photographs.
1300, 30 Sep 02 <i>b7c-1, b6-1</i> SA [REDACTED] I: 30 T: 0	About 1300, 30 Sep 02, SA <i>b7c-1, b6-1</i> advised SSG <i>b7c-5, b6-5</i> of his legal rights, which he invoked, requesting a lawyer, at which time the interview was immediately terminated. (See Non-Waiver Certificate of SSG <i>b7c-5, b6-5</i> for details)
1305, 30 Sep 02 <i>b7c-1, b6-1</i> SA [REDACTED]	Obtained SSG <i>b7c-5, b6-5</i> fingerprints and photographs.
1315, 30 Sep 02 <i>b7c-1, b6-1</i> SA [REDACTED]	SA <i>b7c-1, b6-1</i> briefed COI <i>b7c-3, b6-3</i> on status of investigation

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CID FORM 28-R

1 AUG 88

PREVIOUS EDITIONS OF THIS FORM WILL BE USED UNTIL EXHAUSTED

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AGENT ACTIVITY SUMMARY

(CID Regulation 195-1)

CONTROL NUMBER

0114-02-CID369-23525

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

1730, 30 Sep 02 *b7c-1, b6-1*

SA *b7c-1, b6-1*
T: 180

SA *b7c-1, b6-1* arrived from Kuwait Branch Office to assist with this investigation.

0700, 1 Oct 02 *b7c-1, b6-1*

SA *b7c-1, b6-1*
I: 30 T: 10

At 0700, 1 Oct 02, SA *b7c-1, b6-1* and SA *b7c-1, b6-1* briefed LTC *b7c-3, b6-3* and MAJ *b7c-3, b6-3* *b7c-3, b6-3* Commander, A Co, 2/3rd SFG, BAF, on the status of this investigation to date. Additionally, MAJ *b7c-3, b6-3* stated he would coordinate with the Mullah from Lwara on obtaining consent from SAYARI's family on the exhumation of his remains and on transport to Lwara.

0835, 1 Oct 02 *b7c-1, b6-1*

SA *b7c-1, b6-1*
I: 15 T: 0

About 0835, 1 Oct 02, SA *b7c-1, b6-1* interviewed SSG *b7c-3, b6-3* ODA 343, 2/3rd SFG, BAF, who stated he was within the compound fixing radio equipment when the incident occurred on 28 Aug 02, and did not leave the compound. He stated he did not see SAYARI's body or the scene. SSG *b7c-3, b6-3* could provide no further information to assist with this investigation.

1010, 1 Oct 02 *b7c-1, b6-1*

SA *b7c-1, b6-1*
I: 45 T: 0

About 1010, 1 Oct 02, SA *b7c-1, b6-1* interviewed CW2 *b7c-5, b6-5* ODA 343, 2/3rd SFG, BAF, who rendered a sworn statement, in which he detailed his knowledge of this incident. (See Sworn Statement of CW2 *b7c-5, b6-5* for details)

0800, 2 Oct 02 *b7c-1, b6-1*

SA *b7c-1, b6-1*
I: 60 T: 0

About 0800, 2 Oct 02, SA *b7c-1, b6-1* interviewed SPC *b7c-4, b6-4* A Co, 519th MI Bn, BAF, who rendered a sworn statement, in which he detailed his knowledge of this incident. (See Sworn Statement of SPC *b7c-4, b6-4* for details)

1100, 2 Oct 02 *b7c-1, b6-1*

SA *b7c-1, b6-1*
I: 15 T: 0

At 1100, 2 Oct 02, SA *b7c-1, b6-1* interviewed SFC *b7c-3, b6-3* ODA 343, 2/3rd SFG, who stated he was in the Team's living tent on 28 Aug 02 playing on a Sony *b7c-3, b6-3* Playstation video game when SSG *b7c-3, b6-3* told him about the shooting. SFC *b7c-3, b6-3* asked if everyone on the team was okay and if he was needed for anything. Once he was informed everyone was okay and that he was not needed, he went back to playing the video game. He said he never saw the shooting scene and only saw SAYARI's body when it was transferred from the truck used to transport his remains to the local AMF Commander at the FB. SFC *b7c-3, b6-3* said he was not informed as to what had happened as CPT *b7c-3, b6-3* had asked everyone involved in the shooting to go to the Operations tent to document what had occurred. He learned about the circumstances surrounding the shooting once he arrived at Kandahar prior to arriving at BAF for this interview. SFC *b7c-3, b6-3* stated he had no idea who SAYARI prior to the shooting and was never told, or perceived, him as a threat to the team. SFC *b7c-3, b6-3* stated he had no other information to provide regarding this investigation.

1100, 2 Oct 02 *b7c-1, b6-1*

SA *b7c-1, b6-1*
I: 107 T: 0

At 1100, 2 Oct 02, SA *b7c-1, b6-1* interviewed and obtained a sworn statement from SSG *b7c-4, b6-4* ODA 343, 2/3rd SFG, BAF. SSG *b7c-4, b6-4* stated he was not present on the mission when the shooting occurred. SSG *b7c-4, b6-4* was present for the After Actions Review (AAR) at the Team Op Center at the Fire Base. SSG *b7c-4, b6-4* clarified what was discussed at the AAR in reference to the shooting. (See Sworn Statement of SSG *b7c-4, b6-4* for details)

0000, 2 Oct 02

SA ----- arrived at BAF from CONUS

0300, 3 Oct 02 *b7c-1, b6-1*

SA *b7c-1, b6-1*
I: 180

SA *b7c-1, b6-1* and SA *b7c-1, b6-1* traveled from BAF to FBL

0430, 3 Oct 02 *b7c-1, b6-1*

SA *b7c-1, b6-1*

Coordinated with CW2 *b7c-3, b6-3* 7th SFG, FBL, who provided assistance with interview of AMF Commander, and interpreters

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CID FORM 28-R

1 AUG 88

PREVIOUS EDITIONS OF THIS FORM WILL BE USED UNTIL EXHAUSTED

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AGENT ACTIVITY SUMMARY

(CID Regulation 195-1)

CONTROL NUMBER

0114-02-CID369-23525

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

0515, 3 Oct 02 b7c-1, b6-1
SA [redacted]
I: 120 T: 0

SA [redacted] b7c-1, b6-1 and SA [redacted] b7c-1, b6-1 interviewed AMF Commander [redacted] b7c-3, b6-5, and interpreter [redacted] with the following information noted: The AMF soldier that was with SAYARI has since quit the AMF and is currently residing at an unknown location in Pakistan. According to [redacted] SAYARI was utilizing his truck as a taxi-cab, and the AMF soldier and other occupants were his customers and were being transported to different locations. And, the road on which SAYARI traveled and was detained by ODA 343, had been in the direction the AMF soldier wanted to go. [redacted] stated he had been at the front gate of FBL, at the time that SAYARI was conversing with CW2 [redacted] about renting his truck, and according to [redacted], SAYARI did not immediately follow the ODA 343 patrol when it left FBL, as previously stated. [redacted] stated SAYARI was still trying to get CW2 [redacted] to rent his truck, when CW2 [redacted] very angrily told SAYARI to come back in the morning. SAYARI still wanted to enter the fire base after the ODA left, but [redacted] angrily insisted that SAYARI leave immediately and return in the morning [redacted] and [redacted] both stated that SAYARI had previously shown no acts of aggression towards the Americans, and according to them, had not sympathized with Taliban or al-Qaeda, and as a matter of fact, had hated the Taliban, and had gone against their rules and ways. They also stated that they never heard of him placing a hit on CW2 [redacted] and [redacted] had not heard of SAYARI reacting violently if cornered or threatened. [redacted] and [redacted] stated SAYARI had previously lived in Morgah, but has since moved to the Lwara area due to him killing a relative during a dispute about land approximately 15 years ago. [redacted] stated SAYARI had previously been collecting taxes from people traveling on the road adjacent to FBL, prior to the Americans arrival, and prior to the shooting, SAYARI was sort of a businessman: utilizing his truck as a taxi; and being involved in the harvesting and selling of fruit during the fall season. He also stated that SAYARI although not an elder of the tribe, was respected by the elders because of his tax-collecting, which he pocketed, and because of his security, or bodyguards. [redacted] stated that he was called to the site of the shooting, and upon his arrival, noticed that SAYARI's turban was still on his head, and that there was a wound to his head and to his chest. [redacted] described the wound to the chest as elliptical in shape. [redacted] drew the area and two representations of the wounds he saw on SAYARI's chest, see attached rough sketch of [redacted] b7c-2, b6-2

0940, 3 Oct 02 b7c-1, b6-1
SA [redacted]
I: 20 T: 0

SA [redacted] b7c-1, b6-1 coordinated with SAYARI's tribe elders and his father (NFI), who would not allow SAYARI's body to be exhumed, due to religious beliefs. The elders stated several of them did wash SAYARI's body prior to his burial and possibly could describe the wounds. The elders stated they would meet SA [redacted] b7c-1, b6-1 again and would discuss matters further.

AGENT'S COMMENTS: Due to time constraints of awaiting travel from FBL, the meeting between SA [redacted] b7c-1, b6-1 and the elders was short, and no definite matters were discussed. It was agreed to discuss matters further when USACIDC travels back to FBL.

0620, 3 Oct 02 b7c-1, b6-1
SA [redacted]
I: 15 T: 0

SA [redacted] b7c-1, b6-1 coordinated with LTC [redacted] b7c-3, b6-3 who informed this SA that MSG [redacted] b7c-3, b6-3 had re-deployed to Fort Bragg along with SSG [redacted] b7c-3, b6-3 on emergency leave. Additionally, SPC [redacted] b7c-3, b6-3 and SPC [redacted] b7c-3, b6-3 were both support personnel at FB Lwara and were possibly mechanics. LTC [redacted] b7c-3, b6-3 did not know what unit they were assigned to, and stated they had no interaction with ODA 343 other than to offer support when needed in regards to mechanical problems. LTC [redacted] b7c-3, b6-3 had no idea as to why their names were added to the team roster.

1000, 3 Oct 02 b7c-1, b6-1
SA [redacted]
T: 180

SA [redacted] b7c-1, b6-1 and SA [redacted] b7c-1, b6-1 traveled from FBL to BAF.

0510, 4 Oct 02 b7c-1, b6-1
SA [redacted]

SA [redacted] b7c-1, b6-1 briefed COL [redacted] b7c-3, b6-3 on the status of this investigation to date.

CID FORM 28-R

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PREVIOUS EDITIONS OF THIS FORM WILL BE USED UNTIL EXHAUSTED

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AGENT ACTIVITY SUMMARY

(CID Regulation 195-1)

CONTROL NUMBER

0114-02-CID369-23525

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

I: 10 T: 10

0550, 4 Oct 02 *b7c-1, b6-1*
SA [redacted]

At 0550, 4 Oct 02, SA *b7c-1, b6-1* and SA *b7c-1, b6-1* coordinated with LTC *b7c-3, b6-3* and LTC *b7c-3, b6-3* (See attached e-mail of SA *b7c-1, b6-1* to 3D MP Group for details)

I: 120 T: 20

0320, 6 Oct 02 *b7c-1, b6-1*
SA [redacted]

About 0320 (0750L), 6 Oct 02, SA *b7c-1, b6-1* Polygrapher, 11th MP Det (CID), Fort Hood, TX, advised CPT [redacted] of his legal rights, which he invoked, requesting a lawyer. *b7c-3, b6-3* at which time the interview was immediately terminated. (See Non-Waiver of CPT [redacted] for details) *b7c-5, b6-5*

I: 10 T: 0

0335, 6 Oct 02 *b7c-1, b6-1*
SA [redacted]

About 0335 (0805L), 6 Oct 02, SA *b7c-1, b6-1* advised SSG *b7c-5, b6-5* of his legal rights, which he invoked, requesting a lawyer, at which time the interview was immediately terminated. (See Non-Waiver of SSG [redacted] for details) *b7c-5, b6-5*

I: 10 T: 0

//////////////////////////////////////SEE AAS ENTRIES IN CASE FILE FOR PERIOD FROM 6 OCT - 10 OCT 02//////////////////////////////////////

*****10 OCT 02 ENTRIES CONTINUE BELOW ON NEXT PAGE*****

AGENT ACTIVITY SUMMARY

ICID Regulation 195-11

CONTROL NUMBER

0114-02-CID369-23525

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

0610, 10 Oct 02 *b7c-1, b6-1*
SA *b7c-1, b6-1*
I: 10 T: 0

At 0610, 10 Oct 02, SA *b7c-1, b6-1* coordinated with LTC *b7c-3, b6-3*, who stated he would collect all documentation pertaining to the previous shooting incident involving ODA 343, specifically SFC *b7c-1, b6-1* shooting death of another Afghani National. Additionally, LTC *b7c-3, b6-3* stated he would coordinate with this office on additional interviews that arise from this information.

b7c-3, b6-3

0730, 10 Oct 02 *b7c-1, b6-1*
SA *b7c-1, b6-1*
I: 15 T: 0

Received SFC *b7c-1, b6-1* second sworn statement from SA *b7c-1, b6-1*. A review of the statement depicts SFC *b7c-1, b6-1* changed his statement from the first statement obtained by this SA and SA *b7c-1, b6-1*. In his first statement, SFC *b7c-1, b6-1* stated he was told by CPT *b7c-1, b6-1* to delete the photos from his computer, then told to delete the photos from the recycle bin, then told by CPT *b7c-1, b6-1* to give him the zip disk. In his second statement, SFC *b7c-1, b6-1* stated CPT *b7c-1, b6-1* asked him if there was a need for the pictures on the computer, to which SFC *b7c-1, b6-1* replied there was not. According to the second statement, CPT *b7c-1, b6-1* then asked SFC *b7c-1, b6-1* if he would delete them off the computer, which he did, then deleted them off the recycle bin on his own, not as instructed to do so as he indicated on his first statement. SFC *b7c-1, b6-1* then stated he gave the disk with the pictures to CPT *b7c-1, b6-1* and disconnected his computer. Additionally, SFC *b7c-1, b6-1* did not give a perception of the scene in his first statement when asked by SA *b7c-1, b6-1* and SA *b7c-1, b6-1* to describe what he felt appeared had transpired leading to the shooting. SFC *b7c-1, b6-1* stated he did not want to guess as he was not familiar with shooting scenes or with that type of situation. In his second statement, SFC *b7c-1, b6-1* offered his opinion and stated it appeared as though SAYARI was shot while in the prone position.

1203, 10 Oct 02 *b7c-1, b6-1*
SA *b7c-1, b6-1*
I: 20 T: 20

SA *b7c-1, b6-1* collected the beads that were located in the right hand of SAYARI at the time of the shooting from LTC *b7c-3, b6-3* at the CJSOTF-JAG on a DA Form 4137 (Evidence Property Custody Document).

0720, 11 Oct 02 *b7c-1, b6-1*
SA *b7c-1, b6-1*
I: 30 T: 0

SA *b7c-1, b6-1* drafted DA FORM 3655 (Lab Request) in reference to the Sony Lap Top Computer Ser # 283183303621694, collected from SFC *b7c-1, b6-1* to be sent to USACIL for evaluation in reference to this investigation. (See Lab Request for Details)

1045, 14 Oct 02 *b7c-1, b6-1*
SA *b7c-1, b6-1*
I: 130 T: 90

Interview of *b7c-1, b6-1* one of the Afghans that accompanied SAYARI in his truck the day he was killed. Interview was conducted by SA *b7c-1, b6-1* with interpreters *b7c-2, b6-2* and *b7c-2, b6-2* (NFI). (See AIR for details)

1230, 14 Oct 02 *b7c-1, b6-1*
SA *b7c-1, b6-1*
I: 180 T: 20

SA *b7c-1, b6-1* interviewed SAYARI's father, those tribal elders who prepared SAYARI's body for burial, SAYARI's eldest son (NFI, about 8 years old), and elders that had worked with SAYARI to help the SF soldiers establish fire bases at Orgun E and Lwara. (See AIR for details)

1100, 18 Oct 02 *b7c-1, b6-1*
SA *b7c-1, b6-1*
I: 45 T: 0

SA *b7c-1, b6-1* and SA *b7c-1, b6-1* briefed LTC *b7c-3, b6-3* to date on this investigation and LTC *b7c-3, b6-3* opined it was clear that SAYARI was executed based on the totality of the physical and testimonial evidence. LTC *b7c-3, b6-3* advised he would be briefing the latest information obtained up the SF chain of command. LTC *b7c-3, b6-3* complimented the CID investigative team by stating he would not want this CID team investigating him if he committed a crime.

1200, 18 Oct 02 *b7c-1, b6-1*
SA *b7c-1, b6-1*
I: 40 T: 0

SA *b7c-1, b6-1* and SA *b7c-1, b6-1* briefed LTC *b7c-3, b6-3* Deputy SJA, to date on this investigation. LTC *b7c-3, b6-3* opined there was insufficient evidence at this time to title *b7c-5, b6-5* with any offense; however, a suspect interview should be conducted to ascertain his involvement with the recently learned of acts of *b7c-1, b6-1* and *b7c-1, b6-1*. There may possibly be two other members of the ODA involved in the conspiracy to kill SAYARI. LTC *b7c-3, b6-3* opined to obtain ODA 343's weapons now that a partial bullet was recovered from the crime scene and submit items to USACIL for exam

1430, 20 Oct 02

SAC REVIEW: Reviewed file to update IP. Also, awaiting answer from 3rd MP Grp on sending

CID FORM 28-R

PREVIOUS EDITIONS OF THIS FORM WILL BE USED UNTIL EXHAUSTED

1 AUG 88

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AGENT ACTIVITY SUMMARY

ICID Regulation 195-11

CONTROL NUMBER

0114-02-CID369-23525

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

b7c-1, b6-1
I: 80

SA *b7c-1, b6-1* to Ft Bragg to facilitate leads there as someone with intimate knowledge of the case needs to oversee investigative activity. There are entirely too many facts, documents, and investigative actions that were conducted, to be clearly transmitted in a comprehensive RFA. Need to add the following to the IP:

- 1) Ft Bragg addition to current RFA or 2nd RFA: Obtain the weapons of ODA 343 as evidence and forward to USACIL to meet up with crime scene evidence for comparison.
- 2) Interview ODA 341 at Ft Bragg
- 3) Suspect interviews of *b7c-4, 4, b6-4, 4* and *b7c-4, 4, b6-4, 4* at Bragg
- 4) Suspect interviews of remaining members of ODA 343 at Bragg
- 5) Obtain J2 intel info provided to ODA 343 on SAYARI, if any.
- 6) Obtain full inquiry packets on both shootings by *b7c-5, b6-5*, this one and a previous one. We now determined the first inquiry packet we obtained copies of was incomplete. *b7c-5, b6-5*
- 7) Obtain a copy of the ROE for SF members at Fire Base Lwara, see memo of COL *b7c-5, b6-5* dated 25 Sep 02. *b7c-5, b6-5*
- 8) Re-interview *b7c-5, b6-5* as a suspect for Conspiracy/Murder, Ft Bragg
- 9) Canvass interviews of 1st Plt, A Co, 1/505th PIR, KAF
- 10) Obtain written English translations of SAYARI's documents
- 11) Interview *b7c-3, b6-3*
- 12) Interview *b7c-3, b6-3*
- 13) Interview LTC *b7c-3, b6-3*
- 14) Interview MAJ *b7c-3, b6-3*
- 15) Determine who the anonymous source was to LTC *b7c-3, b6-3* and interview them.
- 16) Interview SSG *b7c-3, b6-3*
- 17) Track down what happened to *b7c-3, b6-3* AK-47, this was the one the team claimed was SAYARI's AK-47. Needs to be addressed with *b7c-5, b6-5* as he had it last as far as we have now determined. *b7c-4, b6-4*
- 18) Send SSG *b7c-3, b6-3* computer to USACIL.
- 19) Interview CPT *b7c-3, b6-3*
- 20) Obtain answers to COL *b7c-3, b6-3* questions to CPT *b7c-3, b6-3* in the memo dated 30 Aug 02. *b7c-3, b6-3*

Need sworn statements from now on except with the canvass interviews. If there is any significant information developed from anyone (no matter how short) during the canvass, obtain a sworn statement.

b7c-1, b6-1
1600, 21 Oct 02
SA *b7c-1, b6-1*
I: 10 T: 180

SA *b7c-1, b6-1* departed BAF enroute to Kandahar.

b7c-3, b6-3
0330, 22 Oct 02
SA *b7c-3, b6-3*
I: 30 T: 10

Coordinated with CPT *b7c-3, b6-3*, who stated he had interviewed members of 1st Platoon, A Co, 1/505th Parachute Infantry Regiment (PIR), 82D Airborne Division, Kandahar, Afghanistan. CPT *b7c-3, b6-3* provided statements he obtained from 2LT *b7c-3, b6-3*, SFC *b7c-3, b6-3*, SSG *b7c-3, b6-3*, SSG *b7c-3, b6-3*, CPL *b7c-3, b6-3*, PFC *b7c-3, b6-3*, PFC *b7c-3, b6-3*, SPC *b7c-3, b6-3*, PFC *b7c-3, b6-3*, SPC *b7c-3, b6-3*, PFC *b7c-3, b6-3*, PFC *b7c-3, b6-3*, and PFC *b7c-3, b6-3*. 2LT *b7c-3, b6-3* and SFC *b7c-3, b6-3* stated they had attended an AAR with members of ODA 343 on the day of the shooting in which CPT *b7c-3, b6-3* CW2 *b7c-3, b6-3* and SFC *b7c-3, b6-3* spoke about the shooting. (See Statements of 2LT *b7c-3, b6-3* and SFC *b7c-3, b6-3* for details)

AGENT ACTIVITY SUMMARY

(CID Regulation 195-1)

CONTROL NUMBER

0114-02-CID369-23525

TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY
0545, 22 Oct 02 <i>b7c-1, b6-1</i> SA [REDACTED] I: 25 T: 10	Conducted canvass interviews of personnel from 1 ST Platoon, A Co, 1/505 TH Parachute Infantry Regiment (PIR), 82D Airborne Division, Kandahar, Afghanistan. (See Canvass Interview Worksheet for details)
0625, 22 Oct 02 <i>b7c-1, b6-1</i> SA [REDACTED]	SA <i>b7c-1, b6-1</i> conducted canvass interviews of CPL <i>b7c-3, b6-3</i> and PFC [REDACTED] both assigned to 1 ST Platoon, A Co, 1/505 TH PIR <i>b7c-3, b6-3</i>
1230, 23 Oct 02 <i>b7c-1, b6-1</i> SA [REDACTED] I: 10 T: 180	SA [REDACTED] departed Kandahar enroute to BAF. <i>b7c-1, b6-1</i>
1100, 1 Nov 02 <i>b7c-1, b6-1</i> SA [REDACTED] T: 180	SA [REDACTED] and SA [REDACTED] traveled to KAF. <i>b7c-1, b6-1 b7c-1, b6-1</i>
0001, 1 Nov 02 <i>b7c-1, b6-1</i> SA [REDACTED]	Between 1 -2 Nov 02, SA <i>b7c-1, b6-1</i> and SA <i>b7c-1, b6-1</i> coordinated with CPT <i>b7c-3, b6-3</i> at various times, who had no flight information.
0001, 3 Nov 02 <i>b7c-1, b6-1</i> SA [REDACTED]	On 3 Nov 02, SA <i>b7c-1, b6-1</i> and SA <i>b7c-1, b6-1</i> were manifested on a flight to the Dae-Rawod Fire Base, Afghanistan (DRFB), with CPT [REDACTED] however, the flight was cancelled just prior to the show time of 2345. CPT [REDACTED] stated the next flight would be on 7 Nov, and that the mortar platoon would be at Dae-Rawod until about 21 Nov.
1000, 4 Nov 02 <i>b7c-1, b6-1</i> SA [REDACTED] I: 10	SA <i>b7c-1, b6-1</i> briefed SA <i>b7c-1, b6-1</i>
0500, 7 Nov 02 <i>b7c-1, b6-1</i> SA [REDACTED] T: 90	SA <i>b7c-1, b6-1</i> and SA <i>b7c-1, b6-1</i> traveled to DRFB.
0600, 7 Nov 02 <i>b7c-1, b6-1</i> SA [REDACTED] I: 75	Between 0600-0715, SA <i>b7c-1, b6-1</i> and CPT <i>b7c-3, b6-3</i> conducted canvass interviews of the following service members from the Mortar Platoon, HHC, 1/505 th PIR, KAF, who had no information to provide:
	<ul style="list-style-type: none"> SGT [REDACTED] <i>b7c-3, b6-3</i> PFC [REDACTED] <i>b7c-3, b6-3</i> PFC [REDACTED] <i>b7c-3, b6-3</i> SGT [REDACTED] <i>b7c-3, b6-3</i> PV2 [REDACTED] <i>b7c-3, b6-3</i> PFC [REDACTED] <i>b7c-3, b6-3</i> PV2 [REDACTED] <i>b7c-3, b6-3</i> SPC [REDACTED] <i>b7c-3, b6-3</i> PFC [REDACTED] <i>b7c-3, b6-3</i> SGT [REDACTED] <i>b7c-3, b6-3</i> and SPC [REDACTED] <i>b7c-3, b6-3</i>
0644, 7 Nov 02 <i>b7c-1, b6-1</i> SA [REDACTED] I: 30	SA <i>b7c-1, b6-1</i> interviewed CPT <i>b7c-3, b6-3</i> Platoon Leader, Mortar Platoon, HHC, 1/505 th PIR, KAF, who rendered a sworn statement, in which he detailed his knowledge of this incident. (See DA Form 2823, Sworn Statement of CPT [REDACTED] for details) <i>b7c-3, b6-3</i>
	AGENT'S COMMENTS: The Sworn Statement was hand-written due to the inability to utilize a computer on which to properly take the statement on.

CID FORM 28-R

1 AUG 86

PREVIOUS EDITIONS OF THIS FORM WILL BE USED UNTIL EXHAUSTED

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AGENT ACTIVITY SUMMARY

(CID Regulation 195-1)

CONTROL NUMBER

0114-02-CID369-23525

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

0703, 7 Nov 02

SA [redacted]

I: 30

b7c-1, b6-1

b7c-1, b6-1 SA [redacted] interviewed SPC *b7c-4, b6-4* [redacted], Mortar Platoon, HHC, 1/505th PIR, KAF, who rendered a sworn statement in which he stated observing CW2 [redacted] at the front gate to Lwara Fire Base, conversing with Mr. SAYARI, and then subsequently observed CW2 [redacted] leave with the patrol that went after Mr. SAYARI. (See DA Form 2823, Sworn Statement of SPC [redacted] for details)

AGENT'S COMMENTS: The Sworn Statement was hand-written due to the inability to utilize a computer on which to properly take the statement on.

0712, 7 Nov 02

SA [redacted]

I: 30

b7c-1, b6-1

b7c-1, b6-1 SA [redacted] interviewed SGT *b7c-4, b6-4* [redacted], Mortar Platoon, HHC, 1/505th PIR, KAF, who rendered a sworn statement in which he detailed his knowledge of this incident while performing duties of the Sergeant of the Guards, while at Lwara Fire Base. (See DA Form 2823, Sworn Statement of SGT [redacted] for details) *b7c-4, b6-4*

AGENT'S COMMENTS: The Sworn Statement was hand-written due to the inability to utilize a computer on which to properly take the statement on.

0730, 7 Nov 02

SA [redacted]

I: 30

b7c-1, b6-1

b7c-1, b6-1 SA [redacted] interviewed PFC *b7c-4, b6-4* [redacted], Mortar Platoon, HHC, 1/505th PIR, KAF, who rendered a sworn statement in which he stated observing CW2 [redacted] at the front gate to Lwara Fire Base, conversing with Mr. SAYARI, and then observed a SF patrol leaving the post after Mr. SAYARI had left the gate. (See DA Form 2823, Sworn Statement of PFC [redacted] for details) *b7c-4, b6-4*

AGENT'S COMMENTS: The Sworn Statement was hand-written due to the inability to utilize a computer on which to properly take the statement on.

1000, 7 Nov 02

SA [redacted]

T: 90

b7c-1, b6-1

b7c-1, b6-1 SA [redacted] and SA *b7c-1, b6-1* [redacted] returned back to KAF

2200, 11 Nov 02

SA [redacted]

T: 180

b7c-1, b6-1

b7c-1, b6-1 SA [redacted] and SA *b7c-1, b6-1* [redacted] traveled back to BAF.

AGENT ACTIVITY SUMMARY

0114-02-CID369-23525

520, 27 Sep 02 SAC REVIEW: CASES HELD IN ABEYANCE DUE TO PRIORITY CASE
 WORK ON 0113-02 AND 0114-02 FROM 24 TO 27 SEP 02.
 : 20 T: 0 *b7c-6, b6-1*

910, 09 Oct 02 BRIEFED CPT *b7c-9, b6-3* TRIAL COUNSEL, 7TH SFG,
 QANDAHAR AIRFIELD, TO DATE ON THIS INVESTIGATION. CPT
 : 180 T: 0 *b7c-1, b6-1* REVIEWED ALL DOCUMENTATION TO DATE. *b7c-3, b6-3*

205, 09 Oct 02 INTERVIEW OF WITNESSES: *b7c-1, b6-1* *b7c-4, b6-4*
 At 1205, 9 Oct 02, SA *b7c-1, b6-1* interviewed SFC *b7c-4, b6-4* who
 : 330 T: 0 rendered a sworn statement further detailing his knowledge
b7c-1, b6-1 of the death of Mr SAYARI and the actions of the SF team,
 ODA 343. (See statement of SFC *b7c-4, b6-4* for details) *b7c-4, b6-4*

305, 09 Oct 02 BRIEFED CPT *b7c-3, b6-3*, A CO, 519TH MI BN, THAT SFC *b7c-4, b6-4*
 WOULD BE ACCOMPANYING AGENTS BACK TO LWARA 13-16 OCT 02, TO
 : 10 T: 0 ASSIST AT THE CRIME SCENE.
b7c-1, b6-1

115, 09 Oct 02 Briefed CW5 *b7c-1, b6-1*, OPS, 3rd MP Grp, to date on this
 investigation. CW5 *b7c-1, b6-1* advised to do 2nd Stat upon
 : 20 T: 0 ACIRS being restored to fully ID subjects and add offenses,
b7c-1, b6-1 but maintain restriction in CID channels only.

205, 22 Oct 02 SAC REVIEW: ALL CASES HELD IN ABEYANCE AS ALL AGENTS
 WERE WORKING PRIORITY MURDER INVESTIGATION
 : 20 T: 0 0114-02-CID369-23525.
b7c-1, b6-1 *b7c-1, b6-1*

100, 01 Nov 02 SA *b7c-1, b6-1* AND SA *b7c-1, b6-1* TRAVELED TO KAF.
 : 0 T: 180
b7c-1, b6-1

001, 02 Nov 02 BETWEEN 1 -2 NOV 02, SA *b7c-1, b6-1* AND SA *b7c-1, b6-1* COORDINATED
 WITH CPT *b7c-3, b6-3* AT VARIOUS TIMES, WHO HAD NO FLIGHT
 : 20 T: 0 INFORMATION.
b7c-1, b6-1

001, 03 Nov 02 On 3 Nov 02, SA *b7c-1, b6-1* and SA *b7c-1, b6-1* were manifested on a
 flight to the Deh Rawod Fire Base, Afghanistan (DRFB), with
 : 40 T: 0 CPT *b7c-3, b6-3*, however, the flight was cancelled just prior to
b7c-1, b6-1 the show time of 2345. CPT *b7c-3, b6-3* stated the next flight
 would be on 7 Nov, and that the mortar platoon would be at
 Deh Rawod until about 21 Nov.

000, 04 Nov 02 SA *b7c-1, b6-1* BRIEFED SA *b7c-1, b6-1*
 : 10 T: 0
b7c-1, b6-1

Inv: 650 (10.50)
 CID FM 28-R (ACIRS Generated)

Trv: 180 (3.00)

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010, 04 Nov 02 FAXED ALL DOCUMENTATION TO SUPPORT 2ND RFA TO 87TH MP DET
 (ABN)(CID), FT BRAGG, NC.

: 150 T: 0

b7c-1, b6-1
 500, 07 Nov 02 SA *b7c-1, b6-1*, SA *b7c-1, b6-1* AND CPT *b7c-3, b6-3* TRAVELED TO DRFB.

: 0 T: 90

b7c-1, b6-1
 500, 07 Nov 02 About 0644, 7 Nov 02, SA *b7c-1, b6-1* and CPT *b7c-3, b6-3*, conducted
 canvass interviews of service members from the Mortar
 Platoon, HHC, 1/505th PIR, KAF. Service members interviewed
 had no additional information to provide this office. (See
 canvass interview worksheet for details)
7c-1, b6-1

b7c-1, b6-1
 644, 07 Nov 02 SA *b7c-4, b6-4* interviewed CPT *b7c-4, b6-4*
 Platoon Leader, Mortar Platoon, HHC, 1/505th PIR, KAF, who
 rendered a sworn statement, in which he detailed his
 knowledge of this incident. (See DA Form 2823, Sworn
 Statement of CPT *b7c-4, b6-4* for details)
7c-1, b6-1

AGENT'S COMMENTS: The Sworn Statement was hand-written due
 to the inability to utilize a computer on which to properly
 take the statement on.

b7c-1, b6-1
 703, 07 Nov 02 SA *b7c-4, b6-4* interviewed SPC *b7c-4, b6-4*,
 Mortar Platoon, HHC, 1/505th PIR, KAF, who rendered a sworn
 statement in which he stated observing CW2 *b7c-5, b6-5* at the
 front gate to Lwara Fire Base, conversing with Mr. SAYARI,
 and then subsequently observed CW2 *b7c-5, b6-5* leave with the
 patrol that went after Mr. SAYARI. (See DA Form 2823, Sworn
 Statement of SPC *b7c-4, b6-4* for details)
7c-1, b6-1

b7c-1, b6-1
 712, 07 Nov 02 SA *b7c-4, b6-4* interviewed SGT *b7c-4, b6-4*,
 Mortar Platoon, HHC, 1/505th PIR, KAF, who rendered a sworn
 statement in which he detailed his knowledge of this
 incident while performing duties of the Sergeant of the
 Guards, while at Lwara Fire Base. (See DA Form 2823, Sworn
 Statement of SGT *b7c-4, b6-4* for details)
7c-1, b6-1

b7c-1, b6-1
 730, 07 Nov 02 SA *b7c-4, b6-4* interviewed PFC *b7c-4, b6-4*
 Mortar Platoon, HHC, 1/505th PIR, KAF, who
 rendered a sworn statement in which he stated observing CW2
b7c-5, b6-5 at the front gate to Lwara Fire Base, conversing
 with Mr. SAYARI, and then observed a SF patrol leaving the
 post after Mr. SAYARI had left the gate. (See DA Form 2823,
 Sworn Statement of PFC *b7c-4, b6-4* for details)
7c-1, b6-1 *b7c-5, b6-5*
b7c-4, b6-4

Inv: 330 (16.20)
 CID FM 28-R (ACIRS Generated)

Trv: 90 (4.30)

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AGENT ACTIVITY SUMMARY

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b7c-1, b6-1
 000, 07 Nov 02 SA *b7c-1, b6-1* AND SA *b7c-1, b6-1* RETURNED BACK TO KAF.
 : 0 T: 90
b7c-1, b6-1

100, 09 Nov 02 ALL CASES WERE HELD IN ABEYANCE DUE TO PRIORITY CASE WORK ON
 0114-02-CID369 (MURDER) WITH FEW EXCEPTIONS FROM 22 OCT
 TO 9 NOV 02.
 : 20 T: 0
b7c-1, b6-1

200, 11 Nov 02 SA *b7c-1, b6-1* AND SA *b7c-1, b6-1* TRAVELED BACK TO BAF.
 : 0 T: 180
b7c-1, b6-1

920, 06 Dec 02 COORDINATED WITH SA *b7c-1, b6-1*, 87TH MP DET (CID), FT
 BRAGG, WHO ADVISED CLOSE COORDINATION WOULD BE MAINTAINED
 PRIOR TO CLOSURE OF THE RFA.
 : 10 T: 0
b7c-1, b6-1

240, 10 Dec 02 Met with SFC *b7c-4, b6-4* who has become fearful of his well
 being again since the Washington Post article that referred
 to him by saying that the shooting of SAYARI was good until
 a support soldier (*b7c-4, b6-4*) made a complaint. *b7c-4, b6-4*
 was insistent that I speak with SJA about his safety and
 desire to be protected. *b7c-4, b6-4* perceives a threat from
 the SF soldiers due to what they do and that he feels
 certain they know how to "get him" and will have someone
 harm him or his family.

b7c-1, b6-1
 940, 21 Dec 02 ALL CASES HELD IN ABEYANCE AS ALL AGENTS WORKING PRIORITY
 INVESTIGATIONS 0134-02-369 AND 0137-02-369.
 : 20 T: 0
b7c-1, b6-1

940, 21 Dec 02 TIME PERIOD FOR CASES HELD IN ABEYANCE IS 4 DEC 02, TO
 PRESENT AND STILL ONGOING. A SUBSEQUENT ENTRY WILL
 COMPLETE THE PERIOD.
 : 10 T: 0
b7c-1, b6-1

915, 08 Jan 03 SAC REVIEW: CASES HELD IN ABEYANCE FROM 22 DEC 02 TO 6
 JAN 03, DUE TO ALL AGENTS WORKING PRIORITY INVESTIGATIONS
 0134-02, 0137-02, AND 0140-02.
 : 20 T: 0
b7c-1, b6-1

000, 26 Jan 03 RECEIVED 2ND INFO REPORT FROM FT BRAGG, SEE ATTACHED.
 : 10 T: 0
b7c-1, b6-1

020, 08 Feb 03 PRIORITY CASE WORK ON 0010-02-CID369 ON 6 AND 7 FEB 03.
 : 10 T: 0
b7c-1, b6-1

900, 26 Feb 03 BETWEEN 26-28 FEB 03, SA *b7c-1, b6-1* AND SA *b7c-1, b6-1* PREPARED
 CASE FILE FOR FINAL CLOSURE
 : 240 T: 0

Inv: 370 (6.10)
 CID FM 28-R (ACIRS Generated)

Trv: 270 (4.30)

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AGENT ACTIVITY SUMMARY

0114-02-CID369-23525

b7C-1, b6-1

130, 28 Feb 03 COMPLETED DRAFT OF FINAL REPORT

: O T: 0

Inv: 0 (6.10)
CID FM 28-R (ACIRS Generated)

Trv: 0 (4.30)

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AGENT ACTIVITY SUMMARY

0114-02-CID369-23525

520, 27 Sep 02 SAC REVIEW: CASES HELD IN ABEYANCE DUE TO PRIORITY CASE
 WORK ON 0113-02 AND 0114-02 FROM 24 TO 27 SEP 02.
 : 20 T: 0
 b7c-1, b6-1

910, 09 Oct 02 BRIEFED CPT [REDACTED] b7c-3, b6-3, TRIAL COUNSEL, 7TH SFG,
 QANDAHAR AIRFIELD, TO DATE ON THIS INVESTIGATION. CPT
 : 180 T: 0 [REDACTED] REVIEWED ALL DOCUMENTATION TO DATE. b7c-3, b6-3
 b7c-1, b6-1

205, 09 Oct 02 INTERVIEW OF WITNESSES: b7c-1, b6-1 b7c-4, b6-4
 At 1205, 9 Oct 02, SA [REDACTED] interviewed SFC [REDACTED] who
 rendered a sworn statement further detailing his knowledge
 of the death of Mr SAYARI and the actions of the SF team,
 ODA 343. (See statement of SFC [REDACTED] for details) b7c-4, b6-4
 : 330 T: 0

305, 09 Oct 02 BRIEFED CPT [REDACTED] b7c-3, b6-3 A CO, 519TH MI BN, THAT SFC [REDACTED] b7c-4, b6-4
 WOULD BE ACCOMPANYING AGENTS BACK TO LWARA 13-16 OCT 02, TO
 ASSIST AT THE CRIME SCENE.
 : 10 T: 0

115, 09 Oct 02 Briefed CW5 [REDACTED] b7c-3, b6-3, OPS, 3rd MP Grp, to date on this
 investigation. CW5 [REDACTED] advised to do 2nd Stat upon b7c-3, b6-3
 : 20 T: 0 ACIRS being restored to fully ID subjects and add offenses,
 but maintain restriction in CID channels only.

205, 22 Oct 02 SAC REVIEW: ALL CASES HELD IN ABEYANCE AS ALL AGENTS
 WERE WORKING PRIORITY MURDER INVESTIGATION
 : 20 T: 0 0114-02-CID369-23525.
 b7c-1, b6-1 b7c-1, b6-1

100, 01 Nov 02 SA [REDACTED] b7c-1, b6-1 AND SA [REDACTED] b7c-1, b6-1 TRAVELED TO KAF.
 : 0 T: 180

001, 02 Nov 02 BETWEEN 1 -2 NOV 02, SA [REDACTED] b7c-1, b6-1 AND SA [REDACTED] b7c-1, b6-1 COORDINATED
 WITH CPT [REDACTED] AT VARIOUS TIMES, WHO HAD NO FLIGHT b7c-3, b6-3
 : 20 T: 0 INFORMATION.

001, 03 Nov 02 On 3 Nov 02, SA [REDACTED] b7c-1, b6-1 and SA [REDACTED] b7c-1, b6-1 were manifested on a
 flight to the Deh Rawod Fire Base, Afghanistan (DRFB), with
 : 40 T: 0 b7c-3, b6-3 CPT [REDACTED], however, the flight was cancelled just prior to
 the show time of 2345. CPT [REDACTED] stated the next flight b7c-3, b6-3
 would be on 7 Nov, and that the mortar platoon would be at
 Deh Rawod until about 21 Nov.

000, 04 Nov 02 SA [REDACTED] b7c-1, b6-1 BRIEFED SA [REDACTED] b7c-1, b6-1
 : 10 T: 0

Inv: 650 (10.50)
 CID FM 28-R (ACIRS Generated)

Trv: 180 (3.00)

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AGENT ACTIVITY SUMMARY

0114-02-CID369-23525

b7c-1, b6-1
 010, 04 Nov 02
 : 150 T: 0

FAXED ALL DOCUMENTATION TO SUPPORT 2ND RFA TO 87TH MP DET (ABN) (CID), FT BRAGG, NC.

b7c-1, b6-1
 500, 07 Nov 02
 : 0 T: 90

SA *b7c-1, b6-1*, SA *b7c-1, b6-1* AND CPT *b7c-4, b6-4* TRAVELED TO DRFB.

b7c-1, b6-1
 600, 07 Nov 02
 : 60 T: 0

About 0644, 7 Nov 02, SA *b7c-1, b6-1* and CPT *b7c-4, b6-4*, conducted canvass interviews of service members from the Mortar Platoon, HHC, 1/505th PIR, KAF. Service members interviewed had no additional information to provide this office. (See canvass interview worksheet for details)

b7c-1, b6-1
 644, 07 Nov 02
 : 30 T: 0

SA *b7c-1, b6-1* interviewed CPT *b7c-4, b6-4*, Platoon Leader, Mortar Platoon, HHC, 1/505th PIR, KAF, who rendered a sworn statement, in which he detailed his knowledge of this incident. (See DA Form 2823, Sworn Statement of CPT *b7c-4, b6-4* for details)

AGENT'S COMMENTS: The Sworn Statement was hand-written due to the inability to utilize a computer on which to properly take the statement on.

b7c-1, b6-1
 703, 07 Nov 02
 : 30 T: 0

SA *b7c-1, b6-1* interviewed SPC *b7c-4, b6-4*, Mortar Platoon, HHC, 1/505th PIR, KAF, who rendered a sworn statement in which he stated observing CW2 *b7c-5, b6-5* at the front gate to Lwara Fire Base, conversing with Mr. SAYARI, and then subsequently observed CW2 *b7c-5, b6-5* leave with the patrol that went after Mr. SAYARI. (See DA Form 2823, Sworn Statement of SPC *b7c-4, b6-4* for details)

b7c-1, b6-1
 712, 07 Nov 02
 : 30 T: 0

SA *b7c-1, b6-1* interviewed SGT *b7c-4, b6-4*, Mortar Platoon, HHC, 1/505th PIR, KAF, who rendered a sworn statement in which he detailed his knowledge of this incident while performing duties of the Sergeant of the Guards, while at Lwara Fire Base. (See DA Form 2823, Sworn Statement of SGT *b7c-4, b6-4* for details)

b7c-1, b6-1
 730, 07 Nov 02
 : 30 T: 0

SA *b7c-1, b6-1* interviewed PFC *b7c-4, b6-4*, Mortar Platoon, HHC, 1/505th PIR, KAF, who rendered a sworn statement in which he stated observing CW2 *b7c-5, b6-5* at the front gate to Lwara Fire Base, conversing with Mr. SAYARI, and then observed a SF patrol leaving the post after Mr. SAYARI had left the gate. (See DA Form 2823, Sworn Statement of PFC *b7c-4, b6-4* for details)

AGENT ACTIVITY SUMMARY

0114-02-CID369-23525

b7c-1, b6-1
 000, 07 Nov 02 SA *b7c-1, b6-1* AND SA *b7c-1, b6-1* RETURNED BACK TO KAF.
 : 0 T: 90

b7c-1, b6-1
 100, 09 Nov 02 ALL CASES WERE HELD IN ABEYANCE DUE TO PRIORITY CASE WORK ON
 0114-02-CID369 (MURDER) WITH FEW EXCEPTIONS FROM 22 OCT
 TO 9 NOV 02.
 : 20 T: 0

b7c-1, b6-1
 200, 11 Nov 02 SA *b7c-1, b6-1* AND SA *b7c-1, b6-1* TRAVELED BACK TO BAF.
 : 0 T: 180

b7c-1, b6-1
 920, 06 Dec 02 COORDINATED WITH SA *b7c-1, b6-1* 87TH MP DET (CID), FT
 BRAGG, WHO ADVISED CLOSE COORDINATION WOULD BE MAINTAINED
 PRIOR TO CLOSURE OF THE RFA.
 : 10 T: 0

b7c-1, b6-1
 240, 10 Dec 02 Met with SFC *b7c-4, b6-4* who has become fearful of his well
 being again since the Washington Post article that referred
 to him by saying that the shooting of SAYARI was good until
 a support soldier (*b7c-4, b6-4*) made a complaint. *b7c-4, b6-4*
 was insistent that I speak with SJA about his safety and
 desire to be protected. *b7c-4, b6-4* perceives a threat from *b7c-4, b6-4*
 the SF soldiers due to what they do and that he feels
 certain they know how to "get him" and will have someone
 harm him or his family.
 : 30 T: 0

b7c-1, b6-1
 940, 21 Dec 02 ALL CASES HELD IN ABEYANCE AS ALL AGENTS WORKING PRIORITY
 INVESTIGATIONS 0134-02-369 AND 0137-02-369.
 : 20 T: 0

b7c-1, b6-1
 940, 21 Dec 02 TIME PERIOD FOR CASES HELD IN ABEYANCE IS 4 DEC 02, TO
 PRESENT AND STILL ONGOING. A SUBSEQUENT ENTRY WILL
 COMPLETE THE PERIOD.
 : 10 T: 0

b7c-1, b6-1
 915, 08 Jan 03 SAC REVIEW: CASES HELD IN ABEYANCE FROM 22 DEC 02 TO 6
 JAN 03, DUE TO ALL AGENTS WORKING PRIORITY INVESTIGATIONS
 0134-02, 0137-02, AND 0140-02.
 : 20 T: 0

b7c-1, b6-1
 000, 26 Jan 03 RECEIVED 2ND INFO REPORT FROM FT BRAGG, SEE ATTACHED.
 : 10 T: 0

b7c-1, b6-1
 020, 08 Feb 03 PRIORITY CASE WORK ON 0010-02-CID369 ON 6 AND 7 FEB 03.
 : 10 T: 0

Inv: 130 (18.30)
 CID FM 28 R (ACIRS Generated)

Trv: 270 (9.00)

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AGENT ACTIVITY SUMMARY

0114-02-CID369-23525

b7c-1, b6-1
 300, 26 Feb 03 BETWEEN 26-28 FEB 03, SA *b7c-1, b6-1* AND SA *b7c-1, b6-1* PREPARED
 CASE FILE FOR FINAL CLOSURE
 : 240 T: 0
b7c-1, b6-1
 130, 28 Feb 03 COMPLETED DRAFT OF FINAL REPORT
 : 0 T: 0
b7c-1, b6-1
 300, 28 Feb 03 SAC CORRECTED CASE FILE. SA *b7c-1, b6-1* AND SA *b7c-1, b6-1* MADE
 CORRECTIONS.
 : 15 T: 0
b7c-1, b6-1
 300, 05 Mar 03 Based on request from the supported SJA, prepared and
 dispatched RFA to Fort Bragg to interview LTC *b7c-3, b6-3*, 2LT *b7c-3, b6-3*
 and CPT *b7c-4, b6-4*. Posted copy of RFA to file. *b7c-4, b6-4*
 : 45 T: 0
b7c-1, b6-1
 SA *b7c-1, b6-1* e-mailed RFA to SAC, Fort Bragg, followed by
 faxed statements of *b7c-4, b6-4* and *b7c-4, b6-4*

b7c-1, b6-1
 300, 10 Apr 03 OTHER INVESTIGATIVE ACTIVITY:
 : 200 T: 60
 BASIS FOR INVESTIGATION: About 0708, 5 Mar 03, this office
 received Request for Assistance 0014-02-CID369-23525, from
 the Uzbekistan CID Branch Office, Uzbekistan, to
 re-interview 1LT *b7c-4, b6-4* A Co, 1/505th
 Parachute Infantry Regiment (PIR), Fort Bragg, NC 28310
 (FBNC) and CPT *b7c-4, b6-4* HHC, 1/505th PIR, FBNC, *b7c-4, b6-4*
 reference an intelligence briefing they received while in
 Afghanistan. It was requested this office also interview
 LTC *b7c-3, b6-3* Commander, 2/3rd Special Forces Group
 (SFG), FBNC, to determine if he knew the soldier's were
 planning to stop Mr. SAYARI and if he was aware of how they
 planned to handle the matter and if he authorized them to
 conduct the operation.

DETAILS:
 About 0945, 20 Mar 03, SA *b7c-1, b6-1* interviewed LTC *b7c-3, b6-3* who
 related he could not remember if he knew CPT *b7c-3, b6-3* and *b7c-3, b6-3*
 his unit were planning on stopping and questioning Mr.
 SAYARI before the event happened. LTC *b7c-3, b6-3* related that *b7c-3, b6-3*
 was only one of 563 combat missions he was responsible for
 during his units deployment to Afghanistan. LTC *b7c-3, b6-3*
 stated a telephone notification was needed for missions
 within a 10-kilometer range from his base. For missions
 outside 10 kilometers, a written concept operation order
 (CONOP) was required. LTC *b7c-3, b6-3* stated there was no formal *b7c-3, b6-3*
 SOP which detailed parameters around detaining and
 questioning individuals. LTC *b7c-3, b6-3* stated each individual *b7c-3, b6-3*
 team handled these situations in there own way.

Inv: 500 (26.50) Trv: 60 (10.00) Page ____
 CID FM 28-R (ACIRS Generated)

AGENT ACTIVITY SUMMARY

0114-02-CID369-23525

b7c-1, b6-1
000, 05 Mar 03
45 T: 0

Based on request from the supported SJA, prepared and dispatched RFA to Fort Bragg to interview LTC [REDACTED] 2LT *b7c-4, b6-4* and CPT [REDACTED] Posted copy of RFA to file. *b7c-4, 4, b6-4, 4*
SA *b7c-1, b6-1* e-mailed RFA to SAC, Fort Bragg, followed by faxed statements of [REDACTED] and [REDACTED] *b7c-4, 4, b6-4, 4*

Inv: 45 (0.45)
CID FM 28-R (ACIRS Generated)

Trv: 0 (0.00)

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About 1300, 25 Mar 03, SA [redacted] ^{b7c-1, b6-1} interviewed CPT [redacted] ^{b7c-3, b6-3} who provided the following information:

1. He was present at the intelligence briefing, but stated only general information was put out concerning Mr. SAYARI. ^{b7c-3, b6-3} CPT [redacted] stated the plan was to (when followed by Mr. SAYARI) pull around a hilltop or other visual obstruction and wait for SAYARI'S vehicle to pass them. Then pull SAYARI over, detain him, and transport him back to base for interview. ^{b7c-3, b6-3} CPT [redacted] stated they did not go into specifics on what methods they would use when separating Mr. SAYARI from his weapon and vehicle, he believed because there were 82nd Airborne personnel there, and the Special Forces team did not want to give away their SOP. CPT [redacted] related he assumed ^{b7c-3, b6-3} there was an SOP in place to deal with the issue due to the general way in which they addressed the plan.

^{b7c-1, b6-1} About 1300, 8 Apr 03, SA [redacted] interviewed 1LT [redacted] ^{b7c-4, b6-4} who related he was present at the briefing in Afghanistan where they discussed Mr. SAYARI and his tactics. 1LT [redacted] related the briefing wasn't necessarily an "intelligence" briefing, but more like a "leaders meeting" which took place everyday. 1LT [redacted] related he remembered everyone ^{b7c-4, b6-4} discussing how they would execute a hasty vehicle stop on Mr. SAYARI'S vehicle, but he could not remember if they discussed how they would detain or question Mr. SAYARI. 1LT [redacted] related he could not remember who provided the ^{b7c-4, b6-4} briefing on Mr. SAYARI or who was present at the briefing.

^{b7c-3, b6-3} About 1100, 10 Apr 03, SA [redacted] ^{b7c-1, b6-1} re-interviewed CPT [redacted] ^{b7c-3, b6-3} who stated he remembered CPT [redacted], CW2 [redacted] and [redacted] ^{b7c-5, b6-5} were present at the intelligence briefing which was given where Mr. SAYARI was discussed. CPT [redacted] could not remember ^{b7c-3, b6-3} who provided the briefing.

////////////////////LAST
ENTRY////////////////////////////////////

^{b7c-1, b6-1} 030, 23 May 03 COMPLETED STATUS REPORT. FORWARDED SAME.

: 60 T: 0

^{b7c-1, b6-1} 800, 23 May 03

: 1000 T: 200

OTHER INVESTIGATIVE ACTIVITY:
NARRATIVE: On 18 Apr 03, this office received the USACIL Laboratory Examination Report, 2002-CID131-2225, 22 Jan 03, which reflected the results of their examination on the beads found in Mr. SAYARI'S hand when he was shot and killed. The tests conducted revealed the presence of blood on the beads, but not a sufficient amount to test.

^{b7c-1, b6-1} On 15 May 03, SA [redacted] ^{b7c-3, b6-3} interviewed Mr. [redacted] Interpreter, Base Operations, BAF, who related he was very familiar with Afghanistan religious practices. He was

briefed on the finding that Mr. SAYARI was found with religious beads in his right hand and the claims made by the soldiers who found and killed him that he was in the process of reaching for his weapon. He explained that when an Afghan national is holding beads in their right hand, they are offering themselves in a peaceful mode and would not have reached for a weapon or acted aggressively.

On 23 May 03, SA ^{b7c-1, b6-1} [redacted] coordinated with LTC ^{b7c-3, b6-3} [redacted] Office of the Staff Judge Advocate, CJTF-180, BAF, who opined there was probable cause to believe all the subjects committed the offenses they were listed.

//////////////////////////////////LAST
ENTRY//////////////////////////////////

^{b7c-1, b6-1}
900, 23 May 03 COMPLETED AND DISPATCHED FINAL REPORT.

: 350 T: 0
^{b7c-1, b6-1}
000, 23 May 03 COPIED AND DISPATCHED FINAL REPORT. TO PENDING FILE.

: 300 T: 60

^{b7c-1, b6-1}
23 May 04
[redacted]

Rec'd Adjudication on all subjects.
- Sent originals to CRC
- Filed w closed cases

AGENTS ACTIVITY SUMMARY (CID Regulation 195-1)	Control Number 0114-02-CID369-23525
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY
20 May 04 [REDACTED] <i>b7c-1, b6-1</i>	As directed by HQUSACIDC, SA [REDACTED] conducted an <i>b7c-1, b6-1</i> operational review of this investigation. Refer to MFR for details.
25 May 04 [REDACTED] <i>b7c-1, b6-1</i>	Notified by HQUSACIDC, that 4833 action had not been received at USACRC on this investigation. Noted during the operational review conducted on 20 May 04, that there were 4833s in the file, but were in the wrong location as prescribed by CIDR 195-1. Assumed these were copies, however, upon further examination it was noticed that the 4833s on all the subjects in the case file were the originals. Forwarded the originals to USACRC, and copies were posted to the file. Re-opened case to enter the Statute information so that the adjudication could be entered. Adjudication information added to ACI2. Closed case and filed.
<i>b7c-1, b6-1</i> 9 Aug 04 [REDACTED]	While getting original AAS's & Notes To Send To CKC a correct copy of USACIL Report # 2002-2225 Dated 22 Jan 03, was found in the file. It will be forwarded with the AAS & Notes To CKC.

DATE: 23 MAY 2003 07:41
 FROM: 87TH MP DET (ABN) (CID) (FWD) //CICR-EF//
 TO: DIRUSACRC USACIDC FT BELVOIR VA //CICR-ZA//
 # ENDURING FREEDOM BRANCH OFFICE //CICR-EF//
 # SAC, CAMP STRONGHOLD FREEDOM BRANCH OFFICE, UZBEKISTAN
 # CDR, 87TH MP DET (CID) (FWD), BAGRAM, AFGHANISTAN
 # SJA, FOB 72 (CPT [REDACTED]) //SFG-SJA// b7c-3, b6-3
 # SJA, CJTF-180 JOC (MAJ [REDACTED]) b7c-3, b6-3
 # CHIEF OF STAFF, 82D AIRBORNE DIV, BAGRAM AIR FIELD
 # PROVOST MARSHAL OFFICE, BAGRAM AIR FIELD (CPT [REDACTED]) b7c-3, b6-3
 # b7c-3, b6-3 PROVOST MARSHAL OFFICE, CJTF 180 (MAJ [REDACTED]) //CJTF180-PMO-D
 # COMMANDER, TF DRAGON, BAGRAM AIR FIELD (COL [REDACTED]) b7c-3, b6-3
 # SPECIAL OPERATIONS COMMAND LIAISON (SA [REDACTED]) b7c-1, b6-1
 # 3RD MILITARY POLICE GROUP REAR (OPNS OFFICER)
 # SJA, CJSOTF, BAGRAM AIR FIELD (CPT [REDACTED]) b7c-3, b6-3
 # DIR AFIP WASH DC
 # CDR 3D MP GRP CID FT GILLEM GA //CIRC-ZA//
 # CDR 87TH MP DET CID DSE LT ABN FT BRAGG NC //CIMPB-HG//
 # CDR USACIDC FT BELVOIR VA //CIOP-ZA//
 SUBJECT: CID REPORT - 3D STATUS / SSI - 0114-02-CID369 - 23525 -
 5H1A / 5X3 / 5Y2 / 7X2 / 7X6 / 9G2A / 9G2C / 9G2E
 DRAFTER : [REDACTED] b7c-1, b6-1
 RELEASER: [REDACTED] b7c-1, b6-1

UNCLASSIFIED - FOR OFFICIAL USE ONLY

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:
 1. 28 AUG 2002/1500 - 28 AUG 2002/1800; ROAD ADJACENT TO U.S.
 ARMY FIRE BASE, LWARA, AFGHANISTAN

2. DATE/TIME REPORTED: 25 SEP 2002, 1630

3. INVESTIGATED BY: SA [REDACTED] b7c-1, b6-1, b2

4. SUBJECT: 1. [REDACTED] b7c-5, b6-5 ; CPT ; [REDACTED]
 [REDACTED] M; WHITE; ODA 343, 2/3RD SPECIAL FORCES GROUP, BAGRAM AIR FIELD, AFGHANISTAN, APO AE 09354; CT; [CONSPIRACY],
 [DERELICTION OF DUTY], [MURDER], [OBSTRUCTION OF JUSTICE]. b7c-5, b6-5

2. [REDACTED] b7c-5, b6-5 SFC ; [REDACTED]
 [REDACTED] M; WHITE; ODA 343, 2/3RD SPECIAL FORCES GROUP, BAGRAM AIR FIELD, AFGHANISTAN, APO AE 09354; CT; [CONSPIRACY],
 [DERELICTION OF DUTY], [MURDER]. b7c-5, b6-5

3. [REDACTED] b7c-5, b6-5 SSG ; [REDACTED]
 [REDACTED] M; WHITE; ODA 343, 2/3RD SPECIAL FORCES GROUP; BAGRAM AIR FIELD, AFGHANISTAN, APO AE 09354; CT; [CONSPIRACY], [MURDER]. b7c-5, b6-5

4. [REDACTED] b7c-5, b6-5 SSG ; [REDACTED]
 [REDACTED] M; WHITE; ODA 343, 2/3RD SPECIAL FORCES GROUP, BAGRAM AIR FIELD, AFGHANISTAN, APO AE 09354; CT; [CONSPIRACY], [DERELICTION OF DUTY], [MURDER]. b7c-5, b6-5

[ADD] 5. [REDACTED] b7c-5, b6-5 CW2 ; [REDACTED]
 [REDACTED] M; WHITE; ODA 343, 2/3RD SPECIAL FORCES GROUP, BAGRAM AIR FIELD, AFGHANISTAN, APO AE 09354; CT; [ACCESSORY BEFORE THE FACT]. b7c-5, b6-5

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5. VICTIM: 1. SAYARI, MOHAMED [DECEASED]; CIV; AFGHANISTAN; MORGAH, AFGHANISTAN; M; OTHER; LWARA, AFGHANISTAN; XZ; [NFI]; [CONSPIRACY], [MURDER].

2. US GOVERNMENT (2/3RD SF GROUP) BAF, APO AE 09354; [ACCESSORY BEFORE THE FACT], [DERELICTION OF DUTY], [OBSTRUCTION OF JUSTICE].

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 A CAMP STRONGHOLD FREEDOM INVESTIGATION."

THIS INVESTIGATION WAS INITIATED UPON NOTIFICATION FROM SSG [REDACTED], A CO, 519TH MILITARY INTELLIGENCE BATTALION, BAGRAM AIR FIELD, AFGHANISTAN, APO AE 09354 (BAF), THAT HE WAS SUSPICIOUS OF THE SHOOTING DEATH OF MR SAYARI BY A SPECIAL FORCES TEAM. *b7c-3, b6-3*

3RD STATUS: THIS STATUS REPORT WAS FORWARDED TO ADD CW2 [REDACTED] AS A SUBJECT OF THIS INVESTIGATION AND TO LIFT THE DISTRIBUTION RESTRICTIONS AS THIS WAS NOT PREVIOUSLY DONE. *b7c-5, b6-5*

ON 23 MAY 03, COORDINATION WAS EFFECTED WITH LTC [REDACTED] OFFICE OF THE STAFF JUDGE ADVOCATE, CJTF-180, BAF, WHO AFTER REVIEW OF THE ENTIRE INVESTIGATION OPINED CW2 [REDACTED] COMMITTED THE OFFENSE OF ACCESSORY AFTER THE FACT. LTC [REDACTED] BASED THIS OPINION ON CW2 [REDACTED] ADMISSION TO TAKING THE WEAPON THAT MR. SAYARI ALLEGEDLY HAD PRIOR TO BEING MURDERED AND LOSING THE WEAPON AT AN UNKNOWN LOCATION. *b7c-3, b6-3*

2ND STATUS: THIS STATUS REPORT WAS SUBMITTED TO FULLY IDENTIFY THE SUBJECTS OF THIS INVESTIGATION AND TO ADD ADDITIONAL OFFENSES. *b6-5, b6-3*

THE DELAY IN REPORTING WAS DUE TO THE GEOGRAPHIC LOCATION OF THE INVESTIGATION, NOT BEING SUPPORTED BY ACIRS, AND THE INABILITY TO TRANSMIT INFORMATION WHILE THE SYSTEM WAS DOWN.

INVESTIGATION REVEALED THAT CPT [REDACTED] COMMITTED THE ADDITIONAL OFFENSES OF DERELICTION OF DUTY AND OBSTRUCTION OF JUSTICE WHEN HE VIOLATED THE SOP FOR DETAINING CAPTIVES AND INSTRUCTED SFC [REDACTED] TO NOT FORWARD CERTAIN INCriminating PHOTOGRAPHS OF MR. SAYARI'S BODY AND TO DESTROY THEM. SFC [REDACTED] AND SFC [REDACTED] COMMITTED THE OFFENSE OF DERELICTION OF DUTY WHEN THEY VIOLATED THE SOP FOR DETAINING CAPTIVES. SSG [REDACTED] DID NOT COMMIT THE OFFENSE OF DERELICTION OF DUTY AS HE WAS NOT DIRECTLY INVOLVED IN HANDLING A DETAINED CAPTIVE. *b7c-5, b6-5*

ON 8 OCT 02, LTC [REDACTED] DEPUTY SJA, 18TH AIRBORNE CORPS, BAF, OPINED THERE WAS PROBABLE CAUSE TO BELIEVE CPT [REDACTED] COMMITTED THE ADDITIONAL OFFENSES OF DERELICTION OF DUTY AND OBSTRUCTION OF JUSTICE BASED ON THE TESTIMONIAL AND PHYSICAL EVIDENCE. SFC [REDACTED] AND SSG [REDACTED] COMMITTED THE ADDITIONAL OFFENSE OF DERELICTION OF DUTY BASED ON THE PHYSICAL *b7c-3, b6-3*

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AND TESTIMONIAL EVIDENCE.

REQUEST A USACRC NAME CHECK PERTAINING TO CPT [REDACTED] SFC [REDACTED] b7c-5, b6-5
[REDACTED] SSG [REDACTED] AND SSG [REDACTED] b7c-5, b6-5
b7c-5, b6-5 b7c-5, b6-5
INVESTIGATION CONTINUES BY USACIDC.

INITIAL:

THE DISTRIBUTION OF THIS REPORT IS RESTRICTED TO USACIDC CHANNELS ONLY TO PREVENT THE COMPROMISE OF SENSITIVE INFORMATION CONTAINED WITHIN THE REPORT THAT MAY ASSIST THE ALLEGED PERPETRATORS. THIS INFORMATION SHOULD BE HELD CLOSE HOLD UNTIL THE SUBJECTS ARE INTERVIEWED. THIS REQUEST IS TEMPORARY AND THE RESTRICTION WILL BE LIFTED AND NORMAL DISTRIBUTION WILL BE EFFECTED UPON COMPLETION OF THE INTERVIEWS.

PRELIMINARY INVESTIGATION REVEALED THAT MR. SAYARI HAD BEEN ROUTINELY FOLLOWING THE SF TEAM COMPRISED OF CPT [REDACTED], SSG [REDACTED] b7c-5, b6-5 AND SSG [REDACTED] b7c-5, b6-5, FOR SOME TIME AND REPORTING THEIR WHEREABOUTS TO AN UNKNOWN RECIPIENT. MR. SAYARI WAS NOT KNOWN TO BE THE ENEMY OR ASSOCIATED WITH THE ENEMY, BUT HIS ACTIONS REQUIRED A DETERMINATION BE MADE AS TO HIS INTENT AND REASONS. A DECISION WAS MADE TO LURE MR. SAYARI DOWN A ROAD NEAR A FIRE BASE IN LWARA, AFGHANISTAN, AND THEN CAPTURE HIM FOR QUESTIONING. MR. SAYARI WAS LURED DOWN THE ROAD AS PLANNED AND CAPTURED. UPON BEING QUESTIONED, MR. SAYARI'S WEAPON WAS TAKEN FROM HIM BY THE SF TEAM. THE TEAM THEN REPORTED WHILE ATTEMPTING TO RADIO IN THAT MR. SAYARI WAS CAPTURED AS PLANNED, MR. SAYARI LUNGED FOR HIS WEAPON AND ATTEMPTED TO POINT IT AT SFC [REDACTED] AND WAS SHOT ONCE IN THE STOMACH BY SSG [REDACTED] SFC [REDACTED] THEN TURNED AND FIRED FIVE ROUNDS AT THE CHEST OF MR. SAYARI AND SSG [REDACTED] b7c-5, b6-5 FIRED AN ADDITIONAL FOUR ROUNDS AT THE CHEST OF MR. SAYARI. SSG [REDACTED] b7c-5, b6-5 WAS THEN REQUESTED TO RESPOND TO THE SCENE TO DOCUMENT THE INCIDENT WITH PHOTOGRAPHS AND COLLECT DNA SAMPLES FROM MR. SAYARI'S BODY. WHEN SSG [REDACTED] b7c-5, b6-3 VIEWED MR. SAYARI'S BODY AND PHOTOGRAPHED IT, HE REALIZED THE EVIDENCE DID NOT MATCH THE ACCOUNT OF EVENTS RELATED BY THE SF TEAM. THERE WAS NO ENTRANCE WOUND EVIDENT ON MR. SAYARI'S BODY IN THE STOMACH AREA, AND THERE APPEARED TO BE ENTRANCE WOUNDS INTO MR. SAYARI'S BACK, AS WELL AS A QUESTIONABLE WOUND TO THE HEAD. THERE WERE NO ATTEMPTS TO RESUSCITATE MR. SAYARI AND NO MEDICAL TEAM RESPONDED TO THE SITE.

COORDINATIONS ARE BEING MADE WITH THE AFGHAN GOVERNMENT TO EXHUME MR. SAYARI'S BODY FOR A FORENSIC AUTOPSY, AND SUPPORT FOR THE FORENSIC AUTOPSY IS BEING REQUESTED FROM THE ARMED FORCES INSTITUTE OF PATHOLOGY.

AN EXAMINATION OF THE FORENSIC EVIDENCE BY CW3 [REDACTED] b7c-2, b6-2 FORENSIC SCIENCES OFFICER (FSO), USACIDC, REVEALED THE SHOOTING DEATH OF MR. SAYARI WAS A PROBABLE HOMICIDE AND DID NOT MATCH THE STATED ACCOUNT OF THE SF TEAM. IT WAS APPARENT THAT MR. SAYARI'S RIGHT HAND WAS PROBABLY RAISED BESIDE HIS HEAD CLUTCHING PRAYER BEADS AT THE TIME HE WAS SHOT IN THE HEAD. IT APPEARED THE BULLET WOUNDS TO THE BACK OF MR. SAYARI WERE

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ENTRANCE WOUNDS. A FORENSIC EXAMINATION OF MR. SAYARI IS NECESSARY TO SOLIDIFY THESE DETERMINATIONS.

INTERVIEWS OF THE SUBJECTS OF THIS INVESTIGATION ARE PENDING THEIR RETURN TO BAF FROM OPERATIONS AFIELD.

THE DELAY IN REPORTING WAS DUE TO SSG [REDACTED] AWAITING THE b7c-3, b6-3 OUTCOME OF AN INITIAL INVESTIGATION OF A COMBAT DEATH BY THE SJA, BAF. THAT INVESTIGATION DETERMINED NO WRONGDOING DUE TO CPT [REDACTED] CONTROLLING WHAT EVIDENCE WAS SUBMITTED TO THE SJA. b7c-5, b6-5 CPT [REDACTED] HAD INCOMPLETE AND MISLEADING EVIDENCE FORWARDED TO b7c-5, b6-5 THE SJA INVESTIGATING OFFICER. SSG [REDACTED] WAS IN THE FEAR OF b7c-3, b6-3 HIS SAFETY WHILE OPERATING WITH THE SF TEAM AND THIS ALSO AFFECTED HIS REPORTING THE INCIDENT TO LAW ENFORCEMENT.

REQUEST FOR USACRC NAME CHECKS PERTAINING TO CPT [REDACTED] b7c-5, b6-5 SFC [REDACTED], SSG, [REDACTED], AND SSG [REDACTED] WILL OCCUR UPON OBTAINING b7c-5, b6-5 COMPLETE IDENTIFYING DATA OF THE SUBJECTS.

INVESTIGATION CONTINUES BY THE USACIDC.

7. COMMANDERS ARE REMINDED OF THE PROVISIONS OF AR 600-8-2 PERTAINING TO SUSPENSION OF FAVORABLE PERSONNEL ACTIONS AND AR 380-67 FOR THE SUSPENSION OF SECURITY CLEARANCES OF PERSONS UNDER INVESTIGATION.

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

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UNITED STATES ARMY
CRIMINAL INVESTIGATION LABORATORY
4553 N 2ND
FOREST PARK GA 30297-5122

14 January 2003

Page 01 of 01

SEROLOGY/DNA DIVISION REPORT

SUBJECT: Submitter Case Number: 0114-02-CID369-23525
USACIL Referral Number: 2002-CID131-2225
Suspect(s): [REDACTED] b7c-5, b6-5
[REDACTED] b7c-5, b6-5
[REDACTED] b7c-5, b6-5
[REDACTED] b7c-5, b6-5

Exhibits:

3 - Necklace (prayer beads) (Item 1, Voucher 048-02).

Findings:

1. A chemical indication of blood was found on several beads from Exhibit 3, necklace. Quantities were insufficient for further testing.
2. This exhibit will be returned to the submitter upon completion of the analysis.
2. Please contact the undersigned examiner with any questions regarding this analysis at com. (404)469-[REDACTED] DSN 797-[REDACTED], fax DSN 797-[REDACTED] or email [REDACTED]@usacil-acirs.army.mil. b7c-2, b6-2

[REDACTED] b7c-2, b6-2
Forensic Biologist

27



DEPARTMENT OF THE ARMY
US ARMY CRIMINAL INVESTIGATION LABORATORY
4553 N 2ND
FOREST PARK GA 30297-5122

REPLY TO
ATTENTION OF

CILA-BEP (195-2c)

22 January 2003

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, 87TH MILITARY POLICE
DETACHMENT, (ABN), (CID) (FWD), 507TH CGS, UZBEKISTAN BRANCH
OFFICE, APO AE 09311

SUBJECT: Submitter Case Number: 0114-02-CID369-23525
USACIL Referral Number: 2002-CID131-2225
Suspect(s): [REDACTED] b7c-5, b6-5

[REDACTED] b7c-5, b6-5
[REDACTED] b7c-5, b6-5
[REDACTED] b7c-5, b6-5

1. Enclosed is the Laboratory Exhibit Listing and Final Division Report for the following division: Serology/DNA.

2. Two original reports have been produced. One report is enclosed, as stated, and the other is kept in the official files of this laboratory and maintained IAW AR 25-400-2 and CIDR 195-1.

3. IAW AR 195-2, requests and fund cites for court appearances of Laboratory Examiners will be made at least 10 working days prior to the date of court proceedings.

4. POC is the Laboratory Operations Assistant, DSN 797-
[REDACTED] CM (404) 469-[REDACTED] FAX (404) 469-[REDACTED] / DSN 797-5767 b6-2

Encl

[REDACTED] b6-2, b7c-2
Deputy Records Custodian

EVIDENCE TO: SAC, 87TH MILITARY POLICE DETACHMENT, APOE1, THIRD
MILITARY POLICE GROUP, USACIDC, FORT BRAGG, NC 28310



AN ASCLD/LAB ACCREDITED LABORATORY (SINCE 1985)

CILA-BEP (195-c)

12 November 2002

MEMORANDUM FOR SA ^{b7c-1, b6-1} [REDACTED] INFO COPY for Seq# 1130-02-CID023

Evidence Submission Acknowledgment

Your Case Number: 0114-02-CID389-23525

USACIL Case Number: 2002-CID131-2225

Method of Receipt: RM # RB 890 211 909 US and Hand Carry from Fort Bragg, NC

RECEIVED ON: 8 NOV 2002

1. Your recent evidence submission has been received at the United States Army Criminal Investigation Laboratory.
2. Please cite both your case number and the above laboratory referral number on any future correspondence for this case. Please include your office Fax number and E-mail address on any future lab requests.
3. Your case is currently being processed as Routine ___ Expedite XX and the projected routing as:

Trace Evidence	_____
Serology/DNA	<u> X </u>
Questioned Document	_____
Latent Prints	_____
Drug Chemistry	_____
Firearms	<u> X </u>
Imaging & Tech Support	<u> X </u>

4. If you have any questions concerning the status of the case, or if you need to expedite/cancel the case, please contact us by phone, FAX, or E-mail. The numbers are as follows:

Telephone: Commercial (404) 469-^{b7c-2, b6-2}[REDACTED]
 DSN 797-^{b7c-2, b6-2}[REDACTED]
 FAX Commercial (404) 469-^{b7c-2, b6-2}[REDACTED]
 DSN 797-^{b7c-2, b6-2}[REDACTED]

E-mail ^{b7c-2, b6-2}[REDACTED]@usacil.acirs.army.mil or undersigned direct

5. POC is Email at ^{b7c-2, b6-2}[REDACTED]@usacil-acirs.army.mil

^{b7c-2, b6-2}[REDACTED]

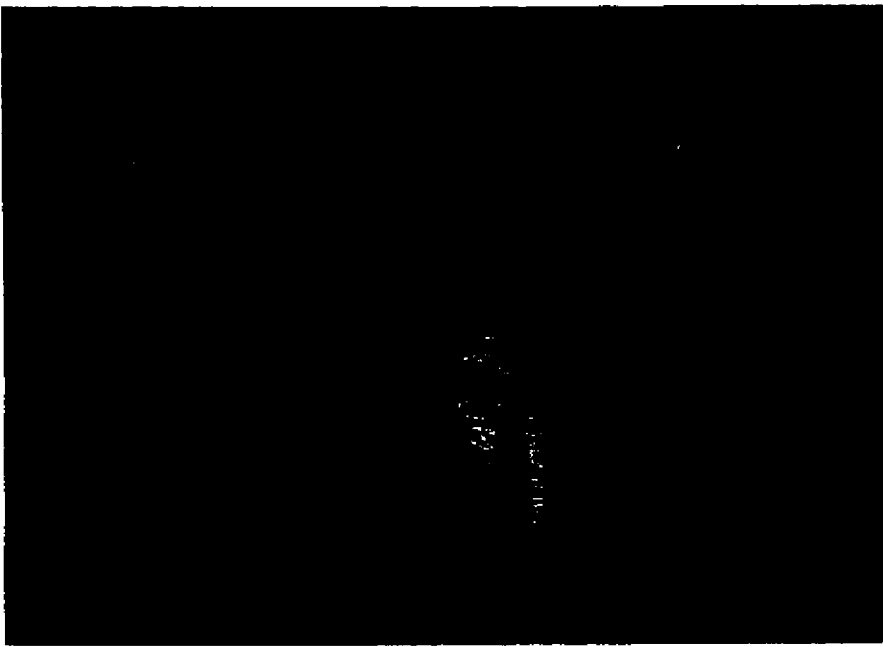
^{b7c-2, b6-2}[REDACTED]

Laboratory Operations Assistant
US Army Criminal Investigation Laboratory
Forest Park, Georgia 30297-5122
(404) 469-^{b7c-2, b6-2}[REDACTED] DSN 797-^{b7c-2, b6-2}[REDACTED]

MM

Completed.

✓ 22 Jan 03



Page(s)

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Referred to:

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

MS. JACQUELINE SCOTT
scottj@centcom.smil.mil
(813) 827 5341/2830

	[REDACTED]	b7C-3, b6-3
	[REDACTED]	b7C-5, b6-5
✓	SSG	[REDACTED]
✓	SSG	[REDACTED]
✓	SSG	[REDACTED]
✓	SSG	[REDACTED]
RFA	SSG	[REDACTED]
ARR	MSG	[REDACTED] b7C3, b63 ← IN STATES
	SPC	[REDACTED] b7C-3, b6-3
	SPC	[REDACTED] b7C-3, b6-3

Need SSNS

YAT D

Page(s)

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Referred to:

U.S. ARMY HUMAN
RESOURCES COMMAND
ATTENTION: AHRC-FOI, RM 7S65
200 STOVALL STREET
ALEXANDRIA, VIRGINIA 22332-0404

MR. THOM JONES
thom.jones@hoffman.army.mil
(703) 325-4053

INVESTIGATIVE WORKSHEET

DATA REQUIRED BY PRIVACY ACT

AUTHORITY

Title 10, United States Code Section 3012 (g)

ROUTINE USES:

Your social security number and other personal information are used as an additional/alternate means of identification to facilitate and retrieval.

PRINCIPAL PURPOSE:

To provide commanders and law enforcement officials with means by which information may be accurately identified

DISCLOSURE:

Disclosure of your social security # is voluntary

1. Rec Code:	2. Action Code:	3. Date:	4. Rel to Case:	5. Control:	6. Sequence #	7. Year:	8. Office - CID	9. ROI #	Offense:
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10. Last Name: [REDACTED]		11. First Name: [REDACTED]		12. Middle Name: b7c-5, b6-5		13. Grade/Rank: CWS				
14. Social Security Number: [REDACTED]		15. Other ID Number: b7c-5, b6-5		16. Date of Birth: b7c-5, b6-5		17. POB City: b7c-5, b6-5		18. POB St: [REDACTED]		19. POB Zip: b7c-5, b6-5
20. Sex: M	21. Race: C	22. Ethnic:	23. Hheight: 5'11"	24. Weight: 210	25. Hair: BLO	26. Eye Color: DCW	27. Citizen: US	28. Educ: 14	29. Prior Record: N	30. Marital: M
31. MOS: 190A	32. Job Description/Location:		33. MC:	34. Security Clr: TS SCI		35. Physical Marks/ Tattoos:		36. Spouse Military: Yes: <input type="checkbox"/> No: <input type="checkbox"/>		Branch:
37. Alias/Nicknames: [REDACTED] b7c-5, b6-5			38. Alias/Nicknames:			39. Alias/Nicknames:				
40. Unit/ Organization: HSC 2/3 SFLG(A)				41. Unit Phone Number: [REDACTED] b7c-5		Home: [REDACTED]		Cell/Pager: b7c-5, b6-5		
42. Military Service:		43. Sub Unit:		44. Fort/City:		45. State: b7c-5, b6-5		46. Country:		47. Zip Code/APO:
48. Home Address: b7c-5, b6-5			49. City: b7c-5, b6-5		50. State: [REDACTED]		51. Country:		52. Zip Code/APO: b7c-5, b6-5	

53. JUV:		54. Family Rel:		55. Sponsor Last Name:		56. Sponsor First Name:		57. Sponsor Middle Name:	
58. Sponsor Social Security:			59. Sponsor Grade/Rank:		60. Sponsor MC:		61. Sponsor Unit:		
62. Sponsor City:			63. Sponsor State:		64. Sponsor ZIP/APO:		65. Sponsor Phone: Wk:		Hm:

66. Offense Code:	67. UFC:	68. Offense Code:	69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:	73. UFC:
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Telephone:		ETS:	PCS/DEROS:		Date / Time Interview START:	
					Date:	Time:
Place of Interview:				Date / Time Interview END:		
				Date:	Time:	
Disposition:						

74. Category:		75. Type:	76. Recovered: Yes: <input type="checkbox"/> No: <input type="checkbox"/>	77. Value:	78. Insurer:	Policy:	Year/Date Exp: /
79. Year:	80. Make		81. Model:	82. Vehicle Style:	83. # of Doors:	84. Color:	85. Size:
86. V.I.N			87. License Plate:	88. State:	89. DOD Decal Number		

NOTES:

LAST HIV TEST:

DATA REQUIRED BY PRIVACY ACT									
AUTHORITY: Title 10, United States Code Section 3012 (g)					ROUTINE USES: Your social security number and other personal information are used as an additional/alternate means of identification to facilitate and retrieval.				
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.					DISCLOSURE: Disclosure of your social security # is voluntary				
1. Rec Code:	2. Action Code:	3. Date:	4. Rel to Case:	5. Control:	6. Sequence #	7. Year: 1185	8. Office: - CID	9. ROI #	Offense:
10. Last Name: [REDACTED] b7c-4, b6-4		11. First Name: [REDACTED] b7c-4, b6-4		12. Middle Name: b7c-4, b6-4		13. Grade/Rank: 55G1E6			
14. Social Security Number: [REDACTED] b7c-4, b6-4		15. Other ID Number:		16. Date of Birth: b7c-4, b6-4		17. POB City: b7c-4, b6-4		18. POB: [REDACTED] b7c-4, b6-4	
20. Sex: M	21. Race: M	22. Ethnic: 65	23. Height: 65	24. Weight: 165	25. Hair: BLK	26. Eye Color: HZL	27. Citizen: US	28. Educ: 2yr	30. Marital: M
31. MOS: 18B	32. Job Description/Location: HCA416C920NS		33. MC: SP	34. Security Clr: SF	35. Physical Marks/ Tattoos: -		36. Spouse Military: Yes <input type="checkbox"/> No <input type="checkbox"/>		Branch:
37. Alias/Nicknames:			38. Alias/Nicknames:			39. Alias/Nicknames:			
40. Unit/ Organization: ACO 213 rd SFC				41. Unit Phone Number: 2-[REDACTED] b7c-4, b6-4		Home: [REDACTED] b7c-4, b6-4 Cell/Pager: [REDACTED] b7c-4, b6-4			
42. Military Service: USA		43. Sub Unit: -		44. Fort/City: Ft + Biggs		45. State: NC		46. Country: US	
48. Home Address: b7c-4, b6-4		49. City: b7c-4, b6-4		50. State: b7c-4		51. Country: b6-4		52. Zip Code/APO: [REDACTED]	
33. JUV:	34. Family Rel:	35. Sponsor Last Name:		36. Sponsor First Name:		37. Sponsor Middle Name:			
38. Sponsor Social Security:		39. Sponsor Grade/Rank:		60. Sponsor MC:		61. Sponsor Unit:			
62. Sponsor City:		63. Sponsor State:		64. Sponsor ZIP/APO:		65. Sponsor Phone: Wk:		Hm:	
OFFENSE									
66. Offense Code:	67. UFC:	68. Offense Code:	69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:	73. UFC:		
ADMINISTRATIVE DATA									
Telephone:		ETS:		PCS/DEROS:		Date / Time Interview START: Date: Time:			
Place of Interview:					Date / Time Interview END: Date: Time:				
Disposition:									
PROPERTY/VEHICLE DATA									
74. Category:		75. Type:		76. Recovered: Yes <input type="checkbox"/> No <input type="checkbox"/>		77. Value:		78. Insurer: Policy: Year/Date Exp: /	
79. Year:		80. Make:		81. Model:		82. Vehicle Style:		83. # of Doors: 84. Color: 85. Size:	
86. VIN:			87. License Plate:		88. State:		89. DOD Decal Number:		
NOTES: HOP [REDACTED] b7c-4, b6-4									
LAST HIV TEST:									

MIY - 10/10/10

IN CAMP Somewhere. Overhead 3/4 guys were looking at camp with Binos. Grabbed my weapon & climbed on top of building to provide security. Couldn't see anything.

During daylight hours. Someone (doesn't know who) said shots had been fired. Didn't look at body. [REDACTED] ¹⁰⁻⁵¹⁶⁶⁻⁵ couple other guys were involved. Doesn't know who else. Doesn't recall if there was a meeting or AAR.

Doesn't know what was done re weapon.

Came back on emergency leave Aug 10 10:50.

Team came back & that's when he 1st heard about 2nd shooting. Said they were being looked at for shooting someone.

Stopped a guy, searched vehicle & he went to weapon; so they shot him.

Team hasn't discussed 2nd shooting as far as he knows.

DATA REQUIRED BY PRIVACY ACT											
AUTHORITY: Title 10, United States Code Section 3012 (g)				ROUTINE USES: Your social security number and other personal information are used as an additional/alternate means of identification to facilitate and retrieval.							
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.						DISCLOSURE: Disclosure of your social security # is voluntary					
1. Rec Code:	2. Action Code:	3. Date:	4. Rel to Case:	5. Control:	6. Sequence #	7. Year:	8. Office - CID	9. ROI #	Offense:		
PERSONAL DATA											
10. Last Name: [REDACTED] b7c-4, b6-4			11. First Name: [REDACTED] b7c-4, b6-4			12. Middle Name: b7c-4, b6-4			13. Grade/Rank: SFC		
14. Social Security Number: [REDACTED] b7c-4, b6-4			15. Other ID Number: [REDACTED] b7c-4, b6-4			16. Date of Birth: [REDACTED] b7c-4, b6-4			17. POB City: b7c-4, b6-4		18. POB State: [REDACTED] b7c-4, b6-4
19. POB Zip: [REDACTED] b7c-4, b6-4	20. Sex: M	21. Race: C	22. Ethnic:	23. Height: 69	24. Weight: 150	25. Hair: BRN	26. Eye Color: HBL	27. Citizen: US	28. Educ: 14Y	29. Prior Record: -	30. Marital: M
31. MOS: 97B		32. Job Description/Location: Counter Intell.		33. MC:	34. Security Clr: TS		35. Physical Marks/ Tattoos:			36. Spouse Military: Yes: <input type="checkbox"/> No: <input type="checkbox"/>	
37. Alias/Nicknames:				38. Alias/Nicknames:				39. Alias/Nicknames:			
40. Unit/ Organization: GSC 3rd SFG				41. Unit Phone Number: 2 - [REDACTED]				Home: [REDACTED]		Cell/Pager: [REDACTED] b7c-4, b6-4	
42. Military Service: USA		43. Sub Unit:		44. Fort/City:		45. State: b7c-4, b6-4		46. Country:		47. Zip Code/APO:	
48. Home Address: [REDACTED] b7c-4, b6-4			49. City: [REDACTED] b7c-4, b6-4			50. State: [REDACTED] b7c-4, b6-4		51. Country: [REDACTED] b7c-4, b6-4		52. Zip Code/APO: [REDACTED] b7c-4, b6-4	
SPONSOR DATA											
53. JUV:		54. Family Rel:		55. Sponsor Last Name:			56. Sponsor First Name:			57. Sponsor Middle Name:	
58. Sponsor Social Security:				59. Sponsor Grade/Rank:		60. Sponsor MC:		61. Sponsor Unit:			
62. Sponsor City:			63. Sponsor State:		64. Sponsor ZIP/APO:			65. Sponsor Phone: Wk:		Hm:	
OFFENSE											
66. Offense Code:		67. UFC:		68. Offense Code:		69. UFC:		70. Offense Code:		71. UFC:	
72. Offense Code:		73. UFC:									
ADMINISTRATIVE DATA											
Telephone:		ETS:		PCS/DEROS:			Date / Time Interview START:				
							Date:		Time:		
Place of Interview:						Date / Time Interview END:					
						Date:		Time:			
Disposition:											
PROPERTY/VEHICLE DATA											
74. Category:		75. Type:		76. Recovered: Yes: <input type="checkbox"/> No: <input type="checkbox"/>		77. Value:		78. Insurer:		Policy:	
										Year/Date Exp:	
79. Year:		80. Make:		81. Model:		82. Vehicle Style:		83. # of Doors:		84. Color:	85. Size:
86. V.I.N:				87. License Plate:		88. State:		89. DOD Decal Number			
NOTES: HCR [REDACTED] b7c-4, b6-4											
LAST HIV TEST:											

DATA REQUIRED BY PRIVACY ACT

AUTHORITY: Title 10, United States Code Section 3012 (g)

ROUTINE USES: Your social security number and other personal information are used as an additional/alternate means of identification to facilitate and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified

DISCLOSURE: Disclosure of your social security # is voluntary

1. Rec Code:	2. Action Code:	3. Date:	4. Rel to Case:	5. Control:	6. Sequence #	7. Year:	8. Office - CID	9. ROI #	Offense:			
<p>10. Last Name: [REDACTED] b7c-4, b6-4</p> <p>11. First Name: [REDACTED] b7c-4, b6-4</p> <p>12. Middle Name: b7c-4, b6-4</p> <p>13. Grade/Rank: E7</p>												
14. Social Security Number: [REDACTED] b7c-4, b6-4		15. Other ID Number: [REDACTED] b7c-4, b6-4		16. Date of Birth: b7c-4, b6-4		17. POB City: b7c-4, b6-4		18. POB St: [REDACTED] b7c-4, b6-4		19. POB Zip: [REDACTED] b7c-4, b6-4		
20. Sex: M	21. Race: H	22. Ethnic:	23. Height: 71	24. Weight: 192	25. Hair: BL	26. Eye Color: BRN	27. Citizen: US	28. Edu: 14	29. Prior Record: N	30. Marital: S		
31. MOS: 18C		32. Job Description/Location:		33. MC:	34. Security Clr: SECRET		35. Physical Marks/ Tattoos: b7c-4, b6-4		36. Spouse Military: Yes: <input type="checkbox"/> No: <input type="checkbox"/>			
37. Alias/Nicknames:			38. Alias/Nicknames:			39. Alias/Nicknames:						
40. Unit/ Organization: A Co 2/3 SFG(A) ODA 343				41. Unit Phone Number: b7c-4, b6-4		Home: [REDACTED]		Cell/Pager: b7c-4, b6-4				
42. Military Service: USA		43. Sub Unit: b7c-4, b6-4		44. Fort/City:		45. State: b7c-4, b6-4		46. Country:		47. Zip Code/APO:		
48. Home Address: [REDACTED] b7c-4, b6-4		49. City: b7c-4, b6-4		50. State: [REDACTED] b7c-4, b6-4		51. Country:		52. Zip Code/APO: [REDACTED] b7c-4, b6-4				
FAMILY MEMBER DATA												
53. JUV:		54. Family Rel:		55. Sponsor Last Name:		56. Sponsor First Name:		57. Sponsor Middle Name:				
58. Sponsor Social Security:			59. Sponsor Grade/Rank:		60. Sponsor MC:		61. Sponsor Unit:					
62. Sponsor City:			63. Sponsor State:		64. Sponsor ZIP/APO:		65. Sponsor Phone: Wk:		Hm:			
OFFENSE												
66. Offense Code:		67. UFC:		68. Offense Code:		69. UFC:		70. Offense Code:		71. UFC:	72. Offense Code:	73. UFC:
ADMINISTRATIVE DATA												
Telephone:		ETS:		PCS/DEROS:		Date / Time Interview START:						
Place of Interview: CID OFFICE						Date:		Time:				
Disposition:						Date / Time Interview END:		Date:		Time:		
PROPERTY/VEHICLE DATA												
74. Category:		75. Type:		76. Recovered: Yes: <input type="checkbox"/> No: <input type="checkbox"/>		77. Value:		78. Insurer: Policy:		Year/Date Exp: /		
79. Year:		80. Make:		81. Model:		82. Vehicle Style:		83. # of Doors:		84. Color:	85. Size:	
86. V.I.N.:			87. License Plate:		88. State:		89. DOD Decal Number:					
NOTES:												
LAST HIV TEST:												

DATA REQUIRED BY PRIVACY ACT												
AUTHORITY: Title 10, United States Code Section 3012 (g)					ROUTINE USES: Your social security number and other personal information are used as an additional/alternate means of identification to facilitate and retrieval.							
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.					DISCLOSURE: Disclosure of your social security # is voluntary							
1. Rec Code:	2. Action Code:	3. Date:	4. Rel to Case:	5. Control:	6. Sequence #	7. Year:	8. Office	9. ROI #	Offense: CID			
10. Last Name:			11. First Name:		12. Middle Name: b7c-3, b6-3		13. Grade/Rank: O3					
14. Social Security Number: b7c-3, b6-3		15. Other ID Number:		16. Date of Birth: b7c-3, b6-3		17. POB City: b7c-3, b6-3		18. POB St: b7c-3, b6-3		19. POB Zip:		
20. Sex: M	21. Race: B	22. Ethnic:	23. Height: 72	24. Weight: 197	25. Hair: BLK	26. Eye Color: BRN	27. Citizen: US	28. Educ: 16	29. Prior Record: N	30. Marital: M		
31. MOS: 18A	32. Job Description/Location:		33. MC:	34. Security Clr: TS	35. Physical Marks/Tattoos:			36. Spouse Military: Yes <input type="checkbox"/> No <input type="checkbox"/>		Branch:		
37. Alias/Nicknames:			38. Alias/Nicknames:			39. Alias/Nicknames: b7c-3, b6-3						
40. Unit/Organization: DET CIDL B CO 2/3 SFG(A)				41. Unit Phone Number: Home: Cell/Pager:								
42. Military Service:		43. Sub Unit:		44. Fort/City:		45. State:		46. Country:		47. Zip Code/APO:		
48. Home Address: b7c-3, b6-3		49. City: b7c-3, b6-3		50. State:		51. Country:		52. Zip Code/APO:				
FAMILY MEMBER DATA												
53. JUV:		54. Family Rel:		55. Sponsor Last Name:		56. Sponsor First Name:		57. Sponsor Middle Name:				
58. Sponsor Social Security:			59. Sponsor Grade/Rank:		60. Sponsor MC:		61. Sponsor Unit:					
62. Sponsor City:			63. Sponsor State:		64. Sponsor ZIP/APO:		65. Sponsor Phone: Wk:		Hm:			
OFFENSE												
66. Offense Code:		67. UFC:		68. Offense Code:		69. UFC:		70. Offense Code:		71. UFC:	72. Offense Code:	73. UFC:
ADMINISTRATIVE DATA												
Telephone:		ETS:		PCS/DEROS:			Date / Time Interview START: Date: Time:					
Place of Interview:						Date / Time Interview END: Date: Time:						
Disposition:												
PROPERTY/VEHICLE DATA												
74. Category:		75. Type:		76. Recovered: Yes <input type="checkbox"/> No <input type="checkbox"/>		77. Value:		78. Insurer:		Policy:	Year/Date Exp:	
79. Year:		80. Make:		81. Model:		82. Vehicle Style:		83. # of Doors:	84. Color:	85. Size:		
86. V.I.N.:				87. License Plate:		88. State:		89. DOD Decal Number:				
NOTES: 1350, 14 NOV 02												
LAST HIV TEST:												

CID FORM 44-R...Online version

FHTX, 1999

EARLY MORN, SET UP FIRE-BASE

EARLY JUL LEFT CAMP. ROUTE RETURN
CPT [REDACTED] 67C-5, 66-5

MID DAY - AFTERNOON

OP OBSERVED 2 GUYS COME ACROSS RIDGE LINE TOGETHER
THEY STOPPED OLD GUY AND MENTION
Z COMING TO SHELTER

PERSONNEL OBSERVED

GUYS GOING TO RAMP DIRECTED GUYS
THEY WENT OUT

SENT ELEMENT TO OLD GUY

SENT DIFFERENT ELEMENT TO KIDS

Z OF THE CAMP
RAMP
SHELTER

OBSERVED THEM TO

SEEMED TO GRAB MACHINERY

EMERGENCY MARCHED ON PART OF GUY

DIDNT SEE DETAILS

HEARD MACHINERY SHOT

THEY BECAME DEAD GUY IN

AREA IF THEY KNEW HIM, SAID NO INITIALLY NOW YES

TOOK HIM BACK TO THE SITE

SFC [REDACTED] ENGAGED 67C-5, 66-5

- COUPLE OF 41 GUYS

- SSG [REDACTED] 67C-5, 66-5

[REDACTED] SAID HE WENT TO ENGAGE 67C-5, 66-5

WENT TO THE CAMP AREA LEFT

WENT TO SEARCH ON LEFT SIDE Muzzle down

DATA REQUIRED BY PRIVACY ACT

AUTHORITY: Title 10, United States Code Section 3012 (g)

ROUTINE USES: Your social security number and other personal information are used as an additional/alternate means of identification to facilitate and retrieval

1130-02-CID023-

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

DISCLOSURE: Disclosure of your social security # is voluntary

1. Rec Code: 2. Action Code: 3. Date: 4. Rel to Case: 5. Control: 6. Sequence #: 7. Year: 8. Office: 9. ROI #: Offense: CID

10. Last Name: [REDACTED] b7C-3, b6-3 11. First Name: [REDACTED] b7C-3, b6-3 12. Middle Name: [REDACTED] b7C-3, b6-3 13. Grade/Rank: EC

14. Social Security Number: [REDACTED] b7C-3, b6-3 15. Other ID Number: [REDACTED] b7C-3, b6-3 16. Date of Birth: [REDACTED] b7C-3, b6-3 17. POB City: [REDACTED] b7C-3, b6-3 18. POB St: [REDACTED] b7C-3, b6-3 19. POB Zip: [REDACTED] b7C-3, b6-3

20. Sex: M 21. Race: C 22. Ethnic: S8 23. Height: 165 24. Weight: [REDACTED] 25. Hair: [REDACTED] 26. Eye Color: HAZ 27. Citizen: US 28. Educ: 15 29. Prior Record: N 30. Marital: S

31. MOS: 12E 32. Job Description/Location: [REDACTED] 33. MC: [REDACTED] 34. Security Clr: [REDACTED] 35. Physical Marks/ Tattoos: [REDACTED] 36. Spouse Military: Yes: [] No: [] Branch: [REDACTED]

37. Alias/Nicknames: [REDACTED] 38. Alias/Nicknames: [REDACTED] 39. Alias/Nicknames: [REDACTED]

40. Unit/ Organization: [REDACTED] 41. Unit Phone Number: 2312 Home: Cell/Pager: [REDACTED]

42. Military Service: [REDACTED] 43. Sub Unit: [REDACTED] 44. Fort/City: [REDACTED] 45. State: [REDACTED] 46. Country: [REDACTED] 47. Zip Code/APO: [REDACTED]

48. Home Address: [REDACTED] City: [REDACTED] b7C-3, b6-3 50. State: [REDACTED] 51. Country: [REDACTED] 52. Zip Code/APO: [REDACTED] b7C-3, b6-3

53. JUV: [REDACTED] 54. Family Rel: [REDACTED] 55. Sponsor Last Name: [REDACTED] 56. Sponsor First Name: [REDACTED] 57. Sponsor Middle Name: [REDACTED]

58. Sponsor Social Security: [REDACTED] 59. Sponsor Grade/Rank: [REDACTED] 60. Sponsor MC: [REDACTED] 61. Sponsor Unit: [REDACTED]

62. Sponsor City: [REDACTED] 63. Sponsor State: [REDACTED] 64. Sponsor ZIP/APO: [REDACTED] 65. Sponsor Phone: Wk: [REDACTED] Hm: [REDACTED]

66. Offense Code: [REDACTED] 67. UFC: [REDACTED] 68. Offense Code: [REDACTED] 69. UFC: [REDACTED] 70. Offense Code: [REDACTED] 71. UFC: [REDACTED] 72. Offense Code: [REDACTED] 73. UFC: [REDACTED]

Telephone: [REDACTED] ETS: [REDACTED] PCS/DEROS: [REDACTED] Date / Time Interview START: Date: [REDACTED] Time: [REDACTED]

Place of Interview: [REDACTED] Date / Time Interview END: Date: [REDACTED] Time: [REDACTED]

Disposition: [REDACTED]

74. Category: [REDACTED] 75. Type: [REDACTED] 76. Recovered: Yes: [] No: [] 77. Value: [REDACTED] 78. Insurer: [REDACTED] Policy: [REDACTED] Year/Date Exp: [REDACTED]

79. Year: [REDACTED] 80. Make: [REDACTED] 81. Model: [REDACTED] 82. Vehicle Style: [REDACTED] 83. # of Doors: [REDACTED] 84. Color: [REDACTED] 85. Size: [REDACTED]

86. VIN: [REDACTED] 87. License Plate: [REDACTED] 88. State: [REDACTED] 89. DOD Decal Number: [REDACTED]

NOTES: *Leinn*

LAST HIV TEST: [REDACTED]

INVESTIGATIVE WORKSHEET

DATA REQUIRED BY PRIVACY ACT

AUTHORITY: Title 10, United States Code Section 3012 (g) **ROUTINE USES:** Your social security number and other personal information are used as an additional/alternate means of identification to facilitate and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified. **DISCLOSURE:** Disclosure of your social security # is voluntary

1. Rec Code:	2. Action Code:	3. Date:	4. Rel to Case:	5. Control:	6. Sequence #	7. Year:	8. Office - CID	9. ROI #	Offense:
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IDENTIFY DATA

10. Last Name: [REDACTED] 676-3, 66-3	11. First Name: [REDACTED] 676-3, 66-3	12. Middle Name: [REDACTED] 676-3, 66-3	13. Grade/Rank: OS								
14. Social Security Number: [REDACTED] 4 676-3 66-3	15. Other ID Number:	16. Date of Birth: 676-3, 66-3	17. POB City: 676-3, 66-3	18. POB St:	19. POB Zip: 676-3, 66-3						
20. Sex: M	21. Race: C	22. Ethnic: 6	23. Height: 6	24. Weight: 175	25. Hair: BLU	26. Eye Color: BLU	27. Citizen: US	28. Educ: 16	29. Prior Record: N	30. Marital: M	
31. MOS: 18A	32. Job Description/Location:	33. MC:	34. Security Clr:	35. Physical Marks/ Tattoos:			36. Spouse Military: Yes <input type="checkbox"/> No <input type="checkbox"/>	Branch:			
37. Alias/Nicknames:			38. Alias/Nicknames:			39. Alias/Nicknames:					
40. Unit/Organization: 2/3 SP6 (A)				41. Unit Phone Number:			Home:		Cell/Pager:		
42. Military Service: 676-3, 66-3		43. Sub Unit:		44. Fort/City:		45. State:		46. Country:		47. Zip Code/APO:	
48. Home Address: [REDACTED]			49. City: 676-3, 66-3		50. State:		51. Country:		52. Zip Code/APO:		

FAMILY MEMBER DATA

53. JUV:	54. Family Rel:	55. Sponsor Last Name:		56. Sponsor First Name:		57. Sponsor Middle Name:				
58. Sponsor Social Security:			59. Sponsor Grade/Rank:		60. Sponsor MC:		61. Sponsor Unit:			
62. Sponsor City:			63. Sponsor State:		64. Sponsor ZIP/APO:		65. Sponsor Phone:		Wk:	Hm:

OFFENSE

66. Offense Code:	67. UFC:	68. Offense Code:	69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:	73. UFC:
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ADMINISTRATIVE DATA

Telephone:	ETS:	PCS/DEROS:	Date / Time Interview START:		
			Date:	Time:	
Place of Interview:			Date / Time Interview END:		
			Date:	Time:	
Disposition:					

PROPERTY/VEHICLE DATA

74. Category:	75. Type:	76. Recovered: Yes <input type="checkbox"/> No <input type="checkbox"/>	77. Value:	78. Insurer:	Policy:	Year/Date Exp:	
79. Year:	80. Make:	81. Model:		82. Vehicle Style:	83. # of Doors:	84. Color:	85. Size:
86. V.I.N:		87. License Plate:	88. State:	89. DOD Decal Number:			

NOTES: 1700 7 Nov 02

LAST HIV TEST:

Page(s)

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Referred to:

U.S. ARMY HUMAN
RESOURCES COMMAND
ATTENTION: AHRC-FOI, RM 7S65
200 STOVALL STREET
ALEXANDRIA, VIRGINIA 22332-0404

MR. THOM JONES
thom.jones@hoffman.army.mil
(703) 325-4053

DATA REQUIRED BY PRIVACY ACT											
AUTHORITY: Title 10, United States Code Section 3012 (g)					ROUTINE USES: Your social security number and other personal information are used as an additional/alternate means of identification to facilitate and retrieval.						
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.					DISCLOSURE: Disclosure of your social security # is voluntary						
1. Rec Code:	2. Action Code:	3. Date:	4. Rel to Case:	5. Control:	6. Sequence #	7. Year:	8. Office CID	9. ROI #	Offense:		
10. Last Name: [REDACTED] 11. First Name: [REDACTED] 12. Middle Name: [REDACTED] 13. Grade/Rank: 1E6A											
14. Social Security Number: [REDACTED]			15. Other ID Number: [REDACTED]		16. Date of Birth: [REDACTED]		17. POB City: [REDACTED]		18. POB St: [REDACTED] 19. POB Zip: [REDACTED]		
20. Sex: M	21. Race: C	22. Ethnic: 22	23. Height: 69	24. Weight: 185	25. Hair: BRN	26. Eye Color: BIV	27. Citizen: US	28. Educ: AA	29. Prior Record: -	30. Marital: M	
31. MOS: 18E		32. Job Description/Location: Commo		33. MC: SP	34. Security Clr: SE		35. Physical Marks/ Tattoos:			36. Spouse Military: Yes: <input type="checkbox"/> No: <input type="checkbox"/>	
37. Alias/Nicknames:				38. Alias/Nicknames:				39. Alias/Nicknames:			
40. Unit/ Organization: 213 rd SFG					41. Unit Phone Number: 2-			Home: [REDACTED] Cell/Pager: [REDACTED]			
42. Military Service: USA		43. Sub Unit: [REDACTED]		44. Fort/City: Fort Bragg		45. State: NC		46. Country: US		47. Zip Code/APO: 28310	
48. Home Address: [REDACTED]			49. City: [REDACTED]		50. State: [REDACTED]		51. Country: [REDACTED]		52. Zip Code/APO: [REDACTED]		
FAMILY MEMBER DATA											
53. JUV:	54. Family Rel:	55. Sponsor Last Name:			56. Sponsor First Name:			57. Sponsor Middle Name:			
58. Sponsor Social Security:			59. Sponsor Grade/Rank:		60. Sponsor MC:		61. Sponsor Unit:				
62. Sponsor City:			63. Sponsor State:		64. Sponsor ZIP/APO:		65. Sponsor Phone: Wk:		Hm:		
OFFENSE											
66. Offense Code:		67. UFC:		68. Offense Code:		69. UFC:		70. Offense Code:		71. UFC:	
72. Offense Code:		73. UFC:		74. Offense Code:		75. UFC:		76. Offense Code:		77. UFC:	
ADMINISTRATIVE DATA											
Telephone:		ETS:		PCS/DEROS:			Date / Time Interview START:				
Place of Interview:		Date:		Time:		Date / Time Interview END:					
Date:		Time:		Disposition:							
PROPERTY/VEHICLE DATA											
74. Category:		75. Type:		76. Recovered: Yes: <input type="checkbox"/> No: <input type="checkbox"/>		77. Value:		78. Insurer: Policy:		Year/Date Exp:	
79. Year:		80. Make:		81. Model:		82. Vehicle Style:		83. # of Doors:		84. Color:	
85. Size:		86. V.I.N.:			87. License Plate:		88. State:		89. DOD Decal Number:		
NOTES: HOR: [REDACTED] 1576-3, 66-3 JUL											
LAST HIV TEST:											

LAWRENCE

ARRIVED 18 MAY 2002

LEFT OCT 6

wasn't at either
shootings.

1st man walking with gun. told him to stop he
was threatening movie & got shot

2nd

TOOK GUN FROM VICTIM Leaned Against vehicle
He got deluged & they shot him

" [redacted] " ←
" [redacted] " b7c-5, b6-5
" [redacted] " b7c-5, b6-5

Believed they

Brought weapon back from 1st incident
possible on second.

341 - tried to build rapport

343 - aggressive stuff

b7c-5, b6-5

[redacted] told him later that day "they shot him,
several times, and
he kept moving"

DID NOT know individual from 2nd incident

DATA REQUIRED BY PRIVACY ACT

AUTHORITY:

Title 10, United States Code Section 3012 (g)

ROUTINE USES: Your social security number and other personal information are used as an additional/alternate means of identification to facilitate and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

DISCLOSURE: Disclosure of your social security # is voluntary

1. Rec Code:	2. Action Code:	3. Date:	4. Rel to Case:	5. Control:	6. Sequence #	7. Year:	8. Office - CID	9. ROI #	Offense:
10. Last Name: [REDACTED] b7c-4, b6-4									
11. First Name: [REDACTED] b7c-4, b6-4			12. Middle Name: b7c-4, b6-4			13. Grade/Rank: E6			
14. Social Security Number: [REDACTED] b7c-4, b6-4			15. Other ID Number:		16. Date of Birth: b7c-4, b6-4		17. POB City: b7c-4, b6-4		18. POB St:
19. POB Zip: b7c-4, b6-4			20. Sex: M		21. Race: C		22. Ethnic:		23. Height: 71
24. Weight: 178		25. Hair: BRN		26. Eye Color: BLU		27. Church: US		28. Buns: 12	
29. Prior Record: N		30. Marital: M		31. MOS: 18D			32. Job Description/Location:		33. MC:
34. Security Clr: SECRET			35. Physical Marks/ Tattoos:			36. Spouse Military: Yes: <input type="checkbox"/> No: <input type="checkbox"/>		Branch:	
37. Alias/Nicknames:			38. Alias/Nicknames:			39. Alias/Nicknames:			
40. Unit/Organization: AC 2/3 SFG(A)				41. Unit Phone Number:		Home:		Cell/Pager: b7c-4, b6-4	
42. Military Service: b7c-4, b6-4		43. Sub Unit:		44. Fort/City: b7c-4, b6-4		45. State:		46. Country:	
47. Zip Code/APO:		48. Home Address: [REDACTED]		49. City: [REDACTED]		50. State: b7c-4, b6-4		51. Country:	
52. Zip Code/APO: b7c-4, b6-4		FAMILY MEMBER DATA							
53. JUV:		54. Family Rel:		55. Sponsor Last Name:		56. Sponsor First Name:		57. Sponsor Middle Name:	
58. Sponsor Social Security:			59. Sponsor Grade/Rank:		60. Sponsor MC:		61. Sponsor Unit:		
62. Sponsor City:			63. Sponsor State:		64. Sponsor ZIP/APO:		65. Sponsor Phone: Wk:		Hm:
OFFENSE									
66. Offense Code:		67. UFC:		68. Offense Code:		69. UFC:		70. Offense Code:	
71. UFC:		72. Offense Code:		73. UFC:					
ADMINISTRATIVE DATA									
Telephone:		ETS:		PCS/DEROS:		Date / Time Interview START:			
						Date:		Time:	
Place of Interview:						Date / Time Interview END:			
						Date:		Time:	
Disposition:									
PROPERTY/VEHICLE DATA									
74. Category:		75. Type:		76. Recovered: Yes: <input type="checkbox"/> No: <input type="checkbox"/>		77. Value:		78. Insurer: Policy:	
								Year/Date Exp:	
79. Year:		80. Make:		81. Model:		82. Vehicle Style:		83. # of Doors:	
								84. Color:	
								85. Size:	
86. VIN:			87. License Plate:		88. State:		89. DOD Decal Number:		
NOTES:									
LAST HIV TEST:									

INVESTIGATIVE HOUSING

DATA REQUIRED BY PRIVACY ACT

AUTHORITY: Title 10, United States Code Section 3012 (g) **ROUTINE USES:** Your social security number and other personal information are used as an additional/alternate means of identification to facilitate and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified. **DISCLOSURE:** 118C-02-CID023- Disclosure of your social security # is voluntary

1. Rec Code:	2. Action Code:	3. Date:	4. Rel to Case:	5. Control:	6. Sequence #	7. Year:	8. Office - CID	9. ROI #	Offense:
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IDENTITY DATA

10. Last Name:	11. First Name:	12. Middle Name:	13. Grade/Rank:
[REDACTED] b7C-4,664	[REDACTED] b7C-4,66-4	[REDACTED] b7C-4,66-4	SG
14. Social Security Number:	15. Other ID Number:	16. Date of Birth:	17. POB City:
[REDACTED] b7C-4,66-4	[REDACTED]	[REDACTED] b7C-4,66-4	[REDACTED] b7C-4,66-4
18. POB St:	19. POB Zip:	20. Sex:	21. Race:
[REDACTED] b7C-4,66-4	[REDACTED]	M	C
22. Ethnic:	23. Height:	24. Weight:	25. Hair:
	5'10"	170	BRN
26. Eye Color:	27. Citizen:	28. Educ:	29. Prior Record:
BRN	US	15	[REDACTED]
30. Marital:	31. MOS:	32. Job Description/Location:	33. MC:
M	18E		
34. Security Clr:	35. Physical Marks/ Tattoos:	36. Spouse Military:	Branch:
SECRET		Yes: <input type="checkbox"/> No: <input type="checkbox"/>	
37. Alias/Nicknames:	38. Alias/Nicknames:	39. Alias/Nicknames:	
40. Unit/Organization:	41. Unit Phone Number:	Home:	Cell/Pager:
ACB 2/3 576(A)	432 [REDACTED]	b7C-4,66-4	
42. Military Service:	43. Sub Unit:	44. Fort/City:	45. State:
46. Country:	47. Zip Code/APO:	48. Home Address:	49. City:
		b7C-4,66-4	b7C-4,66-4
50. State:	51. Country:	52. Zip Code/APO:	[REDACTED] b7C-4,66-4

SPONSOR DATA

53. JUV:	54. Family Rel:	55. Sponsor Last Name:	56. Sponsor First Name:	57. Sponsor Middle Name:
58. Sponsor Social Security:	59. Sponsor Grade/Rank:	60. Sponsor MC:	61. Sponsor Unit:	
62. Sponsor City:	63. Sponsor State:	64. Sponsor ZIP/APO:	65. Sponsor Phone:	Wk: Hm:

OFFENSE

66. Offense Code:	67. UFC:	68. Offense Code:	69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:	73. UFC:

ADMINISTRATIVE DATA

Telephone:	ETS:	PCS/DEROS:	Date / Time Interview START:
			Date: Time:
Place of Interview:	Date / Time Interview END:		
	Date: Time:		
Disposition:			

PROPERTY/VEHICLE DATA

74. Category:	75. Type:	76. Recovered:	77. Value:	78. Insurer:	Policy:	Year/Date Exp:
		Yes: <input type="checkbox"/> No: <input type="checkbox"/>				
79. Year:	80. Make:	81. Model:	82. Vehicle Style:	83. # of Doors:	84. Color:	85. Size:
86. V.I.N.:	87. License Plate:	88. State:	89. DOD Decal Number:			

NOTES:
TRAFFIC

LAST HIV TEST:

DATA REQUIRED BY PRIVACY ACT

AUTHORITY:

Title 10, United States Code Section 3012 (g)

ROUTINE USES: Your social security number and other personal information are used as an additional/alternate means of identification to facilitate and retrieval.

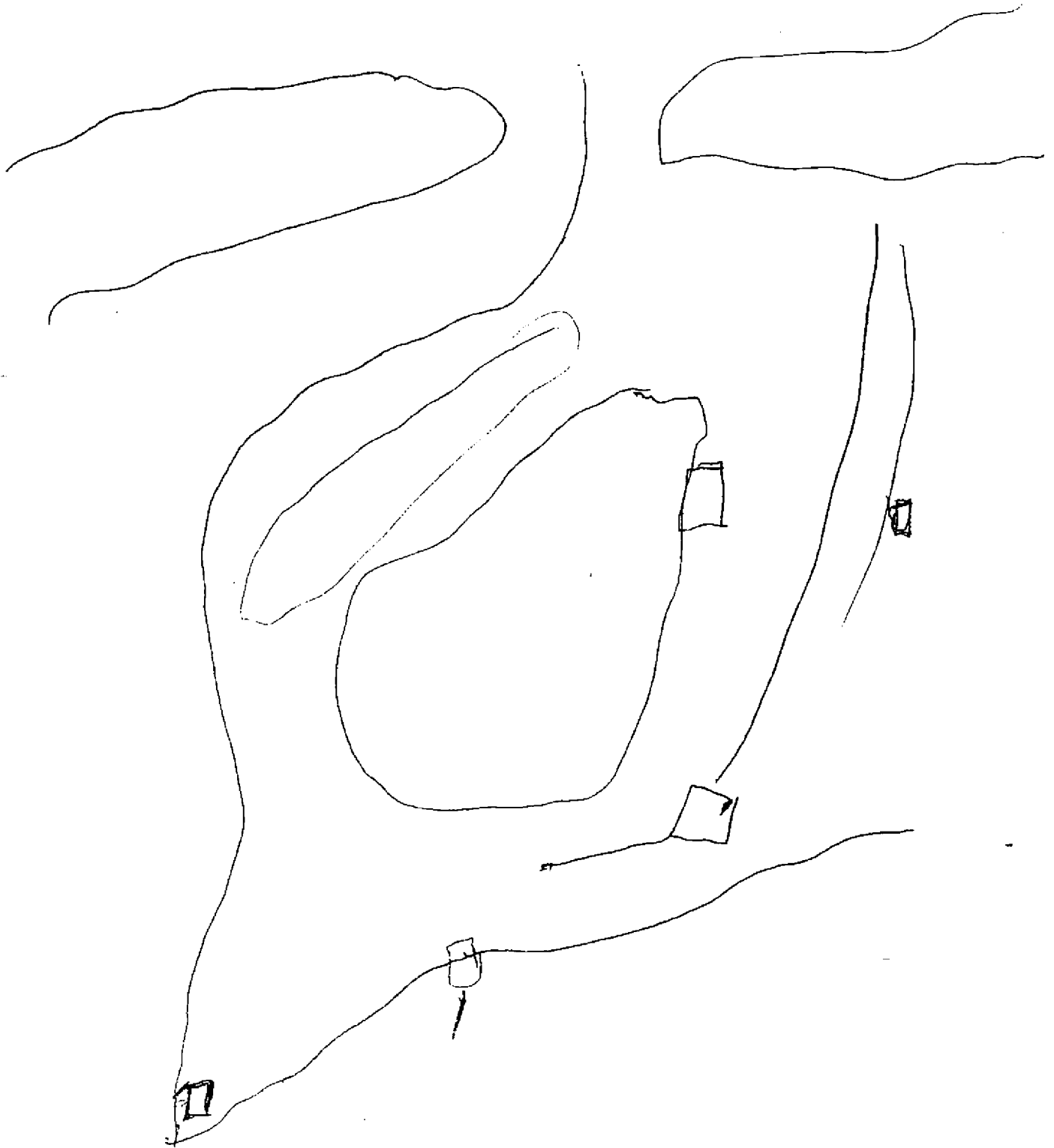
1130-02-CY D023-

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

DISCLOSURE: Disclosure of your social security # is voluntary

1. Rec Code:	2. Action Code:	3. Date: 5NOV02	4. Rel to Case: W	5. Control:	6. Sequence #	7. Year:	8. Office	9. ROI #	Offense:
					1130-02-CID 023-				
10. Last Name: b7c-4, b6-4			11. First Name: b7c-4, b6-4			12. Middle Name: b7c-4, b6-4		13. Grade/Rank: 1E6A	
14. Social Security Number: b7c-4, b6-4			15. Other ID Number:		16. Date of Birth: b7c-4		17. POB City: b7c-4, b6-4		18. POB St: b7c-4, b6-4
19. POB Zip:	20. Sex: M	21. Race: C	22. Ethnic:	23. Height: 75	24. Weight: 200	25. Hair: BR	26. Eye Color: BR	27. Citizen: US	28. Educ: ITS
29. Prior Record: -	30. Marital: M	31. MOS: 18C			32. Job Description/Location: ENGINEER		33. MC: SP	34. Security Clr: SE	
35. Physical Marks/Tatoos:			36. Spouse Military: Yes: <input type="checkbox"/> No: <input type="checkbox"/>			37. Branch:			
37. Alias/Nicknames:			38. Alias/Nicknames:			39. Alias/Nicknames:			
40. Unit/Organization: 2/310 ODA 31					41. Unit Phone Number: 2-		Home: b7c-4, b6-4		Cell/Pager: b7c-4, b6-4
42. Military Service: USA		43. Sub Unit:		44. Fort/City: Fort Bliss		45. State: NC		46. Country: US	
47. Zip Code/APO: 28210		48. Home Address: b7c-4, b6-4		49. City: b7c-4, b6-4		50. State: b7c-4		51. Country: b7c-4	
52. Zip Code/APO: b7c-4		53. JUV:		54. Family Rel:		55. Sponsor Last Name:		56. Sponsor First Name:	
57. Sponsor Middle Name:		58. Sponsor Social Security:		59. Sponsor Grade/Rank:		60. Sponsor MC:		61. Sponsor Unit:	
62. Sponsor City:		63. Sponsor State:		64. Sponsor ZIP/APO:		65. Sponsor Phone: Wk:		Hm:	
OFFENSES									
66. Offense Code:		67. UFC:		68. Offense Code:		69. UFC:		70. Offense Code:	
71. UFC:		72. Offense Code:		73. UFC:					
ADMINISTRATIVE DATA									
Telephone:		ETS:		PCS/DEROS:		Date / Time Interview START:			
						Date:		Time:	
Place of Interview:					Date / Time Interview END:				
					Date:				
					Time:				
Disposition:									
PROPERTY/VEHICLE DATA									
74. Category:		75. Type:		76. Recovered: Yes: <input type="checkbox"/> No: <input type="checkbox"/>		77. Value:		78. Insurer: Policy:	
79. Year:		80. Make:		81. Model:		82. Vehicle Style:		83. # of Doors:	
84. Color:		85. Size:		86. VIN: b7c-4, b6-4		87. License Plate:		88. State:	
89. DOD Decal Number:									
NOTES: HEP: [REDACTED]									
LAST HIV TEST:									

(1005) 5140 002



DATA REQUIRED BY PRIVACY ACT											
AUTHORITY: Title 10, United States Code Section 3012 (g)				ROUTINE USES: Your social security number and other personal information are used as an additional/alternate means of identification to facilitate and retrieval							
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.				DISCLOSURE: Disclosure of your social security # is voluntary							
1130-02-CID023-											
1. Rec Code:	2. Action Code:	3. Date:	4. Rel to Case:	5. Control:	6. Sequence #	7. Year:	8. Office:	9. ROI #	Offense:		
CID											
10. Last Name:			11. First Name:			12. Middle Name:			13. Grade/Rank:		
[REDACTED] b7C-3, b6-3			[REDACTED] b7C-3, b6-3			[REDACTED] b7C-3, b6-3			03		
14. Social Security Number:			15. Other ID Number:			16. Date of Birth:			17. POB City:		
[REDACTED] b7C-3, b6-3			[REDACTED] b7C-3, b6-3			[REDACTED] b7C-3, b6-3			[REDACTED] b7C-3, b6-3		
20. Sex:	21. Race:	22. Ethnic:	23. Height:	24. Weight:	25. Hair:	26. Eye Color:	27. Citizen:	28. Educ:	29. Prior Record:	30. Marital:	
M	C	22	70	200	RD	BRN	US	BS	-	M	
31. MOS:	32. Job Description/Location:		33. MC:	34. Security Clr:	35. Physical Marks/ Tattoos:			36. Spouse Military:		Branch:	
18A	DET CDR SP		SP	IS				Yes: <input type="checkbox"/> No: <input type="checkbox"/>			
37. Alias/Nicknames:				38. Alias/Nicknames:				39. Alias/Nicknames:			
40. Unit/ Organization:					41. Unit Phone Number:			Home:		Cell/Pager:	
213rd SFC					2- [REDACTED]			[REDACTED]		b7C-3, b6-3	
42. Military Service:		43. Sub Unit:		44. Fort/City:		45. State:		46. Country:		47. Zip Code/APO:	
USA				FBMC						28310	
48. Home Address:			49. City:			50. State:		51. Country:		52. Zip Code/APO:	
[REDACTED]			[REDACTED]			[REDACTED]		[REDACTED]		[REDACTED]	
53. JUV:	54. Family Rel:	55. Sponsor Last Name:			56. Sponsor First Name:			57. Sponsor Middle Name:			
		[REDACTED]			[REDACTED]			[REDACTED]			
58. Sponsor Social Security:			59. Sponsor Grade/Rank:			60. Sponsor MC:		61. Sponsor Unit:			
62. Sponsor City:			63. Sponsor State:		64. Sponsor ZIP/APO:		65. Sponsor Phone:		Wk: Hm:		
OFFENSE											
66. Offense Code:	67. UFC:	68. Offense Code:	69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:	73. UFC:				
ADMINISTRATIVE DATA											
Telephone:		ETS:		PCS/DEROS:		Date / Time Interview START:					
						Date:		Time:			
Place of interview:						Date / Time Interview END:					
						Date:		Time:			
Disposition:											
PROPERTY/VEHICLE DATA											
74. Category:		75. Type:		76. Recovered:		77. Value:		78. Insurer:		Policy:	
				Yes: <input type="checkbox"/> No: <input type="checkbox"/>						Year/Date Exp:	
79. Year:		80. Make:		81. Model:		82. Vehicle Style:		83. # of Doors:		84. Color:	
										85. Size:	
86. VIN:				87. License Plate:		88. State:		89. DOD Decal Number:			
NOTES:											
HCR [REDACTED] b7C-3, b6-3											
LAST HIV TEST:											

011

1005 100000 [redacted] b7c-4, b6-4

heard about man with B. no's was loading at camp
HIM & several SEALs (with AUGURS) LEFT CAMP ON OPPOSITE side
OF DZ / RANGE.

Heard over radio that man was shot. WASN'T
until 1300Z (END OF DAY MEETING) was when he
learned details about incident.

[redacted] HAS READ ALL statement for 1st & 2nd
1041 b6-4 incidents & CAN'T specifically recall details
on what was said.

POSTUM Phrases by Sgt [redacted] b7c-4, b6-4
WARNING SHOT

MOST Afghans had used weapons etiquette when
ASKED they would put weapons down and sit
next to them or sit & hold them.

IMD was hostile Belligerent.
b7c-5 b6-5

PT [redacted] Level HEADED & CALM SOFT SPOKEN

[redacted] b7c-5 b6-5 DID HIS JOB AS TEAM SERGEANT

41 (WHOLE TEAM) WAS OUT ON COM OP during 2nd incident.
1st MEET SAYARI DURING DEBRIEF OF FB LAWARA &
MEET AGAIN

LOCALS TOLD CPT [redacted] b7c-2, b6-3 - SAYARI was local "organizer"
HAD SGT. collected TOOLS from them "OGA SOURCES" of
CI NET - "Official Report" JAN WAS MADE TO grab him
& send to Bagram.

when team drove out, he saw SAYARI sitting AT GATE.
called him back. (Sergeant's friend) went to meet him. He called back
& someone said that [redacted] wanted to catch
HIM IN THE ACT. 41 LEFT TO go on mission &
was gone 48 hrs. upon return they heard about
SHOOTING.

DATA REQUIRED BY PRIVACY ACT

AUTHORITY

Title 10, United States Code Section 3012 (g)

ROUTINE USES:

Your social security number and other personal information are used as an additional/alternate means of identification to facilitate and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

DISCLOSURE: Disclosure of your social security # is voluntary

1. Rec Code:	2. Action Code:	3. Date:	4. Rel to Case:	5. Control:	6. Sequence #	7. Year:	8. Office:	9. ROI #	Offense:
							- CID		

10. Last Name:	11. First Name:	12. Middle Name:	13. Grade/Rank:
b7c-5, b6-5	b7c-5, b6-5	b7c-5, b6-5	CN2

14. Social Security Number:	15. Other ID Number:	16. Date of Birth:	17. POB City:	18. POB St:	19. POB Zip:
b7c-5, b6-5	b7c-5, b6-5	67	b7c-5, b6-5		

20. Sex:	21. Race:	22. Ethnic:	23. Height:	24. Weight:	25. Hair:	26. Eye Color:	27. Citizen:	28. Educ:	29. Prior Record:	30. Marital:
M	C		71	182	BROWN	US	US	1484	-	M

31. MOS:	32. Job Description/Location:	33. MC:	34. Security Clr:	35. Physical Marks/ Tattoos:	36. Spouse Military:	Branch:
180A	TECHNICIAN	SP	SE		Yes: <input type="checkbox"/> No: <input type="checkbox"/>	

37. Alias/Nicknames:	38. Alias/Nicknames:	39. Alias/Nicknames:

40. Unit/ Organization:	41. Unit Phone Number:	Home:	Cell/Pager:
AC 213 1D SFC	2 -		b7c-5, b6-5

42. Military Service:	43. Sub Unit:	44. Fod/City:	45. State:	46. Country:	47. Zip Code/APO:
USA		FBNIC	b7c-5, b6-5	b7c-4, b6-5	528310

48. Home Address:	49. City:	50. State:	51. Country:	52. Zip Code/APO:
b7c-4, b6-5	b7c-4, b6-5			b7c-5, b6-5

53. JUV:	54. Family Rel:	55. Sponsor Last Name:	56. Sponsor First Name:	57. Sponsor Middle Name:

58. Sponsor Social Security:	59. Sponsor Grade/Rank:	60. Sponsor MC:	61. Sponsor Unit:

62. Sponsor City:	63. Sponsor State:	64. Sponsor ZIP/APO:	65. Sponsor Phone:	Wk:	Hm:

66. Offense Code:	67. UFC:	68. Offense Code:	69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:	73. UFC:

ADMINISTRATIVE DATA

Telephone:	ETS:	PCS/DEROS:	Date / Time Interview START:
			Date: Time:

Place of Interview:	Date / Time Interview END:
	Date: Time:

Disposition:

PROPERTY/VEHICLE DATA

74. Category:	75. Type:	76. Recovered:	77. Value:	78. Insurer:	Policy:	Year/Date Exp:
		Yes: <input type="checkbox"/> No: <input type="checkbox"/>				

79. Year:	80. Make:	81. Model:	82. Vehicle Style:	83. # of Doors:	84. Color:	85. Size:

86. V.I.N.:	87. License Plate:	88. State:	89. DOD Decal Number:

NOTES:
 H.R. [REDACTED] b7c-5, b6-5
 [REDACTED]

LAST HIV TEST:

IDENTIFICATION WORKSHEET

DATA REQUIRED BY PRIVACY ACT

AUTHORITY: Title 10, United States Code Section 3012 (g) ROUTINE USES: Your social security number and other personal information are used as an additional/alternate means of identification to facilitate and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified. DISCLOSURE: Disclosure of your social security # is voluntary

1. Rec Code: 2. Action Code: 3. Date: 4. Ref to Case: 5. Control: 6. Sequence #: 7. Year: 8. Office - CID 9. ROI #: Offense:

PERSONAL DATA

10. Last Name: 11. First Name: 12. Middle Name: 13. Grade/Rank: 14. Social Security Number: 15. Other ID Number: 16. Date of Birth: 17. POB City: 18. POB St: 19. POB Zip: 20. Sex: 21. Race: 22. Ethnic: 23. Height: 24. Weight: 25. Hair: 26. Eye Color: 27. Citizen: 28. Educ: 29. Prior Record: 30. Marital: 31. MOS: 32. Job Description/Location: 33. MC: 34. Security Clr: 35. Physical Marks/Tattoos: 36. Spouse Military: 37. Alias/Nicknames: 38. Alias/Nicknames: 39. Alias/Nicknames: 40. Unit/Organization: 41. Unit Phone Number: 42. Military Service: 43. Sub Unit: 44. Fort/City: 45. State: 46. Country: 47. Zip Code/APO: 48. Home Address: 49. City: 50. State: 51. Country: 52. Zip Code/APO:

SPONSOR DATA

53. JUV: 54. Family Rel: 55. Sponsor Last Name: 56. Sponsor First Name: 57. Sponsor Middle Name: 58. Sponsor Social Security: 59. Sponsor Grade/Rank: 60. Sponsor MC: 61. Sponsor Unit: 62. Sponsor City: 63. Sponsor State: 64. Sponsor ZIP/APO: 65. Sponsor Phone: Wk: Hm:

66. Offense Code: 67. UFC: 68. Offense Code: 69. UFC: 70. Offense Code: 71. UFC: 72. Offense Code: 73. UFC:

ADMINISTRATIVE DATA

Telephone: ETS: PCS/DEROS: Date/Time Interview START: Date: Time: Place of Interview: Date/Time Interview END: Date: Time: Disposition:

PROPERTY/VEHICLE DATA

74. Category: 75. Type: 76. Recovered: Yes: No: 77. Value: 78. Insurer: Policy: Year/Date Exp: 79. Year: 80. Make: 81. Model: 82. Vehicle Style: 83. # of Doors: 84. Color: 85. Size: 86. V.I.N: 87. License Plate: 88. State: 89. DOD Decal Number:

NOTES: [Redacted] 1570-4, 66-4

LAST HIV TEST:

INVESTIGATIVE WORKSHEET

DATA REQUIRED BY PRIVACY ACT

AUTHORITY: Title 10, United States Code Section 3012 (g) ROUTINE USES: Your social security number and other personal information are used as an additional/alternate means of identification to facilitate and retrieval.

1130-02-CID023-

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified. DISCLOSURE: Disclosure of your social security # is voluntary

1. Rec Code:	2. Action Code:	3. Date:	4. Rel to Case:	5. Control:	6. Sequence #	7. Year:	8. Office	9. ROI #	Offense:
							- CID		

INDIVIDUAL DATA

10. Last Name:	1070-3,66-3	11. First Name:	670-5, 66-3	12. Middle Name:	670-2,66-3	13. Grade/Rank:	MSG
14. Social Security Number:	670-3, 66-3	15. Other ID Number:		16. Date of Birth:	670-3, 66-3	17. POB City:	670-3, 66-3
18. POB St:		19. POB Zip:	670-3, 66-3	20. Sex:	M	21. Race:	C
22. Ethnic:		23. Height:	5'8"	24. Weight:	160	25. Hair:	GRY
26. Eye Color:	BLU	27. Citizen:	US	28. Educ:	14	29. Prior Record:	
30. Marital:	M	31. MOS:	18E	32. Job Description/Location:		33. MC:	
34. Security Clr:	TS-SC-11	35. Physical Marks/ Tattoos:		36. Spouse Military:	Yes: <input type="checkbox"/> No: <input type="checkbox"/>	Branch:	
37. Alias/Nicknames:		38. Alias/Nicknames:		39. Alias/Nicknames:			
40. Unit/ Organization:	A Co 2/3 RD	41. Unit Phone Number:	2-438	Home:	670-3, 66-3	Cell/Pager:	
42. Military Service:		43. Sub Unit:	SFG (A)	44. Fort/City:		45. State:	
46. Country:		47. Zip Code/APO:		48. Home Address:	670-3, 66-3	49. City:	670-3, 66-3
50. State:		51. Country:		52. Zip Code/APO:	28304 670-3, 66-3		

SPONSOR MEMBER DATA

53. JUV:	54. Family Rel:	55. Sponsor Last Name:	56. Sponsor First Name:	57. Sponsor Middle Name:
58. Sponsor Social Security:	59. Sponsor Grade/Rank:	60. Sponsor MC:	61. Sponsor Unit:	
62. Sponsor City:	63. Sponsor State:	64. Sponsor ZIP/APO:	65. Sponsor Phone	Wk: Hm:

OFFENSE

66. Offense Code:	67. UFC:	68. Offense Code:	69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:	73. UFC:

ADMINISTRATIVE DATA

Telephone:	ETS	PCS/DEROS:	Date / Time Interview START:
			Date: Time:
Place of Interview:		Date / Time Interview END:	
		Date: Time:	

Disposition:

PROPERTY/VEHICLE DATA

74. Category:	75. Type:	76. Recovered:	77. Value:	78. Insurer:	Policy:	Year/Date Exp:
		Yes: <input type="checkbox"/> No: <input type="checkbox"/>				
79. Year:	80. Make:	81. Model:	82. Vehicle Style:	83. # of Doors:	84. Color:	85. Size:
86. V.I.N.:	87. License Plate:	88. State:	89. DOD Decal Number:			

NOTES:
1052 - 100

LAST HIV TEST:

UNSUBSIDIABLE INFORMATION

DATA REQUIRED BY PRIVACY ACT

AUTHORITY: Title 10, United States Code Section 3012 (g) **ROUTINE USES:** Your social security number and other personal information are used as an additional/alternate means of identification to facilitate and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified. **DISCLOSURE:** Disclosure of your social security # is voluntary

1. Rec Code:	2. Action Code:	3. Date:	4. Rel to Case:	5. Control:	6. Sequence #	7. Year:	8. Office - CID	9. ROI #	Offense:
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INDIVIDUAL DATA

10. Last Name: ██████████ b7c-3, b6-3			11. First Name: ██████████ b7c-3, b6-3			12. Middle Name: b7c-3, b6-3			13. Grade/Rank: 04											
14. Social Security Number: ██████████ b7c-3, b6-3			15. Other ID Number: ██████████ b7c-3, b6-3			16. Date of Birth: b7c-3, b6-3			17. POB City: b7c-3, b6-3			18. POB St: ██████████ b7c-3, b6-3			19. POB Zip: ██████████ b7c-3, b6-3					
20. Sex: M	21. Race: C	22. Ethnic:	23. Height:	24. Weight:	25. Hair:	26. Eye Color:	27. Citizen:	28. Educ:	29. Prior Record:	30. Marital:										
31. MOS:			32. Job Description/Location:			33. MC:			34. Security Clr:			35. Physical Marks/ Tattoos:			36. Spouse Military: Yes: <input type="checkbox"/> No: <input type="checkbox"/>			Branch:		
37. Alias/Nicknames:						38. Alias/Nicknames:						39. Alias/Nicknames:								
40. Unit/Organization: CDR B Co						41. Unit Phone Number:						Home: Cell/Pager:								
42. Military Service:			43. Sub Unit:			44. Fort/City:			45. State:			46. Country:			47. Zip Code/APO:					
48. Home Address:			49. City:			50. State:			51. Country:			52. Zip Code/APO:								

FAMILY MEMBER DATA

53. JUV:		54. Family Rel:		55. Sponsor Last Name:			56. Sponsor First Name:			57. Sponsor Middle Name:			
58. Sponsor Social Security:				59. Sponsor Grade/Rank:				60. Sponsor MC:		61. Sponsor Unit:			
62. Sponsor City:			63. Sponsor State:			64. Sponsor ZIP/APO:			65. Sponsor Phone: Wk: Hm:				

OFFENSE

66. Offense Code:	67. UFC:	68. Offense Code:	69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:	73. UFC:
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ADMINISTRATIVE DATA

Telephone:	ETS:	PCS/DEROS:	Date / Time Interview START: Date: Time:	
Place of Interview:			Date / Time Interview END: Date: Time:	
Disposition:				

PROPERTY/VEHICLE DATA

74. Category:		75. Type:		76. Recovered: Yes: <input type="checkbox"/> No: <input type="checkbox"/>		77. Value:		78. Insurer:		Policy:		Year/Date Exp:	
79. Year:		80. Make:		81. Model:		82. Vehicle Style:		83. # of Doors:		84. Color:		85. Size:	
86. VIN:				87. License Plate:		88. State:		89. DOD Decal Number:					

NOTES: none / 18 NOV 02.

LAST HIV TEST:

INVESTIGATIVE WORKSHEET
1130-02-CID023

NAME : ██████████ b7c-3, b6-3
SSAN : ██████████ b7c-3, b6-3
GRADE : E7/SFC MOS: 18B30

DOB : ██████████
POB : ██████████ b7c-3, b6-3

SEX: M RACE: U HEIGHT: 66 WEIGHT: 160 HAIR: BLK EYES: BRN

BUILD: M GLASSES: N MARRIED: M DEPENDENTS:

SCARS : ██████████ b7c-3, b6-3

REMARKS: HOR: ██████████ b7c-3, b6-3

ORGANIZATION: A COMPANY, 2ND BATTALION, 3RD SPECIAL FORCES GROUP, FORT
BRAGG, NC 28310
PHONE : (910) 432 ██████████ b7c-3, b6-3

CURRENT ADDRESS: ██████████ b7c-3, b6-3
PHONE : ██████████, b6-3

SPONSOR INFORMATION: NONE.

CID FORM 44 (ACIRS Generated)

INDIVIDUAL BIO

Last Name [REDACTED] b7c-3, b6-3 Juvenile N
 First Name [REDACTED] b7c-3, b6-3 Deceased N
 Middle Name [REDACTED] b7c-3, b6-3 Fugitive
 Grade/Rank 1E7A Date of Birth [REDACTED] b7c-3, b6-3
 Soc Sec No. [REDACTED] b7c-3, b6-3 Birth: City [REDACTED] b7c-3, b6-3
 Other ID State [REDACTED] b7c-3, b6-3
 Province
 Sponsor SSN Country [REDACTED] b7c-3, b6-3

Sex M Height 71 Citizen US
 Race C Weight 200 Education 16
 Ethnicity 20 Hair BRN Prior Criminal Rcd N
 Eyes BRN Marital Status S
 MOS 97E40

Physical Features/Scars/Tatoos

----- Military Address -----		----- Current Residence -----	
Unit/Org	GROUP SUPPORT COMPANY, 3RD SP	Address	[REDACTED] b7c-3, b6-3
City	FORT BRAGG	City	[REDACTED] b7c-3, b6-3
State	NC Zip Code 283105000	State	[REDACTED] b7c-3, b6-3
Province	CUMBERLAND COUNTY	Zip Code	[REDACTED] b7c-3, b6-3
Country	US	Province	[REDACTED] b7c-3, b6-3
Telephone	432-[REDACTED] b7c-3, b6-3	Country	[REDACTED] b7c-3, b6-3
		Telephone	[REDACTED] b7c-3, b6-3

INDIVIDUAL BIO

----- Business Address ----- Contractor DUNS
 Name Contract Number
 Address
 City
 State Zip Code
 Province
 Country
 Telephone

 ICOM SP ETS 28 Feb 2006
 Employment Position PCS/DEROS
 Employment Industry Interview Begin 01 Oct 2002 1000
 Security Clearance SE End
 Mil Service Affected Fingerprint N
 Sub Unit Affected Photo N
 Vehicle License No. NC:
 Vehicle Description 2001 BLUE VOLKSWAGEN VAN

 Duty Location INTERROGATOR
 Remarks: CAMPER

INDIVIDUAL BIO

Last Name [REDACTED] b7c-3, b6-3 Juvenile N
 First Name [REDACTED] b7c-3, b6-3 Deceased N
 Middle Name [REDACTED] b7c-3, b6-3 Fugitive
 Grade/Rank 1E4A Date of Birth [REDACTED] b7c-3, b6-3
 Soc Sec No. [REDACTED] b7c-3, b6-3 Birth: City [REDACTED] b7c-3, b6-3
 Other ID State [REDACTED] b7c-3, b6-3
 Province
 Sponsor SSN Country US

Sex M Height 69 Citizen US
 Race C Weight 200 Education 13
 Ethnicity 21 Hair BRN Prior Criminal Recd N
 Eyes BRN Marital Status S
 MOS 97B10

Physical Features/Scars/Tatoos

[REDACTED] b7c-3, b6-3

----- Military Address -----

----- Current Residence -----

Unit/Org HHC, 3RD SPECIAL FORCES GROUP
 City FORT BRAGG
 State NC Zip Code 283105000
 Province
 Country US
 Telephone 432-[REDACTED] b7c-3, b6-3

Address BUILDING UNKNOWN, ROOM [REDACTED]
 City [REDACTED] b7c-3, b6-3
 State [REDACTED] Zip Code [REDACTED] b7c-3, b6-3
 Province
 Country US
 Telephone [REDACTED] b7c-3, b6-3

INDIVIDUAL BIO

----- Business Address ----- Contractor DUNS
 Name Contract Number
 Address
 City
 State Zip Code
 Province
 Country
 Telephone

COM SP ETS 11 Sep 2005
 Employment Position PCS/DEROS
 Employment Industry Interview Begin 01 Oct 2002 1000
 Security Clearance TS End 01 Oct 2002
 Mil Service Affected Fingerprint N
 Sub Unit Affected Photo N
 Vehicle License No. TEMP TAG
 Vehicle Description 2002 TOYOTA TACOMA BLACK

Duty Location HHC, 3RD SFG

Remarks: HOR

b7c-3, b6-3

INVESTIGATIVE WORKSHEET

DATA REQUIRED BY PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012 (g)

ROUTINE USES: Your social security number and other personal information are used as an additional/alternate means of identification to facilitate filing and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified

DISCLOSURE: Disclosure of your social security number is voluntary

1 REC Code A4	2 Action Code	3 Date Submitted	4 SEQ Number	5 Year	6 Unit	7 ROI Number	8 Rel to Case	9 Control #
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INDIVIDUAL DATA

10 Last Name ██████████ 67C-3, 66-3		11 First Name ██████████ 67C-3, 66-3		12 Middle Name		13 Grade E 13		
14 Social Security Number ██████████ 67C-3, 66-3		15 Other ID Number		16 DOB 67C-3, 66-3		17 POB-City 67C-3, 66-3		
18 POB-ST 67C-3, 66-3		19 POB-CTY		20 Sex M		21 Race Hisp.		
22 Ethnic		23 Height 69"		24 Weight 160		25 Hair Blk		
26 Eye Brn		27 Citizen US		28 Educ 12		29 Prior Rcd N		
30 Martial M		31 MOS 11C		32 MCAC		33 Position		
34 Industry		35 Security NO		36 Physical Marks				
37 Alias- Nickname(s)			38 Alias- Nickname(s)			39 Alias- Nickname(s)		
40 Organization						41 If Contractor, Contract #		
42 Military SVC		43 Subunit		44 Fort/ City		45 State		46 Country
47 Zip Code/APO			48 Address		49 City		50 State	
51 Country		52 Zip Code						

FAMILY MEMBER DATA

53 JUV		54 Family Rel		55 Sponsor Last Name		56 Sponsor First Name		57 Sponsor Middle Name	
58 Social Security Number			59 SPON Grade 1		60 SPON MCAC		61 Sponsor Unit Address		
62 SPON City			63 SPON ST		64 SPON CTY		65 SPON Zip Code/APO		

OFFENSE

66 Offense Code		67 UFC		68 Offense Code		69 UFC		70 Offense Code		71 UFC		72 Offense Code		73 UFC	
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ADMINISTRATIVE DATA

Telephone # 415		ACS/PEROS		Date INTERV Start		Time INTERV Start	
25 MAY 04		JAN 03		Place of Interview Start		Place of Interview End	
Date INTERV End		Time INTERV End		Fingerprint		Photo	
Vehicle Data				Disposition			

CORPORATION DATA

74 Contractor Number			75 FED SER V/PROD #			76 Corporation Name		
77 Corp Address			78 Corp City		79 Corp State		80 Corp CTY	
81 Corp Zip Code			82 Contract Number					

NOTES

Cellular Phone Number:

CID Form 44-R (Automated)

Edition of 1 Aug 87 will be used until exhausted

DATA REQUIRED BY PRIVACY ACT

AUTHORITY

Title 10, United States Code Section 3012 (g)

ROUTINE USES:

Your social security number and other personal information are used as an additional/alternate means of identification to facilitate and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

DISCLOSURE: Disclosure of your social security # is voluntary

1. Rec Code:	2. Action Code:	3. Date:	4. Rel to Case:	5. Control:	6. Sequence #	7. Year:	8. Office	9. ROI #	Offense
								2000-010-038	

10. Last Name:	11. First Name:	12. Middle Name:	13. Grade/Rank:
[REDACTED] 6703, 66-3	[REDACTED] 670-3, 66-3	[REDACTED] 670-3, 66-3	E-5

14. Social Security Number:	15. Other ID Number:	16. Date of Birth:	17. POB City:	18. POB St:	19. POB Zip:
[REDACTED] 670-3, 66-3	[REDACTED]	[REDACTED] 670-3, 66-3	[REDACTED] 670-3, 66-3	[REDACTED]	[REDACTED] 670-3, 66-3

20. Sex:	21. Race:	22. Ethnic:	23. Height:	24. Weight:	25. Hair:	26. Eye Color:	27. Citizen:	28. Educ:	29. Prior Record:	30. Marital:
M	C		72	180	BRN	BLU	US	12	Y	M

31. MOS:	32. Job Description/Location:	33. MIC:	34. Security Clr:	35. Physical Marks/Tattoos:	36. Spouse Military:	Branch:
11C HB	check computer		Secret	[REDACTED] 670-3, 66-3	Yes: <input type="checkbox"/> No: <input type="checkbox"/>	

37. Alias/Nicknames:	38. Alias/Nicknames:	39. Alias/Nicknames:

40. Unit Organization:	41. Unit Phone Number:	Home:	Cell Pager:
AWO 1/505			

42. Military Service:	43. Sub Unit:	44. Fort/City:	45. State:	46. Country:	47. Zip Code APO:
ARMY ACTIVE					

48. Home Address:	49. City:	50. State:	51. Country:	52. Zip Code APO:

FAMILY MEMBER DATA

53. JUV:	54. Family Rel:	55. Last Name:	56. First Name:	57. Middle Name:

58. Social Security:	59. Grade/Rank:	60. MIC:	61. Unit:

62. City:	63. State:	64. ZIP APO:	65. Phone: Wk:	Home:

OFFENSE

66. Offense Code:	67. UFC:	68. Offense Code:	69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:	73. UFC:

ADMINISTRATIVE DATA

Telephone:	ETS:	PCS/DEROS:	Date / Time Interview START:
	29 Jan 03	01 Jan 03	Date: Time: 0600

Place of Interview:	Date / Time Interview END:
	Date: Time:

Disposition:

PROPERTY/VEHICLE DATA

74. Category:	75. Type:	76. Recovered:	77. Value:	78. Insurer:	Policy:	Year/Date Exp:
		Yes: <input type="checkbox"/> No: <input type="checkbox"/>				

79. Year:	80. Make:	81. Model:	82. Vehicle Style:	83. # of Doors:	84. Color:	85. Size:

86. VIN:	87. License Plate:	88. State:	89. DOD Decal Number:

NOTES:

LAST HIV TEST:

On 28 Aug 02 MY duty as SSG at Lower Firebase 4 Hill
I

truck approached the front gate two personal got out of the vehicle they both
entered the entrance of the firebase
approached myself and my two gate guards. We asked for an intercom to
come down to help us out to translate one special forces person and one intercom
came down to talk. Talking with the two for a few minutes then telling them
to leave. We further observed the vehicle as it left just out of sight it stopped
for a few minutes. Making my rounds
The SFO personal left then came right back asking if the
nationals had left and where they went. In return telling us that ~~that~~ ^{these} ~~that~~
personal was wanted for questioning. That vehicle they were driving has been
following our patients out and was seen around the base. I made my rounds
around the guard positions telling my guard to keep their eye out of
suspect activity.

INVESTIGATIVE WORKSHEET

DATA REQUIRED BY PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012 (g) **ROUTINE USES:** Your social security number and other personal information are used as an additional/alternate means of identification to facilitate filing and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified **DISCLOSURE:** Disclosure of your social security number is voluntary

1 REC Code A4	2 Action Code	3 Date Submitted	4 SEQ Number	5 Year	6 Unit	7 ROI Number	8 Rel to Case	9 Control #		
INDIVIDUAL DATA										
10 Last Name ██████████ 67C-3, 66-3			11 First Name 67C-3, 66-3		12 Middle Name 67C-3, 66-3		13 Grade SP4 / 12A			
14 Social Security Number 67C-3, 66-3		15 Other ID Number		16 DOB 67C-3, 66-3	17 POB-City 67C-3, 66-3	18 POB-ST 67C-3, 66-3	19 POB-CTY 67C-3, 66-3			
20 Sex M	21 Race H	22 Ethnic CL	23 Height 65	24 Weight 155	25 Hair BRN	26 Eye BLU	27 Citizen 1245	28 Educ 12	29 Prior Recd Y	30 Martial H
31 MOS 11C		32 MCAC		33 Position Counselor		34 Industry NONE		35 Security ██████████		36 Physical Marks ██████████ 67C-3, 66-3
37 Alias- Nickname(s)			38 Alias- Nickname(s)			39 Alias- Nickname(s)				
40 Organization HHC 1/505					41 If Contractor, Contract #					
42 Military SVC		43 Subunit		44 Fort/ City FORT Bliss		45 State DC	46 Country US	47 Zip Code/APO 28310		
48 Address				49 City		50 State	51 Country	52 Zip Code		
FAMILY MEMBER DATA										
53 JUV	54 Family Rel	55 Sponsor Last Name			56 Sponsor First Name		57 Sponsor Middle Name			
58 Social Security Number		59 SPON Grade 1	60 SPON MCAC		61 Sponsor Unit Address					
62 SPON City			63 SPON ST	64 SPON CTY		65 SPON Zip Code/APO				
OFFENSE										
66 Offense Code		67 UFC	68 Offense Code		69 UFC	70 Offense Code	71 UFC	72 Offense Code	73 UFC	
ADMINISTRATIVE DATA										
Telephone #		ETS 26 Jul 2004	PCS/DEROS 1 JAN 03		Date INTERV Start		Time INTERV Start			
Place of Interview Start		Date INTERV End	Time INTERV End		Place of Interview End		Fingerprint	Photo		
Vehicle Data					Disposition					
CORPORATION DATA										
74 Contractor Number			75 FED SERV/PROD #			76 Corporation Name				
77 Corp Address			78 Corp City		79 Corp State	80 Corp CTY	81 Corp Zip Code			
82 Contract Number										
NOTES ██████████ 67C-3, 66-3										
Cellular Phone Number:										

INVESTIGATIVE WORKSHEET

DATA REQUIRED BY PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012 (g)

ROUTINE USES: Your social security number and other personal information are used as an additional/alternate means of identification to facilitate filing and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified

DISCLOSURE: Disclosure of your social security number is voluntary

1 REC Code A4	2 Action Code	3 Date Submitted	4 SEQ Number	5 Year	6 Unit	7 ROI Number	8 Rel to Case	9 Control #
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INDIVIDUAL DATA

10 Last Name ██████████ b7c-3, b6-3				11 First Name ██████████ b7c-3, b6-3				12 Middle Name ██████████ b7c-3, b6-3				13 Grade CPT 1											
14 Social Security Number ██████████ b7c-3, b6-3				15 Other ID Number ██████████ b7c-3, b6-3				16 DOB ██████████ b7c-3, b6-3				17 POB-City ██████████ b7c-3, b6-3				18 POB-ST ██████████ b7c-3, b6-3				19 POB-CTY ██████████ b7c-3, b6-3			
20 Sex M		21 Race C		22 Ethnic		23 Height 5-7		24 Weight 165		25 Hair Blk		26 Eye Bln		27 Citizen US		28 Educ 16		29 Prior Rcd N		30 Martial M			
31 MOS 11A				32 MCAC				33 Position				34 Industry				35 Security Sec				36 Physical Marks			
37 Alias- Nickname(s)								38 Alias- Nickname(s)								39 Alias- Nickname(s)							

40 Organization										41 If Contractor, Contract #																								
42 Military SVC ARMY					43 Subunit					44 Fort/ City					45 State					46 Country					47 Zip Code/APO									
48 Address										49 City										50 State					51 Country					52 Zip Code				

FAMILY MEMBER DATA

53 JUV			54 Family Rel			55 Sponsor Last Name						56 Sponsor First Name						57 Sponsor Middle Name					
58 Social Security Number						59 SPON Grade /						60 SPON MCAC						61 Sponsor Unit Address					
62 SPON City						63 SPON ST						64 SPON CTY						65 SPON Zip Code/APO					

OFFENSE

66 Offense Code		67 UFC		68 Offense Code		69 UFC		70 Offense Code		71 UFC		72 Offense Code		73 UFC	
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ADMINISTRATIVE DATA

Telephone #			ETS ██████████			PCS/DEROS JAN 03			Date INTERV Start			Time INTERV Start					
Place of Interview Start			Date INTERV End			Time INTERV End			Place of Interview End			Fingerprint			Photo		
Vehicle Data									Disposition								

CORPORATION DATA

74 Contractor Number						75 FED SERV/PROD #						76 Corporation Name																	
77 Corp Address						78 Corp City						79 Corp State						80 Corp CTY						81 Corp Zip Code					
82 Contract Number																													

NOTES

Cellular Phone Number:

CID Form 44-R (Automated)

Edition of 1 Aug 87 will be used until exhausted

DATA REQUIRED BY PRIVACY ACT

AUTHORITY: Title 10, United States Code Section 3012 (g) ROUTINE USES: Your social security number and other personal information are used as an additional/alternate means of identification to facilitate and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified. DISCLOSURE: Disclosure of your social security # is voluntary

1. Rec Code:	2. Action Code:	3. Date:	4. Rel to Case:	5. Control:	6. Sequence #	7. Year:	8. Office	9. ROI #	Offense:
					0114 -	-2002	CID 038	-23525	

10. Last Name:	11. First Name:	12. Middle Name:	13. Grade/Rank:
67C-4,66-4	67C-4,66-4	67C-4,66-4	E-6/RA

14. Social Security Number:	15. Other ID Number:	16. Date of Birth:	17. POB City:	18. POB St:	19. POB Zip:
67C-4, 66-4		67C-4, 66-4	67C-4,66-4	67C-4	67C-4,66-4

20. Sex:	21. Race:	22. Ethnic:	23. Height:	24. Weight:	25. Hair:	26. Eye Color:	27. Citizen:	28. Educ:	29. Prior Record:	30. Marital:
M	C	20	74	200	BLN	GRN	US	12	N	M

31. MOS:	32. Job Description:	33. MC:	34. Security Clr:	35. Physical Marks/Tattoos:	36. Spouse Military:
18E	S.F. COMM	SE	TS		Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>

37. Alias/Nicknames:	38. Alias/Nicknames:	39. Alias/Nicknames:

40. Unit Organization:	41. Unit Phone Number:	Home:	Cell/Pager:
A 2ND BAT 3RD S.F. GROUP	(LOCAL)		

42. Military Service:	43. Sub Unit:	44. Fort/City:	45. State:	46. Country:	47. Zip Code APO:
		BAGG	N.C.	USA	28310

48. Home Address:	49. City:	50. State:	51. Country:	52. Zip Code APO:
67C-4, 66-4	67C-4,66-4	67C-4,66-4	67C-4,66-4	67C-4,66-4

FAMILY MEMBER DATA

53. JUV:	54. Family Rel:	55. Last Name:	56. First Name:	57. Middle Name:

58. Social Security:	59. Grade/Rank:	60. MC:	61. Unit:

62. City:	63. State:	64. ZIP APO:	65. Phone:	Wk:	Hm:

OFFENSES

66. Offense Code:	67. UFC:	68. Offense Code:	69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:	73. UFC:

ADMINISTRATIVE DATA

Telephone:	ETS:	PCS/DEROS:	Date / Time Interview START:
	6 AUG 06	6 AUG 06	Date: 2 OCT 02 Time: 1100 Z

Place of Interview:	Date / Time Interview END:
CID (BAGRAM FIELD OFFICE)	Date: 2 OCT 02 Time: 1247 Z

Disposition:

PROPERTY INFORMATION

74. Category:	75. Type:	76. Recovered:	77. Value:	78. Insurer:	Policy:	Year/Date Exp:
N/A	N/A	Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>				

79. Year:	80. Make:	81. Model:	82. Vehicle Style:	83. # of Doors:	84. Color:	85. Size:

86. V.I.N.:	87. License Plate:	88. State:	89. DOD Decal Number:

NOTES:

LAST HIV TEST:

APRIL 06 - 6 MONTHS
9 DAYS LATER DEPLOYED.

TRYING TO FIT IN
b7c-5, b6-5
MONTH BEFORE

IC - DIRECTOR
b7c-5, b6-5
QUIT



- DID NOT KNOW THEY LEFT FIRE BASE
- SO LONG AFTER
- BEST CALL
- TEAM OF CENTER
b7c-5, b6-5
- CPT [REDACTED]

b7c-5, b6-5
CPT [REDACTED] CHIEF.

b7c-5, b6-5
- Co + SFC
- BEST INTELL NOT
- DIST. TO [REDACTED]

NO KNOWLEDGE OF
SAYURAI

USM STOP GUY HAD INFO
HIT ON CHIEF. - SIGNAL INTELL TRYING TO KILL CHIEF. ONLY AAR
FORM VEHICLES ONE & 3

STOP USM
2 SECURITY
EVERYONE GET OUT
V CAR / VEHICLE / PEOPLE
SENT PEOPLE AWAY

GET INTRINSIC TOR
b7c-5, b6-5
TURNED BACK

b7c-5, b6-5
SITTING HERE
b7c-5, b6-5
SITTING HERE

NAME

ENGAGE TILL THREAT DISPERSED

b7c-5, b6-5
SFC [REDACTED] @ AAR
GOOD MEMBERS of RANGS
b7c-5, b6-5
[REDACTED] @ AAR
GOOD THING HE WAS ON
SO CAC WANTS ON ROOF OF
TRUCK -
- STANDING ON DECK.
- FIRST ONE MID AOD
↳ LAST HEAD
↳ REVERSE SUSPECT.
↳ WALKING BACK TO HUMVEE
↳ [REDACTED] b7c-5, b6-5
- b7c-5, b6-5
- [REDACTED] SAID

DATA REQUIRED BY PRIVACY ACT

AUTHORITY: Title 10, United States Code Section 3012 (g) ROUTINE USES: Your social security number and other personal information are used as an additional/alternate means of identification to facilitate and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified. DISCLOSURE: Disclosure of your social security # is voluntary

1. Rec Code: 2. Action Code: 3. Date: 4. Rel to Case: 5. Control: 6. Sequence #: 7. Year: 8. Office: 9. ROI #: Offense:
-2000- CID 038

10. Last Name: [REDACTED] 11. First Name: [REDACTED] 12. Middle Name: b7c-4, b6-4 13. Grade/Rank: SFC/E-7

14. Social Security Number: [REDACTED] 15. Other ID Number: b7c-4, b6-4 16. Date of Birth: b7c-4, b6-4 17. POB City: b7c-4, b6-4 18. POB St: [REDACTED] 19. POB Zip: b7c-4, b6-4

20. Sex: M 21. Race: 22. Ethnic: 23. Height: 71" 24. Weight: 190 25. Hair: BLK 26. Eye Color: BRN 27. Citizen: U.S. 28. Educ: 13 29. Prior Record: N 30. Marital: S

31. MOS: 18C 32. Job Description/Location: 33. MC: 34. Security Clr: SEC 35. Physical Marks/Tattoos: 36. Spouse Military: Yes: [] No: [] Branch:

37. Alias/Nicknames: 38. Alias/Nicknames: 39. Alias/Nicknames:

40. Unit Organization: ODA 343, 2/3D SFG 41. Unit Phone Number: Home: Cell Pager:

42. Military Service: 43. Sub Unit: 44. Fort/City: 45. State: 46. Country: 47. Zip Code APO:

48. Home Address: 49. City: 50. State: 51. Country: 52. Zip Code APO:

FAMILY MEMBER DATA

53. JUV: 54. Family Rel: 55. Last Name: 56. First Name: 57. Middle Name:

58. Social Security: 59. Grade/Rank: 60. MC: 61. Unit:

62. City: 63. State: 64. ZIP/APO: 65. Phone: WK: Hm:

OFFENSES

66. Offense Code: 67. UFC: 68. Offense Code: 69. UFC: 70. Offense Code: 71. UFC: 72. Offense Code: 73. UFC:

ADMINISTRATIVE DATA

Telephone: ETS: PCS/DEROS: OCT 02 Date / Time Interview START: Date: 2 OCT 02 Time: 1100Z

Place of Interview: Date / Time Interview END: Date: 2 OCT 02 Time: 1115Z

Disposition:

PROPERTY/VEHICLE DATA

74. Category: 75. Type: 76. Recovered: Yes: [] No: [] 77. Value: 78. Insurer: Policy: Year/Date Exp:

79. Year: 80. Make: 81. Model: 82. Vehicle Style: 83. # of Doors: 84. Color: 85. Size:

86. VIN: 87. License Plate: 88. State: 89. DOD Decal Number:

NOTES:

OFF POST: [REDACTED] b7c-5, b6-5 IN THE TEAM TENT ON 28 AUG 02 (LIVING TENT) DURING INCIDENT. SSG [REDACTED] b7c-4, b6-4 TOLD HIM ABOUT THE SHOOTING, NEVER WENT DOWN TO SHOOTING SCENE AND ONLY SAW SAHARI'S BODY WHEN IT WAS TRANSFERRED TO AME CADR FROM TRUCK. DID NOT KNOW WHAT HAD HAPPENED AS CPT [REDACTED] b7c-5, b6-5 HAD ALL INVOLVED GO TO OPS TENT TO WRITE OUT STATEMENTS FOR RECORD. LEARNED ABOUT WHAT HAPPENED ONCE HE ARRIVED BACK AT [REDACTED] b7c-5, b6-5 KANDAHAR.

LAST HIV TEST:

INVESTIGATIVE WORKSHEET

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)

ROUTINE USES: Your social security number and other personal information are used as an additional/alternate means of identification to facilitate filing and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified. **DISCLOSURE:** Disclosure of your social security number is voluntary.

REC CODE	1. ACTION CODE	3. DATE SUBMITTED	4. SEQ NUMBER	5. YEAR	6. UNIT	7. ROR NUMBER	8. REL TO CASE	9. CONTROL #
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INDIVIDUAL DATA

10. LAST NAME <i>b7c-4, b6-4</i>			11. FIRST NAME <i>b7c-4, b6-4</i>			12. MIDDLE NAME <i>b7c-4, b6-4</i>			13. GRADE <i>SPC / E-4</i>		
4. SOCIAL SECURITY NUMBER <i>b7c-4, b6-4</i>			15. OTHER NUMBER			16. DOB <i>b7c-4, b6-4</i>			17. POB CITY <i>b7c-4, b6-4</i>		
18. POB-ST <i>b7c-4, b6-4</i>			19. POB-CITY <i>b7c-4, b6-4</i>			20. SEX <i>M</i>			21. RACE <i>C</i>		
22. ETHNIC			23. HEIGHT <i>65</i>			24. WEIGHT <i>185</i>			25. HAIR COLOR <i>BRN</i>		
26. EYE COLOR <i>BRN</i>			27. CITIZEN <i>US</i>			28. EDUC <i>13</i>			29. PRIOR RECORD <i>J</i>		
30. MARITAL <i>S</i>			31. MOB <i>97D</i>			32. MCAC			33. POSITION		
34. INDUSTRY			35. SECURITY			36. PHYSICAL MARKS			37. ALIAS-NICKNAME(S)		
38. ALIAS-NICKNAME(S)			39. ALIAS-NICKNAME(S)			40. ORGANIZATION <i>519th MI Bn, A Co</i>			41. IF CONTRACTOR CONTRACT #		
42. MILITARY SVC			43. SUBUNIT			44. PORT/CITY			45. STATE		
46. COUNTRY			47. ZIP CODE/APO			48. ADDRESS			49. CITY		
50. STATE			51. COUNTRY			52. ZIP CODE/APO			53. ALIAS-NICKNAME(S)		

FAMILY MEMBER DATA

54. FAMILY REL		55. SPONSOR LAST NAME		56. SPONSOR FIRST NAME		57. SPONSOR MIDDLE NAME	
58. SOCIAL SECURITY NUMBER		59. SPON GRADE		60. SPON MCAC		61. SPONSOR UNIT ADDRESS	
62. SPON CITY		63. SPON ST		64. SPON ZIP CODE/APO		65. SPON STATE	

OFFENSE

66. OFFENSE CODE	67. UFC	68. OFFENSE CODE	69. UFC	70. OFFENSE CODE	71. UFC	72. OFFENSE CODE	73. UFC
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ADMINISTRATIVE DATA

ELECTRONE #		ETS <i>18 MAY 05</i>		PCS/DESIG <i>FCB 03</i>		DATE INTERVIEW START		TIME INTERVIEW START	
PLACE OF INTERVIEW START		DATE INTERVIEW END		TIME INTERVIEW END		PLACE OF INTERVIEW END		FINGERPRINT	
PHOTO		VEHICLE DATA		DISPOSITION		74. ALIAS-NICKNAME(S)		75. ALIAS-NICKNAME(S)	

CORPORATION DATA

76. CONTRACTOR NUMBER			77. FED SERV/PCO #			78. CORPORATION NAME		
79. CORP ADDRESS			80. CORP-CITY			81. CORP-ST		
82. CORP-CTY			83. CORP-CTY			84. CORP ZIP CODE		

NOTES:

NOTE UNIT
A 519th MI Bn
Four Bnngs

HOC
b7c-4, b6-4
b7c-4, b6-4
A Co 519th MI Bn
Room 211
Four Bnngs

INVESTIGATIVE WORKSHEET

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(c)

ROUTINE USES: Your social security number and other personal information are used as an additional/alternate means of identification to facilitate filing and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials

with means by which information may be accurately identified. **DISCLOSURE:** Disclosure of your social security number is voluntary.

REC CODE	1. ACTION CODE	3. DATE SUBMITTED	4. SEQ NUMBER	5. YEAR	6. UNIT	7. ROI NUMBER	8. REL TO CASE	9. CONTROL #
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INDIVIDUAL DATA

10. LAST NAME [REDACTED]			11. FIRST NAME [REDACTED]			12. MIDDLE NAME [REDACTED]			13. GRADE SSG/E-6		
14. SOCIAL SECURITY NUMBER [REDACTED]			15. OTHER NUMBER b7c-4, b6-4			16. DOB b7c-4, b6-4			17. POB CITY b7c-4, b6-4		
18. POB ST b7c-4, b6-4			19. POB-CTY			20. SEX M			21. RACE C		
22. ETHNIC			23. HEIGHT 69"			24. WEIGHT 160			25. HAIR COLOR BRN		
26. EYE COLOR H2L			27. CITIZEN U.S.			28. EDUC 14			29. PRIOR RECORD N		
30. MARITAL S			31. MOB 18E			32. MCAC			33. POSITION		
34. INDUSTRY			35. SECURITY SE			36. PHYSICAL MARKS [REDACTED]			37. ALIAS-NICKNAME(S)		
38. ALIAS-NICKNAME(S)			39. ALIAS-NICKNAME(S)			40. ALIAS-NICKNAME(S)			41. IF CONTRACTOR CONTRACT #		
42. ORGANIZATION DA 343, 2/3D SFG			43. SUBUNIT			44. PORT/CITY			45. STATE		
46. MILITARY SVC			47. COUNTRY			48. ZIP CODE/APO			49. ADDRESS		
50. CITY			51. STATE			52. COUNTRY			53. ZIP CODE/APO		

FAMILY MEMBER DATA

54. FAMILY REL		55. SPONSOR LAST NAME		56. SPONSOR FIRST NAME		57. SPONSOR MIDDLE NAME	
58. SOCIAL SECURITY NUMBER		59. SPON GRADE		60. SPON MCAC		61. SPONSOR UNIT ADDRESS	
62. SPON CITY		63. SPON ST		64. SPON ZIP CODE/APO			

OFFENSE

65. OFFENSE CODE	67. UPC	68. OFFENSE CODE	69. UPC	70. OFFENSE CODE	71. UPC	72. OFFENSE CODE	73. UPC
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ADMINISTRATIVE DATA

74. TELEPHONE #		75. ETS		76. PCS/DEBOS OCT 02		77. DATE INTERVIEW START 1 OCT 02		78. TIME INTERVIEW START 0835Z	
79. PLACE OF INTERVIEW START		80. DATE INTERVIEW END 1 OCT 02		81. TIME INTERVIEW END 0850Z		82. PLACE OF INTERVIEW END		83. FINGERPRINT	
84. PHOTO		85. VEHICLE DATA		86. DISPOSITION					

CORPORATION DATA

87. CONTRACTOR NUMBER		88. FED SERV/PFCO #		89. CORPORATION NAME	
90. CORP ADDRESS		91. CORP-CITY		92. CORP-ST	
93. CORP-CTY		94. CORP-CTY		95. CORP ZIP CODE	
96. CONTRACT NUMBER					

NOTES:

2/3D SFG
ORT BRAGG, NC
SN:

OFF POST: b7c-4-b6-4
[REDACTED]

ON 28 AUG 02, WAS ON RADIO WATCH AND WAS WORKING ON COMMO EQUIP. NOT AWARE TEAM WAS GOING OUT THAT DAY. HAVING PROBLEMS WITH COMMO THAT DAY, WAS NOTIFIED WHEN CI TEAM WAS REQUESTED. DID NOT LEAVE FB THAT DAY AND DID NOT SEE BODY OR SCENE.

0815, 10cr 02

INVESTIGATIVE WORKSHEET

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)

ROUTINE USES: Your social security number and other personal information are used as an additional/alternate means of identification to facilitate filing and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified. **DISCLOSURE:** Disclosure of your social security number is voluntary.

1. REC CODE	2. ACTION CODE	3. DATE SUBMITTED	4. SEQ NUMBER	5. YEAR	6. UNIT	7. BOI NUMBER	8. REL TO CASE	9. CONTROL #
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INDIVIDUAL DATA

10. LAST NAME ██████████ b7c-5, b6-5		11. FIRST NAME ██████████ b7c-5, b6-5		12. MIDDLE NAME ██████████ b7c-5, b6-5		13. GRADE CW2					
14. SOCIAL SECURITY NUMBER ██████████ b7c-5, b6-5		15. OTHER NUMBER ██████████ b7c-5, b6-5		16. DOB ██████████ b7c-5, b6-5		17. POB CITY ██████████ b7c-5, b6-5		18. POB-ST ██████████ b7c-5, b6-5		19. POB-CITY	
20. SEX M	21. RACE C	22. ETHNIC	23. HEIGHT	24. WEIGHT	25. HAIR COLOR	26. EYE COLOR	27. CITIZEN	28. EDUC	29. PRIOR RECORD	30. MARITAL	
31. MICH 180A		32. MCAC	33. POSITION		34. INDUSTRY	35. SECURITY Sec	36. PHYSICAL MARKS				
37. ALIAS-NICKNAME(S)			38. ALIAS-NICKNAME(S)			39. ALIAS-NICKNAME(S)					
40. ORGANIZATION OPR 343						41. IF CONTRACTOR CONTRACT #					
42. MILITARY SVC		43. SUBUNIT		44. FORT/CITY		45. STATE	46. COUNTRY	47. ZIP CODE/APO			
48. ADDRESS				49. CITY		50. STATE	51. COUNTRY	52. ZIP CODE/APO			

FAMILY MEMBER DATA

53. JUV	54. FAMILY REL	55. SPONSOR LAST NAME		56. SPONSOR FIRST NAME		57. SPONSOR MIDDLE NAME					
58. SOCIAL SECURITY NUMBER		59. SPON GRADE		60. SPON MCAC		61. SPONSOR UNIT ADDRESS					
62. SPON CITY				63. SPON ST		64. SPON ZIP CODE/APO					

OFFENSE

65. OFFENSE CODE	67. UPC	68. OFFENSE CODE	69. UPC	70. OFFENSE CODE	71. UPC	72. OFFENSE CODE	73. UPC
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ADMINISTRATIVE DATA

TELEPHONE #	ETS INDEF	PCS/DEROS OK DL	DATE INTERVIEW START	TIME INTERVIEW START	
PLACE OF INTERVIEW START	DATE INTERVIEW END	TIME INTERVIEW END	PLACE OF INTERVIEW END	FINGERPRINT	PHOTO

VEHICLE DATA	DISPOSITION
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CORPORATION DATA

74. CONTRACTOR NUMBER		75. FED SERV/PPCO #		76. CORPORATION NAME							
77. CORP ADDRESS			78. CORP-CITY		79. CORP-ST	80. CORP-CITY	81. CORP ZIP CODE				
82. CONTRACT NUMBER											

NOTES:

Acc 2/3 SFC

INVESTIGATIVE WORKSHEET

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(b)

ROUTINE USES: Your social security number and other personal information are used as an additional/duplicate means of identification to facilitate filing and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified. **DISCLOSURE:** Disclosure of your social security number is voluntary.

1. REC CODE	2. ACTION CODE	3. DATE SUBMITTED	4. SEQ NUMBER	5. YEAR	6. UNIT	7. ROE NUMBER	8. REL TO CASE	9. CONTROL #
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INDIVIDUAL DATA

10. LAST NAME <i>b7c-5, b6-5</i>		11. FIRST NAME <i>b7c-5, b6-5</i>		12. MIDDLE NAME <i>b7c-5, b6-5</i>		13. GRADE CPT A0					
14. SOCIAL SECURITY NUMBER <i>b7c-5, b6-5</i>		15. OTHER NUMBER		16. DOB <i>b7c-5, b6-5</i>		17. POB CITY <i>b7c-5, b6-5</i>		18. POB-ST IN	19. POB-CTY		
20. SEX M	21. RACE C	22. ETHNIC	23. HEIGHT 69	24. WEIGHT 155	25. HAIR COLOR BRN	26. EYE COLOR GRN	27. CITIZEN US	28. EDUC 16	29. PRIOR RECORD N	30. MARITAL M	
31. MICS 18A		32. MCAC		33. POSITION		34. INDUSTRY		35. SECURITY TS		36. PHYSICAL MARKS See Below	
37. ALIAS-NICKNAME(S) None				38. ALIAS-NICKNAME(S)				39. ALIAS-NICKNAME(S)			
40. ORGANIZATION 00A 243 43 SEC						41. IF CONTRACTOR CONTRACT #					
42. MILITARY SVC		43. SUBUNIT		44. FORT/CITY				45. STATE	46. COUNTRY	47. ZIP CODE/APO	
48. ADDRESS				49. CITY				50. STATE	51. COUNTRY	52. ZIP CODE/APO	

FAMILY MEMBER DATA

53. JUW	54. FAMILY REL	55. SPONSOR LAST NAME		56. SPONSOR FIRST NAME		57. SPONSOR MIDDLE NAME			
58. SOCIAL SECURITY NUMBER		59. SPON GRADE		60. SPON MCAC		61. SPONSOR UNIT ADDRESS			
62. SPON CITY				63. SPON ST		64. SPON ZIP CODE/APO			

OFFENSE

65. OFFENSE CODE	67. UFC	68. OFFENSE CODE	69. UFC	70. OFFENSE CODE	71. UFC	72. OFFENSE CODE	73. UFC
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ADMINISTRATIVE DATA

TELEPHONE #	ETS IWOEF	FCB/DEROS see ou 02	DATE INTERVIEW START	TIME INTERVIEW START	
PLACE OF INTERVIEW START	DATE INTERVIEW END	TIME INTERVIEW END	PLACE OF INTERVIEW END	FINGERPRINT	PHOTO

VEHICLE DATA	DISPOSITION
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CORPORATION DATA

74. CONTRACTOR NUMBER		75. FED SER V/PCO #		76. CORPORATION NAME			
77. CORP ADDRESS		78. CORP-CITY		79. CORP-ST	80. CORP-CTY	81. CORP ZIP CODE	
82. CONTRACT NUMBER							

NOTES: *b7c-5, b6-5* *b7c-5, b6-5*
see 43 SEC

INVESTIGATIVE WORKSHEET

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)

ROUTINE USES: Your social security number and other personal information are used as an additional/alternate means of identification to facilitate filing and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials

with means by which information may be accurately identified. **DISCLOSURE:** Disclosure of your social security number is voluntary.

1. SEC CODE	2. ACTION CODE	3. DATE SUBMITTED	4. SEQ NUMBER	5. YEAR	6. UNIT	7. BOI NUMBER	8. REL TO CASE	9. CONTROL #
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INDIVIDUAL DATA

LAST NAME		11. FIRST NAME			12. MIDDLE NAME			13. GRADE			
[REDACTED]		b7c-5, b6-5			b7c-5, b6-5			E-7/SFC			
SOCIAL SECURITY NUMBER			13. OTHER NUMBER		16. DOB		17. POB CITY		18. POB ST	19. POB CTY	
[REDACTED]			b7c-5, b6-5		b7c-5, b6-5		b7c-5, b6-5		[REDACTED]	b7c-5, b6-5	
20. SEX	21. RACE	22. ETHNIC	23. HEIGHT	24. WEIGHT	25. HAIR COLOR	26. EYE COLOR	27. CITIZEN	28. EDUC	29. PRIOR RECORD	30. MARITAL	
M	C		73"	200	BKN	BLU	U.S.	12	N	M	
31. MOS		32. MCAC		33. POSITION		34. INDUSTRY		35. SECURITY		36. PHYSICAL MARKS	
18F								SE		b7c-5, b6-5	
ALIAS-NICKNAME(S)				38. ALIAS-NICKNAME(S)				39. ALIAS-NICKNAME(S)			
ORGANIZATION								41. IF CONTRACTOR CONTRACT #			
3DA 344, 2/3D SFG											
MILITARY SVC			43. SUBUNIT		44. PORT/CITY		45. STATE		46. COUNTRY	47. ZIP CODE/APO	
ADDRESS			49. CITY		50. STATE		51. COUNTRY	52. ZIP CODE/APO			

FAMILY MEMBER DATA

48. JUV	54. FAMILY REL		55. SPONSOR LAST NAME			56. SPONSOR FIRST NAME			57. SPONSOR MIDDLE NAME		
SOCIAL SECURITY NUMBER			59. SPON GRADE		60. SPON MCAC		61. SPONSOR UNIT ADDRESS				
SPON CITY			63. SPON ST		64. SPON ZIP CODE/APO						

OFFENSE

65. OFFENSE CODE	67. UFC	68. OFFENSE CODE	69. UFC	70. OFFENSE CODE	71. UFC	72. OFFENSE CODE	73. UFC
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ADMINISTRATIVE DATA

LEPHONE #		ETS		PCS/DEPOS		DATE INTERVIEW START		TIME INTERVIEW START	
		FEB 09		15 OCT 03				1230Z	
PLACE OF INTERVIEW START		DATE INTERVIEW END		TIME INTERVIEW END		PLACE OF INTERVIEW END		FINGERPRINT	PHOTO

VEHICLE DATA				DISPOSITION			
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CORPORATION DATA

CONTRACTOR NUMBER			75. FED SERV/PPCO #			76. CORPORATION NAME		
CORP ADDRESS			78. CORP-CITY		79. CORP-ST	80. CORP-CTY	81. CORP ZIP CODE	
CONTRACT NUMBER								

NOTES:		OFF POST ADDRESS:		HOR:	
2/3D SFG		b7c-5, b6-5		b7c-5, b6-5	
PORT BRAGG, NC		[REDACTED]		[REDACTED]	
N:					

INVESTIGATIVE WORKSHEET

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)

ROUTINE USES: Your social security number and other personal information are used as an additional/alternate means of identification to facilitate filing and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials

with names by which information may be accurately identified. **DISCLOSURE:** Disclosure of your social security number is voluntary.

REC CODE	2. ACTION CODE	3. DATE SUBMITTED	4. SEQ NUMBER	5. YEAR	6. UNIT	7. ROI NUMBER	8. REL TO CASE	9. CONTROL #
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INDIVIDUAL DATA

1. LAST NAME <i>b7c-5, b6-5</i>			11. FIRST NAME <i>b7c-5, b6-5</i>			12. MIDDLE NAME <i>b7c-5, b6-5</i>			13. GRADE SSG / A7D		
4. SOCIAL SECURITY NUMBER <i>b7c-5, b6-5</i>			15. OTHER NUMBER <i>b7c-5, b6-5</i>			16. DOB <i>b7c-5, b6-5</i>			17. POB CITY <i>b7c-5, b6-5</i>		
18. POB-ST <i>b7c-5, b6-5</i>			19. POB-CITY <i>b7c-5, b6-5</i>			20. PRIOR RECORD N			38. MARITAL D		
18. SEX M	21. RACE C	22. ETHNIC	23. HEIGHT 5-8	24. WEIGHT 140	25. HAIR COLOR BRN	26. EYE COLOR GRN	27. CITIZEN US	28. EDUC 12	36. PHYSICAL MARKS <i>b7c-5, b6-5</i>		
7. ALIAS-NICKNAME(S) NA			34. ALIAS-NICKNAME(S)			35. SECURITY SECRET			39. ALIAS-NICKNAME(S)		
1. ORGANIZATION ODA 343, 2/3 SFC						41. IF CONTRACTOR CONTRACT #					
4. MILITARY SVC			43. SUBUNIT			44. PORT/CITY			45. STATE		
46. COUNTRY			47. ZIP CODE/APO			48. ADDRESS			49. CITY		
50. STATE			51. COUNTRY			52. ZIP CODE/APO					

FAMILY MEMBER DATA

1. JUV		34. FAMILY REL		55. SPONSOR LAST NAME		56. SPONSOR FIRST NAME		57. SPONSOR MIDDLE NAME	
2. SOCIAL SECURITY NUMBER				59. SPON GRADE		60. SPON MCAC		61. SPONSOR UNIT ADDRESS	
3. SPON CITY				63. SPON ST		64. SPON ZIP CODE/APO			

OFFENSE

5. OFFENSE CODE	67. UFC	68. OFFENSE CODE	69. UFC	70. OFFENSE CODE	71. UFC	72. OFFENSE CODES	73. UFC
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ADMINISTRATIVE DATA

ELEPHONE #		ETS 11 JAN 05		PCS/DEROB 5067 02		DATE INTERVIEW START		TIME INTERVIEW START	
PLACE OF INTERVIEW START		DATE INTERVIEW END		TIME INTERVIEW END		PLACE OF INTERVIEW END		FINGERPRINT	
PHOTO									

VEHICLE DATA				DISPOSITION			
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CORPORATION DATA

4. CONTRACTOR NUMBER		75. FED SERV/PPCO #			76. CORPORATION NAME					
7. CORP ADDRESS		78. CORP-CITY			79. CORP-ST		80. CORP-CTY		81. CORP ZIP CODE	

2. CONTRACT NUMBER		<i>b7c-5, b6-5</i>	
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NOTES:		<i>HOE</i>	
1. NAME		<i>b7c-5, b6-5</i>	
2. DOB		<i>b7c-5, b6-5</i>	

INVESTIGATIVE WORKSHEET

DATA REQUIRED BY THE PRIVACY ACT

PRIORITY: Title 18, United States Code, Section 3612(d)

ROUTINE USES: Your social security number and other personal information are used as an additional/alternate means of identification to facilitate filing and retrieval.

PRINCIPAL PURPOSE: To provide command and law enforcement officials with means by which information may be accurately identified. **DISCLOSURE:** Disclosure of your social security number is voluntary.

REC CODE	1. ACTION CODE	3. DATE SUBMITTED	4. SEQ NUMBER	5. YEAR	6. UNIT	7. BOX NUMBER	8. REL TO CASE	9. CONTROL #
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INDIVIDUAL DATA

LAST NAME <i>b7c-5, b6-5</i>		11. FIRST NAME <i>b7c-5, b6-5</i>		12. MIDDLE NAME <i>b7c-5, b6-5</i>		13. GRADE <i>SSC AD</i>	
SOCIAL SECURITY NUMBER <i>[REDACTED]</i>		15. OTHER NUMBER <i>b7c-5, b6-5</i>		16. DOB <i>b7c-5, b6-5</i>		17. POB CITY <i>b7c-5, b6-5</i>	
18. POB-ST <i>[REDACTED]</i>		19. POB-CTY <i>b7c-5, b6-5</i>		20. SEX <i>M</i>		21. RACE <i>C</i>	
22. ETHNIC		23. HEIGHT <i>72</i>		24. WEIGHT <i>190</i>		25. HAIR COLOR <i>BRN</i>	
26. EYE COLOR <i>GRN</i>		27. CITIZEN <i>US</i>		28. EDUC <i>16</i>		29. PRIOR RECORD <i>N</i>	
30. MARITAL <i>M</i>		31. MCAC <i>18D</i>		32. POSITION		33. INDUSTRY	
34. SECURITY <i>Sec</i>		35. PHYSICAL MARKS <i>NONE</i>		36. ALIAS-NICKNAME(S) <i>NONE</i>		37. ALIAS-NICKNAME(S)	
38. ALIAS-NICKNAME(S) <i>NONE</i>		39. ALIAS-NICKNAME(S)		40. ORGANIZATION <i>OOA 43 2/3 SFC</i>		41. IF CONTRACTOR CONTRACT #	
42. MILITARY SVC		43. SUBUNIT		44. PORT/CITY		45. STATE	
46. COUNTRY		47. ZIP CODE/APO		48. ADDRESS		49. CITY	
50. STATE		51. COUNTRY		52. ZIP CODE/APO		53. ZIP CODE/APO	

FAMILY MEMBER DATA

54. FAMILY REL		55. SPONSOR LAST NAME		56. SPONSOR FIRST NAME		57. SPONSOR MIDDLE NAME	
58. SOCIAL SECURITY NUMBER		59. SPON GRADE		60. SPON MCAC		61. SPONSOR UNIT ADDRESS	
62. SPON CITY		63. SPON ST		64. SPON ZIP CODE/APO		65. SPON ZIP CODE/APO	

OFFENSE

66. OFFENSE CODE	67. UFC	68. OFFENSE CODE	69. UFC	70. OFFENSE CODE	71. UFC	72. OFFENSE CODE	73. UFC
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ADMINISTRATIVE DATA

74. TELEPHONE #		75. BT3 <i>INDEC</i>		76. PCS/DEROS <i>OG 02</i>		77. DATE INTERVIEW START		78. TIME INTERVIEW START	
79. AGE OF INTERVIEW START		80. DATE INTERVIEW END		81. TIME INTERVIEW END		82. PLACE OF INTERVIEW END		83. FINGERPRINT	
84. PHOTO		85. DISPOSITION		86. DISPOSITION		87. DISPOSITION		88. DISPOSITION	

CORPORATION DATA

89. CONTRACTOR NUMBER		90. FED SERV/PCO #		91. CORPORATION NAME	
92. CORP ADDRESS		93. CORP-CITY		94. CORP-ST	
95. CORP-CTY		96. CORP-ZIP CODE		97. CONTRACT NUMBER	

NOTES: A c 43 SFC 432 - [REDACTED]	[REDACTED] <i>b7c-5, b6-5</i>	[REDACTED]	[REDACTED] <i>b7c-5, b6-5</i>
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83

67C-4-B6-4
BOTH BACK }
M U.S.
SFC
SFC

ED FORM 44-R (Online version) FHTX 1999

NOTES:

3D SFC
FORT BRAGG, NC 67C-4-B6-4
DSN: 239-
67C-4-B6-4

- Attempted to track down documents from back 55C. Told him that SFC had taken everything to BAGRAM collection point. Told him they were at other doc et. Spoke w/ [redacted] who didn't know anything. Was never able to find photos. Was collecting documents for OH for his investigation.

1. Rec Code:		2. Action Code:		3. Date:		4. Ref to Case:		5. Control:		6. Sequence #:		7. Year:		8. Office:		9. ROI #:		10. Onense:	
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.																			
DISCLOSURE: Disclosure of your social security # is voluntary. Are used as an additional/alternate means of identification to facilitate and retrieval.																			
DATA REQUIRED BY PRIVACY ACT																			
AUTHORITY: Title 10, United States Code Section 3012 (g)																			
ROUTINE USES: Your social security number and other personal information																			
10. Last Name:																			
11. First Name:																			
12. Middle Name:																			
13. Grade/Rank:																			
14. Social Security Number:																			
15. Other ID Number:																			
16. Date of Birth:																			
17. POB City:																			
18. POB St:																			
19. POB Zip:																			
20. Sex:																			
21. Race:																			
22. Ethnic:																			
23. Height:																			
24. Weight:																			
25. Hair:																			
26. Eye Color:																			
27. Citizen:																			
28. Educ:																			
29. Prior Record:																			
30. Marital:																			
31. MOS:																			
32. Job Description Location:																			
33. NIC:																			
34. Security Clr:																			
35. Physical Marks: Tattoos:																			
36. Spouse Military Branch:																			
37. Alias/Nicknames:																			
38. Alias/Nicknames:																			
39. Alias/Nicknames:																			
40. Unit Organization:																			
41. Unit Phone Number:																			
42. Home:																			
43. Military Service:																			
44. Branch:																			
45. State:																			
46. County:																			
47. Zip Code (APO):																			
48. Home Address:																			
49. City:																			
50. State:																			
51. ZIP APO:																			
52. Phone NY:																			
53. Social Security:																			
54. Grade/Rank:																			
55. Last Name:																			
56. First Name:																			
57. Middle Name:																			
58. Family Rel:																			
59. Social Security:																			
60. NIC:																			
61. Last:																			
62. City:																			
63. State:																			
64. ZIP APO:																			
65. Phone NY:																			
66. Item:																			
67. UIC:																			
68. Dfense Code:																			
69. UIC:																			
70. Offense Code:																			
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INVESTIGATIVE WORKSHEET

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)

ROUTINE USES: Your social security number and other personal information are used as an additional/alternate means of identification to facilitate filing and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified. **DISCLOSURE:** Disclosure of your social security number is voluntary.

1. REC CODE	2. ACTION CODE	3. DATE SUBMITTED	4. SEQ NUMBER	5. YEAR	6. UNIT	7. ROI NUMBER	8. REL TO CASE	9. CONTROL #
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INDIVIDUAL DATA

10. LAST NAME <i>b7c-4, b6-4</i>			11. FIRST NAME <i>b7c-4, b6-4</i>			12. MIDDLE NAME <i>b7c-4, b6-4</i>			13. GRADE <i>SGC / AD</i>						
14. SOCIAL SECURITY NUMBER <i>b7c-4, b6-4</i>				15. OTHER NUMBER				16. DOB <i>b7c-4, b6-4</i>		17. POB CITY <i>b7c-4, b6-4</i>		18. POB-ST <i>b7c-4, b6-4</i>		19. POB-CTY	
20. SEX <i>M</i>	21. RACE <i>C</i>	22. ETHNIC	23. HEIGHT <i>69</i>	24. WEIGHT <i>175</i>	25. HAIR COLOR <i>BRN</i>	26. EYE COLOR <i>HAZ</i>	27. CITIZEN <i>US</i>	28. EDUC <i>14</i>	29. PRIOR RECORD <i>N</i>	30. MARITAL <i>M</i>					
31. MOS <i>97E</i>		32. MCAC	33. POSITION		34. INDUSTRY		35. SECURITY <i>S</i>		36. PHYSICAL MARKS						
37. ALIAS-NICKNAME(S)				38. ALIAS-NICKNAME(S)				39. ALIAS-NICKNAME(S)							
40. ORGANIZATION <i>Ac 519TH MI Bn</i>								41. IF CONTRACTOR CONTRACT #							
42. MILITARY SVC		43. SUBUNIT		44. FORT/CITY			45. STATE	46. COUNTRY	47. ZIP CODE/APO						
48. ADDRESS				49. CITY			50. STATE	51. COUNTRY	52. ZIP CODE/APO						

FAMILY MEMBER DATA

53. JUV	54. FAMILY REL	55. SPONSOR LAST NAME			56. SPONSOR FIRST NAME			57. SPONSOR MIDDLE NAME		
58. SOCIAL SECURITY NUMBER		59. SPON GRADE		60. SPON MCAC		61. SPONSOR UNIT ADDRESS				
62. SPON CITY				63. SPON ST		64. SPON ZIP CODE/APO				

OFFENSE

66. OFFENSE CODE	67. UPC	68. OFFENSE CODE	69. UPC	70. OFFENSE CODE	71. UPC	72. OFFENSE CODE	73. UPC
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ADMINISTRATIVE DATA

TELEPHONE #	ETS	PCS/DEROS <i>FEB 2003</i>		DATE INTERVIEW START	TIME INTERVIEW START
PLACE OF INTERVIEW START	DATE INTERVIEW END	TIME INTERVIEW END	PLACE OF INTERVIEW END	FINGERPRINT	PHOTO

VEHICLE DATA	DISPOSITION
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CORPORATION DATA

74. CONTRACTOR NUMBER		75. FED SERV/PFCO #			76. CORPORATION NAME		
77. CORP ADDRESS		78. CORP-CITY		79. CORP-ST	80. CORP-CTY	81. CORP ZIP CODE	
82. CONTRACT NUMBER							

NOTES:
236- [redacted] (unit)
b7c-4, b6-4

INVESTIGATIVE WORKSHEET

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)

ROUTINE USES: Your social security number and other personal information are used as an additional/alternate means of identification to facilitate filing and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials

with means by which information may be accurately identified. **DISCLOSURE:** Disclosure of your social security number is voluntary.

1. REC CODE	2. ACTION CODE	3. DATE SUBMITTED 15 SEP 02	4. SEQ NUMBER	5. YEAR 02	6. UNIT 369	7. ROI NUMBER	8. REL TO CASE	9. CONTROL #
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INDIVIDUAL DATA

10. LAST NAME b7c-4, b6-4			11. FIRST NAME b7c-4, b6-4			12. MIDDLE NAME b7c-4, b6-4			13. GRADE SFC 1A0		
14. SOCIAL SECURITY NUMBER b7c-4			15. OTHER NUMBER b6-4			16. DOB b7c-4, b6-4			17. APO/ST b7c-4, b6-4		
18. POB-ST b7c-4, b6-4		19. POB-CTY b7c-4, b6-4		20. SEX M		21. RACE C		22. ETHNIC 20		23. HEIGHT 75"	
24. WEIGHT 220		25. HAIR COLOR BRN		26. EYE COLOR BLU		27. CITIZEN US		28. EDUC 16		29. PRIOR RECORD N	
30. MARITAL D		31. MOS 97B		32. MCAC		33. POSITION		34. INDUSTRY		35. SECURITY TS SCI	
36. PHYSICAL MARKS NONE		37. ALIAS-NICKNAME(S) NONE		38. ALIAS-NICKNAME(S)		39. ALIAS-NICKNAME(S)		40. ORGANIZATION Aco 519th MI BN		41. IF CONTRACTOR CONTRACT #	
42. MILITARY SVC		43. SUBUNIT		44. FORT/CITY RAGRAM AF		45. STATE AP		46. COUNTRY AB		47. ZIP CODE/APO 09354	
48. ADDRESS		49. CITY		50. STATE		51. COUNTRY		52. ZIP CODE/APO			

FAMILY MEMBER DATA

53. JULV		54. FAMILY REL		55. SPONSOR LAST NAME		56. SPONSOR FIRST NAME		57. SPONSOR MIDDLE NAME			
58. SOCIAL SECURITY NUMBER			59. SPON GRADE			60. SPON MCAC			61. SPONSOR UNIT ADDRESS		
62. SPON CITY			63. SPON ST			64. SPON ZIP CODE/APO					

OFFENSE

65. OFFENSE CODE		67. UFC		68. OFFENSE CODE		69. UFC		70. OFFENSE CODE		71. UFC		72. OFFENSE CODE		73. UFC	
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ADMINISTRATIVE DATA

TELEPHONE #		ETS IunEF		PCS/DEROS 3 FEB 03		DATE INTERVIEW START		TIME INTERVIEW START			
PLACE OF INTERVIEW START		DATE INTERVIEW END		TIME INTERVIEW END		PLACE OF INTERVIEW END		FINGERPRINT		PHOTO	

VEHICLE DATA						DISPOSITION					
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CORPORATION DATA

74. CONTRACTOR NUMBER			75. FED SERV/PPCO #			76. CORPORATION NAME					
77. CORP ADDRESS			78. CORP-CITY			79. CORP-ST		80. CORP-CTY		81. CORP ZIP CODE	
82. CONTRACT NUMBER											

NOTES: b7c-4, b6-4
 [REDACTED]
 PHONE DISCONNECTED

same name as above
 same phone #

1780-32-C10023-

5096

1130-02-CID023-

5096

1130-02-CID023-

5096

1130-02-C1D023-

9618

1130-02-C1D023-

9618

1180-02-CID023E

9618



DEPARTMENT OF THE ARMY
 87th MILITARY POLICE DETACHMENT (ABN) (CID) (FWD)
 UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND
 CAMP STRONGHOLD FREEDOM
 APO AE 09311

CIRC-BF (195-2b)

27 October 2002

MEMORNDUM FOR Special Agent in Charge, 87th MP Det (ABN) (CID),
 3rd MP Group, USACIDC, Bldg 8, 1221 Randdolph St,
 Fort Bragg, NC 28310-5000

SUBJECT: 2nd Request For Assistance (0114-02-CID369-23525)

1. At 1630, 25 SEP 02, SSG [REDACTED] ^{b7c-4, b6-4} Counter-Intelligence, A Co, 519th MI Co, Bagram Airfield (BAF), Afghanistan, APO AE 09354, reported he was suspicious of the shooting death of MR Mohamed SAYARI, an Afghan National, by a SF team.

2. Investigation revealed that Mr SAYARI was not following the SF team, ODA 343, ^{b7c-5, b6-5} comprised of CPT [REDACTED], SFC [REDACTED], SSG [REDACTED] and SSG [REDACTED] and 2 as yet ^{b7c-5, b6-5} unidentified team members as was reported by the team. It was determined that prior to the shooting death of Mr SAYARI he was forced away from the entrance to the Lwara Fire Base by CW2 [REDACTED] ^{b7c-5, b6-5} 2/3rd SF Group, Fort Bragg, NC (FBNC) even though he did not want to leave. This caused Mr SAYARI to go in the same general direction as ODA 343 which was apparently setting up Mr SAYARI for capture or certain death. Mr SAYARI picked up 3 passengers (NFI) who were hiring his vehicle as a taxi to go to the market up the same road on which ODA 343 travelled. Mr [REDACTED] ^{b7c-3, b6-3} was with Mr SAYARI at the entrance to Lwara Fire Base. Upon rounding a curve in the road Mr SAYARI's vehicle ran into a hasty road block set up by ODA 343. The occupants were removed from the vehicle, searched, and told to leave, with the exception of Mr SAYARI. Mr SAYARI was moved to the side of the road and seated on a rock over 40 feet from his vehicle. An Afghan Military Forces (AMF) soldier (NFI) that was hiring Mr SAYARI's vehicle as a taxi had his AK-47 rifle removed from him and immediately returned to him. SFC [REDACTED] ^{b7c-5, b6-5} then ordered him to leave quickly; which he did. A search of Mr SAYARI's vehicle revealed one other AK-47 ^{b7c-3, b6-3} rifle on the passenger side of the front seat belonging to [REDACTED] SFC [REDACTED] removed a ^{b7c-5, b6-5} 40 round magazine, and ejected the round in the chamber. SFC [REDACTED] then went to his ^{b7c-5, b6-5} vehicle and placed the magazine in it. SFC [REDACTED] then obtained a 30 round magazine from ^{b7c-5, b6-5} his vehicle containing ammunition commonly utilized by Al Qaeda. [REDACTED] ^{b7c-3, b6-3} protested the change in ammo and that SFC [REDACTED] was loading the ammo into Mr [REDACTED] ^{b7c-3, b6-3} weapon. Mr SAYARI had no weapon as the team initially reported. The weapon was placed on the hood of Mr SAYARI's vehicle and Mr [REDACTED] was forced to leave his weapon and the area at gun ^{b7c-3, b6-3} point by SFC [REDACTED]. All other persons were by now out of site and heading toward a ^{b7c-5, b6-5} nearby village. Mr [REDACTED] ^{b7c-3, b6-3} weapon was over 40 feet from Mr SAYARI who was still seated on a rock, ^{b7c-3, b6-3} rocking with his head in his hands in an obvious state of fear. About 2 minutes after ^{b7c-3, b6-3} Mr [REDACTED] was out of sight of ODA 343, Mr [REDACTED] heard a burst of gunfire he knew to be from an US weapon by the sound. Mr [REDACTED] and the others then fled even faster from the incident site.

A crime scene examination revealed that Mr SAYARI was probably face down on the ground when he was shot in the head and back. A bullet was recovered from the ground beneath



the point on which Mr SAYARI's body was laying after being shot. An examination of the photographs of Mr SAYARI's body and interviews of witnesses of Mr SAYARI's body revealed all entry wounds appeared to be to the back of Mr SAYARI's body. All of this is in direct contradiction of the account rendered by the subjects of this investigation.

3. Request your office complete the following:

- a. Obtain all small arms weapons of ODA 343 as evidence and forward to USACIL for comparison with the recovered bullet fragment.
- b. Interview the members of ODA 341 who were on Lwara Fire Base at the time of the shooting as to what they were told or observed about the shooting. This team did not like ODA 343.
- c. Conduct suspect interviews of SSG [REDACTED] b7C-4, b6-1 [REDACTED] and SFC [REDACTED] both b7C-4, b6-4 members of ODA 343 and believed to be the other two team members present when SAYARI was shot. They match the description provided by Mr [REDACTED] b7C-3, b6-3
- d. Suspect interviews of the remainder of ODA 343, less [REDACTED], [REDACTED], and [REDACTED] b7C-5, S, S, b6-5, S, S
- e. Re-interview CW2 [REDACTED] as a suspect of Conspiracy and Murder and determine if he deliberately forced Mr SAYARI into the trap even though he did not want to follow the SF team, and whether he knew ODA 343 was going to kill Mr SAYARI. Also, determine what CW2 [REDACTED] did with Mr [REDACTED] AK-47. He may believe it was Mr SAYARI's weapon. b7C-5, b6-5
- f. Interview SPC [REDACTED] (NFI), support soldier with ODA 343 b7C-3, b6-3
- g. Interview SPC [REDACTED] (NFI), support soldier with ODA 343. b7C-3, b6-3
- h. Locate, identify and interview LTC [REDACTED] (NFI), as to his knowledge of the inquiries into the two shootings of Afghans by SFC [REDACTED] b7C-3, b6-3
- i. Locate, identify and interview MAJ [REDACTED] (NFI) as to his knowledge of these same events. b7C-3, b6-3
- j. Locate, identify and interview SSG [REDACTED] as to his knowledge of SFC [REDACTED] shooting another Afghan national in his presence prior to SFC [REDACTED] shooting Mr SAYARI. b7C-5, b6-5
- k. Locate, identify and interview CPT [REDACTED] (NFI) b7C-3, b6-3 pertaining to his knowledge of the inquiry he conducted into the death of Mr SAYARI.

It is anticipated that CW2 [REDACTED] b7C-1, b6-1 FSO, Campbell District will proceed to Ft Bragg, NC, to oversee investigative activity as he is intimately familiar with the investigation. This office has absolute confidence in the agents at Ft Bragg, but the investigation is so complex and so many facts would need to be relayed to your office, in the interest of efficiency and effectiveness, Mr [REDACTED] was requested for oversight. b7C-1, b6-1

4. POC is SA [redacted] ^{b7c-1, b6-1} DSN: 318-821 [redacted] ^{b7c-1, b6-1} e-mail:
[redacted] ^{b7c-1, b6-1} @us.army.mil.

//signed// [redacted] ^{b7c-1, b6-1}
CW3, MP
Special Agent in Charge

PRINTED ON  RECYCLED PAPER

Page(s)

101

Referred to:

U.S. ARMY HUMAN
RESOURCES COMMAND
ATTENTION: AHRC-FOI, RM 7S65
200 STOVALL STREET
ALEXANDRIA, VIRGINIA 22332-0404

MR. THOM JONES
thom.jones@hoffman.army.mil
(703) 325-4053

Page(s)

102-123

Referred to:

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

MS. JACQUELINE SCOTT
scottj@centcom.smil.mil
(813) 827-5341/2830

INVESTIGATIVE WORKSHEET

DATA REQUIRED BY PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012 (g)

ROUTINE USES: Your social security number and other personal information are used as an additional/alternate means of identification to facilitate filing and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified

DISCLOSURE: Disclosure of your social security number is voluntary

1 REC Code A4	2 Action Code	3 Date Submitted	4 SEQ Number	5 Year	6 Unit	7 ROI Number	8 Rel to Case	9 Control #
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INDIVIDUAL DATA

10 Last Name ██████████ b7c-4, b6-4			11 First Name ██████████ 7c-4, b6-4			12 Middle Name ██████████ b7c-4, b6-4			13 Grade CPT 1				
14 Social Security Number ██████████ b7c-4, b6-4			15 Other ID Number ██████████			16 DOB ██████████ b7c-4, b6-4			17 POB-City ██████████ b7c-4, b6-4				
18 POB-ST ██████████ b7c-4, b6-4			19 POB-CTY ██████████			20 Sex M		21 Race C		22 Ethnic			
23 Height 5-7		24 Weight 165		25 Hair BLK		26 Eye BLU		27 Citizen US		28 Educ 16			
29 Prior Recd N		30 Martial M		31 MOS 11X		32 MCAC		33 Position		34 Industry			
35 Security SEC		36 Physical Marks		37 Alias- Nickname(s)			38 Alias- Nickname(s)			39 Alias- Nickname(s)			
40 Organization						41 If Contractor, Contract #							
42 Military SVC ARMY		43 Subunit			44 For/ City			45 State		46 Country		47 Zip Code/APO	
48 Address				49 City				50 State		51 Country		52 Zip Code	

FAMILY MEMBER DATA

53 JUV		54 Family Rel		55 Sponsor Last Name			56 Sponsor First Name			57 Sponsor Middle Name		
58 Social Security Number			59 SPON Grade /		60 SPON MCAC		61 Sponsor Unit Address					
62 SPON City				63 SPON ST		64 SPON CTY		65 SPON Zip Code/APO				

OFFENSE

66 Offense Code		67 UFC		68 Offense Code		69 UFC		70 Offense Code		71 UFC		72 Offense Code		73 UFC	
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ADMINISTRATIVE DATA

Telephone #		ETS INDEP		PCS/DEROS JAN 03		Date INTERV Start		Time INTERV Start			
Place of Interview Start		Date INTERV End		Time INTERV End		Place of Interview End		Fingerprint		Photo	
Vehicle Data						Disposition					

CORPORATION DATA

74 Contractor Number			75 FED SERV/PROD #			76 Corporation Name					
77 Corp Address			78 Corp City		79 Corp State		80 Corp CTY		81 Corp Zip Code		
82 Contract Number											

NOTES

Cellular Phone Number:

CID Form 44-R (Automated)

Edition of 1 Aug 87 will be used until exhausted

124

SWORN STATEMENT

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

LOCATION Dug- Rawa Fire Base, Afghanistan	DATE 2 Nov 68	TIME 0642	FILE NUMBER 4166-4
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED] b7C-4, b6-4	SOCIAL SECURITY NUMBER [REDACTED] b7C-4, b6-4		GRADE/STATUS O-3 / ACTIVE
ORGANIZATION OR ADDRESS HHC USOS PIR 82nd ABN DIV FT Bragg NC (Medium Mvta. PLATOON 81100)			

76166-4 I, [REDACTED] b7C-4, b6-4, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

- DAY PRIOR TO SHOOTING: AT 1300 INTEL UPDATE, IT WAS PUT OUT THAT A BLACK HI-LUX WAS REPORTED FOLLOWING AND TRACKING U.S. CONVOYS/PATROLS LEAVING THE WIRE. THE SUSPECTED INDIVIDUAL WAS A TALL AFGHAN (6 FEET 2 INCHES (OR THEREABOUTS) AND IF ANYBODY SAW HIM TO DETAIN HIM. HE WAS APPARENTLY A LOCAL "THUG" THAT NONE OF THE LOCALS LIKED AND THAT WERE SCARED OF. ACCORDING TO THE INTEL, THE LOCAL ELDERS WOULD STAND ATTENTION TO THIS TALL YOUNGER MAN (SHOWING THAT HE HAD GREAT RESPECT IN THE TOWN).
- DAY OF SHOOTING: MORTAR SECTION WAS ON BASE COURD AND MY SERGEANT OF THE GUARD AT THE FRONT GATE REPORTED THAT A TALL AFGHAN (6 FEET AT LEAST) WEN DRESSED & SHAVED WALKED UP TO THE FRONT GATE. AFTER THE GENTLEMAN LEFT, MY FRONT GATE GUARD REALIZED THAT IT WAS POSSIBLY THE MAN THE SF WAS LOOKING FOR. WE REPORTED THIS TO THE CP AND IMMEDIATELY A QRF/PATROL LEFT TO INTERCEPT THE BLACK HI-LUX WITH THIS INDIVIDUAL.
- AFTER SHOOTING: WHEN THE QRF RETURNED, WE HELD A 1300 MEETING AND THEY SAID (ODA342) THAT THEY DROVE SOUTH ALONG THE RIM: ROAD WHEN THEY SPOTTED THE BLACK HI-LUX FOLLOWING THEIR CONVOY. THE CONVOY WAS SAID TO PULL BEHIND A HILL AND STOP THE BLACK TRUCK AS IT DROVE BY. 5 PERSONNEL WERE SAID TO BE IN THE BLACK TRUCK. (1 TALL GUY THAT THEY WERE LOOKING FOR AND 4 OTHERS - AMF POSSIBLY) THEY SAID THAT THEY TOLD THE 4 OTHER INDIVIDUALS TO START WALKING AWAY FROM THE VEHICLE. AS THEY DID, THE TALL INDIVIDUAL STARTED TO GO FOR HIS WEAPON AND POINT IT TOWARDS THE SF SOLDIERS. THEY SAID THAT IN SELF DEFENSE THEY HAD TO SHOOT THE INDIVIDUAL. THE BODY WAS PUT IN THE BACK OF THE TRUCK AND BROUGHT BACK TO THE FIREBASE AT L'WANA. IT WAS LATER TURNED BACK AND GIVEN TO THE LOCALS TO BURY.
- ADDITIONAL INFORMATION: BECAUSE NONE OF MY MEN WERE ON THE PATROL, I WAS NOT TRACKING EVERYBODY (SPECIAL FORCES) WHO LEFT TO INTERCEPT THE BLACK VEHICLE. THE STORY/INCIDENT AND THE WAY IT HAPPENED WAS CREDIBLE AND I HAD NO REASON TO DOUBT THE INFORMATION GIVEN. I CAN NOT CONFIRM RIGHT NOW WHO WAS ON THE PATROL BUT I DO KNOW THAT A MINIMUM OF 2 VEHICLES AND 4 SPECIAL FORCES SOLDIERS LEFT THE WIRE. THEY WERE GONE FOR APPROXIMATELY 45 MINUTES.

Q: [REDACTED] b7C-4, b6-4
 A: [REDACTED] b7C-4, b6-4
 Q: THE QRF PATROL THAT LEFT THE BASE WAS THAT SF OR FROM YOUR UNIT?
 A: SF [REDACTED] b7C-4, b6-4
 Q: DO YOU KNOW WHO WAS IN THE QRF?
 A: I AM NOT SURE WHO THEY WERE. [REDACTED] b7C-4, b6-4

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED] b7C-4, b6-4	PAGE 1 OF 2 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.		

STATEMENT (Continued)

Q: At the 1300 meeting who are you referring to when you stated "they said that they drove..."?

A: The special forces [redacted] b7C-4, b6-4

Q: Do you have anything further to add to your statement? [redacted] b7C-4, b6-4

A: WITH THE END OF STATEMENT I III [redacted] b7C-4, b6-4

Q: Who was at the 1300 Daily meeting?

A: CHIEF [redacted] b7C-5, b6-5 Sergeant [redacted] b7C-6, b6-5, CP [redacted] b7C-5, b6-5 (only members from 343 I can recall)

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

A: No. III — END OF STATEMENT — III

[redacted] b7C-4, b6-4

AFFIDAVIT

I, [redacted] b7C-4, b6-4 HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

[redacted] b7C-4, b6-4
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 7 day of November 2002, 19 at DAG-RAWSON FIRE BASE AF CHARLESTON

ORGANIZATION OR ADDRESS

[redacted] b7C-1, b6-1
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA [redacted] b7C-1, b6-1
(Typed Name of Person Administering Oath)

AR 136, UCMJ
(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[redacted] b7C-4, b6-4

PAGE 2 OF 2 PAGES

INVESTIGATIVE WORKSHEET

DATA REQUIRED BY PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012 (g)

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1 REC Code A4	2 Action Code	3 Date Submitted	4 SEQ Number	5 Year	6 Unit	7 ROI Number	8 Rel to Case	9 Control #
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INDIVIDUAL DATA

10 Last Name 67C-4, b6-4				11 First Name 67C-4, b6-4				12 Middle Name 67C-4, b6-4				13 Grade SPC 1 R-A											
14 Social Security Number 67C-4, b6-4				15 Other ID Number				16 DOB 67C-4, b6-4				17 POB-City 67C-4, b6-4				18 POB-ST 67C-4, b6-4				19 POB-CTY 67C-4, b6-4			
20 Sex M	21 Race H	22 Ethnic 22	23 Height 65	24 Weight 155	25 Hair BROWN	26 Eye GRN	27 Citizen 1245	28 Educ 12	29 Prior Recd Y	30 Martial H													
31 MOS 11-C		32 MCAC		33 Position Commander		34 Industry		35 Security NONE		36 Physical Marks 67C-4, b6-4													
37 Alias- Nickname(s)				38 Alias- Nickname(s)				39 Alias- Nickname(s)															
40 Organization HHC 1/505								41 If Contractor, Contract #															
42 Military SVC		43 Subunit		44 Fort/ City Fort Bliss				45 State NC		46 Country US		47 Zip Code/APO 28310											
48 Address				49 City		50 State		51 Country		52 Zip Code													

FAMILY MEMBER DATA

53 JUV	54 Family Rel	55 Sponsor Last Name			56 Sponsor First Name			57 Sponsor Middle Name		
58 Social Security Number		59 SPON Grade 1		60 SPON MCAC		61 Sponsor Unit Address				
62 SPON City			63 SPON ST		64 SPON CTY		65 SPON Zip Code/APO			

OFFENSE

66 Offense Code	67 UFC	68 Offense Code	69 UFC	70 Offense Code	71 UFC	72 Offense Code	73 UFC
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ADMINISTRATIVE DATA

Telephone #	ETS 26 Jul 2004	PCS/DEROS 1 Jun 03	Date INTERV Start	Time INTERV Start	
Place of Interview Start	Date INTERV End	Time INTERV End	Place of Interview End	Fingerprint	Photo
Vehicle Data			Disposition		

CORPORATION DATA

74 Contractor Number		75 FED SERV/PROD #			76 Corporation Name						
77 Corp Address			78 Corp City		79 Corp State		80 Corp CTY		81 Corp Zip Code		
82 Contract Number											

NOTES

67C-4, b6-4

Cellular Phone Number:

CID Form 44-R (Automated)

Edition of 1 Aug 87 will be used until exhausted

SWORN STATEMENT

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

LOCATION DBE-RAVOD FIRE BASE, AFGHANISTAN	DATE 7 Nov 02	TIME 0703Z	FILE NUMBER b7C-4, b6-4
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED] b7C-4, b6-4	SOCIAL SECURITY NUMBER [REDACTED] b7C-4, b6-4	GRADE/STATUS SPC / R-A	
ORGANIZATION OR ADDRESS HHC 1/505 PIR, MHP b7C-4, b6-4			

I, SPC [REDACTED] b7C-4, b6-4, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was on front gate guard with PFC [REDACTED] b7C-4, b6-4 & SGT [REDACTED] b7C-4, b6-4 when 2 men pulled up in a blue toyota. The 2 men parked in front of the front gate. They got out and we couldn't understand what they were saying so SGT [REDACTED] b7C-4, b6-4 left to get an interpreter. An interpreter and chief [REDACTED] b7C-5, b6-5 came down. Chief [REDACTED] b7C-5, b6-5 shot the tall man's hand and asked to see the truck. I guessed they wanted to rent it out to the fire base. They lifted the hood and they were checking out the toyota. Something happened and chief [REDACTED] b7C-5, b6-5 just started going back up the compound. I asked him if the 2 men were good to come up and chief [REDACTED] b7C-5, b6-5 said no. They he told the interpreter to tell them to get out of here. The 2 men quickly left as if they were scared. They headed toward the river bed and then out of sight. Chief [REDACTED] b7C-5, b6-5 came back down and told us that the tall guy was Al Qaeda. He went back up and came down with 2 humvees and went down the river bed. About 5 to 10 minutes later we heard the shots fired. Another toyota with one of the workers that carries a m' Ok. came up, we asked him if he was the one shooting and he said yes but I don't think he understood us. b7C-4, b6-4

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED] b7C-4, b6-4	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

b7c-4, b6-4

STATEMENT (Continued) After that the 2 Humvee came up and with a toyota behind them and chert b7c-5, b6-5 told me to let those guys in without checking them later on chief b7c-5, b6-5 came down when the workers were leaving to pay them. He told the interpreter to explain to the workers that the man that was shot pulled a weapon out on his men. He told the workers that never to point a weapon at his men. Then he paid them and they left.

Q: b7c-1, b6-1

A: b7c-4, b6-4

Q: Did the local national in the Hilux leave prior to the patrol leaving the base?

A: Yes b7c-4, b6-4

Q: Was CW2 b7c-5, b6-5 in one of the Humvees as the patrol left the base?

A: Yes. b7c-4, b6-4

Q: Do you know the names of the persons in the patrol, or how many there were?

A: I am not sure how many there was. b7c-4, b6-4

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

A: No III END OF STATEMENT III b7c-4, b6-4

AFFIDAVIT

I, SAC b7c-4, b6-4 HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIAED ALL CORRECTIONS AND HAVE INITIAED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

(Signature of Person Making Statement) b7c-4, b6-4

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 14th day of November, 2002 at DRE-PAWOD FIVE BASE, AFghanistan

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath) b7c-1, b6-1

ORGANIZATION OR ADDRESS

SA (Typed Name of Person Administering Oath) b7c-1, b6-1

AFGE 136, 4003 (Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT b7c-4, b6-4

PAGE 2 OF 2 PAGES

DATA REQUIRED BY PRIVACY ACT

AUTHORITY: Title 10, United States Code Section 3012 (g) ROUTINE USES: Your social security number and other personal information are used as an additional/alternate means of identification to facilitate and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified. DISCLOSURE: Disclosure of your social security # is voluntary

1. Rec Code:	2. Action Code:	3. Date:	4. Rel to Case:	5. Control:	6. Sequence #	7. Year:	8. Office	9. ROI #	Offense:
									2000-010-038

10. Last Name:	11. First Name:	12. Middle Name:	13. Grade/Rank:
[REDACTED] b7c-4, b6-4	[REDACTED] b7c-4, b6-4	[REDACTED] b7c-4, b6-4	E-5

14. Social Security Number:	15. Other ID Number:	16. Date of Birth:	17. POB City:	18. POB St:	19. POB Zip:
[REDACTED] b7c-4, b6-4	[REDACTED]	[REDACTED] b7c-4, b6-4	[REDACTED] b7c-4, b6-4	[REDACTED] b7c-4, b6-4	[REDACTED]

20. Sex:	21. Race:	22. Ethnic:	23. Height:	24. Weight:	25. Hair:	26. Color:	27. Citizen:	28. Educ:	29. Prior Record:	30. Marital:
M	C		72	180	BRN	BLU	US	12	Y	M

31. MOS:	32. Job Description/Location:	33. MC:	34. Security Clr:	35. Physical Marks/ Tattoos:	36. Spouse Military:	Branch:
UC HB	check computer		Secret	[REDACTED]	Yes: <input type="checkbox"/> No: <input type="checkbox"/>	

37. Alias/Nicknames:	38. Alias/Nicknames:	39. Alias/Nicknames:
	b7c-4, b6-4	

40. Unit/ Organization:	41. Unit Phone Number:	Home:	Cell/Pager:
AWC 11505			

42. Military Service:	43. Sub Unit:	44. Fort/City:	45. State:	46. Country:	47. Zip Code: APO:
ARMY ACTIVE					

48. Home Address:	49. City:	50. State:	51. Country:	52. Zip Code: APO:

FAMILY MEMBER DATA

53. JUV:	54. Family Rel:	55. Last Name:	56. First Name:	57. Middle Name:

58. Social Security:	59. Grade/Rank:	60. MC:	61. Unit:

62. City:	63. State:	64. ZIP/APO:	65. Phone:	Wk:	Hm:

OFFENSES

66. Offense Code:	67. UFC:	68. Offense Code:	69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:	73. UFC:

ADMINISTRATIVE DATA

Telephone:	ETS:	PCS/DEROS:	Date / Time Interview START:
	29 Jan 03	01 Jan 03	Date: Time: 0600

Place of Interview:	Date / Time Interview END:
	Date: Time:

Disposition:

PROPERTY ABSTRACT DATA

74. Category:	75. Type:	76. Recovered:	77. Value:	78. Insurer:	Policy:	Year/Date Exp:
		Yes: <input type="checkbox"/> No: <input type="checkbox"/>				

79. Year:	80. Make:	81. Model:	82. Vehicle Style:	83. # of Doors:	84. Color:	85. Size:

86. V.I.N.	87. License Plate:	88. State:	89. DOD Decal Number:

NOTES:

LAST HIV TEST:

ON 28 Aug 02 MY duty as SOG at Lumsai Firebase A Hilux

truck approached the ~~front gate~~ entrance of the firebase. Two Personnel got out of the vehicle. They both

approached myself and my two gate guards. We asked for an interop to come down to ~~the~~ help us out to translate. One Special Forces person and one interop came down to talk. Talking with the two for a few minutes then telling them to leave. We further observed the vehicle as it left just out of sight it stopped for a few minutes. ~~Making my rounds~~

The SFO personnel left then came right back asking if ~~the~~ ^{the local} nationals had left and where they went. In return telling us ~~that~~ ^{those} ~~that~~

personnel was wanted for questioning. That vehicle they were driving has been following our patrols out and was ~~the~~ seen around the base. I made my rounds around the guard positions telling my guard to keep their eye out of suspicious activity.

SWORN STATEMENT

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

b7c-4, b6-4

LOCATION DAE-ROJAO FIRE BASE AFGHANISTAN	DATE 7 Nov 2002	TIME 0712	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED] b7c-4, b6-4	SOCIAL SECURITY NUMBER [REDACTED] b7c-4, b6-4	GRADE/STATUS E-5/ Act J	
ORGANIZATION OR ADDRESS HHC 1/505th PIR			

I, [REDACTED] b7c-4, b6-4, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

b7c-4 on 28 Aug 02 my duty as Sog at Lawas fire base. A Hilux truck approached to entrance of the fire base. Two personal got out of the vehicle. They both approached myself and my two gate guards. We asked for an interop to come down to help use out to translate. One special forces person and one interop came down to talk. Talking with the two for a few min then telling them to leave. We later observed the vehicle as it left just left out of sight it stopped for a few min.

The 8th personal left then came right back asking if and where the local nationals had went. I return telling us that those personal was wanted for questioning that vehicle they were driving has been following our Patrol's out and was seen around the base. I made my rounds around the guard positions telling my guards to keep there eye out of suspicious activity. b7c-4, b6-4

Q: [REDACTED] b7c-4, b6-4

A: [REDACTED] b7c-4, b6-4

Q. Do you know the name of the local national that was driving the truck?

A: No [REDACTED] b7c-4, b6-4

Q. Can you describe the driver?

A: I am not sure who the driver was, but when they approached the gate, there was one with a beard and the other that was younger. b7c-4, b6-4

Q: Do you know the name of the Special Forces soldier who came to the gate?

A: I'm not sure who it was [REDACTED] b7c-4, b6-4

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED] b7c-4, b6-4	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED"
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

STATEMENT (Continued)

Q: Was it CW2 [redacted] or [redacted] b7C-5, b6-5 b7C-5, b6-5

A: I cannot remember [redacted] b7C-4, b6-4

Q: Did you actually see the Hilux leave the post?

A: Yes [redacted] b7C-4, b6-4

Q: Did an SF patrol leave the post just prior to the Hilux leaving?

A: I cannot recall if a patrol left right at that time. There might have been a patrol outside the base at the time, but I don't know [redacted] b7C-4, b6-4

Q: Did you hear the conversation between the SF soldier and the local national while at the gate?

A: No I do not recall what was said. [redacted] b7C-4, b6-4

Q: Did the SF soldier appear angry at the local national, or did he tell the local national to go away?

A: I don't remember [redacted] b7C-4, b6-4

Q: When you saw the Hilux in the riverbed below the camp, what were the occupants doing?

A: I could barely see the truck as it rounded the bend in the riverbed. They just sat there, but I could not see what they were doing. [redacted] b7C-4, b6-4

Q: When the Hilux left the base gate how many people were in the truck?

A: Just two [redacted] b7C-4, b6-4

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

A: No. // END OF STATEMENT // [redacted] b7C-4, b6-4

AFFIDAVIT

I, [redacted] b7C-4, b6-4, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[redacted] b7C-4, b6-4
 (Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 7 day of Nov 2002 at POC Rawad Fire Base, Afghanistan

[redacted] b7C-1, b6-1
 (Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA [redacted] b7C-1, b6-1
 (Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

A. J. K. 136 UCMJ
 (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[redacted] b7C-4, b6-4

PAGE 2 OF 2 PAGES

INVESTIGATIVE WORKSHEET

DATA REQUIRED BY PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012 (g)

ROUTINE USES: Your social security number and other personal information are used as an additional/alternate means of identification to facilitate filing and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified

DISCLOSURE: Disclosure of your social security number is voluntary

1 REC Code A4	2 Action Code	3 Date Submitted	4 SEQ Number	5 Year	6 Unit	7 ROT Number	8 Ref to Case	9 Control #
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INDIVIDUAL DATA

10 Last Name b7c-4, b6-4			11 First Name b7c-4, b6-4			12 Middle Name			13 Grade E 13		
14 Social Security Number b7c-4, b6-4			15 Other ID Number			16 DOB b7c-4, b6-4			17 POB-City b7c-4, b6-4		
18 POB-ST b7c-4, b6-4			19 POB-CTY			20 Sex M			21 Race Hisp.		
22 Ethnic			23 Height 6'9"			24 Weight 160			25 Hair Blk		
26 Eye Brn			27 Citizen US			28 Educ 12			29 Prior Rcd		
30 Martial M			31 MOS 11C			32 MCAC			33 Position		
34 Industry			35 Security NO			36 Physical Marks			37 Alias- Nickname(s)		
38 Alias- Nickname(s)			39 Alias- Nickname(s)			40 Organization			41 If Contractor, Contract #		
42 Military SVC			43 Subunit			44 For/ City			45 State		
46 Country			47 Zip Code/APO			48 Address			49 City		
50 State			51 Country			52 Zip Code			53 JUV		

FAMILY MEMBER DATA

54 Family Rel		55 Sponsor Last Name			56 Sponsor First Name			57 Sponsor Middle Name			
58 Social Security Number			59 SPON Grade /			60 SPON MCAC			61 Sponsor Unit Address		
62 SPON City			63 SPON ST			64 SPON CTY			65 SPON Zip Code/APO		

OFFENSE

66 Offense Code	67 UFC	68 Offense Code	69 UFC	70 Offense Code	71 UFC	72 Offense Code	73 UFC
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ADMINISTRATIVE DATA

Telephone # EIS 25 MAY 04		PCS/PEROS JAN 03		Date INTERV Start		Time INTERV Start	
Place of Interview Start		Date INTERV End		Time INTERV End		Place of Interview End	
Fingerprint		Photo		Vehicle Data			
Disposition				CORPORATION DATA			

CORPORATION DATA

74 Contractor Number			75 FED SERV/PROD #			76 Corporation Name		
77 Corp Address			78 Corp City			79 Corp State		
80 Corp CTY			81 Corp Zip Code			82 Contract Number		

NOTES

Cellular Phone Number:

CID Form 44-R (Automated)

Edition of 1 Aug 87 will be used until exhausted

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

LOCATION DAE RAWUD FIRE BASE, AFGHANISTAN	DATE 7 NOV 03 0730	FILE NUMBER b7c-4, b6-4
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED] b7c-4, b6-4	SOCIAL SECURITY NUMBER [REDACTED] b7c-4, b6-4	GRADE/STATUS PFC ACTIVE
ORGANIZATION OR ADDRESS HHC 1-505th PIA, KANDAHAR AIRFIELD, AFGHANISTAN, APO AE 09357		

1:4) b6-4 " [REDACTED] b7c-4, b6-4 WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

On Aug. 28th 2002 there were two men in a Toyota come up to our firebase, "Luzara" b7c-4, b6-4
 Sst. [REDACTED] b7c-4, b6-4, SPC [REDACTED] b7c-4, b6-4, and myself were on front gate guard at the time. Sst. [REDACTED] b7c-4, b6-4
 left the guard post so he can get a translator. Along with the translator
 a Chief [REDACTED] b7c-4, b6-4 and Sst. [REDACTED] b7c-4, b6-4 came to the front gate. They started talking, Chief
 [REDACTED] b7c-4, b6-4 the two guys and the translator, and looking under the hood of the Toyota.
 From my understanding they were trying to rent out their Toyota to the firebase.
 A few minutes passed and Chief [REDACTED] b7c-4, b6-4 told the two guys to leave. His exact
 words were "get out of here", "Go". The guys left in a hurry. About 5 minutes
 later Chief [REDACTED] b7c-4, b6-4 comes back down to the front gate and asks us "which
 way ~~the~~ Toyota went?" We told him ^{the} direction of the truck. Chief [REDACTED] b7c-4, b6-4 told us
 that one of the guys were known Al Qaida wanted for questioning. Chief [REDACTED] b7c-4, b6-4
 went back up and a few minutes later about 2 GMV's left in the direction
 of the Toyota. Sst. [REDACTED] b7c-4, b6-4, SPC [REDACTED] b7c-4, b6-4, and I then heard gunshots. I would say
 about 5 to 8 shots. I have seen one GMV go by the AMF checkpoint
 and they got a driver from their. Another Toyota. As they came back up into
 the firebase they said to let the Toyota in and do not stop him. Later on
 that day I found out that the SF Team that went out stopped the Toyota
 and the Al Qaida guy came out with an AK and pointed it at them and
 the guys just defended themselves. At the end of the day as the workers left
 Chief [REDACTED] b7c-4, b6-4 along with a translator told the workers to tell all the locals that
 "if we stop you and you point your weapon at any US soldier we will defend
 ourself and shoot you. And that was it." b7c-4, b6-4

- Q: [REDACTED] b7c-4, b6-4
- A: [REDACTED] b7c-4, b6-4
- Q: Do you know the names of the soldiers that were in the GMV's when they left the base?
- A: I'm not sure who they were. [REDACTED] b7c-4, b6-4

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED] b7c-4, b6-4	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823 JUL 72

SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

STATEMENT (Continued)

Q: Other than what you already stated did you hear anything further about the shooting?

A: NO [redacted] b7c-4, b6-4

Q: Did you see anyone else get in the Hilux after it left the compound?

A: No [redacted] b7c-4, b6-4

Q: Do you have any thing to add to your statement?

A: NO // END OF STATEMENT [redacted] b7c-4, b6-4

b7c-4, b6-4

AFFIDAVIT

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

[redacted signature] b7c-4, b6-4
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by me to administer oaths, this 7th day of November, 2002, at DAG-DAVID FIRE BASE AFGHANISTAN

ORGANIZATION OR ADDRESS

[redacted signature] b7c-4, b6-1
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA [redacted signature] b7c-4, b6-1
(Typed Name of Person Administering Oath)
APT 136, UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

Page(s)

137

Referred to:

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

MS. JACQUELINE SCOTT
scottj@centcom.mil
(813) 827-5341/2830

AGENT'S INVESTIGATIVE REPORT

CID Regulation 195-1

ROI NUMBER

0114-02-CID369-23525

PAGE 1 OF PAGES

67C-1667

67C-3163

DETAILS

At 1045, 14 Oct 02, SA [redacted] interviewed Mr [redacted] Lwara, Afghanistan (NFI), with the assistance of interpreters, Mr [redacted] and [redacted] (NFI), both assigned as interpreters at Lwara Fire Base, Afghanistan. Mr [redacted] stated he was working at a hotel in Pakistan at the time of this interview, but he lived with Mr SAYARI when he was still alive. Mr SAYARI was intending to hire Mr [redacted] as a driver if Mr SAYARI could successfully lease his Toyota Hilux, pick-up truck to the Lwara Fire Base. About 1000, the day of Mr SAYARI's death (Mr [redacted] could not recall the date) Mr SAYARI was hurrying Mr [redacted] because he wanted to go to the fire base. Mr SAYARI said that [redacted] was going to hire his Hilux and wanted to meet that day. The two of them drove to the gate at Fire Base Lwara and met with [redacted] was checking the Hilux and Mr SAYARI was telling [redacted] to check the interior of the truck. About that time two vehicles full of SF soldiers pulled up in a hurry and were talking excitedly to [redacted]. The soldiers told [redacted] they had to leave in a hurry and drove off. [redacted] immediately became agitated and angry. [redacted] insisted Mr SAYARI and Mr [redacted] leave. [redacted] pushed them talking angrily and shooing them with his hands, telling them to come back later. Mr SAYARI still wanted to go inside the fire base and talk about renting his truck to the SF soldiers at Lwara Fire Base. [redacted] insisted they leave and come back later to talk about it. [redacted] wanted them to leave immediately. Mr SAYARI told [redacted] to leave with him fearing there would be an attack from the way [redacted] was acting. They then got into Mr SAYARI's truck and drove away. They were going back to Mr SAYARI's house; which was in the opposite direction that the two vehicles full of SF soldiers went. At the bottom of the hill leading away from the fire base gate they stopped at the Afghan checkpoint and some men wanted to pay Mr SAYARI to take them to different places up the same road the SF team had gone. There were three men wanting to pay to go to the bazaar at Zangee Adda. Mr SAYARI charged them 100 Pakistani rupees for the trip and decided they would pick up some tea and sugar from the bazaar that they needed at their home as well. One of the men was an Afghan Military Forces (AMF) soldier, the soldier's brother and another man they did not know. The AMF soldier's name was [redacted] (NFI) and his brother's name was [redacted]. The men started up the road toward the Zangee Adda bazaar talking and listening to music. As they drove around a turn in the river bed they saw one of the SF vehicles blocking their path and two men pointing rifles at them and motioning them to stop. Then four SF soldiers made them all get out of the truck and stand in a straight line in the middle of the road. Only [redacted] and Mr [redacted] had a weapon. Both had their AK-47 rifles, but left them in Mr SAYARI's truck when they got out of the vehicle. Mr SAYARI and the other individuals in the truck did not have weapons. [redacted] knew there was one weapon in the truck, because Mr SAYARI told him about Mr [redacted] weapon being in the truck at the gate to the fire base. Everyone was searched. After they searched Mr SAYARI he was told to sit on a rock on the far side of the road. [redacted] went into Mr SAYARI's truck and took out [redacted] AK-47 rifle, gave it to him and told him to leave by motioning with his hand and saying "Go" loudly and pointing in the direction of the bazaar. [redacted] appeared very angry and said "Go quickly!" Mr [redacted] explained all of them understood this simple English. [redacted] took his rifle and went over a little rise and out of sight. [redacted] never removed the magazine or cleared the weapon. [redacted] just gave it to [redacted]. Then [redacted] obtained Mr [redacted] AK-47 rifle from the truck and removed the 40 round magazine and cleared the round from

TYPED AGENT'S NAME AND SEQUENCE NUMBER

Special Agent [redacted]

ORGANIZATION

87th Military Police Detachment (ABN)(CID), 3rd MP Group
Camp Stronghold Freedom, APO AE 09311

SIGNATURE

DATE

18 Oct 02

EXHIBIT

CID FORM 94-E

1 Oct 95

FOR OFFICIAL USE ONLY

PROTECTIVE MARKING IS EXCLUDED FROM
AUTOMATIC TERMINATION (Para 13, AR 340-16)
(When Data is Entered)

138

AGENT'S INVESTIGATIVE REPORT

CID Regulation 195-1

ROI NUMBER

0114-02-CID369-23525

PAGE 2 OF PAGES

DETAILS

67C-5166-5
 the chamber ██████ took the weapon to his vehicle went inside the vehicle and obtained another magazine from inside the vehicle. He left Mr ██████ magazine in the vehicle. The magazine ██████ got from the vehicle ██████ contained black tipped rounds of the type known to be used by Al Qaeda members in their weapons. Mr ██████ magazine did not have those type rounds in it ██████ then put that magazine back into Mr ██████ weapon and chambered a round. Mr ██████ protested loudly asking ██████ not to load his weapon. Mr ██████ did not want the weapon loaded when it was given back to him as he did not want anyone to think he had any hostile intent toward the SF soldiers when he left with it. Mr ██████ asked ██████ for his weapon to be returned to him, but ██████ refused. ██████ told the other passengers to leave and they went off in the same direction as ██████ Mr ██████ wanted his weapon prior to leaving and when he asked for it again, ██████ pointed the loaded weapon at Mr ██████ stomach and said, "Go! Hurry!" Mr SAYARI got up to leave as well and ██████ pushed him in the chest and directed him to sit back on the rock at the far side of the road. Mr ██████ became concerned at this threat to his person and departed in the same direction as the others. When he looked at Mr SAYARI as he left Mr ██████ could see that Mr SAYARI was very scared and the fear was apparent on his face. Mr SAYARI was searched previously and had no weapon. One of the other soldier's was leaning on the front of Mr SAYARI's truck with one arm holding a M4 rifle in the other hand, keeping the weapon trained on Mr SAYARI. ██████ placed Mr ██████ AK-47 rifle on the front of Mr SAYARI's truck where the man was standing. There were no interpreters, AMF or other Afghans present with the SF soldiers. Mr SAYARI was seated on the rock, rocking back and forth with his head in his hands. About two minutes after Mr ██████ was out of sight of the SF soldiers and Mr SAYARI over the rise, he heard gunfire. At that point Mr ██████ began to run away from the area. Mr ██████ thought that he heard one burst of about 3 or 4 rounds. Walking in the vicinity of the incident the next morning, Mr ██████ encountered 3 or 4 young Afghan girls who were walking away from where Mr ██████ last saw Mr SAYARI. They had 6 pieces of American brass from a M4 rifle round in their hands. They were on their way to sell the brass after putting with brass collected from other locations. The girls told Mr ██████ they picked up the brass right next to a pool of blood where Mr SAYARI was killed. Mr ██████ advised the entire tribe knew of the killing almost immediately. Mr ██████ said he recognized the black tipped bullets as those used by Al Qaeda he saw them at an Al Qaeda checkpoint before the Americans came to Afghanistan, and became familiar with the fact that the Al Qaeda members used that type of ammunition known to them as destructive bullets. It was unclear where that analogy came from and neither Mr ██████ or the interpreter could properly explain. Mr ██████ stated Mr SAYARI was definitely not an Al Qaeda member or sympathizer. Mr SAYARI and the entire tribe to which Mr ██████ and Mr SAYARI belonged hated Al Qaeda and the Taliban with a passion. One time the Al Qaeda burned Mr SAYARI's vehicle and beat him severely at one of their checkpoints. This act assured that Mr SAYARI thereafter considered Al Qaeda a "big enemy". Mr SAYARI later captured one of the Al Qaeda members that cut his truck tires and burned it. Mr SAYARI kept him captive until Al Qaeda promised to buy him a new truck. Then Mr SAYARI let the Al Qaeda member go free. The Al Qaeda members did not complete their end of the bargain. Mr SAYARI then sent word to the Al Qaeda members that he would shoot at their vehicles whenever he saw them and kill any Al Qaeda members he found

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Special Agent ██████ 67C-5166-1		87th Military Police Detachment (ABN)(CID), 3 rd MP Group Camp Stronghold Freedom, APO AE 09311	
SIGNATURE	DATE	EXHIBIT	
████████████████████	18 Oct 02		

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in the area controlled by his tribe, the Pepelayu. The Pepelayu controlled an area comprised of about 17 villages in the vicinity of Schkin and Lwara, Afghanistan. Mr [REDACTED] and Mr SAYARI lived in another area during that time and the Al Qaeda came and rocketed their homes and village. The Al Qaeda killed Mr [REDACTED] uncle in a separate incident. They then fled to the Lwara area. Sometime after that the Americans came to Afghanistan. Mr SAYARI had a "big quarrel" with the Al Qaeda members. The interpreter explained that Mr [REDACTED] meant this was like a "blood feud" and Mr SAYARI would ever after consider any Al Qaeda or Taliban his sworn enemies. The Al Qaeda and Taliban are the enemies of Mr [REDACTED] Mr SAYARI, and all of the tribes in the Lwara/Schkin area of Afghanistan. If the Pepelayu tribe found any of the Al Qaeda or Taliban they would arrest or kill them. After the Americans bombed Kabul, Mr SAYARI set up a checkpoint and sent word to the Al Qaeda and Taliban not to come to his area. Mr SAYARI told them they were his enemy and he would kill them. Mr [REDACTED] was adamant that Mr SAYARI had no intention to follow the SF soldiers after he was forced away from the gate at Lwara by [REDACTED]. Mr SAYARI was going to his house in the opposite direction until he picked up paying passengers going in that direction. There were only a couple directions of travel right as you leave the gate of the fire base. It was only natural that many people had to travel the same direction, at least for awhile. Mr SAYARI liked the Americans and the SF soldiers very much. He wanted to rent his truck to the SF soldiers. Mr SAYARI would make more money from that than using his truck as a taxi. Mr [REDACTED] stated the distance from where he last saw Mr SAYARI seated to where his weapon was on the front of Mr SAYARI's truck was about 15 to 20 meters. Mr [REDACTED] illustrated by stepping off a similar distance for SA [REDACTED] and the distance was about 15 to 20 meters.

At 1230, 14 Oct 02, SA [REDACTED] interviewed Dr [REDACTED], Lwara, Afghanistan (NFI), as a spokesman for all of the elders of the Pepelayu tribe. Dr WAZIR was fluent in the English language and relayed all answers from the tribal elders to SA [REDACTED] without identifying any of them, except Mr SAYARI's father and son, and his brother. Dr [REDACTED] did not identify them by name. Only by their relationship to Mr SAYARI or himself. Dr [REDACTED] advised that he had helped to wash Mr SAYARI's body after his death and help prepare it for burial. Mr [REDACTED] stated Mr SAYARI was buried in the clothing he died in as this was the custom of the tribe. Dr [REDACTED] remembered a wound; that appeared to be an exit wound, just below the bottom edge of Mr SAYARI's throat on the chest and slightly to the right. The wound was about as big around as his middle finger (appeared to be about 1/2 to 5/8 of an inch in diameter) and had rough edges curled out away from the wound. Dr [REDACTED] did not see and could not remember any other wounds as they did not remove Mr SAYARI's clothing. Dr [REDACTED] wanted to make it clear that he could not say as an expert that the wound was an exit. The entire tribe knew Mr SAYARI to like the Americans and SF soldiers and no one knew of him bearing any ill will toward them, or Mr SAYARI wanting to harm them in any way. Mr SAYARI was very happy that the Americans had come to Afghanistan and freed it from the grip of Al Qaeda and the Taliban. Mr SAYARI hated them both with a passion. Mr SAYARI's father and most of the tribal elders confirmed what Mr [REDACTED] related about Mr SAYARI's hatred for the Al Qaeda and the Taliban. They

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confirmed Mr [REDACTED] ^{b7c-3, b6-3} account of the incidents with the Al Qaeda members burning Mr SAYARI's truck and beating him; attacking the village with rockets; their flight to the area they now lived; and that Mr SAYARI had a very deep hatred for both groups. Mr SAYARI's father stated that Mr SAYARI did kill his cousin many years ago over a dispute for ownership of a field. Both men were engaged in a heated argument when Mr SAYARI killed the man. Mr SAYARI left the area after that and had not murdered anyone since that time. It was an unfortunate incident and both men were hot tempered when younger. Mr SAYARI had 5 children and the oldest was a son of 8 years of age. Mr SAYARI just wanted to make a living and sold fruit when it was in season. Dr [REDACTED] ^{b7c-3, b6-3} expressed the tribes belief that it would be very out of character for Mr SAYARI to follow SF soldiers and report their activity to the Al Qaeda or the Taliban. They were his enemies. Mr SAYARI would not harm Americans or seek to cause them harm. Mr SAYARI was very happy the Americans were in Afghanistan and felt the Americans were in Afghanistan to help. Not to occupy and support a puppet government like the Russians did before. Dr [REDACTED] ^{b7c-3, b6-3} and the tribal elders had nothing further to relate pertaining to this investigation.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

Special Agent [REDACTED]

^{b7c-1, b6-1}

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