

DATE: 31 Jan 05

FROM: SAC, 87TH MILITARY POLICE DET (CID)  
TO: DIRECTOR, USACRC, USACIDC, FORT BELVOIR, VA  
CDR, HQUSACIDC //CIOP-COP-CO//  
CDR, 10<sup>TH</sup> MP BN (CID)(ABN)(FWD) //OPS//  
CDR, 3D MP GROUP (CID) //OPS//  
DIR AFIP AFME WASH, DC//AFIP-CPLF//

SUBJECT: CID REPORT -1<sup>ST</sup> SUPPLEMENTAL/SSI - 0009-04-CID679-83486-  
5H4J/5C1L/5Y2P9/5Y2D1/5M3/5C2/X1/9G1

DRAFTER: SA [REDACTED]  
RELEASER: SA [REDACTED]

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1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 9 JAN 2004/0730 - 9 JAN 2004/0900; DETENTION FACILITY, FORWARD OPERATING BASE (FOB), RIFLES BASE, AL ASAD, IRAQ, MGRS 38S KC 60160 40494.

2. 4 JAN 2004/1730 - 4 JAN 04/1830; ALTERNATE SUPPLY ROUTE BRONZE, IRAQ.

3. 6 JAN 2004/1000 - 6 JAN 04/1300; ODA 525 COMPOUND, FOB RIFLES BASE, AL ASAD, IRAQ.

4. 10 JAN 2004/1200 - 10 JAN 04/1800; 94<sup>TH</sup> MP COMPANY BILLETTS, FOB RIFLES BASE, AL ASAD, IRAQ.

2. DATE/TIME REPORTED: 9 JAN 2004, 1010

3. INVESTIGATED BY: SA [REDACTED], SA [REDACTED]  
[REDACTED] SA [REDACTED]

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4. SUBJECT: 1. [REDACTED] SFC [REDACTED]  
[REDACTED], M; WHITE; ODA 525, B COMPANY, 1<sup>ST</sup> BATTALION, 5<sup>TH</sup> SPECIAL FORCES GROUP, FORT CAMPBELL, KY (FOB RIFLES BASE, IRAQ; SP. [AGGRAVATED ASSAULT], [FALSE OFFICIAL STATEMENT], [CONSPIRACY]

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2. [REDACTED] SPC; [REDACTED]  
[REDACTED] M; WHITE; ADA BATTERY, 1/3 ARMORED CAVALRY REGIMENT, FORT CARSON, CO (FOB RIFLES BASE, IRAQ); CT. [ASSAULT]

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3. [REDACTED]; SFC: [REDACTED]  
[REDACTED] M; WHITE; ODA 525, B COMPANY, 1<sup>ST</sup> BATTALION, 5<sup>TH</sup>  
SPECIAL FORCES GROUP, FORT CAMPBELL, KY (FOB RIFLES BASE, IRAQ;  
SP. [AGGRAVATED ASSAULT], [FALSE OFFICIAL STATEMENT],  
[CONSPIRACY]

4. [REDACTED] SSG; [REDACTED]  
[REDACTED] M; WHITE; ODA 525, B COMPANY, 1<sup>ST</sup> BATTALION, 5<sup>TH</sup>  
SPECIAL FORCES GROUP, FORT CAMPBELL, KY (FOB RIFLES BASE, IRAQ;  
SP. [AGGRAVATED ASSAULT], [FALSE OFFICIAL STATEMENT],  
[CONSPIRACY]

5. [REDACTED] SPC; [REDACTED]  
[REDACTED] M; WHITE; S & T SUPPORT SQUADRON, FORT CARSON, CO;  
CT [NEGLIGENT HOMICIDE], [CRUELTY AND MALTREATMENT]

6. [REDACTED] SGT [REDACTED] M;  
WHITE; MAINTENANCE TROOP, SUPPORT SQUADRON, FORT CARSON, CO;  
CT [NEGLIGENT HOMICIDE], [CRUELTY AND MALTREATMENT]

7. [REDACTED] SPC; [REDACTED]  
[REDACTED] M; WHITE; AVIATION MAINTENANCE TROOP, SUPPORT  
SQUADRON, FORT CARSON, CO; CT [AGGRAVATED ASSAULT], [FALSE  
OFFICIAL STATEMENT], [CONSPIRACY]

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8. [REDACTED] PFC [REDACTED]  
[REDACTED] M; WHITE; S & T, SUPPORT SQUADRON, FORT CARSON, CO;  
CT [NEGLIGENT HOMICIDE], [CONSPIRACY]

9. [REDACTED] SPC [REDACTED]  
[REDACTED] M; BLACK; S & T, SUPPORT SQUADRON, FORT  
CARSON, CO; CT [FALSE OFFICIAL STATEMENT], [CONSPIRACY]

10. [REDACTED] SSG; [REDACTED]  
[REDACTED] M; WHITE; 2133<sup>RD</sup> TRANSPORTATION COMPANY, IOWA  
NATIONAL GUARD, IA; CT [DERELICTION OF DUTY], [FALSE OFFICIAL  
STATEMENT], [CONSPIRACY]

11. [REDACTED] SPC; [REDACTED]  
[REDACTED] M; WHITE; AVIATION MAINTENANCE TROOP, SUPPORT  
SQUADRON, FORT CARSON, CO; CT [CONSPIRACY], [FALSE OFFICIAL  
STATEMENT]

5. VICTIM: 1. [REDACTED]  
FORMER LTC, IRAQI ARMY; DETAINEE NUMBER [REDACTED]

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[REDACTED] M; C; DULA'AB, IRAQ; ZZ; (NFI) [NEGLIGENT HOMICIDE], [ASSAULT], [AGGRAVATED ASSAULT], [CRUELTY AND MALTREATMENT]

2. U.S. GOVERNMENT. [FALSE OFFICIAL STATEMENT], [CONSPIRACY], [DERELICTION OF DUTY]

6. INVESTIGATIVE SUMMARY:

THIS IS AN OPERATION IRAQI FREEDOM INVESTIGATION.

1<sup>ST</sup> SUPPLEMENTAL:

THIS SUPPLEMENTAL REPORT IS BEING SUBMITTED TO DOCUMENT FURTHER INVESTIGATIVE ACTIVITY.

DURING AN OPERATIONAL REVIEW IT WAS DETERMINED FURTHER INVESTIGATIVE ACTIVITY AND DOCUMENTATION WAS NECESSARY TO CLARIFY INFORMATION CONTAINED IN THE FINAL REPORT.

FINAL REPORT:

INVESTIGATIVE SUMMARY: ON 9 JAN 04, THE 94<sup>TH</sup> MILITARY POLICE COMPANY, FOB RIFLES BASE, AL ASAD, IRAQ, NOTIFIED THIS OFFICE AN IRAQI DETAINEE DIED AT THE FOB RIFLES BASE DETENTION FACILITY.

INVESTIGATION ESTABLISHED PROBABLE CAUSE TO BELIEVE SFC [REDACTED] COMMITTED THE OFFENSE OF ASSAULT WHEN SHORTLY AFTER THE CAPTURE OF MR. [REDACTED], SFC [REDACTED] KICKED MR. [REDACTED] IN THE CHEST TWO OR THREE TIMES. SFC [REDACTED] STATED THE REASON FOR THE ASSAULT WAS TO STOP MR. [REDACTED] FROM STANDING. MR. [REDACTED] WAS RESTRAINED WITH ZIP TIES AT THE TIME OF THE ASSAULT.

INVESTIGATION ESTABLISHED PROBABLE CAUSE TO BELIEVE SFC [REDACTED], SFC [REDACTED], AND SSG [REDACTED] COMMITTED THE OFFENSES OF AGGRAVATED ASSAULT, CONSPIRACY, AND FALSE OFFICIAL STATEMENT WHEN THEY ENTERED INTO AN AGREEMENT TO PROVIDE A UNIFORMED STATEMENT AS TO THE ALLEGED ATTACK ON SFC [REDACTED] BY MR. [REDACTED]. ALL THREE THEN PROVIDED OFFICIAL STATEMENTS STATING MR. [REDACTED] ATTACKED SFC [REDACTED] AND ATTEMPTED TO REACH FOR THE PISTOL LOCATED IN HIS SHOULDER HOLSTER. THEY STATED THEY HAD TO SUBDUE MR. [REDACTED] BY STRIKING MR. [REDACTED] REPEATEDLY FOR ONE TO TWO MINUTES. SSG [REDACTED], SFC [REDACTED], AND SFC [REDACTED] STATED THEY NEVER ATTEMPTED TO GAIN CONTROL OF MR. [REDACTED] HANDS IN ORDER TO PREVENT HIM FROM REACHING FOR THE WEAPON. MR. [REDACTED] INJURIES WERE NOT CONSISTENT WITH THIS EXPLANATION IN THAT THE NUMBER OF INJURIES AND SEVERITY OF THE

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INJURIES EXCEEDED THE FORCE THAT WOULD REASONABLY BE REQUIRED FOR THREE MEN TO SUBDUE HIM.

INVESTIGATION ESTABLISHED PROBABLE CAUSE TO BELIEVE SPC [REDACTED] COMMITTED THE OFFENSES OF AGGRAVATED ASSAULT, CONSPIRACY, AND FALSE OFFICIAL STATEMENT; SPC [REDACTED] COMMITTED THE OFFENSE OF FALSE OFFICIAL STATEMENT AND CONSPIRACY; SPC [REDACTED] COMMITTED THE OFFENSES OF FALSE OFFICIAL STATEMENT AND CONSPIRACY; AND SSG [REDACTED] COMMITTED THE OFFENSES OF DERELICTION OF DUTY, CONSPIRACY, AND FALSE OFFICIAL STATEMENT WHEN THEY ENTERED INTO AN AGREEMENT PRIOR TO BEING INTERVIEWED BY CID, THAT THEY WOULD NOT DISCLOSE THE FACT THAT MR. [REDACTED] ACTUALLY MADE IT OUTSIDE THE DETENTION FACILITY DURING HIS ESCAPE ATTEMPT. SPC [REDACTED] AND SPC [REDACTED] HAVE STATED SPC [REDACTED] APPREHENDED MR. [REDACTED] ALONE BY GRABBING HIS SHOULDERS FROM BEHIND, CAUSING MR. [REDACTED] TO FALL BACKWARDS IN A TWISTING MOTION ONTO HIS BUTTOCKS. AT WHICH TIME SPC [REDACTED] STEPPED OVER, OR AROUND HIM, TO A POSITION NEAR MR. [REDACTED] LEGS AND FEET. SPC [REDACTED] THEN ESCORTED MR. [REDACTED] TO THE SLEEP DEPRIVATION AREA LOCATED DIRECTLY IN FRONT OF THE GUARD STAND. HOWEVER, SSG [REDACTED] STATED SPC [REDACTED] CAUGHT MR. [REDACTED] PRIOR TO HIM LEAVING THE BUILDING. SSG [REDACTED] STATED UPON FIRST CONTACT, SPC [REDACTED] SLAMMED MR. [REDACTED] INTO THE BACK WALL, AND THEN BEAR HUGGED MR. [REDACTED] FROM BEHIND AND SLAMMED HIM TO THE FLOOR WITH SPC [REDACTED] LANDING ON TOP OF MR. [REDACTED]. FURTHER, SSG [REDACTED] FAILED TO INITIALLY REPORT HOW SPC [REDACTED] APPREHENDED MR. [REDACTED] DURING THE ESCAPE ATTEMPT.

INVESTIGATION ESTABLISHED PROBABLE CAUSE TO BELIEVE PFC [REDACTED] COMMITTED THE OFFENSE'S OF NEGLIGENT HOMICIDE WHEN HE UTILIZED A MILITARY POLICE STYLE BATON TO BRING MR. [REDACTED] TO HIS FEET AFTER HE REFUSED TO STAND. SPC [REDACTED] STATED PFC [REDACTED] APPEARED TO BE VERY UPSET ABOUT THE ESCAPE ATTEMPT AND WHEN MR. [REDACTED] REFUSED TO STAND PFC [REDACTED] PLACED THE BATON UNDER THE CHIN OF MR. [REDACTED] WHILE STANDING BEHIND HIM, AND PULLED HIM TO A STANDING POSITION, THERE BY FRACTURING THE HYOID BONE, WHICH WAS THE MAJOR CONTRIBUTING FACTOR FOR THE DEATH OF MR. [REDACTED]. FURTHER INVESTIGATION ESTABLISHED PROBABLE CAUSE TO BELIEVE PFC [REDACTED] COMMITTED THE OFFENSE OF CONSPIRACY WHEN HE ENTERED INTO AN AGREEMENT WITH SPC [REDACTED], SSG [REDACTED], SPC [REDACTED] AND SPC [REDACTED] PRIOR TO BEING INTERVIEWED BY CID, IN THAT THEY WOULD NOT DISCLOSE THE FACT THAT MR. [REDACTED] ACTUALLY MADE IT OUTSIDE THE DETENTION FACILITY DURING HIS ESCAPE ATTEMPT.

*except as noted b7c5*

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*all "mr" = b(6)(c) b(7)(c)(4)*

INVESTIGATION ESTABLISHED PROBABLE CAUSE TO BELIEVE SGT [REDACTED] AND SPC [REDACTED] COMMITTED THE OFFENSE OF NEGLIGENT HOMICIDE AND CRUELTY AND MALTREATMENT WHEN THEY ORDERED MR. [REDACTED] TO STAND AS PART OF A MASS PUNISHMENT, THEN AFTER MR. [REDACTED] FAILED TO COMPLY WITH THEIR ORDER THEY HANDCUFFED MR. [REDACTED] TO THE DOOR FRAME OF HIS CELL IN SUCH A MANNER TO FORCE HIM TO REMAIN STANDING. SGT [REDACTED] AND SPC [REDACTED] THEN GAGGED MR. [REDACTED] AFTER HE REFUSED TO STOP MAKING NOISES. SPC [REDACTED] STOOD BEHIND MR. [REDACTED] WITH THE GAG AROUND MR. [REDACTED] HEAD, AS SGT [REDACTED] UTILIZED PRESSURE POINTS ON THE UPPER JAW AND CHIN TO FORCE HIS MOUTH OPEN. SPC [REDACTED] THEN PULLED THE GAG INTO PLACE AND TIED IT OFF BEHIND MR. [REDACTED] HEAD.

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CONSIDERING THE TOTALITY OF THE FACTS AND EVENTS REGARDING THE DETENTION OF MR. [REDACTED] THERE WAS NO ONE INCIDENT WHICH CAUSED THE FINAL DEMISE OF MR. [REDACTED] RATHER HE WAS STEADILY SUBJECTED TO PHYSICAL TRAUMA, BROUGHT ON BY HIS OWN ACTIONS; HOWEVER, EXCESSIVE FORCE WAS UTILIZED BY SSG [REDACTED] SFC [REDACTED] AND SFC [REDACTED], SPC [REDACTED] AND PFC [REDACTED] THERE IS INDICATION TO SUGGEST SGT [REDACTED] OR SPC [REDACTED] ACTED IN A NEGLIGENT MANNER WHEN THEY GAGGED AND FORCED MR. [REDACTED] TO STAND AS PUNISHMENT FOR TALKING. THE INITIAL INCIDENT WITH SPC [REDACTED] WAS DEEMED INSIGNIFICANT TO CAUSE GRIEVOUS BODILY INJURY FROM EYE WITNESS STATEMENTS, FROM MEMBERS OF HIS UNIT, AND FROM THE INTERVIEWS OF THE OTHER IRAQIS DETAINED AT THE SAME TIME AS MR. [REDACTED]

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*b7c4*

INVESTIGATION CONTINUES BY 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.

*except as noted b7c4*

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DEPARTMENT OF THE ARMY  
87<sup>TH</sup> MILITARY POLICE DETACHMENT (AIRBORNE)(FORWARD)  
DIVISION SUPPORT ELEMENT (CID)  
AR RAMADI, IRAQ APO AE 09384

CIRC-ABB

11 Jan 05

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL - 0009-04-CID679-83486-  
5H4J/5C1L/5Y2P9/5Y2D1/5M3/5C2/X1/9G1

DRAFTER: SA [REDACTED]  
RELEASER: SA [REDACTED]

> b7c1

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 9 JAN 2004/0730 - 9 JAN 2004/0900; DETENTION FACILITY, FORWARD  
OPERATING BASE (FOB), RIFLES BASE, AL ASAD, IRAQ, MGRS 38S KC 60160  
40494.

2. 4 JAN 2004/1730 - 4 JAN 04/1830; ALTERNATE SUPPLY ROUTE BRONZE,  
IRAQ.

3. 6 JAN 2004/1000 - 6 JAN 04/1300; ODA 525 COMPOUND, FOB RIFLES  
BASE, AL ASAD, IRAQ.

4. 10 JAN 2004/1200 - 10 JAN 04/1800; 94<sup>TH</sup> MP COMPANY BILLETS, FOB  
RIFLES BASE, AL ASAD, IRAQ.

DATE/TIME REPORTED: 9 JAN 2004, 1010

INVESTIGATED BY: SA [REDACTED] SA [REDACTED]

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SUBJECT: 1. [REDACTED], SFC; [REDACTED], M; WHITE; ODA 525, B COMPANY, 1<sup>ST</sup> BATTALION, 5<sup>TH</sup>  
SPECIAL FORCES GROUP, FORT CAMPBELL, KY (FOB RIFLES BASE, IRAQ;  
SP. [AGGRAVATED ASSAULT], [FALSE OFFICIAL STATEMENT],  
[CONSPIRACY]

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2. [REDACTED], SPC; [REDACTED], M; WHITE; ADA BATTERY, 1/3 ARMORED CAVALRY REGIMENT,  
FORT CARSON, CO (FOB RIFLES BASE, IRAQ); CT. [ASSAULT]

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termination (Chap 3, AR 25-55)

3. [REDACTED] SFC; [REDACTED]  
[REDACTED] CA; M; WHITE; ODA 525, B COMPANY, 1<sup>ST</sup> BATTALION, 5<sup>TH</sup>  
SPECIAL FORCES GROUP, FORT CAMPBELL, KY (FOB RIFLES BASE, IRAQ;  
SP. [AGGRAVATED ASSAULT], [FALSE OFFICIAL STATEMENT],  
[CONSPIRACY]

4. [REDACTED] SSG; [REDACTED]  
[REDACTED] M; WHITE; ODA 525, B COMPANY, 1<sup>ST</sup> BATTALION, 5<sup>TH</sup>  
SPECIAL FORCES GROUP, FORT CAMPBELL, KY (FOB RIFLES BASE, IRAQ;  
SP. [AGGRAVATED ASSAULT], [FALSE OFFICIAL STATEMENT],  
[CONSPIRACY]

5. [REDACTED] SPC; [REDACTED]  
[REDACTED] M; WHITE; S & T SUPPORT SQUADRON, FORT CARSON, CO;  
CT [NEGLIGENT HOMICIDE], [CRUELTY AND MALTREATMENT]

6. [REDACTED] SGT; [REDACTED]  
WHITE; MAINTENANCE TROOP, SUPPORT SQUADRON, FORT CARSON, CO;  
CT [NEGLIGENT HOMICIDE], [CRUELTY AND MALTREATMENT]

7. [REDACTED] SPC; [REDACTED]  
[REDACTED] M; WHITE; AVIATION MAINTENANCE TROOP, SUPPORT  
SQUADRON, FORT CARSON, CO; CT [AGGRAVATED ASSAULT], [FALSE  
OFFICIAL STATEMENT], [CONSPIRACY]

8. [REDACTED] PFC; [REDACTED]  
[REDACTED] M; WHITE; S & T, SUPPORT SQUADRON, FORT CARSON, CO;  
CT [NEGLIGENT HOMICIDE], [CONSPIRACY]

9. [REDACTED] SPC; [REDACTED]  
[REDACTED] M; BLACK; S & T, SUPPORT SQUADRON, FORT  
CARSON, CO; CT [FALSE OFFICIAL STATEMENT], [CONSPIRACY]

10. [REDACTED] SSG; [REDACTED]  
[REDACTED] M; WHITE; 2133<sup>RD</sup> TRANSPORTATION COMPANY, IOWA  
NATIONAL GUARD, IA; CT [DERELICTION OF DUTY], [FALSE OFFICIAL  
STATEMENT], [CONSPIRACY]

11. [REDACTED] SPC; [REDACTED]  
[REDACTED] M; WHITE; AVIATION MAINTENANCE TROOP, SUPPORT  
SQUADRON, FORT CARSON, CO; CT [CONSPIRACY], [FALSE OFFICIAL  
STATEMENT]

VICTIM: 1. [REDACTED] [DECEASED]; FORMER  
LTC, IRAQI ARMY; DETAINEE NUMBER [REDACTED]

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[REDACTED] M; C; DULA'AB; IRAQ; ZZ; (NFI) [NEGLIGENT HOMICIDE], [ASSAULT], [AGGRAVATED ASSAULT], [CRUELTY AND MALTREATMENT]

2. U.S. GOVERNMENT. [FALSE OFFICIAL STATEMENT], [CONSPIRACY], [DERELICTION OF DUTY]

THIS IS AN OPERATION IRAQI FREEDOM INVESTIGATION.

INVESTIGATIVE SUMMARY: ON 9 JAN 04, THE 94<sup>TH</sup> MILITARY POLICE COMPANY, FOB RIFLES BASE, AL ASAD, IRAQ, NOTIFIED THIS OFFICE AN IRAQI DETAINEE DIED AT THE FOB RIFLES BASE DETENTION FACILITY.

INVESTIGATION ESTABLISHED PROBABLE CAUSE TO BELIEVE SPC [REDACTED] COMMITTED THE OFFENSE OF ASSAULT WHEN SHORTLY AFTER THE CAPTURE OF MR. [REDACTED] SPC [REDACTED] KICKED MR. [REDACTED] IN THE CHEST TWO OR THREE TIMES. SPC [REDACTED] STATED THE REASON FOR THE ASSAULT WAS TO STOP MR. [REDACTED] FROM STANDING. MR. [REDACTED] WAS RESTRAINED WITH ZIP TIES AT THE TIME OF THE ASSAULT.

INVESTIGATION ESTABLISHED PROBABLE CAUSE TO BELIEVE SFC [REDACTED] SFC [REDACTED] AND SSG [REDACTED] COMMITTED THE OFFENSES OF AGGRAVATED ASSAULT, CONSPIRACY, AND FALSE OFFICIAL STATEMENT WHEN THEY ENTERED INTO AN AGREEMENT TO PROVIDE A UNIFORMED STATEMENT AS TO THE ALLEGED ATTACK ON SFC [REDACTED] BY MR. [REDACTED] ALL THREE THEN PROVIDED OFFICIAL STATEMENTS STATING MR. [REDACTED] ATTACKED SFC [REDACTED] AND ATTEMPTED TO REACH FOR THE PISTOL LOCATED IN HIS SHOULDER HOLSTER. THEY STATED THEY HAD TO SUBDUE MR. [REDACTED] BY STRIKING MR. [REDACTED] REPEATEDLY FOR ONE TO TWO MINUTES. SSG [REDACTED] SFC [REDACTED] AND SFC [REDACTED] STATED THEY NEVER ATTEMPTED TO GAIN CONTROL OF MR. [REDACTED] HANDS IN ORDER TO PREVENT HIM FROM REACHING FOR THE WEAPON. MR. [REDACTED] INJURIES WERE NOT CONSISTENT WITH THIS EXPLANATION IN THAT THE NUMBER OF INJURIES AND SEVERITY OF THE INJURIES EXCEEDED THE FORCE THAT WOULD REASONABLY BE REQUIRED FOR THREE MEN TO SUBDUE HIM.

INVESTIGATION ESTABLISHED PROBABLE CAUSE TO BELIEVE SPC [REDACTED] COMMITTED THE OFFENSES OF AGGRAVATED ASSAULT, CONSPIRACY, AND FALSE OFFICIAL STATEMENT; SPC [REDACTED] COMMITTED THE OFFENSE OF FALSE OFFICIAL STATEMENT AND CONSPIRACY; SPC [REDACTED] COMMITTED THE OFFENSES OF FALSE OFFICIAL STATEMENT AND CONSPIRACY; AND SSG [REDACTED] COMMITTED THE OFFENSES OF DERELICTION OF DUTY, CONSPIRACY, AND FALSE OFFICIAL STATEMENT WHEN THEY ENTERED INTO AN AGREEMENT PRIOR TO BEING INTERVIEWED BY CID, THAT THEY WOULD NOT DISCLOSE THE FACT THAT MR. [REDACTED] ACTUALLY MADE IT OUTSIDE THE DETENTION FACILITY

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"Mr" = b(6)(4) b(7)(c)(4) all b7c5

DURING HIS ESCAPE ATTEMPT. SPC [REDACTED] AND SPC [REDACTED] HAVE STATED SPC [REDACTED] APPREHENDED MR. [REDACTED] ALONE BY GRABBING HIS SHOULDERS FROM BEHIND, CAUSING MR. [REDACTED] TO FALL BACKWARDS IN A TWISTING MOTION ONTO HIS BUTTOCKS. AT WHICH TIME SPC [REDACTED] STEPPED OVER, OR AROUND HIM, TO A POSITION NEAR MR. [REDACTED]'S LEGS AND FEET. SPC [REDACTED] THEN ESCORTED MR. [REDACTED] TO THE SLEEP DEPRIVATION AREA LOCATED DIRECTLY IN FRONT OF THE GUARD STAND. HOWEVER, SSG [REDACTED] STATED SPC [REDACTED] CAUGHT MR. [REDACTED] PRIOR TO HIM LEAVING THE BUILDING. SSG [REDACTED] STATED UPON FIRST CONTACT, SPC [REDACTED] SLAMMED MR. [REDACTED] INTO THE BACK WALL, AND THEN BEAR HUGGED MR. [REDACTED] FROM BEHIND AND SLAMMED HIM TO THE FLOOR WITH SPC [REDACTED] LANDING ON TOP OF MR. [REDACTED]. FURTHER, SSG [REDACTED] FAILED TO INITIALLY REPORT HOW SPC [REDACTED] APPREHENDED MR. [REDACTED] DURING THE ESCAPE ATTEMPT.

INVESTIGATION ESTABLISHED PROBABLE CAUSE TO BELIEVE PFC [REDACTED] COMMITTED THE OFFENSE'S OF NEGLIGENT HOMICIDE WHEN HE UTILIZED A MILITARY POLICE STYLE BATON TO BRING MR. [REDACTED] TO HIS FEET AFTER HE REFUSED TO STAND. SPC [REDACTED] STATED PFC [REDACTED] APPEARED TO BE VERY UPSET ABOUT THE ESCAPE ATTEMPT AND WHEN MR. [REDACTED] REFUSED TO STAND PFC [REDACTED] PLACED THE BATON UNDER THE CHIN OF MR. [REDACTED] WHILE STANDING BEHIND HIM, AND PULLED HIM TO A STANDING POSITION, THERE BY FRACTURING THE HYOID BONE, WHICH WAS THE MAJOR CONTRIBUTING FACTOR FOR THE DEATH OF MR. [REDACTED]. FURTHER INVESTIGATION ESTABLISHED PROBABLE CAUSE TO BELIEVE PFC [REDACTED] COMMITTED THE OFFENSE OF CONSPIRACY WHEN HE ENTERED INTO AN AGREEMENT WITH SPC [REDACTED], SSG [REDACTED], SPC [REDACTED] AND SPC [REDACTED] PRIOR TO BEING INTERVIEWED BY CID, IN THAT THEY WOULD NOT DISCLOSE THE FACT THAT MR. [REDACTED] ACTUALLY MADE IT OUTSIDE THE DETENTION FACILITY DURING HIS ESCAPE ATTEMPT.

INVESTIGATION ESTABLISHED PROBABLE CAUSE TO BELIEVE SGT [REDACTED] AND SPC [REDACTED] COMMITTED THE OFFENSE OF NEGLIGENT HOMICIDE AND CRUELTY AND MALTREATMENT WHEN THEY ORDERED MR. [REDACTED] TO STAND AS PART OF A MASS PUNISHMENT, THEN AFTER MR. [REDACTED] FAILED TO COMPLY WITH THEIR ORDER THEY HANDCUFFED MR. [REDACTED] TO THE DOOR FRAME OF HIS CELL IN SUCH A MANNER TO FORCE HIM TO REMAIN STANDING. SGT [REDACTED] AND SPC [REDACTED] THEN GAGGED MR. [REDACTED] AFTER HE REFUSED TO STOP MAKING NOISES. SPC [REDACTED] STOOD BEHIND MR. [REDACTED] WITH THE GAG AROUND MR. [REDACTED] HEAD, AS SGT [REDACTED] UTILIZED PRESSURE POINTS ON THE UPPER JAW AND CHIN TO FORCE HIS MOUTH OPEN. SPC [REDACTED] THEN PULLED THE GAG INTO PLACE AND TIED IT OFF BEHIND MR. [REDACTED] HEAD.

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b(6)(4)

CONSIDERING THE TOTALITY OF THE FACTS AND EVENTS REGARDING THE DETENTION OF MR. [REDACTED] THERE WAS NO ONE INCIDENT WHICH CAUSED THE FINAL DEMISE OF MR. [REDACTED]. RATHER HE WAS STEADILY SUBJECTED TO PHYSICAL TRAUMA, BROUGHT ON BY HIS OWN ACTIONS; HOWEVER, EXCESSIVE FORCE WAS UTILIZED BY SSG [REDACTED] SFC [REDACTED] AND SFC [REDACTED] SPC [REDACTED] AND PFC [REDACTED] THERE IS INDICATION TO SUGGEST SGT [REDACTED] OR SPC [REDACTED] ACTED IN A NEGLIGENT MANNER WHEN THEY GAGGED AND FORCED MR. [REDACTED] TO STAND AS PUNISHMENT FOR TALKING. THE INITIAL INCIDENT WITH SPC [REDACTED] WAS DEEMED INSIGNIFICANT TO CAUSE GRIEVOUS BODILY INJURY FROM EYE WITNESS STATEMENTS, FROM MEMBERS OF HIS UNIT, AND FROM THE INTERVIEWS OF THE OTHER IRAQIS DETAINED AT THE SAME TIME AS MR. [REDACTED]

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b(6)(4)

STATUTES:

- ARTICLE 134, UCMJ: NEGLIGENT HOMICIDE
- ARTICLE 128, UCMJ: AGGRAVATED ASSAULT
- ARTICLE 93, UCMJ: CRUELTY AND MALTREATMENT
- ARTICLE 128, UCMJ: ASSAULT
- ARTICLE 107, UCMJ: FALSE OFFICIAL STATEMENT
- ARTICLE 81, UCMJ, CONSPIRACY
- ARTICLE 92, UCMJ, DERELICTION OF DUTY

EXHIBITS AND SUBSTANTIATION:

Attached:

1. Agent's Investigation Report (AIR) of SA [REDACTED], 11 Jan 04, detailing the Basis for Investigation, Subject and Witness Interviews and Other Coordination's.
2. Guard Force Standard Operating Procedure, 31 Jul 03.
3. Compact disc, containing one photographic packet comprised of 18 photographs (crime scene).
4. Crime scene sketch, 9 Jan 04, prepared by SA [REDACTED]
5. Capture packet, 4 Jan 04, pertaining to Mr. [REDACTED]
6. Sworn Statement of SGT [REDACTED] 9 Jan 04, in which he stated he gagged and forced Mr. [REDACTED] to stand for talking just prior to Mr. [REDACTED]'s death.
7. Sworn Statement of SPC [REDACTED] 9 Jan 04, in which he stated he assisted SGT [REDACTED] in gagging Mr. [REDACTED]

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b7c

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*all "ma" = b(6)(c) b(7)(c) b(4) b7c5*

8. Sworn Statement of SPC [redacted] 9 Jan 04, in which he stated he apprehended Mr. [redacted] after he (Mr. [redacted]) escaped from his isolation cell.

9. Sworn Statement of CPL [redacted] 9 Jan 04, in which he stated ODA interviewed Mr. [redacted] between 1200 and 1600, 8 Jan 04.

10. Sworn Statement of SPC [redacted] 9 Jan 04, in which he stated he observed bruises on Mr. [redacted] mid section.

11. Sworn Statement of SPC [redacted] 9 Jan 04, in which he stated Special Forces, interrogated Mr. [redacted]

12. Sworn Statement of SGT [redacted] 9 Jan 04, in which he stated he saw bruises on Mr. [redacted] between 2000 and 2200, 8 Jan 04.

13. Compact disc, containing one photographic packet comprised of 16 photographs (body of Mr. [redacted]).

14. Waiver Certificate of SFC [redacted] 10 Jan 04. *b7c5*

15. Waiver Certificate and Sworn Statement of SFC [redacted] 10 Jan 04, in which he admitted to striking [redacted] several times after Mr. [redacted] attacked SFC [redacted]

16. Interrogation Summary pertaining to detainee number 1582, (Mr. [redacted]), 6 Jan 04.

17. Interrogation Summary pertaining to detainee number 1582, (Mr. [redacted]), 8 Jan 04.

18. Waiver Certificate and Sworn Statement of SSG [redacted] 10 Jan 04, in which he admitted to striking and kicking Mr. [redacted] several times in the mid section after Mr. [redacted] attacked SFC [redacted]

19. Waiver Certificate and Sworn Statement of SFC [redacted] 10 Jan 04, in which he admitted to striking and kicking Mr. [redacted] several times after Mr. [redacted] attacked him.

20. Waiver Certificate and Sworn Statement of SGT [redacted] 10 Jan 04, in which he denied ever striking Mr. [redacted]

21. Waiver Certificate and Sworn Statement of SPC [redacted] 10 Jan 04, in which he admits to kicking Mr. [redacted] two or three times just after Mr. [redacted] capture.

22. Waiver Certificate and Sworn Statement of SFC [redacted] 10 Jan 04, in which he stated he observed SSG [redacted] slap and kick Mr. [redacted] in an attempt to get Mr. [redacted] into a vehicle.

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b(6) (4)  
b(7)(C) (4)  
b7c2  
23. Waiver Certificate of SSG [redacted] 10 Jan 04.

24. Compact disc, containing one photographic packet comprised of 12 photographs (Interrogation Bunker).

b7c1  
25. Crime scene sketch, 11 Jan 04, prepared by SA [redacted] (Interrogation Bunker).

26. AIR of SA [redacted] 12 Jan 04, detailing the Autopsy of Mr. [redacted] and Other Coordination's.

27. Preliminary Autopsy Report, 11 Jan 04, ME04-14, pertaining to Mr. [redacted] listing Cause of Death as blunt force injuries and asphyxia, and Manner of Death as homicide.

28. Compact disc, ME04-014, comprised of 69 photographs (Autopsy).

b7c1  
29. AIR of SA [redacted] 16 Sep 04, detailing Subject and Witness Interviews, Final Autopsy Report, and Other Significant Coordination's.

30. Waiver Certificate of SFC [redacted] 13 Jan 04.

31. Waiver Certificate of SFC [redacted], 13 Jan 04.

32. Waiver Certificate of SSG [redacted] 13 Jan 04.

33. 15-6, Commanders Inquiry, 23 Jan 04, pertaining to the death of Mr. [redacted]

34. DD Form 2064, Death Certificate pertaining to Mr. [redacted], 9 Jan 04.

b7c5  
35. Final Autopsy Report 30 Apr 04, ME04-04, pertaining to Mr. [redacted] listing Cause of Death as blunt force injuries and asphyxia and the Manner of Death as homicide.

36. Waiver Certificate of SGT [redacted] 8 Jun 04.

37. Waiver Certificate and Sworn Statement of SPC [redacted] in which he stated PFC [redacted] choked Mr. [redacted] with a Military Police style nightstick.

38. Waiver Certificate of PFC [redacted] 8 Jun 04.

39. Waiver Certificate and Sworn Statement of SPC [redacted] 9 Jun 04, in which he denied knowledge of any abuse directed towards Mr. [redacted]

40. Waiver Certificate of SPC [redacted] 9 Jun 04.

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41. Sworn Statement of SGT [redacted] 9 Jun 04, in which he stated Mr. [redacted] was seen by medics after he complained of pain in his abdomen.

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42. Waiver Certificate and Sworn Statement of SPC [redacted] 10 Jun 04, in which he denied knowledge of any abuse directed towards Mr. [redacted]

43. Waiver Certificate of SPC [redacted] 16 Jun 04.

44. Polygraph Examination Report pertaining to SPC [redacted] 16 Jun 04.

45. Waiver Certificate of PFC [redacted] 16 Jun 04.

46. Polygraph Examination Report pertaining to PFC [redacted] 16 Jun 04.

47. Waiver Certificate and Sworn Statement of SPC [redacted] 30 Jun 04, in which he clarified his previous statement regarding PFC [redacted] choking Mr. [redacted]

48. Waiver Certificate of SGT [redacted] 27 Jul 04.

49. Waiver Certificate of SPC [redacted] 28 Jul 04.

50. Waiver Certificate of SSG [redacted] 17 Aug 04.

51. Waiver Certificate of SPC [redacted] 19 Aug 04.

52. Waiver Certificate and Sworn Statement of SPC [redacted] 19 Aug 04, in which he admits during Mr. [redacted] escape attempt he physically got out side of the detention facility, prior to being apprehended.

53. Waiver Certificate of CPL [redacted] 20 Aug 04.

54. Waiver Certificate of SPC [redacted] 20 Aug 04.

55. Waiver Certificate of SPC [redacted] 16 Sep 04.

56. AIR of SA [redacted] 30 Jun 04, detailing the interview of SSG [redacted]

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57. Waiver Certificate and Sworn Statement of SSG [redacted] 29 Jun 04, in which he described Mr. [redacted] escape attempt.

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58. Sworn Statement of SSG [redacted] 29 Jun 04, in which he denied knowledge of any abuse directed towards Mr. [redacted]

59. AIR of SA [redacted] 13 Oct 04, detailing the receipt of polygraph examination reports.

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60. Polygraph Examination Report pertaining to SPC [REDACTED] 30 Jun 04.

61. Polygraph Examination Report pertaining to SGT [REDACTED] 27 Jul 04.

62. Polygraph Examination Report pertaining to SPC [REDACTED] 28 Jul 04.

63. Compact disc containing all digital photographs pertaining to this investigation (USACRC copy only).

64. DA Form 4137, Evidence Property Custody Document (EPCD) Voucher Number (VO), 162-04.

NOT ATTACHED:

Retained in the evidence depository, 87th MP Det CID, Fort Bragg, NC 28310.

65. Rag, VO 162-04.

Retained in the files of this office.

66. Memorandum, CJTF-7 Interrogation and counter-Resistance Policy, 10 Sep 03.

Retained in the files of the this office.

67. FRAGO Memorandum, FOB 51 Detention Operations Relating to Detainees, 7 Oct 03.

Retained in the files of the U.S. Army Crime Records Center, Fort Belvoir, VA:

68. Polygraph authorization (SPC [REDACTED]) 16 Jun 04.

69. Polygraph examination statement of consent (SPC [REDACTED]) 16 Jun 04.

70. Four polygraph charts (SPC [REDACTED]) 16 Jun 04.

71. Polygraph authorization (PFC [REDACTED]) 16 Jun 04.

72. Polygraph authorization (SPC [REDACTED]) 30 Jun 04.

73. Polygraph examination statement of consent (SPC [REDACTED]) 30 Jun 04.

74. Six polygraph charts (SPC [REDACTED]) 30 Jun 04.

75. Polygraph authorization (SGT [REDACTED]) 27 Jul 04.

76. Polygraph examination statement of consent (SGT [REDACTED]) 27 Jul 04.

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Commander, 10<sup>th</sup> Military Police Battalion (CID), Fort Bragg, NC 28310-5000 (Email Only/Less Exhibits).

TO: Headquarters, USACIDC, ATTN: CIOP-ZA, 6010 6<sup>th</sup> Street, Fort Belvoir, VA 22060-5505

1 - THRU: Commander, 5th Special Forces Group, Fort Campbell, KY 42223 (Email Only/Less Exhibits).

Commander, 1st Battalion, 5th Special Forces Group, Fort Campbell, KY 42223 (Email Only/Less Exhibits).

TO: Commander, B Company, 1st Battalion, 5th Special Forces Group, Fort Campbell, KY 42223 (Email Only/Less Exhibits).

1 - THRU: Commander, 3rd Armored Cavalry Regiment (ACR), Fort Carson, CO 80913 (Email Only/Less Exhibits).

TO: Commander, ADA Battery, 1st Battalion, 3rd ACR, Fort Carson, CO 80913 (Email Only/Less Exhibits).

TO: Commander, S & T Support Squadron, Fort Carson, CO 80913 (Email Only/Less Exhibits).

TO: Commander, Maintenance Troop, Support Squadron, Fort Carson, CO (Email Only/Less Exhibits).

TO: Commander, Aviation Maintenance Troop, Support Squadron, Fort Carson, CO 80913 (Email Only/Less Exhibits).

TO: Commander, 2133rd Transportation Company, Iowa National Guard, IA (Email Only/Less Exhibits).

1- Director, Armed Force Institute of Pathology, AFIP Annex, Bldg 102, 1413 Research Blvd, Rockville, MD 20858

1 - File.

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# AGENT'S INVESTIGATION REPORT

ROI NUMBER

0009-04-CID679-83486

CID Regulation 195-1

*pm = b(6)(4)*

PAGE 1 OF 11 PAGE

**DETAILS**

**BASIS FOR INVESTIGATION:** Around 1010, 9 Jan 04, the 94<sup>th</sup> Military Police (MP) Company, FOB Rifles Base, Al Asad, Iraq, notified this office of a detainee death at the Forward Operating Base (FOB) Rifles Base Detention Facility.

*b7c1*

*b7c2*

**DETAILS:** Around 1050, 9 Jan 04, SA [REDACTED] coordinated with SGT [REDACTED] 94<sup>th</sup> MP Co, FOB Rifles Base, Al Asad, Iraq, who related he secured the crime scene pending the arrival of Criminal Investigation Division (CID). SGT [REDACTED] also provided a copy of the Standard Operating Procedure (SOP) for the guard force. (See Guard Force SOP for details)

*b7c2*

*b7c1*

**CRIME SCENE EXAMINATION:** Around 1055, 9 Jan 04, SA [REDACTED], this office, and INV [REDACTED] 94<sup>th</sup> MP Co, conducted a crime scene examination of the FOB Rifles Base Detention Facility located at MGRS 38S KC 60160 40494.

**CHARACTERISTICS OF THE SCENE:** The detention facility was located in a large, hardened airplane hangar. The interior of the hangar was divided into two large confinement areas and four isolation areas built using barbed and concertina wire. Each area had a metal-framed cage type door. The four isolation areas were located adjacent the southern end of the hangar.

*b(7)(C)(4)*

**CONDITION OF THE SCENE:** At the time of the examination, the detention facility housed 130 detainees. The detainees were primarily housed in the two large confinement areas. Three detainees were housed individually in three of the four isolation cells. The body of Mr. [REDACTED] was located in the isolation cell nearest the southwest corner of the hangar. The body was lying face up, his head toward the cell door. He was covered with a blanket. He was wearing undergarments that appeared to be soiled, a shirt, which was up towards his chest and a pair of pants, which were down to his knees. Extensive bruising was visible on the upper body. The bruises were dark blue and purple in color. There was a second blanket rolled up on the floor at the foot of the body. There was a light colored dish dash (Man Dress) draped over the concertina wire to the left of the deceased. A pair of leg shackles lay on the floor in the northeastern corner of the cell. There was an open 'meal ready to eat' (MRE) in the cell and one water bottle in the cell. It did not appear that any of the contents of the MRE were consumed. Immediately outside the deceased's cell was a rag. The rag was lying on the floor, and was used to gag the deceased. There was a denim jacket lying on the floor outside of the cell in the southwest corner of the hangar.

**ENVIRONMENTAL CONDITIONS:** At the time of the crime scene examination the outside temperature was approximately 55 degrees Fahrenheit. There was low humidity and no signs of moisture. The temperature inside the hangar was approximately 60 degrees Fahrenheit.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

*b2*

ORGANIZATION

87th Military Police Detachment (CID) (DSE) (FWD)  
Ar Ramadi, (Rifles Base, Iraq)

SA [REDACTED]

*b7c1*

DATE

11 Jan 04

EXHIBIT

*1*

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EXHIBIT

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# AGENT'S INVESTIGATION REPORT

ROI NUMBER

0009-04-CID679-83486

CID Regulation 195-1

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### DETAILS

**FACTORS PERTINENT TO ENTRY/EXIT:** There was one door that allowed entry/exit to Mr. [REDACTED] isolation cell. The Detention Facility was accessible by two doors. One door was located on the northern wall of the hangar the other on the southern wall.

**SCENE DOCUMENTATION:** SA [REDACTED] exposed digital photographs of the crime scene utilizing a Nikon Coolpix 995 Digital Card Camera with built in flash. SA [REDACTED] prepared a crime scene sketch. (See Photographic CD #040009.679 and Crime Scene Sketch for details) b7c1

**COLLECTION OF EVIDENCE:** SA [REDACTED] collected one white and red rag, which was used to gag Mr. [REDACTED], as evidence on a DA Form 4137, Evidence/Property Custody Document. b7c2

Around 1055, 9 Jan 04, SA [REDACTED] coordinated with SGT [REDACTED] 66<sup>th</sup> MI, 3ACR, Fort Carson, CO, (Rifles Base, Iraq) who provided the detainee capture file pertaining to Mr. [REDACTED]. A review of the packet revealed Mr. [REDACTED] was detained on 4 Jan 04. He was detained by SGT [REDACTED] Air Defense Artillery (ADA) Battery, 1<sup>st</sup> Squadron, 3<sup>rd</sup> Armored Cavalry Regiment (ACR), FOB Rifles Base, Al Asad, Iraq and SSG [REDACTED] ADA Battery, 1 Squadron, 3<sup>rd</sup> ACR. Mr. [REDACTED] was detained on alternate supply route, ASR, Bronze with two other Iraqi males. At the time of his detention he was in possession of a pair of binoculars, three handheld radios, two motorcycle batteries, one hand pick and approximately one hundred feet of wire. (See Capture File for details)

Around 1110, 9 Jan 04, SA [REDACTED] interviewed SGT [REDACTED] Maintenance Troop, Support Squadron, 3<sup>rd</sup> ACR, FOB Rifles Base, Al Asad, Iraq. SGT [REDACTED] rendered a sworn statement; wherein he stated he and SPC [REDACTED], S and T Troop, Support Squadron, 3<sup>rd</sup> ACR, FOB Rifles Base, Al Asad, Iraq, placed Mr. [REDACTED] in shackles when he refused to stand as punishment for talking. Mr. [REDACTED] was shackled to the top of the door of his cell in such a way that forced him to stand. When he refused to stop talking, SGT [REDACTED] and SPC [REDACTED] gagged him. SGT [REDACTED] further related, about five minutes later he discovered Mr. [REDACTED] was not breathing. SGT [REDACTED] unshackled Mr. [REDACTED] and removed his gag. SGT [REDACTED] laid him on the floor and discovered he had no pulse. SGT [REDACTED] then sent SPC [REDACTED] to summon medical aid. (See Sworn Statement for details) b7c1 b7c2 b7c2

Around 1119, 9 Jan 04, SA [REDACTED] interviewed SPC [REDACTED] SPC [REDACTED] rendered a sworn statement wherein he described assisting SGT [REDACTED] with gagging Mr. [REDACTED] and SGT [REDACTED] discovering Mr. [REDACTED] was not breathing. (See Sworn Statement for details) b7c1 b7c2

Around 1125, 9 Jan 04, SA [REDACTED] released Mr. [REDACTED]'s remains to PFC [REDACTED] Mortuary Affairs, 54<sup>th</sup> Quartermaster Co, attached to 3<sup>rd</sup> ACR, FOB Rifles Base, Al Asad, Iraq. b7c1 b7c2

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA [REDACTED] b7c1		87th Military Police Detachment (CID) (DSE) (FWD)	
SIGNATURE [REDACTED] b7c1		DATE	EXHIBIT
		11 Jan 04	1

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EXHIBIT 1

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# AGENT'S INVESTIGATION REPORT

ROI NUMBER

0009-04-CID679-83486

*mu = b(6)(4) / b(7)(c)(4)*  
*b7c1*

PAGE 3 OF 11 PAGE

### DETAILS

Around 1200, 9 Jan 04, SA [redacted] interviewed SPC [redacted] Aviation Maintenance, AVIM, Troop, Support Squadron, 3<sup>rd</sup> ACR, FOB Rifles Base, Iraq. SPC [redacted] rendered a sworn statement, wherein he related Mr. [redacted] approached him on 8 Jan 04, complaining his zip tie handcuffs were cutting off circulation to his hands. SPC [redacted] removed the handcuffs, bandaged the abraded injury underneath, and re-cuffed Mr. [redacted]. SPC [redacted] also related at 0215, 9 Jan 04, Mr. [redacted] attempted to escape from the detention facility. SPC [redacted] detained Mr. [redacted] in the hallway leading from the isolation cells. (See Sworn Statement for details)

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Around 1200, 9 Jan 04, INV [redacted] interviewed CPL [redacted], S and T Troop, Support Squadron, 3<sup>rd</sup> ACR, FOB Rifles Base, Al Asad, Iraq, who provided a sworn statement in which he stated members of a Special Forces unit interrogated Mr. [redacted] between 1200 and 1600, 8 Jan 03. (See Sworn Statement for details)

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*b7c2*

Around 1205, 9 Jan 04, SA [redacted] interviewed SGT [redacted] who related Mr. [redacted] was not interrogated by Military Intelligence personnel. The only personnel who interrogated Mr. [redacted] were the Special Forces unit operating in the area. He further stated there was no written record of Special Forces signing Mr. [redacted] out of the detention facility in violation of SOP. SGT [redacted] thought Mr. [redacted] may have been a diabetic and been prescribed heart medicine but could not provide any documentation to show his medical condition.

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*b7c5*

Around 1225, 9 Jan 04, SA [redacted] interviewed SSG [redacted] AVIM Troop, Support Squadron, 3<sup>rd</sup> ACR, FOB Rifles Base, Al Asad, Iraq. SSG [redacted] stated he was the Non-Commissioned Officer in Charge (NCOIC) of the detention facility guards. SSG [redacted] stated Mr. [redacted] was detained about five days prior to his death. SSG [redacted] confirmed Special Forces interviewed Mr. [redacted] on at least one occasion. The only medications SSG [redacted] was aware of were cough syrup and Motrin. SSG [redacted] related there was a board that told the guards what medicines each prisoner was supposed to receive. SSG [redacted] further related Mr. [redacted] was not on sleep deprivation, but was not sleeping.

*b7c1*

*b7c2*

Around 1235, 9 Jan 04, INV [redacted] 94<sup>th</sup> MP Co, interviewed SPC [redacted] S and T Troop, Support Squadron, 3<sup>rd</sup> ACR, FOB Rifles Base, Al Asad, Iraq. SPC [redacted] related he worked from 0000-0400, 9 Jan 04, as a guard. He witnessed Mr. [redacted] attempt to escape. He alerted SGT [redacted] and SPC [redacted] who apprehended Mr. [redacted] and returned him to his isolation cell and shackled him to a pole.

*b7c5*

*b7c1*

*b7c1*

Around 1236, 9 Jan 04, SA [redacted] interviewed SGT [redacted] 2133 Transportation Co, Iowa Army National Guard, IA, attached to 3<sup>rd</sup> ACR, FOB Rifles Base, Al Asad, Iraq. SGT [redacted] related Mr. [redacted] was a detainee for about one week. SGT [redacted] stated Special Forces soldiers interviewed Mr. [redacted] on at least one occasion.

*b7c2*

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA [redacted]		87th Military Police Detachment (CID) (DSE) (FWD)	
SIGNATURE [redacted]		Ar Ramadi, (Rifles Base, Iraq)	
DATE		EXHIBIT	
11 Jan 04		1	

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EXHIBIT 1

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# AGENT'S INVESTIGATION REPORT

ROI NUMBER

0009-04-CID679-83486

CID Regulation 195-1

PAGE 4 OF 11 PAGE

*"mr" = b(6)(C)*  
**DETAILS**

Around 1246, 9 Jan 04, SA [redacted] interviewed SPC [redacted] 2133 Transportation Company, Iowa Army National Guard, IA, attached to 3<sup>rd</sup> ACR, FOB Rifles Base, Al Asad, Iraq, who rendered two sworn statements. SPC [redacted] related Mr. [redacted] had been in custody for about one week. SPC [redacted] stated Special Forces soldiers interrogated Mr. [redacted]. About 2300, 8 Jan 04, SPC [redacted] saw Mr. [redacted] while Mr. [redacted] had his shirt off. SPC [redacted] noticed several dark bruises on Mr. [redacted] upper body. (See Sworn Statements for details)

AGENT'S COMMENT: SPC [redacted] statement was recorded on two separate Sworn Statement forms, as he prematurely signed the first statement. SA [redacted] swore SPC [redacted] to each statement separately.

Around 1250, 9 Jan 04, INV [redacted] interviewed SGT [redacted] AVIM Troop, Support Squadron, 3<sup>rd</sup> ACR, FOB Rifles Base, Al Asad, Iraq, who rendered a sworn statement. SGT [redacted] related he noticed bruising on Mr. [redacted] abdomen between 2000 and 2200, 8 Jan 04, SGT [redacted] related he could see the bruises from some distance, as he was standing on the raised platform in the detention facility. (See Sworn Statement for details)

Around 1250, 9 Jan 04, SA [redacted] interviewed SSG [redacted] 2133 Transportation Co, Iowa Army National Guard, IA, attached to 3<sup>rd</sup> ACR, FOB Rifles Base, Al Asad, Iraq. SSG [redacted] related he was the supervisor of the guard shift from 0000-0400, 9 Jan 04. During that shift, Mr. [redacted] attempted to escape from the detention facility. The escape attempt occurred about 0215, 9 Jan 04. SPC [redacted] stopped the escape attempt. While SPC [redacted] was subduing Mr. [redacted] Mr. [redacted] defecated in his clothing. While returning Mr. [redacted] to his cell, SSG [redacted] noticed large bruises on his ( [redacted] ) sides. Mr. [redacted] was moving very slowly and appeared to experiencing difficulty with all of his movements. SSG [redacted] related Special Forces soldiers interrogated Mr. [redacted] earlier in the week.

Around 1251, 9 Jan 04, INV [redacted] interviewed PFC [redacted], Maintenance Troop, Support Squadron, 3<sup>rd</sup> ACR, FOB Rifles Base, Al Asad, Iraq. PFC [redacted] stated he assisted SGT [redacted] in unshackling Mr. [redacted] and laying him on the floor. PFC [redacted] stated he observed significant bruising on the upper body of Mr. [redacted]

Between 1218 and 1253, SA [redacted] INV [redacted] and INV [redacted], 94<sup>th</sup> MP Co, conducted canvass interviews of the soldiers listed below. None of the soldiers were able to provide information pertinent to this investigation.

NAME	SSN	UNIT
SGT [redacted]	[redacted]	Maintenance Troop, Support Squadron, 3 <sup>rd</sup> ACR, FOB Rifles Base Al Asad, Iraq

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA [redacted]		87th Military Police Detachment (CID) (DSE) (FWD)	
SIGNATURE [redacted]		Ar Ramadi, (Rifles Base, Iraq)	
DATE		EXHIBIT	
11 Jan 04		1	

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**EXHIBIT**

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# AGENT'S INVESTIGATION REPORT

ROI NUMBER

0009-04-CID679-83486

CID Regulation 195-1

"Mr" = b(6)(4)

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DETAILS	
SGT [REDACTED]	Maintenance Troop, Support Squadron, 3 <sup>rd</sup> ACR, FOB Rifles Base Al Asad, Iraq
PFC [REDACTED]	S and T Troop, Support Squadron, 3 <sup>rd</sup> ACR, FOB Rifles Base, Al Asad, Iraq
PFC [REDACTED]	HHT, Support Squadron, 3 <sup>rd</sup> ACR, FOB Rifles Base, Al Asad, Iraq
PFC [REDACTED]	S and T Troop, Support Squadron, 3 <sup>rd</sup> ACR, FOB Rifles Base, Al Asad, Iraq
PFC [REDACTED]	HHT, Support Squadron, 3 <sup>rd</sup> ACR, FOB Rifles Base, Al Asad, Iraq
SPC [REDACTED]	AVIM Troop, Support Squadron, 3 <sup>rd</sup> ACR, FOB Rifles Base, Al Asad, Iraq
SPC [REDACTED]	2133 Transportation Company, Iowa Army National Guard, IA, attached to 3 <sup>rd</sup> ACR, FOB Rifles Base, Al Asad, Iraq

192

Around 1335, 9 Jan 04, SA [REDACTED] b7c1 interviewed Ms. [REDACTED] b7c4 Linguist, Titan Corporation, Norfolk, VA, who related she was the linguist present when Mr. [REDACTED] received his medical screening. Physician's Assistant, PA, (CPT) [REDACTED] Medical Troop, Support Squadron, 3<sup>rd</sup> ACR, FOB Rifles Base, Al Asad, Iraq, performed the screening. Mr. [REDACTED] told the doctor he had high blood pressure and was diabetic. PA [REDACTED] checked Mr. [REDACTED] blood sugar. He also examined the medication Mr. [REDACTED] had with him for his high blood pressure. PA [REDACTED] returned the medication to Mr. [REDACTED], and told him to notify the guards if he ran out. b7c2 b(7)(c)(4)

Around 1345, 9 Jan 04, SA [REDACTED] b7c1 and SA [REDACTED] b7c1 conducted a re-check of the crime scene, and were unable to locate the medicine described by Ms. [REDACTED] b7c4

Around 1423, 9 Jan 04, SA [REDACTED] b7c1 and SA [REDACTED] b(7)(c)(4) examined the remains of Mr. [REDACTED]. There was extensive bruising on the upper body of Mr. [REDACTED]. Bruises were visible over the sternum, the abdomen and on both sides. The bruises were large and very dark purple in color. Abraded injuries were present near the left elbow. There was a pair of pants on the remains that were down to the ankles. He was wearing boxer shorts and a white t-shirt. The white t-shirt was up towards the armpits. The hands were bound with flexi cuff style handcuffs. There was a bandage on the left wrist. There was swelling present under the bandage. Mr. [REDACTED] had defecated in his underwear prior to dying. SA [REDACTED] exposed digital photographs of the remains utilizing a Nikon Coolpix 995 Digital Card Camera. (See Photo Packet and Compact Disc 04-0009-679-83486 (Exam of body) for details)

TYPED AGENT'S NAME AND SEQUENCE NUMBER

ORGANIZATION

87th Military Police Detachment (CID) (DSE) (FWD)  
Ar Ramadi, (Rifles Base, Iraq)

SA [REDACTED]  
SIGNATURE

DATE

11 Jan 04

EXHIBIT

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EXHIBIT

00 049

# AGENT'S INVESTIGATION REPORT

ROI NUMBER

0009-04-CID679-83486

CID Regulation 195-1

*mu = b(6)(c)/b(7)(c)(4)*

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## DETAILS

Around 1500, 9 Jan 04, SA [redacted] <sup>b7c1</sup> interviewed Mr. [redacted] <sup>b7c#</sup> (detainee, Rifles Base, Iraq) utilizing Mr. [redacted] Interpreter, 3<sup>rd</sup> ACR, FOB Rifles Base, Al Asad, Iraq, as an interpreter. Mr. [redacted] occupied the isolation cell adjacent Mr. [redacted]'s. Mr. [redacted] related Mr. [redacted] had been complaining for three days about wanting to go home. On 8 Jan 04, Mr. [redacted] observed bruises on Mr. [redacted] after Mr. [redacted] removed his dish dash because it was wet from having water thrown on him as punishment for talking. Mr. [redacted] further complained of being cold after being doused with water.

Around 1530, 9 Jan 04, SA [redacted] <sup>b7c1</sup> interviewed Mr. [redacted] (detainee, Rifles Base, Iraq) with Mr. [redacted] serving as interpreter. Mr. [redacted] occupied one of the isolation cells. He was detained on 8 Jan 04, and was not able to provide any information pertinent to this investigation.

Around 1540, 9 Jan 04, SA [redacted] <sup>b7c1</sup> and INV [redacted] interviewed Mr. [redacted] an Israeli national who occupied one of the isolation cells. Mr. [redacted] detailed the levels of punishment he witnessed detainees receive for talking in their cells. The first level of punishment was being made to stand. The second level was being made to kneel. The third level was having your head doused in water. The fourth level was being gagged. Mr. [redacted] was awakened during Mr. [redacted] escape attempt and noticed he was having extreme difficulty breathing. Mr. [redacted] stated masked men came and took Mr. [redacted] out of the detention facility three days prior to his death. When Mr. [redacted] returned, Mr. [redacted] noticed he was in much worse physical shape and described him as being hurt badly.

Around 1555, 9 Jan 04, SA [redacted] <sup>b7c1</sup> interviewed Mr. [redacted] (detainee, Rifles Base, Iraq) with Mr. [redacted] serving as interpreter. Mr. [redacted] was confined in the large confinement area adjacent Mr. [redacted] isolation cell. Mr. [redacted] related men in mask came and took Mr. [redacted] to interrogation two or three times. Each time, Mr. [redacted] returned, he was having difficulty breathing. On the morning of 9 Jan 04, when Mr. [redacted] was made to stand up, he had to be lifted up by the guards. He also stated Mr. [redacted] complained of being cold at night. On 8 Jan 04, Mr. [redacted] observed Mr. [redacted] being "hog tied" and then doused with water as punishment for talking. Mr. [redacted] noticed a lot of bruises on Mr. [redacted] at that time. He further stated he had never seen any of the detention facility guards hit or hurt anyone.

Around 1705, 9 Jan 04, SA [redacted] <sup>b7c1</sup> interviewed CPT [redacted] CPT [redacted] related no life saving measures were performed on Mr. [redacted]. CPT [redacted] stated rigor mortis was present, but not fixed and he was in the supine position when he examined Mr. [redacted] body. CPT [redacted] pronounced Mr. [redacted] dead at 0900, 9 Jan 04.

Around 1709, 9 Jan 04, SA [redacted] <sup>b7c1</sup> interviewed SGT [redacted] and PFC [redacted], both assigned to Med Troop, Support Squadron, 3<sup>rd</sup> ACR, FOB Rifles Base, Al Asad, Iraq, SGT [redacted] and PFC [redacted] were the medics that responded to the detention facility. The initial call

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA [redacted]		87th Military Police Detachment (CID) (DSE) (FWD)	
SIGNATURE [redacted]		Ar Ramadi, (Rifles Base, Iraq)	
DATE		11 Jan 04	EXHIBIT

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# AGENT'S INVESTIGATION REPORT

ROI NUMBER

0009-04-CID679-83486

CID Regulation 195-1

"MA" = b(6)(4)

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DETAILS

was for breathing difficulties. Upon arrival at the detention facility, Mr. [redacted] was lying on his back, covered by a blanket. SGT [redacted] stated he checked Mr. [redacted] for a pulse or any signs of life, which met with negative results. No life saving measures were conducted by SGT [redacted] or PFC [redacted]. No blood was present at the scene, however they observed bruising on the abdominal area of Mr. [redacted].

Around 2030, 9 Jan 04, SA [redacted] interviewed CPT [redacted] B Co, 1<sup>st</sup> Battalion, 5<sup>th</sup> Special Forces Group, Fort Campbell, KY (FCKY), Operational Detachment Alpha (ODA) 525, Rifles Base, Iraq. CPT [redacted] related members of his unit interviewed Mr. [redacted] on two occasions. The first interrogation was conducted on 6 Jan 04, from approximately 1000 to 1800, at the ODA compound on FOB Rifles Base. SFC [redacted] and SSG [redacted], all assigned to ODA 525, B Co, 1/5<sup>th</sup>, SF GRP, FCKY, and [redacted] (Titan Corporation Contractor, Interpreter), were present during the first interrogation. Between 1300 and 1400, 7 Jan 04, SFC [redacted] and Mr. [redacted] interrogated Mr. [redacted] the FOB Rifles Base detention facility.

Around 0923, 10 Jan 04, SA [redacted] advised SFC [redacted] of his legal rights which he waived and provided a verbal statement in which he stated he did not take part in the interrogation of Mr. [redacted]. SFC [redacted] stated he was the team sergeant and did not take part in interrogations or operations as a norm. SFC [redacted] stated he spoke with his team about the interrogation of Mr. [redacted] and they informed him he was not beaten, but had attacked SFC [redacted] during the interrogation and had to be restrained. (See Waiver Certificate for details)

Around 1050, 10 Jan 04, SA [redacted] advised SFC [redacted] of his legal rights which he waived and rendered a sworn statement in which he stated Mr. [redacted] attacked SFC [redacted] during the interrogation on 6 Jan 04. SFC [redacted] stated prior to the attack Mr. [redacted] was released from his flexi cuffs and was seated on a chair in the interrogation room. He stated he was unsure why Mr. [redacted] suddenly changed his manner from relatively docile to aggressive. But he stated once the attack occurred it took SFC [redacted] SSG [redacted] and himself to restrain Mr. [redacted]. SFC [redacted] stated Mr. [redacted] was struck in the mid section by all three of them several times in order to gain control over him. SFC [redacted] also provided a copies of the Interrogation Summary's dated 6 Jan 04, and 8 Jan 04, which document the interrogation and recovery of an Improvised Explosive Device, reportedly set by Mr. [redacted]. (See Waiver Certificate / Sworn Statement and Interrogation Summaries for details)

Around 1052, 10 Jan 04, SA [redacted] and SA [redacted] interviewed Mr. [redacted] detainee number [redacted] utilizing Mr. [redacted] as the interpreter. Mr. [redacted] stated he was arrested with Mr. [redacted]. Mr. [redacted] related he was treated well during the arrest, but Mr. [redacted] was kicked in the chest two or three times by one of the soldiers. Mr. [redacted] stated it was a caucasian soldier about 5'6" tall. Mr. [redacted] was [redacted]

TYPED AGENT'S NAME AND SEQUENCE NUMBER

ORGANIZATION

SA [redacted]  
SIGNATURE

87th Military Police Detachment (CID) (DSE) (FWD)  
Ar Ramadi, (Rifles Base, Iraq)

DATE

11 Jan 04

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# AGENT'S INVESTIGATION REPORT

ROI NUMBER

0009-04-CID679-83486

CID Regulation 195-1

"Mr" = 6(6)(4)

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### DETAILS

██████████ was interrogated one time by men wearing masks. The men did not strike or hurt Mr. ██████████. Mr. ██████████ stated he was in the proximity of Mr. ██████████ holding cell on 6 Jan 04. At that time, Mr. ██████████ told Mr. ██████████ the men in black masks had tortured him. On 8 Jan 04, Mr. ██████████ saw Mr. ██████████ in the FOB Rifles Base detention facility. Mr. ██████████ had removed his shirt after he was doused with water for talking. Mr. ██████████ noticed large bruises on Mr. ██████████ abdomen. Mr. ██████████ did not see anyone strike Mr. ██████████ after they were arrested. He further stated no one had struck Mr. ██████████ while he was in U.S. custody. Mr. ██████████ stated he did not think Mr. ██████████ had eaten since being detained, he had only seen him drink water.

b7c4

Around 1125, 10 Jan 04, SA ██████████ and SA ██████████ interviewed Mr. ██████████ detainee number ██████████ utilizing Mr. ██████████ as interpreter. Mr. ██████████ related he was detained with Mr. ██████████. At the time they were detained, one U.S. soldier kicked Mr. ██████████ in the chest. Mr. ██████████ thought the soldier only kicked Mr. ██████████ one time. Mr. ██████████ stated he was interrogated only one time by the men in masks while in U.S. custody. He stated one of the men kicked him while he was walking behind him, but not very hard. The kick did not leave a bruise. On 8 Jan 04, Mr. ██████████ saw Mr. ██████████ without his shirt on. Mr. ██████████ had taken his shirt off after guards doused him with water for talking. Mr. ██████████ noticed large bruises on Mr. ██████████ upper body.

b7c4

Around 1354, 10 Jan 04, SA ██████████ advised SSG ██████████ of his legal rights, which he waived and rendered a sworn statement in which he stated he struck and kicked Mr. ██████████ several times in the mid section in an attempt to restrain him after he (Mr. ██████████) attacked SFC ██████████ during an interrogation on 6 Jan 04. SSG ██████████ stated during the struggle to restrain Mr. ██████████ (Mr. ██████████) made several attempts at SFC ██████████ weapon, which was in a shoulder holster. SSG ██████████ stated there was one other incident where force was required to get Mr. ██████████ into a Non Tactical Vehicle (NTV), but stated it was not as severe as the force required to restrain him during the interrogation. (See Waiver Certificate and Sworn Statement for details)

725

Around 1436, 10 Jan 04, SA ██████████ advised SFC ██████████ of his legal rights, which he waived. SFC ██████████ rendered a sworn statement wherein he stated he participated in the interrogation of Mr. ██████████ on 6 Jan 04. During the interrogation, Mr. ██████████ jumped out of his chair and grabbed SFC ██████████ by the front of his shirt. SFC ██████████ stated he kned Mr. ██████████ in the ribs repeatedly in an attempt to take his breath away. SFC ██████████ also punched Mr. ██████████ in the ribs several times. SFC ██████████ further related SSG ██████████ and SFC ██████████ assisted with subduing Mr. ██████████. SFC ██████████ estimated it took one to two minutes to subdue Mr. ██████████. (See Waiver Certificate and Sworn Statement for details)

725

Around 1449, 10 Jan 04, SA ██████████ advised SGT ██████████ of his legal rights. SGT ██████████ waived his rights and rendered a sworn statement. SGT ██████████ denied he hit or kicked Mr. ██████████ when they apprehended him on 4 Jan 04. SGT ██████████ further stated Mr. ██████████ was guarded by SPC ██████████.

725

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA ██████████		87th Military Police Detachment (CID) (DSE) (FWD)	
SIGNATURE		DATE	EXHIBIT
██████████		11 Jan 04	1

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00 052

# AGENT'S INVESTIGATION REPORT

ROI NUMBER

0009-04-CID679-83486

CID Regulation 195-1

all → "ma" = b(6)(4) / b(7)(C)(4)

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### DETAILS

[REDACTED] ADA BTRY, 1<sup>st</sup> Squadron, 3<sup>rd</sup> ACR, FOB Rifles Base, Al Asad, Iraq, while he searched the vehicle Mr. [REDACTED] was traveling in at the time of his arrest. SGT [REDACTED] did recall that Mr. [REDACTED] refused to stop talking when directed on numerous occasions however, he never witnessed anyone hit or kick Mr. [REDACTED] (See Waiver Certificate and Sworn Statement for details)

b7c5

Around 1527, 10 Jan 04, SA [REDACTED] advised SPC [REDACTED] of his legal rights. SPC [REDACTED] waived his rights and rendered a sworn statement wherein he admitted to kicking Mr. [REDACTED] about two or three times in the chest. SPC [REDACTED] stated he was assigned to watch the detainees while their vehicle was being searched. While he was guarding them, Mr. [REDACTED] continued to talk and attempted to get up several times before he resorted to force (kicking) to keep him on the ground. SPC [REDACTED] further stated his intent was to keep Mr. [REDACTED] from getting up and talking, not to inflict bodily harm. SPC [REDACTED] admitted Mr. [REDACTED] was restrained with flexi cuffs at the time he kicked him. (See Waiver Certificate and Sworn Statement for details)

b7c5

Around 1635, 10 Jan 04, SA [REDACTED] interviewed SSG [REDACTED] who stated he searched the vehicle which Mr. [REDACTED] was traveling in when he was apprehended. While he was conducting his search, SPC [REDACTED] was guarding the detainees. SSG [REDACTED] stated he did not witness any abuse of the detainees. SSG [REDACTED] further stated Mr. [REDACTED] seemed to be in fair health and was able to walk and breathe without any visible difficulties. SSG [REDACTED] stated all the detainees were delivered to the enemy prison of war (EPW) detention site in the same condition as when they were initially detained.

b7c5

Around 1642, 10 Jan 04, SA [REDACTED] interviewed Mr. [REDACTED] who stated he was the interpreter during the interrogation of Mr. [REDACTED] which lasted approximately one to one and a half hours on 6 Jan 04. He stated during the interrogation Mr. [REDACTED] attacked SFC [REDACTED] which required SFC [REDACTED] SFC [REDACTED] and SSG [REDACTED] to restrain Mr. [REDACTED]. Mr. [REDACTED] stated there was punching and kicking from both sides. Mr. [REDACTED] stated he believed SFC [REDACTED], SFC [REDACTED] and SSG [REDACTED] used the appropriate level of force to subdue Mr. [REDACTED]. [REDACTED] stated during the transfer of Mr. [REDACTED] into the NTV, Mr. [REDACTED] resisted and was forced into the vehicle by SSG [REDACTED] and someone else who he could not recall. Mr. [REDACTED] stated there was not an excess of force used to get Mr. [REDACTED] into the NTV.

b7c5

Around 1650, 10 Jan 04, SA [REDACTED] interviewed SFC [REDACTED] ADA BTRY, 1<sup>st</sup> Squadron, 3<sup>rd</sup> ACR, FOB Rifles Base, Al Asad, Iraq, who corroborated the statements of SSG [REDACTED] and SGT [REDACTED]

b7c2

Around 1720, 10 Jan 04, SA [REDACTED] interviewed SSG [REDACTED] Co, 1/5<sup>th</sup> SF GRP, FCKY, who stated he was part of the Positive Identification (PID) mission in which Mr. [REDACTED] brought members of ODA 525 to the site where he (Mr. [REDACTED]) had emplaced three 155 artillery rounds along the side of a roadway in order to attack coalition forces. While preparing for the mission he observed SSG [REDACTED] and [REDACTED]

b7c5

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA [REDACTED] b7c1		87th Military Police Detachment (CID) (DSE) (FWD) Ar Ramadi, (Rifles Base, Iraq)	
SIGNATURE	DATE	EXHIBIT	
[REDACTED] b2	11 Jan 04	1	

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EXHIBIT 1

00 033

except as noted b7c5

# AGENT'S INVESTIGATION REPORT

ROI NUMBER

0009-04-CID679-83486

CID Regulation 195-1

"Mr" = b(6)(4) / b(7)(C)(4)

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### DETAILS

SSG [redacted] B Co, 1/5<sup>th</sup> SF GRP, FCKY, try for approximately five minutes to get Mr. [redacted] in the back seat of an NTV. SSG [redacted] stated SSG [redacted] was pulling Mr. [redacted] from the driver's side back seat while SSG [redacted] was pushing from the passenger's side of the NTV. SSG [redacted] stated he observed SSG [redacted] slapping at Mr. [redacted] legs and arms in an attempt to get Mr. [redacted] into the NTV. SSG [redacted] stated Mr. [redacted] was cooperative with the exception of the incident with the NTV. SSG [redacted] stated he had been with the team for approximately one year and had never seen or heard of any member of the team mistreat a detainee.

b7c1

Around 1730, 10 Jan 04, SA [redacted] advised SFC [redacted] ODA 525, 5<sup>th</sup> Special Forces Group, Fort Campbell, KY 42223, of his legal rights, which he waived. SFC [redacted] rendered a sworn statement, wherein he stated he did not participate in the interrogation of Mr. [redacted]. SFC [redacted] did supervise a mission during which Mr. [redacted] identified a site where he ([redacted]) had emplaced an improvised explosive devise (IED). At the outset of the mission, Mr. [redacted] hesitated when told to get into the truck SFC [redacted] was driving. SFC [redacted] witnessed SSG [redacted] slap and kick Mr. [redacted] until he got into the truck. Mr. [redacted] did not appear to be injured while he was with SFC [redacted] (See Waiver Certificate and Sworn Statement for details)

Around 1834, 10 Jan 04, SA [redacted] advised SSG [redacted] of his legal rights which he waived and rendered a verbal statement. SSG [redacted] stated around 1330, 6 Jan 04, he was tasked to conduct a PID from information gained from the interrogation of Mr. [redacted]. He stated he was not involved in the interrogation but did have an incident in which he had to lay hands on Mr. [redacted]. SSG [redacted] stated as SSG [redacted] was attempting to get Mr. [redacted] into the NTV, Mr. [redacted] resisted. SSG [redacted] stated he got on the drivers side of the NTV in the back seat and pulled Mr. [redacted] into the NTV while SSG [redacted] pushed from the other side. SSG [redacted] stated at one point during the struggle to get Mr. [redacted] into the NTV SSG [redacted] kicked Mr. [redacted] twice in the abdomen in an attempt to get him into the NTV. SSG [redacted] stated Mr. [redacted] did not cause any other trouble during the mission. (See Waiver Certificate for details)

-b7c1-

CRIME SCENE EXAMINATION: Around 1315, 11 Jan 04, SA [redacted] and SA [redacted] conducted a crime scene examination of the ODA 525 detainee interrogation area, located within the ODA Compound, Rifles Base, Iraq, MGRS 38S KC 62928 43339.

Characteristics of the Scene: The ODA interrogation room was located within a bunker on the compound. The bunker was comprised of one main room with two attached smaller rooms. The main room was utilized for interrogating detainees. There was ductwork from the ventilation system that ran along the ceiling of the room.

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA [redacted]		87th Military Police Detachment (CID) (DSE) (FWD)	
SIGNATURE [redacted]		Ar Ramadi, (Rifles Base, Iraq)	
DATE		EXHIBIT	
11 Jan 04		1	

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# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0009-04-CID679-83486

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**DETAILS**

**Condition of the Scene:** The bunker was neat and well organized. The main room was furnished with one table and four plastic chairs. All of the furniture was standing upright. There were no signs of damage to any of the walls or furniture.

**Factors pertinent to Entry/Exit:** The main access point to the bunker was via a staircase that led from an open outside entryway. A metal blast door located at the bottom of the staircase provided access to the main room of the bunker. The secondary access point was an escape hatch that could be accessed from a latter that ran up from the center of the bunker.

**Scene Documentation:** SA [REDACTED] exposed digital photographs of the bunker utilizing a Nikon Coolpix 995 Digital Card Camera. SA [REDACTED] prepared a sketch of the bunker. (See CD 04-0009-CID679-83486 (bunker) and Sketch for details)

**Collection of Evidence:** Nothing of evidentiary value was discovered during the crime scene examination.

///LAST ENTRY///

*all b7c*

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA [REDACTED] b2		87th Military Police Detachment (CID) (DSE) (FWD) Ar Ramadi, (Rifles Base, Iraq)	
SIGNATURE [REDACTED]		DATE	EXHIBIT
		11 Jan 04	1

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**Page(s)**

56-67

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7115 SOUTH BOUNDARY BLVD  
ATTN: CCJ6-DM  
MACDILL AIR FORCE BASE  
FLORIDA 33621-5101

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

25136



Photographic Packet

0009-04-CID679-83486

Number	Description of Photographs
1	Photo depicting North view of detention facility (main entrance) <i>all (b)(6)(4)/(b)(7)(C)(4)</i>
2	Photo depicting Mr. [REDACTED]'s isolation cell
3	Photo depicting Mr. [REDACTED]'s isolation cell
4	Photo depicting rag used as gag and shirt used by Mr. [REDACTED] to push barbed wire down.
5	Photo depicting rag used as gag
6	Photo depicting shackles used to restrain Mr. [REDACTED]
7	Photo depicting Mr. [REDACTED] in isolation cell
8	Photo depicting bruises to Mr. [REDACTED]'s abdomen
9	Photo depicting bruises to Mr. [REDACTED]
10	Photo depicting bruises to Mr. [REDACTED]
11	Photo depicting bruises to Mr. [REDACTED]
12	Photo depicting detention facility from Mr. [REDACTED] isolation cell
13	Photo depicting Mr. [REDACTED] isolation cell
14	Photo depicting shackles in Mr. [REDACTED] isolation cell
15	Photo depicting detention facility from Mr. [REDACTED] isolation cell
16	Photo depicting detainee latrine area located on North side of facility
17	Photo depicting door to Mr. [REDACTED]'s isolation cell
18	Photo depicting Military Intelligence building located just East of detention facility

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025137

EXHIBIT 3

00 068

DOD-050687

# Page(s)

69

English Translation:

## Withheld due to:

       Foreign Language

  X   Photos depicting Americans

       Photos depicting foreign nationals

       Civilian Agency Records

       Audio/Video depicting foreign  
nationals and Americans

025138

**Bates Pages 25139-25143 depict photos which are nonresponsive and have not been provided based on application of the Judge's in camera rulings (tourist-type photos)**

# Page(s)

75-80

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English Translation:

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## Withheld due to:

Foreign Language

Photos depicting Americans

Photos depicting foreign nationals

Civilian Agency Records

Audio/Video depicting foreign  
nationals and Americans

025144

**Bates Pages 25145-25146 depict photos which are nonresponsive and have not been provided based on application of the Judge's in camera rulings (tourist-type photos)**

# Page(s)

83 - 84

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English Translation:

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## Withheld due to:

Foreign Language

Photos depicting Americans

Photos depicting foreign nationals

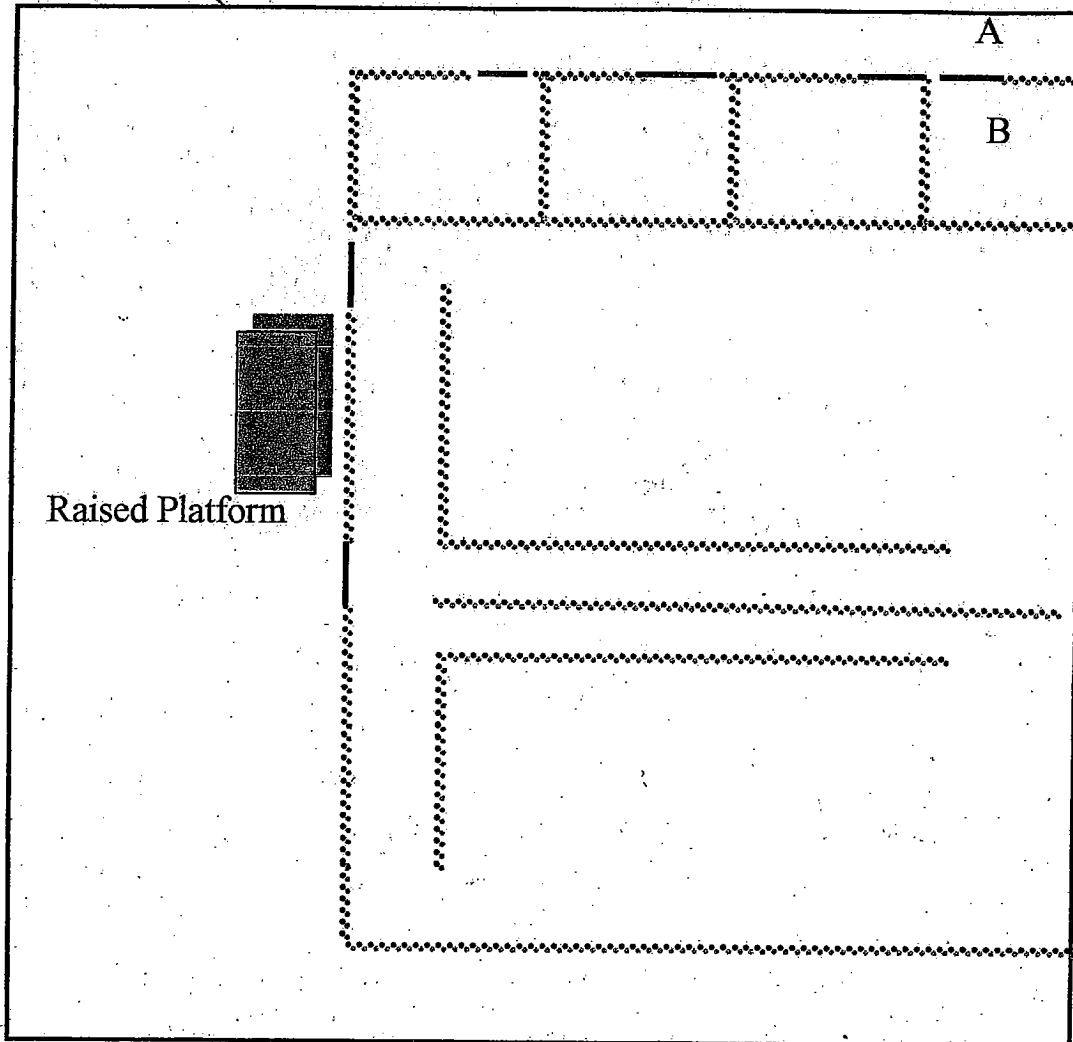
Civilian Agency Records

Audio/Video depicting foreign  
nationals and Americans

025147

**Bates Pages 25148-25149 depict photos which are nonresponsive and have not been provided based on application of the Judge's in camera rulings (tourist-type photos)**

# ROUGH SKETCH DEPICTING CRIME SCENE



**Legend**

**Title Block**

A. Cloth used as a Gag

B. Body of Mr. [REDACTED]

..... Constantia Wire

— Cell Door



N

Not to Scale

Case Number: 0009-04-CID679-83486

Offense: Undetermined Death

Scene Portrayed: Hanger

KC 60160 40494, FOB Rifles Base, Iraq

Victim: Mr. [REDACTED] 57C-4

Time/Date Began: 1155, 9 Jan 04

Sketched By: SA [REDACTED]

Verified By: SA [REDACTED]

Handwritten: > b7c1

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**EXHIBIT** 4



**Page(s)**

88-101

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7115 SOUTH BOUNDARY BLVD  
ATTN: CCJ6-DM  
MACDILL AIR FORCE BASE  
FLORIDA 33621-5101

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

25151

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 Rifles Base AL ASAD IRAQ	DATE 9 JAN 04	TIME 1310	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS SGT	
ORGANIZATION OR ADDRESS Maintenance Troop, Support Squadron 3ACR, FT CARSON Rifles Base, IRAQ			

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 09 JAN I did TAKE OVER SHIFT ON GUARD AT THE EPW SITE AT 0355. AT THAT TIME SSG [REDACTED] WAS THE NCOIC AND GAVE ME AN UPDATE AS TO WHAT HAD HAPPENED ON HIS SHIFT. I WAS INFORMED THAT ONE OF THE ISOLATION PRISONERS HAD ATTEMPTED TO ESCAPE. AFTER I LEARNED THIS I PROCEEDED TO PLACE THE PRISONER INTO LEG AND HAND CUFFS AND SECURE HIM TO THE FENCE INSIDE HIS ISOLATION PEN ON ONE OF THE FENCE BINDINGS THIS ENDED AT ABOUT 0420-0430. FROM THEN UNTIL 0630 THE PRISONER WAS QUIET AND UNCOMPLAINING OTHER THAN THE OCCASIONAL HANDCUFF DRAGGING ACROSS THE FLOOR. AT 0625 THE GENERATOR THAT PROVIDES LIGHTS RAN OUT OF FUEL AND I WENT OUT TO FILL IT AND RESTART IT AT THE SAME TIME MY CREW WERE MOVING THE PRISONER AND SWITCHING THE POWER TO LOCAL POWER. AT 0640-0645 I FINISHED AT 0630 THE PRISONER WERE WOKEN UP AND 2 OF MY GUARDS WERE SENT INTO THE CAGE TO INSPECT FOR LEFTOVER FOOD FROM THE PREVIOUS MEAL AND TO ISSUE THE MORNING MEAL. AT 0640-0645 2 GUARDS TOOK 3 PRISONERS TO THE TRASH POINT THEN RETURNED AND BEGAN TAKING PRISONERS OUT INTO THE YARD TO PISS AND SHIT. AT AROUND 0710-0715 THE PRISONERS WERE TALKING AND WOULD NOT STOP SO I TOLD THEM ALL TO STAND UP INCLUDING THE ISOLATION PRISONERS. THE PRISONER FROM EARLIER WOULD NOT STAND SO I WENT TO HIS CAGE AND YELLED AT HIM TO STAND UP AFTER MAKING SURE HE WAS STANDING I TURNED MY BACK TO WALK AWAY AND HE WOULD SIT DOWN. SO I WENT BACK AND YELLED AT HIM AGAIN WITH THE SAME RESULTS. HE THEN SAT DOWN AGAIN ON THE THIRD TIME THAT HE DID THIS I WENT INTO HIS CAGE WITH SPC [REDACTED] AS OUR WATCH AND UNSCUFFED HIS WRISTS AND MOVED HIM FROM THE FENCE POST TO THE UPPER PART OF THE DOOR TO MAKE HIM STAY STANDING. AT THIS TIME THE PRISONER WAS TALKING AND WAS TOLD TO SHUT UP. WHEN THE PRISONER WOULD NOT I TOLD SPC [REDACTED] TO GAG HIM. SPC [REDACTED] THEN WENT AND RETRIEVED A GAG AND WE PROCEEDED TO GAG THE PRISONER. SPC [REDACTED] HAD NEVER GAGED A PRISONER SO I TOLD HIM TO DO IT SO HE WOULD NOT GET BITTEN. I THEN APPLIED PRESSURE TO THE PRISONERS LOWER SCISSOR IN THE FRONT PRISON POINT ONCE THE GAG WAS IN PLACE. WE CLOSED AND LOCKED THE CAGE AND PROCEEDED TO

all 6725

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 4 PAGES
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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.

move to the front to wash our hands as it was now obvious the Prisoner had defecated himself earlier. Once I was done washing my hands I looked back at the Prisoner and saw he was slumped down. I thought nothing of it at the time and continued to move prisoners to the yard. at 0730-0735 I noticed the Prisoner was still slumped down this was only 5-6 minutes after I had washed my hands so I went to see why he wasn't standing up. I approached the cage and told him to stand up he didn't move so I hit the cage door to make noise, he still didn't move. At this point I also noticed that he was not breathing so I opened the cage door and released him to the floor where I attempted to find a pulse. there was none at which time I had SPC [REDACTED] call them go on foot to the MT building and get S/PT [REDACTED] and then to the sleep area to get SSG [REDACTED] State Room. at 0750 SGT [REDACTED] came in followed by SSG [REDACTED] at which time I moved the body to the middle of the isolation cage with SPC [REDACTED] help and covered it with a blanket. it was 0755 and I was released as guard by S/PT [REDACTED] and his team and moved to the MT building to assist MP's for statements. while waiting I over heard the Doc's Medic's come in and they said that they needed to go back for a Doctor to pronounce time of death. this was at 0810 and the medic informed me that they could do nothing that he had been dead for almost 20-25 minutes from the time I found him. I later learned that the Prisoner was a diabetic and possible high blood pressure and was ~~found to~~ said to of bad medicine on him. I heard that the Doctor had stone up but did not know the time, and had pronounced the Prisoner Dead. I continued to wait with my ground at the MT building till M/Pl [REDACTED] came and began his interview

- b7c1

Q: [REDACTED]

A: [REDACTED]

Q: How exactly was he gassed?

A: The cloth is tied into a small ball about 1/2 to 1" in diameter and then the ball is placed into the prisoners mouth with the excess cloth tied off behind their head to allow them to breath through their nose.

Q: Could you tell he was still able to breath after he was gassed?

A: Yes, he was making gurgling noises and I saw heard him breathing.

Q: When did this prisoner arrive?

INITIALS OF PERSON MAKING STATEMENT: [REDACTED]

PAGE 2 OF 42 PAGES

LAW ENFORCEMENT SENSITIVE  
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FOR OFFICIAL  
USE ONLY

EXHIBIT 6

025153

all b7c5

STATEMENT OF Sgt [REDACTED] TAKEN AT Rifles Base DATED 9 JANUARY CONTINUED

A: on or around the 4<sup>th</sup> of JANUARY

Q: When he arrived what was his physical condition?

A: He was old but other than that he was in good condition i.e. no Bruises, lumps or any thing that would suggest he was in bad shape.

Q: Did you notice his condition change?

A: Yes, about 1200 hrs on the 8<sup>th</sup> of JANUARY I noticed that he was walking about slower and complained of being very tired. he also shuffled his feet instead of lifting them when he walked.

Q: Did you notice any bruises on him and when?

A: Not until this morning after I found him dead and his shirt lifted up did I notice that his chest was Bruised all the way around.

Q: Who was interviewing him?

A: I don't know.

Q: What is the guard force allowed to do to the detainees as control measures and/or punishment?

A: we are allowed to make them stand, sit on their knees, gag, hogtie, PT with water bottles out in front or above their heads, and knee bends. we are not allowed to strike the prisoners.

Q: Why do you think this detainee died?

A: Perhaps he was old and his heart failed? or he was a diabetic and he didn't take his meds? I really don't know.

Q: Did you ever give any medicine to this detainee?

A: No, the detainee was not on the medical Board as needing to receive medication.

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

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

INITIALS OF PERSON MAKING STATEMENT: [REDACTED]

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PAGE 3 OF 11 PAGES

LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY

025154

EXHIBIT 6

b7c5

0009-03-4-CID679-83486  
FILE NUMBER:

STATEMENT OF Sgt [REDACTED] TAKEN AT Rifles Base DATED 9 JAN 04 CONTINUED:

STATEMENT (Continued)

[REDACTED]

**AFFIDAVIT**

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

WITNESSES:

[REDACTED] (Statement) b7c5

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 9 day of JANUARY, 2004 at Rifles Base, AL ASAD, IRAQ

ORGANIZATION OR ADDRESS

[REDACTED] (Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

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

ART 136 (b)(4) UCMJ (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

FOR OFFICIAL

PAGE 4 OF 4 PAGES

LAW ENFORCEMENT SENSITIVE  
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025155

EXHIBIT 6

00 105

LOCATION FOB Rifles Base, Al Asad, Iraq	DATE 9 Jan 04	TIME 12:10	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS SPC/AD
ORGANIZATION OR ADDRESS S+T Troop, Support Squadron, 3rd ACR			

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I, [REDACTED],

That Sgt [REDACTED] was having trouble getting the inmate (# [REDACTED]) to quit talking so he asked me to assist him with putting a gag on him. So I help put the gag on him and he cuffed him to the top of the gate and locked the gate behind him. We then walked away and started letting inmates out to use the restroom. This all started taking place around 0720 or 0730. I was on top of the guard tower directing <sup>inmates</sup> in and out of the cage. [REDACTED] and the other soldier were outside with the inmates. About 10 minutes went by and Sgt [REDACTED] noticed the cuffed prisoner slumped down with his eyes closed. He immediately went to check on him and determined he was not breathing. He then told me to go to the M1 shack next door and get help. So I ran over and got Sgt [REDACTED] and he arrived about 5 minutes later. I was still in the process of directing the inmates in and out of the cage for restroom breaks while Sgt [REDACTED] and Sgt [REDACTED] were checking on the casualty. When Sgt [REDACTED] noticed the inmate slumped over and not breathing he took off his gag and cuffs and yelled then for me to go get help from the M1 shack. This is about all that I can remember to the best of my ability.

Q: Are you aware of any escape attempts made by this prisoner?

A: Not to my knowledge.

Q: Do you know the deceased prisoner's name or ID number?

A: No.

Q: Which cage was the deceased prisoner housed in?

A: When you face the cages he was in the far left isolated cage in the far back.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	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 1 JUL 72

SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

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USE ONLY

025156

EXHIBIT 7

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ FILE NUMBER: \_\_\_\_\_ DATED \_\_\_\_\_ CONTINUED: \_\_\_\_\_

STATEMENT (Continued)

Q: Do you know if anyone made any attempts to resuscitate the prisoner?

A: I know that I did not because I went to go get help but as far as anyone else I do not know.

Q: Did this prisoner ever complain to you about being injured?

A: No he did not

Q: Do you know if this prisoner was ever interviewed?

A: I just don't know for sure

Q: Do you know how long this prisoner was in custody?

A: At least one week maybe more

Q: Is there anything you would like to add to this statement?

A: No !!! END OF STATEMENT !!! [REDACTED] 6705

AFFIDAVIT

\_\_\_\_\_, 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:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

[REDACTED] 6705  
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 7<sup>th</sup> day of Jan, 2009 at FOB Riples Base, Al Azad, Iraq

[REDACTED] 6705  
(Signature of Person Administering Oath)

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

Art 136 B4 ucmj  
(Authority To Administer Oaths)

ACLU RDP 2005 p. 4 USE ONLY [REDACTED]

025157

LOCATION <b>FOB Rifles Base</b>	DATE <b>9 JAN 04</b>	TIME <b>1225</b>	FILE NUMBER
LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS <b>SPC/E-4</b>	
ORGANIZATION OR ADDRESS <b>Avim Troop, 3 ACIL, FOB Rifles Base, Iraq (Fort Carson Co)</b>			

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

- Started working on site Jan 05 2003 on SSG [REDACTED] Crew
- Yesterday Morning The Prisoner came to me During Cell Shake Down and show me his cuts. They were cutting his hand Due to Server Swelling. I Removed them at that time and put leg IRONS on him I went back Bandages the cuts.
- That night went came onto shift The Prisoner would not sleep and keep saying that he wanted to go home.
- At 0215 the Gentleman in Question tried to escape From the Prison. At this time I detained him with Proper Force He was elderly, and so I did not use all that much.
- After that he was put in a sleep deep spot ~~and~~ till his cage was fixed.
- At 0400 we finished the Cage and put cuts and leg IRONS on him. The he was cutt with about 2 feet of Slack so he could lay down away from the wire, to the corner Post. also that is when I left shift.

Q: SA [REDACTED] b7c1  
A: SPC [REDACTED]

Q: Describe How he escaped?  
A: Pushed wire Down and then through his coat over the wire and stepped acrossed.

Q: What happened to his leg irons?  
A: They were off when we came on Shift. And we did not know untill the Escape.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <b>3</b> PAGES
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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.



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0009-03<sup>4</sup>-CID679-83486

FILE NUMBER:

STATEMENT OF [REDACTED]

TAKEN AT Fort Rucker Base DATED 9 JAN 03 CONTINUED

Q: Since you started working at the BPDW site has anyone ever taken the IZ that died out for interrogation if so who and when?

A: I AM NOT 100% BUT I THINK THE FIRST NIGHT I WAS HERE SF HAD HIM. THAT WOULD BE THE ONLY TIME I CAN REMEMBER

Q: What injuries did the IZ who died have on his body?

A: ALL THAT I SAW BESIDES THE CUTS ON HIS HAND WAS A MASSIVE BRUISE ON HIS TORSO, I THINK I WAS HIS LEFT SIDE WRAPPED AROUND TO HIS LOWER STOMACH AND LOWER BACK

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

A: YES NO PRISONERS WERE AWAKE DURING TIME OF ESCAPE EXCEPT FOR THE SLEEP DEP.

Q: When you took the prisoner back to his holding area after his escape did he lay down and attempt to sleep?

A: NOT THAT I KNOW. BUT WHEN I LEFT HE WAS STILL SITTING UP.

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

A: NO!

// END of Statement // [REDACTED]

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2

OF 3 PAGES  
EXHIBIT 8  
00 100

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025159

ACLU-RDI 2285 p.45

DOD-050703

STATEMENT (Continued)

[REDACTED]

b7c

NOT USED.

AFFIDAVIT

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

WITNESSES:

[REDACTED] (Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 9<sup>th</sup> day of JAN, 20 04 at FBI Raffles Base

ORGANIZATION OR ADDRESS

b7c

[REDACTED] (Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

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

Article 136 B4 (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 3 OF 3 PAGES

LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY

025160

EXHIBIT 8

all b7c2

LOCATION <b>FUB WEBSTER, RIFLES BASE, IRAQ</b>	DATE <b>2040109</b>	TIME <b>12:38</b>	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS <b>E-4/CPL</b>	
ORGANIZATION OR ADDRESS <b>S+T TRP / SAT 3ACR</b>			

**[REDACTED] CPL [REDACTED]** WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON ~~8~~ **8 JAN 04** I worked the **1200-1600** shift. During this shift the **deceased** Prisoner was taken out for interrogation by SF. When he came back in he looked fine nothing different from when he left. This I saw from a **distance** I had **no** close contact with him.

On **9 JAN 04** I worked a **0600-0800** shift. I came in all the Prisoners were asleep. They were woken up about **0600-0630** the Prisoner was still alive. Due to Prisoners talking I made them stand up. The **deceased** Prisoner did not stand up at first. I yelled at him and then he stood up. **Sgt [REDACTED]** made him stand up at a later time. He would not stay up so he was handcuffed to the fence.

At around ~~0800~~ **0700** I took the Prisoners for the latrines around **0730-0800** SPC - **[REDACTED]** came running out going to the MZ shack. I yelled **whats up** and he said a **Prisoner** had died.

A **SGT [REDACTED]**  
A **CPL [REDACTED]**

Q How do you know it was SF that picked up victim.  
A I ~~was~~ was told by **Sgt [REDACTED]**  
Q Did you notice any injuries or bruises on victim prior to SF taking the ~~victim~~ victim.  
A **NO**

Q Did you notice any injuries or bruises on victim upon return from SF

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT <b>[REDACTED]</b>	PAGE 1 OF <b>2</b> 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 1 JUL 72

**ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY**

SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

025161

**EXHIBIT 9**

all b7c2

STATEMENT OF

TAKEN AT

FILE NUMBER:

DATED

CONTINUED:

STATEMENT (Continued)

A: NO

Q DID YOU RECEIVE A BRIEF ON WHAT DISCIPLINE YOU CAN DO TO PRISONERS AND WHAT YOU CAN'T DO, DESCRIBE THAT BRIEF

A: YES I WAS TOLD NOT TO RAFE THEM UP JUST IF THEY ARE DOING WRONG MAKE THEM STAND IF COUNTDOWN PUT A MUZZEL ON THEM, DONT HIT THEM

Q WHO GAVE YOU THE BRIEFING?

A: Sgt [REDACTED]

Q: DID YOU NOTICE A GAGE ON THE VICTIM TODAY.

A: I WAS TOLD SPC [REDACTED] PUT A GAGE ON HIM BUT I DID NOT SEE IT I WAS OUTSIDE.

Q DID YOU SEE THE VICTIM BEING HANDCUFFED TO THE ENTRANCE TO HIS CAGE WITH HIS HANDS ABOVE HIS HEAD.

A: YES HIS HANDS WERE HANDCUFFED BUT ONLY ABOUT SHOULDER HIGH.

Q WHO HANDCUFFED HIM.

A: Sgt [REDACTED]

Q: DO YOU HAVE ANYTHING ELSE TO ADD TO YOUR STATEMENT.

A: NO

AFFIDAVIT

I, SPC [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.

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 07 day of JANUARY, 2004 at FORT WEBSTER, ALABAMA, TRAG

ORGANIZATION OR ADDRESS

all b7c2

(Signature of Person Administering Oath)

SGT [REDACTED]

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

RET 136(b)(4) UCMJ

(Authority To Administer Oaths)

025162

00 112

STATEMENT SENSITIVE  
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

all b7c 2

LOCATION FOB Rifles Base, Al Asad, Iraq	DATE 9 Jan 04	TIME 1312	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS SPL/NG	
ORGANIZATION OR ADDRESS 2133rd TC, Iowa NG, attached to 3rd ACR			

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

THE INMATE THAT PASSED AWAY 9 JAN 04, was not a serious problem, I was on shift when the MP's brought him in approx. about 7 days prior to death we had no physical problems with the inmate except he was constantly talking, we had him in a segregation pen, to stop him from TALKING. NO OTHER PROBLEMS EVER ORIGINATED AFTERWARDS. ON THE NIGHT OF 8 JAN 04, I SAW THE INMATE WITH HIS SHIRT OFF AND HAD DARK-BLACK EXCESSIVE BRUISING AROUND THE ABDOMINAL AREA. HE HAD BEEN INTERROGATED A FEW TIMES BUT NOTHING WAS SAID OR DONE AFTER!

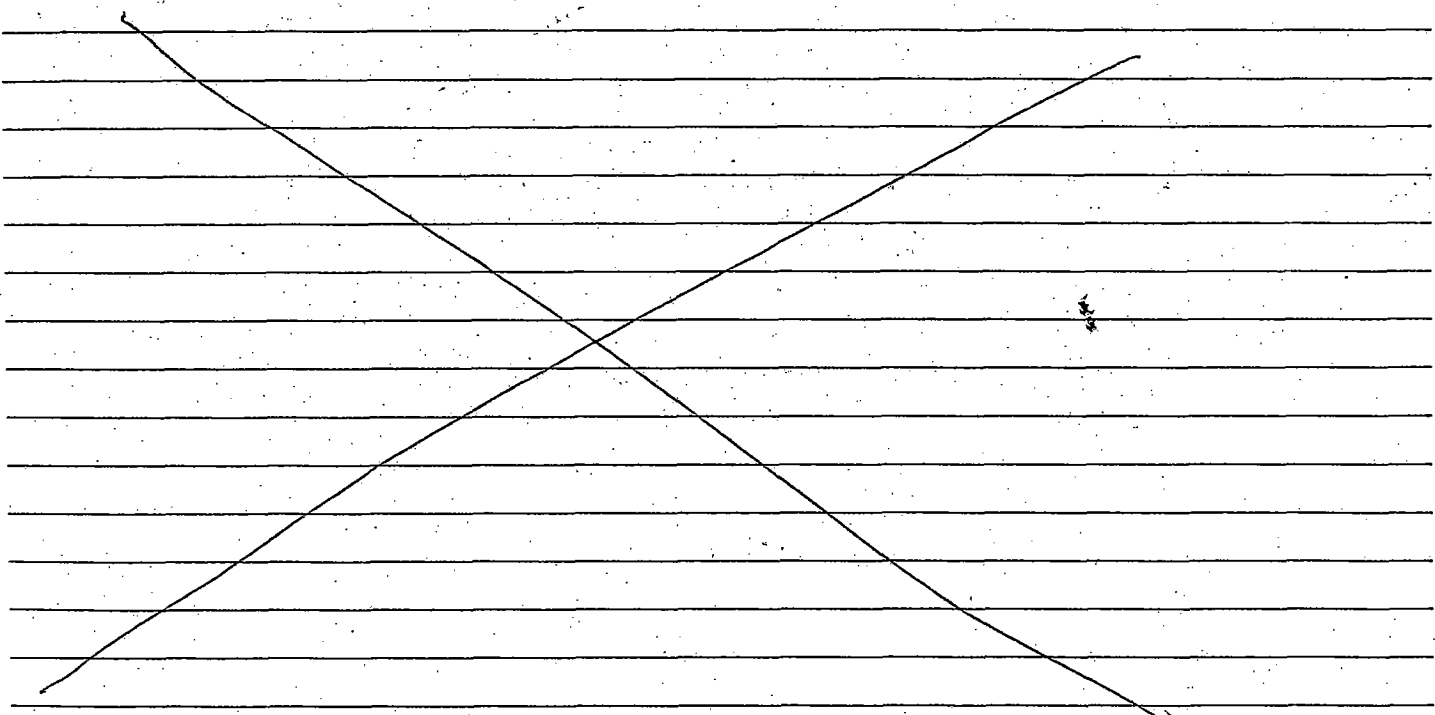


EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_ TAKEN AT \_\_\_ DATED \_\_\_ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON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

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LAW ENFORCEMENT SENSITIVE  
1 JUL 72  
REPLACES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

025163

**EXHIBIT** 10

00 113

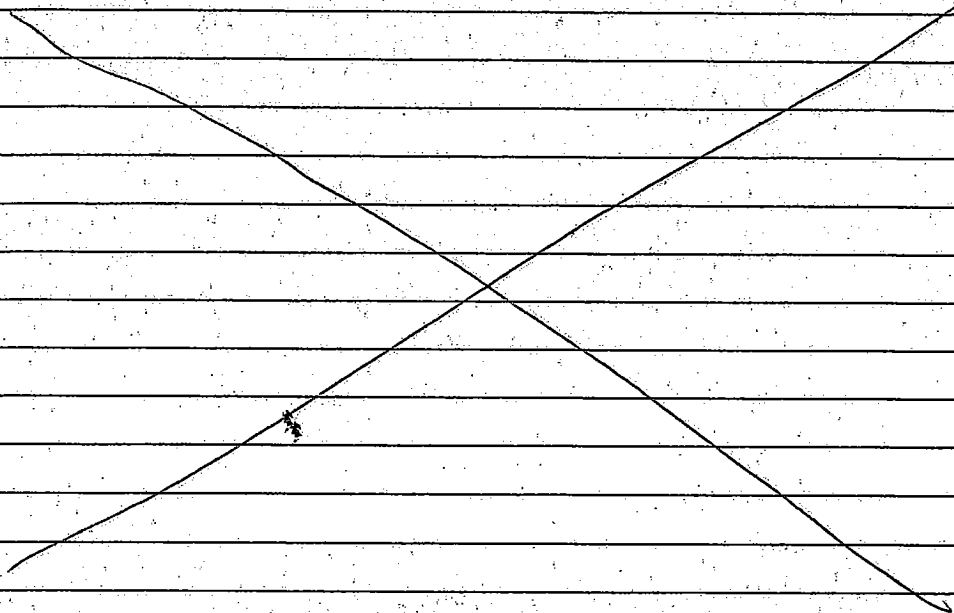
STATEMENT OF

TAKEN AT

FILE NUMBER:  
DATED

CONTINUED:

STATEMENT (Continued)



NOTHING ELSE FOLLOWS

AFFIDAVIT

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

WITNESSES:

b7c2

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 9 day of Jan, 2004 at FOB Telles Isaac, Al Azed Iraq

ORGANIZATION OR ADDRESS

b7c1

(Signature of Person Administering Oath)

SA [REDACTED]

(Typed Name of Person Administering Oath)

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ART 136 TRC UCMJ

(Authority To Administer Oaths)

025164

00 114

INITIALS OF PERSON MAKING STATEMENT

AC

SWORN STATEMENT

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

all b7c2

LOCATION FOB Ruffin's Base Al Bad. Iraq	DATE 9 Jan 04	TIME 1325	FILE NUMBER
LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS SPC1WG
ORGANIZATION OR ADDRESS 2133rd Trans Co, Iowa NG, attached to 3rd ACR			

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: Do you know if the prisoner had any bruises when he arrived at the EPW cage?

A: No, I did know of any at that time.

Q: Did you see anyone strike this prisoner?

A: Never

Q: Do you know how the prisoner got the bruises?

A: No

Q: Do you know who interrogated this prisoner?

A: I believe SF/ODA

Q: Do you know when this prisoner was interrogated?

A: No, I have no idea.

Q: What time did you see the bruises on the prisoner on 8 Jan 04?

A: About 2300 LAST NIGHT.

Q: Is there anything you would like to add to this statement?

A: No ||| END OF STATEMENT ||| [REDACTED]

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

DA FORM 2823  
LAW ENFORCEMENT SENSITIVE  
FOR OFFICIAL USE ONLY

SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

EXHIBIT 11

025165

00 115

STATEMENT OF

TAKEN AT

FILE NUMBER:  
DATED

CONTINUED:

STATEMENT (Continued)

NOT USED

[REDACTED] b7c2

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.

WITNESSES:

[REDACTED] (Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 9 day of Jan, 20 04 at FOB RIFLES Base, Al Aswad Iraq

ORGANIZATION OR ADDRESS

[REDACTED] (Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED] (Typed Name of Person Administering Oath)

**LAW ENFORCEMENT SENSITIVE  
FOR OFFICIAL USE ONLY**

Art 136 B 4 UCMJ  
(Authority To Administer Oaths)

00 116

INITIALS OF PERSON MAKING STATEMENT  
ACLU-RDI 2285 p.52

025166



LOCATION FOB WEBSTER, AL ASAD, RIJES BASE, IRAQ	DATE 20010109	TIME 1330	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS E5/SGT
ORGANIZATION OR ADDRESS AVIM TRP/SPT/3ACR			

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I, [REDACTED],

On January 09, 2004 at 1950 hours came on guard shift. I took position on the elevated platform at 2000 hours. From 2000-2200 hours I continued to watch the prisoners from the elevated platform. From where I was sitting on the platform, I noticed that the deceased prisoner who was found dead this morning had a bruise around his stomach. Around 2215 hours until 2300 hours, I stood guard outside the prisoners' latrine facilities and watched them urinate and take a crap. Around 2300 hours, the prisoners were put to bed. I assumed my position on the platform around 2305 hours. I continued to watch the prisoners until 0000 hours. I was released from my shift on January 09, 2004 at 0005 hours. On January 09, 2004 at 1130 hours, SSG [REDACTED] woke me up and told me to go to the prisoner site because a prisoner died. I entered the building around 1135 hours.

Q: SGT [REDACTED]

A: SGT [REDACTED]

Q: PRIOR TO 08 JAN. 2004 DID YOU NOTICE BRUISES OR INJURIES TO THE VICTIM?

A: NO

Q: DO YOU KNOW IF ANYONE INTERVIEWED THE VICTIM?

A: NO

Q: DO YOU KNOW HOW THE VICTIM GOT THE BRUISES AROUND HIS MID-SECTION?

A: NO

Q: DO YOU KNOW HOW LONG THE VICTIM WAS DETAINED AT THIS CAMP?

A: NO

Q: HAVE YOU EVER SEEN ANYONE HITTING THE VICTIM?

A: NO

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 02 PAGES
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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.

DA FORM 12823-1 SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.  
 LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY

025167

EXHIBIT 12

00 117

ACLU-RDI 2285 p.33 446702

all b7c 2

STATEMENT OF

TAKEN AT

FILE NUMBER:  
DATED

CONTINUED:

STATEMENT (Continued)

Q: WERE YOU EVER GIVEN A BRIEFING ON POLICY OR PROCEDURES ON THE TREATMENT OF THE EDW'S.

A: YES, SGT [REDACTED] showed me how to hold the prisoners that we are in processing. I was told to shoot them if they tried to run away or gang up on another guard member.

Q: DO YOU HAVE ANYTHING ELSE TO ADD TO YOUR STATEMENT?

A: NO

END OF STATEMENT

NOT USED

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.

Signature of Person Making Statement

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 09 day of January 20 04 at FOGWATER, ALASKA, RIFLES BASE, TRAC

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

SGT [REDACTED]

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

LAW ENFORCEMENT SENSITIVE  
FOR OFFICIAL USE ONLY

A2T B66(4)UCMT 00 118  
025168 (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

Photographic Packet

0009-04-CID679-83486

*all b(7)(C)(4)*

Number	Description of Photographs
1	Photo depicting body of Mr. [REDACTED] from feet
2	Photo depicting side view of Mr. [REDACTED]
3	Photo depicting body of Mr. [REDACTED] from head
4	Photo depicting close up of head
5	Photo depicting over view of torso and head
6	Photo depicting over view of torso and legs
7	Photo depicting close up of hands and abdomen
8	Photo depicting bruises on abdomen with scale
9	Photo depicting bruises of chest
10	Photo depicting bruises of chest with scale
11	Photo depicting bruises on abdomen (left side)
12	Photo depicting bruises on abdomen (left side) with scale
13	Photo depicting bruises on abdomen with scale
14	Photo depicting laceration on right arm with scale
15	Photo depicting bruises on right chest
16	Photo depicting bruises on right chest with scale

LAW ENFORCEMENT SENSITIVE  
FOR OFFICIAL USE ONLY

025169

EXHIBIT 13

Ex 13 00 119

# Page(s)

120 - 127

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English Translation:

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## Withheld due to:

Foreign Language

Photos depicting Americans

Photos depicting foreign nationals

Civilian Agency Records

Audio/Video depicting foreign  
nationals and Americans

025170

**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 Rifles Base, IRAQ	2. DATE 105 JAN 04	3. TIME 0922	4. FILE NUMBER [REDACTED]
5. GRADE/STATUS SFC/AD	6. ORGANIZATION OR ADDRESS B Co 1/5 Special Forces, Group FT CAMP BRAGG, NC		

**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/accused: aggravated assault, negligent homicide 1A

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.

-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 (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) b7c5	[REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE	[REDACTED]
2a. NAME (Type or Print) b7c1	5. TYPE NAME SA [REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR 87th MP Det (CID) FORT BRAGG, NC, Rifles Base, IRAQ

**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

DA FORM 3881, NOV 89 (AUTOMATED)

EDITION OF NOV 84 IS OBSOLETE

**LAW ENFORCEMENT SENSITIVE  
FOR OFFICIAL USE ONLY**

025171

**EXHIBIT 14**

L 00 136

**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 Rifles Base, Iraq	2. DATE 10 JAN 04	3. TIME 1050	4. FILE NUMBER
5. Name (Last First MI) [REDACTED]	6. ORGANIZATION OR ADDRESS B Co 1/5 Special Forces Group FT Campbell, KY		
7. TRADE/STATUS SEC/AS	8. SSN [REDACTED]		

**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/aggravated assault, negligent homicide 1/1

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.

-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 (Continue on reverse side)

**SECTION B. Waiver**

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

WITNESSES (if available)		3. SIGNATURE OF INTERVIEWEE [REDACTED] b7c5	
1a. NAME (Type or Print)	[REDACTED]	4. SSN	[REDACTED]
5. ORGANIZATION OR ADDRESS AND PHONE	[REDACTED]	5. TITLE	[REDACTED]
2a. NAME (Type or Print)	b7c1	6. ORGANIZATION OF INVESTIGATOR	SA [REDACTED]
5. ORGANIZATION OR ADDRESS AND PHONE	[REDACTED]	87th MP Det (C.I.S.) FT BRAGG, NC, Rifles Base, IRAQ	

**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

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 Rifles Base Iraq	DATE 10 JAN 04	TIME 1220	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS SFC/AD	
ORGANIZATION OR ADDRESS B Co. 1st Special Forces Group, FT CAMPBELL, KY (Rifles Base, Iraq)			

b7c5

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Detainee 1582 was brought to my attention on the night of 5 Jan 04. I was told that 3 guys were picked the day before and 3 radios were found w/ wires coming out of them ready to detonate an IED. I was instructed by my Team Leader to question the 3 detainees on the following day. The morning of 6 Jan 04, the detainees were picked up from the detention facility and brought to a holding cell. I readied my interrogation room and had a passenger of the taxi brought in for questioning first his name was [REDACTED]. His story was plausible so I sent him away and had the driver of the taxi brought in for questioning. His answers matched the first man's answers. Then he was sent back to the holding cell and Detainee [REDACTED] was brought in. His picture was taken, then I started questioning him. At first he told extreme lies about how he came into possession of the radios. Then once I caught him in his lies he said that he would tell the truth if he could sit down. I had his flex cuffs taken off and he sat down. I continued questioning him and he still said that he did not know how to use the radios and he would learn in Fallujah or Husaybah. Again I called him on his lies and he became angry and jumped out of his chair and attacked [REDACTED] by grabbing and punching him. [REDACTED] then kicked him and they both tried to subdue him. I came around the table to help and grabbed his feet to assist in getting him to the ground. He still fought [REDACTED] and they were finally able to subdue him and got him to the ground. Detainee [REDACTED] was hit in the midsection region, to the best of my knowledge, to get him to bring down his arms, get control of him and flex cuff his hands. I do not think that the force used was excessive. He was strong and fought back. I returned to my chair and had Detainee [REDACTED] flex cuffed to an overhead pipe in order to prevent any further attacks. I questioned [REDACTED] and he said he would tell me the truth if he could have some water first. Either [REDACTED] gave him water from a bottle and once he was done drinking his front tooth came out. [REDACTED] who is a medic, checked the tooth which was whole and his gums. There was no bleeding and it was determined that the tooth was probably rotten and fell out. Detainee [REDACTED] never said he had any pain and he did not look like suffering from any pain. I continued -

b7c4

b7c4

b7c5

b7c4

b7c4

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 4 PAGES
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b7c5

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.

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025173

EXHIBIT 15

questioning him and he told me that he was going to hook up the radios to bombs so that he could kill Americans. I asked him where these bombs were and he said he could show me. My team Sgt [redacted] heard this and prepared a split team to take detainee [redacted] to show us the bombs. Detainee [redacted] was then seated with his hands flexcutted in front of him. And awaited the split team for movement. [redacted] then took him out of the room and they went to the Bomb sites. b7c2

The next time I saw detainee [redacted] was on 8 Jan 04 at about 1100 where I questioned him at the Detention facility at Al Asad. I picked him up from their holding area and walked with him to the questioning Booth. His hands were not flexcutted, but his feet were shackled. He sat down on a stool and me and my translator [redacted] asked him questions concerning the making of the bombs, detonation devices and people he worked with. He looked fine and did not complain about any pain. I questioned him for about an hour, then took him back to the holding area.

Q: [redacted] b7c1

A: [redacted] b7c5

Q: Who was involved in each interrogation? b7c5

A: 1st Interrogation: Myself, [redacted] (for a short time)

2nd Interrogation: Myself, [redacted]

Q: Besides restraining # [redacted] after he attached [redacted] was # [redacted] struck by anyone any other time? b2

A: I heard he resisted getting into the vehicle for transportation to IED site. [redacted] knows more about it.

Q: Was # [redacted] struck in the facial area? b2

A: I did not see any strikes to the face.

Q: Did you strike # [redacted] at any time, describe? b2

A: I went to grab his feet and he started kicking me so I hit his legs and stomach a couple times with a closed fist and then grabbed his legs so the [redacted] could take him to the ground. b7c5

Q: How long did it take to get [redacted] under control? b2

A: 1-2 min.

Q: You saw the photos of the Druses on [redacted] Do you think they were b2

INITIALS OF PERSON MAKING STATEMENT [redacted] b7c5

PAGE 2 OF 4 PAGES

LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY

025174

EXHIBIT 1/5

00 139



STATEMENT OF SFC [REDACTED] TAKEN AT Rifles Base DATED 10 JAN 04

9. STATEMENT (Continued)

caused by this incident?

A: I have no idea.

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

A: No. /// END OF STATEMENT ///  
[REDACTED]

*all  
b7c5*

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 3 OF 4 PAGES

**LAW ENFORCEMENT SENSITIVE  
FOR OFFICIAL USE ONLY**

025175

USAPA 11-00  
**EXHIBIT** 15

[Redacted area]

b7c5

AFFIDAVIT

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

[Redacted signature]

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 10 day of JANUARY, 2004 at RIFLES BASE, DEAC

ORGANIZATION OR ADDRESS

b7c1

[Redacted signature]

(Signature of Person Administering Oath)

SA

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

ART 136 (b)(4) UCMJ

(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 4 OF 4 PAGES

LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY

025176

EXHIBIT 15  
00 141

**Page(s)**

142 - 155

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**Referred to:**

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

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

RIGHTS WAIVER PROCEDURE/WAIVER CERTIFICATE

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

DATA REQUIRED BY THE PRIVACY ACT

0009-03-CID679-83486

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: Rifles Base, IRAQ
2. DATE: 10 JAN 04
3. TIME: 1354
4. FILE NO.
5. [Redacted]
6. SSN: [Redacted]
7. GRADE/STATUS: SSG/AD
8. ORGANIZATION OR ADDRESS: B Co. 1/5 SF GRP FT CAMPJELL, VA

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/accused: aggravated assault, negligent homicide !!!

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.

- 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.

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

5. COMMENTS (Continue on reverse side)

Section B. Waiver

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

1a. NAME (Type or Print)
1b. ORGANIZATION OR ADDRESS AND PHONE
2a. NAME (Type or Print)
2b. ORGANIZATION OR ADDRESS AND PHONE
3. SIGNATURE OF INTERVIEWER
4. TITLE OF INTERVIEWER
5. TITLE OF INVESTIGATOR
6. ORGANIZATION OF INVESTIGATOR

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

DA FORM 3881, NOV 89

EDITION OF NOV 84 IS OBSOLETE

LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY

ACLU-RDI 2285 p.64

025173

EXHIBIT 18 156

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately 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: Rifles Base, IRAQ
2. DATE (YYYYMMDD): 10 JAN 04
3. TIME: 1500
4. FILE NUMBER: 0009-03 CID679-
5. LAST NAME FIRST NAME MIDDLE NAME: [REDACTED]
6. SSN: [REDACTED]
7. GRADE/STATUS: SSG/A1

8. ORGANIZATION OR ADDRESS: B Co 1/5 SF Group, Ft Campbell, KY, Rifles Base, IRAQ

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

On the morning of 6 Jan 2003 @ approx. 1030 local I, SSG [REDACTED], picked up 4 detainees from the AL Asad detention facility. The detainee named [REDACTED] (NFI) was among the four that I transported back to the Special Forces compound, located on AL Asad Airbase (Rifles Base). Upon arrival at the compound, the detainees were placed in the detainee holding area (DHA). I was then told in what order the detainees were to be questioned. The questioning started with the school teacher. The taxi driver was to follow him. While questioning the school teacher it was initial determined he had little or no information about the detonation devices that were discovered within the taxi. This detainee, teacher, was then transported back to the DHA. The taxi driver was the next to be questioned. During the questioning it was determined that his information about the ownership of the detonators was legitimate. He stated that they may belong to his fare, [REDACTED]. At this point it was

10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED]
PAGE 1 OF 7 PAGES

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

all b7c5

STATEMENT OF [REDACTED]

TAKEN AT Rifles Base, Iraq

DATED 10 Jan 2003

CONTINUED

determined that [REDACTED] shall be questioned next. The line of questioning used initially was the standard baseline stuff. Name, Age, job, things of this nature. When asked about the detonators, [REDACTED] first said that he saw them on the side of the road and asked the taxi driver to stop so he could have a look. [REDACTED] stated that he saw some thing shiny on the side of the road and it was this that caught his attention. He stated that he intended to turn them in at the local police station. This was determined to be a lie. Once the capture report was consulted, it was discovered by an ODA member, that one of the devices was found in [REDACTED] jacket pocket. The other ~~two~~ were found inside the wall of the trunk. Once this fact was made available to [REDACTED] he then stated that the devices were his and the property of the other two detainees. [REDACTED] then stated that he had bought the devices in a market somewhere in Baghdad, but had no knowledge on their use or employment. [REDACTED] then made the mistake of admitting that he was a LTC in the Iraqi army under the former regime. After many more unremarkable questions and answers, [REDACTED] admitted that he knew how to use the devices and was in the process of doing so when he was detained. [REDACTED] was then asked where he planned to employ the devices, to which he gave a non-specific location. Further questions obtained a location vic RTI/ISR Bronze Hwy 12. When asked if he would so the ODA where he employed the device, [REDACTED] agreed. At this point it was decided to make [REDACTED] more comfortable. His Plex-cuffs were cut and he was allowed to take a seat. He was then showed a sat photo of the general area of the IED location. Asad then stated that he couldn't tell on the photo nor could he read the map. As a former LTC this was determined to be either a lie or a stalling tactic. It was at this point that the detainee physically attacked SFC [REDACTED]. The detainee jumped up from

INITIALS OF PERSON MAKING STATEMENT: [REDACTED]

PAGE 2 OF 7 PAGES

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ACLU-RDI 2285 p.66

025180

EXHIBIT 18

STATEMENT OF SSG [REDACTED]

TAKEN AT Rifles Base JAWADATED 10/21/06 CONTINUED

all b7c5

The chair he was sitting in and bodily grabbed SFC [REDACTED] Asad then became very combative. SFC [REDACTED] first attempt to subdue Asad were unsuccessful. It was at this point, about 5 seconds into the situation, that I entered the situation to assist SFC [REDACTED]. Our initial attempts to subdue Asad were met with extreme resistance. I was surprised at [REDACTED] physical strength. We had greatly underestimated it. His strength coupled with the bulk of his frame made him extremely difficult to subdue and restrain. Several times during the struggle I felt or saw Asad reaching for my side arm, which I was wearing on a shoulder rig. I was forced by this action to lay several kicks into his midsection. Once on the ground, [REDACTED] continued to struggle with myself and SFC [REDACTED]. [REDACTED] continued to attempt to get a weapon from one of the two of us. The entire incident lasted between 1-2 minutes. Once [REDACTED] was back under control, he was reflex-cuffed. He then made the statement "I wanted to kill Americans". He then decided that he was going to fully cooperate with us. After he calmed down he asked for and received some water. I held the bottle of water to his mouth and allowed him to drink. He took several gulping drinks from the bottle. Once [REDACTED] finished his drinking he spit something on the floor. At first I thought it was a "wad of spit", but upon further investigation found that it was a whole tooth. I picked the tooth up and showed it to SFC [REDACTED], who determined that it was unbroken and had just fell out. Again, the tooth was whole and undamaged and there was little or no bleeding from the whole hole that the root had come from. Shortly after this SFC [REDACTED] call from the OPS building and instructed that the detainee was to be prepped for movement to the IED site. SFC [REDACTED] also instructed me to get my kit ready for the mission. At this point I left the room and went to get ready for the TID mission. At this time I was gone for around

INITIALS OF PERSON MAKING STATEMENT: [REDACTED]

PAGE 3 OF 7 PAGES

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025181

EXHIBIT 18  
00 153

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

STATEMENT OF SSG [redacted] TAKEN AT Rifle Base, SPAG DATED 10 JAN 04

9. STATEMENT (Continued)

24

20 minutes. Myself and SSG [redacted] were instructed to drive the [redacted] and be prepared to disarm and destroy the IED, if required. SFC [redacted], SSG [redacted], and [redacted] were to drive the [redacted] as the DIED vehicle, with [redacted] seated in the back seat with SSG [redacted]. We parked the [redacted] outside the question facility where [redacted], SFC [redacted], SFC [redacted] were waiting. When we tried to move [redacted] to the [redacted] he began passive resistance. Dragging his feet walking slow, anything he could do to stall for time. I could tell by the sharp look in his eyes that he was not as tired as we would have us believe. We made several attempts to get dead into the truck and again were met with both passive and active resistance. He would stick his legs back out of the door, attempt to fall back out of the truck, again stalling. It took 3 of us to finally get him up into the truck. As we attempted to close the door he would stick a body part out in attempt to stop us. Several attempts to close the door were met with one body part or another blocking the door. Body, head, legs, arms and hands were all used by [redacted] to stop the door from closing. After a very physical shove we were able to close the door. It was at this point the team was able to move to the IED. The IED was identified and disarmed, by the ODA members. [redacted] then info us that he was willing to show us where he had acquired the 155mm artillery rounds that he used for the IED.

b24

INITIALS OF PERSON MAKING STATEMENT [redacted]

PAGE 4 OF 7 PAGES



STATEMENT OF SSG [REDACTED] TAKEN AT Rifles Base IRAQ DATED 10 JAN 04

## 9. STATEMENT (Continued)

[REDACTED] then led the team to a location about 10 km north of FOB Eden. There the team discovered a veritable "Wal Mart" of IED making materials. Asad was removed from the truck and allowed to relax on a dirt berm by the vehicles. The team stayed on the site until a contact element from 3rd ACR arrived to secure the cache. ~~The team~~ This occurred at around 1630-1700 6 Jan 2003. The team then returned to Al Kad airbase to prepare for a mission that night. [REDACTED] was transported back up to the 3rd ACR detention facility. After this point I had no further contact with the detainee, [REDACTED]

Q: [REDACTED] b7c1

A: [REDACTED]

Q: Who was involved in the 1st interrogation of [REDACTED]?

A: Myself, SFC [REDACTED], SFC [REDACTED]

Q: Who was the main interrogator?

A: SFC [REDACTED]

Q: Did SFC [REDACTED] assist in restraining ASAD when he attacked SFC [REDACTED]?

A: I believe so, but I was more concerned about the situation at hand and do not recall.

Q: Was [REDACTED] struck during any part of the interrogation besides when he attacked SFC [REDACTED]?

A: yes, minor slaps and shoves as a result of false information.

Q: Did [REDACTED] appear in good health when he was returned to the detention facility?

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 5 OF 7 PAGES

STATEMENT OF SSG [REDACTED] TAKEN AT Rifles Base, Iraq DATED 10 JAN 04

9. STATEMENT (Continued)

A: I did not return [REDACTED] to the detention facility, but when I last saw him at the cache site he was relaxing ~~comp~~ comfortably and did not appear to be in any type of physical distress.

Q: Do you have any things else to add to your statement?

A: No. /// END OF STATEMENT ///  
[REDACTED]

all b7c5

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INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 6 OF 7 PAGES

025184

LAW ENFORCEMENT SENSITIVE

FOR OFFICIAL USE ONLY

EXHIBIT 18

00 102

AFFIDAVIT

I, [REDACTED] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE [REDACTED] AND ENDS ON PAGE 7. 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

b7c5

[REDACTED] (Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 10 day of JANUARY, 19 2004 at Killeen, Texas, TXAQA

ORGANIZATION OR ADDRESS

b7c1

[REDACTED] (Person Administering Oath)

SA [REDACTED]

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

ART 136 (b)(4) UCMS (Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 7 OF 7 PAGES

LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY

025185

EXHIBIT 18

00 163

DATA REQUIRED BY THE PRIVACY ACT

**AUTHORITY:** Title 10, United States Code, Section 3012(g) 0009-034 CID679-83486  
**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 FOB Rifles Base, Al Asad Iraq	2. DATE 10 Jan 09	3. TIME 1936	4. FILE NO.
5. NAME (Last, First, MI) [REDACTED] b7c5	8. ORGANIZATION OR ADDRESS ODA 525 5 <sup>th</sup> Special Forces Group FOB Rifles Base, Al Asad, Iraq		
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 and wanted to question me about the following offense(s) of which I am

suspected/accuse Aggravated Assault, Negligent Homicide

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
1a. NAME (Type or Print) [REDACTED] b7c5		[REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE		4. TITLE [REDACTED]
2a. NAME (Type or Print) [REDACTED] b7c1		5. TYPED NAME OF INVESTIGATOR SA [REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR 37 <sup>th</sup> MP Det (CIB) FOB Rifles Base

Section C. Non-Waiver

- I do not want to give up my rights:

I want a lawyer.  I do not want to be questioned or say anything.

2. SIGNATURE OF INTERVIEWEE

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

LAW ENFORCEMENT SENSITIVE  
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EXHIBIT 19

025186

00 164

SWORN STATEMENT

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

LOCATION FOB Rifles Base, Al Asad, Iraq	DATE 10 Jan 04 1648	0009-05-612679-83486 FILE NUMBER
LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS SFC/AD
ORGANIZATION OR ADDRESS ODA SAS, 5 <sup>th</sup> Special Forces Group, FOB Rifles Base, Al Asad, Iraq		

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

At approx. 0900, 3 days ago during the morning task org. meeting, [REDACTED] AND I were tasked to pick up 4 detainees from the Detention Facility. At approx 1000 we picked up the 3 personnel detained in a taxi for having IED detonators, and one detainee from Rawah. We brought them down to our holding facility and unloaded them. At that point took the vehicle back and parked it while arrangements were made to question the first detainee. I am not sure if I was present during the first interrogation, if so, it was only briefly. When I returned to the interrogation room it was after lunch and the interview with the subject in question was in progress. At the point I entered the subject was being Ambiguous and denying cooperation with any other individuals in his IED operations. He denied receiving funding from any source and claimed he fabricated the detonators himself. During this phase of questioning he was being made to stand with his zip tied hands secured to an overhead pipe. Eventually he agreed to tell us what we wanted if we let him sit. At this point he was cut free, hands untied and made comfortable. Then his answers became vague again, and he was becoming uncooperative. During this portion I was standing at his 2 o'clock approx. 1 meter away when his eyes fixed on me and he lunged toward me. He grabbed me the front of my shirt and in response I tried to subdue him. During this period I attempted to take his breath away by kneeling him in the ribs repeatedly and punching. The scuffle went to the floor as we tried to get control of his hands and feet. Once we maintained control we zip tied his hands and attached them to the overhead pipe again. Once he caught his breath questioning resumed. At some point he asked for water and [REDACTED] put a bottle to his lips. He began to choke and spit out a tooth. On examination of the tooth the root was intact and there was minimal bleeding from the socket. During subsequent questioning he agreed to take us to the cache site [REDACTED] (who had entered the room just prior) went to make arrangements for transport. [REDACTED] AND I got the detainees ready to travel and brought him

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

DA FORM 2823, 1 JUL 72  
LAW ENFORCEMENT SENSITIVE  
FOR OFFICIAL USE ONLY

SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

EXHIBIT 19

STATEMENT OF [REDACTED] TAKEN AT Pithers Base DATED 10 Jan 07 CONTINUED

out of the interrogation room to await the vehicles. Once we handed him over to the group that would take him to PID, I had no further involvement with him.

Q: Do you know the detainee's name or number?

A: No.

Q: Who was in the interrogation room during the scuffle with the detainee?

A: Myself, [REDACTED] and [REDACTED] the interpreter.

Q: How long were you in the room before the detainee grabbed you?

A: About 15-20 minutes.

Q: Were you between the detainee and the door to the room?

A: Yes.

Q: Were you wearing a weapon?

A: I ~~was~~ was carrying my sidearm in a shoulder holster.

Q: Do you know if any of the other people in the room were carrying a weapon?

A: I don't know for sure, but it would not have been unusual for them to be armed.

Q: Prior to the detainee grabbing you, did anyone hit the detainee?

A: No. Not while I was in the room.

Q: Did anyone hit the detainee after he was subdued and handcuffed?

A: No.

Q: Do you believe the actions you took in subduing the detainee were necessary to ensure your safety?

A: Of course.

Q: Did the detainee complain of breathing difficulty after he was subdued?

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 2 OF 3 PAGES

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EXHIBIT 19

025188

00 166

STATEMENT OF [REDACTED] TAKEN AT Rifles Base DATED 10 Jan 04 CONTINUED:

STATEMENT (Continued)

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A: No. He was talking fine and breathing okay.

Q: Where was the interrogation conducted?

A: The SF compound on Rifles Base.

Q: How long did the interrogation continue after the detainee grabbed you?

A: Maybe 30 to 45 minutes.

Q: Is your unit authorized to use physical force in interrogation?

A: No. We operate under the rules of the Geneva Convention.

Q: Does your unit have an SOP covering interrogations?

A: I have heard that there is one, but I haven't read it.

Q: Did anyone help you subdue the detainee?

A: Yes. [REDACTED]

Q: Is there anything that you would like to add to this statement?

A: No. // END OF STATEMENT

*b7c5*  
AFFIDAVIT

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

WITNESSES:

[REDACTED] (Signature of Person Making Statement)  
Subscribed and sworn to before me, a person authorized by law to administer oaths, this 10<sup>th</sup> day of Jan, 20 04 at FOR RIFLES Base, Al Asad Iraq

ORGANIZATION OR ADDRESS

*b7c1*  
[REDACTED] (Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

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

ART 136 B 4 UCMJ (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 3 OF 3 PAGES

LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY

025189

EXHIBIT 19

00 167

DATA REQUIRED BY THE PRIVACY ACT

0009-03<sup>4</sup>-CID679-83486

AUTHORITY:  
PRINCIPAL PURPOSE:  
ROUTINE USES:  
DISCLOSURE:

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

1. LOCATION <i>Rifles Base, Iraq</i>	2. DATE <i>103AN04</i>	3. TIME <i>1449</i>	4. FILE NO.
5. NAME (Last, First, MI) [REDACTED] <i>b7c5</i>	8. ORGANIZATION OR ADDRESS <i>ADA 1/3 AC12</i>		
6. SSN [REDACTED]	7. GRADE/STATUS <i>S6T/E-5</i>		
8. ORGANIZATION OR ADDRESS <i>Fort Carson, CO</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/accused *Negligent Homicide Aggravated Assault*

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)

1a. NAME (Type or Print) *b7c5*

b. ORGANIZATION OR ADDRESS AND PHONE

2a. NAME (Type or Print) *b7c1*

b. ORGANIZATION OR ADDRESS AND PHONE

3. SIGNATURE OF INTERVIEWER  
[REDACTED]

5. TYPED NAME OF INVESTIGATOR  
*SA [REDACTED]*

6. ORGANIZATION OF INVESTIGATOR  
*87th MP Det CID  
Ar Ramadi, Iraq*

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.

DA FORM 3881 NOV 80

EDITION OF NOV 84 IS OBSOLETE

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EXHIBIT 20



LOCATION FOB Rifles Base, Iraq	DATE 10 JAN 04 1512	TIME	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS SGT / E-5	
ORGANIZATION OR ADDRESS A DA V3 ACIR, FOB Rifles Base, Iraq (Fort Carson)			

I, SGT [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:  
 Pulling the three individuals out of the cage went very smooth they were very passive and did what we said. Upon searching the personnel I found a credit card and immediately put him on the ground. I then proceeded to have that individual open the package so we did not blow ourselves up. Then he was put back on the ground and was watched by my gunner. All of the men were sitting down. The older one did keep talking and my gunner constantly told him to "shut up". When we stopped there and turned them over to the EPA site on Rifles Base, Iraq they were all in pretty good shape.

Q: SA [REDACTED]  
 A: SGT [REDACTED]

Q: Did you kick or hit any of the detainees?  
 A: no

Q: Did you witness anyone hit or kick the detainees?  
 A: no

Q: Could all of the detainees walk and breath without any visible signs of pain?  
 A: yes

Q: were the detainees in the same physical state when

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

DA FORM 1282G ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

EXHIBIT 20

ACLU-RDI 2285 p. 711 b 7c5

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FILE NUMBER:

STATEMENT OF SGT [REDACTED] TAKEN AT RIFLES BASE DATED 10 JAN 04 CONTINUED

you left them at the EPW site?

A: Yes

Q: Who was your gunner?

A: SPC [REDACTED]

Q: Was SPC [REDACTED] primarily the soldier watching the older of the detainees who kept talking?

A: He was watching all of the detainees

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

A: No

///END of Statement ///

INITIALS OF PERSON MAKING STATEMENT: [REDACTED]  
LAW ENFORCEMENT SENSITIVE  
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PAGE 2 OF 3 PAGES  
EXHIBIT 20

except as noted all b7c5

FILE NUMBER: 0009-03 C70679-83846

STATEMENT OF SGT [REDACTED] TAKEN AT RIFLES BASE DATED 10 JAN 64 CONTINUED:

STATEMENT (Continued)

NET USE [REDACTED]

**AFFIDAVIT**

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

WITNESSES:

[REDACTED] (Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 10 day of JAN, 20 64 at FOB Rifles Base, France

ORGANIZATION OR ADDRESS

b7c <

[REDACTED] (Administering Oath)

ORGANIZATION OR ADDRESS

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

Article 136 B4 (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 3 OF 3 PAGES

LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY

EXHIBIT 20

DATA REQUIRED BY THE PRIVACY ACT

0009-08-CID679-83486

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: FOB Rafles Base, Iraq
2. DATE: 103A Nov 03
3. TIME: 1527
4. FILE NO.
5. NAME (Last, First, MI)
6. SSN
7. GRADE/STATUS: SPC
8. ORGANIZATION OR ADDRESS: ADA 1/3AICR
FOB Rafles Base, Iraq

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 Criminal Investigation Command and wanted to question me about the following offense(s) of which I am suspected/accused: Negligent Homicide, Aggravated Assault

- 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.

- 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.

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

5. COMMENTS (Continue on reverse side)

Section B. Waiver

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

WITNESSES (If available)
1a. NAME (Type or Print)
b. ORGANIZATION OR ADDRESS AND PHONE
2a. NAME (Type or Print)
b. ORGANIZATION OR ADDRESS AND PHONE
3. SIGNATURE OF INTERVIEWEE
4. SIGNATURE OF...
5. TYPED NAME OF INTERVIEWEE
6. ORGANIZATION OF INVESTIGATOR
87th MP Det CID
Ar Ramadi, Iraq

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.

LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY

EXHIBIT 21

025194

00 172

ACLU-RDI 2285 p.80 b7c5

LOCATION FoB Rifles Base, Iraq	DATE 10 JAN 03	TIME 16:25	FILE NUMBER
LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS SPC/E-4	
ORGANIZATION OR ADDRESS ADA, V3 ACIT, FoB Rifles Base, Iraq (Fort Carson Co)			

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On or about 4 Jan 04 that my Platoon was heading north on Route 12 when we ~~but~~ pulled over a maroon car for suspicious activity. When we searched the 3 people in the car and the car we found 3 motorolas with wires and clips on em, a Pick for digging a real of wire and two motorcycle batteries wired together. We detained all three persons after that the oldest one kept talking and trying to get up so kept telling him to shut up a few times then I started to put the Barrel of my M16A2 in his and tell to shut up or I'll shoot him and he kept talking and trying to get up then I kicked him in the chest 2-3 times to slightly knock the wind out of him and to get him to stop talking unless he is talked to. Then we loaded them up into the HUMVEE and ~~brought~~ took them to AIAAD and processed them in and took them to the detainee sight.

Q: SA [REDACTED]

A: SPC [REDACTED]

Q: Were the three Iraqi's who were detained in your care or sight until they were dropped off at the EPW site?

A: YES

Q: How much force did you use when you kicked the older man?

A: On a scale of 1-10 10 being the strongest I used a three.

Q: Did anyone besides you assault the old man in a way which would cause severe damage to his sides (chest)?

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 3 PAGES
---------	---	-------------------

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.

DA FORM 2823  
LAW ENFORCEMENT SENSITIVE  
FOR OFFICIAL USE ONLY

SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

025195

EXHIBIT 21

ACLU-RDI 2285 p. 8 au 6705

00 173

STATEMENT OF SPC [REDACTED] TAKEN AT Rifles Base DATED 10 JANUARY CONTINUED

A: NO

Q: Do you feel that when you kicked the old man it caused any damage to vital organs or permanently damaged his health in any way?

A: NO way I caused any damage to vital organs. My intent was to make him stop talking and stay on the ground

Q: How many times did the old man try to get up before you used force to stop him?

A: Two times before we hand cuffed him, two times after we hand cuffed him and then I kicked each time after that which was 2-3 times.

Q: Did you kick either of the other detainees?

A: No because they listened and/or they knew better

Q: Was the old man able to walk and talk after you kicked him or was his physical state diminished?

A: He was fine only needed help into the truck, because he was hand cuffed

Q: Was the old man in good health and physical condition in your opinion?

A: He appeared to be in good health for his age.

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

A: NO.

/// END of Statement /// [REDACTED]

INITIALS OF PERSON MAKING STATEMENT: [REDACTED]

PAGE 2 OF 3 PAGES

LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY

EXHIBIT 21

AGLU-RDI 2285 p.82 all b7c5

025196

00 174

FILE NUMBER:

STATEMENT OF Spc [REDACTED] TAKEN AT Rifles Base DATED 10 JAN 04 CONTINUED:

STATEMENT (Continued)

[REDACTED CONTENT]

b7c5

Not used.

AFFIDAVIT

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

WITNESSES:

b7c5

[REDACTED Signature]

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 10 day of JAN, 20 04 at Fort Rife Base.

ORGANIZATION OR ADDRESS

[REDACTED Signature]

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA [REDACTED]

(Typed Name of Person Administering Oath)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED Initials]

Article 136 B4

(Authority To Administer Oaths)

PAGE 3 OF 3 PAGES

LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY

EXHIBIT 21

025197

UO 175

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY:  
PRINCIPAL PURPOSE:  
ROUTINE USES:  
DISCLOSURE:

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

0009-08<sup>4</sup>-CID 679-83486

1. LOCATION FOB Rifles Base, Al Asad, Iraq	2. DATE 10 Jan 04	3. TIME 1730	4. FILE NO.
5. NAME (Last, First, MI) [REDACTED] b7C5	8. ORGANIZATION OR ADDRESS ODA 525 5 <sup>th</sup> Special Forces Group FOB Rifles Base, Al Asad, Iraq		
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 Criminal Investigation Command and wanted to question me about the following offense(s) of which I am

suspected/accuse Aggravated Assault and Negligent Homicide III

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. [REDACTED]
1a. NAME (Type or Print) [REDACTED] b7C5	4. SIGNATURE OF INVESTIGATOR [REDACTED]	
b. ORGANIZATION OR ADDRESS AND PHONE	5. TYPED NAME OF INVESTIGATOR SA [REDACTED]	
2a. NAME (Type or Print) [REDACTED] b7C5	6. ORGANIZATION OF INVESTIGATOR 87 <sup>th</sup> MP Det (CID) FOB Rifles Base	
b. ORGANIZATION OR ADDRESS AND PHONE		

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.

DA FORM 3881 NOV 80

EDITION OF NOV 84 IS OBSOLETE

LAW ENFORCEMENT SENSITIVE  
FOR OFFICIAL USE ONLY

EXHIBIT 22

025193 00 176



**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 FOB Rifles Base, Al Asad, Iraq	DATE 10 Jan 04	TIME 1840	FILE NUMBER
LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS SFC/AD	
ORGANIZATION OR ADDRESS ODA 525, 5 <sup>th</sup> Special Forces Group, FOB Rifles Base, Al Asad, Iraq			

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On the 6<sup>th</sup> of January 2004 myself [REDACTED] were coming back from lunch around noon. The Team Sgt [REDACTED] informed us that a detainee being questioned by fellow ODA members was going to PID an IED location along highway 12. Myself [REDACTED] got 2 vehicles ready to go. We drove up to where the detainee was about 1230-1245 hrs. The detainee was hooded and sitting down resting. I got out of the vehicle and stood the detainee up and pulled off his hood. I introduced myself and told him our plan to have him PID the IED. I told him not to give us a hard time and in return he would be able to have his flex cuffs removed. I asked him if he understood and he said "yes". At time [REDACTED] took the detainee to the rear passenger side of our Defender PU truck. I jumped in the vehicle and started it and made a radio check. At the same time they told the detainee to get in the vehicle. The detainee started to resist and was acting like he couldn't get in the vehicle. At that time he was slapped and pushed around. He was yelled at and told to get in the vehicle. This went on for about a min. He was kicked in either the leg or buttocks. I couldn't see the exact location due to the angle. Finally [REDACTED] lifted him into the vehicle and sat him down. We then drove to the site. The detainee was very cooperative and showed us where the site was. We pulled around the backside of the dirt mound where the IED was implaced. We all got out of the vehicle and traced the wires to the 1<sup>st</sup> of 3 155 artillery shells. After positive identification of IED the detainee had his flex cuffs removed and was given a bottle of water. The detainee was told to sit down and relax. After disarming the IED the detainee was moved to the site for photographic evidence. The detainee moved under his own control and had a normal gait. We then loaded up the shells and flex cuffed the detainee for the ride to the controlled detonation site. After the detonation we drove to the site where the detainee said he

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 3 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 INCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY

STANDARD FORM NO. 64 JAN 68 WHICH WILL BE REVISED

all 67c5

025199

EXHIBIT 22

DU 177

STATEMENT OF [REDACTED] TAKEN AT Rifles Barr DATED 10 JANUARY CONTINUED

got the rounds he used for the IED. Once we arrived at the site we discovered a huge weapons cache. We also detained 4 Iraqi males on the site. After the site was secured I removed the detainee from the vehicle and removed his flex cuffs and had him sit down. He was given water and offered him some food. He declined the food. We were on the site approx 2-2 1/2 hours. During that time the detainee complained about his wrists and that his back hurt. But he ~~also~~ only mentioned this one time. During the time at the site we joked around about going for a swim in the river that was right next to the ~~site~~ river. He was joking around and actually smiled at me as he told me he wasn't a very good swimmer. Once the site was secured by the 3rd ACR we flexcuffed the detainee and left his hood off for the ride back to Al Asud. Right outside of Bagdadi the detainee tried to unlock his door. At that time I asked what he was doing. Then [REDACTED] put his hood back on. We arrived at the detention facility without further incident and dropped him off with the guards. During the entire PID mission the detainee was not touched. Approx time 4-5 hours. Also during that time he seemed a little sore but nothing to cause me to think he had sustained any injuries.

Q: What is [REDACTED] last name?

A: [REDACTED] He is a SSG in my unit.

Q: What is [REDACTED] last name?

A: [REDACTED]. He is a SSG in my unit.

Q: What is [REDACTED] first last name?

A: [REDACTED] He is also in my unit.

Q: Who is [REDACTED]?

A: SFC [REDACTED]. He is my Team Sgt.

Q: Who slapped and pushed the detainee when you were putting him in the vehicle?

A: [REDACTED]

Q: Did [REDACTED] also kick the detainee?

A: Yes. Then he and [REDACTED] pulled him into the

INITIALS OF PERSON MAKING STATEMENT: [REDACTED]

PAGE 2 OF 3 PAGES

LAW ENFORCEMENT SENSITIVE  
FOR OFFICIAL USE ONLY

EXHIBIT 22

025200

00 178

STATEMENT OF S [REDACTED] TAKEN AT [REDACTED] RIFLES BASE DATED 10 January CONTINUED:

STATEMENT (Continued)

vehicle.

Q: Did you see any injuries on the detainee?

A: No.

Q: Is there anything you would like to add to this statement?

A: No. // END OF STATEMENT //

AFFIDAVIT

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

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 10<sup>th</sup> day of Jan, 20 07 at FOTS Rifle Base, Al Udeid, Iraq

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

SA [REDACTED]  
ART 136 TS 4 UCMJ  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]  
LAW ENFORCEMENT SENSITIVE  
FOR OFFICIAL USE ONLY [REDACTED]

PAGE 3 OF 3 PAGES

EXHIBIT 22

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

Rifles Base, IRAQ

2. DATE

10 JAN 04

3. TIME

1834

4. FILE NUMBER

5. Name (Last First MI)

[Redacted]

8. ORGANIZATION OR ADDRESS

B Co, 15th SF GP  
FT CAMPBELL, KY (Rifles Base, IRAQ)

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 and wanted to question me about the following offense(s) of which I am

suspected/accused: aggravated assault, negligent homicide

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.

-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 (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)

b7c5

b. ORGANIZATION OR ADDRESS AND PHONE

2a. NAME (Type or Print)

b7c1

b. ORGANIZATION OR ADDRESS AND PHONE

3. SIGNATURE OF INTERVIEWEE

[Redacted Signature]

6. ORGANIZATION OF INVESTIGATOR

87th MP Det (CID)  
FT BRAGG, NC, Rifles Base IRAQ

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

DA FORM 3881, NOV 89 (AUTOMATED)

EDITION OF NOV 84 IS OBSOLETE

LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY

EXHIBIT 23

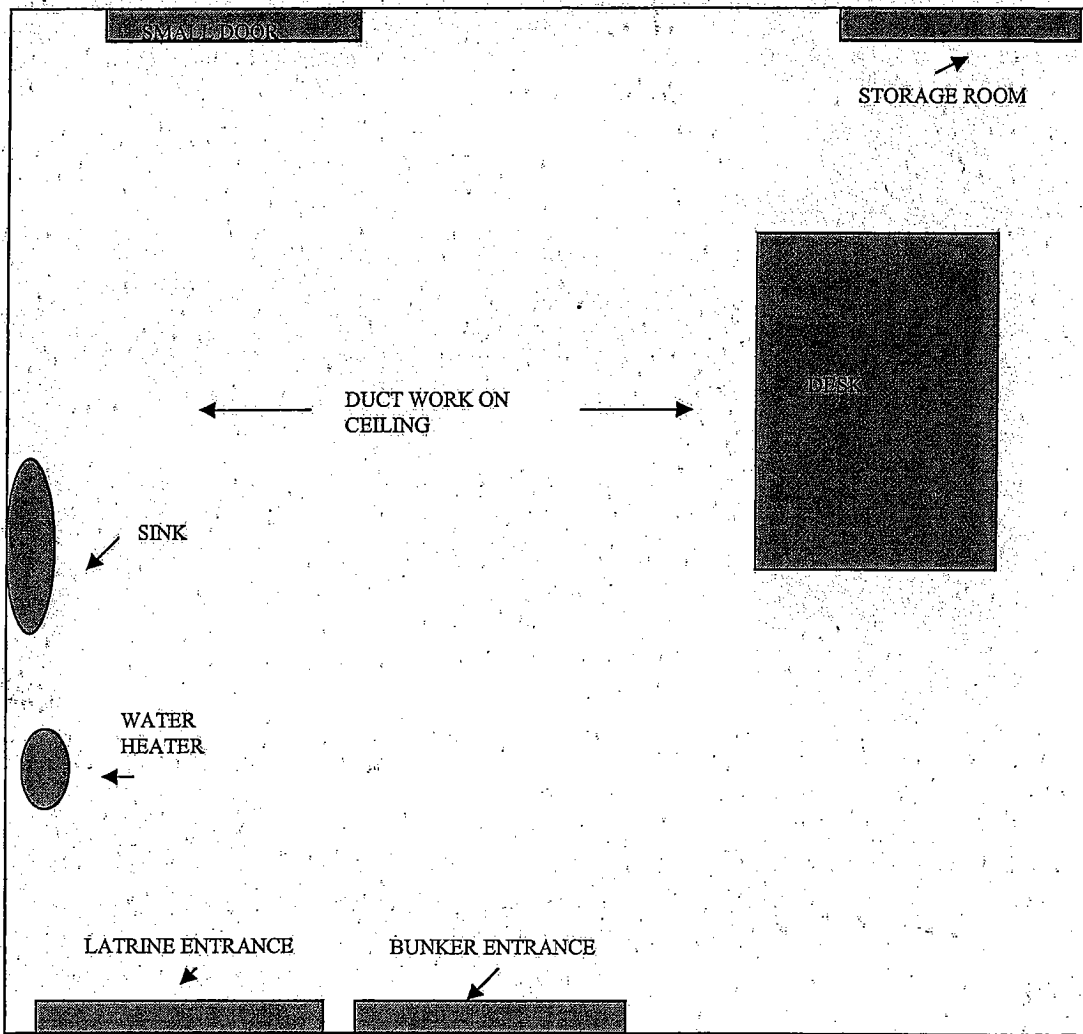
Photographic Packet

0009-04-CID679-83486

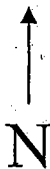
Number	Description of Photographs
1	Photo depicting entrance to detainee holding area located within ODA 525 compound
2	Photo depicting individual detainee holding areas
3	Photo depicting individual detainee holding cell
4	Photo depicting entrance to bunker used by ODA 525 for interrogations
5	Photo depicting hall way of bunker
6	Photo depicting hall way of bunker
7	Photo depicting bunker interrogation room
8	Photo depicting vent used to restrain detainees in a standing position
9	Photo depicting bunker interrogation room
10	Photo depicting bunker interrogation room
11	Photo depicting unknown stain on floor
12	Photo depicting vehicles used by ODA 525 during PID

**Bates Pages 25204-25217 depict photos which are nonresponsive and have not been provided based on application of the Judge's in camera rulings (tourist-type photos)**

ROUGH SKETCH DEPICTING BUNKER



LEGEND:



NOT TO SCALE

TITLE BLOCK:

ROI: 0009-04-CID679-83486

OFFENSE: NEG HOMICIDE

DEPICTING: BUNKER

LOCATION: 38S KC 62928-43339

VICTIM: [REDACTED]

PREPARED: 1315, 11 JAN 04

SKETCHED BY: SA [REDACTED] 7674

VERIFIED: SA [REDACTED]

LAW ENFORCEMENT SENSITIVE  
FOR OFFICIAL USE ONLY

EXHIBIT 25

025218

00 196

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0009-04-CID679-83486

"mr" = all b(2)(c)(4)

b7c1

PAGE 1 OF 1 PAGE

### DETAILS

About 1300, 11 Jan 04, SA [redacted] Forensic Science Officer and SA [redacted], 10<sup>th</sup> Military Police Battalion, Baghdad International Airport (BIAP), APO AE 09335, attended the autopsy of Mr [redacted] conducted by CDR (Dr) [redacted], Chief Deputy Medical Examiner, Office of the Armed Forces Medical Examiner, Rockville, MD 20850 while at Mortuary Affairs, Baghdad, Iraq. Mr [redacted] had numerous blunt force injuries on his body. Most of Mr [redacted] ribs were fractured and some had multiple fractures. Mr [redacted] Thyroid cartilage and Hyoid bone were both fractured. The manner of death was determined to be homicide and the cause of death was determined to be a combination of blunt force injuries and asphyxia. CDR [redacted] provided Preliminary Autopsy Report ME 04-14 and CD Rom with the photographs taken of the injuries. (See Preliminary Autopsy Report and CD Rom for details)

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

b7c2

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [redacted] -b2

ORGANIZATION

10<sup>th</sup> MP BN (CID) (ABN) (FWD)  
BIAP, APO AE 09335

SIGNATURE

DATE

12 Jan 04

EXHIBIT

CID FORM 94

1 FEB 77

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EXHIBIT 26

025219

00 197



**Page(s)**

198-269

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**Referred to:**

U.S. ARMY MEDICAL COMMAND  
FREEDOM OF INFORMATION/  
PRIVACY ACT OFFICE

ATTENTION: MCFP  
2050 WORTH ROAD, SUITE 13  
FORT SAM HOUSTON, TEXAS  
78234-6013

MR. JOHN PETERSON  
John.Peterson1@cen.amedd.army.mil  
(210) 221-7826

25220

# AGENT'S INVESTIGATION REPORT

ROI NUMBER

0009-04-CID679-83486

CID Regulation 195-1

PAGE 1 OF 9 PAGE

### DETAILS

Around 1025, 12 Jan 04, SA [redacted] advised SFC [redacted] of his legal rights, which he waived and provided a verbal statement in which he maintained his original statement was true and correct. (See Waiver Certificate for details) *b7c1 b7c5*

Around 1248, 12 Jan 04, SA [redacted] advised SFC [redacted] of his legal rights, which he waived and provided a verbal statement in which he maintained his original statement was true and correct. (See Waiver Certificate for details) *b7c1 b7c5*

Around 1348, 12 Jan 04, SA [redacted] advised SSG [redacted] of his legal rights, which he waived and provided a verbal statement in which he maintained his original statement was true and correct. (See Waiver Certificate for details) *b7c1 b7c5*

Around 1435, 13 Jan 04, SA [redacted] interviewed Mr. [redacted] (Titan Corporation Category 2 interpreter) assigned to ODA 525, who stated the only time he had contact with Mr. [redacted] was during an interrogation which occurred around 1020, 7 or 8 Jan 04. Mr. [redacted] stated he was the interpreter during the interrogation conducted by SFC [redacted], which took place at the detention facility on Rifles Base, Al Asad, Iraq. Mr. [redacted] stated the interrogation lasted approximately forty-five minutes. He stated at no time during the interrogation was Mr. [redacted] beaten or struck. He stated during the interrogation he noticed Mr. [redacted] left leg shaking. He also stated Mr. [redacted] seemed to be limping when he was escorted back to his isolation cell. Mr. [redacted] stated he had been assigned to ODA 525 since the early part of October 2003, and had never witnessed anyone from ODA 525 beat or mistreat a detainee. *b7c1 b7c5 b7c4*

Around 2030, 13 Jan 04, SA [redacted] coordinated with Dr. [redacted] MD, CDR, MC, USN, DMO/FS, Chief Deputy Medical Examiner, Armed Forces Institute of Pathology, who stated it would have been possible, but unlikely, Mr. [redacted] would have been able to hide the extent of his injuries for two or three days. Dr. [redacted] stated there should have been some outward signs of injury, such as labored breathing. Dr. [redacted] stated several of the rib fractures had little bleeding, similar to that of post mortem breaks. He stated Mr. [redacted] died most likely of a combination of his injuries as well as being gagged and forced to stand. *b7c1 b7c2*

Around 0900, 28 Jan 04, SA [redacted] coordinated with MAJ [redacted] Provost Marshal, 82d Airborne Division, Champion Main, Ramadi, Iraq, who provided copies of the CJTF-7 Interrogation and Counter-Resistance Policy, 10 Sep 03, and a document from FOB 51 S-2 pertaining to Detention Operations relating to Detainees, 7 Oct 03. A review of the documents revealed torture or physical abuse was not an option for interrogations. Both documents were classified "Secret", and would not be an attached exhibit to the final report; however the documents would remain in the files of this office for future review. *b7c1 b7c2*

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA [redacted] <i>b7c1</i>		87th Military Police Detachment (CID) (DSE) (FWD)	
[redacted] <i>b7c1</i>		DATE	EXHIBIT
[redacted]		16 Sep 04	29

FOR OFFICIAL USE ONLY

1 FEB 77

LAW ENFORCEMENT SENSITIVE  
FOR OFFICIAL USE ONLY

EXHIBIT 29  
00 270

025221

# AGENT'S INVESTIGATION REPORT

ROI NUMBER

0009-04-CID679-83486

CID Regulation 195-1

PAGE 2 OF 9 PAGE

### DETAILS

Around 1230, 1 Feb 04, SA [redacted] <sup>b7c1</sup> coordinated with MAJ [redacted] SJA, 1/5<sup>th</sup> SF Group, Ft Campbell, KY, (BIAP, Iraq) who provided copy of the Commanders Inquiry conducted by CPT [redacted] <sup>b7c2</sup> Adjutant, 1/5<sup>th</sup> SF Group, Ft Campbell, KY, (BIAP, Iraq). (See 15-6 Report for details)

Around 1450, 14 Feb 04, SA [redacted] coordinated with personnel assigned to Mortuary Affairs, 54<sup>th</sup> Quartermaster Co, attached to 3<sup>rd</sup> ACR, FOB Rifles Base, Al Asad, Iraq, who provided a copy of DD Form 2064, Death Certificate, which was signed by CPT [redacted] (Physicians Assistant), Medical Troop, Support Sqd, 3 ACR, Fort Carson, CO, which lists time of death as 0900, 9 Jan 04, and the major findings of autopsy as "Died in sleep". (See DD Form 2064 for details) <sup>b7c2</sup>

Around 1600, 18 Feb 04, SA [redacted] verified the height of the door frame from which Mr. [redacted] was hung from to be six feet nine inches.

Around 1435, 19 May 04, SA [redacted] <sup>b7c1</sup> coordinated with SA [redacted] Armed Forces Institute of Pathology, who provided a copy of the final autopsy report. A review of the report revealed the Cause of Death as Blunt Force Injuries and Asphyxia and the Manner of Death as Homicide. (See Final Autopsy Report for details)

Around 0900, 8 Jun 04, SA [redacted] <sup>b7c1</sup> advised SGT [redacted] of his legal rights, which he waived and provided a verbal statement clarifying his previous statement. SGT [redacted] stated he worked the 2000-0000, shift on 8 Jan 04, and the 0400-0800, shift on 9 Jan 04. He stated upon arriving for his shift on 8 Jan 04, Mr. [redacted] was in the sleep deprivation area located in front of the guard tower. He stated Mr. [redacted] was in leg shackles only and sat there his entire shift. SGT [redacted] stated on his 0400-0800, 9 Jan 04, shift Mr. [redacted] was placed into his isolation cell and shackled to a post, legs shackled with an approximate two foot slack, and his hands were flexi cuffed in front. SGT [redacted] further clarified his statement regarding Mr. [redacted] being forced to stand as follows; after he and SPC [redacted] forced him to stand by hand cuffing his flexi cuffed hands to the top of the door frame of his cell, they gagged Mr. [redacted] with a length of cloth, which had a knot tied in the center of it. SPC [redacted] from behind Mr. [redacted] pulled the gag into his mouth while SGT [redacted] used pressure points on the chin and lower jaw to force Mr. [redacted] to open his mouth. After the gag was secured SPC [redacted] and SGT [redacted] left Mr. [redacted] cell. While SGT [redacted] was washing his hands he noticed Mr. [redacted] slumped over, after about three minutes he went to check on him. After trying to speak with Mr. [redacted] SGT [redacted] noticed Mr. [redacted] was not breathing; he checked Mr. [redacted] pulse at the carotid artery and found no pulse. He then un-cuffed Mr. [redacted] who fell to the floor, head towards the outside of his cell, the body approximately half way out of the cell. He stated he called for help / medics and checked one more time for a pulse which met with negative results. <sup>b7c5</sup>

"Mr." = b(6)(c) b(7)(c)(c)(c) all

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA [redacted] <sup>b7c1</sup>		87th Military Police Detachment (CID) (DSE) (FWD) Ar Ramadi, (Rifles Base, Iraq)	
SIGNATURE		DATE	EXHIBIT
[redacted]		16 Sep 04	29

CID # [redacted] FOR OFFICIAL USE ONLY

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*My capt as noted b7c5*

# AGENT'S INVESTIGATION REPORT

ROI NUMBER

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CID Regulation 195-1

*num = b(7)(c)(4)*

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## DETAILS

SGT [REDACTED] stated it took the medics approximately thirty minutes to arrive. He further stated he was not on duty at the time of the escape attempt and he did not tell SGT [REDACTED] he assisted in the re-capture of Mr. [REDACTED]. SGT [REDACTED] stated the use of the latrines for the prisoners was not a mandatory thing; they went if they had to go. He stated Mr. [REDACTED] did not use the latrines on his last two shifts prior to Mr. [REDACTED] death. (See Waiver Certificate for details)

*b7c1*  
Around 1020, 8 Jun 04, SA [REDACTED] advised SPC [REDACTED] of his legal rights, which he waived and provided a sworn statement in which he stated PFC [REDACTED] choked Mr. [REDACTED] with a police style baton and slapped him in the face after Mr. [REDACTED] failed escape attempt. (See Waiver Certificate and Sworn Statement for details)

*b7c1*  
Around 1245, 8 Jun 04, SA [REDACTED] advised PFC [REDACTED] of his legal rights, which he waived and rendered a verbal statement. PFC [REDACTED] stated he was not involved in the re-capture of Mr. [REDACTED] after Mr. [REDACTED]'s escape attempt on 9 Jan 04. He stated he did not slap or choke Mr. [REDACTED] with a nightstick. He stated the only time he had hands on Mr. [REDACTED] was after he yelled at him for escaping and then opened the door to the cell Mr. [REDACTED] was in and told him if he wanted to go home then go. He stated when Mr. [REDACTED] made for the door he, PFC [REDACTED] pushed him back causing Mr. [REDACTED] to fall backwards. PFC [REDACTED] stated he was unaware that Mr. [REDACTED] was already in leg shackles when he did this. PFC [REDACTED] then requested a lawyer upon further questioning of his alleged choking of Mr. [REDACTED]. (See Waiver Certificate for details)

*b7c1*  
Around 0900, 9 Jun 04, SA [REDACTED] interviewed SGT [REDACTED] who clarified his previous statement given on 9 Jan 04. SGT [REDACTED] stated the use of the latrines by the detainees was voluntary and he did not remember whether or not Mr. [REDACTED] used the latrine during his shift of 2000 - 0000, 8 Jan 04. SGT [REDACTED] described Mr. [REDACTED] as an old sick man. SGT [REDACTED] stated the on coming shift was SPC [REDACTED] PFC [REDACTED] another sergeant and maybe SPC [REDACTED]

*b7c1*  
Around 0938, 9 Jun 04, SA [REDACTED] advised SPC [REDACTED] of his legal rights, which he waived and rendered a sworn statement in which he described in detail the escape attempt by Mr. [REDACTED] on 9 Jan 04. SPC [REDACTED] clarified his previous statement concerning SGT [REDACTED] presence during the take down of Mr. [REDACTED]. SPC [REDACTED] stated SPC [REDACTED] took down Mr. [REDACTED] alone. (See Waiver Certificate and Sworn Statement for details)

*b7c1*  
Around 1130, 9 Jun 04, SA [REDACTED] interviewed CPL [REDACTED] who clarified his previous statement given on 9 Jan 04. CPL [REDACTED] stated Mr. [REDACTED] did not use the latrine during the 0400-0800, 9 Jan 04, shift. He stated the isolation cells were the last to go to the latrine and by the time it was their turn he was already dead. CPL [REDACTED] stated when he used the term "muzzled" when describing punishment for the detainees, he was referring to gagging a detainee for repeated talking.

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA [REDACTED] <i>b7c1</i>		87th Military Police Detachment (CID) (DSE) (FWD)	
SIGNATURE [REDACTED] <i>b7c1</i>		DATE	EXHIBIT
		16 Sep 04	<i>29</i>

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EXHIBIT *29*

025223

00 272

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

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## DETAILS

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b7(c)(4)  
all "m"
 Around 1300, 9 Jun 04, SA [redacted] advised SPC [redacted] of his legal rights, which he waived and rendered a verbal statement clarifying his previous statement given 9 Jan 04. SPC [redacted] stated at no time did he or SGT [redacted] strike, strangle or other wise inflict injury to Mr. [redacted]. SPC [redacted] stated after he assisted SGT [redacted] in gagging Mr. [redacted], Mr. [redacted] was breathing and talking through the gag. SPC [redacted] stated he had not heard of the attempted escape by Mr. [redacted] until informed by CID. (See Waiver Certificate for details)
 b7c5

b7c1
b7c2
 Around 1600, 9 Jun 04, SA [redacted] interviewed SGT [redacted], Maintenance Troop, Support Sqd, 3 ACR, Fort Carson, CO, who provided a sworn statement in which he stated he in processed Mr. [redacted] on 4 Jan 04, and did not observe any bruises or injuries. He stated Mr. [redacted] was seen at least two other times by medics (NFI) for complaints of rib injuries. (See Sworn Statement for details)

b7c1
b7c2
 Around 0900, 10 Jun 04, SA [redacted] advised SPC [redacted] AVIM Troop, Support Sqd, 3 ACR, Fort Carson, CO of his legal rights which he waived and provided a sworn statement in which he stated he did not see PFC [redacted] choke or strike Mr. [redacted]. (See Waiver Certificate and Sworn Statement for details)

b7c1
 Around 1100, 10 Jun 04, SA [redacted] interviewed SPC [redacted], clerk, assigned to Medical Troop, Support Sqd, 3 ACR, Fort Carson, CO who stated after transferring all the data from the green note book used to document treatment given to detainees into a digital database he burned the note book. A search of the digital database for name, injury, date and detainee number, met with negative results.

b7c1
b7c
 Around 1125, 10 Jun 04, SA [redacted] interviewed CPT [redacted] Medical Troop, Support Sqd, 3 ACR, Fort Carson, CO, stated he never treated Mr. [redacted] for any medical problems, nor did he conduct the medical screening of Mr. [redacted]. CPT [redacted] stated the medical screening was conducted by the detention facility personnel and that doctor's, physician's assistance or medics were only contacted about a screening if the detainee had some sort of injury or complaint.

b7c1
 Around 1150, 10 Jun 04, SA [redacted] coordinated with CPT [redacted] Cdr, Medical Troop, Support Sqd, 3 ACR, Fort Carson, CO, who stated medics were assisted by either a Doctor or PA when conducting sick call for the detainee's. He stated CPT [redacted] and 1LT [redacted] were the only two PA's assigned to his unit. The other PA's/Dr's who were attached to his unit while deployed were CPT [redacted] Fort Bliss, TX (NFI), CPT [redacted] Fort Hood (NFI) and CPT [redacted], Fort Riley. However he stated he would coordinate with all the medics assigned to his Troop for personnel who treated Mr. [redacted].

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA [redacted]		87th Military Police Detachment (CID) (DSE) (FWD)	
SIGNATURE [redacted]		Ar Ramadi, (Rifles Base, Iraq)	
DATE		EXHIBIT	
16 Sep 04		29	

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025224

# AGENT'S INVESTIGATION REPORT

ROI NUMBER

0009-04-CID679-83486

b(6)(4) (CID Regulation 195-1)

"Mr." = b(7)(C)(4)

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### DETAILS

Around 1210, 10 Jun 04, SA [redacted] interviewed 1LT [redacted] who stated she never treated Mr. [redacted] and was unaware of who if anyone did.

Around 1300, 10 Jun 04, SA [redacted] coordinated with CPT [redacted] who stated none of his medics recall treating Mr. [redacted] or seeing a detainee at the detention facility with the injuries described. CPT [redacted] also stated a DA 6 was not maintained to document who was on call or working any particular day.

Around 1230, 14 Jun 04, SA [redacted] coordinated with CDR [redacted] who stated the described method of choking by PFC [redacted] would be sufficient to break the hyoid bone. He also stated Mr. [redacted] would have died as a result of the broken hyoid bone with or without the other injuries, unless he had received medical attention. When asked if Mr. [redacted] would have died of the blunt force injuries without the broken hyoid bone he stated probably.

Around, 1125, 17 Jun 04, SA [redacted] interviewed CPT [redacted] USA MEDDAC, Fort Hood, TX, who stated he did not recall ever treating Mr. [redacted] or any detainee with the symptoms described during the time period of Mr. [redacted] detention.

Around 0900, 18 Jun 04, SA [redacted] interviewed CPT [redacted] who stated she did not treat Mr. [redacted] or any detainee with the symptoms described during the time period of Mr. [redacted] detention.

Around 0900, 19 Jul 04, SA [redacted] coordinated with SA [redacted] Fort Leonard Wood Resident Agency, 6th Group (CID), USACIDC, Fort Leonard Wood, MO, who provided the polygraph examination reports and waiver certificate of PFC [redacted] and SPC [redacted]. SA [redacted] also provided the waiver certificate and sworn statement of SPC [redacted] in which SPC [redacted] stated he witnessed PFC [redacted] utilize a nightstick to lift Mr. [redacted] from a sitting position to a standing one by placing the nightstick under Mr. [redacted] chin and pulling. (See Waiver Certificates, Sworn Statements and Polygraph Examination Reports for details)

Around 0904, 27 Jul 04, SA [redacted] and SA [redacted] 11th MP BN (CID), Fort Hood, TX, advised SGT [redacted] of his legal rights which he waived. SGT [redacted] provided a verbal statement wherein he stated he did not strike or choke any detainee, nor did he witness anyone do it. He also stated he did not remember touching Mr. [redacted] throat, but went on to say "it was a long time ago, and that anything was possible. SGT [redacted] went on to describe how SPC [redacted] placed the gag into Mr. [redacted] mouth while he forced Mr. [redacted] mouth open using the before mentioned method. SGT [redacted] stated SPC [redacted] placed the gag into Mr. [redacted] mouth while standing behind Mr. [redacted]. [redacted] stated the cloth gag never went below his hands, which prevented the gag from coming into contact with Mr. [redacted] throat. SGT [redacted] stated he felt responsible for the detainee's death because

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA [redacted] 102		87th Military Police Detachment (CID) (DSE) (FWD)	
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		16 Sep 04	29

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# AGENT'S INVESTIGATION REPORT

ROI NUMBER

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CID Regulation 195-1

MR = 22 b(6)(4)/b(7)(c)(4)

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### DETAILS

he was the NCOIC of the shift and he took the death personally. SGT [REDACTED] also stated [REDACTED] was the first deceased person he had been in contact with his entire life. (See Waiver Certificate for details)

Around 1440, 27 Jul 04, SA [REDACTED] interviewed SPC [REDACTED] who provided a verbal statement in which he elaborated on his previous statements. SPC [REDACTED] was questioned specifically about how PFC [REDACTED] utilized a MP style, black in color, nightstick to lift Mr. [REDACTED] to a standing position. SPC [REDACTED] stated Mr. [REDACTED] was in a sitting or kneeling position when PFC [REDACTED] who was standing behind Mr. [REDACTED] placed the nightstick under Mr. [REDACTED] chin and lifted him to a standing position. This action was taken because Mr. [REDACTED] had refused to stand on his own power. SPC [REDACTED] stated Mr. [REDACTED] was facing away from the general population of detainees and was positioned in front of the guard tower. He stated he did not recall whether or not Mr. [REDACTED] turned his head while PFC [REDACTED] lifted him. He stated he did not observe any immediate trauma to Mr. [REDACTED] neck, but did state Mr. [REDACTED] requested a doctor and motioned towards his abdomen. SPC [REDACTED] stated he did not know if Mr. [REDACTED] ever saw a doctor or not, but did state he put Mr. [REDACTED] detainee number on the medics board for him to be seen.

Around 0800, 28 Jul 04, SA [REDACTED] advised SPC [REDACTED] of his legal rights which he waived and provided a verbal statement in which he denied striking or choking Mr. [REDACTED]. SPC [REDACTED] stated he believed he may have been responsible for the death of Mr. [REDACTED] when he placed the cloth gag into his mouth, but insisted he did not strike Mr. [REDACTED] the throat or any where else. He also was adamant about not choking him or seeing anyone else choke Mr. [REDACTED]. (See Waiver Certificate for details)

Around 1000, 9 Aug 04, SA [REDACTED] and SA [REDACTED] attended a briefing with Dr. [REDACTED] and Dr. [REDACTED] concerning the injuries and cause of death of Mr. [REDACTED]. Dr. [REDACTED] stated the majority of the injuries sustained by Mr. [REDACTED] were caused hours, not days, prior to his death. He stated most of Mr. [REDACTED] ribs were broken, several with multiple fractures. The ribs were broken in a crushing fashion described by Dr. [REDACTED], as normally seen in a vehicle accident death. Dr. [REDACTED] stated Mr. [REDACTED] would have been in great pain and would have had great difficulty breathing and would not have been able to walk or attempt an escape. Dr. [REDACTED] also stated Mr. [REDACTED] had an unhealthy heart and most likely had hyper tension as well as bruised lungs. Dr. [REDACTED] stated it was possible Mr. [REDACTED] sustained one or two broken ribs and most of the visible bruising from the incident with ODA 525 two days prior to his death, but not any of the life threatening injuries.

Agent's Comment: With the information provided by Dr. [REDACTED] it is probable that the crushing injuries occurred during, or just after, his escape attempt, since the pathologist insisted he would not have been able to make an escape attempt with the injuries noted. The personnel on shift during the time of the failed escape attempt were SSG [REDACTED], SPC [REDACTED], SPC [REDACTED], PFC [REDACTED] and SPC [REDACTED]. SPC [REDACTED] and PFC [REDACTED] stated they did not witness the escape attempt, as they were outside the building at the time performing a detail. SPC [REDACTED] admitted to apprehending Mr. [REDACTED] but stated he

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA [REDACTED]		87th Military Police Detachment (CID) (DSE) (FWD)	
SIGNATURE [REDACTED]		Ar Ramadi, (Rifles Base, Iraq)	
DATE		EXHIBIT	
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# AGENT'S INVESTIGATION REPORT

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## DETAILS

used an appropriate level of force. The escape attempt occurred early in the morning which would explain the reason a possible assault was not observed by other detainees as they were asleep.

Around 1047, 17 Aug 04, SA [redacted] and SA [redacted], this office, advised SSG [redacted] of his legal rights which he waived and rendered a verbal statement clarifying his previous statements. SSG [redacted] detailed the following events pertaining to the apprehension of Mr. [redacted] by SPC [redacted] SSG [redacted] SPC [redacted] and SPC [redacted] were watching a DVD (Buffy the Vampire Slayer) when they noticed Mr. [redacted] escaping. SPC [redacted] and PFC [redacted] were also on the shift, but were outside the building burning feces. After Mr. [redacted] actually got out of his cell and was shuffling towards the back door of the detention facility was when SSG [redacted] told SPC [redacted] to get him. SSG [redacted] stated SPC [redacted] ran towards Mr. [redacted] with SPC [redacted] next, followed by himself. He stated SPC [redacted] made contact with Mr. [redacted] by pushing him into the back wall of the facility, which was made of plywood, then he bear hugged Mr. [redacted] turned him and brought him to the floor. SPC [redacted] landed directly on top of Mr. [redacted] SSG [redacted] stated he did not touch the detainee, nor did he see SPC [redacted] touch him other than assisting SPC [redacted] escort Mr. [redacted] to the front of the holding area. Once Mr. [redacted] was brought to the front of the holding area, he was shackled and flexi cuffed. SSG [redacted] stated PFC [redacted] was in the holding area with the detainee but he did not see anyone else in with the detainee. He believed the door of the holding area was left open which would give the remaining soldiers unrestricted access. SSG [redacted] stated he went to the isolation cell to repair it in order to prevent another escape. While he was repairing the pen, PFC [redacted] placed a gag on Mr. [redacted] it was on him for only fifteen minutes. He stated it took him approximately one hour to repair the cell, at which time PFC [redacted] and SPC [redacted] walked Mr. [redacted] under his own power, to the isolation cell and shackled him to the corner of the cell. SSG [redacted] stated he checked the security of the detainee and that was the last contact he, or his soldiers, had with Mr. [redacted]. SSG [redacted] stated he felt he held his soldiers back from abusing not only this prisoner, but others by placing time limits for gagging and hog tying of prisoners. Additionally, SSG [redacted] stated SPC [redacted] approached him upon hearing of the death of Mr. [redacted] and asked if in his opinion, the take down of Mr. [redacted] was in any way responsible for the cause of death of Mr. [redacted] (See Waiver Certificate for details)

Around 1315, 18 Aug 04, SA [redacted] and SA [redacted] attempted to interview PFC [redacted] The interview was terminated prior to a rights advisal because PFC [redacted] stated he had retained a lawyer and was told by his attorney not to provide any further statements.

Around 1500, 19 Aug 04, SA [redacted] and SA [redacted] advised SPC [redacted] of his legal rights which he waived and provided a verbal statement. He continued to deny any knowledge of anyone striking or choking Mr. [redacted]. SPC [redacted] described how SPC [redacted] prevented Mr. [redacted]'s escape as follows. After hearing the barbed and constantina wire rattle he noticed Mr. [redacted] was out of his isolation cage and walking quickly to the back door of the detention facility. He alerted SSG [redacted] and SPC [redacted] who were

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA [redacted]		87th Military Police Detachment (CID) (DSE) (FWD)	
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DATE		EXHIBIT	
16 Sep 04		29	

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# AGENT'S INVESTIGATION REPORT

ROINUMBER

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"pm" = b(6)(4) / b(7)(E)(i)

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### DETAILS

watching a DVD with him (SPC ██████████ SPC ██████████ stated SPC ██████████ took off running and caught Mr. ██████████ just before he went out side the door. SPC ██████████ pulled Mr. ██████████ back by the shoulders to the ground and secured him until he and SSG ██████████ arrived, at which time Mr. ██████████ may or may not have been leg shackled, then walked to the front of the detention facility and placed in the sleep deprivation area. SPC ██████████ stated Mr. ██████████ walked under his own power to the sleep deprivation area and did not appear to be injured or having trouble breathing. He stated while Mr. ██████████ was in the sleep deprivation area SSG ██████████ repaired Mr. ██████████ cell, which reportedly took only five minutes, (According to SSG ██████████ statement it took nearly an hour to repair the cell). SPC ██████████ related other than keeping Mr. ██████████ awake he was not punished for the escape attempt. When asked why the detainee was not punished SPC ██████████ stated he believed the detainee to be at least seventy years old and emotionally unsound. SPC ██████████ stated when his shift was over around 0400, 9 Jan 04, Mr. ██████████ was being escorted by PFC ██████████ from the sleep deprivation area, but he did not see where PFC ██████████ took him. (See Waiver Certificate for details)

Agent's Comment: SPC ██████████ was extremely argumentive throughout the interview and refused to provide his fingerprints or allow his photograph to be taken until ordered by a member of his command.

~b7c1  
Around 1735, 19 Aug 04, SA ██████████ and SA ██████████ advised SPC ██████████ of his legal rights, which he waived and rendered a sworn statement. He admitted to conspiring with SSG ██████████ SPC ██████████ SPC ██████████ and PFC ██████████ in order to hide the fact that Mr. ██████████ actually got outside the detention facility prior to being apprehended. (See Waiver Certificate and Sworn Statement for details)

~b7c1  
Around 0816, 20 Aug 04, SA ██████████ and SA ██████████ advised CPL ██████████ of his legal rights, which he waived and rendered a verbal statement. He stated during his shift, 0400-0800, 9 Jan 04, Mr. ██████████ was in his isolation cell alone the entire time, until SGT ██████████ went into the cell to make him stand and gag him. He stated he did not see anyone strike or hurt Mr. ██████████ CPL ██████████ stated he was alerted by SPC ██████████ of the deceased prisoner, as SPC ██████████ ran from the detention facility towards the MI section of the compound. CPL ██████████ stated he was outside with other detainees allowing them to utilize the latrine when SPC ██████████ notified him. (See Waiver Certificate for details)

~b7c1  
Around 0855, 20 Aug 04, SA ██████████ and SA ██████████ advised SPC ██████████ of his legal rights, which he waived and rendered a verbal statement. He stated Mr. ██████████ was in his view the entire shift 0400-0800, 9 Jan 04, and he did not see anyone in or near the cell occupied by Mr. ██████████ until he and SGT ██████████ gagged/forced him to stand. (See Waiver Certificate for details)

~b7c1  
Around 2025, 25 Aug 04, SA ██████████ interviewed CPT ██████████ William Beaumont Army Hospital, El Paso, TX who stated he was attached to Medical Troop, Support Sqd, 3 ACR, Fort Carson, CO, while deployed to Iraq. While deployed he served as a PA with duty at Rifles Base, Al Asad, Iraq. He stated part of the doctors' and PA's duties were to provide medical assistance to the detainees at the

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA ██████████		87th Military Police Detachment (CID) (DSE) (FWD)	
SIGNATURE		DATE	EXHIBIT
██████████		16 Sep 04	29

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**DETAILS**

detention facility on Rifles Base; however, CPT [REDACTED] <sup>b7c2</sup> stated he did not treat Mr. [REDACTED] in Jan 04, or any detainee with similar injuries.

Around 0906, 16 Sep 04, SA [REDACTED] <sup>b7c1</sup> and SA [REDACTED] advised SPC [REDACTED] of his legal rights, which he waived and rendered a verbal statement. SPC [REDACTED] admitted that he, SPC [REDACTED] SPC [REDACTED] and PFC [REDACTED] <sup>b7c5</sup> agreed not to tell investigators that they were watching movies while on guard duty. SPC [REDACTED] also stated he believed PFC [REDACTED] pushed Mr. [REDACTED] which caused him to fall backward. He stated this occurred after his escape attempt, while Mr. [REDACTED] was in the sleep deprivation area with his legs shackled. SPC [REDACTED] denied anyone on his team ever assaulted Mr. [REDACTED] while he was detained. SPC [REDACTED] stated he did not observe the escape attempt or take-down by SPC [REDACTED] and was told Mr. [REDACTED] was apprehended prior to him getting out of the building. (See Waiver Certificate for details)

///LAST ENTRY///

b(6)(4)  
b(7)(c)(4)

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED] <sup>b7c1</sup>

SIGNATURE

ORGANIZATION

87th Military Police Detachment (CID) (DSE) (FWD)  
Ar Ramadi, (Rifles Base, Iraq)

DATE

16 Sep 04

EXHIBIT

29

FOR OFFICIAL USE ONLY

LAW ENFORCEMENT SENSITIVE  
FOR OFFICIAL USE ONLY

025229

EXHIBIT 29

00 278

**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 Rifles Base, Al Asad, Iraq	2. DATE 13 JAN 04	3. TIME 1025	4. FILE NUMBER 0009-04CID67983846
5. Name (Last First MI) [REDACTED] b7c5	8. ORGANIZATION OR ADDRESS B Company 1 <sup>st</sup> BN, 5 <sup>th</sup> Special Forces Group Fort Campbell, KY (Rifles Base, Iraq)		
6. SSN [REDACTED]	7. GRADE/STATUS E-7/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 and wanted to question me about the following offense(s) of which I am

suspected/accused false official statement, 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 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 (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) b7c5		[REDACTED]	
b. ORGANIZATION OR ADDRESS AND PHONE		[REDACTED]	
2a. NAME (Type or Print) b7c1		5. NAME OF INVESTIGATOR SA [REDACTED]	
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR 87th MP Det (ABN) (CID) Fort Bragg, NC 28310 (Rifles Base, Iraq)	

**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

**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 Rifles Base, Al Asad, Iraq	2. DATE 13 JAN 04	3. TIME 1248	4. FILE NUMBER 0009-04-CID679-83846
5. Name (Last First MI) [REDACTED]	8. ORGANIZATION OR ADDRESS B Company 1 <sup>st</sup> BN, 5 <sup>th</sup> Special Forces Group Fort Campbell, KY (Rifles Base, Iraq)		
6. SSN [REDACTED]	7. GRADE/STATUS E-7/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 and wanted to question me about the following offense(s) of which I am suspected/accused: false official statement, 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 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 (Continue on reverse side)

**SECTION B. Waiver**

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

WITNESSES (if available)		3. SIGNATURE OF INTERVIEWEE [REDACTED]
1a. NAME (Type or Print) b7c5		
6. ORGANIZATION OR ADDRESS AND PHONE b7c1		
2a. NAME (Type or Print)		5. TITLE OF INTERVIEWER SA [REDACTED]
6. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATION 87th MP Det (ABN) (CID) Fort Bragg, NC 28310 (Rifles Base, Iraq)

**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 00 280

2. SIGNATURE OF INTERVIEWEE

LAW ENFORCEMENT SENSITIVE  
 ACLU-PD 0285CPA1045E ONLY

EXHIBIT 31

**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 Rifles Base, Al Asad, Iraq	2. DATE 13 Jan 2003	3. TIME 1348	4. FILE NUMBER 0009-04CID67983846
5. Name (Last First MI) [REDACTED]	8. ORGANIZATION OR ADDRESS B Company 1 <sup>st</sup> BN, 5 <sup>th</sup> Special Forces Group Fort Campbell, KY (Rifles Base, Iraq)		
6. SSN [REDACTED]	7. GRADE/STATUS E-6/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 and wanted to question me about the following offense(s) of which I am suspected/accused: false official statement, 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 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 (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
1a. NAME (Type or Print)	[REDACTED]	[REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE	[REDACTED]	4. SIGNATURE
2a. NAME (Type or Print)	[REDACTED]	5. SIGNATURE
b. ORGANIZATION OR ADDRESS AND PHONE	[REDACTED]	6. ORGANIZATION OF INVESTIGATOR
		87th MP Det (ABN) (CID) Fort Bragg, NC 28310 (Rifles Base, Iraq)

**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

**EXHIBIT 32**  
 025222  
 0-114-281

**Page(s)**

282-337

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**Referred to:**

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

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

25233

**Page(s)**

338 - 345

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**Referred to:**

U.S. ARMY MEDICAL COMMAND  
FREEDOM OF INFORMATION/  
PRIVACY ACT OFFICE  
ATTENTION: MCFP  
2050 WORTH ROAD, SUITE 13  
FORT SAM HOUSTON, TEXAS  
78234-6013

MR. JOHN PETERSON  
John.Peterson1@cen.amedd.army.mil  
(210) 221-7826

28234

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 FORT CARSON, CO	2. DATE 8 Jun 84	3. TIME 0907	4. FILE NO. 0009-04-02679 83486
5. NAME (Last, First, MI) [REDACTED]	8. ORGANIZATION OR ADDRESS maintenance troop support troop		
6. SSN [REDACTED]	7. GRADE/STATUS SGT / AD	3ACR, FORT CARSON, CO 80913	

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Division and wanted to question me about the following offense(s) of which I am suspected/accused: negligent homicide III

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.
- 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)	b7c5	[REDACTED]	
b. ORGANIZATION OR ADDRESS AND PHONE		4. SIGNATURE OF SUPERVISOR	
2a. NAME (Type or Print)	b7c1	5. TYPED NAME OF INVESTIGATOR	
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR	
		SA [REDACTED] QM MP Det (CIS) FORT BRASS, NC 28310	

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

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

DA FORM 3881, NOV 89

EDITION OF NOV 84 IS OBSOLETE

LAW ENFORCEMENT SENSITIVE  
FOR OFFICIAL USE ONLY

EXHIBIT 36  
00 346

025235



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: FORT CARSON, CO
2. DATE: 8 Jun 04
3. TIME: 10:26
4. FILE NO.: 0009-04-010679 83486
5. NAME (Last, First, MI): [Redacted]
6. SSN: [Redacted]
7. GRADE/STATUS: SFC IAS
8. ORGANIZATION OR ADDRESS: AVEM troop, Support Sqd
3ACR, FORT CARSON, CO 80913

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Division and wanted to question me about the following offense(s) of which I am suspected: negligent homicide 101

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

5. COMMENTS (Continue on reverse side)

Section B. Waiver

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

WITNESSES (If available)
1a. NAME (Type or Print): b7c5 [Redacted]
b. ORGANIZATION OR ADDRESS AND PHONE: [Redacted]
2a. NAME (Type or Print): b7c1 [Redacted]
b. ORGANIZATION OR ADDRESS AND PHONE: SA [Redacted]
3. SIGNATURE OF INTERVIEWEE: [Redacted]
4. [Redacted]
6. ORGANIZATION OF INVESTIGATOR: 877 MP Det (CID) 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

DA FORM 3881, NOV 89
LAW ENFORCEMENT SENSITIVE
FOR OFFICIAL USE ONLY

025236

EXHIBIT 37

SWORN STATEMENT

LOCATION: Fort Carson, CO

FILE NUMBER: 0009-04-CID679-83486

DATE: 8 Jun 04

TIME: 12:15

NAME: [REDACTED]

SSAN: [REDACTED]

GRADE/RANK: SPC

ORGANIZATION OR ADDRESS: AVIM Troop, Support Sqd, 3ACR, Fort Carson, CO 80913

*all b7c5*

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

This statement is to clarify and add to my previous statement I gave on 9 Jan 04.

Q: [REDACTED]

A: [REDACTED]

Q: Who was present when [REDACTED] attempted to escape?

A: SSG [REDACTED] SPC [REDACTED] PFC [REDACTED] and myself, and possibly SPC [REDACTED]

Q: Who physically took [REDACTED] down?

A: I did, he was all most to the back door of the hanger, I approached from the rear, put my hands on his shoulders and pulled him backward to the ground. He kind of buckled at the knees when he went down, he put his hands down to his sides to cushion his fall. He didn't hit hard. I held him down by his shoulders until SPC [REDACTED] and SPC [REDACTED] got there, then I moved to his feet, that was when I realized he was not wearing leg shackles. I yelled / asked who took off his shackles, no one knew. By this time SSG [REDACTED] gave me a pair of leg shackles and I put them on him. At this time I did notice he was having trouble breathing and also he had a very large bruise from the top of his right shoulder down to his lower abdomen, it looked like it wrapped all around him.

Q: What happened next?

A: Myself PFC [REDACTED] and SPC [REDACTED] brought [REDACTED] to the front near the watchtower, SSG [REDACTED] went to [REDACTED] pen to fix it. [REDACTED] was put on his knees, the three or four of us, I think SPC [REDACTED] was there as well, were discussing how to keep this incident under wraps. As we discussed this [REDACTED] was kneeling directly in front of us, PFC [REDACTED] got pissed off and used his nightstick to choke [REDACTED] for about 10 to 15 seconds. After he finished choking him he moved to [REDACTED] front and slapped [REDACTED] with an open hand in the face and yelled, "What the fuck were you thinking" Shortly after this [REDACTED] tried to lie down, he didn't want to be on his knees any more, we then told him to stand and when he wouldn't we, each of us separately picked [REDACTED] up from under his arms to get him to stand. He would stand for 3 or 4 minutes and then lay down again which would force us to get him up again.

Q: How long did this go on for?

A: Till the end of shift, 0400, 9 Jan 04, he also got water poured on him one time for not standing.

Q: When and who put him back into his isolation pen?

A: Shortly before 0400, 9 Jan 04, SGT [REDACTED] (on coming shift) put [REDACTED] back into his pen.

Q: Was he shackled or cuffed when placed back into his pen?

A: He was leg shackled to a pole in his pen in such a way that allowed him about 2 feet of slack. I don't remember if he was hand cuffed.

Q: Did you see anyone else abuse or strike [REDACTED] or any of the other prisoners?

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 1 OF 2 PAGES

DA Form 2823-E

FOR OFFICIAL USE ONLY

LAW ENFORCEMENT SENSITIVE  
FOR OFFICIAL USE ONLY

EXHIBIT 37

025237

00 348

A. NO.

Q: Why didn't you provide this information in your original statement to CID?

A: I was nervous.

Q: Did you hit or strike [redacted] b(7)(C)(e)

A: No.

Q: Did you try to stop PFC [redacted] from choking or striking [redacted]

A: No, I wasn't thinking.

Q: Is there anything else you would like to add to your statement?

A: No.//END OF STATEMENT//

b7c5

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.

Witness #1:

[redacted signature] b7c5  
(Signature of [redacted] Making Statement)

Subscribed and sworn before me, a person authorized by law to administer oaths, this 8<sup>th</sup> Day of Jun 2004, at [redacted]

Witness #2:

[redacted signature] b7c5  
(Signature of Person Administering Oath)

SA [redacted]  
(Typed name of Person Administering Oath)  
Article 136 (b) (4) UCMJ  
(Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT [redacted]

PAGE 2 OF 2 PAGES

DA Form 2823-E

LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY  
FOR OFFICIAL USE ONLY

EXHIBIT 37

025238

00 349

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: FORT CARSON, CO
2. DATE: 8/01/04
3. TIME: 1245
4. FILE NO.: 0009-04-CID679
5. NAME: [REDACTED]
6. SSN: [REDACTED]
7. GRADE/STATUS: PFC/AD
8. ORGANIZATION OR ADDRESS: S+T Troop, Support Sqd
3ACR, FORT CARSON, CO 80913

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

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

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

5. COMMENTS (Continue on reverse side)

Section B. Waiver

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

WITNESSES (If available)
1a. NAME (Type or Print): [REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE: [REDACTED]
2a. NAME (Type or Print): [REDACTED] INVESTIGATOR
b. ORGANIZATION OR ADDRESS AND PHONE: SA [REDACTED]
6. ORGANIZATION OF INVESTIGATOR: 8th MP Det (CID) 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

DA FORM 3881, NOV 89

EDITION OF NOV 84 IS OBSOLETE

LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY

EXHIBIT 38

025239

00 350

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: FORT CARSON CO
2. DATE: 9 JUN 04
3. TIME: 0938
4. FILE NO.: 0009-04-CID679 83486
5. NAME (Last, First, MI): [REDACTED] b7c5
6. SSN: [REDACTED]
7. GRADE/STATUS: SP4 AD
8. ORGANIZATION OR ADDRESS: S&T Troop, Support Sqel
SACR, FORT CARSON, CO

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 Division and wanted to question me about the following offense(s) of which I am suspected/a negligent homicide

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.

- 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.

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

5. COMMENTS (Continue on reverse side)

Section B. Waiver

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

WITNESSES (If available)

1a. NAME (Type or Print): [REDACTED] b7c5

b. ORGANIZATION OR ADDRESS AND PHONE: [REDACTED]

2a. NAME (Type or Print): [REDACTED] b7c1

b. ORGANIZATION OR ADDRESS AND PHONE: [REDACTED]

3. SIGNATURE OF INTERVIEWEE: [REDACTED]

4. TITLE OF INVESTIGATOR: SA [REDACTED]

6. ORGANIZATION OF INVESTIGATOR: 87th MP Det (CID) 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

LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY

025240

EXHIBIT 39

00 351

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION: Fort Carson, CO
2. DATE (YYYYMMDD): 20040709
3. TIME: 1130
4. FILE NUMBER: 0002-04-C/D/679 83482
5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED]
6. SSN: [REDACTED]
7. GRADE/STATUS: Sp4 AD
8. ORGANIZATION OR ADDRESS: S+T Support Sqd, 3ACR, Fort Carson, CO

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

I WAS ON SHIFT AT AL ASAD DETAINEE SITE ON JAN 9th 04 WITH THE FOLLOWING SOLDIERS... SPC [REDACTED] PFC [REDACTED], SPC [REDACTED] & SPC [REDACTED] AT APPROX 0230 A DETAINEE ATTEMPTED TO ESCAPE FROM THE SITE, HIS ATTEMPT WAS NOTICED WHEN HE RATTLED THE CONSTANTINA WIRE IN HIS EFFORT TO STEP OVER IT. MYSELF, SGT [REDACTED] AND SPC [REDACTED] WERE THE ONLY SOLDIERS IN THE BLDG WHEN THE PRISONER MADE HIS ATTEMPT TO ESCAPE. [REDACTED] & [REDACTED] WERE OUTSIDE BURNING THE DETAINEE'S FEES. THE DETAINEE MADE HIS WAY FROM HIS CELL WHILST MYSELF & THE OTHER TWO GUARDS WERE OBSERVING A DVD ON A PORTABLE DVD PLAYER. SPC [REDACTED] RAN UP TO THE DETAINEE AND FORCED HIM TO THE GROUND, MYSELF & SPC [REDACTED] FOLLOWED BEHIND HIM. I DO NOT BELIEVE THE DETAINEE HAD ANY RESTRAINTS ON WHAT SOEVER. SPC [REDACTED] WALKED THE DETAINEE INTO THE CENTER WALKWAY BUT, I CANNOT REMEMBER IF WE PLACED RESTRAINTS ON HIM OR NOT. I AM GUESSING WE DID. SPC [REDACTED] & SPC [REDACTED] RETURNED SHORTLY AFTERWARDS AND WERE INFORMED ON WHAT HAPPENED. A DISCUSSION WAS HELD BY ALL ON WHAT TO DO NEXT & IT WAS DECIDED THAT BY SPC [REDACTED] TO

10. EXHIBIT:
11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED]
PAGE 1 OF 4 PAGES

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

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

9. STATEMENT (Continued)

TELL THE NCOIC OF THE INCIDENT THE NEXT MORNING. AN SOP ON THIS KIND OF SITUATION HAD YET TO BE TYPED UP.

AT SOME TIME MYSELF & SGT [REDACTED] OBSERVED THE CELL WHERE THE DETAINEE HAD ESCAPED FROM, SFC [REDACTED] ATTEMPTED TO FIX THE MIS-PLACED BARBED WIRE THAT THE DETAINEE HAD MOVED OUT OF HIS WAY.

AT NO TIME AFTER THE DETAINEE'S ATTEMPT AT ESCAPE DID I OBSERVE ANYONE GOING INTO THE CAGE & HARRASSING THE DETAINEE. I BELIEVE THE DETAINEE WAS SITTING DOWN BUT, SOMEONE MAY HAVE INSTRUCTED HIM TO STAND UP AS A FORM OF PUNISHMENT, I REALLY DON'T KNOW?

AT THE END OF OUR SHIFT PFC [REDACTED] WAS ESCORTING THE DETAINEE BACK TO HIS CELL WHEN HE OBSERVED THAT HE HAD "SHAT" HIMSELF. I BELIEVE THE NEXT SHIFT TOOK OVER FROM THERE.

WHEN [REDACTED] STOPPED THE PRISONER FROM ESCAPING I ASKED THE PRISONER WHAT HE WAS DOING? HE SIMPLY ANSWERED BACK "HOME, MISTER, HOME", AND POINTED AT THE DOOR. HE SEEMED TO ME LIKE HE WASN'T THINKING STRAIGHT, AND BELIEVED HE WAS ABLE TO LEAVE WHENEVER HE WANTED TO.

Q: [REDACTED]

A: [REDACTED]

Q: Did you see anyone strike or choke the detainee following his escape attempt?

A: NO

Q: Who stayed with the detainee after the escape attempt?

A: I DO NOT BELIEVE ANYONE STAYED INSIDE THE CAGE.

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 4 PAGES

aub705

EXHIBIT 39

025242

00 353

STATEMENT OF Sgt [REDACTED] TAKEN AT FORT CARSON, CO DATED 9 Jun 04

9. STATEMENT (Continued)

Q: When all of you were discussing when to tell the NCOIC of the incident where were you?

A: I WAS STANDING NEAR THE CENTER OF THE HANGER, ~~OR~~ SOMEWHERE NEAR THE SUPPLY ROOM.

Q: Was the detainee punished at all for attempting to escape?

A: TO MY KNOWLEDGE HE WAS NOT.

Q: Were you in view of the detainee for the entire shift?

A: YES, EXCEPT FOR TIMES I LEFT THE HANGER TO BRW FEACES, OR GO TO THE BATHROOM OUTSIDE.

Q: Do you have any knowledge of Pfc [REDACTED] choking or slapping the detainee?

A: NO

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

A: NO/// END OF STATEMENT/// [REDACTED]

*all b7c5*

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 3 OF 4 PAGES

PAGE 2, DA FORM 2823, DEC 1998  
LAW ENFORCEMENT SENSITIVE  
FOR OFFICIAL USE ONLY

USAPA V7.00

EXHIBIT 139

025243

00 354



9. STATEMENT (Continued)

b7c5

[Large diagonal line indicating redacted content]

AFFIDAVIT

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

b7c5

[REDACTED Signature]

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 9 day of June, 2004

ORGANIZATION OR ADDRESS

[REDACTED Signature]

(Signature of Person Administering Oath)

b7c5

SA [REDACTED]

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

ART 136 (6)(4) UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 4 OF 4 PAGES

EXHIBIT 39

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 FORT CARSON, CO	2. DATE 9 Jun 04	3. TIME 13:12	4. FILE NO. 0009-04-C10679
5. NAME (Last, First, MI) [REDACTED]	8. ORGANIZATION OR ADDRESS 8/T Troop, Support Sqd 3ACR		83486
6. SSN [REDACTED]	7. GRADE/STATUS SPC/AD	FORT CARSON, CO	

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 Division and wanted to question me about the following offense(s) of which I am suspected/accused: negligent homicide III

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.

- 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. NAME OF INTERVIEWEE
1a. NAME (Type or Print)	b7c5	[REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE		[REDACTED]
2a. NAME (Type or Print)	b7c1	[REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE		[REDACTED]
		6. ORGANIZATION OF INVESTIGATOR 87th MP Det (CID) FORT BRAGG, NC 28310

Section C. Non-waiver

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

2. SIGNATURE OF INTERVIEWEE

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

DA FORM 3881 NOV 89  
 LAW ENFORCEMENT SENSITIVE  
 FOR OFFICIAL USE ONLY

EXHIBIT 40  
 USAPA 2.01

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION: Fort CARSON CO
2. DATE (YYYYMMDD): 20040709
3. TIME: 17:08
4. FILE NUMBER: 0004-04-010479 63426
5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED]
6. SSN: [REDACTED]
7. GRADE/STATUS: Sgt/AD
8. ORGANIZATION OR ADDRESS: Maintenance Troop, Support Sqd, 3AER, Fort CARSON, CO

9. [REDACTED] b(c)(4), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I FIRST MET [REDACTED] when he was impressed. It was my team that impressed him. He didn't complain of any medical problems that night. The next day he saw a PA/Doctor at what we called sick call on the sight. Two days later I notice the count was down and ask who left? They told me ODA [REDACTED] was one for interragating. When [REDACTED] came back he was complaining about pain by his stomach and lifted his war dress and there was bruising so I put him on EPW sick for the next day. I dont remapbe the out come of his visit. I do know I gave him motion to it be on the med board. I had the 20:00 to 00:00 SIFT and that meant I was the one to put them all to sleep that night. He motion to me he wasn't tried.

Q: [REDACTED] b7c1
A: [REDACTED]
Q: What day was it the first time you saw bruises on [REDACTED] b(6)(f) b(7)(c)(4)
A: about three days AFTER he arrived.
Q: How many times did he see the medics?
A: I believe around 3 times
Q: Did [REDACTED] tell you what his medical problem was?
A: He motioned like someone had been hitting him.
Q: Did he say who?
A: MEN IN MASKS.
Q: Do you remember the name of the Dr. or medics that helped [REDACTED]
A: No.
Q: Did you ever see [REDACTED] hit or struck by anyone?

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

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

STATEMENT OF

[REDACTED]

TAKEN AT

FORT CARSON CO DATED 20040709

9. STATEMENT (Continued)

A: No.

Q: Did the medics or DR/PA document their treatments?

A: Yes, in a little green book. Army standard I believe it said Detainee sight on it.

Q: Who maintained this book?

A: All the PA/DR's b(6)(4)

Q: Where was [REDACTED] the last time you saw him alive?

A: He was in the third cell of isolation

Q: When was this?

A: He was in that case the whole shift 8 JAN 20:00 to 00:00,

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

A: No. /// END OF STATEMENT /// [REDACTED]

67c2

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 2 OF 3 PAGES

PAGE 2, DA FORM 2823, DEC 1998

LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY

EXHIBIT 41

00 358

9. STATEMENT (Continued)

6702

AFFIDAVIT

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

6702

[REDACTED] (Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 9 day of Jun, 2004 at FORT CARSON, CO

ORGANIZATION OR ADDRESS

[REDACTED] (Person Administering Oath)

6701

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

ORGANIZATION OR ADDRESS

Airt 136 (b) (4) UCMJ (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 3 OF 3 PAGES

PAGE 3, DA FORM 2823, DEC 1998  
LAW ENFORCEMENT SENSITIVE  
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EXHIBIT 41

025248

00 350

**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 FORT CARSON, CO	2. DATE 10 Jun 04	3. TIME 0913	4. FILE NO. 009-04-21A679 85986
5. NAME (Last, First, MI) [REDACTED]	8. ORGANIZATION OR ADDRESS AVEN TROOP, Support Sqdn, 3 ACR FORT CARSON CO		
6. SSN [REDACTED]	7. GRADE/STATUS SPC/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 Division and wanted to question me about the following offense(s) of which I am suspected/accused negligent homicide

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.  
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) [REDACTED]	[REDACTED]	[REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE	[REDACTED]	[REDACTED]
2a. NAME (Type or Print) [REDACTED]	[REDACTED]	SA [REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE	[REDACTED]	6. ORGANIZATION OF INVESTIGATOR 307 MP Det (CID) FORT BRAGG, NC 28316

**Section C. Non-waiver**

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

**2. SIGNATURE OF INTERVIEWEE**

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

DA FORM 1387, NOV 89 FOR OFFICIAL USE ONLY. DATE OF NOV 84 IS OBSOLETE

ACLU-RDP 2285 p.122

025249

EXHIBIT 42  
360

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION: Fort Carson, Co
2. DATE (YYYYMMDD): 20040716
3. TIME: 1012
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS: Sp4AD
8. ORGANIZATION OR ADDRESS: Avim Troop, Support Sqd, 3ACR FT CARSON CO.

I, SPC [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
Myself, SPC [redacted], SPC [redacted], SPC [redacted], and SFC [redacted] started shift at 2400 on Jun 09, 2004 at the EPW site on Al Asad base in Northwestern Iraq.
We were taking turns every hour on the tower and the other three personnel were on the ground watching the "cases". Approx. 0100 myself and SPC [redacted] went outside to burn the shit. We were outside for about 45 minutes to an hour. When we came inside we were informed by either SPC [redacted] or SFC [redacted] that the "old man" in isolation had tried to climb over the wire and escape. We were informed that SPC [redacted] had performed a simple take down and the old man was zip tied on his hands and put in isolation in front of the tower. A few of us went to the wire and ask the old man "What were you thinking". We never entered the case with the old man. We told him to sit down and not to talk. We then proceeded to help SFC [redacted] reinforce the wire and we continued with our duties of cleaning and inventoring the meds. Also, during the time the old man was being put into isolation in front of the tower, we called SSG [redacted] the NCOIC of the site and the MPs and notified them of what happened. We were relieved at 0400 by the next shift.

Q: [redacted] b7c1
A: [redacted]
Q: Who went to the fence and asked the detainee what he was

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

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

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

9. STATEMENT (Continued)

thinking?

A: I know myself and SPC [redacted] were there but, I do not recall if anyone other than us were there.

Q: Did PFC [redacted] slap or choke the detainee?

A: Not in my presence or that I'm aware of. However, I was not around SPC [redacted] the whole time of the shift. We were cleaning the area we worked in and inventorying the meds in a separate room. I do not know what happened while I was in this room with the medications.

Q: Did you ever strike or choke a detainee?

A: No

Q: Was water thrown at the detainee who escaped?

A: I did not see this happen. However, after the escape attempt the detainee appeared to be wet. As if he had water thrown on him.

Q: Did any of the guards appear upset after the escape attempt?

A: It irritated us all but, the two (SPC [redacted] and SPC [redacted]) who had been at the site the longest appeared to be upset the most.

Q: Was the detainee sitting, kneeling or standing while in the sleep dep area?

A: We were directing him to sit down but, because of his size and in Iraq the elders are able to do whatever they want he would constantly try to stand and we would have to direct him verbally to sit back down.

Q: Did you see any one go into the sleep dep area to manually maneuver him into a sitting or standing position?

A: Not that I'm aware of.

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

A: No // END OF STATEMENT // [redacted]

INITIALS OF PERSON MAKING STATEMENT [redacted]

PAGE 2 OF 3 PAGES



9. STATEMENT (Continued)

b7c5

[Large diagonal line indicating redacted content]

AFFIDAVIT

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

b7c5

[REDACTED]  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 10 day of JUN, 2004 at FORT CARSON, CO

ORGANIZATION OR ADDRESS

[REDACTED]  
(Person Administering Oath)

b7c

SA [REDACTED]  
(Typed Name of Person Administering Oath)  
ART 136 (b)(4) UCMJ  
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 3 OF 3 PAGES

PAGE 3, DA FORM 2823, DEC 1998  
**LAW ENFORCEMENT SENSITIVE  
FOR OFFICIAL USE ONLY**

EXHIBIT 42

025252

00 363

**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:** FORT CARSON, CO      **DATE:** 6-16-04      **TIME:** 0955  
**FILE NUMBER:** [REDACTED]  
**NAME (Last, First MI):** [REDACTED]      **SSAN:** [REDACTED]      **GRADE / STATUS:** E-4  
**ORGANIZATION OR ADDRESS:** S & T SUPPORT SQUADRON, FORT CARSON, CO 80913

**RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

The investigator whose name appears below told me that he/she 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: FALSE SWEARING REGARDING NEGLIGENT HOMICIDE/CONSPIRACY!!! [REDACTED]  
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 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:** During the previous 30 days, have you requested an Attorney after being advised of your rights? NO [REDACTED]

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

Signature of Witness

Witness# 2

Signature of Witness

Signature of Investigator/Special Agent

SA [REDACTED]  
FORT LEONARD WOOD RA (CID)  
FORT LEONARD WOOD, MO 65473

**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: \_\_\_\_\_

DA Form 3881-E

**LAW ENFORCEMENT SENSITIVE**  
**FOR OFFICIAL USE ONLY**

**EXHIBIT** 43

025253

00 364

MEMORANDUM FOR

Director, United States Army Crime Records Center, United States Army Criminal Investigation Command, 6010 6th Street, Fort Belvoir, VA 22060-5585  
Special Agent In Charge, 87<sup>th</sup> Military Police Detachment, 3<sup>rd</sup> Military Police Group (CID), Fort Bragg, NC 28310

SUBJECT: Polygraph Examination Report

INVESTIGATIVE CASE REFERENCE: 04-CID679-83486-5H1

AUTHORIZATION NUMBER: 04-1067, 14 Jun 04

DATE(S) OF EXAMINATION: 16 Jun 04

LOCATION OF EXAMINATION(S): Fort Carson, CO (FCC) *b7c5*

SUBJECT EXAMINED: [REDACTED] S & T Support Squadron, FCC 80913; 30 Nov 74; Liverpool, England

OFFENSE(S): False Swearing Regarding Negligent Homicide, Conspiracy; False Official Statement

PURPOSE OF EXAMINATION: Criminal Investigation *b2*

INVESTIGATIVE/OPERATIONAL SUMMARY: Investigation thus far has revealed Mr (LTC) *b7c4*

[REDACTED] detainee number [REDACTED] was detained on 4 Jan 04. After he was detained, he was placed in an isolation cell located in the Detention Facility, Forward Operation Base (FOB), Rifles Base, Al Asad, IRAQ at the direction of Operation Detachment Alpha (ODA), who wanted to question him. Sometime between 4 - 8 Jan 04, Mr [REDACTED] was questioned at least two times by members of the ODA. About 0730, 9 Jan 04, guards at the detention facility ordered all prisoners to stand as punishment for talking. Mr [REDACTED] refused to stand and after several warnings, he was shackled to the top of the door frame in order to compel him to continue standing. Mr [REDACTED] was then gagged as he continued to try to talk to other prisoners. About 5 minutes after Mr [REDACTED] was gagged and shackled, guards noticed his eyes were closed and he was slumped over hanging from the shackles. Guards went to the cell and discovered Mr [REDACTED] was not breathing at which time they took him down from the door frame and removed the gag from his mouth. After no pulse was noticed, medical attention was sought. At approximately 0815, 9 Jan 04, medics arrived on scene and checked for signs of life which met with negative results. Mr [REDACTED] was pronounced *b(6)(4)*  
*b(7)(c)(f)*

**FOR OFFICIAL USE ONLY**

Attached as Exhibit \_\_\_ isa Polygraph Examination Report. IAW AR 195-6, para 2-6, this report will be destroyed no later that 90 days from the date of the Report of Investigation. The original of this report to include allied documents, is retained in the files of USACRC, 6010 6<sup>th</sup> Street, Fort Belvoir, VA 22060.

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released at 0700, 9 Jan 04. On 11 Jan 04, a forensic autopsy was performed on the remains of MR. [REDACTED] by Dr (CDR) [REDACTED] Office of the Armed Forces Medical Examiner at Mortuary Affairs, Baghdad International Airport, Baghdad, Iraq. Mr. [REDACTED] suffered multiple blunt force injuries to his upper body to include the fracturing of most of his ribs and multiple fractures to some of his ribs. Dr [REDACTED] opined the blunt force injuries present on the upper body of Mr. [REDACTED] were consistent with a beating and the bruises appeared to be a couple of days old. The cause of death was determined to be blunt force injuries and asphyxia. The manner of death was determined to be a homicide. Dr [REDACTED] was asked if Mr [REDACTED] would have been able to hide his injuries for several days at which time he stated it was possible, but unlikely. Dr [REDACTED] stated there should have been some outward signs of injury, such as labored breathing and that he had died most likely from a combination of his injuries as well as from having been gagged and forced to stand. The ODA members were subsequently identified as SPC [REDACTED] Air Defense Artillery (ADA) Battery, 1/3 Armored Cavalry Regiment, Fort Carson, CO (FCCO); SFC [REDACTED], SFC [REDACTED], and SSG [REDACTED], all assigned to B Company (Co), 1st Battalion (Bn), 5th Special Forces Group (SFG), Fort Campbell, KY (FCKY). SFC [REDACTED], SFC [REDACTED] and SSG [REDACTED] admitted to striking and kicking Mr [REDACTED] numerous times in the mid section and ribs on 6 Jan 04 during their interrogation in an attempt to subdue him when he assaulted SFC [REDACTED] SPC [REDACTED] admitted to kicking Mr [REDACTED] in the chest while his hands were bound during his apprehension when he refused to stop talking. On 9 Jan 04, SGT [REDACTED] AVIM Troop, Support Squadron, 3rd ACR related he noticed bruising on Mr [REDACTED] abdomen between 2000 and 2200, 8 Jan 04. On 9 Jan 04, SPC [REDACTED] 2133rd Transportation (Trans) Co, Iowa Army National Guard was interviewed and related Mr [REDACTED] had been in custody for approximately 1 week and he was aware that SFG soldiers had interrogated him. [REDACTED] went on to state about 2300, 8 Jan 04 he observed Mr [REDACTED] with his shirt off and noticed several dark bruises on his upper body. According to SSG [REDACTED] 2133 Trans Co, Iowa Army National Guard who was the supervisor of the guard shift between 0001 and 0400, 9 Jan 04, Mr [REDACTED] attempted to escape at approximately 0215. SSG [REDACTED] related he was subdued by SPC [REDACTED] AVIM Troop Support Squadron, FCCO. While being returned to his cell, SSG [REDACTED] stated he noticed large bruises on [REDACTED] sides and he was moving very slowly and appeared to be experiencing difficulty with all of his movements. SPC [REDACTED] was subsequently interviewed and rendered a sworn statement detailing on 8 Jan 04, Mr [REDACTED] was complaining his zip tie handcuffs were cutting off the circulation to his hands. SPC [REDACTED] removed the cuffs, bandaged the abraded injury and recuffed Mr [REDACTED]. SPC [REDACTED] further related that while trying to escape later on during his shift, he subdued Mr [REDACTED]. SPC [REDACTED] S&T Troop Support Squadron, 3rd ACR related while working as a guard between 0001 and 0400, 9 Jan 04, he witnessed Mr [REDACTED] attempt to escape at which time he alerted SGT [REDACTED] Maintenance Troop Support Squadron, 3rd ACR and [REDACTED] who apprehended and returned him to his isolation cell. SGT [REDACTED] related he and SPC [REDACTED] S&T Troop Support Squadron, 3rd ACR placed Mr [REDACTED] in his shackles when he refused to stand as a punishment for continuing to talk after being told to stop. Mr [REDACTED] was shackled to the top of the door of his cell in such a way to force him to stand and when he refused to stop talking he and [REDACTED] gagged him. SGT [REDACTED] related approximately 5 minutes later he discovered Mr [REDACTED] not breathing. [REDACTED] was interviewed and confirmed SGT [REDACTED] statement. On 8 Jun 04, [REDACTED] was advised of

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Attached as Exhibit [REDACTED] is a Polygraph Examination Report. IAW AR 195-6, para 2-6, this report will be destroyed no later than 90 days from the date of the Report of Investigation. The original of this report to include allied documents, is retained in the files of USACRC, 6010 6<sup>th</sup> Street, Fort Belvoir, VA 22060.

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7c5  
[redacted] provided a sworn statement in which [redacted] stated after Mr [redacted] attempted to escape, PFC [redacted] S&T Troop Support Squadron, 3rd ACR choked Mr [redacted] with a police style baton for approximately 10 to 15 seconds, slapped him in the face with an open hand and yelled at him "What the fuck were you thinking." [redacted] stated the other person present during the incident besides himself and [redacted] was SPC [redacted] S&T Support Squadron, 3rd ACR. SPC [redacted] was subsequently advised of his rights which he initially waived and provided a verbal statement denying that he choked Mr [redacted] with a night stick, or that he slapped him. SPC [redacted] subsequently stated he wanted to speak with an attorney. SPC [redacted] was advised of his rights, which he waived and denied he ever saw [redacted] choke or slap Mr [redacted]. Mr [redacted] did have his Hyoid bone broken. [redacted] consented to undergo polygraph testing to prove the truthfulness of his statement.

b7c1  
INSTRUMENTATION: This examination was conducted using an Axciton computerized polygraph instrument, [redacted] last calibrated on the date of the examination.

OBSERVATIONS: Unusual physiological/psychological reactions were not observed during this examination.

EXAMINER'S CONCLUSIONS: During the pre-instrument phase, the examinee made no comments or statements contrary to those previously provided.

An analysis of the polygrams collected during Series I, determined insufficient criteria were present to form a conclusive decision regarding the truthfulness of [redacted]

During the post-instrument phase interview [redacted] continued to deny seeing [redacted] or anyone choke [redacted]

Additional polygraph testing was deemed appropriate, which [redacted] declined when he declined to answer any further questions.

RELEVANT QUESTIONS USED:

Series I

Q: Did you see [redacted] choke that man?

A: No.

Q: Did you see [redacted] choke that man with a baton?

A: No.

Q: Did you see anyone choke that man?

A: No.

WITNESS, MONITOR OR INTERPRETER: INV [redacted] USACIDC

EXAMINEE NATIVE LANGUAGE: English

LANGUAGE(S) USED DURING THE EXAMINATION: English

**FOR OFFICIAL USE ONLY**

Attached as Exhibit [redacted] is a Polygraph Examination Report. IAW AR 195-6, para 2-6, this report will be destroyed no later than 90 days from the date of the Report of Investigation. The original of this report to include allied documents, is retained in the files of USACRC, 6010 6<sup>th</sup> Street, Fort Belvoir, VA 22060.

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**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. [Redacted] } b7c5  
LOCATION: FORT CARSON, CO DATE: 10 June 04 TIME: 2:45 pm  
FILE NUMBER:  
NAME (Last, First MI): [Redacted] SSAN: [Redacted] GRADE / STATUS: E-3  
ORGANIZATION OR ADDRESS: S & T TROOP, SUPPORT SQUADRON 3 ACR, FORT CARSON, CO 80913

**RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

The investigator whose name appears below told me that he/she 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: NEGLIGENT HOMICIDE/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:

- 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: During the previous 30 days, have you requested an Attorney after being advised of your rights? [Redacted]

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. [Redacted] } b7c5

Witness # 1

[Redacted Signature] } b7c2

Signature of Interviewee

Witness # 2

Signature of Witness

[Redacted Signature] } b7c1  
Signature of Investigator, Special Agent  
SA [Redacted]  
FORT LEONARD WOOD RA (CID)  
FORT LEONARD WOOD, MO 65473

**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: \_\_\_\_\_

DA Form 3881-E

EXHIBIT 45

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DEPARTMENT OF THE ARMY  
United States Army Criminal Investigation Command  
Fort Leonard Wood Resident Agency  
6<sup>th</sup> Military Police Group (CID), USACIDC  
Fort Leonard Wood, MO 65473

CIRFR-RLW (195-6)

16 Jun 04

MEMORANDUM FOR

Director, United States Army Crime Records Center, United States Army Criminal Investigation Command, 6010 6th Street, Fort Belvoir, VA 22060-5585  
Special Agent In Charge, 87<sup>th</sup> Military Police Detachment, 6<sup>th</sup> Military Police Group (CID), USACIDC, Fort Bragg, NC 28310

SUBJECT: Polygraph Examination Report

INVESTIGATIVE CASE REFERENCE: 04-CID679-83486-5H1

AUTHORIZATION NUMBER: 04-1094, 16 Jun 04

DATE(S) OF EXAMINATION: 16 Jun 04

LOCATION OF EXAMINATION(S): Fort Carson, CO (FCC)

SUBJECT EXAMINED: [REDACTED]; E-3; [REDACTED] S & T Troop, Support Squadron, 3 ACR, Fort Carson, CO; 80913

OFFENSE(S): Negligent Homicide, Conspiracy, False Official Statement

PURPOSE OF EXAMINATION: Criminal Investigation

INVESTIGATIVE/OPERATIONAL SUMMARY: Investigation revealed that Mr. (LTC) [REDACTED] <sup>b2</sup> detainee number [REDACTED] died while in U.S. military custody at the Detention Facility, Forward Operation Base, Rifle Base, Al Asad, Iraq. During a later autopsy AFIP Pathologists, it was determined he died from blunt force trauma and asphyxia. <sup>b7c2</sup> Additionally, it was revealed he had suffered multiple blunt force injuries to his upper body to include multiple fractures to all of his ribs. Dr. [REDACTED] the attending Pathologist, opined the injuries were consistent with a beating and the manner of death was ruled a homicide. During interviews of several of the U.S. Army personnel who were guards, several admitted to kicking and punching [REDACTED] numerous times in the chest and ribs after he either attempted to escape or would not follow their orders. During an interview of SPC [REDACTED], AVIM Troop, FCC, he identified [REDACTED] as having allegedly choked [REDACTED] with a police-style baton, after [REDACTED] attempted to escape. [REDACTED] also related SPC [REDACTED] S & T Troop, FCC, was also present. [REDACTED] was interviewed and denied seeing [REDACTED] or anyone choke [REDACTED] with anything to include a baton. Following this, [REDACTED] was later shackled by the wrist to the top of his cell door. Due to [REDACTED] not obeying the guard's orders to be quiet, the guards placed a gag around his mouth. After approximately five minutes, they noticed [REDACTED]

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Attached as Exhibit [REDACTED] is a Polygraph Examination Report. IAW AR 195-6, para 2-6, this report will be destroyed no later than 90 days from the date of the Report of Investigation. The original of this report to include allied documents, is retained in the files of USACRC, 6010 6<sup>th</sup> Street, Fort Belvoir, VA 22060.

*b2*  
*b7c*  
*by capt or noted*  
ACLU-RDI 2285 p.131

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DOD-050789

was not moving. They checked him for signs of life, realized he was not breathing, and summoned medical assistance. Due to the admissions of the soldiers interviewed, the causes of the majority of the injuries have been determined, with the exception of the asphyxia. Investigators believe that [REDACTED] possibly did choke [REDACTED] as alleged by one of the guards and caused the throat injuries that lead to [REDACTED] death. [REDACTED] was advised of his rights, which he waived, and denied choking [REDACTED] with anything, to include a nightstick, nor did he see anyone do so. [REDACTED] consented to undergo a polygraph examination to verify the truthfulness of his statement.

INSTRUMENTATION: NA

OBSERVATIONS: NA

EXAMINER'S CONCLUSIONS: During the pre-instrument phase, [REDACTED] declined polygraph testing, but consented to discuss the matter under investigation. [REDACTED] made no comments or statements contrary to those previously provided. [REDACTED] later terminated the interview when he declined to undergo polygraph testing.

As no polygrams were collected, no opinion as to the truthfulness of [REDACTED] could be made.

WITNESS, MONITOR OR INTERPRETER: INV [REDACTED] USACIDC, FCC

EXAMINEE NATIVE LANGUAGE: English

LANGUAGE(S) USED DURING THE EXAMINATION: English

EXHIBITS: The allied documents are on file with the original report at the US Army Crime Records Center.

///ORIGINAL SIGNED///

SA [REDACTED]  
Polygraph Examiner, [REDACTED]

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SWORN STATEMENT

LOCATION: FORT CARSON, CO, 80913  
FILE NUMBER: 0009-04-CID679-83486-5H1  
TIME: 1325 [REDACTED]  
NAME: [REDACTED]  
SSAN: [REDACTED]  
GRADE/RANK: SPC  
ORGANIZATION OR ADDRESS: AVIM TROOP SUPPORT SQDN, 3RD ACR, FORT CARSON, CO, 80913

*all b 705  
other*

*"Mr" = b(6)(c)/b(7)(c)(d)*

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

This statement is being prepared to clarify issues that were not fully explained or discussed in my earlier statements to CID.

This statement is being prepared for me by SA [REDACTED] but the thought and content of this statement are my own.

When I discussed the incident surrounding the eventual death of Mr. [REDACTED]

[REDACTED] in Al Asad, Iraq on 9 Jan 04, I had stated that I had witnessed SPC [REDACTED] S&T Troop Support Squadron, 3<sup>rd</sup> ACR choke Mr. [REDACTED] with a nightstick. Today when I was initially interviewed, I stated that I was not 100% sure that it was SPC [REDACTED] who used the nightstick on MR. [REDACTED], but I stated that I was pretty certain that it was SPC [REDACTED]

After thinking about this incident further, I have to admit that I am positive and 100% certain that it was SPC [REDACTED] who used the nightstick on MR. [REDACTED]. Furthermore, I have to admit that SPC [REDACTED] did not choke MR. [REDACTED] with the nightstick, but rather, SPC [REDACTED] used the nightstick to make MR. [REDACTED] stand up. At the time of this incident, MR. [REDACTED] was sitting down on the ground and refused to stand up. He had just tried to escape and we were worried about how we were going to explain how this had almost been accomplished. We were all under a lot of stress due to the actions of MR. [REDACTED]

[REDACTED] and when he refused to stand up, SPC [REDACTED] got "pissed off" at MR. [REDACTED]

[REDACTED] and then he got behind MR. [REDACTED] and placed his nightstick under the chin of MR. [REDACTED]. SPC [REDACTED] then used upward pressure on the nightstick and used it to force MR. [REDACTED] into a standing position. This only took about 5 or 6 seconds to accomplish and when MR. [REDACTED] was on his feet, SPC [REDACTED] removed the nightstick from the chin of MR. [REDACTED]. I did not observe SPC [REDACTED] choke MR. [REDACTED]

[REDACTED] and since he did not pull back on the nightstick nor press it against the neck of MR. [REDACTED], I do not think it was possible for SPC [REDACTED] to have choked MR. [REDACTED] anyway.

The reason I am having problems discussing this incident is that I feel badly that I have to report SPC [REDACTED] for what he did. SPC [REDACTED] is a good friend of mine and I really like him, so it is hard for me to tell what I had observed SPC [REDACTED] do as far as the nightstick with MR. [REDACTED]

[REDACTED] is concerned.

Although I did say that I observed SPC [REDACTED] choke MR. [REDACTED] that was not a truthful statement since SPC [REDACTED] did not actually choke MR. [REDACTED]. I just did not know how to say what I meant, so I used the word "choke", but that was not entirely correct.

[REDACTED]

[REDACTED]

[REDACTED]

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 1 OF 2 PAGES

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EXHIBIT 47

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when I was last interviewed by CID, I knew what I wanted to say about this incident, but did not know exactly how to say it.

I also want so say that I did not choke MR. [REDACTED] and I did not witness anyone else choke him either. I also did not beat nor strike MR. [REDACTED] nor did I observe anyone else do so either, with the exception of the one time that SPC [REDACTED] slapped MR. [REDACTED] on the side of his face with an open hand after MR. [REDACTED] had tried to escape.

I have now told the entire truth about this incident and can add nothing further to this investigation.

b(7)(c)(4)  
b7c5

Sworn Statement of SPC [REDACTED] taken at FORT CARSON, CO, , 30-Jun-04,  
CONTINUED:

AFFIDAVIT

I, [REDACTED] b7c5 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.

Witness #1:

[REDACTED]

[REDACTED] b2  
[REDACTED] b7c5  
(Signature of Person Making Statement)

Subscribed and sworn before me, a person authorized by law to administer oaths, this 30th day of June 2004 at

Witness #2:

[REDACTED]

[REDACTED] b7c1  
[REDACTED] b7c5  
(Signature of Person Administering Oath)

SA [REDACTED]  
(Typed name of Person Administering Oath)  
Article 136 (b) (4) UCMJ  
(Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 2 PAGES

DA Form 2823-E

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LAW ENFORCEMENT SENSITIVE  
FOR OFFICIAL USE ONLY

EXHIBIT 47

025262

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**RIGHTS WAIVING 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:** Fort Carson, CO      **DATE:** 27 Jul 04      **TIME:** 0904  
**FILE NUMBER:** 0009-04-CID679-83486-5H1  
**NAME (Last, First MI):** [REDACTED]      **SSAN:** [REDACTED]      **GRADE / STATUS:** SGT  
**ORGANIZATION OR ADDRESS:** Maint Troop, Supt Sqdn 3rd ACR, Fort Carson, CO, 80913

**RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

The investigator whose name appears below told me that he/she 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: **Negligent Homicide**

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 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 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:** Have you ever been advised of your legal rights and requested legal counsel in the past 30 days? **no**

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.

Signature of [REDACTED]  
[REDACTED]  
87th MP Det (CID) Ft Carson, CO

Signature of [REDACTED]  
[REDACTED]  
Investigator/Special Agent

Witness# 2  
Signature of Witness  
[REDACTED]

11th Military Police Battalion (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: \_\_\_\_\_

DA Form 3881-E

FOR OFFICIAL USE ONLY

LAW ENFORCEMENT SENSITIVE  
FOR OFFICIAL USE ONLY

EXHIBIT 48

025263

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**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:** FORT CARSON, CO      **DATE:** 28 Jul 04      **TIME:** 0751  
**FILE NUMBER:** 0009-04-CID679-83486-5H1  
**NAME (Last, First MI):** [REDACTED]      **SSAN:** [REDACTED]      **GRADE / STATUS:** SPC  
**ORGANIZATION OR ADDRESS:** S&T TRP, SUPT SQDN, 3RD ACR, FORT CARSON, CO, 80913

**RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

The investigator whose name appears below told me that he/she 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: **Negligent Homicide**

Before he/she asked 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 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:** Have you ever been advised of your legal rights and requested legal counsel in the past 30 days? **No** [REDACTED]

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#

Sig

SA  
Sgt M. Det CID, Ft Bragg, NC

Witness# 2

Signature of Witness

[REDACTED]  
11th Military Police Battalion (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: \_\_\_\_\_

DA Form 3881-E

LAW ENFORCEMENT SENSITIVE  
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EXHIBIT 49

025264

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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)

**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

Hickman Police Dept, Hickman, IA

2. DATE

17 AUG 04

3. TIME

1047

4. FILE NUMBER

5. Name (Last First MI)

[Redacted]

8. ORGANIZATION OR ADDRESS

2133<sup>rd</sup> Transportation Company

6. SSN

[Redacted]

7. GRADE/STATUS

E-6

IA National Guard

**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/accused: negligent homicide, 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:

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.

-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 (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]

b. ORGANIZATION OR ADDRESS AND PHONE

87th MP Det (ABN) (CID)  
Fort Bragg, NC 28310

2a. NAME (Type or Print)

[Redacted]

b. ORGANIZATION OR ADDRESS AND PHONE

[Redacted]

3. SIGNATURE OF INTERVIEWEE

[Redacted] b7c5

4. SIGNATURE OF INVESTIGATOR

[Redacted]

SA [Redacted]

6. ORGANIZATION OF INVESTIGATOR

87th MP Det (ABN) (CID)  
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

DA FORM 3881, NOV 89 (AUTOMATED)

EDITION OF NOV 84 IS OBSOLETE

**LAW ENFORCEMENT SENSITIVE  
FOR OFFICIAL USE ONLY**

**EXHIBIT 50**

025265

00 376

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: Fort Carson, Co
2. DATE: 19 Aug 09
3. TIME: 1500
4. FILE NO: 8009-07-01267, 83486
5. NAME (Last, First, MI): [Redacted]
6. SSN: [Redacted]
7. GRADE/STATUS: E-4/SPC
8. ORGANIZATION OR ADDRESS: S+T Support Sect, 3rd ACR, FT CARSON, CO 80913

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 Army Criminal Investigation Division and wanted to question me about the following offense(s) of which I am

suspected/accused negligent homicide, 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:

- 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.

- or -

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

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

5. COMMENTS (Continue on reverse side)

Section B. Waiver

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

WITNESSES (If available)

1a. NAME (Type or Print): SA [Redacted]

b. ORGANIZATION OR ADDRESS AND PHONE: 87th MP Det (CID), FT. BRAGG, NC 28310

3. SIGNATURE OF INTERVIEWEE: [Redacted] b7c

2a. NAME (Type or Print): SA [Redacted]

b. ORGANIZATION OR ADDRESS AND PHONE: [Redacted]

6. ORGANIZATION OF INVESTIGATOR: 87th MP Det (CID), FT 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.

DA FORM 3881, NOV 89

EDITION OF NOV 84 IS OBSOLETE

LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY

EXHIBIT 57

025266

00 377

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: Fort Carson, CO. 2. DATE: 19 Aug 2004 3. TIME: 17135 4. FILE NO: 0009-04-C10629-83486
5. NAME (Last, First, MI): [Redacted] 6. SSN: [Redacted] 7. GRADE/STATUS: E-4 8. ORGANIZATION OR ADDRESS: AVSM Troop Support Squad, 3rd ACN, Fort Carson, CO 80913

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the 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: Unsubstantiated Homosexual; False Official Statement III

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

5. COMMENTS (Continue on reverse side)

Section B. Waiver

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

WITNESSES (If available) 3. SIGNATURE OF INTERVIEWEE: [Redacted] b7c5
1a. NAME (Type or Print)
b. ORGANIZATION OR ADDRESS AND PHONE
2a. NAME (Type or Print) b7c1
b. ORGANIZATION OR ADDRESS AND PHONE
6. ORGANIZATION OF INVESTIGATOR: 87th MP Det (CID), FT 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

DA FORM 3881 NOV 89 LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY EXHIBIT 52

025267

00 378



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 Font Carson, CO 80913	DATE 19 Aug 04	TIME 2011	FILE NUMBER
LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS E-4	
ORGANIZATION OR ADDRESS PARSON MARK TROOP, 3RD ACN, Font Carson, CO			

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH.

On 9 Jan 04 The prisoner escaped and when I noticed him he was within my best guess 7-10 feet from the door. I stood up from my position in the Parson which was to my best guess about 90 feet away. When I got to him he was just outside the door about 4 to 5 feet outside I took him down by the shoulders and a down ward spinning motion. We both fell after that he moved to his feet as fast as I could. [REDACTED] were behind me out the door. Then [REDACTED] stood behind him and pointed M16. [REDACTED] we all walked inside to the detainee holding area.

Q: [REDACTED] DTG

A: [REDACTED]

Q: What time did this occur?

A: around 2 AM 2:30 AM

Q: Which prisoner are you talking about?

A: [REDACTED]

Q: Who was with you when you noticed the prisoner escaping?

A: [REDACTED] and myself

Q: how in detail did he fall?

A: Butt first then back then flat on back is were he stayed.

Q: Did you have to hold him down after he was down?

A: NO He stay down and wasn't moving he was scared in my opinion

Q: Where was the rest of the guy's workins with you?

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 4 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, 1 JUL 72 SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY

EXHIBIT 52

025268

00 379

ACLU-RDI 2285 p.141 all b7es

A: [REDACTED] was helping me, by yelling at him and trying to find cuffs. [REDACTED] was coming out the door, with [REDACTED] and he as well. [REDACTED] had a M16

Q: How was [REDACTED] notified of the escape?

A: I don't know the last I know he was burning shift.

Q: Why did you not tell me this the first time you were interviewed?

A: We all made a Deal, and I stuck by it. until now I don't know why it did.

Q: When did you make this deal and with who?

A: Everyone on my shift and I was up by the Hanger.

Q: Everyone on your shift do you mean [REDACTED]

A: Yes, NO one else.

Q: What exactly was the deal?

A: Just "Don't say any thing + would get anybody in trouble."

Q: Like what?

A: going outside and the Detail of the escape.

Q: How was the detainee moving after he was captured?

A: got up on his own and walked to the Detaining area. Then we keep him awake by standing him up and sitting him down.

Q: Did you or any one else have to manually stand him up or sit him down?

A: Besides [REDACTED] and myself used his arm to stand him up.

Q: Did you or any one else at anytime ever kick, stomp, jump on the detainee.

A: NO

Q: What was the condition of the detainee when you left for the day?

A: sitting shackled to the corner of his pin.

Q: Why did you and the others on duty allow the detainee to get outside the door?

A: By the time I/we noticed him it was to late he was to close to the Door

Q: Who told you to go after the Altair?

A: No body just reacted.

Q: Who was the first person who decided <sup>that</sup> all of you involved should be talk about the events?

A: [REDACTED]

Q: Why do you think [REDACTED] wanted to get everyone together to talk?

A: I am not sure.

Q: Why did you agree to change the story of how things happened to the Altair?

A: I did not want to be the odd man out.

Q: What does odd man out mean?

A: The only one with a different story

Q: If you could change your decision to be less than truthful now would you?

A: yes because I would save me a lot of time and questioning later.

Q: Is everything you have told SA [REDACTED] and SA [REDACTED] the truth today?

A: yes

Q: Who asked you about your statements with this office?

A: [REDACTED] on more than one occasion about the strike with [REDACTED]

Q: Do you tell them the same things you told this office in your sworn statement?

A: No I didn't want them to know that I told the truth.

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

A: No.

INITIALS OF PERSON MAKING STATEMENT  
LAW ENFORCEMENT SENSITIVE  
FOR OFFICIAL USE ONLY

[REDACTED]  
allb7cs

STATEMENT (Continued)

AFFIDAVIT

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

WITNESSES:

law

SA [REDACTED]

RTA MA BPT (CIN)  
Fort Carson, CO 80310

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

[REDACTED]  
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by

to administer oaths, this 19 day of AUG, 20 04  
at Fort CARSON, CO

[REDACTED]  
(Signature of Person Administering Oath)

SA [REDACTED]

(Typed Name of Person Administering Oath)

ART 136 (b)(4) UCMR

(Authority To Administer Oaths)

PAGE 4 OF 4 PAGES

LAW ENFORCEMENT SENSITIVE  
FOR OFFICIAL USE ONLY

EXHIBIT 52

025271

00 382

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: FORT CARSON, CO
2. DATE: 20 AUG 04
3. TIME: 08:16
4. FILE NO: 0006-04-677679 83486
5. NAME (Last, First MI): [REDACTED] b7C5
6. SSN: [REDACTED]
GRADE/STATUS: E-4
8. ORGANIZATION OR ADDRESS: S+T Troop Support Sqd
3 ACIR, FORT CARSON, CO

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 Division and wanted to question me about the following offense(s) of which I am suspected/accused: Negligent homicide, false 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.

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

5. COMMENTS (Continue on reverse side)

Section B. Waiver

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

WITNESSES (If available)
1a. NAME (Type or Print): b7C5 [REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE: [REDACTED]
2a. NAME (Type or Print): b7C1 [REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE: [REDACTED]
3. SIGNATURE OF INTERVIEWEE: [REDACTED]
5. TYPE OF INVESTIGATOR: SA [REDACTED]
6. ORGANIZATION OF INVESTIGATOR: 87th MP Det (CID) Ft 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

LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY

EXHIBIT 53

025272

00 383

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: Fort Carson, CO
2. DATE: 20 Aug 04
3. TIME: 1855
4. FILE NO: ODCS-04-010679 87486
5. NAME (Last, First, MI): [Redacted]
6. SSN: [Redacted]
7. GRADE/STATUS: [Redacted]
8. ORGANIZATION OR ADDRESS: S+T Troop, Support Sqd
3 ACR, FT CARSON, CO

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 Division and wanted to question me about the following offense(s) of which I am

suspected/accused: negligent homicide, false statement 111

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.
- 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 arranged for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.
4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

Section B. Waiver

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

WITNESSES (if available)
1a. NAME (Type or Print): [Redacted]
b. ORGANIZATION OR ADDRESS AND PHONE: [Redacted]
2a. NAME (Type or Print): [Redacted]
b. ORGANIZATION OR ADDRESS AND PHONE: [Redacted]
3. SIGNATURE OF INTERVIEWEE: [Redacted]
4. GRADE/STATUS OF INTERVIEWEE: [Redacted]
5. SIGNATURE OF INVESTIGATOR: SA [Redacted]
6. ORGANIZATION OF INVESTIGATOR: 87th MP Det (CU) Ft 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.

DA FORM 3881, NOV 89
LAW ENFORCEMENT SENSITIVE
FOR OFFICIAL USE ONLY
EDITION OF NOV 84 IS OBSOLETE

EXHIBIT 54

025273

00 384

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.

Form with fields: 1. LOCATION (Fort Eustis, VA), 2. DATE (16 Sep 04), 3. TIME (0906), 4. FILE NUMBER (0009-04-CID679-83486), 5. Name (Last First MI) (b7c5), 6. SSN (redacted), 7. GRADE/STATUS (E-4 / SPC), 8. ORGANIZATION OR ADDRESS (AVIM Troop, Support Squadron, 3rd Armored Cavalry Regiment, Fort Carson, CO 80913)

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

SECTION A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command and wanted to question me about the following offense(s) of which I am suspected/accused: negligent homicide, false 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:

- 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.

-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 (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.

Form with fields: WITNESSES (if available), 1a. NAME (Type or Print) (b7c1), 1b. ORGANIZATION OR ADDRESS AND PHONE (87th MP Det CID, Fort Bragg NC 28310-5000), 3. SIGNATURE OF INTERVIEWEE (b7c5), 4. TYPE AND GRADE OF INTERVIEWEE (SA), 6. ORGANIZATION OF INTERVIEWEE (87th MP Det (ABN) (CID), 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

LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY

EXHIBIT 53

025274

00 385

On 18 Jun 04, this office received a Request for Assistance (RFA) from the Fort Bragg Resident Agency (RA), Fort Bragg, NC, to conduct an interview of SSG [redacted] 2133<sup>rd</sup> Transportation Company, [redacted] concerning his knowledge of the death of an Iraqi prisoner at a Forward Operating Base (FOB).

b7c1

About 1250, 25 Jun 04, SA [redacted] this office, coordinated with SSG [redacted] regarding his interview. SSG [redacted] stated he would be available for interview at 1200, 29 Jun 04.

b7c1

About 1205, 29 Jun 04, SA [redacted] advised SSG [redacted] of his rights, which he waived and rendered a sworn statement. SSG [redacted] detailed his knowledge of the escape attempt and detainment of the prisoner. SSG [redacted] stated the prisoner had a large bruise on his abdomen prior to his escape, and his condition was unchanged after his capture. SSG [redacted] further stated he did not see PFC [redacted] strike or choke the prisoner, nor did he see anyone else strike or choke the prisoner after his capture.

b7c5  
except  
where  
noted

STATUS: This is a final report. No further investigative activity is anticipated by this office.///LAST ENTRY///

SA [redacted]

02

b7c1

Fort McCoy CID Office  
3<sup>rd</sup> Military Police Group (CID),  
Fort McCoy, WI 54656

Signature: [redacted]

Date:

30 Jun 04

CID Form 94

LAW ENFORCEMENT SENSITIVE  
FOR OFFICIAL USE ONLY

EXHIBIT:

EXHIBIT 56

025275

UO 386



**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:** Fort McCoy CID Office      **DATE:** 29 Jun 04      **TIME:** 1205  
**FILE NUMBER:** 0066-04- CID065  
**NAME (Last, First MI):** [REDACTED]      **SSAN:** [REDACTED]      **GRADE / STATUS:** SSG/ USNG  
**ORGANIZATION OR ADDRESS:** 2133<sup>rd</sup> Transportation Company, 33800 Dewey Road, Centerville, IA 52544

**RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

The investigator whose name appears below told me that he/she 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: Negligent Homicide///

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 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:** Have you requested legal counsel in the last 30 days? No [REDACTED]

[REDACTED] 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] b7c1  
Signature of Witness

[REDACTED] b7c5  
Signature of Interviewee

Witness# 2  
Signature of Witness

[REDACTED] b7c1  
Signature of Interviewer Special Agent

Fort McCoy CID Office, USACIDC  
Fort McCoy, WI 54656

**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: \_\_\_\_\_

DA Form 3881-E

**LAW ENFORCEMENT SENSITIVE  
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**FOR OFFICIAL USE ONLY**

**EXHIBIT 57**

025276

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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 <i>Cedar Rapids, IA 52402</i>	DATE <i>29 Jun 04</i>	TIME <i>1321</i>	FILE NUMBER <i>0066-04-C10065</i>
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS <i>SSB/USANB</i>
ORGANIZATION OR ADDRESS <i>2133D TRANS CO, 33800 Dewey Rd, Centerville, IA 52544</i>			

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

*Between late Dec '03 and Early Jan 04 a detainee attempted escape from The AlAsad Detainee Site between 02-0400 hrs. While working an early morning shift the other guards and I had noticed that the detainee in the Isolation Cell on the far end of the facility was awake & restless. The detainee had been told a few times to lay down and Sleep and he refused. Around the middle of the shift it was observed the detainee wanted to escape. We watched lay his blanket over the constina wire and climb over the wire. we waited until he got out of his cell a started moving inside the walk area so we could repair his cell and the other cells so this would not happen again. When observed that he had cleared his cell we started moving toward him. It appeared to us that as we approached him he wanted to run for the door and when he turned to the door Sgc [REDACTED] used his body to knock the detainee off balance. We moved the detainee to an enclosed area by the Guard post, sat him on the floor and placed leg irons on him. Once we had him back in an enclosed area I went and repaired damage done to the cell by tying barbwire in place. By the end of our shift we had him back in his cell and as with anyone who tried to escape his leg irons were fastend to a post and grate in his cell. It was observed that The detainee did have a large bruise on his abdomine. when we were relieved the detainee was still sitting up in his cage [REDACTED]*

*/// END OF STATEMENT ///*

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF _____ PAGES
---------	---	-----------------------

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.

DA FORM 2823 SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED. **EXHIBIT 57**

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ACLU-RDI 2285 p.150 00 388

STATEMENT (Continued)

**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.

WITNESSES:

[REDACTED]  
(Signature of [REDACTED] ing Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29 day of Jun, 2004 at Cedar Rapids IA 52402

ORGANIZATION OR ADDRESS

[REDACTED]  
(Signature of [REDACTED] Administering Oath)

ORGANIZATION OR ADDRESS

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

ART 136, UCMJ /5 USC, Section 303  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED] PAGE 2 OF 2 PAGES

**LAW ENFORCEMENT SENSITIVE  
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**EXHIBIT 57**

025278

UO 389

*Except where stated b7c5*

SWORN STATEMENT (automated)

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

Location Fort McCoy, WI 54656 Date 29 Jun 04 Time 1321 File Number 0066-04-CID065-

LAST NAME, FIRST NAME, MI SOCIAL SECURITY NUMBER GRADE/STATUS  
[REDACTED] [REDACTED] SSG/ USANG

ORGANIZATION OR ADDRESS  
2133<sup>rd</sup> Transportation Company, 33800 Dewey Road, Centerville, IA 52544

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

Q. SA [REDACTED] b7c1  
A. SSG [REDACTED]

Q. Did you see anyone involved in the recapture of the escaping prisoner strike or beat him?

A. No, besides [REDACTED] wrapping his arms around the prisoner and pushing him against a wall till others could secure him. [REDACTED] asked for a set of leg irons, which someone had removed, and I provided a pair of irons to secure the prisoner. I then went to the area the prisoner had escaped from and repaired the cell so the prisoner was unable to escape again. After I fixed the area, the prisoner was brought back into the cell area and shackled to a corner post. Shackling the prisoner to the post did not prevent the prisoner from lying down, or sitting. However, if he attempted to move from the corner post area and length of the shackle, he would have to move the 200 pound post.

Q. Describe the prisoner's physical condition prior to his escape?

A. He had a large bruise on his abdomen, and a couple of cuts or abrasions on his face and hands. I did not think any of the injuries were life threatening.

Q. Describe the prisoner's condition after his capture?

A. His condition was the same.

Q. Did you see PFC [REDACTED] strike or choke the prisoner?

A. No.

Q. While repairing the cell, did you see PFC [REDACTED] strike or choke the prisoner?

A. No.

Q. Did you see SPC [REDACTED] strike the prisoner during the capture, or afterwards?

A. No.

Q. Did you hear PFC [REDACTED] SPC [REDACTED] or anyone else yelling at the prisoner while you were working on the cell?

A. No.

Q. What time was it when the incident took place?

A. Between 0200 and 0400, end of Dec 03, first of Jan 04.

Q. Where did the incident take place?

A. Detainee area Hanger, Al Asad, Iraq.

Q. What time did your shift end?

EXHIBIT 58

EXHIBIT INITIALS OF PERSON MAKING STATEMENT [REDACTED] PAGE 1 OF PAGES  
LAW ENFORCEMENT SENSITIVE  
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- A. About 0400. [REDACTED]
- Q. Did the entire crew of soldiers end there shift at the same time?
- A. Yes we did. [REDACTED]
- Q. At the end of your shift, what was the prisoner's condition?
- A. He was the same, sitting up and did not appear in any type of distress. [REDACTED]
- Q. When did you hear the prisoner had died?
- A. The NCOIC came in and woke me up, I think it was around Noon the same day. [REDACTED]
- Q. Why did he wake you up?
- A. He woke me up because I had not reported the incident that the prisoner had escaped. I passed the information onto the next shift commander, and I was also supposed to have woken the NCOIC, which I did not do. They wanted to be briefed on the escape and the condition of the prisoner afterwards. [REDACTED]
- Q. When was the last time the prisoner had been interviewed?
- A. I have no idea the last time he had been interviewed. [REDACTED]
- Q. What was the prisoner's ISN number?
- A. I can not remember. [REDACTED]
- Q. What was the prisoner's name?
- A. I do not recall. [REDACTED]
- Q. Describe the prisoner?
- A. Male, Iraqi, 5' tall, 235lbs, black hair, dark colored eyes. He was wearing a Man Dress. [REDACTED]
- Q. Do you have anything further to add to this statement?
- A. No, I do not. ///END OF STATEMENT/// [REDACTED]

*all b7c*

EXHIBIT 58

EXHIBIT INITIALS OF PERSON MAKING STATEMENT [REDACTED] PAGE 2 of 3 PAGES  
LAW ENFORCEMENT SENSITIVE - LAW ENFORCEMENT SENSITIVE  
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*Encl 4*  
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AFFIDAVIT

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

b7c5

(SIGNATURE OF PERSON MAKING STATEMENT)  
SUBSCRIBED AND SWORN BEFORE ME, A  
PERSON AUTHORIZED BY LAW TO ADMINISTER  
OATHS, THIS 29th DAY OF Jun 2004, AT  
Cedar Rapids, IA 52402

WITNESSES:

Organization or Address

b7c1

Signature of Person Administering Oath  
Special Agent [REDACTED]

Typed Name of Person Administering Oath

Article 136 UCMJ/ 5 USC, SEC 303

Organization or Address

Authority to Administer Oath

LAW ENFORCEMENT SENSITIVE  
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EXHIBIT 58

EXHIBIT INITIALS OF PERSON MAKING STATEMENT PAGE 3 of 3 PAGES  
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# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0009-04-CID679-83486

PAGE 1 OF 1 PAGE

DETAILS

Around 1300, 13 Oct 04, SA [REDACTED] coordinated with SA [REDACTED] 11th Military Police Battalion (CID), 6th Military Police Group (CID), Fort Hood, TX 76544, who provided the Polygraph Examination Reports for SPC [REDACTED] S and T Troop, Support Squadron, 3<sup>rd</sup> ACR, Fort Carson, CO, 28 Jul 04, SPC [REDACTED] Aviation Maintenance, AVIM, Troop, Support Squadron, 3<sup>rd</sup> ACR, Fort Carson, CO, 30 Jun 04, and SGT [REDACTED] Maintenance Troop, Support Squadron, 3<sup>rd</sup> ACR, Fort Carson, CO, 27 Jul 04. (See Polygraph Reports for details)

//////////Last item//////////

b7c5

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED]  
SIGNATURE [REDACTED]

02  
b7c1

ORGANIZATION

87th Military Police Detachment (CID) (DSE) (FWD)  
Ar Ramadi, (Rifles Base, Iraq)

DATE

13 Oct 04

EXHIBIT

59

CID FORM 74

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**EXHIBIT 59**

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DEPARTMENT OF THE ARMY  
11th Military Police Battalion (CID)  
6th Military Police Group (CID)  
PO Box V Bldg 2201, 52nd Street  
Fort Hood, TX 76544-5000

CICR-PD (195-6)

6/30/2004

MEMORANDUM FOR

Director, United States Army Crime Records Center, United States Army Criminal Investigation  
Command, 6010 6th Street, Fort Belvoir, VA 22060-5585  
Special Agent In Charge, Fort Carson Resident Agency, Sixth Military Police Group (CID)  
Fort Carson, CO 80913

SUBJECT: Polygraph Examination Report

INVESTIGATIVE CASE REFERENCE: 0009-04-CID679-83486- 5H1

AUTHORIZATION NUMBER: 041154, 6/25/2004

DATE(S) OF EXAMINATION: 6/30/2004

LOCATION OF EXAMINATION(S): Fort Hood, TX 76544-5000

SUBJECT EXAMINED: [REDACTED] SPC; [REDACTED] AVIM TROOP SUPPORT  
SQDN, 3RD ACR, FORT CARSON, CO, [REDACTED]

OFFENSE(S): False Swearing regarding Negligent Homicide

PURPOSE OF EXAMINATION: Criminal Investigation

INVESTIGATIVE/OPERATIONAL SUMMARY: Investigation thus far has revealed Mr (LTC)  
[REDACTED] detainee number [REDACTED] was detained on 4 Jan 04.  
After he was detained, he was placed in an isolation cell located in the Detention Facility, Forward  
Operation Base (FOB), Rifles Base, Al Asad, IRAQ at the direction of Operation Detachment  
Alpha (ODA), who wanted to question him. Sometime between 4 and 8 Jan 04, [REDACTED] was  
questioned at least two times by members of the ODA. About 0730, 9 Jan 04, guards at the  
detention facility ordered all prisoners to stand as punishment for talking. [REDACTED] refused to stand  
and after several warnings, he was shackled to the top of the door frame in order to compel him to  
continue standing. [REDACTED] was then gagged as he continued to try to talk to other prisoners. About  
5 minutes after [REDACTED] was gagged and shackled, guards noticed his eyes were closed and he was  
slumped over hanging from the shackles. Guards went to the cell and discovered [REDACTED] was not  
breathing at which time they took him down from the door frame and removed the gag from his  
mouth. After no pulse was noticed, medical attention was sought. At approximately 0815, 9 Jan  
04, medics arrived and checked for signs of life which met with negative results. [REDACTED] was

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Attached as Exhibit [REDACTED] is a Polygraph Examination Report. This exhibit will be destroyed not later than three  
months after the date of the Report of Investigation (AR 195-6, para 2-6b). The original, to include related polygraph  
records, is at the US Army Crime Records Center, USACIDC, 6010 6<sup>th</sup> Street, Fort Belvoir, VA 22060-5585.

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025283

EXHIBIT 60  
09 394

DOD-050814



b(6)(f) pronounced dead at 0900, 9 Jan 04. On 11 Jan 04, a forensic autopsy was performed on the remains of [redacted] by Dr (CDR) [redacted] Office of the Armed Forces Medical Examiner at Mortuary Affairs, Baghdad International Airport, Baghdad, Iraq. [redacted] suffered multiple blunt force injuries to his upper body to include the fracturing of most of his ribs and multiple fractures to some of his ribs. Dr [redacted] opined the blunt force injuries present on the upper body of [redacted] were consistent with a beating and the bruises appeared to be a couple of days old. The cause of death was determined to be blunt force injuries and asphyxia. The manner of death was determined to be a homicide. Dr [redacted] was asked if [redacted] would have been able to hide his injuries for several days at which time he stated it was possible, but likely. Dr [redacted] stated there should have been some outward signs of injury, such as labored breathing and that he had died most likely from a combination of his injuries as well as from having been gagged and forced to stand. The ODA members were subsequently identified as SPC [redacted] Air Defense Artillery (ADA) Battery, 1/3 Armored Cavalry Regiment, Fort Carson, CO (FCCO); SFC [redacted] SFC [redacted]; and SSG [redacted] all assigned to B Company (Co), 1st Battalion (Bn), 5th Special Forces Group (SFG), Fort Campbell, KY (FCKY). SFC [redacted], SFC [redacted] and SSG [redacted] admitted to striking and kicking [redacted] numerous times in the mid section and ribs on 6 Jan 04 during their interrogation in an attempt to subdue him when he assaulted SFC [redacted] SPC [redacted] admitted to kicking [redacted] in the chest while his hands were bound during his apprehension when he refused to stop talking. On 9 Jan 04, SGT [redacted] AVIM Troop, Support Squadron, 3rd ACR related he noticed bruising on [redacted] abdomen between 2000 and 2200, 8 Jan 04. On 9 Jan 04, SPC [redacted] 2133rd Transportation (Trans) Co, Iowa Army National Guard was interviewed and related [redacted] had been in custody for approximately 1 week and he was aware that SFG soldiers had interrogated him. [redacted] went on to state about 2300, 8 Jan 04 he observed [redacted] with his shirt off and noticed several dark bruises on his upper body. According to SSG [redacted] 2133 Trans Co, Iowa Army National Guard who was the supervisor of the guard shift between 0001 and 0400, 9 Jan 04, [redacted] attempted to escape at approximately 0215. SSG [redacted] related he was subdued by SPC [redacted] While being returned to his cell, SSG [redacted] stated he noticed large bruises on [redacted] sides and he was moving very slowly and appeared to be experiencing difficulty with all of his movements. SPC [redacted] was subsequently interviewed and rendered a sworn statement detailing on 8 Jan 04, [redacted] was complaining his zip tie handcuffs were cutting off the circulation to his hands. SPC [redacted] removed the cuffs, bandaged the abraded injury and recuffed [redacted]. SPC [redacted] further related that while trying to escape later on during his shift, he subdued [redacted]. SPC [redacted], S&T Troop Support Squadron, 3rd ACR related while working as a guard between 0001 and 0400, 9 Jan 04, he witnessed [redacted] attempt to escape at which time he alerted SGT [redacted] Maintenance Troop Support Squadron, 3rd ACR and [redacted] who apprehended and returned him to his isolation cell. SGT [redacted] related he and SPC [redacted], S&T Troop Support Squadron, 3rd ACR placed [redacted] in his shackles when he refused to stand as a punishment for continuing to talk after being told to stop [redacted] was shackled to the top of the door of his cell in such a way to force him to stand and when he refused to stop talking he and [redacted] gagged him. SGT [redacted] related approximately 5 minutes later he discovered [redacted] not breathing. [redacted] was interviewed and confirmed SGT [redacted] statement. On 8 Jun 04, [redacted] was advised of his rights, which he waived and provided a sworn statement in which he stated after [redacted] attempted to escape, SPC [redacted] S&T Troop Support Squadron, 3rd ACR choked [redacted] with a police style baton for

b7c2

b7c5

b(6)(f)

b(6)(f)

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Attached as Exhibit \_\_\_\_\_ is a Polygraph Examination Report. This exhibit will be destroyed not later than three months after the date of the Report of Investigation (AR 195-6, para 2-6b). The original, to include related polygraph records, is at the US Army Crime Records Center, USACIDC, 6010 6<sup>th</sup> Street, Fort Belvoir, VA 22060-5585. Reproduction of this exhibit or it's contents is prohibited

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025284

EXHIBIT 60  
111 395

WITNESS, MONITOR OR INTERPRETER: SA [REDACTED]

EXAMINEE NATIVE LANGUAGE: English

LANGUAGE(S) USED DURING THE EXAMINATION: English

EXHIBITS: 6 polygrams, the polygraph consent form(s) and allied documents are on file with the original report at the US Army Crime Records Center.

b7c/

**///ORIGINAL SIGNED///**

[REDACTED]  
Polygraph Examiner [REDACTED]

L b2

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Attached as Exhibit \_\_\_\_\_ is a Polygraph Examination Report. This exhibit will be destroyed not later than three months after the date of the Report of Investigation (AR 195-6, para 2-6b). The original, to include related polygraph records, is at the US Army Crime Records Center, USACIDC, 6010 6<sup>th</sup> Street, Fort Belvoir, VA 22060-5585.

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**ACLU FOR 0285p1583E ONLY**

025285

**EXHIBIT 60**  
00-396

DEPARTMENT OF THE ARMY  
11th Military Police Battalion (CID)  
6th Military Police Group (CID)  
PO Box V Bldg 2201, 52nd Street  
Fort Hood, TX 76544-5000

CICR-PD (195-6)

7/27/2004

MEMORANDUM FOR

Director, United States Army Crime Records Center, United States Army Criminal Investigation  
Command, 6010 6th Street, Fort Belvoir, VA 22060-5585  
Special Agent In Charge, Fort Carson Resident Agency, 6<sup>th</sup> Military Police Group (CID),  
Fort Carson, CO 80913

SUBJECT: Polygraph Examination Report

INVESTIGATIVE CASE REFERENCE: 0009-04-CID679-83486- 5H1

AUTHORIZATION NUMBER: 041284, 7/20/2004

DATE(S) OF EXAMINATION: 7/27/2004

LOCATION OF EXAMINATION(S): Fort Carson, CO 80913

SUBJECT EXAMINED: [REDACTED] SGT: [REDACTED] Maint Troop, Supt Sqdn 3rd  
ACR, Fort Carson, CO, [REDACTED] } 7075

OFFENSE(S): Negligent Homicide

PURPOSE OF EXAMINATION: Criminal Investigation

INVESTIGATIVE/OPERATIONAL SUMMARY: Investigation thus far has revealed Mr (LTC)  
[REDACTED], detainee number [REDACTED] was detained on 4 Jan 04.  
After he was detained, he was placed in an isolation cell located in the Detention Facility, Forward  
Operation Base (FOB), Rifles Base, Al Asad, IRAQ at the direction of Operation Detachment  
Alpha (ODA), who wanted to question him. Sometime between 4 and 8 Jan 04, [REDACTED] was  
questioned at least two times by members of the ODA. About 0730, 9 Jan 04, guards at the  
detention facility ordered all prisoners to stand as punishment for talking. [REDACTED] refused to stand  
and after several warnings, he was shackled to the top of the door frame in order to compel him to  
continue standing. [REDACTED] was then gagged as he continued to try to talk to other prisoners. About  
5 minutes after [REDACTED] was gagged and shackled, guards noticed his eyes were closed and he was  
slumped over hanging from the shackles. Guards went to the cell and discovered [REDACTED] was not  
breathing at which time they took him down from the door frame and removed the gag from his  
mouth. After no pulse was noticed, medical attention was sought. At approximately 0815, 9 Jan  
04, medics arrived on scene and checked for signs of life which met with negative results. [REDACTED]

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Attached as Exhibit [REDACTED] is a Polygraph Examination Report. This exhibit will be destroyed not later than three  
months after the date of the Report of Investigation (AR 195-6, para 2-6b). The original, to include related polygraph  
records, is at the US Army Crime Records Center, USACIDC, 6010 6<sup>th</sup> Street, Fort Belvoir, VA 22060-5585.

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EXHIBIT 61

00 397

DOD-050817

was pronounced dead at 0900, 9 Jan 04. On 11 Jan 04, a forensic autopsy was performed on the remains of [REDACTED] by Dr-(CDR) [REDACTED] Office of the Armed Forces Medical Examiner at Mortuary Affairs, Baghdad International Airport, Baghdad, Iraq. [REDACTED] suffered multiple blunt force injuries to his upper body to include the fracturing of most of his ribs and multiple fractures to some of his ribs. Dr [REDACTED] opined the blunt force injuries present on the upper body of [REDACTED] were consistent with a beating and the bruises appeared to be a couple of days old. The cause of death was determined to be blunt force injuries and asphyxia. The manner of death was determined to be a homicide. Dr [REDACTED] was asked if [REDACTED] would have been able to hide his injuries for several days at which time he stated it was possible, but unlikely. Dr [REDACTED] stated there should have been some outward signs of injury, such as labored breathing and that he had died most likely from a combination of his injuries as well as from having been gagged and forced to stand. The ODA members were subsequently identified as SPC [REDACTED] [REDACTED] Air Defense Artillery (ADA) Battery, 1/3 Armored Cavalry Regiment, Fort Carson, CO (FCCO); SFC [REDACTED], SFC [REDACTED] and SSG [REDACTED] all assigned to B Company (Co), 1st Battalion (Bn), 5th Special Forces Group (SFG), Fort Campbell, KY (FCKY). SFC [REDACTED] SFC [REDACTED] and SSG [REDACTED] admitted to striking and kicking [REDACTED] numerous times in the mid section and ribs on 6 Jan 04 during their interrogation in an attempt to subdue him when he assaulted SFC [REDACTED]. SPC [REDACTED] admitted to kicking [REDACTED] in the chest while his hands were bound during his apprehension when he refused to stop talking. On 9 Jan 04, SGT [REDACTED] AVIM Troop, Support Squadron, 3rd ACR related he noticed bruising on [REDACTED] abdomen between 2000 and 2200, 8 Jan 04. On 9 Jan 04, SPC [REDACTED] 2133rd Transportation (Trans) Co, Iowa Army National Guard was interviewed and related [REDACTED] had been in custody for approximately 1 week and he was aware that SFG soldiers had interrogated him. [REDACTED] went on to state about 2300, 8 Jan 04 he observed [REDACTED] with his shirt off and noticed several dark bruises on his upper body. According to SSG [REDACTED], 2133 Trans Co, Iowa Army National Guard who was the supervisor of the guard shift between 0001 and 0400, 9 Jan 04, [REDACTED] attempted to escape at approximately 0215. SSG [REDACTED] related he was subdued by SPC [REDACTED]. While being returned to his cell, SSG [REDACTED] stated he noticed large bruises on [REDACTED] sides and he was moving very slowly and appeared to be experiencing difficulty with all of his movements. SPC [REDACTED] was subsequently interviewed and rendered a sworn statement detailing on 8 Jan 04, [REDACTED] was complaining his zip tie handcuffs were cutting off the circulation to his hands. SPC [REDACTED] removed the cuffs, bandaged the abraded injury and recuffed [REDACTED]. SPC [REDACTED] further related that while trying to escape later on during his shift, he subdued [REDACTED] SPC [REDACTED], S&T Troop Support Squadron, 3rd ACR related while working as a guard between 0001 and 0400, 9 Jan 04, he witnessed [REDACTED] attempt to escape at which time he alerted SGT [REDACTED] and [REDACTED] who apprehended and returned him to his isolation cell. SGT [REDACTED] related he and SPC [REDACTED], S&T Troop Support Squadron, 3rd ACR placed [REDACTED] in his shackles when he refused to stand as a punishment for continuing to talk after being told to stop. [REDACTED] was shackled to the top of the door of his cell in such a way to force him to stand and when he refused to stop talking he and [REDACTED] gagged him. SGT [REDACTED] related approximately 5 minutes later he discovered [REDACTED] was not breathing. When [REDACTED] was interviewed, he stated that he placed a gag into the mouth of [REDACTED] but he denied that he choked [REDACTED] further maintained that he never put his hands around [REDACTED] throat in order to choke [REDACTED] and he denied seeing anyone else choke [REDACTED]. [REDACTED] was interviewed and confirmed SGT [REDACTED] statement. On 8 Jun 04, [REDACTED] was advised

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Attached as Exhibit \_\_\_\_\_ is a Polygraph Examination Report. This exhibit will be destroyed not later than three months after the date of the Report of Investigation (AR 195-6, para 2-6b). The original, to include related polygraph records, is at the US Army Crime Records Center, USACIDC, 6010 6<sup>th</sup> Street, Fort Belvoir, VA 22060-5585.

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ACLU-RDI 2285 p.160

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**EXHIBIT** 61  
00 398

of his rights, which he waived and provided a sworn statement in which he stated after [REDACTED] attempted to escape, PFC [REDACTED] S&T Troop Support Squadron, 3rd ACR choked [REDACTED] with a police style baton for approximately 10 to 15 seconds, slapped him in the face with an open hand and yelled at him "What the fuck were you thinking". [REDACTED] stated the other person present during the incident besides himself and [REDACTED] was SPC [REDACTED] denied that he caused any of the injuries to [REDACTED] and stated he was being truthful as to what he was reporting about PFC [REDACTED] SPC [REDACTED] was subsequently advised of his rights which he initially waived and provided a verbal statement denying that he choked [REDACTED] with a night stick, or that he slapped him. SPC [REDACTED] subsequently stated he wanted to speak with an attorney. SPC [REDACTED] was advised of his rights, which he waived and denied he ever saw [REDACTED] choke or slap [REDACTED]. Medical personnel have stated that [REDACTED] did have his Hyoid bone broken. It is suspected that [REDACTED] either choked [REDACTED] or else he saw someone else choke [REDACTED] which ultimately contributed to the death of [REDACTED]. [REDACTED] has denied choking [REDACTED] or of knowing who did. [REDACTED] was offered and has accepted the opportunity to undergo a polygraph examination to verify the truthfulness of his statement.

INSTRUMENTATION: This examination was conducted using an Axciton computerized polygraph instrument, SN: 4163, last calibrated on the date of the examination.

OBSERVATIONS: Unusual physiological/psychological reactions were not observed during this examination.

EXAMINER'S CONCLUSIONS: During the pre-instrument phase, [REDACTED] made no comments or statements contrary to those previously provided.

An analysis of the polygrams collected determined [REDACTED] was being deceptive when answering the relevant questions.

During the post-test interview [REDACTED] maintained that he did not choke [REDACTED] nor did he ever strike or hit him in the throat. [REDACTED] stated that it was possible that in the heat of the moment when he was trying to put a gag in [REDACTED] mouth, that [REDACTED] might have accidentally injured [REDACTED] throat. [REDACTED] denied that he saw anyone else choke [REDACTED] or strike him in the throat. [REDACTED] further stated that he felt responsible for the death of [REDACTED] since he was the NCOIC of the jail at the time of [REDACTED]'s death and furthermore, [REDACTED] was one of the last two people to have any physical contact with [REDACTED]. [REDACTED] declined to be tested further. When [REDACTED] related that he was tired and wanted to go home and get some sleep, the interview was terminated.

RELEVANT QUESTIONS USED:

- Q: Did you choke that man?  
A: No.  
Q: Did you choke that detainee in Iraq?  
A: No.  
Q: Did you strike that man in the throat?  
A: No.

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Attached as Exhibit [REDACTED] is a Polygraph Examination Report. This exhibit will be destroyed not later than three months after the date of the Report of Investigation (AR 195-6, para 2-6b). The original, to include related polygraph records, is at the US Army Crime Records Center, USACIDC, 6010 6<sup>th</sup> Street, Fort Belvoir, VA 22060-5585.

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ACLU-RDI 2285 p.161

025288

**EXHIBIT** 613  
00 395

DOD-050819

WITNESS, MONITOR OR INTERPRETER: SA [REDACTED] b7c1

EXAMINEE NATIVE LANGUAGE: English

LANGUAGE(S) USED DURING THE EXAMINATION: English

EXHIBITS: 4 polygrams, the polygraph consent form(s) and allied documents are on file with the original report at the US Army Crime Records Center.

///ORIGINAL SIGNED///

[REDACTED]  
Polygraph Examiner [REDACTED]

b7c1  
L62

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Attached as Exhibit \_\_\_\_\_ is a Polygraph Examination Report. This exhibit will be destroyed not later than three months after the date of the Report of Investigation (AR 195-6, para 2-6b). The original, to include related polygraph records, is at the US Army Crime Records Center, USACIDC, 6010 6<sup>th</sup> Street, Fort Belvoir, VA 22060-5585.

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025289

EXHIBIT 61

DEPARTMENT OF THE ARMY  
11th Military Police Battalion (CID)  
6th Military Police Group (CID)  
PO Box V Bldg 2201, 52nd Street  
Fort Hood, TX 76544-5000

CICR-PD (195-6)

7/28/2004

MEMORANDUM FOR

Director, United States Army Crime Records Center, United States Army Criminal Investigation  
Command, 6010 6th Street, Fort Belvoir, VA 22060-5585  
Special Agent In Charge, Fort Carson Resident Agency, Sixth Military Police Group (CID)  
Fort Carson, CO 80913

SUBJECT: Polygraph Examination Report

INVESTIGATIVE CASE REFERENCE: 0009-04-CID679-83486- 5H1

AUTHORIZATION NUMBER: 041333, 7/28/2004

DATE(S) OF EXAMINATION: 7/28/2004

LOCATION OF EXAMINATION(S): Fort Carson, CO 80913

SUBJECT EXAMINED: [REDACTED] SPC; [REDACTED] S&T TRP, SUPT  
SQDN,3RD ACR, FORT CARSON, CO, [REDACTED] } b7c5

OFFENSE(S): Negligent Homicide

PURPOSE OF EXAMINATION: Criminal Investigation

INVESTIGATIVE/OPERATIONAL SUMMARY: Investigation thus far has revealed Mr (LTC)  
[REDACTED], detainee number [REDACTED] was detained on 4 Jan 04.  
After he was detained, he was placed in an isolation cell located in the Detention Facility, Forward  
Operation Base (FOB), Rifles Base, Al Asad, IRAQ at the direction of Operation Detachment  
Alpha (ODA), who wanted to question him. Sometime between 4 and 8 Jan 04, [REDACTED] was  
questioned at least two times by members of the ODA. About 0730, 9 Jan 04, guards at the  
detention facility ordered all prisoners to stand as punishment for talking. [REDACTED] refused to stand  
and after several warnings, he was shackled to the top of the door frame in order to compel him to  
continue standing. [REDACTED] was then gagged as he continued to try to talk to other prisoners. About  
5 minutes after [REDACTED] was gagged and shackled, guards noticed his eyes were closed and he was  
slumped over hanging from the shackles. Guards went to the cell and discovered [REDACTED] was not  
breathing at which time they took him down from the door frame and removed the gag from his  
mouth. After no pulse was noticed, medical attention was sought. At approximately 0815, 9 Jan  
04, medics arrived on scene and checked for signs of life which met with negative results. [REDACTED] b2 b7c4 b(7)lc84

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Attached as Exhibit \_\_\_\_\_ is a Polygraph Examination Report. This exhibit will be destroyed not later than three  
months after the date of the Report of Investigation (AR 195-6, para 2-6b). The original, to include related polygraph  
records, is at the US Army Crime Records Center, USACIDC, 6010 6th Street, Fort Belvoir, VA 22060-5585 00 401

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ACLU-RDP 2285 p.163

025290

**EXHIBIT** 62

DOD-050821

was pronounced dead at 0900 9 Jan 04. On 11 Jan 04, a forensic autopsy was performed on the remains of [REDACTED] by Dr (CDR) [REDACTED] Office of the Armed Forces Medical Examiner at Mortuary Affairs, Baghdad International Airport, Baghdad, Iraq. [REDACTED] suffered multiple blunt force injuries to his upper body to include the fracturing of most of his ribs and multiple fractures to some of his ribs. Dr [REDACTED] opined the blunt force injuries present on the upper body of [REDACTED] were consistent with a beating and the bruises appeared to be a couple of days old. The cause of death was determined to be blunt force injuries and asphyxia. The manner of death was determined to be a homicide. Dr [REDACTED] was asked if [REDACTED] would have been able to hide his injuries for several days at which time he stated it was possible, but unlikely. Dr [REDACTED] stated there should have been some outward signs of injury, such as labored breathing and that he had died most likely from a combination of his injuries as well as from having been gagged and forced to stand. The ODA members were subsequently identified as SPC [REDACTED] Air Defense Artillery (ADA) Battery, 1/3 Armored Cavalry Regiment, Fort Carson, CO (FCCO); SFC [REDACTED] SFC [REDACTED], and SSG [REDACTED], all assigned to B Company (Co), 1st Battalion (Bn), 5th Special Forces Group (SFG), Fort Campbell, KY (FCKY). SFC [REDACTED] SFC [REDACTED] and SSG [REDACTED] admitted to striking and kicking [REDACTED] numerous times in the mid section and ribs on 6 Jan 04 during their interrogation in an attempt to subdue him when he assaulted SFC [REDACTED] SPC [REDACTED] admitted to kicking [REDACTED] in the chest while his hands were bound during his apprehension when he refused to stop talking. On 9 Jan 04, SGT [REDACTED] AVIM Troop, Support Squadron, 3rd ACR related he noticed bruising on [REDACTED] abdomen between 2000 and 2200, 8 Jan 04. On 9 Jan 04, SPC [REDACTED] 2133rd Transportation (Trans) Co, Iowa Army National Guard was interviewed and related [REDACTED] had been in custody for approximately 1 week and he was aware that SFG soldiers had interrogated him. [REDACTED] went on to state about 2300, 8 Jan 04 he observed [REDACTED] with his shirt off and noticed several dark bruises on his upper body. According to SSG [REDACTED] 2133 Trans Co, Iowa Army National Guard who was the supervisor of the guard shift between 0001 and 0400, 9 Jan 04, [REDACTED] attempted to escape at approximately 0215. SSG [REDACTED] related he was subdued by SPC [REDACTED] While being returned to his cell, SSG [REDACTED] stated he noticed large bruises on [REDACTED]'s sides and he was moving very slowly and appeared to be experiencing difficulty with all of his movements. SPC [REDACTED] was subsequently interviewed and rendered a sworn statement detailing on 8 Jan 04, [REDACTED] was complaining his zip tie handcuffs were cutting off the circulation to his hands. SPC [REDACTED] removed the cuffs, bandaged the abraded injury and recuffed [REDACTED] SPC [REDACTED] further related that while trying to escape later on during his shift, he subdued [REDACTED]. SPC [REDACTED] S&T Troop Support Squadron, 3rd ACR related while working as a guard between 0001 and 0400, 9 Jan 04, he witnessed [REDACTED] attempt to escape at which time he alerted SGT [REDACTED] Maint Trp, Supt Sqdn, 3rd ACR, Ft Carson, CO and [REDACTED] who apprehended and returned [REDACTED] to his isolation cell. SGT [REDACTED] related he and SPC [REDACTED] placed [REDACTED] his shackles when he refused to stand as a punishment for continuing to talk after being told to stop. [REDACTED] was shackled to the top of the door of his cell in such a way to force him to stand and when he refused to stop talking he and [REDACTED] gagged him. SGT [REDACTED] related approximately 5 minutes later he discovered [REDACTED] not breathing. When [REDACTED] was interviewed, he stated that he and [REDACTED] placed a gag into the mouth of [REDACTED] but he denied that he choked [REDACTED] and he denied seeing anyone else choke [REDACTED] On 8 Jun 04, [REDACTED] was advised of his rights, which he waived and provided a sworn statement in which he stated after [REDACTED] attempted to escape, PFC [REDACTED] S&T Troop Support

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025291

EXHIBIT 62



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Squadron, 3rd ACR choked [redacted] with a police style baton for approximately 10 to 15 seconds, slapped him in the face with an open hand and yelled at him "What the fuck were you thinking". [redacted] stated the other person present during the incident besides himself and [redacted] was SPC [redacted] denied that he caused any of the injuries to [redacted] and stated he was being truthful as to what he was reporting about PFC [redacted] SPC [redacted] was subsequently advised of his rights which he initially waived and provided a verbal statement denying that he choked [redacted] with a night stick, or that he slapped him. SPC [redacted] subsequently stated he wanted to speak with an attorney. SPC [redacted] was advised of his rights, which he waived and denied he ever saw [redacted] choke or slap [redacted] During the autopsy of [redacted] medical personnel reported that [redacted] did have his Hyoid bone broken. It is suspected that [redacted] either choked [redacted] or else he saw someone else choke [redacted] which ultimately contributed to the death of [redacted] [redacted] has denied choking [redacted] or of knowing who did. [redacted] was offered and has accepted the opportunity to undergo a polygraph examination to verify the truthfulness of his statement.

(6)

b(6)(c)

INSTRUMENTATION: This examination was conducted using an Axciton computerized polygraph instrument, SN: 4163, last calibrated on the date of the examination.

OBSERVATIONS: Unusual physiological/psychological reactions were not observed during this examination.

EXAMINER'S CONCLUSIONS: During the pre-instrument phase, [redacted] made no comments or statements contrary to those previously provided.

An analysis of the polygrams collected determined [redacted] was being deceptive when answering the relevant questions.

During the post-test interview, [redacted] admitted that he believed he had caused [redacted] death. [redacted] stated that immediately after he had gagged [redacted] [redacted] had died and he began to worry that his actions had caused the death of [redacted]. [redacted] related that he began to worry that he injured [redacted] throat accidentally, thereby causing his death. [redacted] also related that he was worried that he had tied the gag too tightly when he put it into [redacted]'s mouth and that [redacted] could not therefore breathe and therefore expired. [redacted] also related that he felt that by putting a gag into [redacted] mouth that [redacted] might have choked to death on his own vomit. [redacted] denied choking [redacted] or striking [redacted] in the throat, but [redacted] stated that during the in-test phase of the polygraph examination, he was worried that he might have accidentally injured [redacted]'s throat when he was putting the gag on him. [redacted] was adamant that he did not deliberately choke [redacted] nor did he witness anyone else choking [redacted]. [redacted] stated that he believed his actions with [redacted] might have caused [redacted] death, but if so, it was accidental since [redacted] maintained that he did not want to do anything to hurt [redacted] or any of the prisoners. [redacted] stated that if he did accidentally cause [redacted] death, he was willing to suffer the consequences and punishment, if that was necessary. When [redacted] stated that he had nothing further to say and wanted to leave, the interview was terminated.

b(6)(c)

RELEVANT QUESTIONS USED:

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ACLU-RDR 22851 p.165 USE ONLY

025292

EXHIBIT 62

all 6705

approximately 10 to 15 seconds, slapped him in the face with an open hand and yelled at him "What the fuck were you thinking". [redacted] stated the other person present during the incident besides himself and [redacted] was SPC [redacted] denied that he caused any of the injuries to [redacted] and stated he was being truthful as to what he was reporting about PFC [redacted] [redacted] was subsequently advised of his rights which he initially waived and provided a verbal statement denying that he choked [redacted] with a night stick, or that he slapped him. [redacted] subsequently stated he wanted to speak with an attorney. SPC [redacted] was advised of his rights, which he waived and denied he ever saw [redacted] choke or slap [redacted]. [redacted] did have his Hyoid bone broken. [redacted] was offered and has accepted the opportunity to undergo a polygraph examination to verify the truthfulness of his statement.

INSTRUMENTATION: This examination was conducted using an Axciton computerized polygraph instrument, SN: 4163, last calibrated on the date of the examination.

OBSERVATIONS: Unusual physiological/psychological reactions were not observed during this examination.

(b)(4)

EXAMINER'S CONCLUSIONS: During the pre-instrument phase, [redacted] stated that when he had originally stated that he had observed [redacted] choke [redacted] with a nightstick, that was not a correct or truthful statement. [redacted] then explained that what had actually occurred was that [redacted] was sitting on the ground after his attempted escape and [redacted] told [redacted] to stand up. When [redacted] refused to stand, [redacted] got very angry, and he then went behind [redacted] and placed his nightstick under the chin of [redacted]. [redacted] stated that [redacted] then applied upward pressure on the nightstick to force [redacted] to his feet. [redacted] related that he did not observe [redacted] choke [redacted] with the nightstick and he did not think it was possible for [redacted] to have done so. [redacted] maintained that he had told the truth about the incident with [redacted] and also about [redacted] actions regarding the treatment of [redacted].

(b)(4)

An analysis of the polygrams collected during Series I, determined that insufficient criteria was present to form a conclusive decision regarding the truthfulness of [redacted].

(b)(4)

During the post-test interview [redacted] related that he had told the truth about the treatment of [redacted] and about [redacted] actions. [redacted] denied that neither he or anyone else had choked [redacted]. [redacted] declined to undergo further testing saying that he just would rather not undergo further examinations. When [redacted] stated he had nothing further to add to this investigation, the interview was terminated. Prior to leaving [redacted] rendered a sworn, written statement attesting to the incident with [redacted].

RELEVANT QUESTIONS USED:

- Q: Did you invent that story about [redacted] placing a nightstick under that man's chin?
- A: No.
- Q: Did you invent that story about [redacted] using a nightstick to make that man stand up?
- A: No.
- Q: Did you lie about who put a nightstick under that man's chin?
- A: No.

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00 404

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025293

EXHIBIT 62

Q: Did you choke the man?  
A: No.  
Q: Did you choke that detainee in Jan?  
A: No.  
Q: Did you see anyone choke that man?  
A: No.

WITNESS, MONITOR OR INTERPRETER: SA [REDACTED]

EXAMINEE NATIVE LANGUAGE: English

LANGUAGE(S) USED DURING THE EXAMINATION: English

EXHIBITS: 4 polygrams, the polygraph consent form(s) and allied documents are on file with the original report at the US Army Crime Records Center.

///ORIGINAL SIGNED///

[REDACTED]  
Polygraph Examiner [REDACTED]

b7c1  
62

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025294

00 405  
EXHIBIT 62

**Page(s)**

406

**English Translation:**

**Withheld due to:**

Foreign Language

Photos depicting Americans

Photos depicting foreign nationals

Civilian Agency Records

Audio/Video depicting foreign  
nationals and Americans

025295

**Bates Pages 25296-25306 depict photos  
which are nonresponsive and have not been  
provided based on application of the Judge's  
in camera rulings (tourist-type photos)**

**Page(s)**

418

**English Translation:**

**Withheld due to:**

Foreign Language

Photos depicting Americans

Photos depicting foreign nationals

Civilian Agency Records

Audio/Video depicting foreign  
nationals and Americans

025307

**Bates Pages 25308-25328 depict photos which are nonresponsive and have not been provided based on application of the Judge's in camera rulings (tourist-type photos)**

# Page(s)

440 - 467

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English Translation:

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## Withheld due to:

Foreign Language

Photos depicting Americans

Photos depicting foreign nationals

Civilian Agency Records

Audio/Video depicting foreign  
nationals and Americans

025329



<b>EVIDENCE / PROPERTY CUSTODY DOCUMENT</b>  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 0009-04-CID679
	CDR REPORT / CID ROI NUMBER 83846

RECEIVING ACTIVITY 87 <sup>th</sup> MP Det CID, (FWD)	LOCATION Ar Ramadi, Iraq
NAME, GRADE and TITLE OF PERSON FROM WHOM RECEIVED <input type="checkbox"/> OWNER  Crime Scene  <input checked="" type="checkbox"/> OTHER	ADDRESS (Include Zip Code) NA
LOCATION FROM WHERE OBTAINED floor of EPW site near where the body of Mr. [REDACTED] was found, Rifles Base, Iraq	REASON OBTAINED Evidence
	TIME / DATE OBTAINED 1104 9 Jan 04

ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <small>(Include model, serial number, condition and unusual marks or scratches)</small>
1	1	Rag, cloth in construction, red and white in color, suspected to have been used as a gag on Mr. [REDACTED] while he was detained at the EPW Site, Rifles Base, Iraq. The rag was placed in a clean paper bag which was MFID with 1104, 9 Jan 04, [REDACTED] //////////////////////////////////////Last Item////////////////////////////////////  all b7c

CHAIN OF CUSTODY			
ITEM NO.	DATE	RELEASED BY	PURPOSE OF CHANGE OF CUSTODY
1	9 Jan 04	SIGNATURE [REDACTED] NAME, GRADE OR TITLE [REDACTED] Crime Scene SA	Evidence
1	15 Jan 04	SIGNATURE [REDACTED] NAME, GRADE OR TITLE [REDACTED] SA	Transport To Evidence Room
1	16 Jan 04	SIGNATURE [REDACTED] NAME, GRADE OR TITLE [REDACTED] SA	Transport To Evidence Room
1	17 Jan 04	SIGNATURE [REDACTED] NAME, GRADE OR TITLE [REDACTED] SA	Temp EU. Cloth Holding
		SIGNATURE [REDACTED] NAME, GRADE OR TITLE [REDACTED]	
		SIGNATURE [REDACTED] NAME, GRADE OR TITLE [REDACTED]	025330

LAW ENFORCEMENT SENSITIVE  
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EXHIBIT 64  
00 468

04-1067

SUBJ: REQUEST FOR AUTHORITY TO CONDUCT POLYGRAPH EXAM  
A: DOD DIR 5210.48, DTD 24 DEC 84  
B: DOD REG 5210.48R, DTD 24 JAN 85  
C: AR 195-6, DTD 29 SEP 95

~~Approved~~  
14 JAN 04

b7c5

1. REQUEST FOR AUTHORITY TO CONDUCT POLYGRAPH EXAMINATION OF:  
[REDACTED] SPC; [REDACTED] S&T Support Squadron, 3rd ACR, Fort Carson, CO 80913; ;

2. THE FOLLOWING INFORMATION IS PROVIDED:

b7c1

A: Negligent Homicide

B: 0009-04-CID679-83486- 5H1(SA [REDACTED] and SA [REDACTED])

C: Investigation thus far has revealed Mr (LTC) [REDACTED]

detainee number [REDACTED] was detained on 4 Jan 04. After he was detained, he was placed in an isolation cell located in the Detention Facility, Forward Operation Base (FOB), Rifles Base, Al Asad, IRAQ at the direction of Operation Detachment Alpha (ODA), who wanted to question him. Sometime between 4 and 8 Jan 04, Mr [REDACTED] was questioned at least two times by members of the ODA. About 0730, 9 Jan 04, guards at the detention facility ordered all prisoners to stand as punishment for talking. Mr [REDACTED] refused to stand and after several warnings, he was shackled to the top of the door frame in order to compel him to continue standing. Mr [REDACTED] was then gagged as he continued to try to talk to other prisoners. About 5 minutes after Mr [REDACTED] was gagged and shackled, guards noticed his eyes were closed and he was slumped over hanging from the shackles. Guards went to the cell and discovered Mr [REDACTED] was not breathing at which time they took him down from the door frame and removed the gag from his mouth. After no pulse was noticed, medical attention was sought. At approximately 0815, 9 Jan 04, medics arrived on scene and checked for signs of life which met with negative results. Mr [REDACTED] was pronounced deceased at 0900, 9 Jan 04. On 11 Jan 04, a forensic autopsy was performed on the remains of MR. [REDACTED] by Dr (CDR) [REDACTED] Office of the Armed Forces Medical Examiner at Mortuary Affairs, Baghdad International Airport, Baghdad, Iraq. Mr [REDACTED] suffered multiple blunt force injuries to his upper body to include the fracturing of most of his ribs and multiple fractures to some of his ribs. Dr [REDACTED] opined the blunt force injuries present on the upper body of Mr. [REDACTED] were consistent with a beating and the bruises appeared to be a couple of days old. The cause of death was determined to be blunt force injuries and asphyxia. The manner of death was determined to be a homicide. Dr [REDACTED] was asked if Mr [REDACTED] would have been able to hide his injuries for several days at which time he stated it was possible, but unlikely. Dr [REDACTED] stated there should have been some outward signs of injury, such as labored breathing and that he had died most likely from a combination of his injuries as well as from having been gagged and forced to stand. The ODA members were subsequently identified as SPC [REDACTED] Air Defense Artillery (ADA) Battery, 1/3 Armored Cavalry Regiment, Fort Carson, CO (FCCO); SFC [REDACTED] SFC [REDACTED] and SSG [REDACTED] all assigned to B Company (Co), 1st Battalion (Bn), 5th Special Forces Group (SFG), Fort Campbell, KY (FCKY). SFC [REDACTED] and SSG [REDACTED] admitted to striking and kicking Mr [REDACTED] numerous times in the mid section and ribs on 6 Jan 04 during their interrogation in an attempt to subdue him when he assaulted SFC [REDACTED] SPC [REDACTED] admitted to kicking Mr [REDACTED] in the chest while his hands were bound during his apprehension when he refused to stop talking. On 9 Jan 04, SGT [REDACTED] AVIM Troop, Support Squadron,

b(7)(C)(4)

Mr. [REDACTED] we all (7)(C)(4)

b7c2

b7c5

025331

00 469

EX 68

3rd ACR related he noticed bruising on Mr [REDACTED]'s abdomen between 2000 and 2200, 8 Jan 04. On 9 Jan 04, SPC [REDACTED] 2133rd Transportation (Trans) Co, Iowa Army National Guard was interviewed and related Mr [REDACTED] had been in custody for approximately 1 week and he was aware that SFG soldiers had interrogated him. [REDACTED] went on to state about 2300, 8 Jan 04 he observed Mr [REDACTED] with his shirt off and noticed several dark bruises on his upper body. According to SSG [REDACTED] 2133 Trans Co, Iowa Army National Guard who was the supervisor of the guard shift between 0001 and 0400, 9 Jan 04, Mr [REDACTED] attempted to escape at approximately 0215. SSG [REDACTED] related he was subdued by SPC [REDACTED] AVIM Troop Support Squadron, FCCO. b(7)(C)(4)

1R." =  
(-)(C)(4)

While being returned to his cell, SSG [REDACTED] stated he noticed large bruises on [REDACTED] sides and he was moving very slowly and appeared to be experiencing difficulty with all of his movements. SPC [REDACTED] was subsequently interviewed and rendered a sworn statement detailing on 8 Jan 04, Mr [REDACTED] was complaining his zip tie handcuffs were cutting off the circulation to his hands. SPC [REDACTED] removed the cuffs, bandaged the abraded injury and recuffed Mr [REDACTED]. SPC [REDACTED] further related that while trying to escape later on during his shift, he subdued Mr [REDACTED]. SPC [REDACTED] S&T Troop Support Squadron, 3rd ACR related while working as a guard between 0001 and 0400, 9 Jan 04, he witnessed Mr [REDACTED] attempt to escape at which time he alerted SGT [REDACTED] Maintenance Troop Support Squadron, 3rd ACR and [REDACTED] who apprehended and returned him to his isolation cell. SGT [REDACTED] related he and SPC [REDACTED] S&T Troop Support Squadron, 3rd ACR placed Mr [REDACTED] in his shackles when he refused to stand as a punishment for continuing to talk after being told to stop. Mr [REDACTED] was shackled to the top of the door of his cell in such a way to force him to stand and when he refused to stop talking he and [REDACTED] gagged him. SGT [REDACTED] related approximately 5 minutes later he discovered Mr [REDACTED] not breathing. [REDACTED] was interviewed and confirmed SGT [REDACTED] statement. On 8 Jun 04, [REDACTED] was advised of his rights, which he waived and provided a sworn statement in which he stated after Mr [REDACTED] attempted to escape, PFC [REDACTED] S&T Troop Support Squadron, 3rd ACR choked Mr [REDACTED] with a police style baton for approximately 10 to 15 seconds, slapped him in the face with an open hand and yelled at him "What the fuck were you thinking". [REDACTED] stated the other person present during the incident besides himself and [REDACTED] was SPC [REDACTED] S&T Support Squadron, 3rd ACR. SPC [REDACTED] was subsequently advised of his rights which he initially waived and provided a verbal statement denying that he choked Mr [REDACTED] with a night stick, or that he slapped him. SPC [REDACTED] subsequently stated he wanted to speak with an attorney. SPC [REDACTED] was advised of his rights, which he waived and denied he ever saw [REDACTED] choke or slap Mr [REDACTED]. Mr [REDACTED] did have his Hyoid bone broken. [REDACTED] was offered and has accepted the opportunity to undergo a polygraph examination to verify the truthfulness of his denials.

- D: YES
- E: YES
- F: YES
- G: NO
- H: NO
- I: YES
- J: CRC NAME CHECK HAS NOT BEEN CONDUCTED.

all 6705

3. CID REPORTS ARE EXEMPT FROM AUTOMATIC TERMINATION OF PROTECTIVE MARKINGS UP CHAPTER 4, AR 25-55.

025333

00 471

Office Mailbox - MAILCICP

From: Office Mailbox - MAILCICP

Sent: Tuesday, June 15, 2004 6:59 AM

To: [REDACTED] (E-mail)

Subject: POLYGRAPH AUTHORIZATION FOR [REDACTED]

UNCLAS  
SUBJECT: POLYGRAPH AUTHORIZATION 04-1067

REF YOUR MSG 14 JUN 04, SUBJ AS ABOVE, THE EXAM OF [REDACTED] IS AUTHORIZED, THIS DATE 14 JUN 04. NO RECORD OF PRIOR CRIMINALITY CONTAINED ON FILE AT CRC.

//SIGNED//

[REDACTED]

DIRECTOR, CRC

b7c5

b7c1



025334

00 472

20

**POLYGRAPH EXAMINATION STATEMENT OF CONSENT**

LOCATION: FORT CARSON, CO

DATE: 6-16-04 TIME: 0959

FILE NUMBER: [REDACTED]

NAME: [REDACTED] SSAN: [REDACTED]

GRADE/STATUS: E-4

DATE AND PLACE OF BIRTH: [REDACTED]

ORGANIZATION OR ADDRESS: S & T SUPPORT SQUADRON, FORT CARSON, CO 80913

b7c5

**STATEMENT OF CONSENT**

In the presence of the witness(s) whose signature(s) appear below, my rights, as specified on DA Form 3881 (completed copy attached), have been explained to me by SA [REDACTED] who informed me that he/she is a polygraph examiner of the United States Army. I have been advised that this polygraph examination statement of consent is being completed in connection with: FALSE SWEARING REGARDING NEGLIGENT HOMICIDE/CONSPIRACY [REDACTED]

b7c5

In conjunction with explaining the nature of the polygraph examination, I have been told:

- a. that should I refuse to undergo a polygraph examination, no adverse action may be taken against me based solely on my refusal.
- b. that I have the right to talk privately with a lawyer before, during and after the instrument portion(s) of the polygraph examination.
- c. that the examination area is equipped with a two-way mirror or observation device.
- d. that the examination will be monitored/recorded.
- e. that questioning may occur before, during and after the instrument portion(s) of the polygraph examination.
- f. that anything I say or do during the polygraph examination may be used against me in any administrative, military or judicial proceedings.
- g. that the polygraph examination will not be conducted without my voluntary consent and even though I am now giving my consent, I can withdraw it at any time and the examination will be stopped.

Understanding my unqualified right to refuse, I [REDACTED] do hereby this date of my own free will, consent to undergo a polygraph examination. I have not been threatened, coerced, unlawfully induced or promised anything in conjunction with my consent to undergo a polygraph examination.

b7c5

Witness# 1

[REDACTED] Signature of Witness

[REDACTED] Signature of Examinee

Witness# 2

[REDACTED] Signature of Witness

[REDACTED] Signature of Examiner

FORT LEONARD WOOD RA (CID)  
FORT LEONARD WOOD, MO 65473

DA Form 2801-E

025335

FOR OFFICIAL USE ONLY

EX 09 473

[REDACTED] b7c1

04-1094

Approved [REDACTED] b7c1  
16 JUN 04

UNCLAS FOUO

SUBJ: REQUEST FOR AUTHORITY TO CONDUCT POLYGRAPH EXAM

- A: DOD DIR 5210.48, DTD 24 DEC 84
- B: DOD REG 5210.48R, DTD 24 JAN 85
- C: AR 195-6, DTD 29 SEP 95

1. REQUEST FOR AUTHORITY TO CONDUCT POLYGRAPH EXAMINATION  
 OF: [REDACTED] E-3 [REDACTED] S & T Troop, Support Squadron, 3 ACR,  
 Fort Carson, CO: 80913 ] b7c5

2. THE FOLLOWING INFORMATION IS PROVIDED:

- A: Negligent Homicide
- B: 0009-04-CID679-83486-5H1 (SA [REDACTED] DSN: [REDACTED] b7c1
- C: Investigation revealed that Mr. (LTC) [REDACTED] detainee number [REDACTED] died while in U.S. Military custody at the Detention Facility, Forward Operation Base, Rifle Base, Al Asad, Iraq. During a later autopsy AFIP Pathologists, it was determined he died from blunt force trauma and asphyxia. Additionally, it was revealed he had suffered multiple blunt force injuries to his upper body to include the multiple fractures to all of his ribs. Dr. [REDACTED] the attending Pathologist, opined the injuries were consistent with a beating and the manner of death was ruled a homicide. b7c2

b(6)(4); b(7)(c)(5)  
 During interviews of several of the U.S. Army personnel who were guards, several admitted to kicking and punching [REDACTED] numerous times in the chest and ribs after he either attempted to escape or would not follow their orders. During an interview of SPC [REDACTED] AVIM Troop, FCC, he identified [REDACTED] having allegedly choked [REDACTED] with a police-style baton, after [REDACTED] attempted to escape. [REDACTED] also related SPC [REDACTED] S & T Troop, FCC, was also present. [REDACTED] was interviewed and denied seeing [REDACTED] or anyone choke [REDACTED] with anything to include a baton. Following this, [REDACTED] was later shackled by the wrist to the top of his cell door. Due to [REDACTED] not obeying the guards orders to be quiet, the guards placed a gag around his mouth. After approximately five minutes, they noticed [REDACTED] was not moving. They checked him for signs of life, realized he was not breathing, and summonsed medical assistance.

b(7)(c)(5)  
 Due to the admissions of the soldiers interviewed, the causes of the majority of the injuries have been determined, with the exception of the asphyxia. Investigators believe that [REDACTED] possibly did choke [REDACTED] as alleged by one of the guards and caused the throat injuries that lead to [REDACTED]'s death. [REDACTED] was advised of his rights, which he waived, and denied choking [REDACTED] with anything, to include a nightstick, nor did he see anyone do so. [REDACTED] consented to undergo a polygraph examination to verify the truthfulness of his sworn statement.

Following [REDACTED] examination it was determined insufficient criteria was present to form a conclusive decision regarding his truthfulness. During the interview, [REDACTED] as

025336

00 474

EX 71

[REDACTED] b7c1

[REDACTED] b7c5

very argumentative and confrontational. He continued to deny seeing anyone choke [REDACTED] and terminated the interview.

b(7)(c)(4)

D: YES

E: YES

F: YES

G: YES

[REDACTED] 4 Jun 04

H: YES. [REDACTED] by [REDACTED] on 16 Jun 04 at Ft Carson, CO, NO, QC Pending

I: YES

J: CRC NAME CHECK HAS NOT BEEN CONDUCTED

[REDACTED] b7c5

b7c1

3. CID REPORTS ARE EXEMPT FOR AUTOMATIC TERMINATION OF PROTECTIVE MARKINGS UP CHAPTER 4, AR 25-55.

025337



Office Mailbox - MAILCICP

From: Office Mailbox - MAILCICP

Sent: Thursday, June 17, 2004 7:27 AM

To: [REDACTED] (E-mail)

Cc: [REDACTED] (E-mail)

Subject: POLYGRAPH AUTHORIZATION FOR [REDACTED]

b7c1

b7c5

UNCLAS

SUBJECT: POLYGRAPH AUTHORIZATION 04-1094

REF YOUR MSG 16 JUN 04, SUBJ AS ABOVE, THE EXAM OF [REDACTED] IS AUTHORIZED, THIS DATE 16 JUN 04. NO RECORD OF PRIOR CRIMINALITY CONTAINED ON FILE AT CRC.

//SIGNED//

[REDACTED]  
DIRECTOR, CRC

b7c1



025338

04-1154

SUBJ: REQUEST FOR AUTHORITY TO CONDUCT POLYGRAPH EXAM

A: DOD DIR 5210.48, DTD 24 DEC 84

B: DOD REG 5210.48R, DTD 24 JAN 85

C: AR 195-6, DTD 29 SEP 95

Approved  
25 Jan 04  
b7c1

b7c5

1. REQUEST FOR AUTHORITY TO CONDUCT POLYGRAPH EXAMINATION OF:

[REDACTED] SPC [REDACTED] AVIM Troop Support Squadron, 3rd ACR, Fort Carson, CO 80913; [REDACTED]

2. THE FOLLOWING INFORMATION IS PROVIDED:

A: Negligent Homicide

B: 0009-04-CID679-83486- 5H1(SA [REDACTED] b7c1

b7c4

C: Investigation thus far has revealed Mr (LTC) [REDACTED]

detainee number [REDACTED] was detained on 4 Jan 04. After he was detained, he was placed in an isolation cell located in the Detention Facility, Forward Operation Base (FOB), Rifles Base, Al Asad, IRAQ at the direction of Operation Detachment Alpha (ODA), who wanted to question him. Sometime between 4 and 8 Jan 04, Mr [REDACTED] was questioned at least two times by members of the ODA. About 0730, 9 Jan 04, guards at the detention facility ordered all prisoners to stand as punishment for talking. Mr [REDACTED] refused to stand and after several warnings, he was shackled to the top of the door frame in order to compel him to continue standing. Mr [REDACTED] was then gagged as he continued to try to talk to other prisoners. About 5 minutes after Mr [REDACTED] was gagged and shackled, guards noticed his eyes were closed and he was slumped over hanging from the shackles. Guards went to the cell and discovered Mr [REDACTED] was not breathing at which time they took him down from the door frame and removed the gag from his mouth. After no pulse was noticed, medical attention was sought. At approximately 0815, 9 Jan 04, medics arrived on scene and checked for signs of life which met with negative results. Mr [REDACTED] was pronounced deceased at 0900, 9 Jan 04. On 11 Jan 04, a forensic autopsy was performed on the remains of Mr. [REDACTED] by Dr (CDR) [REDACTED] Office of the Armed Forces Medical Examiner at Mortuary Affairs, Baghdad International Airport, Baghdad, Iraq. Mr. [REDACTED] suffered multiple blunt force injuries to his upper body to include the fracturing of most of his ribs and multiple fractures to some of his ribs. Dr [REDACTED] pinned the blunt force injuries present on the upper body of Mr. [REDACTED] were consistent with a beating and the bruises appeared to be a couple of days old. The cause of death was determined to be blunt force injuries and asphyxia. The manner of death was determined to be a homicide. Dr [REDACTED] was asked if Mr [REDACTED] would have been able to hide his injuries for several days at which time he stated it was possible, but unlikely. Dr [REDACTED] stated there should have been some outward signs of injury, such as labored breathing and that he had died most likely from a combination of his injuries as well as from having been gagged and forced to stand. The ODA members were subsequently identified as SPC [REDACTED] Air Defense Artillery (ADA) Battery, 1/3 Armored Cavalry Regiment, Fort Carson, CO (FCCO); SFC [REDACTED] SFC [REDACTED] and SSG [REDACTED] all assigned to B Company (Co), 1st Battalion (Bn), 5th Special Forces Group (SFG), Fort Campbell, KY (FCKY). SFC [REDACTED] and SSG [REDACTED] admitted to striking and kicking Mr [REDACTED] numerous times in the mid section and ribs on 6 Jan 04 during their interrogation in an attempt to subdue him when he assaulted SFC [REDACTED] SPC [REDACTED] admitted to kicking Mr [REDACTED] in the chest while his hands were bound during his apprehension when he refused to stop

4 MR  
= b7c1(c)  
(4)

b7c2

b7c5

025339

00 477  
EX 7C

6(7)(c)(4)

talking. On 9 Jan 04, SGT [REDACTED] AVIM Troop, Support Squadron, 3rd ACR related he noticed bruising on Mr [REDACTED]'s abdomen between 2000 and 2200, 8 Jan 04. On 9 Jan 04, SPC [REDACTED] 2133rd Transportation (Trans) Co, Iowa Army National Guard was interviewed and related Mr [REDACTED] had been in custody for approximately 1 week and he was aware that SFG soldiers had interrogated him. [REDACTED] went on to state about 2300, 8 Jan 04 he observed Mr [REDACTED] with his shirt off and noticed several dark bruises on his upper body. According to SSG [REDACTED] 2133 Trans Co, Iowa Army National Guard who was the supervisor of the guard shift between 0001 and 0400, 9 Jan 04, Mr [REDACTED] attempted to escape at approximately 0215. SSG [REDACTED] related he was subdued by SPC [REDACTED]. While being returned to his cell, SSG [REDACTED] stated he noticed large bruises on [REDACTED] sides and he was moving very slowly and appeared to be experiencing difficulty with all of his movements. SPC [REDACTED] was subsequently interviewed and rendered a sworn statement detailing on 8 Jan 04, Mr [REDACTED] was complaining his zip tie handcuffs were cutting off the circulation to his hands. SPC [REDACTED] removed the cuffs, bandaged the abraded injury and recuffed Mr [REDACTED]. SPC [REDACTED] further related that while trying to escape later on during his shift, he subdued Mr [REDACTED]. SPC [REDACTED] S&T Troop Support Squadron, 3rd ACR related while working as a guard between 0001 and 0400, 9 Jan 04, he witnessed Mr [REDACTED] attempt to escape at which time he alerted SGT [REDACTED] Maintenance Troop Support Squadron, 3rd ACR and [REDACTED] who apprehended and returned him to his isolation cell. SGT [REDACTED] related he and SPC [REDACTED] S&T Troop Support Squadron, 3rd ACR placed Mr [REDACTED] in his shackles when he refused to stand as a punishment for continuing to talk after being told to stop. Mr [REDACTED] was shackled to the top of the door of his cell in such a way to force him to stand and when he refused to stop talking he and [REDACTED] dragged him. SGT [REDACTED] related approximately 5 minutes later he discovered Mr [REDACTED] not breathing. [REDACTED] was interviewed and confirmed SGT [REDACTED] statement. On 8 Jun 04, [REDACTED] was advised of his rights, which he waived and provided a sworn statement in which he stated after Mr [REDACTED] attempted to escape, PFC [REDACTED] S&T Troop Support Squadron, 3rd ACR choked Mr [REDACTED] with a police style baton for approximately 10 to 15 seconds, slapped him in the face with an open hand and yelled at him "What the fuck were you thinking". [REDACTED] stated the other person present during the incident besides himself and [REDACTED] was SPC [REDACTED] denied that he caused any of the injuries to Mr [REDACTED] and stated he was being truthful as to what he was reporting about PFC [REDACTED]. SPC [REDACTED] was subsequently advised of his rights which he initially waived and provided a verbal statement denying that he choked Mr [REDACTED] with a night stick, or that he slapped him. SPC [REDACTED] subsequently stated he wanted to speak with an attorney. SPC [REDACTED] was advised of his rights, which he waived and denied he ever saw [REDACTED] choke or slap Mr [REDACTED]. Mr [REDACTED] did have his Hyoid bone broken. [REDACTED] was offered and has accepted the opportunity to undergo a polygraph examination to verify the truthfulness of his statement.

- D: YES
- E: YES
- F: YES
- G: YES
- H: YES
- I: YES

6(6)(4)

[REDACTED] Approval # 04-1067, dtd 14 Jun 04; [REDACTED] Approval # 04-1094, dtd 16 Jun 04).

[REDACTED] by [REDACTED] on 16 Jun 04, INC, QC pending; [REDACTED] by [REDACTED] on 16 Jun 04, No Opinion, QC Pending).

*Declined testing*

*all b7cs*

025340

00 478

J: CRC NAME CHECK HAS NOT BEEN CONDUCTED.

3. CID REPORTS ARE EXEMPT FROM AUTOMATIC TERMINATION OF PROTECTIVE MARKINGS UP CHAPTER 4, AR 25-55.

025341

00 479

Office Mailbox - MAILCICP

From: Office Mailbox - MAILCICP

Sent: Monday, June 28, 2004 7:20 AM

To: [REDACTED] (E-mail) b7c

Subject: POLYGRAPH AUTHORIZATION FOR [REDACTED] 04-1154

b(2)(c)(5)

UNCLAS

SUBJECT: POLYGRAPH AUTHORIZATION 04-1154

b7c

REF YOUR MSG 25 JUN 04, SUBJ AS ABOVE, THE EXAM OF [REDACTED] AUTHORIZED, THIS DATE 25 JUN 04. NO RECORD OF PRIOR CRIMINALITY CONTAINED ON FILE AT CRC.

//SIGNED//

[REDACTED]

b7c

CHIEF, POLY DIV



025342

00 480

**POLYGRAPH EXAMINATION STATEMENT OF CONSENT**

LOCATION: FORT CARSON, CO DATE: 30 JUN 04 TIME: 0917  
FILE NUMBER: 0009-04-CID679-83486 - 5H1  
NAME: [REDACTED] SSAN: [REDACTED] GRADE/STATUS: SPC  
DATE AND PLACE OF BIRTH: [REDACTED]  
ORGANIZATION OR ADDRESS: AVIM TROOP SUPPORT SQDN, 3RD ACR, FORT CARSON, CO, 80913

b7c1

**STATEMENT OF CONSENT**

In the presence of the witness(s) whose signature(s) appear below, my rights, as specified on DA Form 3881 (completed copy attached), have been explained to me by [REDACTED] who informed me that he/she is a polygraph examiner of the United States Army. I have been advised that this polygraph examination statement of consent is being completed in connection with: False Swearing regarding Negligent Homicide

b7c5

In conjunction with explaining the nature of the polygraph examination, I have been told:

- a. that should I refuse to undergo a polygraph examination, no adverse action may be taken against me based solely on my refusal.
- b. that I have the right to talk privately with a lawyer before, during and after the instrument portion(s) of the polygraph examination.
- c. that the examination area is equipped with a two-way mirror or observation device.
- d. that the examination will be monitored/recorded.
- e. that questioning may occur before, during and after the instrument portion(s) of the polygraph examination.
- f. that anything I say or do during the polygraph examination may be used against me in any administrative, military or judicial proceedings.
- g. that the polygraph examination will not be conducted without my voluntary consent and even though I am now giving my consent, I can withdraw it at any time and the examination will be stopped.

Understanding my unqualified right to refuse, I [REDACTED] do hereby this date of my own free will, consent to undergo a polygraph examination. I have not been threatened, coerced, unlawfully induced or promised anything in conjunction with my consent to undergo a polygraph examination.

b7c5

Witness# 1

[REDACTED]  
Signature of Witness

b2

Witness# 2

[REDACTED]  
Signature of Witness

b7c1

[REDACTED]  
Signature of Examiner

11th Military Police Battalion (CID)  
Fort Hood, TX 76544

DA Form 2801-E

FOR OFFICIAL USE ONLY

025343

00 481

EX 73

04-1284

UNCLAS FOUO

SUBJ: REQUEST FOR AUTHORITY TO CONDUCT POLYGRAPH EXAM  
A: DOD DIR 5210.48, DTD 24 DEC 84  
B: DOD REG 5210.48R, DTD 24 JAN 85  
C: AR 195-6, DTD 29 SEP 95

Approved  
20 Dec 04  
[Redacted]  
b7c1-

b7c5

1. REQUEST FOR AUTHORITY TO CONDUCT POLYGRAPH EXAMINATION OF:  
[Redacted] SGT, [Redacted] Maint Troop, Supt Sqdn 3rd ACR, Fort Carson, CO,  
80913; [Redacted]

2. THE FOLLOWING INFORMATION IS PROVIDED:

b7c1

A: Negligent Homicide

B: 0009-04-CID679-83486- 5H1(SA [Redacted] SA [Redacted])

C: Investigation thus far has revealed Mr [Redacted]

b7c4

[Redacted] detainee number [Redacted] was detained on 4 Jan 04. After he was detained, he was placed in an isolation cell located in the Detention Facility, Forward Operation Base (FOB), Rifles Base, Al Asad, IRAQ at the direction of Operation Detachment Alpha (ODA), who wanted to question him. Sometime between 4 and 8 Jan 04, Mr [Redacted] was questioned at least two times by members of the ODA. About 0730, 9 Jan 04, guards at the detention facility ordered all prisoners to stand as punishment for talking. Mr [Redacted] refused to stand and after several warnings, he was shackled to the top of the door frame in order to compel him to continue standing. Mr [Redacted] was then gagged as he continued to try to talk to other prisoners. About 5 minutes after Mr [Redacted] was gagged and shackled, guards noticed his eyes were closed and he was slumped over hanging from the shackles. Guards went to the cell and discovered Mr [Redacted] was not breathing at which time they took him down from the door frame and removed the gag from his mouth. After no pulse was noticed, medical attention was sought. At approximately 0815, 9 Jan 04, medics arrived on scene and checked for signs of life which met with negative results. Mr [Redacted] was pronounced deceased at 0900, 9 Jan 04. On 11 Jan 04, a forensic autopsy was performed on the remains of Mr. [Redacted] by Dr (CDR) [Redacted] [Redacted] Office of the Armed Forces Medical Examiner at Mortuary Affairs, Baghdad International Airport, Baghdad, Iraq. Mr. [Redacted] suffered multiple blunt force injuries to his upper body to include the fracturing of most of his ribs and multiple fractures to some of his ribs. Dr [Redacted] opined the blunt force injuries present on the upper body of Mr. [Redacted] were consistent with a beating and the bruises appeared to be a couple of days old. The cause of death was determined to be blunt force injuries and asphyxia. The manner of death was determined to be a homicide. Dr [Redacted] was asked if Mr [Redacted] would have been able to hide his injuries for several days at which time he stated it was possible, but unlikely. Dr [Redacted] stated there should have been some outward signs of injury, such as labored breathing and that he had died most likely from a combination of his injuries as well as from having been gagged and forced to stand. The ODA members were subsequently identified as SPC [Redacted] [Redacted] Air Defense Artillery (ADA) Battery, 1/3 Armored Cavalry Regiment, Fort Carson, CO (FCCO); SFC [Redacted] SFC [Redacted] and SSG [Redacted] all assigned to B Company (Co), 1st Battalion (Bn), 5th Special Forces Group (SFG), Fort Campbell, KY (FCKY). SFC [Redacted] SFC [Redacted] and SSG [Redacted] admitted to striking and kicking Mr [Redacted] numerous times in the mid section and ribs on 6 Jan 04 during their interrogation in an attempt to subdue him when he assaulted SFC [Redacted] SPC [Redacted] admitted to kicking Mr [Redacted] in the chest while his hands were bound during his apprehension when he refused to stop

(2)(c)  
(4)

b7c2

b7c5

025344

EX 75 00 482

6(7)(c)(4)

talking. On 9 Jan 04, SGT [REDACTED] AVIM Troop, Support Squadron, 3rd ACR related he noticed bruising on Mr [REDACTED] abdomen between 2000 and 2200, 8 Jan 04. On 9 Jan 04, SPC [REDACTED] 2133rd Transportation (Trans) Co, Iowa Army National Guard was interviewed and related Mr [REDACTED] had been in custody for approximately 1 week and he was aware that SFG soldiers had interrogated him [REDACTED] went on to state about 2300, 8 Jan 04 he observed Mr [REDACTED] with his shirt off and noticed several dark bruises on his upper body. According to SSG [REDACTED] 2133 Trans Co, Iowa Army National Guard who was the supervisor of the guard shift between 0001 and 0400, 9 Jan 04, Mr [REDACTED] attempted to escape at approximately 0215. SSG [REDACTED] related he was subdued by SPC [REDACTED]. While being returned to his cell, SSG [REDACTED] stated he noticed large bruises on [REDACTED]'s sides and he was moving very slowly and appeared to be experiencing difficulty with all of his movements. SPC [REDACTED] was subsequently interviewed and rendered a sworn statement detailing on 8 Jan 04, Mr [REDACTED] was complaining his zip tie handcuffs were cutting off the circulation to his hands. SPC [REDACTED] removed the cuffs, bandaged the abraded injury and recuffed Mr [REDACTED]. SPC [REDACTED] further related that while trying to escape later on during his shift, he subdued Mr [REDACTED]. SPC [REDACTED] S&T Troop Support Squadron, 3rd ACR related while working as a guard between 0001 and 0400, 9 Jan 04, he witnessed Mr [REDACTED] attempt to escape at which time he alerted SGT [REDACTED] and [REDACTED] who apprehended and returned him to his isolation cell. SGT [REDACTED] related he and SPC [REDACTED] S&T Troop Support Squadron, 3rd ACR placed Mr [REDACTED] in his shackles when he refused to stand as a punishment for continuing to talk after being told to stop. Mr [REDACTED] was shackled to the top of the door of his cell in such a way to force him to stand and when he refused to stop talking he and [REDACTED] gagged him. SGT [REDACTED] related approximately 5 minutes later he discovered Mr [REDACTED] not breathing. When [REDACTED] was interviewed, he stated that he placed a gag into the mouth of [REDACTED] but he denied that he choked [REDACTED]. [REDACTED] further maintained that he never put his hands around [REDACTED] throat in order to choke [REDACTED] and he denied seeing anyone else choke [REDACTED]. [REDACTED] was interviewed and confirmed SGT [REDACTED] statement. On 8 Jun 04, [REDACTED] was advised of his rights, which he waived and provided a sworn statement in which he stated after Mr [REDACTED] attempted to escape, PFC [REDACTED] S&T Troop Support Squadron, 3rd ACR choked Mr [REDACTED] with a police style baton for approximately 10 to 15 seconds, slapped him in the face with an open hand and yelled at him "What the fuck were you thinking". [REDACTED] stated the other person present during the incident besides himself and [REDACTED] was SPC [REDACTED]. [REDACTED] denied that he caused any of the injuries to Mr [REDACTED] and stated he was being truthful as to what he was reporting about PFC [REDACTED]. SPC [REDACTED] was subsequently advised of his rights which he initially waived and provided a verbal statement denying that he choked Mr [REDACTED] with a night stick, or that he slapped him. SPC [REDACTED] subsequently stated he wanted to speak with an attorney. SPC [REDACTED] was advised of his rights, which he waived and denied he ever saw [REDACTED] choke or slap Mr [REDACTED]. Mr [REDACTED] did have his Hyoid bone broken. 6(7)(c)(4)

It is suspected that [REDACTED] either choked [REDACTED] or else he saw someone else choke [REDACTED] which ultimately contributed to the death of [REDACTED]. [REDACTED] as denied choking [REDACTED] or of knowing who did. [REDACTED] was offered and [REDACTED] opted the opportunity to undergo a polygraph examination to verify the truthfulness of his statement.

"MR." =  
6(7)(c)(4)  
145

6(7)(c)(4)

6(7)(c)(4)

- D: YES
- E: YES
- F: YES

all b7es

025345

00 483



G: (YES, [redacted] Approval #04-1067, dtd 14 Jun 04, [redacted] Approval #04-1094, dtd 16 Jun 04; [redacted] Approval 04-1154, dtd 25 Jun 04)

H: YES; [redacted] by [redacted] on 16 Jun 04; INC; QC Unknown; [redacted] by [redacted] on 16 Jun 04; QC Unknown; [redacted] by [redacted] on 30 Jun 04; Pre-test admission that he did not see [redacted] choke [redacted]; NO; QC Complete) *b7c1*

I: YES

J: CRC NAME CHECK HAS NOT BEEN CONDUCTED.

3. CID REPORTS ARE EXEMPT FROM AUTOMATIC TERMINATION OF PROTECTIVE MARKINGS UP CHAPTER 4, AR 25-55.

*MFR: the exam of [redacted] was QC SAT on 28 Jun 04. [redacted] continued to deny any wrongdoing & terminated the interview. The exam of [redacted] was QC SAT on 13 Jul 04. [redacted] refused testing & terminated the interview*

*7/20/04  
-b7c1*

*except when stated  
b7c5*

*SCAN*

025346

00 484

Office Mailbox - MAILCICP

From: Office Mailbox - MAILCICP

Sent: Wednesday, July 21, 2004 10:18 AM

To: [REDACTED] (E-mail) b7c1

Cc: [REDACTED] (E-mail)

Subject: POLYGRAPH AUTHORIZATION FOR [REDACTED] 04-1284

b7c5

UNCLAS

SUBJECT: POLYGRAPH AUTHORIZATION 04-1284

REF YOUR MSG 20 JUL 04, SUBJ AS ABOVE, THE EXAM OF [REDACTED] IS AUTHORIZED, THIS DATE 20 JUL 04. NO RECORD OF PRIOR CRIMINALITY CONTAINED ON FILE AT CRC.

//SIGNED//

[REDACTED]  
DIRECTOR, CRC

b7c1

025347

00 485



SUBJ: REQUEST FOR AUTHORITY TO CONDUCT POLYGRAPH EXAM

A: DOD DIR 5210.48, DTD 24 DEC 84

B: DOD REG 5210.48R, DTD 24 JAN 85

C: AR 195-6, DTD 29 SEP 95

Approved  
28 Jul 04  
b7c

b7c

1. REQUEST FOR AUTHORITY TO CONDUCT POLYGRAPH EXAMINATION OF: [REDACTED]; SPC; [REDACTED]; S&T TRP, SUPT SQDN, 3RD ACR, FORT CARSON, CO, 80913; [REDACTED]

2. THE FOLLOWING INFORMATION IS PROVIDED:

A: Negligent Homicide

B: 0009-04-CID679-83486- 5H1(SA [REDACTED] SA [REDACTED])

C: Investigation thus far has revealed Mr (LTC) [REDACTED]

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b7c

b(7)(c)(4)

detainee number [REDACTED] was detained on 4 Jan 04. After he was detained, he was placed in an isolation cell located in the Detention Facility, Forward Operation Base (FOB), Rifles Base Al Asad, IRAQ at the direction of Operation Detachment Alpha (ODA), who wanted to question him. Sometime between 4 and 8 Jan 04, [REDACTED] was questioned at least two times by members of the ODA. About 0730, 9 Jan 04, guards at the detention facility ordered all prisoners to stand as punishment for talking. [REDACTED] refused to stand and after several warnings, he was shackled to the top of the door frame in order to compel him to continue standing. [REDACTED] was then gagged as he continued to try to talk to other prisoners. About 5 minutes after [REDACTED] was gagged and shackled, guards noticed his eyes were closed and he was slumped over hanging from the shackles. Guards went to the cell and discovered [REDACTED] was not breathing at which time they took him down from the door frame and removed the gag from his mouth. After no pulse was noticed, medical attention was sought. At approximately 0815, 9 Jan 04, medics arrived on scene and checked for signs of life which met with negative results. [REDACTED] was pronounced dead at 0900, 9 Jan 04. On 11 Jan 04, a forensic autopsy was performed on the remains of [REDACTED] by Dr (CDR) [REDACTED] Office of the Armed Forces Medical Examiner at Mortuary Affairs, Baghdad International Airport, Baghdad, Iraq. [REDACTED] suffered multiple blunt force injuries to his upper body to include the fracturing of most of his ribs and multiple fractures to some of his ribs. Dr [REDACTED] opined the blunt force injuries present on the upper body of [REDACTED] were consistent with a beating and the bruises appeared to be a couple of days old. The cause of death was determined to be blunt force injuries and asphyxia. The manner of death was determined to be a homicide. Dr [REDACTED] was asked if [REDACTED] would have been able to hide his injuries for several days at which time he stated it was possible, but unlikely. Dr [REDACTED] stated there should have been some outward signs of injury, such as labored breathing and that he had died most likely from a combination of his injuries as well as from having been gagged and forced to stand. The ODA members were subsequently identified as SPC [REDACTED], Air Defense Artillery (ADA) Battery, 1/3 Armored Cavalry Regiment, Fort Carson, CO (FCCO); SFC [REDACTED], SFC [REDACTED] and SSG [REDACTED] all assigned to B Company (Co), 1st Battalion (Bn), 5th Special Forces Group (SFG), Fort Campbell, KY (FCKY). SFC [REDACTED], SFC [REDACTED] and SSG [REDACTED] admitted to striking and kicking [REDACTED] numerous times in the mid section and ribs on 6 Jan 04 during their interrogation in an attempt to subdue him when he assaulted SFC [REDACTED]. SPC [REDACTED] admitted to kicking [REDACTED] in the chest while his hands were bound during his apprehension when he refused to stop talking. On 9 Jan 04, SGT [REDACTED] AVIM Troop, Support Squadron, 3rd ACR related he noticed bruising on [REDACTED]'s abdomen

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b7c

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025349

EX 78 00 487

between 2000 and 2200, 8 Jan 04. On 9 Jan 04, SPC [REDACTED], 2133rd Transportation (Trans) Co, Iowa Army National Guard was interviewed and related [REDACTED] had been in custody for approximately 1 week and he was aware that SFG soldiers had interrogated him. [REDACTED] went on to state about 2300, 8 Jan 04 he observed [REDACTED] with his shirt off and noticed several dark bruises on his upper body. According to SSG [REDACTED] 2133 Trans Co, Iowa Army National Guard who was the supervisor of the guard shift between 0001 and 0400, 9 Jan 04, [REDACTED] attempted to escape at approximately 0215. SSG [REDACTED] related he was subdued by SPC [REDACTED]. While being returned to his cell, SSG [REDACTED] stated he noticed large bruises on [REDACTED] sides and he was moving very slowly and appeared to be experiencing difficulty with all of his movements. SPC [REDACTED] was subsequently interviewed and rendered a sworn statement detailing on 8 Jan 04, [REDACTED] was complaining his zip tie handcuffs were cutting off the circulation to his hands. SPC [REDACTED] removed the cuffs, bandaged the abraded injury and recuffed [REDACTED]. SPC [REDACTED] further related that while trying to escape later on during his shift, he subdued [REDACTED]. SPC [REDACTED] S&T Troop Support Squadron, 3rd ACR related while working as a guard between 0001 and 0400, 9 Jan 04, he witnessed [REDACTED] attempt to escape at which time he alerted SGT [REDACTED], Maint Trp, Supt Sqdn, 3rd ACR, Ft Carson, CO and [REDACTED] who apprehended and returned [REDACTED] to his isolation cell. SGT [REDACTED] related he and SPC [REDACTED] placed [REDACTED] in his shackles when he refused to stand as a punishment for continuing to talk after being told to stop. [REDACTED] was shackled to the top of the door of his cell in such a way to force him to stand and when he refused to stop talking he and [REDACTED] gagged him. SGT [REDACTED] related approximately 5 minutes later he discovered [REDACTED] not breathing. When [REDACTED] was interviewed, he stated that he and [REDACTED] placed a gag into the mouth of [REDACTED] but he denied that he choked [REDACTED] and he denied seeing anyone else choke [REDACTED]. On 8 Jun 04, [REDACTED] was advised of his rights, which he waived and provided a sworn statement in which he stated after [REDACTED] attempted to escape, PFC [REDACTED], S&T Troop Support Squadron, 3rd ACR choked [REDACTED] with a police style baton for approximately 10 to 15 seconds, slapped him in the face with an open hand and yelled at him "What the fuck were you thinking". [REDACTED] stated the other person present during the incident besides himself and [REDACTED] was SPC [REDACTED] denied that he caused any of the injuries to [REDACTED] and stated he was being truthful as to what he was reporting about PFC [REDACTED]. SPC [REDACTED] was subsequently advised of his rights which he initially waived and provided a verbal statement denying that he choked [REDACTED] with a night stick, or that he slapped him. SPC [REDACTED] subsequently stated he wanted to speak with an attorney. SPC [REDACTED] was advised of his rights, which he waived and denied he ever saw [REDACTED] choke or slap [REDACTED]. During the autopsy of [REDACTED] medical personnel reported that [REDACTED] did have his Hyoid bone broken.

It is suspected that [REDACTED] either choked [REDACTED] or else he saw someone else choke [REDACTED] which ultimately contributed to the death of [REDACTED]. [REDACTED] has denied choking [REDACTED] or of knowing who did. [REDACTED] was offered and has accepted the opportunity to undergo a polygraph examination to verify the truthfulness of his statement.

D: YES

E: YES

F: YES

G: (YES. [REDACTED] Approval #04-1067, dtd 14 Jun 04; [REDACTED] Approval #04-1094, dtd 16

Jun 04; [REDACTED] Approval 04-1154, dtd 25 Jun 04; [REDACTED] Approval #04-1284; 20 Jul 04)

H: YES. [REDACTED] by [REDACTED] on 16 Jun 04; INC; QC complete; [REDACTED] by [REDACTED] on 16 Jun 04;

QC complete; [REDACTED] by [REDACTED] on 30 Jun 04; Pre-test admission that he did not see [REDACTED] choke [REDACTED] NO; QC Complete; [REDACTED] by [REDACTED] on 27 Jul 04; .DI. [REDACTED] stated he

b(7)(C)(4)  
might have accidentally injured [REDACTED] S throat but denied choking him or striking his throat; QC  
not completed)

I: YES

J: CRC NAME CHECK HAS NOT BEEN CONDUCTED.

3. CID REPORTS ARE EXEMPT FROM AUTOMATIC TERMINATION OF PROTECTIVE  
MARKINGS UP CHAPTER 4, AR 25-55.

025351

00 489

Office Mailbox - MAILCICP

From: Office Mailbox - MAILCICP

Sent: Wednesday, July 28, 2004 8:10 AM

To: [REDACTED] (E-mail) > b7c1

Cc: [REDACTED] (E-mail)

Subject: POLYGRAPH AUTHORIZATION FOR [REDACTED] 04-1333

b7c5

UNCLAS

SUBJECT: POLYGRAPH AUTHORIZATION 04-1333

REF YOUR MSG 27 JUL 04, SUBJ AS ABOVE, THE EXAM OF [REDACTED] IS AUTHORIZED, THIS DATE 28 JUL 04. NO RECORD OF PRIOR CRIMINALITY CONTAINED ON FILE AT CRC.

//SIGNED//

[REDACTED] b7c1  
CREF, POLY DIV

[REDACTED]

255352

**POLYGRAPH EXAMINATION STATEMENT OF CONSENT**

LOCATION: FORT CARSON, CO      DATE: 28 Jul 04 07 TIME: 0755  
FILE NUMBER: 0009-04-CID679-83486 - 5H1  
NAME: [REDACTED]      SSAN: [REDACTED]      GRADE/STATUS: SPC  
DATE AND PLACE OF BIRTH: [REDACTED]  
ORGANIZATION OR ADDRESS: S&T TRP, SUPT SQDN, 3RD ACR, FORT CARSON, CO, 80913

**STATEMENT OF CONSENT**

In the presence of the witness(s) whose signature(s) appear below, my rights, as specified on DA Form 3881 (completed copy attached), have been explained to me by [REDACTED] who informed me that he/she is a polygraph examiner of the United States Army. I have been advised that this polygraph examination statement of consent is being completed in connection with: Negligent Homicide

In conjunction with explaining the nature of the polygraph examination, I have been told:

- a. that should I refuse to undergo a polygraph examination, no adverse action may be taken against me based solely on my refusal.
- b. that I have the right to talk privately with a lawyer before, during and after the instrument portion(s) of the polygraph examination.
- c. that the examination area is equipped with a two-way mirror or observation device.
- d. that the examination will be monitored/recorded. [REDACTED]
- e. that questioning may occur before, during and after the instrument portion(s) of the polygraph examination.
- f. that anything I say or do during the polygraph examination may be used against me in any administrative, military or judicial proceedings.
- g. that the polygraph examination will not be conducted without my voluntary consent and even though I am now giving my consent, I can withdraw it at any time and the examination will be stopped.

Understanding my unqualified right to refuse, I [REDACTED] do hereby this date of my own free will, consent to undergo a polygraph examination. I have not been threatened, coerced, unlawfully induced or promised anything in conjunction with my consent to undergo a polygraph examination.

Witness# 1

Signature of Witness

[REDACTED] SA  
87th MP Det, CID, Ft Bragg, NC

Witness# 2

Signature of Witness

[REDACTED] Signature of Examiner

11th Military Police Battalion (CID)  
Fort Hood, TX 76544

DA Form 2801-E

025353

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00 491  
EX 79



except noted - b7c5

AGENT'S INVESTIGATION REPORT

0009-04-CID679-83486

CID Regulation 195-1

PAGE 1 OF 3 PAGES

DETAILS:

On 20 Jul 04, SA [redacted] b7c1 received an email from MAJ [redacted] b7c2 5<sup>th</sup> Special Forces Group Judge Advocate, Fort Campbell, KY in which he stated "RE 525—bottom line, based on my conversation with Dr. [redacted] and review of the various reports and witness interviews and various pictures I've looked at in the reports. [redacted] SFC [redacted] and SSG [redacted] b-5-2

On 26 Oct 04, SA [redacted] b7c1 received another email from MAJ [redacted] b7c2 in which he stated "[redacted] b-5-2

On 2 Dec 04, SA [redacted] b7c1 received an email from MAJ [redacted] b7c2 SJA, HQUSACIDC, Fort Belvoir, VA wherein he stated he had reviewed the entire case file and opined probable causes existed to believe all of the subjects listed had committed the offense for which they were titled, with the exception of SPC [redacted] for assault, as he believed SPC [redacted] used the appropriate amount of force in subduing Mr [redacted] when he was attempting to escape.

Crime Records Center Name Check: A review of the Defense Clearance Investigation Index (DCII) [redacted] SFC [redacted] and SPC [redacted] SFC [redacted] and SSG [redacted]

[redacted] Favorable NAC 2003/03/29 [redacted]

[redacted] b6-4, b7c-4

[redacted]

[redacted] Favorable NAC 1992/11/03

[redacted] b6-4, b7c-4

TYPED AGENT'S NAME AND SEQUENCE NUMBER [redacted] b2

ORGANIZATION  
87<sup>th</sup> MP Det (CID) (ABN) (FWD),  
Champion Base,  
APO AE 09384

SIGNATURE [redacted]

DATE  
2 May 05

EXHIBIT

81 025354

CID Form 94 FOR OFFICIAL USE ONLY  
LAW ENFORCEMENT SENSITIVE  
FOR OFFICIAL USE ONLY

EXHIBIT 81

JU 492

DETAILS:

On 4 Apr 05, SA [redacted] coordinated with MAJ [redacted] who opined probable cause existed to believe the listed subjects committed the offenses they were titled for, with the exception of SPC [redacted] for kicking Mr. [redacted] in the chest during his apprehension.

The following information is provided to clarify questions proposed during an operational review of this final report:

During the interview of CPT [redacted] Operational Detachment Alpha 525 (ODA 525) B Company, 1<sup>st</sup> Battalion, 5<sup>th</sup> Special Forces Group, Fort Campbell, KY (AIR of SA [redacted], 11 Jan 04, Exhibit 1), CPT [redacted] stated the first interrogation of Mr. [redacted] was conducted on 6 Jan 04, from approximately 1000 to 1800, at the ODA compound on FOB Rifles Base, Iraq. Clarification of this statement, the interview was conducted sometime between 1000 and 1800 and it did not last for eight hours.

On 9 Jun 04, SA [redacted] interviewed SGT [redacted] Maintenance Troop, Support Squadron, 3<sup>rd</sup> ACR, Fort Carson, CO (AIR, 16 Sep 04, page 4, Exhibit 29) who stated Mr. [redacted] was seen at least two other times by medics for complaints of rib injuries. Attempts to locate the medics who allegedly saw Mr. [redacted] for the rib injuries met with negative results. On 10 Jun 04, SA [redacted] coordinated with CPT [redacted] Commander, Medical Troop, Support Squadron, 3<sup>rd</sup> ACR, Fort Carson, CO (AIR, 16 Sep 04, page 5, Exhibit 29) who stated none of the medics recalled treating Mr. [redacted] or seeing a detainee at the detention facility with the injuries described. Further a DA Form 6 was not maintained to document who was on call or working any particular day. All treatment given to detainees was documented in a green note book. On 10 Jun 04, SA [redacted] interviewed CPT [redacted] clerk, Medical Troop, 3<sup>rd</sup> ACR, Fort Carson, CO (AIR, 16 Sep 04, page 4, Exhibit 29) who stated he transferred all entries from the green note book into a data base and then burned the book. SA [redacted] conducted a review of the data base and did not note any entries pertaining to Mr. [redacted]

b7c2  
b7e4

On 9 Jan 04, SA [redacted] interviewed Ms. [redacted] Linguist, Titan Corporation, Norfolk, VA, who stated she was present when Mr. [redacted] received his medical screening by CPT [redacted] Medical Troop, Support Squadron, 3<sup>rd</sup> ACR, Fort Carson, CO (AIR, 11 Jan 04, page 5, Exhibit 1). According to Ms. [redacted] Mr. [redacted] informed CPT [redacted] he had high blood pressure and was a diabetic. Allegedly, CPT [redacted] checked Mr. [redacted] blood sugar and examined the medication Mr. [redacted] was taking for his high blood pressure. The medical screening report (Exhibit 5) reflected Mr. [redacted] was not a diabetic and he did not have high blood pressure. The only noted medical issue was a skin rash. No medications were listed. On 10 Jun 04, SA [redacted] interviewed CPT [redacted] AIR, 16 Sep 04, page 4, Exhibit 29) who stated he did not conduct the medical screening of Mr. [redacted] and that the medical screenings were conducted by the detention facility personnel. He stated doctors, physician's assistance and medics were only contacted about a screening if the detainee had some sort of injury or complaint. On 9 Jan 05, SA [redacted] interviewed SSG [redacted] Aviation Maintenance Troop, 3<sup>rd</sup> ACR, Fort Carson, CO (AIR, 11 Jan 04, page 3, Exhibit 1) who stated he was only aware of Mr. [redacted] taking cough syrup and Motrin. He stated there was a board in the detention facility that told the guards which medications the detainees were taking. SA [redacted] stated Mr. [redacted] name was not listed on the board.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

[redacted]

ORGANIZATION  
87<sup>th</sup> MP Det (CID) (ABN) (FWD),  
Champion Base,  
APO AE 09384

b7c1

SIGNATURE

[redacted]

DATE

2 May 05

EXHIBIT

025355

CID Form 94 FOR OFFICIAL USE ONLY  
LAW ENFORCEMENT SENSITIVE  
FOR OFFICIAL USE ONLY

EXHIBIT 81

00 493

DETAILS:

On 2 May 05, this office received the Crime Record Center name checks results pertaining to SPC [REDACTED] SGT [REDACTED] SPC [REDACTED] PFC [REDACTED] SPC [REDACTED] SSG [REDACTED] and SPC [REDACTED] which reflected no derogatory information.

Handwritten: ] b7c5

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

TYPED AGENT'S NAME AND SEQUENCE NUMBER

[REDACTED]

Handwritten: b2

ORGANIZATION  
87<sup>th</sup> MP Det (CID) (ABN) (FWD),  
Champion Base,  
APO AE 09384

SIGNATURE

[REDACTED]

Handwritten: b7c1

DATE  
2 May 05

EXHIBIT

025356

CID Form 94  
LAW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY  
FOR OFFICIAL USE ONLY

EXHIBIT 81  
00-494

DATE: 16 JUL 04

FROM: SAC, 87TH MILITARY POLICE DET (CID)  
TO: DIRECTOR, USACRC, USACIDC, FORT BELVOIR, VA  
CDR, HQUSACIDC //CIOP-COP-CO//  
CDR, 10<sup>TH</sup> MP BN (CID) (ABN) (FWD) //OPS//  
CDR, 3D MP GROUP (CID) //OPS//  
CDR, 1<sup>ST</sup> BATTALION, 5<sup>TH</sup> SPECIAL FORCES GROUP, FORT  
CAMPBELL, KY  
DIR AFIP AFME WASH, DC//AFIP-CPLF//

SUBJECT: CID REPORT -6TH STATUS/SSI - 0009-04-CID679-83486-  
5H3C/5C1K/5C2/5C1S/5M3/5X1

DRAFTER : SA [REDACTED]  
RELEASER: SA [REDACTED]

UNCLASSIFIED - FOR OFFICIAL USE ONLY

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 9 JAN 2004/0730 - 9 JAN 2004/0900; DETENTION  
FACILITY, FORWARD OPERATING BASE (FOB), RIFLES BASE, AL  
ASAD, IRAQ, MGRS 38S KC 60160 40494.

2. 4 JAN 2004/1730 - 4 JAN 04/1830; ALTERNATE SUPPLY  
ROUTE BRONZE, IRAQ.

3. 6 JAN 2004/1000 - 6 JAN 04/1300; ODA 525 COMPOUND,  
FOB RIFLES BASE, AL ASAD, IRAQ.

4. 10 JAN 2004/1200 - 10 JAN 04/1800; 94<sup>TH</sup> MP COMPANY  
BILLETS, FOB RIFLES BASE, AL ASAD, IRAQ.

2. DATE/TIME REPORTED: 9 JAN 2004, 1010

3. INVESTIGATED BY: SA [REDACTED] SA [REDACTED]  
[REDACTED] SA [REDACTED]

4. SUBJECT: [CORRECTED] 1. [REDACTED]  
SFC; [REDACTED] M; WHITE; ODA  
525, B COMPANY, 1<sup>ST</sup> BATTALION, 5<sup>TH</sup> SPECIAL FORCES GROUP, FORT  
CAMPBELL, KY (FOB RIFLES BASE, IRAQ; SP. [AGGRAVATED  
ASSAULT], [MAIMING], [FALSE OFFICIAL STATEMENT],  
[CONSPIRACY]

2. [REDACTED] SPC; [REDACTED]  
[REDACTED] M; WHITE; ADA BATTERY, 1/3 ARMORED

b7c1

b2

b2

b7c5

025357

00 495

CAVALRY REGIMENT, FORT CARSON, CO (FOB RIFLES BASE, IRAQ);  
CT. [ASSAULT]

3. [REDACTED] SFC; [REDACTED]  
[REDACTED] M; WHITE; ODA 525, B COMPANY,  
1<sup>ST</sup> BATTALION, 5<sup>TH</sup> SPECIAL FORCES GROUP, FORT CAMPBELL, KY  
(FOB RIFLES BASE, IRAQ; SP. [AGGRAVATED ASSAULT],  
[MAIMING], [FALSE OFFICIAL STATEMENT], [CONSPIRACY]

[CORRECTED] 4. [REDACTED] SSG;  
[REDACTED] M; WHITE; ODA 525,  
B COMPANY, 1<sup>ST</sup> BATTALION, 5<sup>TH</sup> SPECIAL FORCES GROUP, FORT  
CAMPBELL, KY (FOB RIFLES BASE, IRAQ; SP. [AGGRAVATED  
ASSAULT], [MAIMING], [FALSE OFFICIAL STATEMENT],  
[CONSPIRACY]

[ADDED] 5. (UNKNOWN). [INVOLUNTARY  
MANSLAUGHTER]

5. VICTIM: [CORRECTED] 1. [REDACTED]  
[REDACTED] [DECEASED]; FORMER LTC, IRAQI ARMY; DETAINEE NUMBER  
[REDACTED] M; C; DULA'AB, IRAQ;  
ZZ; (NFI) [INVOLUNTARY MANSLAUGHTER], [ASSAULT],  
[AGGRAVATED ASSAULT], [MAIMING]

[ADDED] 2. U.S. GOVERNMENT. [FALSE OFFICIAL  
STATEMENT], [CONSPIRACY]

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

THIS IS AN OPERATION IRAQI FREEDOM INVESTIGATION.

5<sup>TH</sup> STAUS:

THE PURPOSE OF THIS STATUS REPORT IS TO AMEND THE TITLING  
OFFENSES WITH REGARDS TO SSG [REDACTED] SFC [REDACTED] AND SFC  
[REDACTED] AND TO FULLY IDENTIFY SFC [REDACTED] AND SSG [REDACTED]  
TO CORRECT THE SPELLING OF SFC [REDACTED] LAST NAME AND TO  
PROPERLY IDENTIFY THE VICTIM IN THIS INVESTIGATION AS  
DECEASED. FURTHER, TO ADD THE U.S. GOVERNMENT AS A VICTIM.

UPON AN ADMINISTRATIVE REVIEW BY THIS OFFICE, IT WAS  
DETERMINED SFC [REDACTED] NAME WAS SPELLED INCORRECTLY, SFC

025353

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██████████ AND SSG ██████████ WERE NOT FULLY IDENTIFIED AND THE VICTIM WAS NOT LISTED AS DECEASED.

FURTHER INVESTIGATION HAS ESTABLISHED THAT SSG ██████████ SFC ██████████ AND SFC ██████████ DID ASSAULT MR. ██████████ INFLECTING SERIOUS INJURIES TO HIS UPPER BODY WHICH COMPROMISED HIS ABILITY TO BREATHE THREE DAYS PRIOR TO HIS DEATH. HOWEVER, THE AUTOPSY FINDINGS AND OPINION OF THE MEDICAL EXAMINER ARE THAT THE INJURY TO MR. ██████████ THROAT, WHICH CAUSED HIS DEATH, WAS NOT SURVIVABLE FOR 72 HOURS. THEREFORE SSG ██████████ SFC ██████████ AND SFC ██████████ WERE REMOVED FROM SUSPICION FOR THE DEATH. OTHER SOLDIERS WHO HAD PHYSICAL CONTACT WITH MR. ██████████ ARE BEING INVESTIGATED FOR CONTRIBUTING TO THE DEATH; HOWEVER, NO ONE HAS YET REACHED THE THRESHOLD FOR TITLING AT THIS TIME.

INVESTIGATION ALSO ESTABLISHED CREDIBLE INFORMATION THAT SSG ██████████ SFC ██████████, AND SFC ██████████ COMMITTED THE OFFENSES OF FALSE OFFICIAL STATEMENT, AND CONSPIRACY WHEN THEY ALL PROVIDED OFFICIAL STATEMENTS STATING MR. ██████████ ATTACKED THEM AND THE THREE OF THEM HAD TO SUBDUE MR. ██████████ BY STRIKING HIM FOR TWO TO THREE MINUTES. MR. ██████████ INJURIES WERE NOT CONSISTENT WITH THIS EXPLANATION IN THAT THE NUMBER OF INJURIES AND SEVERITY OF THE INJURIES EXCEEDED THE FORCE THAT WOULD REASONABLY BE REQUIRED FOR THREE MEN TO SUBDUE HIM. THE EXPLANATION WAS ALSO INCONSISTENT WITH THEIR OWN ASSESSMENT THAT MR. ██████████ ██████████ COULD NOT HAVE ACTED ALONE WITH THE EMPLACEMENT OF 155MM ROUND IMPROVISED EXPLOSIVE DEVICES, IN THAT HE LACKED THE PHYSICAL STRENGTH TO CARRY A 155MM ROUND ON HIS OWN.

INVESTIGATION CONTINUES BY CID.

4<sup>TH</sup> STATUS:

THE PURPOSE OF THIS STATUS REPORT IS TO CHANGE THE OFFENSE OF MURDER AGAINST SSG ██████████ SFC ██████████ AND SFC ██████████ TO VOLUNTARY MANSLAUGHTER.

UPON AN ADMINISTRATIVE REVIEW BY USACIDC COMMAND, IT WAS DETERMINED CREDIBLE EVIDENCE DID NOT EXIST AT THIS TIME TO SUPPORT THE OFFENSE OF MURDER, BUT DID EXIST TO SUPPORT THE OFFENSE OF VOLUNTARY MANSLAUGHTER.

INVESTIGATION CONTINUES BY USACIDC.

3D STATUS:

025359

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THE PURPOSE OF THIS STATUS REPORT IS TO ADD SSG [REDACTED] SFC [REDACTED] AND SFC [REDACTED] AS SUBJECTS FOR THE OFFENSE OF MURDER AND SPC [REDACTED] FOR THE OFFENSE OF ASSAULT.

UPON FURTHER REVIEW BY THIS OFFICE, IT WAS DETERMINE CREDIBLE EVIDENCE EXISTED TO BELIEVE SSG [REDACTED], SFC [REDACTED] SFC [REDACTED] COMMITTED THE OFFENSE OF MURDER AND SPC [REDACTED] COMMITTED THE OFFENSE OF ASSAULT.

SSG [REDACTED] SFC [REDACTED], AND SFC [REDACTED] ADMITTED TO STRIKING MR [REDACTED] SEVERAL TIMES DURING THE INTERROGATION, INTENTIONALLY INFLECTING GREAT BODILY HARM RESULTING IN MULTIPLE FRACTURED RIBS AND EVENTUALLY THE DEATH OF MR [REDACTED]

SPC [REDACTED] ADMITTED TO KICKING MR [REDACTED] IN THE CHEST WHILE HIS HANDS WERE BOUND DURING HIS APPREHENSION.

INVESTIGATION CONTINUES BY USACIDC.

2D STATUS:

THE PURPOSE OF THIS STATUS REPORT IS TO REPORT PRELIMINARY AUTOPSY FINDINGS AND TO ADD SSG [REDACTED] SFC [REDACTED], SFC [REDACTED] AND SPC [REDACTED] S SUBJECTS OF THIS INVESTIGATION.

ON 10 JAN 04, SUBSEQUENT TO RIGHTS WAIVER, SPC [REDACTED] RENDERED A SWORN STATEMENT WHEREIN HE ADMITTED TO KICKING MR. [REDACTED] IN THE CHEST AFTER HIS APPREHENSION WHEN HE REFUSED TO STOP TALKING. MR. [REDACTED] HANDS WERE SECURED WITH ZIP TIE STYLE HANDCUFFS AT THE TIME OF THE ASSAULT.

ON 10 JAN 04, SUBSEQUENT TO RIGHTS WAIVER, SSG [REDACTED] RENDERED A SWORN STATEMENT, WHEREIN HE ADMITTED TO REPEATEDLY STRIKING MR. [REDACTED] TO SUBDUE HIM WHEN HE ASSAULTED SFC [REDACTED] DURING INTERROGATOIN ON 6 JAN 04.

ON 10 JAN 04, SUBSEQUENT TO RIGHTS WAIVER, SFC [REDACTED] RENDERED A SWORN STATEMENT, WHEREIN HE ADMITTED TO REPEATEDLY STRIKING MR. [REDACTED] TO SUBDUE HIM WHEN HE ASSAULTED SFC [REDACTED] DURING INTERROGATION ON 6 JAN 04.

ON 10 JAN 04, SUBSEQUENT TO RIGHTS WAIVER, SFC [REDACTED] RENDERED A SWORN STATEMENT WHEREIN HE ADMITTED TO REPEATEDLY STRIKING MR. [REDACTED] TO SUBDUE HIM, WHEN

*b7c5 and b7c4*

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MR. [REDACTED] ASSAULTED HIM DURING INTERROGATION ON 6 JAN 04.

*b7c4*  
ON 11 JAN 04, A FORENSIC AUTOPSY WAS PERFORMED ON THE REMAINS OF MR. [REDACTED] BY DR (CDR) [REDACTED] *b7c2*  
OFFICE OF THE ARMED FORCES MEDICAL EXAMINER AT MORTUARY AFFAIRS, BAGHDAD INTERNATIONAL AIRPORT, BAGHDAD, IRAQ. MR. [REDACTED] SUFFERED MULTIPLE BLUNT FORCE INJURIES TO HIS UPPER BODY, TO INCLUDE THE FRACTURING OF MOST OF HIS RIBS AND MULTIPLE FRACTURES TO SOME OF HIS RIBS. DR [REDACTED] *b7c2*  
OPINED THE BLUNT FORCE INJURIES PRESENT ON THE UPPER BODY OF MR. [REDACTED] WERE CONSISTENT WITH A BEATING AND THE BRUISES APPEARED TO A COUPLE OF DAYS OLD. THE PRELIMINARY CAUSE OF DEATH WAS DETERMINED TO BE BLUNT FORCE INJURIES AND ASPHYXIA. THE MANNER OF DEATH WAS DETERMINED TO BE HOMICIDE.

THE FINAL AUTOPSY REPORT IS PENDING.

REQUEST CRC NAMECHECKS OF SSG [REDACTED] SFC [REDACTED] SFC [REDACTED] AND SPC [REDACTED] *b7c5*

INVESTIGATION CONTINUES BY CID.

INITIAL REPORT:

ON 9 JAN 04, THE 94<sup>TH</sup> MILITARY POLICE COMPANY, FOB RIFLES BASE, AL ASAD, IRAQ, NOTIFIED THIS OFFICE AN IRAQI DETAINEE DIED AT THE FOB RIFLES BASE DETENTION FACILITY.

PRELIMINARY INVESTIGATION DETERMINED MR. [REDACTED] WAS DETAINED ON 4 JAN 04. HE WAS THEN PLACED IN AN ISOLATION CELL AT THE DIRECTION OF OPERATION DETACHMENT ALPHA (ODA), WHO WANTED TO QUESTION HIM. SOMETIME BETWEEN 4 JAN 04 AND 8 JAN 04, MR. [REDACTED] WAS QUESTIONED AT LEAST TWO TIMES BY MEMBERS OF ODA; HOWEVER, ODA WAS NOT REQUIRED TO SIGN MR. [REDACTED] OUT ON THE INTERROGATION LOG.

ABOUT 0730, 9 JAN 04, GUARDS AT THE DETENTION FACILITY ORDERED ALL PRISONERS TO STAND AS PUNISHMENT FOR TALKING. MR. [REDACTED] REFUSED TO STAND AND AFTER SEVERAL WARNINGS HE WAS SHACKLED TO THE TOP OF THE DOOR FRAME IN ORDER TO COMPEL HIM TO CONTINUE STANDING. MR. [REDACTED] WAS THEN GAGGED AS HE CONTINUED TO TRY TO TALK TO OTHER PRISONERS. ABOUT FIVE MINUTES AFTER MR. [REDACTED] WAS GAGGED AND SHACKLED, GUARDS NOTICED HIS EYES WERE CLOSED AND HE WAS SLUMPED OVER HANGING FROM THE SHACKLES. GUARDS *b7c4*

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WENT TO THE CELL AND DISCOVERED MR. [REDACTED] WAS NOT BREATHING. THE GUARDS TOOK MR. [REDACTED] DOWN FROM THE DOOR FRAME AND REMOVED THE GAG FROM HIS MOUTH. AFTER NO PULSE WAS FOUND MEDICAL AID WAS SOUGHT. *b7c4*

ABOUT 0815, 9 JAN 04, MEDICS ARRIVED AND CHECKED FOR SIGNS OF LIFE WHICH MET WITH NEGATIVE RESULTS. NO LIFE SAVING MEASURES WERE INITIATED. *b7c2*

DR. (CPT) [REDACTED] MED TROOP, 3<sup>RD</sup> ARMORED CAVALRY REGIMENT, FOB RIFLES BASE, IRAQ, PRONOUNCED MR. [REDACTED] DEAD AT 0900, 9 JAN 04.

PRELIMINARY EXAMINATION OF MR. [REDACTED] REMAINS REVEALED EXTENSIVE BRUISING ON HIS UPPER BODY.

INTERVIEWS OF DETENTION FACILITY GUARDS AND THE 66<sup>TH</sup> MILITARY INTELLIGENCE COMPANY, FOB RIFLES BASE, AL ASAD, IRAQ, REVEALED MR. [REDACTED] WAS PREVIOUSLY INTERROGATED BY MEMBERS OF ODA 525TH, 5<sup>TH</sup> SPECIAL FORCES GROUP, FOB RIFLES BASE, IRAQ.

THE INVOLVEMENT OF DRUGS AND ALCOHOL IN THIS INCIDENT ARE UNKNOWN AT THIS TIME.

THE DATE AND LOCATION OF MR. [REDACTED] AUTOPSY IS PENDING. *b7c4*

THE CASUALTY LIASON OFFICER FOR THIS MATTER IS SPECIAL AGENT IN CHARGE [REDACTED] AT DSN 302 [REDACTED] *b7c1*

INVESTIGATION CONTINUES BY CID.

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 MARKING IN ACCORDANCE WITH CHAPTER 3, AR 25-55.

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DATE: 4 Oct 04

FROM: SAC, 87TH MILITARY POLICE DET (CID)  
TO: DIRECTOR, USACRC, USACIDC, FORT BELVOIR, VA  
CDR, HQUSACIDC //CIOP-COP-CO//  
CDR, 10<sup>TH</sup> MP BN (CID) (ABN) (FWD) //OPS//  
CDR, 3D MP GROUP (CID) //OPS//  
CDR, 1<sup>ST</sup> BATTALION, 5<sup>TH</sup> SPECIAL FORCES GROUP, FORT  
CAMPBELL, KY  
DIR AFIP AFME WASH, DC//AFIP-CPLF//

SUBJECT: CID REPORT OF INVESTIGATION - 5TH STATUS/SSI -  
0009-04-CID679-83486-5H4J/5C1K/5C2/5M3/5X1/5Y2D2/5Y/9G1

DRAFTER : SA [REDACTED]  
RELEASER: SA [REDACTED]

*b7c1*

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1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

- 1. 9 JAN 2004/0730 - 9 JAN 2004/0900; DETENTION FACILITY, FORWARD OPERATING BASE (FOB), RIFLES BASE, AL ASAD, IRAQ, MGRS 38S KC 60160 40494.
- 2. 4 JAN 2004/1730 - 4 JAN 04/1830; ALTERNATE SUPPLY ROUTE BRONZE, IRAQ.
- 3. 6 JAN 2004/1000 - 6 JAN 04/1300; ODA 525 COMPOUND, FOB RIFLES BASE, AL ASAD, IRAQ.
- 4. 10 JAN 2004/1200 - 10 JAN 04/1800; 94<sup>TH</sup> MP COMPANY BILLETS, FOB RIFLES BASE, AL ASAD, IRAQ.

2. DATE/TIME REPORTED: 9 JAN 2004, 1010

3. INVESTIGATED BY: SA [REDACTED]; SA [REDACTED]; SA [REDACTED]

*b2*

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4. SUBJECT: [CORRECTED] 1. [REDACTED] SFC; [REDACTED] M; WHITE; ODA 525, B COMPANY, 1<sup>ST</sup> BATTALION, 5<sup>TH</sup> SPECIAL FORCES GROUP, FORT CAMPBELL, KY (FOB RIFLES BASE, IRAQ; SP. [AGGRAVATED ASSAULT], [FALSE OFFICIAL STATEMENT], [CONSPIRACY]

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2. [REDACTED] SPC; [REDACTED] M; WHITE; ADA BATTERY, 1/3 ARMORED

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CAVALRY REGIMENT, FORT CARSON, CO (FOB RIFLES BASE, IRAQ);  
CT. [ASSAULT]

3. [REDACTED] SFC; [REDACTED]  
[REDACTED] M; WHITE; ODA 525, B COMPANY,  
1<sup>ST</sup> BATTALION, 5<sup>TH</sup> SPECIAL FORCES GROUP, FORT CAMPBELL, KY  
(FOB RIFLES BASE, IRAQ; SP. [AGGRAVATED ASSAULT], [FALSE  
OFFICIAL STATEMENT], [CONSPIRACY]

[CORRECTED] 4. [REDACTED] SSG;  
[REDACTED] M; WHITE; ODA 525,  
B COMPANY, 1<sup>ST</sup> BATTALION, 5<sup>TH</sup> SPECIAL FORCES GROUP, FORT  
CAMPBELL, KY (FOB RIFLES BASE, IRAQ; SP. [AGGRAVATED  
ASSAULT], [FALSE OFFICIAL STATEMENT], [CONSPIRACY]

[ADDED] 5. [REDACTED] SPC; [REDACTED]  
[REDACTED] M; WHITE; S & T SUPPORT  
SQUADRON, FORT CARSON, CO; CT [NEGLIGENT HOMICIDE],  
[CRUELTY AND MALTREATMENT]

[ADDED] 6. [REDACTED] SGT; [REDACTED]  
[REDACTED] MAINTENANCE TROOP, SUPPORT  
SQUADRON, FORT CARSON, CO; CT [NEGLIGENT HOMICIDE],  
[CRUELTY AND MALTREATMENT]

[ADDED] 7. [REDACTED] SPC; [REDACTED]  
[REDACTED] M; WHITE; AVIATION  
MAINTENANCE TROOP, SUPPORT SQUADRON, FORT CARSON, CO; CT  
[AGGRAVATED ASSAULT], [FALSE OFFICIAL STATEMENT],  
[CONSPIRACY]

[ADDED] 8. [REDACTED] PFC; [REDACTED]  
[REDACTED] M; WHITE; S & T,  
SUPPORT SQUADRON, FORT CARSON, CO; CT [AGGRAVATED ASSAULT],  
[CONSPIRACY]

[ADDED] 9. [REDACTED] SPC; [REDACTED]  
[REDACTED] M; BLACK; S & T,  
SUPPORT SQUADRON, FORT CARSON, CO; CT [FALSE OFFICIAL  
STATEMENT], [CONSPIRACY]

[ADDED] 10. [REDACTED] SSG; [REDACTED]  
[REDACTED] M; WHITE; 2133<sup>RD</sup>  
TRANSPORTATION COMPANY, IOWA NATIONAL GUARD, IA; CT  
[DERELICTION OF DUTY], [FALSE OFFICIAL STATEMENT],  
[CONSPIRACY]

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[ADDED] 11. [REDACTED] SPC; [REDACTED] M; WHITE; AVIATION MAINTENANCE TROOP, SUPPORT SQUADRON, FORT CARSON, CO; CT [CONSPIRACY], [FALSE OFFICIAL STATEMENT]

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5. VICTIM: [CORRECTED] 1. [REDACTED] [DECEASED]; FORMER LTC, IRAQI ARMY; DETAINEE NUMBER [REDACTED] M; C; DULA'AB, IRAQ; ZZ; (NFI) [NEGLIGENT HOMICIDE], [ASSAULT], [AGGRAVATED ASSAULT], [CRUELTY AND MALTREATMENT]

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[ADDED] 2. U.S. GOVERNMENT. [FALSE OFFICIAL STATEMENT], [CONSPIRACY], [DERELICTION OF DUTY]

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

THIS IS AN OPERATION IRAQI FREEDOM INVESTIGATION.

5<sup>TH</sup> STATUS:

THIS STATUS REPORT IS BEING GENERATED TO DOCUMENT THE EVENTS THAT LEAD TO THE DEATH OF MR. [REDACTED] THE CAUSE OF DEATH WAS INDICATED AS BLUNT FORCE INJURIES AND ASPHYXIA, WHICH WILL BE EXPLAINED IN FIVE SEPARATE INCIDENTS. FURTHER, THIS STATUS REPORT IS BEING GENERATED TO AMEND THE TITLING OFFENSES WITH REGARDS TO SSG [REDACTED] SFC [REDACTED] AND SFC [REDACTED] AND TO FULLY IDENTIFY SFC [REDACTED] AND SSG [REDACTED], TO CORRECT THE SPELLING OF SFC [REDACTED] LAST NAME AND TO PROPERLY IDENTIFY THE VICTIM IN THIS INVESTIGATION AS DECEASED. FURTHER, TO ADD THE U.S. GOVERNMENT AS A VICTIM AND TO ADD SPC [REDACTED] SPC [REDACTED], SPC [REDACTED] SPC [REDACTED] SSG [REDACTED] SPC [REDACTED], AND SGT [REDACTED] AS SUBJECTS.

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UPON AN ADMINISTRATIVE REVIEW BY THIS OFFICE, IT WAS DETERMINED SFC [REDACTED] NAME WAS SPELLED INCORRECTLY, SFC [REDACTED] AND SSG [REDACTED] WERE NOT FULLY IDENTIFIED AND THE VICTIM WAS NOT LISTED AS DECEASED.

ON 9 AUG 04, CDR (DR) [REDACTED] CHIEF DEPUTY MEDICAL EXAMINER, ARMED FORCES INSTITUTE OF PATHOLOGY (AFIP), WASHINGTON, D.C. STATED MOST OF THE BLUNT FORCE INJURIES, SPECIFICALLY THE BROKEN RIBS (MULTIPLE, BILATERAL, DISPLACED AND COMMUNUTED RIB FRACTURES WITH LACERATION OF

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THE PLEURA) WERE LIKELY FRACTURED CLOSE TO THE TIME OF DEATH, SINCE THERE WAS LITTLE OR NO BLEEDING ASSOCIATED WITH THE FRACTURES. DR. [REDACTED] ALSO STATED WITH THE INJURIES NOTED AT THE TIME OF AUTOPSY, IT WOULD BE IMPOSSIBLE FOR MR. [REDACTED] TO WALK, OR ATTEMPT AN ESCAPE. DR. [REDACTED] STATED THE DESCRIBED METHOD IN WHICH PFC [REDACTED] UTILIZED A BATON TO BRING MR. [REDACTED] TO A STANDING POSITION WOULD BE CONSISTENT WITH THE BROKEN HYOID BONE, BUT STATED IT WOULD TAKE A SIGNIFICANT LEVEL OF FORCE ON THE BEHALF OF PFC [REDACTED] TO FRACTURE THE BONE. DR. [REDACTED] FURTHER RELATED THERE WERE CONTUSIONS OF VARIOUS DEGREES OF COLORATION, INDICTING SFC [REDACTED] SFC [REDACTED], AND SSG [REDACTED] WERE THE LIKELY CAUSE OF SOME OF THE RIB FRACTURES.

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1<sup>ST</sup> INCIDENT

SHORTLY AFTER THE CAPTURE OF MR. [REDACTED] 4 JAN 04, SPC [REDACTED] KICKED MR. [REDACTED] IN THE CHEST TWO OR THREE TIMES. SPC [REDACTED] STATED THE REASON FOR THE ASSAULT WAS TO STOP MR. [REDACTED] FROM STANDING. MR. [REDACTED] WAS RESTRAINED WITH ZIP TIES AT THE TIME OF THE ASSAULT.

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\* POSSIBLE BRUISING. INSIGNIFICANT INJURIES

2<sup>ND</sup> INCIDENT

INVESTIGATION ESTABLISHED PROBABLE CAUSE TO BELIEVE SFC [REDACTED] SFC [REDACTED], AND SSG [REDACTED] COMMITTED THE OFFENSES AGGRAVATED ASSAULT, CONSPIRACY, AND FALSE OFFICIAL STATEMENT. ON 6 JAN 04, MR. [REDACTED] WAS TAKEN TO THE SPECIAL FORCES (SF) COMPOUND ON RIFLES BASE, AL ASAD, IRAQ FOR INTERROGATION. AT ONE POINT DURING THE INTERROGATION MR. [REDACTED] WAS FREED FROM HIS RESTRAINTS, AS A GOOD FAITH GESTURE FOR COOPERATING WITH THE INTERROGATOR. SHORTLY AFTER BEING RELEASED OF HIS RESTRAINTS MR. [REDACTED] ATTACKED SFC [REDACTED] AND MADE SEVERAL ATTEMPTS TO GAIN CONTROL OF HIS PISTOL, LOCATED IN A SHOULDER HOLSTER. THROUGH STATEMENTS FROM SFC [REDACTED] SFC [REDACTED] SSG [REDACTED] AND MR. [REDACTED] (INTERPRETER), IT TOOK THE THREE SF SOLDIERS ONE TO TWO MINUTES TO BRING THE DETAINEE UNDER CONTROL, DURING WHICH TIME EACH SOLDIER ADMITTEDLY KICKED, KNEED AND PUNCHED MR. [REDACTED] IN THE ABDOMEN / CHEST AREA, IN AN EFFORT TO "KNOCK THE WIND" OUT OF MR. [REDACTED] INFLECTING SERIOUS INJURIES TO HIS UPPER BODY WHICH COMPROMISED HIS ABILITY TO BREATHE THREE DAYS PRIOR TO HIS DEATH. HOWEVER, THE AUTOPSY FINDINGS AND OPINION OF THE MEDICAL EXAMINER

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ARE THAT THE INJURY TO MR. [REDACTED] THROAT WAS NOT SURVIVABLE FOR 72 HOURS. THEREFORE SSG [REDACTED] SFC [REDACTED] AND SFC [REDACTED] WERE REMOVED FROM SUSPICION FOR THE DEATH.

*b7c4* SSG [REDACTED], SFC [REDACTED], AND SFC [REDACTED] COMMITTED THE OFFENSES OF FALSE OFFICIAL STATEMENT AND CONSPIRACY WHEN THEY ENTERED INTO AN AGREEMENT TO PROVIDE A UNIFORMED STATEMENT AS TO THE ALLEGED ATTACK ON SFC [REDACTED] BY MR. [REDACTED]. ALL THREE THEN PROVIDED OFFICIAL STATEMENTS STATING MR. [REDACTED] ATTACKED SFC [REDACTED] AND ATTEMPTED TO REACH FOR THE PISTOL LOCATED IN HIS SHOULDER HOLSTER. THEY STATED THEY HAD TO SUBDUE MR. [REDACTED] BY STRIKING HIM FOR ONE TO TWO MINUTES. SSG [REDACTED] SFC [REDACTED] AND SFC [REDACTED] STATED THEY NEVER ATTEMPTED TO GAIN CONTROL OF MR. [REDACTED] HANDS IN ORDER TO PREVENT HIM FROM REACHING FOR THE WEAPON. MR. [REDACTED] INJURIES WERE NOT CONSISTENT WITH THIS EXPLANATION IN THAT THE NUMBER OF INJURIES AND SEVERITY OF THE INJURIES EXCEEDED THE FORCE THAT WOULD REASONABLY BE REQUIRED FOR THREE MEN TO SUBDUE HIM. THE EXPLANATION WAS ALSO INCONSISTENT WITH THEIR ASSESSMENT THAT MR. [REDACTED] *b7c4* COULD NOT HAVE ACTED ALONE WITH THE EMPLACEMENT OF 155MM ROUND IMPROVISED EXPLOSIVE DEVICES, IN THAT HE LACKED THE PHYSICAL STRENGTH TO CARRY A 155MM ROUND ON HIS OWN.

\* MAJORITY OF THE BRUISING AND PROBABLE CAUSE OF AN UNKNOWN NUMBER OF BROKEN RIBS.

### 3<sup>RD</sup> INCIDENT

INVESTIGATION ESTABLISHED PROBABLE CAUSE TO BELIEVE SPC [REDACTED] COMMITTED THE OFFENSES OF AGGRAVATED ASSAULT, CONSPIRACY, AND FALSE OFFICIAL STATEMENT; SPC [REDACTED] COMMITTED THE OFFENSE OF FALSE OFFICIAL STATEMENT AND CONSPIRACY; SPC [REDACTED] COMMITTED THE OFFENSES OF FALSE OFFICIAL STATEMENT AND CONSPIRACY; AND SSG [REDACTED] COMMITTED THE OFFENSES OF DERELICTION OF DUTY, CONSPIRACY, AND FALSE OFFICIAL STATEMENT.

*b7c4*

AROUND 0230, 9 JAN 04, MR. [REDACTED] ESCAPED FROM HIS ISOLATION CELL AND MADE HIS WAY ALONG THE BACK WALL OF THE DETENTION FACILITY AND ALLEGEDLY OUT THE BACK DOOR, WHERE HE WAS APPREHENDED BY SPC [REDACTED]. SPC [REDACTED] AND SPC [REDACTED] HAVE STATED SPC [REDACTED] APPREHENDED MR. [REDACTED] ALONE BY GRABBING HIS SHOULDERS FROM BEHIND, CAUSING MR. [REDACTED] TO FALL BACKWARDS IN A TWISTING MOTION ONTO HIS BUTTOCKS. AT WHICH TIME SPC [REDACTED] STEPPED OVER, OR AROUND HIM, TO A

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POSITION NEAR MR. [REDACTED] LEGS AND FEET. SPC [REDACTED] THEN ESCORTED MR. [REDACTED] TO THE SLEEP DEPRIVATION AREA LOCATED DIRECTLY IN FRONT OF THE GUARD STAND. HOWEVER, SSG [REDACTED] STATED SPC [REDACTED] CAUGHT MR. [REDACTED] PRIOR TO HIM LEAVING THE BUILDING. SSG [REDACTED] STATED UPON FIRST CONTACT, SPC [REDACTED] SLAMMED MR. [REDACTED] INTO THE BACK WALL, AND THEN BEAR HUGGED MR. [REDACTED] FROM BEHIND AND SLAMMED HIM TO THE FLOOR WITH SPC [REDACTED] LANDING ON TOP OF MR. [REDACTED]. FURTHER, SSG [REDACTED] FAILED TO INITIALLY REPORT HOW SPC [REDACTED] APPREHENDED MR. [REDACTED] DURING THE ESCAPE ATTEMPT. SPC [REDACTED] ALSO STATED HE ENTERED INTO AN AGREEMENT WITH SSG [REDACTED] SPC [REDACTED] SPC [REDACTED], AND PFC [REDACTED] PRIOR TO BEING INTERVIEWED BY CID, IN THAT THEY WOULD NOT DISCLOSE THE FACT THAT MR. [REDACTED] ACTUALLY MADE IT OUTSIDE THE DETENTION FACILITY DURING HIS ESCAPE ATTEMPT. SPC [REDACTED] WAS THE ONLY INDIVIDUAL WHO REPORTED MR. [REDACTED] ACTUALLY MADE IT OUTSIDE THE FACILITY PRIOR TO BEING APPREHENDED, EVERYONE ELSE PROVIDED SWORN STATEMENTS IN WHICH THEY STATED MR. [REDACTED] NEVER MADE IT OUTSIDE OF THE FACILITY.

\* PROBABLE CAUSE OF AN UNKNOWN NUMBER OF BROKEN RIBS.

4<sup>TH</sup> INCIDENT

INVESTIGATION ESTABLISHED PROBABLE CAUSE TO BELIEVE PFC [REDACTED] COMMITTED THE OFFENSE OF NEGLIGENT HOMICIDE.

SHORTLY AFTER MR. [REDACTED] RECAPTURE FROM THE FAILED ESCAPE ATTEMPT HE WAS PLACED IN THE SLEEP DEPRIVATION AREA WHILE HIS CELL WAS REPAIRED. ACCORDING TO SPC [REDACTED] PFC [REDACTED] UTILIZED A MILITARY POLICE STYLE BATON TO BRING MR. [REDACTED] TO HIS FEET AFTER HE REFUSED TO STAND. SPC [REDACTED] STATED PFC [REDACTED] APPEARED TO BE VERY UPSET ABOUT THE ESCAPE ATTEMPT AND WHEN MR. [REDACTED] REFUSED TO STAND PFC [REDACTED] PLACED THE BATON UNDER THE CHIN OF MR. [REDACTED] WHILE STANDING BEHIND HIM, AND PULLED HIM TO A STANDING POSITION.

\* CAUSE OF BROKEN HYOID BONE AND BRUISING OF NECK.

5<sup>TH</sup> INCIDENT

INVESTIGATION ESTABLISHED PROBABLE CAUSE TO BELIEVE SGT [REDACTED] AND SPC [REDACTED] COMMITTED THE OFFENSE OF NEGLIGENT HOMICIDE AND CRUELTY AND MALTREATMENT.

SHORTLY AFTER 0700, 9 JAN 04, SGT [REDACTED] AND SPC [REDACTED] REPEATEDLY ORDERED MR. [REDACTED] TO STAND AS PART OF A MASS

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PUNISHMENT. WHEN MR. [REDACTED] FAILED TO COMPLY WITH THEIR ORDER THEY HANDCUFFED MR. [REDACTED] TO THE DOOR FRAME OF HIS CELL IN SUCH A MANNER TO FORCE HIM TO REMAIN STANDING. SGT [REDACTED] AND SFC [REDACTED] STATED MR. [REDACTED] WAS GAGGED AFTER HE REFUSED TO STOP MAKING NOISE. SPC [REDACTED] STOOD BEHIND MR. [REDACTED] WITH THE GAG, AS SGT [REDACTED] UTILIZED PRESSURE POINTS ON THE UPPER JAW AND CHIN TO FORCE HIS MOUTH OPEN. SPC [REDACTED] PULLED THE GAG INTO PLACE AND TIED IT OFF BEHIND MR. [REDACTED] HEAD. SGT [REDACTED] AND SPC [REDACTED] STATED THEY ENSURED MR. [REDACTED] WAS BREATHING BEFORE THEY WALKED AWAY. SGT [REDACTED] AND SPC [REDACTED] WERE NOT AWARE OF PREVIOUS INJURIES INFLICTED UPON MR. [REDACTED] HOWEVER, THE ACT OF GAGGING AND HANDCUFFING MR. [REDACTED] TO THE DOOR FRAME, IN CONJUNCTION WITH PREVIOUS BLUNT FORCE INJURIES, COMPROMISED HIS ABILITY TO BREATHE, RESULTING IN ASPHYXIATION AND DEATH.

\* CONTRIBUTING CAUSE OF ASPHYXIA.

CONSIDERING ALL THE FACTS OF THIS INVESTIGATION IT IS REASONABLE TO PRESUME THAT THERE WAS NO ONE INCIDENT WHICH CAUSED THE FINAL DEMISE OF MR. [REDACTED] INSTEAD HE WAS STEADILY SUBJECTED TO PHYSICAL TRAUMA, BROUGHT ON BY HIS OWN ACTIONS; HOWEVER, EXCESSIVE FORCE WAS UTILIZED BY SSG [REDACTED] SFC [REDACTED], AND SFC [REDACTED], SPC [REDACTED], AND PFC [REDACTED] THERE IS INDICATION TO SUGGEST SGT [REDACTED] OR SPC [REDACTED] ACTED IN A NEGLIGENT MANNER WHEN THEY GAGGED AND FORCED MR. [REDACTED] TO STAND AS PUNISHMENT FOR TALKING. THE INITIAL INCIDENT WITH SPC [REDACTED] WAS DEEMED INSIGNIFICANT TO CAUSE GRIEVOUS BODILY INJURY FROM EYE WITNESS STATEMENTS, NOT ONLY FROM MEMBERS OF HIS UNIT, BUT ALSO FROM THE INTERVIEWS OF THE OTHER IRAQIS DETAINED AT THE SAME TIME AS MR. [REDACTED]

INVESTIGATION CONTINUES BY CID.

4<sup>TH</sup> STATUS:

THE PURPOSE OF THIS STATUS REPORT IS TO CHANGE THE OFFENSE OF MURDER AGAINST SSG [REDACTED], SFC [REDACTED] AND SFC [REDACTED] TO VOLUNTARY MANSLAUGHTER.

UPON AN ADMINISTRATIVE REVIEW BY USACIDC COMMAND, IT WAS DETERMINED CREDIBLE EVIDENCE DID NOT EXIST AT THIS TIME TO SUPPORT THE OFFENSE OF MURDER, BUT DID EXIST TO SUPPORT THE OFFENSE OF VOLUNTARY MANSLAUGHTER.

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INVESTIGATION CONTINUES BY USACIDC.

3D STATUS:

THE PURPOSE OF THIS STATUS REPORT IS TO ADD SSG [REDACTED] SFC [REDACTED] AND SFC [REDACTED] AS SUBJECTS FOR THE OFFENSE OF MURDER AND SPC [REDACTED] FOR THE OFFENSE OF ASSAULT.

UPON FURTHER REVIEW BY THIS OFFICE, IT WAS DETERMINE CREDIBLE EVIDENCE EXISTED TO BELIEVE SSG [REDACTED] SFC [REDACTED], SFC [REDACTED] COMMITTED THE OFFENSE OF MURDER AND SPC [REDACTED] COMMITTED THE OFFENSE OF ASSAULT. b7c5

SSG [REDACTED] SFC [REDACTED] AND SFC [REDACTED] ADMITTED TO STRIKING MR [REDACTED] SEVERAL TIMES DURING THE INTERROGATION, INTENTIONALLY INFLECTING GREAT BODILY HARM RESULTING IN MULTIPLE FRACTURED RIBS AND EVENTUALLY THE DEATH OF MR [REDACTED]. b7c4

SPC [REDACTED] ADMITTED TO KICKING MR [REDACTED] IN THE CHEST WHILE HIS HANDS WERE BOUND DURING HIS APPREHENSION.

INVESTIGATION CONTINUES BY USACIDC.

2D STATUS:

THE PURPOSE OF THIS STATUS REPORT IS TO REPORT PRELIMINARY AUTOPSY FINDINGS AND TO ADD SSG [REDACTED] SFC [REDACTED] SFC [REDACTED] AND SPC [REDACTED] AS SUBJECTS OF THIS INVESTIGATION. b7c5

ON 10 JAN 04, SUBSEQUENT TO RIGHTS WAIVER, SPC [REDACTED] RENDERED A SWORN STATEMENT WHEREIN HE ADMITTED TO KICKING MR. [REDACTED] IN THE CHEST AFTER HIS APPREHENSION WHEN HE REFUSED TO STOP TALKING. MR. [REDACTED] HANDS WERE SECURED WITH ZIP TIE STYLE HANDCUFFS AT THE TIME OF THE ASSAULT. b7c4

ON 10 JAN 04, SUBSEQUENT TO RIGHTS WAIVER, SSG [REDACTED] RENDERED A SWORN STATEMENT, WHEREIN HE ADMITTED TO REPEATEDLY STRIKING MR. [REDACTED] TO SUBDUE HIM WHEN HE ASSAULTED SFC [REDACTED] DURING INTERROGATION ON 6 JAN 04. b7c5

ON 10 JAN 04, SUBSEQUENT TO RIGHTS WAIVER, SFC [REDACTED] RENDERED A SWORN STATEMENT, WHEREIN HE ADMITTED TO REPEATEDLY STRIKING MR. [REDACTED] TO SUBDUE HIM WHEN HE ASSAULTED SFC [REDACTED] DURING INTERROGATION ON 6 JAN 04. b7c4

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025370

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ON 10 JAN 04, SUBSEQUENT TO RIGHTS WAIVER, SFC ██████████ b7c5 RENDERED A SWORN STATEMENT WHEREIN HE ADMITTED TO REPEATEDLY STRIKING MR. ██████████ TO SUBDUE HIM, WHEN MR. ██████████ ASSAULTED HIM DURING INTERROGATION ON 6 JAN 04.

ON 11 JAN 04, A FORENSIC AUTOPSY WAS PERFORMED ON THE REMAINS OF MR. ██████████ BY DR (CDR) ██████████ OFFICE OF THE ARMED FORCES MEDICAL EXAMINER AT MORTUARY AFFAIRS, BAGHDAD INTERNATIONAL AIRPORT, BAGHDAD, IRAQ. MR. ██████████ SUFFERED MULTIPLE BLUNT FORCE INJURIES TO HIS UPPER BODY, TO INCLUDE THE FRACTURING OF MOST OF HIS RIBS AND MULTIPLE FRACTURES TO SOME OF HIS RIBS. DR ██████████ b7c2 OPINED THE BLUNT FORCE INJURIES PRESENT ON THE UPPER BODY OF MR. ██████████ WERE CONSISTENT WITH A BEATING AND THE BRUISES APPEARED TO A COUPLE OF DAYS OLD. THE PRELIMINARY CAUSE OF DEATH WAS DETERMINED TO BE BLUNT FORCE INJURIES AND ASPHYXIA. THE MANNER OF DEATH WAS DETERMINED TO BE HOMICIDE.

THE FINAL AUTOPSY REPORT IS PENDING.

REQUEST CRC NAMECHECKS OF SSG ██████████ SFC ██████████ SFC ██████████ AND SPC ██████████ b7c5

INVESTIGATION CONTINUES BY CID.

INITIAL REPORT:

ON 9 JAN 04, THE 94<sup>TH</sup> MILITARY POLICE COMPANY, FOB RIFLES BASE, AL ASAD, IRAQ, NOTIFIED THIS OFFICE AN IRAQI DETAINEE DIED AT THE FOB RIFLES BASE DETENTION FACILITY.

PRELIMINARY INVESTIGATION DETERMINED MR. ██████████ WAS DETAINED ON 4 JAN 04. HE WAS THEN PLACED IN AN ISOLATION CELL AT THE DIRECTION OF OPERATION DETACHMENT ALPHA (ODA), WHO WANTED TO QUESTION HIM. SOMETIME BETWEEN 4 JAN 04 AND 8 JAN 04, MR. ██████████ WAS QUESTIONED AT LEAST TWO TIMES BY MEMBERS OF ODA; HOWEVER, ODA WAS NOT REQUIRED TO SIGN MR. ██████████ OUT ON THE INTERROGATION LOG. b7c4

ABOUT 0730, 9 JAN 04, GUARDS AT THE DETENTION FACILITY ORDERED ALL PRISONERS TO STAND AS PUNISHMENT FOR TALKING. MR. ██████████ REFUSED TO STAND AND AFTER SEVERAL WARNINGS HE WAS SHACKLED TO THE TOP OF THE DOOR FRAME IN ORDER TO COMPEL HIM TO CONTINUE STANDING. MR. ██████████ WAS THEN GAGGED AS HE CONTINUED TO TRY TO TALK TO OTHER

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PRISONERS. ABOUT FIVE MINUTES AFTER MR. [REDACTED] WAS GAGGED AND SHACKLED, GUARDS NOTICED HIS EYES WERE CLOSED AND HE WAS SLUMPED OVER HANGING FROM THE SHACKLES. GUARDS WENT TO THE CELL AND DISCOVERED MR. [REDACTED] WAS NOT BREATHING. THE GUARDS TOOK MR. [REDACTED] DOWN FROM THE DOOR FRAME AND REMOVED THE GAG FROM HIS MOUTH. AFTER NO PULSE WAS FOUND MEDICAL AID WAS SOUGHT.

} b7c4

ABOUT 0815, 9 JAN 04, MEDICS ARRIVED AND CHECKED FOR SIGNS OF LIFE WHICH MET WITH NEGATIVE RESULTS. NO LIFE SAVING MEASURES WERE INITIATED.

b7c2

DR. (CPT) [REDACTED], MED TROOP, 3<sup>RD</sup> ARMORED CAVALRY REGIMENT, FOB RIFLES BASE, IRAQ, PRONOUNCED MR. [REDACTED] DEAD AT 0900, 9 JAN 04.

PRELIMINARY EXAMINATION OF MR. [REDACTED] REMAINS REVEALED EXTENSIVE BRUISING ON HIS UPPER BODY.

INTERVIEWS OF DETENTION FACILITY GUARDS AND THE 66<sup>TH</sup> MILITARY INTELLIGENCE COMPANY, FOB RIFLES BASE, AL ASAD, IRAQ, REVEALED MR. [REDACTED] WAS PREVIOUSLY INTERROGATED BY MEMBERS OF ODA 525TH, 5<sup>TH</sup> SPECIAL FORCES GROUP, FOB RIFLES BASE, IRAQ.

} b7c4

THE INVOLVEMENT OF DRUGS AND ALCOHOL IN THIS INCIDENT ARE UNKNOWN AT THIS TIME.

THE DATE AND LOCATION OF MR. [REDACTED] AUTOPSY IS PENDING.

THE CASUALTY LIASON OFFICER FOR THIS MATTER IS SPECIAL AGENT IN CHARGE [REDACTED] AT DSN 302 [REDACTED]

} b7c1

INVESTIGATION CONTINUES BY CID.

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 MARKING IN ACCORDANCE WITH CHAPTER 3, AR 25-55.

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025372

00 510

DATE: 6 FEB 04

FROM: SAC, 87TH MILITARY POLICE DET (CID)  
TO: DIRECTOR, USACRC, USACIDC, FORT BELVOIR, VA  
CDR, HQUSACIDC //CIOP-COP-CO//  
CDR, 10<sup>TH</sup> MP BN (CID) (ABN) (FWD) //OPS//  
CDR, 3D MP GROUP (CID) //OPS//  
DIR AFIP AFME WASH, DC//AFIP-CPLF//  
PMO, 82<sup>ND</sup> ABN DIV (FWD)  
SJA, 82<sup>ND</sup> ABN DIV (FWD)  
COS, 82<sup>ND</sup> ABN DIV (FWD)

SUBJECT: CID REPORT -4TH STATUS/SSI - 0009-04-CID679-83486-5H1R1/5C2

DRAFTER : SA [REDACTED]  
RELEASER: SA [REDACTED]

b7c1

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1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 9 JAN 2004/0730 - 9 JAN 2004/0900; DETENTION FACILITY, FORWARD OPERATING BASE (FOB), RIFLES BASE, AL ASAD, IRAQ, MGRS 38S KC 60160 40494.

2. 4 JAN 2004/1730 - 4 JAN 04/1830; ALTERNATE SUPPLY ROUTE BRONZE, IRAQ.

3. 6 JAN 2004/1000 - 6 JAN 04/1300; ODA 525 COMPOUND, FOB RIFLES BASE, AL ASAD, IRAQ.

2. DATE/TIME REPORTED: 9 JAN 2004, 1010

3. INVESTIGATED BY: SA [REDACTED] SA [REDACTED]  
[REDACTED] SA [REDACTED]

b7c1

4. SUBJECT: 1. [REDACTED]; SFC; [REDACTED]  
[REDACTED] M; WHITE; ODA 525, B COMPANY, 1<sup>ST</sup> BATTALION, 5<sup>TH</sup> SPECIAL FORCES GROUP, FORT CAMPBELL, KY (FOB RIFLES BASE, IRAQ; SP. [VOLUNTARY MANSLAUGHTER]

b7c5

2. [REDACTED] SPC; [REDACTED]  
[REDACTED] M; WHITE; ADA BATTERY, 1/3 ARMORED CAVALRY REGIMENT, FORT CARSON, CO (FOB RIFLES BASE, IRAQ); CT. [ASSAULT]

025373

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3. [REDACTED] SFC; [REDACTED]  
[REDACTED] M; WHITE; ODA 525, B COMPANY,  
1<sup>ST</sup> BATTALION, 5<sup>TH</sup> SPECIAL FORCES GROUP, FORT CAMPBELL, KY  
(FOB RIFLES BASE, IRAQ; SP. [VOLUNTARY MANSLAUGHTER])

b7c5

4. [REDACTED]; SSG; [REDACTED]  
[REDACTED] M; WHITE; ODA 525, B COMPANY, 1<sup>ST</sup>  
BATTALION, 5<sup>TH</sup> SPECIAL FORCES GROUP, FORT CAMPBELL, KY (FOB  
RIFLES BASE, IRAQ; SP. [VOLUNTARY MANSLAUGHTER])

5. VICTIM: 1. [REDACTED] FORMER  
LTC, IRAQI ARMY; DETAINEE NUMBER [REDACTED]  
[REDACTED] M; C; DULA'AB, IRAQ; ZZ; (NFI) [VOLUNTARY  
MANSLAUGHTER], [ASSAULT]

b7c4

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

THIS IS AN OPERATION IRAQI FREEDOM INVESTIGATION.

4<sup>TH</sup> STATUS:

THE PURPOSE OF THIS STATUS REPORT IS TO CHANGE THE OFFENSE  
OF MURDER AGAINST SSG [REDACTED] SFC [REDACTED] AND SFC [REDACTED]  
TO VOLUNTARY MANSLAUGHTER.

UPON AN ADMINISTRATIVE REVIEW BY USACIDC COMMAND, IT WAS  
DETERMINED CREDIBLE EVIDENCE DID NOT EXIST AT THIS TIME TO  
SUPPORT THE OFFENSE OF MURDER, BUT DID EXIST TO SUPPORT THE  
OFFENSE OF VOLUNTARY MANSLAUGHTER.

b7c5

INVESTIGATION CONTINUES BY USACIDC.

3D STATUS:

THE PURPOSE OF THIS STATUS REPORT IS TO ADD SSG [REDACTED] SFC  
[REDACTED] AND SFC [REDACTED] SUBJECTS FOR THE OFFENSE OF  
MURDER AND SFC [REDACTED] FOR THE OFFENSE OF ASSAULT.

UPON FURTHER REVIEW BY THIS OFFICE, IT WAS DETERMINE  
CREDIBLE EVIDENCE EXISTED TO BELIEVE SSG [REDACTED], SFC  
[REDACTED] SFC [REDACTED] COMMITTED THE OFFENSE OF MURDER AND  
SPC [REDACTED] COMMITTED THE OFFENSE OF ASSAULT.

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b7c5  
SSG [REDACTED], SFC [REDACTED], AND SFC [REDACTED] ADMITTED TO STRIKING MR. [REDACTED] SEVERAL TIMES DURING THE INTERROGATION, INTENTIONALLY INFLECTING GREAT BODILY HARM RESULTING IN MULTIPLE FRACTURED RIBS AND EVENTUALLY THE DEATH OF MR. [REDACTED]

b7c4  
SPC [REDACTED] ADMITTED TO KICKING MR. [REDACTED] IN THE CHEST WHILE HIS HANDS WERE BOUND DURING HIS APPREHENSION.

INVESTIGATION CONTINUES BY USACIDC.

2D STATUS:

THE PURPOSE OF THIS STATUS REPORT IS TO REPORT PRELIMINARY AUTOPSY FINDINGS AND TO ADD SSG [REDACTED], SFC [REDACTED], SFC [REDACTED] AND SPC [REDACTED] AS SUBJECTS OF THIS INVESTIGATION.

ON 10 JAN 04, SUBSEQUENT TO RIGHTS WAIVER, SPC [REDACTED] RENDERED A SWORN STATEMENT WHEREIN HE ADMITTED TO KICKING MR. [REDACTED] IN THE CHEST AFTER HIS APPREHENSION WHEN HE REFUSED TO STOP TALKING. MR. [REDACTED] HANDS WERE SECURED WITH ZIP TIE STYLE HANDCUFFS AT THE TIME OF THE ASSAULT.

ON 10 JAN 04, SUBSEQUENT TO RIGHTS WAIVER, SSG [REDACTED] RENDERED A SWORN STATEMENT, WHEREIN HE ADMITTED TO REPEATEDLY STRIKING MR. [REDACTED] TO SUBDUE HIM WHEN HE ASSAULTED SFC [REDACTED] DURING INTERROGATION ON 6 JAN 04.

b7c4 ON 10 JAN 04, SUBSEQUENT TO RIGHTS WAIVER, SFC [REDACTED] RENDERED A SWORN STATEMENT, WHEREIN HE ADMITTED TO REPEATEDLY STRIKING MR. [REDACTED] TO SUBDUE HIM WHEN HE ASSAULTED SFC [REDACTED] DURING INTERROGATION ON 6 JAN 04.

ON 10 JAN 04, SUBSEQUENT TO RIGHTS WAIVER, SFC [REDACTED] RENDERED A SWORN STATEMENT, WHEREIN HE ADMITTED TO REPEATEDLY STRIKING MR. [REDACTED] TO SUBDUE HIM, WHEN MR. [REDACTED] ASSAULTED HIM DURING INTERROGATION ON 6 JAN 04.

b7c4 ON 11 JAN 04, A FORENSIC AUTOPSY WAS PERFORMED ON THE REMAINS OF MR. [REDACTED] BY DR (CDR) [REDACTED] OFFICE OF THE ARMED FORCES MEDICAL EXAMINER AT MORTUARY AFFAIRS, BAGHDAD INTERNATIONAL AIRPORT, BAGHDAD, IRAQ. MR. [REDACTED] SUFFERED MULTIPLE BLUNT FORCE INJURIES TO HIS UPPER BODY, TO INCLUDE THE FRACTURING OF MOST OF HIS RIBS AND MULTIPLE FRACTURES TO SOME OF HIS RIBS. DR [REDACTED]

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OPINED THE BLUNT FORCE INJURIES PRESENT ON THE UPPER BODY OF MR. [REDACTED] WERE CONSISTENT WITH A BEATING AND THE BRUISES APPEARED TO A COUPLE OF DAYS OLD. THE PRELIMINARY CAUSE OF DEATH WAS DETERMINED TO BE BLUNT FORCE INJURIES AND ASPHYXIA. THE MANNER OF DEATH WAS DETERMINED TO BE HOMICIDE. b7c4

THE FINAL AUTOPSY REPORT IS PENDING.

REQUEST CRC NAMECHECKS OF SSG [REDACTED] SFC [REDACTED], SFC [REDACTED] AND SPC [REDACTED] b7c5

INVESTIGATION CONTINUES BY CID.

INITIAL REPORT:

ON 9 JAN 04, THE 94<sup>TH</sup> MILITARY POLICE COMPANY, FOB RIFLES BASE, AL ASAD, IRAQ, NOTIFIED THIS OFFICE AN IRAQI DETAINEE DIED AT THE FOB RIFLES BASE DETENTION FACILITY.

PRELIMINARY INVESTIGATION DETERMINED MR. [REDACTED] WAS DETAINED ON 4 JAN 04. HE WAS THEN PLACED IN AN ISOLATION CELL AT THE DIRECTION OF OPERATION DETACHMENT ALPHA (ODA), WHO WANTED TO QUESTION HIM. SOMETIME BETWEEN 4 JAN 04 AND 8 JAN 04, MR. [REDACTED] WAS QUESTIONED AT LEAST TWO TIMES BY MEMBERS OF ODA; HOWEVER, ODA WAS NOT REQUIRED TO SIGN MR. [REDACTED] OUT ON THE INTERROGATION LOG.

ABOUT 0730, 9 JAN 04, GUARDS AT THE DETENTION FACILITY ORDERED ALL PRISONERS TO STAND AS PUNISHMENT FOR TALKING. MR. [REDACTED] REFUSED TO STAND AND AFTER SEVERAL WARNINGS HE WAS SHACKLED TO THE TOP OF THE DOOR FRAME IN ORDER TO COMPEL HIM TO CONTINUE STANDING. MR. [REDACTED] WAS THEN GAGGED AS HE CONTINUED TO TRY TO TALK TO OTHER PRISONERS. ABOUT FIVE MINUTES AFTER MR. [REDACTED] WAS GAGGED AND SHACKLED, GUARDS NOTICED HIS EYES WERE CLOSED AND HE WAS SLUMPED OVER HANGING FROM THE SHACKLES. GUARDS WENT TO THE CELL AND DISCOVERED MR. [REDACTED] WAS NOT BREATHING. THE GUARDS TOOK MR. [REDACTED] DOWN FROM THE DOOR FRAME AND REMOVED THE GAG FROM HIS MOUTH. AFTER NO PULSE WAS FOUND MEDICAL AID WAS SOUGHT. b7c4

ABOUT 0815, 9 JAN 04, MEDICS ARRIVED AND CHECKED FOR SIGNS OF LIFE WHICH MET WITH NEGATIVE RESULTS. NO LIFE SAVING MEASURES WERE INITIATED.

DR. (CPT) [REDACTED] MED TROOP, 3<sup>RD</sup> ARMORED CAVALRY b7c2

025376

REGIMENT, FOB RIFLES BASE, IRAQ, PRONOUNCED MR. [REDACTED]  
[REDACTED] DEAD AT 0900, 9 JAN 04.

PRELIMINARY EXAMINATION OF MR. [REDACTED] REMAINS  
REVEALED EXTENSIVE BRUISING ON HIS UPPER BODY.

INTERVIEWS OF DETENTION FACILITY GUARDS AND THE 66<sup>TH</sup>  
MILITARY INTELLIGENCE COMPANY, FOB RIFLES BASE, AL ASAD,  
IRAQ, REVEALED MR. [REDACTED] WAS PREVIOUSLY INTERROGATED  
BY MEMBERS OF ODA 525TH, 5<sup>TH</sup> SPECIAL FORCES GROUP, FOB  
RIFLES BASE, IRAQ. b7c4

THE INVOLVEMENT OF DRUGS AND ALCOHOL IN THIS INCIDENT ARE  
UNKNOWN AT THIS TIME.

THE DATE AND LOCATION OF MR. [REDACTED] AUTOPSY IS  
PENDING.

THE CASUALTY LIASON OFFICER FOR THIS MATTER IS SPECIAL  
AGENT IN CHARGE [REDACTED] T DSN 302 [REDACTED] b7c1

INVESTIGATION CONTINUES BY CID.

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 MARKING IN ACCORDANCE WITH CHAPTER 3, AR 25-55.

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025377

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DATE: 30 JAN 04

FROM: SAC, 87TH MILITARY POLICE DET (CID)  
TO: DIRECTOR, USACRC, USACIDC, FORT BELVOIR, VA  
CDR, HQUSACIDC //CIOP-COP-CO//  
CDR, 10<sup>TH</sup> MP BN (CID) (ABN) (FWD) //OPS//  
CDR, 3D MP GROUP (CID) //OPS//  
DIR AFIP AFME WASH, DC//AFIP-CPLF//  
PMO, 82<sup>ND</sup> ABN DIV (FWD)  
SJA, 82<sup>ND</sup> ABN DIV (FWD)  
COS, 82<sup>ND</sup> ABN DIV (FWD)

SUBJECT: CID REPORT -3D STATUS/SSI - 0009-04-CID679-83486-5H1M/5C2

DRAFTER : SA [REDACTED]  
RELEASER: SA [REDACTED]

UNCLASSIFIED - FOR OFFICIAL USE ONLY

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 9 JAN 2004/0730 - 9 JAN 2004/0900; DETENTION FACILITY, FORWARD OPERATING BASE (FOB), RIFLES BASE, AL ASAD, IRAQ, MGRS 38S KC 60160 40494.

2. 4 JAN 2004/1730 - 4 JAN 04/1830; ALTERNATE SUPPLY ROUTE BRONZE, IRAQ.

3. 6 JAN 2004/1000 - 6 JAN 04/1300; ODA 525 COMPOUND, FOB RIFLES BASE, AL ASAD, IRAQ.

2. DATE/TIME REPORTED: 9 JAN 2004, 1010

3. INVESTIGATED BY: SA [REDACTED]; SA [REDACTED]  
SA [REDACTED]

4. SUBJECT: 1. [ADD] [REDACTED] SFC; [REDACTED] M; WHITE; ODA 525, B COMPANY, 1<sup>ST</sup> BATTALION, 5<sup>TH</sup> SPECIAL FORCES GROUP, FORT CAMPBELL, KY (FOB RIFLES BASE, IRAQ; SP. [MURDER]

2. [ADD] [REDACTED] SPC; [REDACTED] M; WHITE; ADA BATTERY, 1/3 ARMORED CAVALRY REGIMENT, FORT CARSON, CO (FOB RIFLES BASE, IRAQ); CT. [ASSAULT]

b7c1

b7c5

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3. [ADD] ██████████ SFC; ██████████  
██████████ M; WHITE; ODA 525, B  
COMPANY, 1<sup>ST</sup> BATTALION, 5<sup>TH</sup> SPECIAL FORCES GROUP, FORT  
CAMPBELL, KY (FOB RIFLES BASE, IRAQ; SP. [MURDER]

b7c5

4. [ADD] ██████████ SSG; ██████████  
██████████ M; WHITE; ODA 525, B  
COMPANY, 1<sup>ST</sup> BATTALION, 5<sup>TH</sup> SPECIAL FORCES GROUP, FORT  
CAMPBELL, KY (FOB RIFLES BASE, IRAQ; SP. [MURDER]

5. VICTIM: 1. ██████████ FORMER  
LTC, IRAQI ARMY; DETAINEE NUMBER ██████████  
██████████ M; C; DULA'AB, IRAQ; ZZ; (NFI) [MURDER]  
[ASSAULT]

b7c4

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

THIS IS AN OPERATION IRAQI FREEDOM INVESTIGATION.

3D STATUS:

THE PURPOSE OF THIS STATUS REPORT IS TO ADD SSG ██████████, SFC  
██████████ AND SFC ██████████ AS SUBJECTS FOR THE OFFENSE OF  
MURDER AND SPC ██████████ FOR THE OFFENSE OF ASSAULT.

UPON FURTHER REVIEW BY THIS OFFICE, IT WAS DETERMINE  
CREDIBLE EVIDENCE EXISTED TO BELIEVE SSG ██████████, SFC  
██████████ SFC ██████████ COMMITTED THE OFFENSE OF MURDER AND  
SPC ██████████ COMMITTED THE OFFENSE OF ASSAULT.

SSG ██████████, SFC ██████████ AND SFC ██████████ ADMITTED TO  
STRIKING MR ██████████ SEVERAL TIMES DURING THE  
INTERROGATION, INTENTIONALLY INFLECTING GREAT BODILY HARM  
RESULTING IN MULTIPLE FRACTURED RIBS AND EVENTUALLY THE  
DEATH OF MR ██████████

b7c5

b7c4

SPC ██████████ ADMITTED TO KICKING MR ██████████ IN THE CHEST  
WHILE HIS HANDS WERE BOUND DURING HIS APPREHENSION.

INVESTIGATION CONTINUES BY USACIDC.

2D STATUS:

025379

00 517

THE PURPOSE OF THIS STATUS REPORT IS TO REPORT PRELIMINARY  
AUTOPSY FINDINGS AND TO ADD SSG [REDACTED] SFC [REDACTED], SFC  
[REDACTED] AND SPC [REDACTED] AS SUBJECTS OF THIS INVESTIGATION. b7c5

ON 10 JAN 04, SUBSEQUENT TO RIGHTS WAIVER, SPC [REDACTED]  
RENDERED A SWORN STATEMENT WHEREIN HE ADMITTED TO KICKING  
MR. [REDACTED] IN THE CHEST AFTER HIS APPREHENSION WHEN  
HE REFUSED TO STOP TALKING. MR. [REDACTED] HANDS WERE  
SECURED WITH ZIP TIE STYLE HANDCUFFS AT THE TIME OF THE  
ASSAULT.

ON 10 JAN 04, SUBSEQUENT TO RIGHTS WAIVER, SSG [REDACTED]  
RENDERED A SWORN STATEMENT, WHEREIN HE ADMITTED TO  
REPEATEDLY STRIKING MR. [REDACTED] TO SUBDUE HIM WHEN HE  
ASSAULTED SFC [REDACTED] DURING INTERROGATION ON 6 JAN 04.

ON 10 JAN 04, SUBSEQUENT TO RIGHTS WAIVER, SFC [REDACTED]  
RENDERED A SWORN STATEMENT, WHEREIN HE ADMITTED TO  
REPEATEDLY STRIKING MR. [REDACTED] TO SUBDUE HIM WHEN HE  
ASSAULTED SFC [REDACTED] DURING INTERROGATION ON 6 JAN 04. b7c5

ON 10 JAN 04, SUBSEQUENT TO RIGHTS WAIVER, SFC [REDACTED]  
RENDERED A SWORN STATEMENT WHEREIN HE ADMITTED TO  
REPEATEDLY STRIKING MR. [REDACTED] TO SUBDUE HIM, WHEN  
MR. [REDACTED] ASSAULTED HIM DURING INTERROGATION ON 6  
JAN 04.

ON 11 JAN 04, A FORENSIC AUTOPSY WAS PERFORMED ON THE  
REMAINS OF MR. [REDACTED] BY DR (CDR) [REDACTED]  
OFFICE OF THE ARMED FORCES MEDICAL EXAMINER AT MORTUARY  
AFFAIRS, BAGHDAD INTERNATIONAL AIRPORT, BAGHDAD, IRAQ. MR.  
[REDACTED] SUFFERED MULTIPLE BLUNT FORCE INJURIES TO HIS  
UPPER BODY, TO INCLUDE THE FRACTURING OF MOST OF HIS RIBS  
AND MULTIPLE FRACTURES TO SOME OF HIS RIBS. DR [REDACTED]  
OPINED THE BLUNT FORCE INJURIES PRESENT ON THE UPPER BODY  
OF MR. [REDACTED] WERE CONSISTENT WITH A BEATING AND THE  
BRUISES APPEARED TO A COUPLE OF DAYS OLD. THE PRELIMINARY  
CAUSE OF DEATH WAS DETERMINED TO BE BLUNT FORCE INJURIES  
AND ASPHYXIA. THE MANNER OF DEATH WAS DETERMINED TO BE  
HOMICIDE. b7c2

THE FINAL AUTOPSY REPORT IS PENDING.

REQUEST CRC NAMECHECKS OF SSG [REDACTED] SFC [REDACTED], SFC  
[REDACTED] AND SPC [REDACTED] b7c5

INVESTIGATION CONTINUES BY CID.

025380

00 518

INITIAL REPORT:

ON 9 JAN 04, THE 94<sup>TH</sup> MILITARY POLICE COMPANY, FOB RIFLES BASE, AL ASAD, IRAQ, NOTIFIED THIS OFFICE AN IRAQI DETAINEE DIED AT THE FOB RIFLES BASE DETENTION FACILITY.

PRELIMINARY INVESTIGATION DETERMINED MR. [REDACTED] WAS DETAINED ON 4 JAN 04. HE WAS THEN PLACED IN AN ISOLATION CELL AT THE DIRECTION OF OPERATION DETACHMENT ALPHA (ODA), WHO WANTED TO QUESTION HIM. SOMETIME BETWEEN 4 JAN 04 AND 8 JAN 04, MR. [REDACTED] WAS QUESTIONED AT LEAST TWO TIMES BY MEMBERS OF ODA; HOWEVER, ODA WAS NOT REQUIRED TO SIGN MR. [REDACTED] OUT ON THE INTERROGATION LOG.

ABOUT 0730, 9 JAN 04, GUARDS AT THE DETENTION FACILITY ORDERED ALL PRISONERS TO STAND AS PUNISHMENT FOR TALKING. MR. [REDACTED] REFUSED TO STAND AND AFTER SEVERAL WARNINGS HE WAS SHACKLED TO THE TOP OF THE DOOR FRAME IN ORDER TO COMPEL HIM TO CONTINUE STANDING. MR. [REDACTED] WAS THEN GAGGED AS HE CONTINUED TO TRY TO TALK TO OTHER PRISONERS. ABOUT FIVE MINUTES AFTER MR. [REDACTED] WAS GAGGED AND SHACKLED, GUARDS NOTICED HIS EYES WERE CLOSED AND HE WAS SLUMPED OVER HANGING FROM THE SHACKLES. GUARDS WENT TO THE CELL AND DISCOVERED MR. [REDACTED] WAS NOT BREATHING. THE GUARDS TOOK MR. [REDACTED] DOWN FROM THE DOOR FRAME AND REMOVED THE GAG FROM HIS MOUTH. AFTER NO PULSE WAS FOUND MEDICAL AID WAS SOUGHT.

ABOUT 0815, 9 JAN 04, MEDICS ARRIVED AND CHECKED FOR SIGNS OF LIFE WHICH MET WITH NEGATIVE RESULTS. NO LIFE SAVING MEASURES WERE INITIATED.

DR. (CPT) [REDACTED] MED TROOP, 3<sup>RD</sup> ARMORED CAVALRY REGIMENT, FOB RIFLES BASE, IRAQ, PRONOUNCED MR. ABDUL JALEEL DEAD AT 0900, 9 JAN 04.

PRELIMINARY EXAMINATION OF MR. [REDACTED] REMAINS REVEALED EXTENSIVE BRUISING ON HIS UPPER BODY.

INTERVIEWS OF DETENTION FACILITY GUARDS AND THE 66<sup>TH</sup> MILITARY INTELLIGENCE COMPANY, FOB RIFLES BASE, AL ASAD, IRAQ, REVEALED MR. [REDACTED] WAS PREVIOUSLY INTERROGATED BY MEMBERS OF ODA 525TH, 5<sup>TH</sup> SPECIAL FORCES GROUP, FOB RIFLES BASE, IRAQ.

THE INVOLVEMENT OF DRUGS AND ALCOHOL IN THIS INCIDENT ARE

025331

00 519

UNKNOWN AT THIS TIME.

THE DATE AND LOCATION OF MR. [REDACTED] AUTOPSY IS PENDING. b7c4

THE CASUALTY LIASON OFFICER FOR THIS MATTER IS SPECIAL AGENT IN CHARGE [REDACTED] AT DSN 302 [REDACTED] > b7c4

INVESTIGATION CONTINUES BY CID.

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 MARKING IN ACCORDANCE WITH CHAPTER 3, AR 25-55.

FOR OFFICIAL USE ONLY

025332

00 520

DATE: 18 JAN 04

FROM: SAC, 87TH MILITARY POLICE DET (CID)  
TO: DIRECTOR, USACRC, USACIDC, FORT BELVOIR, VA  
CDR, HQUSACIDC //CIOP-COP-CO//  
CDR, 10<sup>TH</sup> MP BN (CID) (ABN) (FWD) //OPS//  
CDR, 3D MP GROUP (CID) //OPS//  
DIR AFIP AFME WASH, DC//AFIP-CPLF//  
PMO, 82<sup>ND</sup> ABN DIV (FWD)  
SJA, 82<sup>ND</sup> ABN DIV (FWD)  
COS, 82<sup>ND</sup> ABN DIV (FWD)

SUBJECT: CID REPORT -2D STATUS/SSI - 0009-04-CID679-83486-5H1M

DRAFTER : SA [REDACTED]  
RELEASER: SA [REDACTED]

UNCLASSIFIED - FOR OFFICIAL USE ONLY

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 9 JAN 2004/0730 - 9 JAN 2004/0900; DETENTION FACILITY, FORWARD OPERATING BASE (FOB), RIFLES BASE, AL ASAD, IRAQ, MGRS 38S KC 60160 40494. b7c

2. DATE/TIME REPORTED: 9 JAN 2004, 1010

3. INVESTIGATED BY: SA [REDACTED] SA [REDACTED]

4. SUBJECT: 1. (UNKNOWN); [NFI] [MURDER].

5. VICTIM: 1. [REDACTED] FORMER LTC, IRAQI ARMY; DETAINEE NUMBER [REDACTED] M; C; DULA'AB, IRAQ; ZZ; (NFI) [MURDER] b7c

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

THIS IS AN OPERATION IRAQI FREEDOM INVESTIGATION.

2<sup>ND</sup> STATUS:

THE PURPOSE OF THIS REPORT IS TO CHANGE THE MANNER OF DEATH FROM UNDETERMINED TO MURDER.

025333

00 521

ON 11 JAN 04 AN AUTOPSY WAS CONDUCTED ON THE BODY OF MR [REDACTED] WHICH REFLECTED THE CAUSE OF DEATH WAS BLUNT FORCE INJURIES AND ASPHYXIA.

A REVIEW BY THIS OFFICE AND SJA IS PENDING TO DETERMINE WHO IS RESPONSIBLE FOR MR [REDACTED] DEATH.

INVESTIGATION CONTINUES BY CID.

INITIAL REPORT:

ON 9 JAN 04, THE 94<sup>TH</sup> MILITARY POLICE COMPANY, FOB RIFLES BASE, AL ASAD, IRAQ, NOTIFIED THIS OFFICE AN IRAQI DETAINEE DIED AT THE FOB RIFLES BASE DETENTION FACILITY.

PRELIMINARY INVESTIGATION DETERMINED MR. [REDACTED] WAS DETAINED ON 4 JAN 04. HE WAS THEN PLACED IN AN ISOLATION CELL AT THE DIRECTION OF OPERATION DETACHMENT ALPHA (ODA), WHO WANTED TO QUESTION HIM. SOMETIME BETWEEN 4 JAN 04 AND 8 JAN 04, MR. [REDACTED] WAS QUESTIONED AT LEAST TWO TIMES BY MEMBERS OF ODA; HOWEVER, ODA WAS NOT REQUIRED TO SIGN MR. [REDACTED] OUT ON THE INTERROGATION LOG.

ABOUT 0730, 9 JAN 04, GUARDS AT THE DETENTION FACILITY ORDERED ALL PRISONERS TO STAND AS PUNISHMENT FOR TALKING. MR. [REDACTED] REFUSED TO STAND AND AFTER SEVERAL WARNINGS HE WAS SHACKLED TO THE TOP OF THE DOOR FRAME IN ORDER TO COMPEL HIM TO CONTINUE STANDING. MR. [REDACTED] WAS THEN GAGGED AS HE CONTINUED TO TRY TO TALK TO OTHER PRISONERS. ABOUT FIVE MINUTES AFTER MR. [REDACTED] WAS GAGGED AND SHACKLED, GUARDS NOTICED HIS EYES WERE CLOSED AND HE WAS SLUMPED OVER HANGING FROM THE SHACKLES. GUARDS WENT TO THE CELL AND DISCOVERED MR. [REDACTED] WAS NOT BREATHING. THE GUARDS TOOK MR. [REDACTED] DOWN FROM THE DOOR FRAME AND REMOVED THE GAG FROM HIS MOUTH. AFTER NO PULSE WAS FOUND MEDICAL AID WAS SOUGHT.

ABOUT 0815, 9 JAN 04, [REDACTED] ARRIVED AND CHECKED FOR SIGNS OF LIFE WHICH MET WITH NEGATIVE RESULTS. NO LIFE SAVING MEASURES WERE INITIATED.

DR. (CPT) [REDACTED] MED TROOP, 3<sup>RD</sup> ARMORED CAVALRY REGIMENT, FOB RIFLES BASE, IRAQ, PRONOUNCED MR. [REDACTED] DEAD AT 0900, 9 JAN 04.

PRELIMINARY EXAMINATION OF MR. [REDACTED] REMAINS

b7c4

b7c2

b7c4

025334

00 522

REVEALED EXTENSIVE BRUISING ON HIS UPPER BODY.

INTERVIEWS OF DETENTION FACILITY GUARDS AND THE 66<sup>TH</sup> MILITARY INTELLIGENCE COMPANY, FOB RIFLES BASE, AL ASAD, IRAQ, REVEALED MR. [REDACTED] WAS PREVIOUSLY INTERROGATED BY MEMBERS OF ODA 525TH, 5<sup>TH</sup> SPECIAL FORCES GROUP, FOB RIFLES BASE, IRAQ.

THE INVOLVEMENT OF DRUGS AND ALCOHOL IN THIS INCIDENT ARE UNKNOWN AT THIS TIME.

THE DATE AND LOCATION OF MR. [REDACTED] AUTOPSY IS PENDING.

THE CASUALTY LIASON OFFICER FOR THIS MATTER IS SPECIAL AGENT IN CHARGE [REDACTED] T DSN 302 [REDACTED]

INVESTIGATION CONTINUES BY CID.

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 MARKING IN ACCORDANCE WITH CHAPTER 3, AR 25-55.

FOR OFFICIAL USE ONLY

025335

00 523



DATE: 9 JAN 04

FROM: SAC, 87TH MILITARY POLICE DET (CID)  
TO: DIRECTOR, USACRC, USACIDC, FORT BELVOIR, VA  
CDR, HQUSACIDC //CIOP-COP-CO//  
CDR, 10<sup>TH</sup> MP BN (CID) (ABN) (FWD) //OPS//  
CDR, 3D MP GROUP (CID) //OPS//  
DIR AFIP AFME WASH, DC//AFIP-CPLF//  
PMO, 82<sup>ND</sup> ABN DIV (FWD)  
SJA, 82<sup>ND</sup> ABN DIV (FWD)  
COS, 82<sup>ND</sup> ABN DIV (FWD)

SUBJECT: CID REPORT -INITIAL/SSI - 0009-04-CID679-83486-5H9B

DRAFTER : SA [REDACTED]  
RELEASER: SA [REDACTED]

UNCLASSIFIED - FOR OFFICIAL USE ONLY

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 9 JAN 2004/0730 - 9 JAN 2004/0900; DETENTION FACILITY, FORWARD OPERATING BASE (FOB), RIFLES BASE, AL ASAD, IRAQ, MGRS 38S KC 60160 40494. b7c

2. DATE/TIME REPORTED: 9 JAN 2004, 1010 -b2

3. INVESTIGATED BY: SA [REDACTED]; SA [REDACTED]; SA [REDACTED]. -b2

4. SUBJECT: 1. (UNKNOWN); [NFI] [UNDETERMINED DEATH].

5. VICTIM: 1. [REDACTED] FORMER LTC, IRAQI ARMY; DETAINEE NUMBER [REDACTED] [REDACTED] M; C;DULA'AB, IRAQ; ZZ; (NFI) [UNDETERMINED DEATH] b7c

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

THIS IS AN OPERATION IRAQI FREEDOM INVESTIGATION.

ON 9 JAN 04, THE 94<sup>TH</sup> MILITARY POLICE COMPANY, FOB RIFLES BASE, AL ASAD, IRAQ, NOTIFIED THIS OFFICE AN IRAQI DETAINEE DIED AT THE FOB RIFLES BASE DETENTION FACILITY.

025336

00 524

PRELIMINARY INVESTIGATION DETERMINED MR. [REDACTED] WAS DETAINED ON 4 JAN 04. HE WAS THEN PLACED IN AN ISOLATION CELL AT THE DIRECTION OF OPERATION DETACHMENT ALPHA (ODA), WHO WANTED TO QUESTION HIM. SOMETIME BETWEEN 4 JAN 04 AND 8 JAN 04, MR. [REDACTED] WAS QUESTIONED AT LEAST TWO TIMES BY MEMBERS OF ODA; HOWEVER, ODA WAS NOT REQUIRED TO SIGN MR. [REDACTED] OUT ON THE INTERROGATION LOG.

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DR. (CPT) [REDACTED] MED TROOP, 3<sup>RD</sup> ARMORED CAVALRY REGIMENT, FOB RIFLES BASE, IRAQ, PRONOUNCED MR. [REDACTED] DEAD AT 0900, 9 JAN 04.

PRELIMINARY EXAMINATION OF MR. [REDACTED] REMAINS REVEALED EXTENSIVE BRUISING ON HIS UPPER BODY.

INTERVIEWS OF DETENTION FACILITY GUARDS AND THE 66<sup>TH</sup> MILITARY INTELLIGENCE COMPANY, FOB RIFLES BASE, AL ASAD, IRAQ, REVEALED MR. [REDACTED] WAS PREVIOUSLY INTERROGATED BY MEMBERS OF ODA 525<sup>TH</sup>, 5<sup>TH</sup> SPECIAL FORCES GROUP, FOB RIFLES BASE, IRAQ.

THE INVOLVEMENT OF DRUGS AND ALCOHOL IN THIS INCIDENT ARE UNKNOWN AT THIS TIME.

THE DATE AND LOCATION OF MR. [REDACTED] AUTOPSY IS PENDING.

THE CASUALTY LIASON OFFICER FOR THIS MATTER IS SPECIAL

025387

00 525

AGENT IN CHARGE [REDACTED] AT DSN 302 [REDACTED]

b7c1

INVESTIGATION CONTINUES BY CID.

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.

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025388









mutual  
affairs

1125 10FC [redacted]

DOB [redacted]

b7c2

[redacted]

5472 QM Bldg 9338

1158 body removed

b7c2

[redacted] ES [redacted]

1227 hrs

MAINT TROOP  
1st flr in building

Says wrists swollen from SCS  
was damp  
sitting up

b7c2

[redacted] ES [redacted]

1231 hrs

1600 - 2000 4 JAN

seemed fine 1st flr still when morning

0800 4 JAN

SCS [redacted] said he had no pulse during change over of SCS

b7c5

025393

00 005



ADA Directions  
T Past Mourt Affairs

(R) at T

1st set of buildings on right

1052

[redacted]

- POB: [redacted] DOB: [redacted]
- arrested some day as MR [redacted]
  - said he was treated well during arrest.
  - men in masks tortured old man (Mr. [redacted])
  - men who arrested them hurt & punched old man when they found the IED parts.
  - 2 or 3 times in chest with boots men in mask.
  - saw bruises on 8 JAN 03
  - only one man kicked old man.
  - white guy. Some height 25'6"
  - no one else hit him that he saw.
  - never ate only drank water.
  - conversation on case on Mercedes Tues

b7c3  
b7c4

1125.

[redacted]

- POB: [redacted]
- arrested some day as Mr [redacted]
  - when arrested men kicked him just once.
  - No resistance from old man during arrest
  - 3 days ago a masked man interrogated him
  - men in mask hit him kicked him with boot
    - no mark not very hard.
  - Guards threw water on old man.

025294  
100 006

SPC/E-4

[redacted] [redacted] [redacted]  
M C - 5'0 228 Blk Hair Blue eyes.

US cit.  
ed: 12  
Mos: 14R  
ADA V3 ACR.  
Single.

b7C5

[redacted] [redacted] [redacted]  
(765) [redacted]  
Name [redacted]

1G35

SSG

[redacted] [redacted] [redacted] ADA 1/3 ACR, Rest  
BTRY Carson

10C  
539-

- employed sand Bags
- [redacted] then search vehicle
- 25-30 meters away
- heard [redacted] tell them to shut up.
- not see anything.
- not a 100%
- seemed ghost of Breath,
- same as when we picked him up.
- not able to see anything
- old man would not shut up
- no abuse.

b7C2

b7C5

1072

025395

00 007

b7c SA [REDACTED]

LE SAN 03

0009-03-C70679-83846

1050

- b7c2

[REDACTED]

[REDACTED]

SFC

ADA BTRC V3ACR.

- did not see

- guy was walking out.

1710

Briefed  
539- [REDACTED]

CPT

[REDACTED]

ADA BTRC COTC,

- b7c2

2 of 2

025396

00 008

Rest b7c5

10 Jan 09

SFC [redacted]  
 two or three days ago  
 0500 meeting tasked to pick up four  
 detainees from cage  
 detainee w/ Motorola radios in group  
 1000 picked up detainees  
 transported to SF compound for  
 interrogation  
 in and out of interrogations  
 after lunch walked in on interrogation  
 of radio guy  
 detainee was being vague w/ answers  
 said he was ready to tell the truth  
 sat down in chair and unclipped  
 sat down and started answering  
 questions  
 about 10-15 minutes lapsed out of  
 chair and grabbed [redacted]  
 [redacted] only about 2-3 feet away  
 grabbed shirt w/ both hands  
 reached by bringing knee to mid section  
 to take away air  
 probably punched in mid section a  
 couple of times to subdue  
 four people plus detainee [redacted], [redacted]  
 and [redacted] and [redacted]  
 a little later SFC [redacted] came in to  
 check  
 not sure what [redacted] and [redacted]  
 did to subdue detainee

①

025397  
00 009

- scuffle lasted 1 to 2 minutes
- got detainee to floor and zip tied hands in front
- detainee's hands shackled to pipe over head
- gave detainee some water [REDACTED] holding bottle b7c5
- detainee spit out tooth
- not bleeding from mouth
- later detainee led SF team to IED on roadside and cache
- did not go on mission did not see detainee again
- not sure if before and after pictures were taken.
- interrogation after scuffle was not more than 45 minutes
- interrogation training not part of formal training

②

025398

00 010

530 Co HQ  
ODA 531

SA [redacted] b7c  
10 JAN 04 b7c  
0009-04-C10679-63846

[redacted]  
# [redacted] detained 4 JAN 04 b7c

0923  
10 JAN 04

Interview [redacted] Team Sgt [redacted] b7c  
[redacted] picked up all 3 detainees 6 JAN  
04, 1000 brought to ODA compound

b7c PID Positively Identify

[redacted] aggressive move towards camera

b7c [redacted] PID [redacted] Interviewers  
[redacted] Titan mbip → 2nd Interview  
- was not in interview.

1050

Interview [redacted] b7c see simi

b7c  
~~was [redacted] struck in the face by anyone~~  
~~- besides attempt restraining him after he attacked [redacted]~~  
~~was [redacted] struck any other time~~  
✓ - Did you hit him if yes describe  
✓ - How long did it take to subdue him → [redacted]  
✓ - who was involved in each interrogation  
- You saw the photos  
- who participated in the interrogation

1871

Interview of [redacted] SGT SIMI b7c  
CP [redacted] (FOB TIGER)

025399

1826  
10 JANUARY

SS6 [REDACTED] [REDACTED] [REDACTED] 18E  
[REDACTED], B Co 1/5th SF GRP, Ft Campbell, VA.

- around 1730, D JANUARY while trying to get [REDACTED] in vehicle (Defender 4 dr pickup) [REDACTED] pulled from drivers side rear seat while [REDACTED] push from outside vehicle
- [REDACTED] kicked [REDACTED] twice in abdomen area trying to get him in veh.
- Passive and active resistance by [REDACTED] <sup>b7c4</sup> ref getting into veh.
- Feels appropriate level of force used
- bag on head after in car
- sec [REDACTED] drove [REDACTED] <sup>b7c4</sup> back to detention facility upon return from mission.

- Was drinking a water 1 bottle during mission.
- Notified of mission upon returning from lunch.

except as noted b7c5

025400

00 012

2030

Interview w/ CPT [redacted] ODA 525  
B Co 1st Div 5th SF GP FT Campbell KY.  
SFC [redacted]  
SFC [redacted] (all 5th SF GP talked w/ her and time)  
SFC [redacted]  
SSC [redacted]  
MR. [redacted] TITAN interp

Interrogators  
2725

6th JAN 04, 1000 - 1800 (around) 1st time  
7th JAN 04, got back from interrogations ~~area~~ time around 1300 interrogated  
Sol about 1 hour @ Detention center

2131

COORDS w/ SJA CPT [redacted] b7c2  
- Body to BAHAD on flight 10 JAN 04  
- ADVISAL of ODA - ass assault  
- Brief on case

025401

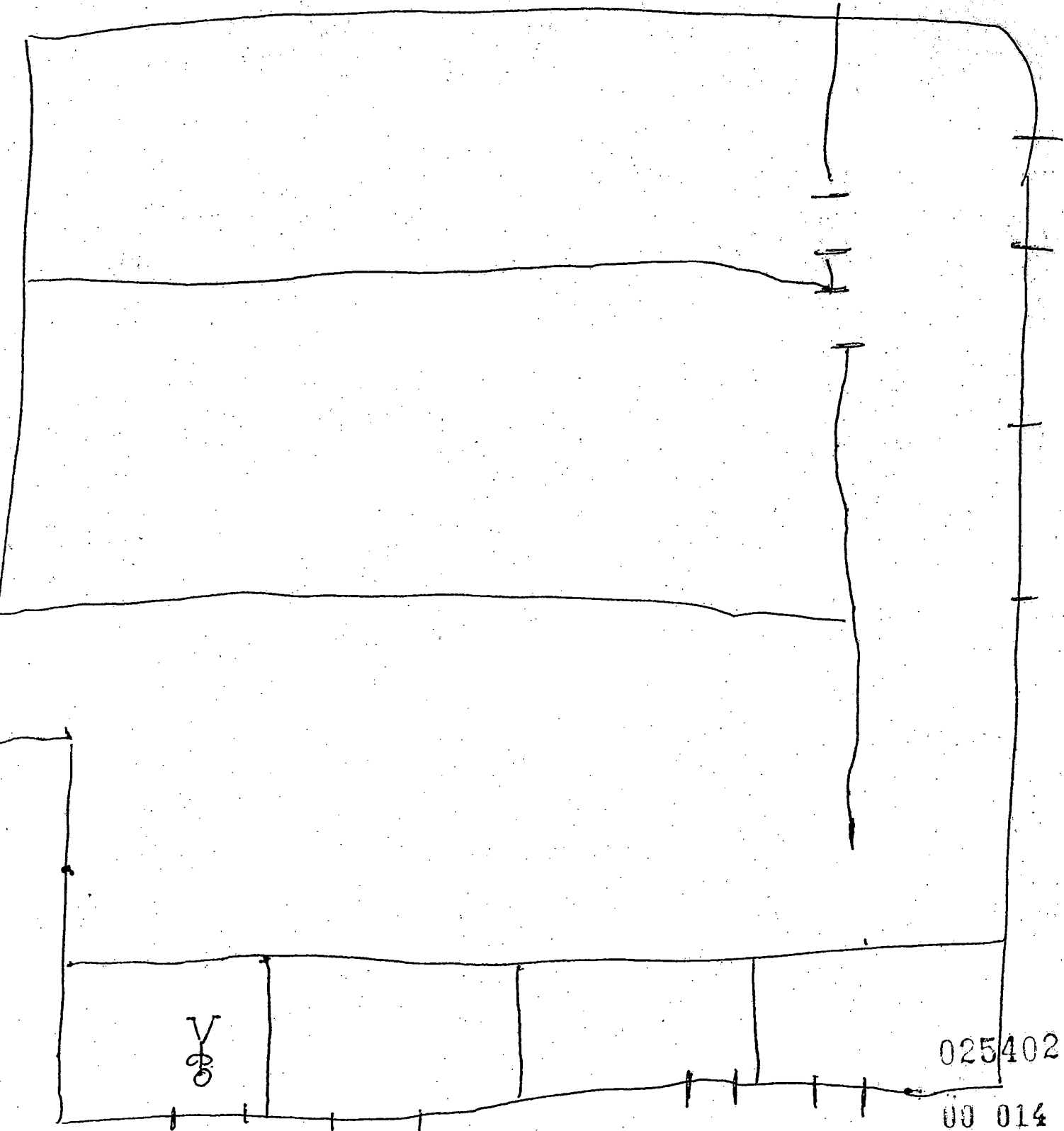
00 013



21 GAUGES  
131 KPW

ISOLATION

GRID LOCATION 38S KC6016040494  
ELEV 714 FT



WAS b7c2

11/11  
18 AUG 01

18 AUG 01 b7c1  
0009-01-010679-82486

- [REDACTED] - AVIM TRIP
- [REDACTED] - AVIM TRIP
- [REDACTED] - SXT SUPPORT - MAINT TRIP
- [REDACTED] - SXT
- [REDACTED] - SXT
- [REDACTED] - MAINT TRIP

b7c5

CPT b7c2

CPT b7c2

L → OUTDOOR REC → + → R-Butts Rd → <sup>3m</sup> Ardet (L)  
 (R) → hanger on (L) last section of hanger AVIM Air Raiders

L → (L) onto cason → across one way corner of cason  
 and near @ 2158.

b7c2

CPT [REDACTED] ref spc [REDACTED], ETS end of month

\* ~~1604~~

SA [REDACTED] b7c4

\* CPT [REDACTED] b7c2 MAINT TRIP ref CPT [REDACTED] b7c2

\* Interview 0900 - [REDACTED]

\* Interview 1200/1400 - [REDACTED] } b7c5

\* ~~0005~~ w/ CPT [REDACTED] b7c2

025403

00 015

1010  
18 AUG 04

COORD w/ CPT [REDACTED] would come to CID office now. *b7c2*

1030  
18 AUG 04

Sully briefed CPT [REDACTED] on all aspects of case. Stated he would have Pfc [REDACTED] escorted to CID office. *b7c5*

1250  
18 AUG 04

attempted to contact CPT [REDACTED] *b7c2*

1250  
18 AUG 04

COORD w/ MAS [REDACTED] meeting set for 1500, 18 AUG 04

1300  
18 AUG 04

COORD w/ CPT [REDACTED] meeting set for 1530/1600, 18 AUG 04 *b7c2*

1315  
18 AUG 04

Interview of Pfc [REDACTED] has retained lawyer, advised not to speak. CPT [REDACTED] (FT CARSON, Trial Defense) 7/9 [REDACTED] *b7c5*

1500  
18 AUG 04

COORD w/ MAS [REDACTED]

545

COORD w/ CPT [REDACTED] *b7c2*

600

COORD w/ CPT [REDACTED] spc [REDACTED] @ office 0900 *b7c5*

025404

00 016

interview of SSG [redacted] b7c5

- did not see any one strike [redacted] b7c4

17 700 of 1100

b7c5

[redacted] b7c4 take [redacted] down hard pushed into wall then bear hug type take down w/ [redacted] landing on top of [redacted] hard. (45 sec) then [redacted] brought him to front of cage shackled and flexcuffed, [redacted] in cage w/ [redacted] [redacted] may have gassed him. door left open [redacted] had access. [redacted] fixed iso pen approx 1 hour then [redacted] brought [redacted] to iso pen, shackled to pde. [redacted] checked on security of [redacted] no other contact w/ [redacted] b7c4

b7c5

[redacted] asked [redacted] day after death if he thought the take down was what killed him.

[redacted] had no physical contact w/ [redacted]

[redacted] says [redacted] walked under own power. in leg sleds to iso pen. b7c4

- Gassed for 15 min's was on knees.

025405

00 017

1015  
9 AUG 04

- crushing injuries near time of death
- no way a day's prior to death
- hyper tension large heart
- internal injuries are consistent with stomping crushing injuries close to time of death.
- exterior bruises and possibly 1/2 rib fractures
- most likely injuries occur after escape attempt
- since unlikely he would be moving.
- lungs had bruises but not punctured
- very difficult to breathe almost impossible to move.

025406

00 018

8 Jan of  
#0900

8 Jun of  
0009-04-C10679-83486

b7c5 Cell [redacted] 7 b7c5  
Hp [redacted]

Interview of SGT [redacted]

- latrines were voluntary -

8M - 2000 - 0000 - sleep down up front only legs shackles  
9M - 0400 - 0800 - whole shift remained up front (sitting)  
shackled by legs and hands b7c4  
not on shift when [redacted] attempted to escape

legs to bar in iso pen  
hands flexi cuffs in front.

Did have conversation in [redacted] b7c2  
~~had stomped down over 2x before washing hands told  
him to set up he did, 3~~

observed for a few seconds, b7c4  
no pulse, checked carotid artery,  
unlocked door and cuff [redacted] fell to floor. face up half way out  
of iso pen, called for help, check one more time for life signs

took medics about 30-35 min to arrive

[redacted] b7c2  
\* SGT [redacted] same unit. was with medics when they checked  
prisoners.

o

025407

00 019

1020  
8 JUN 84

Interview of SPC [redacted] b7c5

- 1st time [redacted] was when OSA in masks either brought him back or picked him up
- 5M of JAW 0500-1200 - [redacted] showed him flex cuffs
- removed flex cuffs, bandaged, placed leg irons on him.

9M 0000-0400 - when first came onto shift, [redacted] was making noises, guards woke up [redacted] (Isral prison) to intrale, [redacted] said he wanted to go home and so to the settlement. Was also telling [redacted] he wanted to see a doctor about his hands.

b7c5 [redacted] (PFC) manknce troop. took [redacted] out to use latrine did not see him walk out. b7c4

- knew he didnt have flex cuffs on but didnt know he also was not leg shackled

b7c5 [redacted] SPC [redacted], PFC [redacted], and [redacted] cuffed [redacted] after [redacted] caught him. (SPC [redacted], Aviam troop)

- noticed bruises on [redacted] b7c4

- was taken down from behind by grabbing both shackles pulled down backwards. did not stem him.

- noticed [redacted] was out of breath.

[redacted] PFC [redacted] stopped [redacted] after escape attempt.

b7c5 [redacted] SSG [redacted] / SPC [redacted] worked on iso pen. b7c4

[redacted] SPC [redacted] / PFC [redacted] @ front watching [redacted] who was forced to stand throughout time to bar iso pen 1 hour to 1 1/2 hours.

025408  
00 020

8507 04

0004-04-C10679-23486

Ps 2 of 2

caught [redacted] just as he was about to go out door.

were watching Buffy Vampire series when [redacted] attempted to escape.

changed what he said for most of interview (1st page)  
wrote statement implicating PFC [redacted]

b7c4  
b7c5

025479

00 021



SGT

20040109

6702

SGT

E-5/SGT

AVIM TRP / SPT / 3ACR

STARTED EPW 04 JAN 04

JAN 05 2000 - 2400

JAN 09 1130 - 1600

NOTICED BRUISES ON VICTIM

ON JAN 05 NOT SURE OF TIME

2215 WENT INTO EPW 2300

2300 BEHEDED DOWN

2100 NOTICED BRUISES FROM A DISTANCE

DID NOT NOTICE ANY OTHER INJURIES TO VICTIM

"Rite in the Rain"

025410

00 022

SGT [REDACTED] 20040107

CPL [REDACTED]

SAT REP / SAT / 3AER.

FIRST DAY 08 JAN 04. - 1200-1600

09 JAN 04 0400-0800

SF GUYS CAME TO PL VICTIM

SUBJECT CAME BACK JUST WHEN

HE LEFT. 0400 VICTIM SP & ANSWER

0400 SUBJECT WAS SLEEPING

WAKE UP 0600-630.

2:30 - 800 VICTIM FIRST.

09 1051

"Rite in the Rain"

b7c2

025411

00 023

✓ CPL [redacted] b7c2  
✓ SGT [redacted] b7c5  
✓ [redacted]  
✓ SSG [redacted] b7c2

✓ PFC [redacted]  
✓ PFC [redacted] b7c5  
✓ SPC [redacted]  
✓ SSG [redacted]  
✓ PFC [redacted]  
✓ SGT [redacted]  
✓ SGT [redacted]  
✓ PFC [redacted]  
✓ SGT [redacted]  
✓ SGT [redacted] b7c2  
✓ SPC [redacted]  
✓ SPC [redacted]  
✓ PFC [redacted]

✓ [redacted] b7c2  
✓ [redacted]  
✓ SPC [redacted] b7c5  
✓ SGT [redacted] b7c2

- who does medical screenings  
- SGT [redacted] on leave.  
b7c2 [redacted]

025412

00 024

b7c2

1705

CPT [redacted], med TRP 3 ACR

[redacted] FT Carson, Pikes Base, IAW  
pronounced @ 0900, no medical  
was in rigor when examined, supine position.

1709  
interview  
of

Sgt [redacted], MED TRP 3 ACR

(b7c2)

PFC [redacted], MED TRP 3 ACR

responded to breathing difficulties, supine on back covered  
w/ blanket, no life signs.

No blood, Swelling around abdominal area

- received call @ 0800, one of the guards said he must  
have pest during the night

- arrived around 0815 on scene.

0254:3

1081

00 025

~~03~~

0009-04-CID67A-83486  
9 JAN 04

1050  
9 JAN 04

- SGT [REDACTED]  
94th MP  
- verified scene

b7c2

1056

- SSG [REDACTED] AUSA  
(Quinton maint) 3ACR, [REDACTED] (MOBILE GUARD FORCE)

b2-3

2400-0600 sleep  
no sleep unless Doc warrants  
no talking / touching.

b7c5

- Dead guy was isolated after being released from  
ODA day before. Was gassed by SGT [REDACTED] for talking  
Dead around 0745, 9 JAN 04

1110

SGT [REDACTED] MAINT Troop  
3ACR, [REDACTED]

b7c5

- Found dead guy  
• Spc [REDACTED] saw him assisted by SGT [REDACTED]  
- attempted escape attempt around 0400, 9 JAN 04  
- came on duty @ 0400, was bld of escape  
attempt by SGT [REDACTED] sgt [REDACTED] prisoner was standing  
in front of tower. New guy and SGT [REDACTED] put  
leg irons x3 one to connect legs two attached to chain in  
middle. Flexi cuff on hands already on in front.  
- noticed prisoner had soiled himself.  
- moved him back to isolation and secured leg iron  
to post.  
- moved to isolation cage prior to placing leg irons on  
locked up about 0445.  
- sat there for about 1 1/2 hours. (quiet but moving around)

025411  
1 and 2

00 026

- around 0630 power went out fixed generator 0650
- event one when up around 0630 when hodge power came on whole powers lights.

- around 0650 heard everyone talking told everyone to get up. dead guy refused to get [redacted] went to his gate and told him to stand which he did but when he walked away prisoner sat back down, hopped twice after 3rd time went and got 10g iron key. it and spe [redacted] went Isolcher case on hooded leg iron and secured it to door way of cage forcing him to stand. (flexing cuff to leg iron to top of door way.)

- this occurred around 0715-0730.
- wouldn't be quiet told spe [redacted] to get gas and assisted in gagging him.
- dead guy resisted a little no punching or striking just man handled.

- gagging process took maybe 2/3 min.
- after 2/4 min whole washrooms heard back see detainee slumping, began bathroom runs, after about 5 min went back to check on him noticed he was not breathing, opened door took him down checked for pulse. (no pulse)

- no life saving measures taken
- when he was brought down head was facing outside in doorway of cell.

- sent spe [redacted] after attempts to call by phone failed to get someone from MI

- Sgt [redacted] came down from MI (1st) Sgt [redacted] said to put him in cell cover w/ blanket (10 min head past since discovery) called medics.

- medics took 10-15 min arrived around 0810 did nothing as per as life saving measures.

- Dead guy did not come in with bruises noticed bruises this morning, sure he didn't have bruises prior to detainee going w/ ODA. ODA comes to cage in civ/black hood and ask's for prisoner by #

b7c5

b7c2

025415

2 of 3

00 027

1205  
9 JAN 04

Sgt [REDACTED], 66th MI, 3/3 ACR  
FT CARSON, CO, Rifles Base, INAC

b7c2

- Cpt [REDACTED] (CDL, ODA, Rifles Base)
- possibly deSetic, may have had heart medicine.
- Has not been interviewed by MI.
- No record of ODA taking him but ODA only one's who have interviewed him.

1423  
9 JAN 04  
SA [REDACTED]  
SA [REDACTED]  
b7c1

arrive @ Mortuary Affairs to examine body  
- coord w/ PFC [REDACTED] for body

b7c2

- Prelim Photos
- Prelim exam pants, underwear, shirt, no jewelry  
~~notable visible~~ no tattoos visible no shoes.
- Flexi cuffed in front, Sandage on left wrist  
no ID # on cuff, missing two teeth upper front.  
multiple large bruises on sides, abdomen and lower chest  
abrasions on both forearms. Subj had detected on  
self prior to dying.  
Freq used by most officers 515

1452  
9 JAN 04

briefed SAC

1459  
25 JAN 04

[REDACTED] ODA, Cpt [REDACTED] out on mission will  
end upon return.

b7c2

025416

00 028

1217

b7c2

[REDACTED]

PFC

Maint. Spt. Sqd. 3ACR

0400 - 0800

0730 - wakeup

gaged - SPC? new guy hanging from cage (SGT [REDACTED])

b7c5

Called [REDACTED] over and left to go wakeup next shift b7c5

1224

SPC [REDACTED]  
[REDACTED] Avim Trp. 3ACR Spt.

0000 - 0400

0215 - tried to escape, then brought to the middle row/walkway and shackled

SPC [REDACTED]  
SGT [REDACTED]  
SPC [REDACTED]  
SPC [REDACTED] - takedown

b7c5

025417

00 029



SA [redacted] b7c1  
0004-04-CID679-  
83486

95ANDY

- never complained to [redacted] about  
med problems  
- never saw medics working on  
prisoner

b7c5

025418

2 of 2

00 030

9 JAN 04

Convass Guards [redacted] b2-3

Freg [redacted] Packhorse MA

1055 - Reviewed Detainee File

9 Jan

1119 - SPC [redacted] worked 0400 to 0800 shift on 9 Jan

9 Jan

- 0730 had problem w/ dead prisoner  
- prisoner was breaking rules by talking excessively (arabic)

- SGT [redacted] was telling prisoner to be quiet

- SGT [redacted] told prisoner to stand up

- SGT [redacted] in cage w/ prisoner

- walked up to SGT [redacted]

- SGT [redacted] told to go get gag

- came back and [redacted] told to put gag on

- put gag on and cuffed prisoner to rail in a way to force prisoner to stand

- about 15 minutes later SGT [redacted] notices prisoners eyes are closed and slumped

- SGT [redacted] went to cage prisoner not breathing uncuffed ungagged

- told [redacted] to go get help

- went to MI shack and told SGT [redacted] what was happening

- thinks guy was interviewed once or twice

b7c5

b7c2

1 of 2 025419  
00 031

571  
5150

9 JAN 04 b7C  
SA [redacted]

b7c5

SPC [redacted] Avim Troop  
3 ACR FOB Rifles Main, Iraq, Fort Carson CO  
-SGT [redacted] 2133 Trans  
Company, Cedar Rapids, IA, FOB Rifles Base

1236

b7c2

- worked 4pm to 8pm on 8 JAN 04
- was coming on shift at 0800 9 JAN 04 when Detainee was already dead. no interaction
- states Detainee was talkative, and woke up in middle of night regularly
- no prior attempts for escape
- only been here about a week or less
- MI or SF took him for interrogation during his first couple days of detention

1250  
1245

-SSG [redacted] 2133 Trans  
Cedar Rapids IA, 52404 FOB Rifles Base

b7c5

- Supervisor 12-000 on 9 JAN 04
- Detainee Refused to sleep
- caught escaping at 0215 9 JAN 04
- large Brises on sides
- sitting on floor when went off shift
- SPC [redacted] saw him escape
- SPC [redacted] apprehended him
- hard time moving, period including Bathroom
- when he escaped he moved very slowly
- <sup>think</sup> soiled his pants when SPC [redacted] detained him
- SF had him for interrogation 2 days ago

1300

copy

025420

00 032

9 JAN 04

b7c3

1305

[redacted], linguist, Titan Corp  
Contractor, Virginia, Ft. Belvoir Base,  
Screened patient for medical.

7 JAN 04

- Blood pressure medicine in pocket
- Diabetic checked Blood sugar.
- nothing else wrong.
- CPT [redacted] examined him. b7c2
- check pockets, card of pills.

1430

Translator contracting

[redacted]

Badge # [redacted]

b7c3

204

025421

00 033

1500

[redacted] b7c3

- 3 days he complain
- saw injuries & SAves when they threw water on him he was cold so he pulled up man dress and he saw great bruising
- was smuggly shipped to Syria
- lived in next cell over from dead guy
- he says dead guy better off he is no longer prisoner.
- guards tortured him <sup>(dead guy)</sup> a lot

[redacted] b7c3  
in processed. last night knows nothing

[redacted] b723  
Israeli National.

- 1<sup>st</sup> stand
- 2<sup>nd</sup> knee
- 3<sup>rd</sup> water
- 4<sup>th</sup> tape on mouth.

- labored breathing.
- masked men took & hit him in side 3 days ago.
- helps americans when he can.

[redacted] b723

- 2 or 3 times for Interrogation
- old man could not breathe after
- had to stand they pull him up
- because of torture he's shot himself

2-11-11

025422  
00 034

- could not stand cold nights.
- they tied hands to legs by tree & threw water on him.
- much Bruising from interrogation on sides.
- no beating in case.

4074

025423

00 035

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 # 0066	7. Year: -04-	8. Office CID 065	9. ROI #	Offense:
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10. Last Name:	11. First Name:	12. Middle Name:	13. Grade/Rank: E-6/SSG
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14. Social Security Number:	15. Other ID Number:	16. Date of Birth:	17. POB City:	18. POB St:	19. POB Zip:
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20. Sex: Male	21. Race: Caucasian	22. Ethnic:	23. Height: 72	24. Weight: 160	25. Hair: Gray	26. Eye Color: Hazel	27. Citizen:	28. Educ: 12/HS	29. Prior Record: NO	30. Marital: Married
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31. MOS: 88M	32. Job Description/Location: TRK DRV	33. MC: FC	34. Security Clr: Secret	35. Physical Marks/ Tattoos:	36. Spouse Military: Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>	Branch:
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37. Alias/Nicknames:	38. Alias/Nicknames:	39. Alias/Nicknames:
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40. Unit/ Organization: 2133 <sup>RD</sup> TRANSPORTATION COMPANY (IA NATIONAL GUARD)	41. Unit Phone Number:	Home:	Cell/Pager:
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42. Military Service:	43. Sub Unit:	44. Fort/City: CENTERVILLE	45. State: IA	46. Country:	47. Zip Code/APO: 52544
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48. Home Address:	49. City:	50. State:	51. Country:	52. Zip Code/APO:
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53. JUV:	54. Family Rel:	55. Last Name:	56. First Name:	57. Middle Name:
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58. Social Security:	59. Grade/Rank:	60. MC:	61. Unit:
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62. City:	63. State:	64. ZIP/APO:	65. Phone: Wk: Hm:
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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: May 2006	PCS/DEROS:	Date / Time Interview START: Date: 29 Jun 04 Time: 1200
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Place of Interview: Holiday Inn Express, Cedar Rapids, Room 121.	Date / Time Interview END: Date: Time:
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Disposition:

74. Category:	75. Type:	76. Recovered: Yes: <input type="checkbox"/> No: <input type="checkbox"/>	77. Value:	78. Insurer:	Policy:	Year/Date Exp: /
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79. Year:	80. Make:	81. Model:	82. Vehicle Style: Sedan	83. # of Doors:	84. Color:	85. Size: Full size
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86. V.I.N.:	87. License Plate:	88. State:	89. DOD Decal Number:
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NOTES: DATES DEPLOYED: BEGINNING: Feb 2003 RTND: April 2004

*all b7c5*

LAST HIV TEST: Feb 2003

025424

*Encl 5*  
00 036

CANVASS INTERVIEW WORKSHEET ROI#

Conducted By: SA [redacted] b7c u

0009-03 CID 879-83486

Date Name: [redacted] Rank: SPC SSN: [redacted]  
9 Jan 04 Unit Address: SPT Troop, SPT Squadron, 3rd ACR  
Residence Address:  
Time Service Member:  
1119 Home # Work  
Remarks:

Date Name: [redacted] Rank: PFC SSN: [redacted]  
9 Jan 04 Unit Address: SPT Troop, SPT Squadron, 3rd ACR Fort Rucker Base  
Residence Address:  
Time Service Member:  
1210 Home # Work  
Remarks: started working at EPW caseblan 04. Did not have any individual contact w/ deceased prisoner. Prisoner in isolation since [redacted] has been at case. Does not know why prisoner was in isolation.

Date Name: [redacted] Rank: PFC SSN: [redacted]  
9 Jan 04 Unit Address: HHT, Support Squadron, 3rd ACR  
Residence Address:  
Time Service Member:  
1240 Home # Work  
Remarks: Last shift was 2000-2400, 8 Jan 04. Working at EPW case about one month. Prisoner here about one week. No contact with prisoner.

Date Name: [redacted] Rank: SPC SSN: [redacted]  
9 Jan 04 Unit Address: 2133 Trans Co, Iowa NB, Cedar Rapids IA  
Residence Address:  
Time Service Member:  
1246 Home # Work  
Remarks: Prisoner here about one week. Working when prisoner came in. Prisoner would not stay quiet and was gassed at least one time. On sleep deprivation one or two nights. On shift from 2000 to 2400, 8 Jan 04. Prisoner had dishwash off. Saw bruises big bruises on abdomen.

all b7c 2

025425  
00 037



**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									

**INDIVIDUAL DATA**

10. Last Name:			11. First Name:			12. Middle Name:			13. Grade/Rank: E-5/SGT								
14. Social Security Number:			15. Other ID Number:			16. Date of Birth:			17. POB City:			18. POB St:			19. POB Zip:		
20. Sex: Male	21. Race: Caucasian	22. Ethnic:	23. Height: 5'10"	24. Weight: 156	25. Hair: Brown	26. Eye Color: Blue	27. Citizen: US	28. Educ: 12/HS	29. Prior Record: YES	30. Marital: Married							
31. MOS: 63A	32. Job Description/Location: TANK MECHANIC		33. MC:	34. Security Clr: No Clearance		35. Physical Marks/ Tattoos: SCARE ON R SIDE OF FACE			36. Spouse Military: Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>		Branch:						
37. Alias/Nicknames:				38. Alias/Nicknames:				39. Alias/Nicknames:									
40. Unit/ Organization: MAINTENANCE TROOP, SUPPORT SQD, 3 ACR						41. Unit Phone Number:			Home:		Cell/Pager:						
42. Military Service: Army		43. Sub Unit:		44. Fort/City: FORT CARSON		45. State: CO		46. Country: US		47. Zip Code/APO: 80913							
48. Home Address:			49. City:			50. State:		51. Country: US		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:
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**ADMINISTRATIVE DATA**

Telephone:	ETS: JUN 07	PCS/DEROS: 21 JUL 04	Date / Time Interview START: Date: 9 JUN 04      Time: 1600	
Place of Interview: FORT CARSON			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:			

*67c2*

025426

00 038

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:  
0009 -04- CID 679 -83486 -

INDIVIDUAL DATA

10. Last Name: 11. First Name: 12. Middle Name: 13. Grade/Rank: E-4/SPC

14. Social Security Number: 15. Other ID Number: 16. Date of Birth: 17. POB City: 18. POB St: 19. POB Zip:

20. Sex: Male 21. Race: Caucasian 22. Ethnic: 23. Height: 6'2" 24. Weight: 220 25. Hair: Brown 26. Eye Color: Green 27. Citizen: US 28. Educ: 12/HS 29. Prior Record: 30. Marital: Single

31. MOS: 15 D 32. Job Description/Location: AIRCRAFT POWER TRAIN REPAIR 33. MC: 34. Security Clr: No Clearance 35. Physical Marks/ Tattoos: 36. Spouse Military: Yes:  No:  Branch:

37. Alias/Nicknames: 38. Alias/Nicknames: 39. Alias/Nicknames:

40. Unit/ Organization: AVIM TROOP SUPPORT SQD, 3 ACR 41. Unit Phone Number: Home: Cell/Pager:

42. Military Service: Army 43. Sub Unit: 44. Fort/City: FORT CARSON 45. State: CO 46. Country: US 47. Zip Code/APO: 80913

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: 8 APR 2008 PCS/DEROS: Date / Time Interview START: Date: 8 JUN 04 Time: 1020

Place of Interview: FORT CARSON 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.IN: 87. License Plate: 88. State: 89. DOD Decal Number:

*all  
6705*

025427

00 039

**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 # 0009	7. Year: -04-	8. Office CID 679	9. ROI # -83486	Offense:
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**INDIVIDUAL DATA**

10. Last Name:			11. First Name:			12. Middle Name:			13. Grade/Rank: E-4/SPC			
14. Social Security Number:			15. Other ID Number:			16. Date of Birth:			17. POB City:		18. POB St:	19. POB Zip:
20. Sex: Male	21. Race: Caucasian	22. Ethnic:	23. Height: 5'10"	24. Weight: 202	25. Hair: Brown	26. Eye Color: Blue	27. Citizen: US	28. Educ: 12/HS	29. Prior Record: NO	30. Marital: Married		
31. MOS: 68X	32. Job Description/Location: ELECTRI ARMOR APACHE		33. MC:	34. Security Clr: No Clearance		35. Physical Marks/ Tattoos: NONE			36. Spouse Military: Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/> Branch:			
37. Alias/Nicknames:				38. Alias/Nicknames:				39. Alias/Nicknames:				
40. Unit/ Organization: AVIM TROOP SUPPORT SQD, 3 ACR						41. Unit Phone Number: Home:			Cell/Pager:			
42. Military Service: Army		43. Sub Unit:		44. Fort/City: FORT CARSON		45. State: CO		46. Country: US		47. Zip Code/APO: 80913		
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:

**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: 25 SEP 2006	PCS/DEROS:	Date / Time Interview START: Date: 10 JUN 04      Time: 0900
Place of Interview: FORT CARSON			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:					

*all b7c5*

025428

00 040

**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:			11. First Name:			12. Middle Name:			13. Grade/Rank: E-4/CPL								
14. Social Security Number:			15. Other ID Number:			16. Date of Birth:			17. POB City:			18. POB St:			19. POB Zip:		
20. Sex: Male	21. Race: Hispanic	22. Ethnic:	23. Height: 5'9"	24. Weight: 183	25. Hair: Black	26. Eye Color: Brown	27. Citizen: US	28. Educ: 12/HS	29. Prior Record: NO	30. Marital: Married							
31. MOS: 88M	32. Job Description/Location: TRK DRIVER		33. MC:	34. Security Clr: No Clearance	35. Physical Marks/ Tattoos: TATTOO, FLAG, R			36. Spouse Military: Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>			Branch:						
37. Alias/Nicknames:				38. Alias/Nicknames:				39. Alias/Nicknames:									
40. Unit/ Organization: S&T TROOP, SUPPORT SQD, 3 ACR						41. Unit Phone Number: 719			Home:			Cell/Pager:					
42. Military Service: Army		43. Sub Unit:		44. Fort/City: FORT CARSON		45. State: CO		46. Country: US		47. Zip Code/APO: 80913							
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:	

**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: 1 NOV 04	PCS/DEROS:	Date / Time Interview START: Date: 9 JUN 04      Time: 1130	
Place of Interview: FORT CARSON			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:			

*aw*  
*b7c2*

025429  
00 041

**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		

**INDIVIDUAL DATA**

10. Last Name:			11. First Name:			12. Middle Name:			13. Grade/Rank: E-4/SPC			
14. Social Security Number:			15. Other ID Number:			16. Date of Birth:			17. POB City:		18. POB St:	19. POB Zip:
20. Sex: Male	21. Race: Black	22. Ethnic:	23. Height: 6'4"	24. Weight: 208	25. Hair: Black	26. Eye Color: Brown	27. Citizen: US	28. Educ: 13	29. Prior Record: NO	30. Marital: Married		
31. MOS: 63B	32. Job Description/Location: LGHT WHEEL MECHANIC		33. MC:	34. Security Clr: No Clearance		35. Physical Marks/ Tattoos: TATTOO ON [REDACTED] SYMBOL)			36. Spouse Military: Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>		Branch:	
37. Alias/Nicknames:				38. Alias/Nicknames:				39. Alias/Nicknames:				
40. Unit/ Organization: S&T SUPPORT SQD 3 ACR						41. Unit Phone Number: 719-			Home:		Cell/Pager:	
42. Military Service: Army		43. Sub Unit:		44. Fort/City: FORT CARSON		45. State: CO		46. Country: US		47. Zip Code/APO: 80913		
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:

**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: 5 OCT 05	PCS/DEROS:	Date / Time Interview START: Date: 9 JUN 04      Time: 0930
Place of Interview: FORT CARSON			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:** CDR, CPT [REDACTED]

*all b7c5*

**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:
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INDIVIDUAL DATA

10. Last Name:			11. First Name:			12. Middle Name:			13. Grade/Rank: E-4/SPC								
14. Social Security Number:			15. Other ID Number:			16. Date of Birth:			17. POB City:			18. POB St:			19. POB Zip:		
20. Sex: Male	21. Race: Caucasian	22. Ethnic:	23. Height: 72'	24. Weight: 180	25. Hair: Brown	26. Eye Color: Blue	27. Citizen: US	28. Educ: GED	29. Prior Record: YES	30. Marital: Married							
31. MOS: 88M	32. Job Description/Location: TRK DRIVER		33. MC:	34. Security Clr: No Clearance		35. Physical Marks/ Tattoos: TATTOO U.S. FLAG			36. Spouse Military: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			Branch:					
37. Alias/Nicknames:				38. Alias/Nicknames:				39. Alias/Nicknames:									
40. Unit/ Organization: S&T TROOP, SUPPORT SQD, 3 ACR						41. Unit Phone Number: Home:			Cell/Pager:								
42. Military Service: Army			43. Sub Unit:		44. Fort/City: FORT CARSON		45. State: CO	46. Country: US		47. Zip Code/APO: 80913							
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:
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ADMINISTRATIVE DATA

Telephone:	ETS: 27 JUN 05	PCS/DEROS:	Date / Time Interview START: Date: 9 JUN 04 Time: 1300
Place of Interview: FORT CARSON	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:			

*all  
6705*

025431

00 043

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:			11. First Name:			12. Middle Name:			13. Grade/Rank: E-5/SGT			
14. Social Security Number:			15. Other ID Number:			16. Date of Birth:			17. POB City:		18. POB St:	19. POB Zip:
20. Sex: Male	21. Race: Asian	22. Ethnic:	23. Height: 71'	24. Weight: 180	25. Hair: Black	26. Eye Color: Brown	27. Citizen: US	28. Educ: 12/HS	29. Prior Record: NO	30. Marital: Married		
31. MOS: 92A	32. Job Description/Location: LOGISTI SUPPLY		33. MC:	34. Security Clr: No Clearance		35. Physical Marks/ Tattoos:			36. Spouse Military: Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>		Branch:	
37. Alias/Nicknames:			38. Alias/Nicknames:			39. Alias/Nicknames:						
40. Unit/Organization: AVIM TROOP SUPPORT SQD, 3 ACR						41. Unit Phone Number:			Home:	Cell/Pager:		
42. Military Service: Army		43. Sub Unit:		44. Fort/City: FORT CARSON		45. State: CO	46. Country: US		47. Zip Code/APO: 80913			
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:
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ADMINISTRATIVE DATA

Telephone:	ETS: 19 APR 2005	PCS/DEROS:	Date / Time Interview START: Date: 9 JUN 04 Time: 0900	
Place of Interview: FORT CARSON		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:  
  
*all b7c*

LAST HIV TEST:

025432

00 044

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		

IDENTIFIABLE DATA

10. Last Name:			11. First Name:			12. Middle Name:			13. Grade/Rank: E-3/PFC		
14. Social Security Number:			15. Other ID Number:			16. Date of Birth:			17. POB City:		
18. POB St:			19. POB Zip:			20. Sex: Male			21. Race: Caucasian		
22. Ethnic:			23. Height: 5'8"			24. Weight: 140			25. Hair: Black		
26. Eye Color: Hazel			27. Citizen: US			28. Educ: 12/HS			29. Prior Record: NO		
30. Marital: Single			31. MOS: 92F			32. Job Description/Location: FUBLER			33. MC:		
34. Security Clr: No Clearance			35. Physical Marks/ Tattoos: LAG ON L SHOULDER			36. Spouse Military: Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>			Branch:		
37. Alias/Nicknames:				38. Alias/Nicknames:				39. Alias/Nicknames:			
40. Unit/ Organization: S & T TROOP, SUPPORT SQD 3 ACR						41. Unit Phone Number:			Home:		
42. Military Service: Army			43. Sub Unit:			44. Fort/City: FORT CARSON			45. State: CO		
46. Country: US			47. Zip Code/APO: 80913			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:	

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: 1 JUL 2005		PCS/DEROS:		Date / Time Interview START: Date: 8 JUN 04 Time: 1420	
Place of Interview: FORT CARSON				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:					

*all 6705*

025433  
00 045



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: 0009-03-01D679-83486

INDIVIDUAL 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: Titen Corp CAT-IT

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: 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: Home of Record - all b7c3

LAST HIV TEST:

025434

00 046

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. Rec #	10. Date
					0009	03	03	D679	89188

INDIVIDUAL DATA

10. Last Name:			11. First Name:			12. Middle Name:			13. Grade/Rank:		
[REDACTED]			[REDACTED]			[REDACTED]			SSG		
14. Social Security Number:			15. Other ID Number:			16. Date of Birth:			17. POB City:		
[REDACTED]			[REDACTED]			[REDACTED]			[REDACTED]		
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						CS		NO	M	
31. MOS:	32. Job Description/Location:		33. MC:	34. Security Clr:	35. Physical Marks/Tattoos:			36. Spouse Military:		Branch:	
18FE								Yes: <input type="checkbox"/> No: <input type="checkbox"/>		Army	
37. Alias/Nicknames:				38. Alias/Nicknames:				39. Alias/Nicknames:			
40. Unit/ Organization:				41. Unit Phone Number:				Home: Cell/Pager:			
B Co 15th SF GRD											
42. Military Service:		43. Sub Unit:		44. Fort/City:		45. State:		46. Country:		47. Zip Code/APO:	
				FT CAMPBELL		KY					
48. Home Address:			49. City:			50. State:			51. Country:		

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:

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:		77. Value:	78. Insurer:		Policy:	Year/Date Exp:	
		Private	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: Home of Record -

all b7c2

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.

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: 0009-04-019679-83466

IDENTIFIABLE DATA

10. Last Name: 11. First Name: 12. Middle Name: 13. Grade/Rank: SSG

14. Social Security Number: 15. Other ID Number: 16. Date of Birth: 17. POB City: 18. POB St: 19. POB Zip:

20. Sex: M 21. Race: C 22. Ethnic: 23. Height: 24. Weight: 25. Hair: 26. Eye Color: 27. Citizen: US 28. Educ: 29. Prior Record: Yes 30. Marital: M

31. MOS: 18C 32. Job Description/Location: Eng/Demo 33. MC: 34. Security Clr: Sec 35. Physical Marks/ Tattoos: 36. Spouse Military: Yes No

37. Alias/Nicknames: 38. Alias/Nicknames: 39. Alias/Nicknames:

40. Unit/ Organization: B Co 15th SF GP 41. Unit Phone Number: Home: Cell/Pager:

42. Military Service: 43. Sub Unit: 44. Fort/City: FT Campbell 45. State: KY 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: Date / Time Interview START: Date: 10 Jan 04 Time: 1720

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. VIN: 87. License Plate: 88. State: 89. DOD Decal Number:

NOTES: [Redacted] all b7c2

LAST HIV TEST:

025436

00 048

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 ID	9. RI #	10. Office
					0009-03-CID		D679	83486	

INDIVIDUAL DATA

10. Last Name:			11. First Name:			12. Middle Name:			13. Grade/Rank: SSG/AD		
14. Social Security Number:			15. Other ID Number:			16. Date of Birth:			17. POB City:		
20. Sex: m	21. Race: C	22. Ethnic: -	23. Height: -	24. Weight:	25. Hair:	26. Eye Color:	27. Citizen: US	28. Educ:	29. Prior Record: NO	30. Marital: M	
31. MOS: 18B	32. Job Description/Location: Weapons Sgt		33. MC:	34. Security Clr: Secret		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: B Co 15 SF GRP						41. Unit Phone Number:			Home: Cell/Pager:		
42. Military Services:		43. Sub Unit:		44. Fort/City: FT Campbell		45. State: KY		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:	

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:  
Duty @ R. Ples Base, Iraq  
all b/c's

LAST HIV TEST:

025437

00 049

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:
					0009-07-C-1D679-83486				

10. Last Name:	11. First Name:	12. Middle Name:	13. Grade/Rank:
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

14. Social Security Number:	15. Other ID Number:	16. Date of Birth:	17. POB City:	18. POB St:	19. POB Zip:
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

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	W	-	-	-	-	-	US	-	No	M

31. MOS:	32. Job Description/Location:	33. MC:	34. Security Clr:	35. Physical Marks/ Tattoos:	36. Spouse Military:	Branch:
18B	WEAPONS SGT	SP	TOP SEC	Applied	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/Fax:
B Co 1/5 SF GRP			

42. Military Service:	43. Sub Unit:	44. Fort/City:	45. State:	46. Country:	47. Zip Code/APO:
		FT Campbell	CA		

48. Home Address:	49. City:	50. State:	51. Country:	52. Zip Code/APO:

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:	Wt:	Hm:

66. Offense Code:	67. UFC:	68. Offense Code:	69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:	73. UFC:

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:	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: Home of Record -  
 with duty @ Rifles base, IKAQ.  
 au  
 b7c5

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.

**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: <i>11</i>	8. Office	9. ROI #	Offense:
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**0009-08-CID679-83486**

**INDIVIDUAL DATA**

10. Last Name: [REDACTED]	11. First Name: [REDACTED]	12. Middle Name: [REDACTED]	13. Grade/Rank: <b>SFC</b>
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: <b>M</b>	21. Race: <b>W</b>	22. Ethnic: <b>-</b>	23. Height:	24. Weight:	25. Hair:	26. Eye Color:	27. Citizen: <b>US</b>	28. Educ:	29. Prior Record: <b>NO</b>	30. Marital: <b>M</b>
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31. MOS: <b>18F</b>	32. Job Description/Location: <b>Intel SGT</b>	33. MC:	34. Security Clr: <b>TOP</b>	35. Physical Marks/ Tattoos:	36. Spouse Military: Yes <input type="checkbox"/> No <input type="checkbox"/>	Branch:
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37. Alias/Nicknames:	38. Alias/Nicknames:	39. Alias/Nicknames:
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40. Unit/ Organization: <b>B Co 1/5 SF GR ODA 525</b>	41. Unit Phone Number:	Home:	Cell/Pager:
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42. Military Service:	43. Sub Unit:	44. Fort/City: <b>FT CAMPBELL</b>	45. State: <b>WY</b>	46. Country:	47. Zip Code/APO:
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48. Home Address:	49. City:	50. State:	51. Country:	52. Zip Code/APO:
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**FAMILY MEMBER DATA**

53. JUV:	54. Family Rel:	55. Last Name:	56. First Name:	57. Middle Name:
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58. Social Security:	59. Grade/Rank:	60. MC:	61. Unit:
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62. City:	63. State:	64. ZIP/APO:	65. Phone: Wk: Hm:
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**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:
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Place of Interview:	Date / Time Interview END: Date: Time:
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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:
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79. Year:	80. Make:	81. Model:	82. Vehicle Style:	83. # of Doors:	84. Color:	85. Size:
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86. VIN:	87. License Plate:	88. State:	89. DOD Decal Number:
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**NOTES:**  
*Duty @ Rifles base, PMAQ.*  
*all 6745*

**LAST HIV TEST:**

025439  
00 051

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. <del>0009</del> - 7. <del>02</del> <b>0009-02</b>	8. Office: <b>CID 679-83486</b>	9. ROI #	Offense:
					-02- CID 023			

PERSONAL DATA

10. Last Name:			11. First Name:			12. Middle Name:			13. Grade/Rank: <b>Titan Emplby</b>		
14. Social Security Number:			15. Other ID Number:			16. Date of Birth:			17. POB City:		
18. POB St:			19. POB Zip:			20. Sex: <b>m</b>			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: <b>Enterp</b>			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:			41. Unit Phone Number:			Home:			Cell/Fax:		
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:

OFFENSES

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: <b>10 JAN 04</b> Time: <b>1642</b>	
Place of Interview:						Date / Time Interview END: Date: Time:	
Disposition:							

PROPERTY FILE 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: Home of Record -  
 Been in IRAQ since April 28, 2003  
 Titan CORP 10 months  
 au  
 67c3

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.

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. RQ#	10. Office #
					0009	03	CID	D679	83486

INDIVIDUAL DATA

10. Last Name:			11. First Name:			12. Middle Name:			13. Grade/Rank:		
14. 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. Branch:		
38. Alias/Nicknames:			39. Alias/Nicknames:			39. Alias/Nicknames:			39. Alias/Nicknames:		
40. Unit/ Organization:						41. Unit Phone Number:			42. Home:		
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:						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:			65. Phone:		

FAMILY MEMBER DATA

66. Offense Code:			67. UFC:			68. Offense Code:			69. UFC:		
70. Offense Code:			71. UFC:			72. Offense Code:			73. UFC:		

OFFENSE

ADMINISTRATIVE DATA

Telephone:			ETS:			PCS/DEROS:			Date / Time Interview START:		
Date:			Time:			Date / Time Interview END:			Date:		
Time:			Disposition:			Date:			Time:		

PROPERTY/VEHICLE DATA

74. Category:			75. Type:			76. Recovered:			77. Value:		
78. Insurer:			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:  
 8 JAN 8-210 1243 PM  
 sitting in cage  
 moved from middle cage to end cage during shift  
 would spp while walking  
 shackled legs  
 1 arm swollen/infected  
 b7c2

LAST HIV TEST:

025441  
00 053



# INVESTIGATIVE WORKSHEET

AUTHORITY:

Title 10, United States Code Section 3012 (g)

DATA REQUIRED BY PRIVACY ACT

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:	0009-04-019679-83486
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## INDIVIDUAL DATA

10. Last Name:			11. First Name:			12. Middle Name:			13. Grade/Rank: SSG									
14. Social Security Number:			15. Other ID Number:			16. Date of Birth:			17. POB City:			18. POB St:			19. POB Zip:			
20. Sex: M	21. Race: C	22. Ethnic:	23. Height:	24. Weight:	25. Hair:	26. Eye Color:	27. Citizen: US	28. Educ:	29. Prior Record: Yes	30. Marital: M								
31. MOS: 18C		32. Job Description/Location: Eng/Demo		33. MC: Sec	34. Security Clr:			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: B Co 15th SF GP						41. Unit Phone Number:						Home:		Cell/Pager:				
42. Military Service:			43. Sub Unit:			44. Fort/City: FT Campbell			45. State: VA		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:
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## ADMINISTRATIVE DATA

Telephone:	ETS:	PCS/DEROS:	Date / Time Interview START: Date: 10 JAN 04 Time: 1720
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: [REDACTED]

67c2

LAST HIV TEST:

025442

DATA REQUIRED BY PRIVACY ACT

ates 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.

anders and law enforcement officials with DISCLOSURE: Disclosure of your social security # is voluntary nformation may be accurately identified.

4. Rel to Case:	5. Control:	6. Sequence #	7. Year: 4	8. Office	9. ROI #	Offense:
		0009	03	031	D679	-83486

INDIVIDUAL DATA

11. First Name:	12. Middle Name:	13. Grade/Rank: SFC
14. Date of Birth:	17. POB City:	18. POB St:
19. POB Zip:		

20. Height: 3	24. Weight: 200	25. Hair: Blk	26. Eye Color: Brn	27. Citizen: US	28. Educ: 14	29. Prior Record:	30. Marital: M
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33. MC:	34. Security Clr: IS S	35. Physical Marks/ Tattoos:	36. Spouse Military: Yes: <input type="checkbox"/> No: <input type="checkbox"/>	Branch: Army
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38. Alias/Nicknames:	39. Alias/Nicknames:
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41. Unit Phone Number: Special Forces	Home:	Cell/Pager:
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44. Fort/City: Ft Campbell	45. State: KY	46. Country:	47. Zip Code/APO:
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50. State:	51. Country:	52. Zip Code/APO:
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FAMILY MEMBER DATA

56. Sponsor First Name:	57. Sponsor Middle Name:
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59. Sponsor Grade/Rank:	60. Sponsor MC:	61. Sponsor Unit:
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64. Sponsor ZIP/APO:	65. Sponsor Phone: Wk:	Hm:
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OFFENSES

69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:	73. UFC:
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ADMINISTRATIVE DATA

PCS/DEROS:	Date / Time Interview START: Date: Time:
	Date / Time Interview END: Date: Time:

PROPERTY/VEHICLE DATA

76. Recovered: Yes: <input type="checkbox"/> No: <input type="checkbox"/>	77. Value:	78. Insurer: Policy:	Year/Date Exp: /
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81. Model:	82. Vehicle Style:	83. # of Doors:	84. Color:	85. Size:
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87. License Plate:	88. State:	89. DOD Decal Number:
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ST  
50003

b7c2

025443  
00 055

DATA REQUIRED BY PRIVACY ACT

ates 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.

nders and law enforcement officials with nformation may be accurately identified. DISCLOSURE: Disclosure of your social security # is voluntary

4. Rel to Case:	5. Control:	6. Sequence #	7. Year:	8. Office	9. ROI #	Offense:
		0009	08	CID 023	D679	83486

INDIVIDUAL DATA

11. First Name:	12. Middle Name:	13. Grade/Rank:
[REDACTED]	[REDACTED]	SFC
14. D Number:	16. Date of Birth:	17. POB City:
	[REDACTED]	[REDACTED]
18. POB St:	19. POB Zip:	
[REDACTED]	[REDACTED]	
20. Height:	24. Weight:	25. Hair:
71	185	Blk
26. Eye Color:	27. Citizen:	28. Educ:
Brn	US	14
29. Prior Record:	30. Marital:	
	5	
33. MC:	34. Security Clr:	35. Physical Marks/ Tattoos:
5C	TS	
36. Spouse Military:	Branch:	
Yes: <input type="checkbox"/> No: <input type="checkbox"/>	Army	
38. Alias/Nicknames:	39. Alias/Nicknames:	

41. Unit Phone Number:	Home:	Cell/Pager:
Special Forces	Dnvt	

44. Fort/City:	45. State:	46. Country:	47. Zip Code/APO:
Fort Campbell	KY		

50. State:	51. Country:	52. Zip Code/APO:
[REDACTED]	[REDACTED]	[REDACTED]

FAMILY MEMBER DATA

56. Sponsor First Name:	57. Sponsor Middle Name:		
59. Sponsor Grade/Rank:	60. Sponsor MC:	61. Sponsor Unit:	
64. Sponsor ZIP/APO:	65. Sponsor Phone:	Wk:	Hm:

OFFENSE

69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:	73. UFC:

ADMINISTRATIVE DATA

PCS/DEROS:	Date / Time Interview START:
pelephy	Date: 10 Jan 09 Time: 1425
12/A mar 04	Date / Time Interview END:
	Date: Time:

PROPERTY/VEHICLE DATA

76. Recovered:	77. Value:	78. Insurer:	Policy:	Year/Date Exp:
Yes: <input type="checkbox"/> No: <input type="checkbox"/>				/
81. Model:	82. Vehicle Style:	83. # of Doors:	84. Color:	85. Size:
87. License Plate:	88. State:	89. DOD Decal Number:		

he Dr  
ta, CA  
67c5

DATA REQUIRED BY PRIVACY ACT

tates 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.

anders and law enforcement officials with DISCLOSURE: Disclosure of your social security # is voluntary nformation may be accurately identified.

0009-084 CID 679-83486  
-03- CID 023

INDIVIDUAL DATA

4. Rel to Case:	5. Control:	6. Seniority:	7. Year:	8. Office:	9. ROI #	Offense:
11. First Name: [REDACTED]						
12. Middle Name:			13. Grade/Rank: SGT-5			
14. D Number:		17. POB City:		18. POB St:		19. POB Zip:
20. Height: 2"	24. Weight: 195	25. Hair: Bld.	26. Eye Color: Blu.	27. Citizen: US.	28. Educ: 12	29. Prior Record: -
30. Marital: M	33. MC: PCT.		34. Security Clr: S.		35. Physical Marks/ Tattoos:	
36. Spouse Military: Yes: <input type="checkbox"/> No: <input type="checkbox"/>			Branch: Army			
38. Alias/Nicknames:			39. Alias/Nicknames:			
41. Unit Phone Number: Fort Carson.		Home:		Cell/Pager:		
44. Fort/City:		45. State:	46. Country:	47. Zip Code/APO:		
50. State:		51. Country:	52. Zip Code/APO:			

FAMILY MEMBER DATA

56. Sponsor First Name:		57. Sponsor Middle Name:			
59. Sponsor Grade/Rank:		60. Sponsor MC:		61. Sponsor Unit:	
64. Sponsor ZIP/APO:		65. Sponsor Phone: Wk:		Hm:	

OFFENSE

68. Offense Code:	69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:	73. UFC:
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ADMINISTRATIVE DATA

PCS/DEROS:		Date / Time Interview START:	
		Date:	Time:
		Date / Time Interview END:	
		Date:	Time:

PROPERTY/VEHICLE DATA

76. Recovered: Yes: <input type="checkbox"/> No: <input type="checkbox"/>		77. Value:	78. Insurer:	Policy:	Year/Date Exp:
81. Model:		82. Vehicle Style:	83. # of Doors:	84. Color:	85. Size:
87. License Plate:		88. State:	89. DOD Decal Number:		

[REDACTED]

[REDACTED]

[REDACTED]

6705

FHTX, 1999

025445

00 057

# INVESTIGATIVE WORKSHEET

## DATA REQUIRED BY PRIVACY ACT

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.

Officers and law enforcement officials with information may be accurately identified. **DISCLOSURE:** Disclosure of your social security # is voluntary

4. Rel to Case:	5. Control:	6. Sequence #	7. Year	8. Office	9. DOD Form #	10. Offense
		0009	03	03	DOD 8070	80486

### INDIVIDUAL DATA

11. First Name:	12. Middle Name:	13. Grade/Rank:
[REDACTED]	[REDACTED]	E-4/SPC
14. SSN:	15. M/DOB:	16. POB St:
[REDACTED]	[REDACTED]	[REDACTED]
17. POB Zip:	18. POB St:	19. POB Zip:
[REDACTED]	[REDACTED]	[REDACTED]
20. Height:	24. Weight:	26. Eye Color:
[REDACTED]	[REDACTED]	[REDACTED]
27. Citizen:	28. Educ:	29. Prior Record:
[REDACTED]	[REDACTED]	[REDACTED]
30. Marital:	33. MC:	34. Security Clr:
[REDACTED]	[REDACTED]	[REDACTED]
35. Physical Marks/ Tattoos:	36. Spouse Military:	Branch:
[REDACTED]	Yes: <input type="checkbox"/> No: <input type="checkbox"/>	[REDACTED]
38. Alias/Nicknames:	39. Alias/Nicknames:	
[REDACTED]	[REDACTED]	
41. Unit Phone Number:	Home:	Cell/Pager:
[REDACTED]	[REDACTED]	[REDACTED]
44. Fort/City:	45. State:	46. Country:
[REDACTED]	[REDACTED]	[REDACTED]
47. Zip Code/APO:	50. State:	51. Country:
[REDACTED]	[REDACTED]	[REDACTED]
52. Zip Code/APO:		
[REDACTED]		

### FAMILY MEMBER DATA

56. First Name:	57. Middle Name:	
[REDACTED]	[REDACTED]	
59. Grade/Rank:	60. MC:	61. Unit:
[REDACTED]	[REDACTED]	[REDACTED]
64. ZIP/APO:	65. Phone:	Wk: Hm:
[REDACTED]	[REDACTED]	[REDACTED]

### OFFENSES

68. Offense Code:	69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:	73. UFC:
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

### ADMINISTRATIVE DATA

PCS/DEROS:	Date / Time Interview START:
[REDACTED]	Date: Time:
[REDACTED]	Date / Time Interview END:
[REDACTED]	Date: Time:

### PROPERTY/VEHICLE DATA

76. Recovered: Yes: <input type="checkbox"/> No: <input type="checkbox"/>	77. Value:	78. Insurer:	Policy:	Year/Date Exp:
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
81. Model:	82. Vehicle Style:	83. # of Doors:	84. Color:	85. Size:
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
87. License Plate:	88. State:	89. DOD Decal Number:		
[REDACTED]	[REDACTED]	[REDACTED]		

b7c2

INVESTIGATIVE WORKSHEET

DATA REQUIRED BY PRIVACY ACT

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.

and law enforcement officials with information may be accurately identified.

DISCLOSURE: Disclosure of your social security # is voluntary

4. Rel to Case:	5. Control:	6. Sequence #	7. Year: 4	8. Office	9. ROI #	Offense:
0009-03-01D679-83486						

INDIVIDUAL DATA

11. [Redacted]	12. Middle Name:	13. Grade/Rank: E-2/PFC
14. [Redacted]	17. POB [Redacted]	18. POB St:
19. POB Zip:	24. Weight:	25. Hair:
26. Eye Color:	27. [Redacted]	29. Prior Record:
30. Marital:	33. MC:	34. Security Clr:
35. Physical Marks/ Tattoos:	36. Spouse Military: Yes: <input type="checkbox"/> No: <input type="checkbox"/>	Branch:
38. Alias/Nicknames:	39. Alias/Nicknames:	

b7c2

R	41. Unit Phone Number:	Home:	Cell/Pager:
44. Fort/City:	45. State:	46. Country:	47. Zip Code/APO:
50. State:	51. Country:	52. Zip Code/APO:	

FAMILY MEMBER DATA

56. First Name:	57. Middle Name:
59. Grade/Rank:	60. MC:
61. Unit:	64. ZIP/APO:
65. Phone:	Wk:
Hm:	

OFFENSES

69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:	73. UFC:
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ADMINISTRATIVE DATA

PCS/DEROS:	Date / Time Interview START:
	Date: Time:
	Date / Time Interview END:
	Date: Time:

PROPERTY/VEHICLE DATA

76. Recovered: Yes: <input type="checkbox"/> No: <input type="checkbox"/>	77. Value:	78. Insurer:	Policy:	Year/Date Exp:
81. Model:	82. Vehicle Style:	83. # of Doors:	84. Color:	85. Size:
87. License Plate:	88. State:	89. DOD Decal Number:		

# INVESTIGATIVE WORKSHEET

## DATA REQUIRED BY PRIVACY ACT

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.

enders and law enforcement officials with DISCLOSURE: Disclosure of your social security # is voluntary information may be accurately identified.

4. Rel to Case:	5. Control:	6. Sequence #	7. Year	8. Office	9. ROI #	Offense:	
INDIVIDUAL DATA							
11. First Name:			12. Middle Name:			13. Grade/Rank:	
14. Date of Birth:			17. Place of Birth:			18. POB St:	
15. Date of Birth:			17. Place of Birth:			19. POB Zip:	
20. Height:	24. Weight:	25. Hair:	26. Eye Color:	27. Citizen:	28. Educ:	29. Prior Record:	30. Marital:
33. MC:	34. Security Clr:	35. Physical Marks/ Tattoos:			36. Spouse Military: Branch:		
38. Alias/Nicknames:				39. Alias/Nicknames:			
41. Unit Phone Number:				Home:		Cell/Pager:	
44. Fort/City:		45. State:	46. Country:	47. Zip Code/APO:			
50. State:		51. Country:	52. Zip Code/APO:				
FAMILY MEMBER DATA							
56. First Name:		57. Middle Name:			59. Grade/Rank:		
60. MC:		61. Unit:			64. ZIP/APO:		
65. Phone:		Wk:		Hm:			
OFFENSE							
69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:	73. UFC:			
ADMINISTRATIVE DATA							
PCS/DEROS:		Date / Time Interview START:					
		Date:		Time:			
		Date / Time Interview END:					
		Date:		Time:			
PROPERTY/VEHICLE DATA							
76. Recovered: Yes: <input type="checkbox"/> No: <input type="checkbox"/>		77. Value:	78. Insurer:	Policy:	Year/Date Exp:		
81. Model:		82. Vehicle Style:	83. # of Doors:	84. Color:	85. Size:		
87. License Plate:		88. State:	89. DOD Decal Number:				

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INVESTIGATIVE WORKSHEET

DATA REQUIRED BY PRIVACY ACT

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.

Officers and law enforcement officials with information may be accurately identified. DISCLOSURE: Disclosure of your social security # is voluntary

4. Rel to Case: 5. Control: 6. Security: 7. Years: 8. Office: CID 0009-68-CID 879-83486

INDIVIDUAL DATA

11. First Name: 12. Middle Name: 13. Grade/Rank: E4  
14. Social Security Number: 15. Date of Birth: 16. POB City: 17. POB St: 18. POB Zip:  
19. Height: 20. Weight: 21. Hair: 22. Eye Color: 23. Citizen: 24. Educ: 25. Prior Record: 26. Marital:  
27. MC: 28. Security Clr: 29. Physical Marks/ Tattoos: 30. Spouse Military: Branch: Yes: No:  
31. Alias/Nicknames: 32. Alias/Nicknames:

b7c5

33. Unit Phone Number: Home: Cell/Pager:  
34. Fort/City: 35. State: 36. Country: 37. Zip Code/APO:  
38. State: 39. Country: 40. Zip Code/APO:

FAMILY MEMBER DATA

41. First Name: 42. Middle Name:  
43. Grade/Rank: 44. MC: 45. Unit:  
46. ZIP/APO: 47. Phone: Wk: Hm:

OFFENSES

48. Offense Code: 49. UFC: 50. Offense Code: 51. UFC: 52. Offense Code: 53. UFC:

ADMINISTRATIVE DATA

54. PCS/DEROS: Date / Time Interview START: Date: Time:  
Date / Time Interview END: Date: Time:

PROPERTY/VEHICLE DATA

55. Recovered: Yes: No: 56. Value: 57. Insurer: Policy: Year/Date Exp:  
58. Model: 59. Vehicle Style: 60. # of Doors: 61. Color: 62. Size:  
63. License Plate: 64. State: 65. DOD Decal Number:

lower arms swollen

1235pm

pale  
around 2 am  
nd



# INVESTIGATIVE WORKSHEET

## DATA REQUIRED BY PRIVACY ACT

ates 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.

nders and law enforcement officials with DISCLOSURE: Disclosure of your social security # is voluntary  
information may be accurately identified.

4. Ref to Case:	5. Control:	6. S	7. Year:	8. CID	9. ROT #	Offense:
				CID		

### INDIVIDUAL DATA

11. First Name:	12. Middle Name:	13. Grade/Rank:					
		E3					
Number:	16. Date of Birth:	17. POB City:	18. POB St:	19. POB Zip:			
14. Height:	24. Weight:	25. Hair:	26. Eye Color:	27. Citizen:	28. Educ:	29. Prior Record:	30. Marital:
33. MC:	34. Security Clr:	35. Physical Marks/ Tattoos:	36. Spouse Military:	Branch:			
			Yes: <input type="checkbox"/> No: <input type="checkbox"/>				
38. Alias/Nicknames:	39. Alias/Nicknames:						
41. Unit Phone Number:	Home:	Cell/Pager:					
44. Fort/City:	45. State:	46. Country:	47. Zip Code/APO:				
50. State:	51. Country:	52. Zip Code/APO:					

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### FAMILY MEMBER DATA

56. First Name:	57. Middle Name:		
59. Grade/Rank:	60. MC:	61. Unit:	
64. ZIP/APO:	65. Phone:	Wk:	Hm:

### OFFENSE

69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:	73. UFC:

### ADMINISTRATIVE DATA

PCS/DEROS:	Date / Time Interview START:
	Date: Time:
	Date / Time Interview END:
	Date: Time:

### PROPERTY/VEHICLE DATA

76. Recovered:	77. Value:	78. Insurer:	Policy:	Year/Date Exp:
Yes: <input type="checkbox"/> No: <input type="checkbox"/>				
81. Model:	82. Vehicle Style:	83. # of Doors:	84. Color:	85. Size:
87. License Plate:	88. State:	89. DOD Decal Number:		

come in at 0745  
body was near door  
helped me p center of cage  
has nothing on hands (shackles, cuffs etc)  
didn't notice any restraints  
saw a lot of bruising on chest/stomach

025450



INVESTIGATIVE WORKSHEET

DATA REQUIRED BY PRIVACY ACT

ates 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

0009-04-CID679-83486

nders and law enforcement officials with DISCLOSURE: Disclosure of your social security # is voluntary nformation may be accurately identified.

4. Rel to Case:	5. Control:	6. Sequence #	7. Year: 4	8. Office	9. DI#	10. Offense:
		0009-04	CID679		83486	

INDIVIDUAL DATA

11. First Name:			12. Middle Name:			13. Grade/Rank: SSG		
14. SSN:			16. Date of Birth:			17. POB City:		
18. POB St:			19. POB Zip:			20. Height: 73		
21. Weight: 172			22. Hair: Blk			23. Eye Color: Brn		
24. Citizen: US			25. Educ: 12			26. Prior Record:		
27. Marital: M			28. MC: 33			29. Security Clr: 34		
30. Physical Marks/ Tattoos:			31. Spouse Military: Yes: No: X			32. Branch: Army		
33. Alias/Nicknames:			34. Alias/Nicknames:			35. Unit Phone Number: Home: Cell/Pager: adron 3 ACR		
36. Fort/City:			37. State:			38. Country:		
39. Zip Code/APO:			40. Country:			41. Zip Code/APO:		

b7c2

FAMILY MEMBER DATA

42. Last Name:		56. Sponsor First Name:		57. Sponsor Middle Name:	
58. Sponsor Grade/Rank:		60. Sponsor MC:		61. Sponsor Unit:	
62. Sponsor State:		64. Sponsor ZIP/APO:		65. Sponsor Phone: Wk: Hm:	

OFFENSE

68. Offense Code:	69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:	73. UFC:
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ADMINISTRATIVE DATA

74. PCS/DEROS:		75. Date / Time Interview START: Date: 9 Jan 04 Time: 1225			
		76. Date / Time Interview END: Date: Time:			

PROPERTY/VEHICLE DATA

77. Recovered: Yes: No:		78. Value:		79. Insurer:		80. Policy:		81. Year/Date Exp: /	
82. Model:		83. Vehicle Style:		84. # of Doors:		85. Color:		86. Size:	
87. License Plate:		88. State:		89. DOD Decal Number:					

Circle 0

025452

00 064

DATA REQUIRED BY PRIVACY ACT

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.

Handlers and law enforcement officials with information may be accurately identified. DISCLOSURE: Disclosure of your social security # is voluntary

4. Rel to Case: 5. Control: 6. Sequence #: 7. Year: 8. Office: 9. CID: 10. SPC: 11. CID: 12. SPC: 13. CID: 14. SPC: 15. CID: 16. SPC: 17. CID: 18. SPC: 19. CID: 20. SPC: 21. CID: 22. SPC: 23. CID: 24. SPC: 25. CID: 26. SPC: 27. CID: 28. SPC: 29. CID: 30. SPC: 31. CID: 32. SPC: 33. CID: 34. SPC: 35. CID: 36. SPC: 37. CID: 38. SPC: 39. CID: 40. SPC: 41. CID: 42. SPC: 43. CID: 44. SPC: 45. CID: 46. SPC: 47. CID: 48. SPC: 49. CID: 50. SPC: 51. CID: 52. SPC: 53. CID: 54. SPC: 55. CID: 56. SPC: 57. CID: 58. SPC: 59. CID: 60. SPC: 61. CID: 62. SPC: 63. CID: 64. SPC: 65. CID: 66. SPC: 67. CID: 68. SPC: 69. CID: 70. SPC: 71. CID: 72. SPC: 73. CID: 74. SPC: 75. CID: 76. SPC: 77. CID: 78. SPC: 79. CID: 80. SPC: 81. CID: 82. SPC: 83. CID: 84. SPC: 85. CID: 86. SPC: 87. CID: 88. SPC: 89. CID: 90. SPC: 91. CID: 92. SPC: 93. CID: 94. SPC: 95. CID: 96. SPC: 97. CID: 98. SPC: 99. CID: 100. SPC: 0009-04-CID679-83486

INDIVIDUAL DATA

11. First Name: 12. Middle Name: 13. Grade/Rank: SPC
14. D Number: 15. Height: 228 16. Weight: 170 17. Hair Color: Blue 18. Eye Color: Blue 19. Education: US 20. Prior Record: 21. Marital: S
22. Security Clr: 23. Physical Marks/Tattoos: 24. Spouse Military: 25. Branch: Army
26. Alias/Nicknames: 27. Unit Phone Number: 28. Home: 29. Cell/Pager:
30. Fort/City: Ft Carson 31. State: CO 32. Country: US 33. Zip Code/APO:
34. City: 35. State: 36. Country: 37. Zip Code/APO:

b7c2

FAMILY MEMBER DATA

38. Sponsor Last Name: 39. Sponsor First Name: 40. Sponsor Middle Name:
41. Sponsor Grade/Rank: 42. Sponsor MC: 43. Sponsor Unit:
44. Sponsor State: 45. Sponsor ZIP/APO: 46. Sponsor Phone: Wk: Hm:

OFFENSES

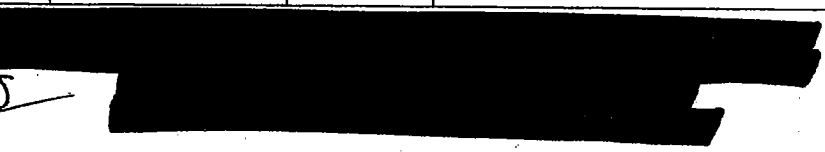
47. Offense Code: 48. UFC: 49. Offense Code: 50. UFC: 51. Offense Code: 52. UFC:

ADMINISTRATIVE DATA

53. PCS/DEROS: 54. Date / Time Interview START: 55. Date: 56. Time:
57. Date / Time Interview END: 58. Date: 59. Time:

PROPERTY/VEHICLE DATA

60. Recovered: 61. Value: 62. Insurer: 63. Policy: 64. Year/Date Exp:
65. Model: 66. Vehicle Style: 67. # of Doors: 68. Color: 69. Size:
70. License Plate: 71. State: 72. DOD Decal Number:





TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

the crime scene utilizing a Nikon Coolpix 995 Digital Card Camera with built in flash. SA [redacted] prepared a crime scene sketch. (See Photographic CD and Crime Scene Sketch for details)

COLLECTION OF EVIDENCE: SA [redacted] collected one white and red rag, which was used to gag Mr. [redacted], as evidence on a DA Form 4137, Evidence/Property Custody Document.

b7c4 About 1055, 9 Jan 04, SA [redacted] obtained the detainee file pertaining to Mr. [redacted] from the 66<sup>th</sup> Military Intelligence Co. A review of the packet revealed Mr. [redacted] was detained on 4 Jan 04. He was detained by SSG [redacted] (NFI) and SGT [redacted] (NFI), both assigned to ADA Battery, 1 Squadron, 3<sup>rd</sup> Armored Cavalry Regiment. Mr. [redacted] was detained on ASR Bronze with two other IZ males. At the time of his detention he was in possession of a pair of binoculars, three handheld radios, two motorcycle batteries, one hand pick and approximately 100 feet of wire.

b7c1 b7c2 About 1056, 9 Jan 04, SA [redacted] coordinated with SSG [redacted] and instructed him to located all guards to facilitate interviews.

b7c1 About 1110, 9 Jan 04, SA [redacted] interviewed SGT [redacted] Maintenance Troop, Support Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq. SGT [redacted] rendered a sworn statement; wherein he stated he and SPC [redacted] S and T Troop, Support Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq, placed Mr. [redacted] in shackles when he refused to stand as punishment for talking. Mr. [redacted] was shackled to the top of the door to his cell in a way that forced him to stand. When he still refused to stop talking, SGT [redacted] and SPC [redacted] gagged him. SGT [redacted] further related, about five minutes later he discovered Mr. [redacted] was not breathing. SGT [redacted] unshackled Mr. [redacted] and removed his gag. SGT [redacted] laid him on the floor and discovered he had no pulse. SGT [redacted] sent SPC [redacted] to summon medical aid. (See Sworn statement for details)

b7c1 About 1119, 9 Jan 04, SA [redacted] interviewed SPC [redacted] SPC [redacted] rendered a sworn statement wherein he described assisting SGT [redacted] with gagging Mr. [redacted] and SGT [redacted] discovering Mr. [redacted] was not breathing. (See Sworn Statement for details)

b7c1 b7c4 About 1125, 9 Jan 04, SA [redacted] released Mr. [redacted]'s remains to PFC [redacted] Mortuary Affairs, 54<sup>th</sup> Quartermaster Co, attached to 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq.

b7c1 b7c2 b7c5 About 1200, 9 Jan 04, SA [redacted] interviewed SPC [redacted]

except where noted  
b7c5

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TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

rest  
b7c5

b7c4

[REDACTED] AVIM Troop, Support Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Iraq. SPC [REDACTED] rendered a sworn statement, wherein he related Mr. [REDACTED] approached him on 8 Jan 04 complaining his zip tie handcuffs were cutting off circulation to his hands. SPC [REDACTED] removed the handcuffs, bandaged the abraded injury underneath and re-cuffed Mr. [REDACTED]. SPC [REDACTED] also related at 0215, 9 Jan 04, Mr. [REDACTED] attempted to escape from the Detention Facility. SPC [REDACTED] detained Mr. [REDACTED] in the hallway leading from the isolation cells. (See Sworn Statement for details)

b7c1

About 1200, 9 Jan 04, INV [REDACTED] interviewed CPL [REDACTED] S and T Troop, Support Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq. CPL [REDACTED] stated members of a Special Forces unit interrogated Mr. [REDACTED] between 1200 and 1600, 8 Jan 03. (See Sworn Statement for details)

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b7c2  
b7c3  
b7c4

b7c2  
b7c4

About 1205, 9 Jan 04, SA [REDACTED] interviewed SGT [REDACTED] 66<sup>th</sup> Military Intelligence Co, 3<sup>rd</sup> Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq, who related Mr. [REDACTED] had not been interrogated by any MI personnel. The only personnel who interrogated Mr. [REDACTED] came from the Special Forces unit operating in the area. He further stated there was no written record of Special Forces signing Mr. [REDACTED] out of the Detention Facility in violation of SOP. SGT [REDACTED] thought Mr. [REDACTED] may have been a diabetic and been prescribed heart medicine but could not provide any documentation to show his medical condition.

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b7c4

b7c1

About 1225, 9 Jan 04, SA [REDACTED] interviewed SSG [REDACTED] AVIM Troop, Support Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq. SSG [REDACTED] stated he was the NCOIC of the Detention Facility Guards. SSG [REDACTED] related Mr. [REDACTED] had been detained about five days. SSG [REDACTED] confirmed Special Forces interviewed Mr. [REDACTED] on at least one occasion. The only medications SSG [REDACTED] was aware of were cough syrup and Motrin. SSG [REDACTED] related there was a board that told the guards what medicines each prisoner was supposed to receive. SSG [REDACTED] further related Mr. [REDACTED] was not on sleep deprivation, but was not sleeping.

rest  
b7c2

b7c4

b7c2

About 1235, 9 Jan 04, INV [REDACTED] 94<sup>th</sup> Military Police Co, interviewed SPC [REDACTED] S and T Troop, Support Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq. SPC [REDACTED] related he worked from 0000-0400, 9 Jan 04, as a guard. He witnessed Mr. [REDACTED] attempt to escape. He alerted SGT [REDACTED] and SPC [REDACTED] who apprehended Mr. [REDACTED], then returned him to his isolation cell and shackled him to a pole.

rest  
b7c5

b7c4

b7c1

b7c2

About 1236, 9 Jan 04, SA [REDACTED] interviewed SGT [REDACTED] Transportation Co, Iowa Army National Guard, attached to 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq. SGT [REDACTED]

025456 3

00 068

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

related Mr. [redacted] was a detainee for about one week. SGT [redacted] stated Special Forces soldiers had interviewed Mr. [redacted] on at least one occasion.

About 1246, 9 Jan 04, SA [redacted] interviewed SPC [redacted] [redacted] 2133<sup>rd</sup> Transportation Company, Iowa Army National Guard, attached to 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq, who rendered two sworn statements. SPC [redacted] related Mr. [redacted] had been in custody for about one week. SPC [redacted] stated Special Forces soldiers interrogated Mr. [redacted]. About 2300, 8 Jan 04, SPC [redacted] saw Mr. [redacted] while Mr. [redacted] had his shirt off. SPC [redacted] noticed several dark bruises on Mr. [redacted] upper body. (See Sworn Statements for details)

AGENT'S COMMENT: SPC [redacted]'s statement is recorded on two separate Sworn Statement forms, as he prematurely signed the first statement. SA [redacted] swore SPC [redacted] to each statement separately.

About 1250, 9 Jan 04, INV [redacted] interviewed SGT [redacted] [redacted] AVIM Troop, Support Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq, who rendered a sworn statement. SGT [redacted] related he noticed bruising on Mr. [redacted]'s abdomen between 2000 and 2200, 8 Jan 04. SGT [redacted] related he could see the bruises from some distance, as he was standing on the raised platform in the Detention Facility. (See Sworn Statement for details)

About 1250, 9 Jan 04, SA [redacted] interviewed SSG [redacted] [redacted] 2133 Transportation Co, Iowa Army National Guard, attached to 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq. SSG [redacted] related he was the supervisor of the guard shift from 0000-0400, 9 Jan 04. During that shift, Mr. [redacted] attempted to escape from the Detention Facility. The escape attempt occurred about 0215, 9 Jan 04. SPC [redacted] stopped the escape attempt. While SPC [redacted] was subduing Mr. [redacted], Mr. [redacted] defecated in his clothing. While returning Mr. [redacted] to his cell, SSG [redacted] noticed large bruises on his [redacted] sides. Mr. [redacted] was moving very slowly and appeared to experiencing difficulty with all of his movements. SSG [redacted] related Special Forces soldiers interrogated Mr. [redacted] earlier in the week.

About 1251, 9 Jan 04, INV [redacted] interviewed PFC [redacted] [redacted] Maintenance Troop, Support Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq. PFC [redacted] stated he assisted SGT [redacted] in unshackling Mr. [redacted] and laying him on the floor. PFC [redacted] stated he observed significant bruising on the upper body of Mr. [redacted].

Between 1218 and 1253, SA [redacted] INV [redacted] and INV [redacted] [redacted] 94<sup>th</sup> Military Police Co. conducted canvass interviews of the soldiers

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TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

listed below. None of the soldiers were able to provide information pertinent to this investigation.

NAME	SSN	UNIT
SGT [REDACTED]	[REDACTED]	Maintenance Troop, Support Squadron Regiment, FOB Rifles Base, Al Asad,
SGT [REDACTED]	[REDACTED]	Maintenance Troop, Support Squadron Regiment, FOB Rifles Base, Al Asad,
PFC [REDACTED]	[REDACTED]	S and T Troop, Support Squadron, 3 <sup>rd</sup> Regiment, FOB Rifles Base, Al Asad,
PFC [REDACTED]	[REDACTED]	HHT, Support Squadron, 3 <sup>rd</sup> Armored Rifles Base, Al Asad, Iraq
PFC [REDACTED]	[REDACTED]	S and T Troop, Support Squadron, 3 <sup>rd</sup> Regiment, FOB Rifles Base, Al Asad,
PFC [REDACTED]	[REDACTED]	HHT, Support Squadron, 3 <sup>rd</sup> Armored Rifles Base, Al Asad, Iraq
SPC [REDACTED]	[REDACTED]	AVIM Troop, Support Squadron, 3 <sup>rd</sup> Regiment, FOB Rifles Base, Al Asad,
SPC [REDACTED]	[REDACTED]	2133 Transportation Company, Iowa. attached to 3 <sup>rd</sup> Armored Cavalry Regi Asad, Iraq

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About 1335, 9 Jan 04, SA [REDACTED] interviewed Ms [REDACTED] Linguist, Titan Corporation, Norfolk, VA, who related she was the linguist present when Mr. [REDACTED] received his medical screening. Dr. (CPT) [REDACTED] Med Troop, Support Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq, performed the screening. Mr. [REDACTED] told the doctor he had high blood pressure and was diabetic. Dr. [REDACTED] checked Mr. [REDACTED]'s blood sugar. He also examined the medication Mr. [REDACTED] had with him for his high blood pressure. Dr. [REDACTED] returned the medication to Mr. [REDACTED] and told him to notify the guards if he ran out.

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About 1345, 9 Jan 04, SA [REDACTED] and SA [REDACTED] conducted a re-check of the crime scene. They were unable to locate the medicine described by Ms [REDACTED]

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About 1423, 9 Jan 04, SA [REDACTED] and SA [REDACTED] examined the remains of Mr. [REDACTED]. There was extensive bruising on the upper body of Mr. [REDACTED]. Bruises were visible over the sternum, the abdomen and on both sides. The bruises were large and very dark purple in color. Abraded injuries were present near the left elbow. There was a pair of pants on the remains that were pushed down to the ankles. He was wearing boxer shorts and a white t-shirt. The white t-shirt was pushed up towards the armpits. The hands were bound with flexi cuff style handcuffs. There was a bandage on the left wrist. There was swelling present under the bandage. Mr. [REDACTED] had defecated in his underwear prior to dieing. SA [REDACTED] exposed digital photographs of the remains utilizing a Nikon Coolpix 995 Digital Card Camera.

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TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

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About 1500, 9 Jan 04, SA [redacted] interviewed Mr. [redacted] Mr. [redacted] Badge [redacted] Interpreter, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq, served as the interpreter during the interview. Mr. [redacted] occupied the isolation cell adjacent that occupied by Mr. [redacted] Mr. [redacted] related Mr. [redacted] had been complaining for three days about wanting to go home. On 8 Jan 04, Mr. [redacted] observed bruises on Mr. [redacted] Mr. [redacted] had removed his Dish Dash after having water thrown on him as punishment for talking. Mr. [redacted] further complained of being cold after being doused with water.

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About 1530, 9 Jan 04, SA [redacted] interviewed Mr. [redacted], with Mr. [redacted] serving as interpreter. Mr. [redacted] occupied one of the isolation cells. He was detained on 8 Jan 04, and was not able to provide any information pertinent to this investigation.

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About 1540, 9 Jan 04, SA [redacted] and INV [redacted] interviewed Mr. [redacted], an Israeli national who occupied one of the isolation cells. Mr. [redacted] detailed the levels of punishment he witnessed detainees receive for talking in their cells. The first level of punishment was being made to stand. The second level was being made to kneel. The third level was having your head doused in water. The fourth level was being gagged. Mr. [redacted] observed Mr. [redacted] was having difficulty breathing. Mr. [redacted] was awakened during Mr. [redacted] escape attempt and noticed he was having extreme difficulty breathing. Mr. [redacted] stated masked men came and took Mr. [redacted] out of the Detention Facility three days prior to his death. When Mr. [redacted] returned, Mr. [redacted] noticed he was in much worse physical shape and described him as being hurt badly.

*exceptions noted*  
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About 1555, 9 Jan 04, SA [redacted] interviewed Mr. [redacted] with Mr. [redacted] serving as interpreter. Mr. [redacted] was confined in the large confinement area adjacent Mr. [redacted] isolation cell. Mr. [redacted] related men in mask came and took Mr. [redacted] to interrogation two or three times. Each time, when Mr. [redacted] returned, he was having difficulty breathing. On the morning of 9 Jan 04, when Mr. [redacted] was made to stand up, he had to be lifted up by the guards. He also stated Mr. [redacted] complained of being cold at night. On 8 Jan 04, Mr. [redacted] observed Mr. [redacted] being "hog tied" and then doused with water as punishment for talking. Mr. [redacted] noticed a lot of bruises on Mr. [redacted] at that time. He further stated he had never seen any of the Detention Facility guards hit or hurt anyone.

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About 1705, SA [redacted] interviewed Dr. [redacted] (Dr.) [redacted] related no life saving measures were performed on Mr. [redacted]. Dr. [redacted] stated the body had rigor mortis was present, but not fixed and was in the supine position when he examined Mr. [redacted] Dr. [redacted] pronounced Mr. [redacted] dead at 0900, 9 Jan 04.

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SUMMARY OF INVESTIGATIVE ACTIVITY

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About 1709 interviewed SGT [redacted] and PFC [redacted] both assigned to Med Troop, Support Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq, who were the medics that responded to the Detention Facility. They related they were called to breathing difficulties. When they arrived at the Detention Facility, Mr. [redacted] was lying on his back, covered by a blanket. SGT [redacted] stated he checked Mr. [redacted] for a pulse or any signs of life, which met with negative results. No life saving measures were conducted by SGT [redacted] or PFC [redacted]. No blood was present at the scene, however they observed bruising on the abdominal area of Mr. [redacted].

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About 2030, 9 Jan 04, SA [redacted] interviewed CPT [redacted] Commander, B Co, 1<sup>st</sup> Battalion, 5<sup>th</sup> Special Forces Group, Fort Campbell, KY. CPT [redacted] related ODA 525 interviewed Mr. [redacted] on two occasions. The first interrogation was conducted on 6 Jan 04 from approximately 1000 to 1800 at the ODA compound on FOB Rifles Base. SFC [redacted] SFC [redacted] and SSG [redacted] all assigned to ODA 525, and [redacted] interpreter, Titan Corporation, were present during the first interrogation. Between 1300 and 1400, 7 Jan 04, SFC [redacted] and [redacted] interrogated Mr. [redacted] at the FOB Rifles Base Detention Facility.

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About 2131, 9 Jan 04, SA [redacted] briefed CPT [redacted] and 1LT [redacted] office of the Trial Counsel, Regimental Judge Advocate, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq, on this investigation. CPT [redacted] related Mr. [redacted] remains will be transported to Mortuary Affairs, BIAP, on 10 Jan 04.

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0923, 10 JAN 04

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Around 0923, 10 Jan 04, SA [redacted] advised SFC [redacted] B Company, 1<sup>st</sup> Battalion, 5<sup>th</sup> Special Forces Group (1/5<sup>th</sup> SF GRP), Fort Campbell, KY (FCKY), of his legal rights which he waived and provided a verbal statement in which he stated he did not take part in the interrogation of Mr. [redacted]. SFC [redacted] stated he was the team sergeant and did not take part in interrogations or operations as a norm. SFC [redacted] stated he spoke with his team about the interrogation of Mr. [redacted] and they informed him he was not beaten but had attacked SFC [redacted] B Co, 1/5<sup>th</sup> SF GRP, FCKY, during the interrogation and had to be restrained.

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Around 1050, 10 Jan 04, SA [redacted] advised SFC [redacted] B Co, 1/5<sup>th</sup> SF GRP, FCKY, of his legal rights which he waived and rendered a sworn statement in which he stated Mr. [redacted] attacked SFC [redacted] during the interrogation on 6 Jan 04. SFC [redacted] stated prior to the attack Mr. [redacted] was released from his flexi cuffs and was seated on a chair in the interrogation room. He stated he was unsure why Mr. [redacted] suddenly changed his manner from relatively docile to aggressive. But he stated once the attack

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SUMMARY OF INVESTIGATIVE ACTIVITY

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occurred it took SFC [redacted] SSG [redacted] B Co, 1/5<sup>th</sup>, SF GRP, FCKY, and himself to restrain him. SFC [redacted] stated Mr. [redacted] was struck in the mid section by all three of them several times in order to gain control over him. (See Statement for details)

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About 1052, 10 Jan 04, SA [redacted] and SA [redacted] interviewed Mr. [redacted] detainee number [redacted] utilizing Mr. [redacted] as the interpreter. Mr. [redacted] stated he was arrested with Mr. [redacted]. Mr. [redacted] related he was treated well during the arrest, but Mr. [redacted] was kicked in the chest two or three times by one of the soldiers. Mr. [redacted] stated it was a caucasian soldier about 5'6" tall. Mr. [redacted] was interrogated one time by men wearing masks. The men did not strike or hurt Mr. [redacted]. Mr. [redacted] stated he was in the proximity of Mr. [redacted] holding cell on 6 Jan 04. At that time, Mr. [redacted] told Mr. [redacted] men in black masks had tortured him. On 8 Jan 04, Mr. [redacted] saw Mr. [redacted] in the FOB Rifles Base Detention Facility. Mr. [redacted] had removed his shirt as he had been doused with water for talking. Mr. [redacted] noticed large bruises on Mr. [redacted] abdomen. Mr. [redacted] did not see anyone strike Mr. [redacted] after they were arrested. He further stated no one had struck him while he was in U.S. custody. Mr. [redacted] stated he did not think Mr. [redacted] had eaten since being detained, and he had only seen him drink water.

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About 1125, 10 Jan 04, SA [redacted] and SA [redacted] interviewed Mr. [redacted] detainee number [redacted] utilizing Mr. [redacted] as interpreter. Mr. [redacted] related he was detained with Mr. [redacted]. At the time they were detained, one U.S. soldier kicked Mr. [redacted] in the chest. Mr. [redacted] thought the soldier only kicked Mr. [redacted] one time. Mr. [redacted] was interrogated one time by men in masks while in U.S. custody. He stated one of the men kicked him while he was walking behind him, but not very hard. The kick did not leave a bruise. On 8 Jan 04, Mr. [redacted] saw Mr. [redacted] without his shirt on. Mr. [redacted] had taken his shirt off after guards doused him with water for talking. Mr. [redacted] noticed large bruises on Mr. [redacted] upper body.

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Around 1354, 10 Jan 04, SA [redacted] advised SSG [redacted] of his legal rights which he waived and rendered a sworn statement in which he stated he struck and kicked Mr. [redacted] several times in the mid section in an attempt to restrain him after he (Mr. [redacted]) attacked SFC [redacted] during an interrogation, which occurred on 6 Jan 04. SSG [redacted] stated during the struggle to restrain Mr. [redacted] (Mr. [redacted]) made several attempts at SSG [redacted] weapon, which was in his shoulder holster. SSG [redacted] stated there was one other incident where force was required to get Mr. [redacted] into a Non Tactical Vehicle (NTV) but stated it was not as severe as the force required to restrain him during the interrogation. (See Statement for details)

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About 1436, 10 Jan 04, SA [redacted] advised SFC [redacted] of his rights, which

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TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

he waived. SFC [redacted] rendered a sworn statement wherein he stated he participated in the interrogation of Mr. [redacted] on 6 Jan 04. During the interrogation, Mr. [redacted] jumped out of his chair and grabbed SFC [redacted] by the front of his shirt. SFC [redacted] stated he kned Mr. [redacted] in the ribs repeatedly in an attempt to take his breath away. [redacted] also punched Mr. [redacted] in the ribs several times. SFC [redacted] further related SSG [redacted] and SFC [redacted] assisted with subduing Mr. [redacted]. SFC [redacted] estimated it took one to two minutes to subdue Mr. [redacted]. (See Sworn Statement for details)

About 1449, 10 Jan 04, SA [redacted] advised SGT [redacted] ADA Battery (BTRY), 1<sup>st</sup> Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq of his rights. SGT [redacted] waived his rights and rendered a sworn statement. SGT [redacted] denied he hit or kicked Mr. [redacted] when they apprehended him on 4 Jan 04. SGT [redacted] further stated Mr. [redacted] was guarded by SPC [redacted] ADA BTRY, 1<sup>st</sup> Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq, while he searched the vehicle which Mr. [redacted] was traveling in at the time of his arrest. SGT [redacted] did recall that Mr. [redacted] refused to stop talking when directed on numerous occasions however, he never witnessed anyone hit or kick Mr. [redacted]. (See Sworn Statement for details)

About 1527, 10 Jan 04, SA [redacted] advised SPC [redacted] of his rights. SPC [redacted] waived his rights and rendered a sworn statement wherein he admitted to kicking Mr. [redacted] about two or three times in the chest. SPC [redacted] stated he was assigned to watch the detainees while their vehicle was being searched. While he was guarding them Mr. [redacted] continued to talk and attempted to get up several times before he resorted to force (kicking) to keep him on the ground. SPC [redacted] further stated his intent was to keep Mr. [redacted] from getting up and talking not to inflict bodily harm. SPC [redacted] admitted Mr. [redacted] was restrained with flexi cuffs at the time he [redacted] kicked him [redacted]. (See Sworn Statement for details)

About 1635, 10 Jan 04, SA [redacted] interviewed SSG [redacted] ADA BTRY, 1<sup>st</sup> Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq, who stated he searched the vehicle which Mr. [redacted] was traveling in when he was apprehended. While he was conducted his search SPC [redacted] was guarding the detainees. SSG [redacted] stated he did not witness any abuse of the detainees. SSG [redacted] further stated Mr. [redacted] seemed to be in fair health and was able to walk and breath without any visible difficulties. SSG [redacted] stated all the detainees were delivered to the EPW detention site in the same condition as when they were initially detained.

Around 1642, 10 Jan 04, SA [redacted] interviewed Mr. [redacted] (Titan Corporation Contractor.

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TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

Interpreter). Mr. [redacted] stated he was the interpreter during the interrogation of Mr. [redacted] which lasted for approximately one to one and a half hours on 6 Jan 04. He stated during the interrogation Mr. [redacted] attacked SFC [redacted] which required SFC [redacted] and SSG [redacted] to restrain Mr. [redacted]. Mr. [redacted] stated there was punching and kicking from both sides. Mr. [redacted] stated he believed SFC [redacted] and SSG [redacted] used the appropriate level of force to subdue Mr. [redacted]. Mr. [redacted] stated during the transfer of Mr. [redacted] into the NTV Mr. [redacted] resisted and was forced into the vehicle by SSG [redacted] and someone else who he could not recall. Again Mr. [redacted] stated there was not an excess of forced used to get Mr. [redacted] into the NTV.

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About 1650, 10 Jan 04, SA [redacted] interviewed SFC [redacted] ADA BTRY, 1<sup>st</sup> Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq, who corroborated the statements of SSG [redacted] and SGT [redacted].

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About 1710, 10 Jan 04, SA [redacted] briefed CPT [redacted] Commander, ADA BTRY, 1<sup>st</sup> Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq on the statements provided by his soldiers in reference to this investigation.

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Around 1720, 10 Jan 04, SA [redacted] interviewed SSG [redacted], B Co, 1/5<sup>th</sup> SF GRP, FCKY, who stated he was part of the Positive Identification (PID) mission in which Mr. [redacted] brought ODA 525 to the site where he (Mr. [redacted]) had emplaced three 155 artillery rounds along the side a roadway to attack coalition forces. While preparing for the mission he observed SSG [redacted] and SSG [redacted] B Co, 1/5<sup>th</sup> SF GRP, FCKY, try for approximately five minutes to get Mr. [redacted] in the back seat of an NTV. SSG [redacted] stated SSG [redacted] was pulling Mr. [redacted] from the driver's side back seat while SSG [redacted] was pushing from the passenger's side of the NTV. SSG [redacted] stated he observed SSG [redacted] slapping at Mr. [redacted] legs and arms in an attempt to get Mr. [redacted] into the NTV. SSG [redacted] stated Mr. [redacted] was cooperative with the exception of the incident with the NTV. SSG [redacted] stated he had been with the team for approximately one year and had never seen or heard any member of the team mistreat a detainee.

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About 1730, 10 Jan 04, SA [redacted] advised SFC [redacted] ODA 525, 5<sup>th</sup> Special Forces Group, Fort Campbell, KY 42223, which he waived. SFC [redacted] rendered a sworn statement, wherein he stated he did not participate in the interrogation of Mr. [redacted] SFC [redacted] did supervise a mission during which Mr. [redacted] identified a site where he [redacted] had emplaced an IED. At the outset of the mission, Mr. [redacted] hesitated when told to get into the truck SFC [redacted] was driving. SFC [redacted] witnessed SSG [redacted] slap and kick Mr. [redacted] until he got into the truck. Mr. [redacted]

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TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

[redacted] did not appear to be injured while he was with SFC [redacted] (See Sworn Statement for details)

Around 1834, 10 Jan 04, SA [redacted] advised SSG [redacted] of his legal rights which he waived and rendered a verbal statement. SSG [redacted] stated around 1330, 6 Jan 04, he was tasked to conduct a PID from information gained from the interrogation of Mr. [redacted]. He stated he was not involved in the interrogation but did have an incident in which he had to lay hands on Mr. [redacted]. SSG [redacted] stated as SSG [redacted] was attempting to get Mr. [redacted] into the NTV, Mr. [redacted] began to resist. SSG [redacted] stated he got on the drivers side of the NTV in the back seat and pulled Mr. [redacted] into the NTV while SSG [redacted] pushed from the other side. SSG [redacted] stated at one point during the struggle to get Mr. [redacted] into the NTV SSG [redacted] kicked Mr. [redacted] twice in the abdomen in an attempt to get him into the NTV. SSG [redacted] stated Mr. [redacted] did not cause any other trouble during the mission.

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1420, 13 JAN 04

About 1420, 13 Jan 04, SA [redacted] reviewed AR 190-8, Enemy Prisoners of War, Retained Personnel, Civilian Internees and Other Detainees. The review revealed three citations pertinent to this investigation. They appear in their entirety below.

Paragraph 1-5.a(4): The inhumane treatment of EPW, CI, RP is prohibited and is not justified by the stress of combat or with deep provocation. Inhumane treatment is a serious and punishable violation under international law and the Uniform Code of Military Justice (UCMJ).

Paragraph 2-1.a(1)(d): Prisoners may be interrogated in the combat zone. The use of physical or mental torture or any coercion to compel prisoners to provide information is prohibited. Prisoners may voluntarily cooperate with PSYOP personnel in the development, evaluation, or dissemination of PSYOP messages or products. Prisoners may not be threatened, insulted, or exposed to unpleasant or disparate treatment of any kind because of their refusal to answer questions. Interrogations will normally be performed by intelligence or counterintelligence personnel.

Paragraph 3-7.e(3): No EPW or RP will be handcuffed or tied, except to ensure safe custody or when prescribed by a responsible medical officer as needed to control a medical case requiring restraint.

~~Attempted to contact 1/5 SR SSA no contact~~  
Contact w/ SA [redacted] re: contact 1/5 SSA

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20 JAN 04 [redacted]

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AGENTS ACTIVITY SUMMARY  
(CID Regulation 195-1)

Control Number

0009-04-CID679-83846

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

1800, 11 Jan 04  
SA [REDACTED]

Around 1800, 11 Jan 04, SA [REDACTED] received via email a copy of the preliminary autopsy report pertaining to Mr. [REDACTED] Dr. [REDACTED] MD, CDR, MC, USN, DMO/FS, Chief Deputy Medical Examiner, Armed Forces Institute of Pathology performed the autopsy. Dr. [REDACTED] provided the Cause of Death as Blunt Force Injuries and Asphyxia and the Manner of Death as Homicide. (See Preliminary report for details)

1230, 11 Jan 04  
SA [REDACTED]

Around 1230, 11 Jan 04, SA [REDACTED] fully briefed CPT [REDACTED] on all aspects of this investigation and the personnel this office require to re interview. CPT [REDACTED] also provided this office a copy of his units SOP pertaining to detainee detention and interrogation procedures.

1025, 12 Jan 04  
SA [REDACTED]

Around 1025, 12 Jan 04, SA [REDACTED] advised SFC [REDACTED] of his legal rights which he waived and provided a verbal statement in which he maintained his original statement was true and correct.

1248, 12 Jan 04  
SA [REDACTED]

Around 1248, 12 Jan 04, SA [REDACTED] advised SFC [REDACTED] of his legal rights which he waived and provided a verbal statement in which he maintained his original statement was true and correct.

1348, 12 Jan 04  
SA [REDACTED]

Around 1348, 12 Jan 04, SA [REDACTED] advised SSG [REDACTED] of his legal rights which he waived and provided a verbal statement in which he maintained his original statement was true and correct.

1435, 13 Jan 04  
SA [REDACTED]

Around 1435, 13 Jan 04, SA [REDACTED] interviewed Mr. [REDACTED] (Titan Corporation Category 2 interpreter) assigned to ODA 525, who stated the only time he had contact with Mr. [REDACTED] was during an interrogation which occurred around 1020, 7 or 8 Jan 2004. Mr. [REDACTED] stated the interrogation was conducted by SFC [REDACTED] with him as the interpreter and took place at the detention facility on Rifles Base, Al Asad, Iraq. Mr. [REDACTED] stated the interrogation lasted approximately forty-five minutes. He stated at no time during the interrogation was Mr. [REDACTED] beaten or struck. He stated during the interrogation he noticed Mr. [REDACTED] left leg shaking while he was being interrogated. He also stated Mr. [REDACTED] seemed to be limping when he was escorted back to his isolation cell. Mr. [REDACTED] stated he had been with ODA 525 since the early part of October 2003, and had never witnessed them beat or mistreat a prisoner/detainee.

2030, 13 Jan 04  
SA [REDACTED]

Around 2030, 13 Jan 04, SA [REDACTED] coordinated with Dr. [REDACTED] Dr. [REDACTED] was asked if Mr. [REDACTED] would have been able to hide the extent of his injuries for two or three days. Dr. [REDACTED] stated it was possible but unlikely, he stated there should have been some outward signs of injury, such as labored breathing. Dr. [REDACTED] stated several of the rib fractures had little bleeding and like similar to that of post mortem breaks. He stated Mr. [REDACTED] died most likely of a combination of his injuries as well as being gagged and forced to stand.

1100, 14 Jan 04  
SA [REDACTED], SA [REDACTED]

Around 1100, 14 Jan 04, SA [REDACTED] and SA [REDACTED] briefed LTC [REDACTED] CDR, 1/5<sup>th</sup> SF GRP, Fort Campbell, KY and CSM [REDACTED] 1/5<sup>th</sup>



AGENTS ACTIVITY SUMMARY  
(CID Regulation 195-1)

CONTROL NUMBER

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

SF GRP, Fort Campbell, KY on all aspects of this report. LTC [redacted] and CSM [redacted] b7c2

1130, 14 Jan 04  
SA [redacted]

Around 1130, 14 Jan 04, SA [redacted] coordinate with SGT [redacted] Legal NCO, 1/5<sup>th</sup> SF GRP, Fort Campbell, KY who stated CPT [redacted] was the trial counsel for 1/5<sup>th</sup> SF GRP but was currently TDY with an expected return date of 20 Jan 04. b7c1

1330, 14 Jan 04  
SA [redacted]

Around 1330, 14 Jan 04, SA [redacted] coordinated with SGT [redacted] who provided a copy of the SOP governing the responsibilities and Do's and Don'ts of the guard force located at the detention facility. (See SOP for details) b7c1 b7c2

1545, 14 Jan 04  
SA [redacted]

Around 1545, 14 Jan 04, SA [redacted] coordinated with CPT [redacted] who stated probable cause existed to title SPC [redacted] with Assault when he (SPC [redacted]) kicked Mr. [redacted] during Mr. [redacted] capture. b7c1 b2c5

2200, 14 Jan 04  
SA [redacted]

Around 2200, 14 Jan 04, SA [redacted] mailed copies of all statements taken to SA [redacted] SAC, this office who would have LTC [redacted] 82D ABN Div, SJA, Fort Bragg, NC (Champion Main, Iraq), review statements and render an opine. b7c5 b7c1 b7c4 b7c2

1000, 15 Jan 04  
SA [redacted]

Around 1000, 15 Jan 04, SA [redacted] coordinated with SA [redacted] who stated LTC [redacted] was still reviewing the statements. b7c1 b7c4

1400, 20 Jan 04  
[redacted]

Attempted to contact 1/5<sup>th</sup> SF SJA, which met with neg results b7c2

1405, 20 Jan 04  
[redacted]

Coord w/ SA [redacted] ref contacting 1/5<sup>th</sup> SF SJA. b7c1

all b7c1

025466 13

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

1330, 23 JAN 04  
[REDACTED]

Attempted to contact 1/5<sup>th</sup> SF SJA CPT [REDACTED] which resulted in message for how to call.

1700, 23 JAN 04  
[REDACTED]

COORD w/ 1/5 SF legal NCO, CPT [REDACTED] on his way back to BIAP from TDY study in GE. CALL again 26 JAN 04.

28 JAN 04, 1520  
[REDACTED]

COORD w/ SGT [REDACTED], 1/5 SF SJA, who stated CPT [REDACTED] was in Mexico and would call back today.

1317, 29 JAN 04  
[REDACTED]

COORD w/ MAS [REDACTED], 1/5 SF GEP Trial counsel who stated he was replacing CPT [REDACTED] and that he would opine as soon as he reviewed case.

1450/30 JAN 04  
[REDACTED]

verified grid for 2nd incident as 385 KC 62928-43339.

1500, 30 JAN 04  
[REDACTED]

COORD w/ CPT [REDACTED] who stated he could provide air transportation for this agent to BIAP, 2000, 31 JAN 04.

1413, 31 JAN 04  
[REDACTED]

COORD w/ MAS [REDACTED] who stated he received a copy of the 1/5<sup>th</sup> inquiry and would provide a copy to this office, upon the SJA review of this case, 1 Feb 04.

TTA  
aebkl

TTA  
all 6702

025467

14

00 079

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

1030, 11 Feb 04  
[redacted]

COORD/W/ CPT. [redacted] ref 3 soldiers need to be fingerprinted, will have them @ office 1530, 11 Feb 04

1230, 11 Feb 04  
[redacted]

emailed MAJ [redacted] ref IO report.

1230, 12 Feb 04  
[redacted]

Received emails from MAJ [redacted] ref his command's response to the titling of these soldiers (see emails)

1235, 12 Feb 04  
[redacted]

COORD W/ MAJ [redacted], CDR ODB 530, (which ODA 525 falls under) who related he would not allow his soldiers to get printed until given guidance from MAJ [redacted] left message for MAJ [redacted] to contact this office ASAP.

1240, 12 Feb 04  
[redacted]

Delayed Entry:

1230, 1 Feb 04, COORD W/ MAJ [redacted] who stated he would wait to review the final autopsy report before printing.

1505, 12 Feb 04  
[redacted]

COORDS W/ MAJ [redacted] who stated he would contact the ODA 525 command, ref subjects being fingerprinted / photographed.

↑ all b7c2

2030, 12 Feb 04  
[redacted]

Fingerprinted / mug shots of SFC [redacted] and SSG. [redacted]

b7c5

↑  
all b7c4

025468

15  
00 080

AGENTS ACTIVITY SUMMARY  
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TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

2045, 12 Feb 04  
[REDACTED]

Fully briefed MAJ [REDACTED] on all aspects of investigation. (MAJ [REDACTED] reviewed entire case file.)

1450, 14 Feb 04  
[REDACTED]

Delayed Entry: AROUND 1600, 1 Feb 04, SA [REDACTED] b7c1  
Received copy of DA Fm 2064 (certif. of death) signed by CPT [REDACTED] which lists natural death and victim died in sleep. (see DA Fm 2064 for details) ↑ a/b7c2

1455, 14 Feb 04  
[REDACTED]

Prepared 5<sup>th</sup> STATUS report fully using SFC [REDACTED] and SSG [REDACTED] } b7c5

1400, 16 FEB 04  
[REDACTED]

Fingerprint/mug shot of [REDACTED] TAKEN



a/b7d

025469

16

TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY
1230, 1 Feb 04 [REDACTED]	Around 1230, 1 Feb 04, SA [REDACTED] coordinated with MAJ [REDACTED], SJA, 1/5 <sup>th</sup> SF Group, Ft Campbell, KY, (BIAP, Iraq) who stated he would provide an opine upon the review of the final autopsy report. MAJ [REDACTED] provided a copy of the Commanders Inquiry conducted by CPT [REDACTED], Adjutant, 1/5 <sup>th</sup> SF Group, Ft Campbell, KY, (BIAP, Iraq). (See Report for details)
0900, 5 Feb 04 [REDACTED]	Around 0900, 5 Feb 04, case filed sealed and shipped in connex enroute FBNC.
1600, 18 Feb 04 [REDACTED]	Around 1600, 18 Feb 04, SA [REDACTED] verified the height of the door frame from which Mr. [REDACTED] was hung from to be six feet 9 inches.
1000, 7 Apr 04 [REDACTED]	Around 1000, 7 Apr 04, SA [REDACTED] coordinated with SGT [REDACTED] who stated he had been redeployed and MAJ [REDACTED], SJA, 5 <sup>th</sup> SF Group, Fort Campbell, KY, would be prosecuting the case.
1100, 7 Apr 04 [REDACTED]	Around 1100, 7 Apr 04, SA [REDACTED] received an e-mail from SA [REDACTED] Office of the Armed Forces Medical Examiner, Armed Forces Institute of Pathology, 1413 Research Boulevard, Building 102 Rockville, MD 20850, which stated the SJA, would need to send a request to AFIP to expedite the report.  Agents Note: Forwarded the e-mail to SGT [REDACTED] for action. Phone number for MAJ [REDACTED] is 270 [REDACTED] or [REDACTED]@soc.mil
1526, 21 Apr 04 [REDACTED]	Around 1526, 21 Apr 04, SA [REDACTED] emailed draft copy of AIR and two pictures of [REDACTED] to SGT [REDACTED] to provide to MAJ [REDACTED]
0853, 3 May 04 [REDACTED]	Around 0853, 3 May 04, SA [REDACTED] sent an email message to SA [REDACTED] to check on status of final autopsy report.
1050, 5 May 04 [REDACTED]	Around 1050, 5 May 04, SA [REDACTED] coordinated with MAJ [REDACTED] who stated he was going to speak with Dr. [REDACTED] for a more specific account of the injuries of Mr. [REDACTED], since the final autopsy report was unavailable. MAJ [REDACTED] stated he would back brief this agent after he spoke with Dr. [REDACTED]
0900, 12 May 04 [REDACTED]	Around 0900, 12 May 04, SA [REDACTED] received an email from MAJ [REDACTED] which provided a general back ground as to his conversation with Dr. [REDACTED] MAJ [REDACTED] stated Dr. [REDACTED] had completed his final report and it just needed a final review from his supervisor before it was released. (See email dated 12 May 2004, 0209, for details)
1000, 17 May 04 [REDACTED]	Around 1000, 17 May 04, SA [REDACTED] received an email of a news release in Germany concerning this investigation.
1030, 17 May 04 [REDACTED]	Around 1030, 17 May 04, SA [REDACTED] conducted a Google search for the news release. A news release from the web site "Prison Planet.com" carried a story

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

0800, 18 May 04  
[redacted]

they got from Der Spiegel (German News organization), which had post autopsy pictures and stated the Army was conducting an investigation into the death of Mr. [redacted] (See article for details)

*b7c4*  
Around 0800, 18 May 04, connex containing case file arrived FBNC.

1040, 18 May 04  
[redacted]

*b7c1*  
Around 1040, 18 May 04, SA [redacted] coordinated with SA [redacted] who stated the report was in the review stage. SA [redacted] stated he would track the case down and electronically send a copy of the final report to this agent as soon as it was available.

1314, 18 May 04  
[redacted]

*b7c1* *b7c2*  
Around 1314, 18 May 04, SA [redacted] emailed MAJ [redacted] and informed him the case file was at FBNC, and to supply this agent with a mailing address to forward a copy to his office.

*SAC Rev*  
*19 May 04*

*Rev.*  
*Did [redacted] have any contact with victim? CUS subject of other case for murder.*

*all*  
*b7c1*

*Secret marked in file - should have cover sheets on them*

*Subject Int of [redacted] who was seen abusing [redacted] who was seen abusing. If there is enough info to title, then do status report.*

*b7c5*

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

1545, 19 May 04  
[redacted]

Received case from 10<sup>th</sup> MP Battalion (CID) Operations Officer review.

SAC [redacted] - b7c1

1. Neither SGT [redacted] or CW3 [redacted] had contact with Mr. [redacted]
2. Will correct cover sheets for documents marked "Secret"
3. Both SPC [redacted] and SGT [redacted] were interviewed pertaining to their involvement with Mr. [redacted]. Neither SPC [redacted] nor SGT [redacted] were seen "Abusing" Mr. [redacted]. SPC [redacted] was seen apprehending Mr. [redacted] after Mr. [redacted] attempted to escape. SGT [redacted] only laid hands on Mr. [redacted] to gag him and zip tie him to the door of Mr. [redacted] cell doorframe, a second subject interview will be conducted on [redacted] and SPC [redacted]

b2c4  
b7c5

1435, 19 May 04  
[redacted]

Around 1435, 19 May 04, SA [redacted] received a copy of the final autopsy report from SA [redacted]. A review of the report revealed the Cause of Death as Blunt Force Injuries and Asphyxia and the Manner of Death as Homicide. (See Autopsy report for details) b7c1

1443, 19 May 04  
[redacted]

Around 1443, 19 May 04, SA [redacted] forwarded a copy of the autopsy report to MAJ [redacted] for his review. b7c1

0900, 20 May 04  
[redacted]

Around 0900, 20 May 04, SA [redacted] forwarded a hard copy of complete ROI and autopsy report to MAJ [redacted] b7c2

1700, 24 May 04  
[redacted]

Around 1700, 24, May 04, SA [redacted] emailed MA [redacted] to confirm receipt of reports. b7c1 b7c2

1705, 24 May 04  
[redacted]

Around 1705, 24 May 04, SA [redacted] coordinated with Mr. [redacted] Criminal Intelligence Center, this office for name checks of subjects of this investigation. b7c1

1000, 25 May 04  
[redacted]

Around 1000, 25 May 04, SA [redacted] attempted to contact Commander (Dr) [redacted] reference autopsy of Mr. [redacted], left message for him to contact this agent. b7c2 b7c4

all  
b7c1

AGENTS ACTIVITY SUMMARY  
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TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

1545, 19 May 04  
[redacted]

Received case from 10<sup>th</sup> MP Battalion (CID) Operations Officer review.

SAC [redacted] b7c1

b7c4  
b7c5

1. Neither SGT [redacted] nor CW3 [redacted] had contact with Mr. [redacted]
2. Will correct cover sheets for documents marked "Secret"
3. Both SPC [redacted] and SGT [redacted] were interviewed pertaining to their involvement with Mr. [redacted]. Neither SPC [redacted] nor SGT [redacted] were seen "Abusing" Mr. [redacted]. SPC [redacted] was seen apprehending Mr. [redacted] after Mr. [redacted] attempted to escape. SGT [redacted] only laid hands on Mr. [redacted] to gag him and zip tie him to the door of Mr. [redacted] cell doorframe, a second subject interview will be conducted on [redacted] and SPC [redacted].

1435, 19 May 04  
[redacted]

Around 1435, 19 May 04, SA [redacted] received a copy of the final autopsy report from SA [redacted]. A review of the report revealed the Cause of Death as Blunt Force Injuries and Asphyxia and the Manner of Death as Homicide. (See Autopsy report for details) b7c1

1443, 19 May 04  
[redacted]

Around 1443, 19 May 04, SA [redacted] forwarded a copy of the autopsy report to MAJ [redacted] for his review. b7c1

0900, 20 May 04  
[redacted]

Around 0900, 20 May 04, SA [redacted] forwarded a hard copy of complete ROI and autopsy report to MAJ [redacted]. b7c2

1700, 24 May 04  
[redacted]

Around 1700, 24, May 04, SA [redacted] emailed MAJ [redacted] to confirm receipt of reports. b7c2

1705, 24 May 04  
[redacted]

Around 1705, 24 May 04, SA [redacted] coordinated with Mr. [redacted] Criminal Intelligence Center, this office for name checks of subjects of this investigation. b7c2 b7c1

1000, 25 May 04  
[redacted]

Around 1000, 25 May 04, SA [redacted] attempted to contact Commander (Dr) [redacted] reference autopsy of Mr. [redacted] left message for him to contact this agent. b7c4

1420, 25 May 04  
[redacted]

Around 1420, 25 May 04, during an operational review identified two documents which were classified Secret. The documents were removed from the case file and mark in accordance to army regulation and secured with S2, 10<sup>th</sup> MP Bn, (CID), FBNC. Documents pertained to CJTF-7 Interrogation and Counter-Resistance Policy, 10 Sep 03, and Document from FOB 51 S-2 pertaining to Detention Operations relating to Detainees, 7 Oct 03. These two documents will be listed as Non Attached Documents within the final report.

1000, 3 Jun 04  
[redacted]

Around 1000, 3 Jun 04, SA [redacted] left message for Mr. [redacted] Polygrapher, 6<sup>th</sup> MP Group, to notify him of the TDY to Ft Carson and the possible need for a polygrapher.



TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

1220, 3 Jun 04  
[redacted]

*b7c1*  
Around 1220, 3 Jun 04, SA [redacted] fully briefed CPT [redacted] Trial Counsel, 3 ACR, Fort Carson, CO, on all aspects of this investigation. CPT [redacted] was also informed this agent would be at Fort Carson between 7 and 11 Jun 04, to conduct follow up interviews of 3 ACR personnel.

1315, 7 Jun 04  
[redacted]

*b7c1*  
Around 1315, 7 Jun 04, SA [redacted] coordinated with CPT [redacted] and fully briefed him on the investigation to date. Also CPT [redacted] viewed case file.

1405, 7 Jun 04  
[redacted]

*b7c1* *b7c2*  
Around 1405, 7 Jun 04, SA [redacted] fully briefed LTC [redacted], Deputy CDR, 3ACR, Fort Carson, CO, on all aspects of this investigation. LTC [redacted] was given a list of soldiers to be interviewed.

0900, 8 Jun 04  
[redacted]

*b2c1*  
Around 0900, 8 Jun 04, SA [redacted] advised SGT [redacted] of his legal rights, which he waived and provided a verbal statement clarifying his previous statement. SGT [redacted] stated he worked the 2000-0000, shift on 8 Jan 04, and the 0400-0800, shift on 9 Jan 04. He stated upon arriving for his shift on 8 Jan 04, Mr. [redacted] was in the sleep deprivation area located in front of the guard tower. He stated Mr. [redacted] was in leg shackles only and sat there his entire shift. SGT [redacted] stated on his 0400-0800, 9 Jan 04, shift Mr. [redacted] was placed into his isolation cell and shackled to a post, legs shackled with an approximate two foot slack, and his hands were flexi cuffed in front. SGT [redacted] further clarified his statement regarding Mr. [redacted] being forced to stand as follows; after he and SPC [redacted] forced him to stand by hand cuffing his flexi cuffed hands to the top of the door frame of his cell, they gagged Mr. [redacted] with a length of cloth, which had a knot tied in the center of it. SPC [redacted] from behind Mr. [redacted] pulled the gag into his mouth while SGT [redacted] used pressure points on the chin and lower jaw to force Mr. [redacted] to open his mouth. After the gag was secured SPC [redacted] and SGT [redacted] left Mr. [redacted] cell. While SGT [redacted] was washing his hands he noticed Mr. [redacted] jumped over, after about three minutes he went to check on him. After trying to speak with Mr. [redacted] SGT [redacted] noticed Mr. [redacted] was not breathing; he checked Mr. [redacted] pulse at the carotid artery and found no pulse. He then un-cuffed Mr. [redacted] who fell to the floor, head towards the outside of his cell, the body approximately half way out of the cell. He stated he called for help / medics and checked one more time for a pulse which met with negative results.

*b7c4* *b7c5*  
SGT [redacted] stated it took the medics approximately thirty minutes to arrive. He stated he was not on duty at the time of the escape attempt and he did not tell SGT [redacted] he assisted in the re-capture of Mr. [redacted]. SGT [redacted] stated the use of the latrines for the prisoners was not a mandatory thing, they went if they had to go, he stated Mr. [redacted] did not use the latrines

↑  
all b7c1

*b7c4*  
*b7c5*

TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY
1020, 8 Jun 04 [redacted]	on his last two shifts prior to Mr. [redacted] death. b7c4 Around 1020, 8 Jun 04, SA [redacted] b7c1 advised SPC [redacted] b7c5 of his legal rights which he waived and provided a sworn statement in which he stated PFC [redacted] b7c5 choked Mr. [redacted] with a police style baton and slapped him in the face after Mr. [redacted] b7c4 failed escape attempt. (See sworn statement for details)
1245, 8 Jun 04 [redacted]	Around 1245, 8 Jun 04, SA [redacted] b7c1 advised PFC [redacted] b7c5 of his legal rights which he waived and provided a verbal statement. PFC [redacted] stated he was not involved in the re-capture of Mr. [redacted] after Mr. [redacted] escape attempt on 9 Jan 04. He stated he did not slap or choke Mr. [redacted] with a nightstick. He stated the only time he had hands on Mr. [redacted] was after he yelled at him for escaping and then opened the door to the cell Mr. [redacted] was in and told him of he wanted to go home then go. He stated when Mr. [redacted] made for the door he, PFC [redacted] b7c5 pushed him back causing Mr. [redacted] to fall backwards. PFC [redacted] stated he was unaware that Mr. [redacted] was already in leg shackles when he did this. PFC [redacted] when requested a lawyer when pressed for his alleged choking of Mr. [redacted]. b7c4
1710, 8 Jun 04 [redacted]	Around 1710, 8 Jun 04, SA [redacted] b7c1 coordinated with CPT [redacted] b7c2, CDR, S&T Troop, 3 ACR who stated SPC [redacted] SPC [redacted] and CPL [redacted] would report to this office on 9 Jun 04. b7c5
0900, 9 Jun 04 [redacted]	Around 0900, 9 Jun 04, SA [redacted] b7c1 interviewed SGT [redacted] b7c2 who clarified his previous statement given on 9 Jan 04. SGT [redacted] stated the use of the latrines by the detainees was voluntary and he did not remember whether or not Mr. [redacted] used the latrine during his shift of 2000 - 0000, 8 Jan 04. SGT [redacted] b7c2 described Mr. [redacted] as an old sick man. SGT [redacted] stated the on coming shift was SPC [redacted] PFC [redacted] another sergeant and maybe SPC [redacted]. b7c5
0938, 9 Jun 04 [redacted]	Around 0938, 9 Jun 04, SA [redacted] b7c1 advised SPC [redacted] b7c5 of his legal rights which he waived and rendered a sworn statement in which he described in detail the escape attempt by Mr. [redacted] on 9 Jan 04. SPC [redacted] clarified his previous statement concerning SGT [redacted] presence during the take down of Mr. [redacted]. SPC [redacted] stated SPC [redacted] took down Mr. [redacted] alone. (See sworn statement for details) b7c4
1100, 9 Jun 04 [redacted]	Around 1100, 9 Jun 04, SA [redacted] left message for Mr. [redacted] to contact this agent reference a polygraph. b7c1
1130, 9 Jun 04 [redacted]	Around 1130, 9 Jun 04, SA [redacted] b7c1 interviewed CPL [redacted] b7c2 who clarified his previous statement given on 9 Jan 04. CPL [redacted] stated Mr. [redacted] did not use the latrine during the 0400-0800, 9 Jan 04, shift. He stated the isolation cells were the last to go to the latrine and by the time it was their turn he was already dead. CPL [redacted] stated when he used the term "muzzled" when describing punishment for the detainees he was referring to gagging a detainee for repeated talking. b7c4

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

1300, 9 Jun 04  
[redacted]

b7c4  
b7c5

Around 1300, 9 Jun 04, SA [redacted] b7c1 advised SPC [redacted] of his legal rights which he waived and rendered a verbal statement clarifying his previous statement given 9 Jan 04. SPC [redacted] stated at no time did he or SGT [redacted] strike, strangle or other wise inflict injury to Mr. [redacted]. SPC [redacted] stated after he assisted SGT [redacted] in gagging Mr. [redacted] Mr. [redacted] was breathing and talking through the gag. SPC [redacted] stated he had not heard of the attempted escape by Mr. [redacted] until informed by CID.

1436, 9 Jun 04  
[redacted]

Around 1436, 9 Jun 04, SA [redacted] b7c1 coordinated Mr. [redacted] b7c1 who requested this agent email supporting documents for a polygraph request. Sent documents via email.

1600, 9 Jun 04  
[redacted]

Around 1600, 9 Jun 04, SA [redacted] b7c1 interviewed SGT [redacted] b7c2 Maintenance Troop, Support Sqd, 3 ACR, Fort Carson, CO, who provided a sworn statement in which he stated he in processed Mr. [redacted] on 4 Jan 04, and did not observe any bruises or injuries. He stated Mr. [redacted] was seen at least two other times by medics (NFI) for complaints of rib injuries. (See sworn statement for details) b7c4

0850, 10 Jun 04  
[redacted]

Around 0850, 10 Jun 04, SA [redacted] b7c1 left voice message for Mr. [redacted] b7c1

0900, 10 Jun 04  
[redacted]

Around 0900, 10 Jun 04, SA [redacted] b7c1 advised SPC [redacted] b7c2 [redacted] AVIM Troop, Support Sqd, 3 ACR, Fort Carson, CO of his legal rights which he waived and provided a sworn statement in which he stated he did not see PFC [redacted] choke or strike Mr. [redacted]. (See sworn statement for details)

1020, 10 Jun 04  
[redacted]

Around 1020, 10 Jun 04, SA [redacted] b7c1 coordinated with Mr. [redacted] b7c1 who stated he would most likely have a polygrapher at Fort Carson on 14 Jun 04, to conduct the technical interviews. b7c4

1100, 10 Jun 04  
[redacted]

Around 1100, 10 Jun 04, SA [redacted] b7c1 interviewed SPC [redacted] b7c2 [redacted] clerk, assigned to Medical Troop, Support Sqd, 3 ACR, Fort Carson, CO who stated after transferring all the data from the green note book used to document treatment given to detainees into a digital database he burned the note book. A search of the digital database met with negative results.

1125, 10 Jun 04  
[redacted]

all b7c1

Around 1125, 10 Jun 04, SA [redacted] b7c1 interviewed CPT [redacted] b7c2 stated he never treated Mr. [redacted] for any medical problems, nor did he conduct the medical screening of Mr. [redacted]. CPT [redacted] stated the medical screening was conducted by the EPW site personnel and Doctors, PA's or medics were only contacted about a screening if the detainee had some sort of injury or complaint.

1150, 10 Jun 04

Around 1150, 10 Jun 04, SA [redacted] b7c1 coordinated with CPT [redacted] b7c2

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

Cdr, Medical Troop, Support Sqd, 3 ACR, Fort Carson, CO, who stated medics were assisted by either a Doctor or PA when conducted sick call for the detainee's. He stated CPT [redacted] and 1LT [redacted] were the only two PA's assigned to his unit. The other PA's/Dr's who were attached to his unit while deployed were CPT [redacted] Fort Bliss, TX (NFI), CPT [redacted] Fort Hood (NFI) and CPT [redacted] Fort Riley. However he stated he would coordinate with all the medics assigned to his Troop for personnel who treated Mr. [redacted]

b7c2

1210, 10 Jun 04  
[redacted]

Around 1210, 10 Jun 04, SA [redacted] interviewed 1LT [redacted] who stated she never treated Mr. [redacted] and was unaware of who if anyone did.

b7c1

b7c2

1300, 10 Jun 04  
[redacted]

Around 1300, 10 Jun 04, SA [redacted] coordinated with CPT [redacted] who stated none of his medics recall treating Mr. [redacted] or seeing a detainee at the detention facility with the injuries described. CPT [redacted] also stated a DA 6 was not maintained to document who was on call or working any particular day.

b7c4

b7c1

b7c2

1325, 10 Jun 04  
[redacted]

Around 1325, 10 Jun 04, SA [redacted] fully briefed CPT [redacted] on all aspects of this investigation and provided his office with a copy of this report and all exhibits. An opine would be given upon completion of this investigation.

b7c1

b7c2

1530, 10 Jun 04  
[redacted]

Around 1530, 10 Jun 04, SA [redacted] fully briefed COL [redacted] Cdr, 3ACR, Fort Carson, CO on all aspects of this investigation.

b7c1

↑  
b7c1

b7c1

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

1230, 14 Jun 04

Around 1230, 14 Jun 04, SA [redacted] coordinated with CDR [redacted] and updated him on all aspects of this investigation. CDR [redacted] stated the described method of choking would be sufficient to break the hyoid bone. He also stated Mr. [redacted] would have died as a result of the broken hyoid bone with or without the other injuries, unless he had received medical attention. When asked if Mr. [redacted] would have died of the blunt force injuries without the broken hyoid bone he stated probably

b7c4

b7c2

1530, 14 Jun 04

Around 1530, 14 Jun 04, SA [redacted] coordinated with Mr. [redacted] Polygrapher, 6th Group, USACIDC, who stated he would travel to Fort Carson on 15 Jun 04, and conduct the technical interviews on 16 and 17 Jun 04.

b7c1

b7c2

1000, 15 Jun 04

Around 1000, 15 Jun 04, SA [redacted] updated CW2 [redacted] (SAC) and CW5 [redacted] (BN OPS) on all aspects of this investigation. File turned in for SAC review.

b7c1

1345, 16 Jun 04

Around 1345, 16 Jun 04, SA [redacted] fully briefed MAJ [redacted] on all aspects of this investigation. MAJ [redacted] stated he was being deployed but would remain the SJA for this investigation.

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1015, 17 Jun 04

Around 1015, 17 Jun 04, SA [redacted] attempted to contact CPT [redacted], left message for her to contact this office.

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1020, 17 Jun 04

Around 1020, 17 Jun 04, SA [redacted] coordinated with SA [redacted] Fort Hood, Resident Office, Fort Hood, TX, who stated he would locate CPT [redacted] and contact this office.

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1100, 17 Jun 04

Around 1100, 17 Jun 04, SA [redacted] attempted to contact CPT [redacted] left message for him to contact this office.

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1125, 17 Jun 04

Around, 1125, 17 Jun 04, SA [redacted] interviewed CPT [redacted] USA MEDDAC, Fort Hood, TX, who stated he did not recall ever treating Mr. [redacted] or any detainee with the symptoms described during the time period of Mr. [redacted] detention.

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0900, 18 Jun 04

Around 0900, 18 Jun 04, SA [redacted] interviewed CPT [redacted] who stated she did not treat Mr. [redacted] or any detainee with the symptoms described during the time period of Mr. [redacted] detention.

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TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

22 Jun 04, 1530

Coordinated with SA [redacted] who stated [redacted] declined to be interviewed, as did [redacted]. He stated they did not interview [redacted] but would set it up for next week [redacted] was IC.

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30 Jun 04, 1515

Coordinated with SA [redacted] who stated [redacted] was IC leaning toward NDI. [redacted] stated [redacted] used the night stick to stand [redacted] up, because [redacted] refused to stand. [redacted] stated [redacted] did not "choke" [redacted] as initial reported, but did not know what else to call it at the time. SA [redacted] stated he would see if [redacted] wanted to talk and then send his report to this office.

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Coordination with SA [redacted], Reple Island, RA who stated SSG [redacted] corroborated the statement of [redacted] SA [redacted]. Further stated the Info Report is in the mail and he did not have immediate access to the file to fax a copy of the statement to this office. He will do so on 9 Jul 04.

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TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

16 Jul 04

Monitored case for SA [redacted] in his absence.  
The following activity was conducted

1. Sent weekly CATI updates (posted to file behind 66)
2. Received Hardcopy information Report from Rock Island RA (see AIR for details)
3. Briefed BN OPS as required.
4. Provided Grops with latest status Report per his request
5. Contacted SA [redacted] for meeting scheduled for 16 Jul 04 1000 with HQ CID FSO & BN OPS.

Case File Back to SA [redacted] upon his return.

1300  
18 Jul 04

Briefed CPT [redacted] on case and informed him this agent would be TDY to FT Caveseaw in the next week to polygraph/interview [redacted]. Also advised CPT [redacted] of need to have sit down w/ him, Pathologist and MAS [redacted].

1308, 18 Jul 04

fully briefed SSG [redacted] (legal NCO) SF, FT Campbell who stated MAS [redacted] was deployed to DEAC but would remain the prosecutor since the whole command group deployed. He stated he would pass on information and provide contact info for MAS [redacted] via email.

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TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY
1635, 19 Jul 04 [redacted]	Around 0900, 19 Jul 04, SA [redacted] received technical interview request and authorization reports and rights waivers pertaining to PFC [redacted] and SPC [redacted] from SAC Fort Leonard Wood Resident Agency, 6th Group (CID), USACIDC, Fort Leonard Wood, MO. Also received was the rights waiver and sworn statement of SPC [redacted] in which he stated he witnessed PFC [redacted] utilize a nightstick to lift Mr. [redacted] from his sitting position to a standing one by placing the nightstick under Mr. [redacted] chin and pulling. (See sworn statement and rights waivers for details) b7c1 b7c4
1635, 19 Jul 04 [redacted]	Around 1635, 19 Jul 04, SA [redacted] coordinated with SA [redacted], 11th MP BN (CID), Fort Hood, TX, who stated he would be able to conduct the technical interviews for SGT [redacted] SPC [redacted] and SPC [redacted] on 26 Jul 04. b7c1 b7c1
0830, 20 Jul 04 [redacted]	Around 0830, 20 Jul 04, SA [redacted] received email from MAJ [redacted] in which he stated "RE 525--bottom line, based on my conversation with Dr. [redacted] and review of the various reports and witness interviews and various pictures I've looked in the reports. [redacted] --so keep me apprised of how the interviews go at Carson, and let me know when the VTC or teleconference will be." Forwarded copy of email to SA [redacted] and SA [redacted] b7c1 b7c2 b7c1
0900, 21 Jul 04 [redacted]	Around 0900, 21 Jul 04, SA [redacted] reservations made for Hampton Inn, CO Springs, CO confirmation number [redacted] b7c1
0900, 26 Jul 04 [redacted]	Around 0900, 26 Jul 04, SA [redacted] arrived at Fort Carson Resident Office, CID, Fort Carson, CO. b7c1
1015, 26 Jul 04 [redacted]	Around 1015, 26 Jul 04, SA [redacted] coordinated with CPT [redacted] who stated he would track down SPC [redacted] and send him to this office. b7c1 b7c2
1040, 26 Jul 04 [redacted]	Around 1040, 26 Jul 04, SA [redacted] spoke with SPC [redacted] who stated he would submit to a technical interview, interview set up for unknown time on 27 Jul 04. b7c1
1058, 26 Jul 04 [redacted]	Around 1058, 26 Jul 04, SA [redacted] coordinated with CPT [redacted] Cdr, Maintenance Troop, Support Sqd, 3ACR, Ft Carson, CO, who stated he would send SGT [redacted] to this office. b7c1 b7c5
1130, 26 Jul 04 [redacted]	Around 1130, 26 Jul 04, SA [redacted] spoke with SGT [redacted] who stated he would submit to a technical interview, interview set up for unknown time on 27 Jul 04. b7c1 b7c2
1140, 26 Jul 04 [redacted]	Around 1140, 26 Jul 04, SA [redacted] coordinated with CPT [redacted] and [redacted] b7c1 b7c2

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TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY
[REDACTED] 1235, 26 Jul 04 [REDACTED]	updated him on all aspects of this investigation. Around 1235, 26 Jul 04, SA [REDACTED] coordinated with CPT [REDACTED] who stated SGT [REDACTED] would report to this office at 0900, 27 Jul 04, for a technical interview. <i>b7c1 b7c2</i>
0900, 27 Jul 04 [REDACTED]	Around 0900, 27 Jul 04, SA [REDACTED] observed the technical interview of SGT [REDACTED] conducted by Mr [REDACTED]. <i>b7c1</i>
0904, 27 Jul 04 [REDACTED]	Around 0904, 27 Jul 04, Mr [REDACTED] advised SGT [REDACTED] of his legal rights which he waived and conducted a technical interview. Three charts plus test chart taken. <i>b7c1 b7c5</i>
1055, 27 Jul 04 [REDACTED]	Around 1055, 27 Jul 04, SA [REDACTED] and Mr [REDACTED] conducted post technical interview of SGT [REDACTED] in which SGT [REDACTED] stated he did not strike or choke any detainee; nor did he witness anyone do it. He also stated he did not remember touching Mr. [REDACTED] throat, but went on to say "It was a long time ago, and that anything was possible. SGT [REDACTED] went on to describe how he and SPC [REDACTED] placed the gag into Mr. [REDACTED] mouth, he stated while he forced Mr. [REDACTED] mouth open using the before mentioned method, SPC [REDACTED] placed the gag into Mr. [REDACTED] mouth from behind. SGT [REDACTED] stated the cloth gag never went below his hands which prevented the gag from coming into contact with Mr. [REDACTED] throat. SGT [REDACTED] when questioned whether or not he felt responsible for the detainee's death responded yes, he said he was the NCOIC of the shift and he took the death personally. SGT [REDACTED] also stated Mr. [REDACTED] was the first deceased person he had been in contact with his entire life. <i>b7c1 b7c5</i>
1440, 27 Jul 04 [REDACTED]	Around 1440, 27 Jul 04, SA [REDACTED] interviewed SPC [REDACTED] who provided a verbal statement in which he elaborated on his previous statements. SPC [REDACTED] was questioned specifically about how PFC [REDACTED] utilized a Military Police style black in color night stick to lift Mr. [REDACTED] to a standing position. SPC [REDACTED] stated Mr. [REDACTED] was in a sitting or kneeling position when PFC [REDACTED] who was standing behind Mr. [REDACTED] placed the night stick under Mr. [REDACTED] chin and lifted him to a standing position. This action was taken because Mr. [REDACTED] had refused to stand on his own power. SPC [REDACTED] stated Mr. [REDACTED] was facing away from the general population of detainees and was positioned in front of the guard tower. He stated he did not recall whether or not Mr. [REDACTED] turned his head while PFC [REDACTED] lifted him. He stated he did not observe any immediate trauma to Mr. [REDACTED]s neck but did state Mr. [REDACTED] requested a doctor and motioned towards his abdomen. SPC [REDACTED] stated he did not know if Mr. [REDACTED] ever saw a doctor or not but did state he put Mr. [REDACTED]s detainee number on the medics board for him to be seen. <i>b7c1 b7c5</i>
0800, 28 Jul 04 [REDACTED]	Around 0800, 28 Jul 04, SA [REDACTED] advised SPC [REDACTED] of his legal rights, which he waived and conducted a technical interview of SPC [REDACTED]. <i>b7c1 b7c5</i>

TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY
0800, 3 Aug 04 [redacted]	Agents Note: three charts taken. Around 0800, 3 Aug 04, SA [redacted] TDY with SA [redacted] reference case number 0027-04-CID679 from 3 Aug to 6 Aug 04. <i>b7c1</i>
1000, 4 Aug 04 [redacted]	Around 1000, 4 Aug 04, SA [redacted] contacted Dr [redacted] who stated he would not be available for a round table meeting until 1000, 9 Aug 04. <i>b7c2</i>
1000, 9 Aug 04 [redacted]	Around 1000, 9 Aug 04, SA [redacted] and SA [redacted] attended a briefing with Dr. [redacted] and Dr. [redacted] concerning the injuries and cause of death of Mr. [redacted]. Dr. [redacted] stated the majority of the injuries sustained by Mr. [redacted] were caused hours not days prior to his death. He stated most of Mr. [redacted] ribs were broken, several with compound fractures. The ribs were broken in a crushing fashion described by Dr. [redacted] as normally seen in a vehicle accident death. Dr. [redacted] stated Mr. [redacted] would have been in great pain and would have had great difficulty breathing and would not have been able to walk or attempt an escape. Dr. [redacted] also stated Mr. [redacted] had an unhealthy heart, most likely had hyper tension as well as bruised lungs. Dr. [redacted] stated it was possible Mr. [redacted] sustained one or two broken ribs and most of the visible bruising from the incident with ODA 525 two days prior to his death but not any of the life threatening injuries. <i>b7c1</i>  Agents Comment: With the information provided by Dr. [redacted] it is probable that the crushing injuries occurred during or just after his escape attempt, since the pathologist insists he would not have been able to make an escape attempt with the injuries noted. The personnel on shift during the time of the failed escape attempt were SSG [redacted] SPC [redacted] SPC [redacted] PFC [redacted] and SPC [redacted] SPC [redacted] and PFC [redacted] stated they did not witness the escape attempt as they were outside the building at the time performing a detail; SPC [redacted] admitted to apprehending Mr. [redacted] but stated he used an appropriate level of force. The escape attempt occurred early in the morning which would explain the reason a possible assault was not observed by other detainees as they were asleep. <i>b7c2</i>
1615, 12 Aug 04 [redacted]	Around 1615, 12 Aug 04, SA [redacted] attempted to contact CPT [redacted] which met with negative results. <i>b7c1</i>
1620, 12 Aug 04 [redacted]	Around 1620, 12 Aug 04, SA [redacted] attempted to contact CPT [redacted] which met with negative results, left message. <i>b7c2</i>
1630, 12 Aug 04 [redacted]	Around 1630, 12 Aug 04, SA [redacted] contacted SSG [redacted] who stated he would be available to be interviewed on 16 Aug 04. A tentative time of 0900, 16 Aug 04, was set. <i>b7c5</i>

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TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY
1500, 16 Aug 04 [REDACTED]	Around 1500, 16 Aug 04, SA [REDACTED] coordinated with Chief [REDACTED] Chief of Police, Hiawatha Police Department, Hiawatha, IA who stated he would facilitate an interview of SSG [REDACTED] within his building.
0700, 17 Aug 04 [REDACTED]	Around 0700, 17 Aug 04, SA [REDACTED] fully briefed CPT [REDACTED] on recent developments of investigation and informed him of the planned interviews of SSG [REDACTED] SPC [REDACTED], SPC [REDACTED], PFC [REDACTED] and SPC [REDACTED].
1100, 17 Aug 04 [REDACTED]	Around 1100, 17 Aug 04, SA [REDACTED] and SA [REDACTED], this office advised SSG [REDACTED] of his legal rights which he waived and rendered a verbal statement concerning the escape of Mr. [REDACTED] (See AIR for details).
1010, 18 Aug 04 [REDACTED]	Around 1010, 18 Aug 04, SA [REDACTED] coordinated with CPT [REDACTED] who stated he would come to this office for a full brief.
1030, 18 Aug 04 [REDACTED]	Around 1030, 18 Aug 04, SA [REDACTED] fully briefed CPT [REDACTED] on all aspects of this investigation. CPT [REDACTED] stated he would have PFC [REDACTED] report to this office for an interview.
1250, 18 Aug 04 [REDACTED]	Around 1250, 18 Aug 04, SA [REDACTED] attempted to contact CPT [REDACTED] which met with negative results.
1253, 18 Aug 04 [REDACTED]	Around 1253, 18 Aug 04, SA [REDACTED] coordinated with MAJ [REDACTED] and set a time for a brief of 1500, 18 Aug 04.
1300, 18 Aug 04 [REDACTED]	Around 1300, 18 Aug 04, SA [REDACTED] coordinated with CPT [REDACTED] and set a time for a brief of 1530/1600, 18 Aug 04.
1315, 18 Aug 04 [REDACTED]	Around 1315, 18 Aug 04, SA [REDACTED] and SA [REDACTED] interviewed PFC [REDACTED] Interview was terminated when PFC [REDACTED] stated he had retained a lawyer and was told by his attorney not to provide any further statements. PFC [REDACTED] attorney was CPT [REDACTED] Fort Carson, Trial Defense, [REDACTED].
1430, 18 Aug 04 [REDACTED]	Around 1430, 18 Aug 04, SA [REDACTED] attempted to contact CPT [REDACTED] which met with negative results, left message.
1500, 18 Aug 04 [REDACTED]	Around 1500, 18 Aug 04, SA [REDACTED] and SA [REDACTED] fully briefed MAJ [REDACTED] on all aspects of this investigation. MAJ [REDACTED] stated SPC [REDACTED] was currently on TDY to Fort Eustis, VA for approximately three weeks. He stated he would have SPC [REDACTED] report to CID, Ft Carson for an interview between 1300 and 1400, 19 Aug 04. (SPC [REDACTED] SPC [REDACTED]).
1530, 18 Aug 04 [REDACTED]	Around 1530, 18 Aug 04, SA [REDACTED] coordinated with SGT [REDACTED], Trial Defense clerk, 3 ACR, Ft Carson, CO who stated he was informed by CPT [REDACTED] that PFC [REDACTED] was not to be interviewed nor would he give a

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TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY
1545, 18 Aug 04 [redacted]	statement. Around 1545, 18 Aug 04, SA [redacted] and SA [redacted] fully briefed CPT [redacted] on all aspects of this investigation. (SGT [redacted])
1600, 18 Aug 04 [redacted]	Around 1600, 18 Aug 04, SA [redacted] coordinated with CPT [redacted] who stated SPC [redacted] would report to the Ft Carson CID office to be interviewed at 0900, 19 Aug 04.
0930, 19 Aug 04 [redacted]	Around 0930, 19 Aug 04, SA [redacted] spoke with SPC [redacted] who stated he had a scheduling conflict and rescheduled the interview for 1500, 19 Aug 04.
1100, 19 Aug 04 [redacted]	Around 1100, 19 Aug 04, SA [redacted] and SA [redacted] coordinated with CPT [redacted] and MAJ [redacted] Staff Judge Advocates Office, 3 ACR, Ft Carson, CO and fully updated them on all aspects of this investigation. Neither MAJ [redacted] nor CPT [redacted] stated they would provide an opine until the final interviews were conducted.
1500, 19 Aug 04 [redacted]	Around 1500, 19 Aug 04, SA [redacted] and SA [redacted] advised SPC [redacted] of his legal rights which he waived and provided a verbal statement in which he continued to deny any knowledge of anyone striking or choking Mr. [redacted]. SPC [redacted] described how SPC [redacted] prevented Mr. [redacted] escape as follows. After hearing the barbed and constantina wire rattle he noticed Mr. [redacted] was out of his isolation cage and walking quickly to the back door of the detention facility. He alerted SSG [redacted] and SPC [redacted] who were watching a DVD with him (SPC [redacted] SPC [redacted] stated SPC [redacted] took off running and caught Mr. [redacted] just before he went outside the door. SPC [redacted] pulled Mr. [redacted] back by the shoulders to the ground and secured him until he and SSG [redacted] arrived, at which time Mr. [redacted] may or may not have been leg shackled then walked to the front of the detention facility and placed in the sleep deprivation area. SPC [redacted] stated Mr. [redacted] walked under his own power to the sleep deprivation area and did not appear to be injured or having trouble breathing. SPC [redacted] stated other than not allowing Mr. [redacted] to sleep he was not punished for the escape attempt. When asked why the detainee was not punished SPC [redacted] stated he believed the detainee to be at least seventy years old and not emotionally sound. SPC [redacted] stated when his shift was over around 0400, 9 Jan 04, Mr. [redacted] was being escorted by PFC [redacted] from the sleep deprivation area, but he did not see where PFC [redacted] took him.
1545, 19 Aug 04 [redacted]	Agents Comment: SPC [redacted] was extremely argumentive throughout the interview as well as not allowing his photograph taken until ordered by a member of his command. Around 1545, 19 Aug 04, SA [redacted] attempted to contact MAJ [redacted] [redacted] Regimental Executive Officer, 3 ACR, Ft Carson, CO which met with negative results, left message.

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TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY
1735, 19 Aug 04 [redacted]	Around 1735, 19 Aug 04, SA [redacted] and SA [redacted] advised SPC [redacted] of his legal rights which he waived and rendered a sworn statement in which he admitted to conspiring with SSG [redacted] SPC [redacted] SPC [redacted] and PFC [redacted] in order to hide the fact that Mr. [redacted] actually got outside the detention facility prior to being apprehended. (See sworn statement for details)
0816, 20 Aug 04 [redacted]	Around 0816, 20 Aug 04, SA [redacted] and SA [redacted] advised CPL [redacted] of his legal rights which he waived and rendered a verbal statement in which he stated during his shift, 0400-0800, 9 Jan 04, Mr. [redacted] was in his isolation cell the entire time alone, until SGT [redacted] went into the cell to make him stand / gag him. He stated he did not see anyone strike or hurt Mr. [redacted] CPL [redacted] stated he was alerted by SPC [redacted] of the deceased prisoner as SPC [redacted] ran from the detention facility towards the MI section of the compound. CPL [redacted] stated he was outside with other detainees allowing them to utilize the latrine when SPC [redacted] notified him.
0855, 20 Aug 04 [redacted]	Around 0855, 20 Aug 04, SA [redacted] and SA [redacted] advised SPC [redacted] of his legal rights, which he waived and rendered a verbal statement in which he stated Mr. [redacted] was in his view the entire shift 0400-0800, 9 Jan 04, and he did not see anyone in or near the cell occupied by Mr. [redacted] until he and SGT [redacted] gagged / forced him to stand.
1005, 20 Aug 04 [redacted]	Around 1005, 20 Aug 04, SA [redacted] and SA [redacted] fully briefed CPT [redacted] on all aspects of this investigation. CPT [redacted] is awaiting the final interview of SPC [redacted] before rendering an opine.
1337, 24 Aug 04 [redacted]	Around 1337, 24 Aug 04, SA [redacted] attempted to contact ISG [redacted] reference a POC for SPC [redacted] which met with negative results, left message.
1345, 24 AUG 04 [redacted]	Delayed Entry. ref AAS entry 1005, 20 AUG 04, during the briefing CPT [redacted] provided a copy of the 5 <sup>th</sup> SF legal review dated 1 JUN 04. providing their (MAS [redacted] legal/official opine of the investigation)

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TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACITIVITY
1420, 24 Aug 04 [REDACTED]	Around 1420, 24 Aug 04, SA [REDACTED] forwarded a copy of the draft AIR to CPT [REDACTED] <i>b7c1</i>
2025, 25 Aug 04 [REDACTED]	Around 2025, 25 Aug 04, SA [REDACTED] interviewed CPT [REDACTED] [REDACTED] William Beaumont Army Hospital, El Paso, TX who stated he was attached to Medical Troop, Support Sqd, 3 ACR, Fort Carson, CO, while deployed to Iraq. While deployed he served as a PA with duty at Rifles Base, Al Asad, Iraq. He stated part of the doctors and PA's duties were to provide medical assistance to the detainees at the detention facility on Rifles Base; however, CPT [REDACTED] stated he did not treat a Mr. [REDACTED] in Jan 04, or any detainee with similar injuries. <i>b7c2</i>
1600, 8 Sep 04 [REDACTED]	Around 1600, 8 Sep 04, SA [REDACTED] coordinated with MAJ [REDACTED] who stated he would ensure his 1SG contacted this agent with the contact information for SPC [REDACTED] no later than tomorrow afternoon. <i>b7c1</i>
1409, 13 Sep 04 [REDACTED]	Around 1409, 13 Sep 04, SA [REDACTED] coordinated with MAJ [REDACTED] who stated he would get with 1SG [REDACTED] to determine why he had not contacted this agent to date with the information requested. MAJ [REDACTED] stated he believed SPC [REDACTED] was attending a school for the Long Bow Apache Helicopter electronics at Ft Eustis, VA. <i>b7c1</i>

*Refer About*

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0009-04-CID679-83486

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**DETAILS**

**BASIS FOR INVESTIGATION:** About 1010, 9 Jan 04, the 94<sup>th</sup> Military Police Co, FOB Rifles Base, Al Asad, Iraq, notified this office of a detainee death at the FOB Rifles Base Detention Facility.

**DETAILS:**

About 1050, 9 Jan 04, SA [redacted] coordinated with SGT [redacted] 94<sup>th</sup> Military Police Co, FOB Rifles Base, Al Asad, Iraq, who related he secured the crime scene pending the arrival of CID. *smell out*

**CRIME SCENE EXAMINATION:** About 1055, 9 Jan 04, SA [redacted], this office, and INV [redacted] 94<sup>th</sup> Military Police Co, conducted a crime scene examination of the FOB Rifles Base Detention Facility located at MGRS 38S KC 60160 40494. *b7c1*

**CHARACTERISTICS OF THE SCENE:** The Detention Facility was located in a large, hardened airplane hangar. The interior of the hangar was divided into two large confinement areas and four isolation areas built using barbed wire and concertina wire. Each area had a metal-framed cage type door. The four isolation areas were located adjacent the southern end of the hangar.

**CONDITION OF THE SCENE:** The Detention Facility housed 130 detainees. The detainees were primarily housed in the two large confinement areas. Three detainees were housed individually in three of the four isolation cells. The body of Mr. [redacted] was located in the isolation cell <sup>nearest</sup> to the southwest corner of the hangar. The body was lying face up, with his head <sup>pointed</sup> facing the cell door. He was covered with a blanket. He was wearing undergarments that appeared to be soiled, a shirt, which was pushed up towards his chest and a pair of pants, which were pulled down to his knees. Extensive bruising was visible on the upper body. The bruises were dark blue and purple in color. There was a second blanket rolled up on the floor at the foot of the <sup>remains</sup>. There was a light colored Dish Dash (Man Dress) draped over the concertina wire to the left of the deceased. A pair of leg shackles lay on the floor in the northeastern corner of the cell. There was an open MRE in the cell and one water bottle in the cell. It did not appear that any of the contents of the MRE were consumed. *smell out* Immediately outside the deceased's cell was a rag. The rag was lying on the floor, and had been used to gag the deceased. There was a denim jacket lying on the floor outside of the cell in the southwest corner of the hangar. *b7c1 at the time of the examination*

**ENVIRONMENTAL CONDITIONS:** At the time of the crime scene examination the outside temperature was approximately 55 degrees Fahrenheit. There was low humidity and no signs of moisture. The temperature inside the hangar was approximately 60 degrees Fahrenheit.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [redacted] *b7c1*

SIGNATURE

DRAFT COPY

ORGANIZATION

87th Military Police Detachment (CID) (DSE) (FWD)  
Ar Ramadi, (Rifles Base, Iraq)

DATE

EXHIBIT

CID FORM 94  
1 FEB 77

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# AGENT'S INVESTIGATION REPORT

ROI NUMBER

0009-04-CID679-83486

CID Regulation 195-1

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*located where*  
DETAILS

FACTORS PERTINENT TO ENTRY/EXIT: There was one door that allowed entry/exit to Mr. [redacted] b7c4 isolation cell. The Detention Facility was accessible by two doors. One door was located on the northern wall of the hangar the other on the southern wall.

SCENE DOCUMENTATION: SA [redacted] b7c1 exposed digital photographs of the crime scene utilizing a Nikon Coolpix 995 Digital Card Camera with built in flash. SA [redacted] prepared a crime scene sketch. (See Photographic CD #040009.679 and Crime Scene Sketch for details)

COLLECTION OF EVIDENCE: SA [redacted] collected one white and red rag, which was used to gag Mr. [redacted] as evidence on a DA Form 4137, Evidence/Property Custody Document (EPCD), Voucher # [redacted] 28 Jan 04

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About 1055, 9 Jan 04, SA [redacted] b7c4 coordinated with SGT [redacted] b7c1 66<sup>th</sup> MI, 3ACR, Fort Carson, CO, (Rifles Base, Iraq) who provided the detainee file pertaining to Mr. [redacted] capture. A review of the packet revealed Mr. [redacted] was detained on 4 Jan 04. He was detained by SGT [redacted] ADA Battery, 1<sup>st</sup> Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq and SSG [redacted] ADA Battery, 1 Squadron, 3<sup>rd</sup> Armored Cavalry Regiment. Mr. [redacted] was detained on ASR Bronze with two other IZ males. At the time of his detention he was in possession of a pair of binoculars, three handheld radios, two motorcycle batteries, one hand pick and approximately 100 feet of wire. (See Sworn Statement for details) b7c1

724  
725  
About 1110, 9 Jan 04, SA [redacted] interviewed SGT [redacted] Maintenance Troop, Support Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq. SGT [redacted] rendered a sworn statement; wherein he stated he and SPC [redacted] S and T Troop, Support Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq, placed Mr. [redacted] in shackles when he refused to stand as punishment for talking. Mr. [redacted] was shackled to the top of the door of his cell in such a way that forced him to stand. When he still refused to stop talking, SGT [redacted] and SPC [redacted] gagged him. SGT [redacted] further related, about five minutes later he discovered Mr. [redacted] was not breathing. SGT [redacted] unshackled Mr. [redacted] and removed his gag. SGT [redacted] laid him on the floor and discovered he had no pulse. SGT [redacted] sent SPC [redacted] to summon medical aid. (See Sworn Statement for details) b7c1

724  
725  
About 1119, 9 Jan 04, SA [redacted] interviewed SPC [redacted] SPC [redacted] rendered a sworn statement wherein he described assisting SGT [redacted] with gagging Mr. [redacted] and SGT [redacted] discovering Mr. [redacted] was not breathing. (See Sworn Statement for details)

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SA [redacted] b7c1		87th Military Police Detachment (CID) (DSE) (FWD)	
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About 1125, 9 Jan 04, SA [redacted] released Mr. [redacted] remains to PFC [redacted] Mortuary Affairs, 54<sup>th</sup> Quartermaster Co, attached to 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq. *b7c1 b7c4 ACK*

About 1200, 9 Jan 04, SA [redacted] interviewed SPC [redacted] AVIM Troop, Support Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Iraq. SPC [redacted] rendered a sworn statement, wherein he related Mr. [redacted] approached him on 8 Jan 04, complaining his zip tie handcuffs were cutting off circulation to his hands. SPC [redacted] removed the handcuffs, bandaged the abraded injury underneath and re-cuffed Mr. [redacted]. SPC [redacted] also related at 0215, 9 Jan 04, Mr. [redacted] attempted to escape from the Detention Facility. SPC [redacted] detained Mr. [redacted] in the hallway leading from the isolation cells. *(See Sworn Statement for details)* *b7c1 spell out b7c4 b7c5*

About 1200, 9 Jan 04, INV [redacted] interviewed CPL [redacted] S and T Troop, Support Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq, who provided a sworn statement in which he stated members of a Special Forces unit interrogated Mr. [redacted] between 1200 and 1600, 8 Jan 03. *(See Sworn Statement for details)* *b7c1 b7c2 b7c4*

About 1205, 9 Jan 04, SA [redacted] interviewed SGT [redacted] 6<sup>th</sup> Military Intelligence Co, 3<sup>rd</sup> Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq, who related Mr. [redacted] had not been interrogated by any MI personnel. The only personnel who interrogated Mr. [redacted] came from the Special Forces unit operating in the area. He further stated there was no written record of Special Forces signing Mr. [redacted] out of the Detention Facility in violation of SOP. SGT [redacted] thought Mr. [redacted] may have been a diabetic and been prescribed heart medicine but could not provide any documentation to show his medical condition. *b7c1 b7c2 b7c4*

About 1225, 9 Jan 04, SA [redacted] interviewed SSG [redacted] AVIM Troop, Support Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq. SSG [redacted] stated he was the NCOIC of the Detention Facility Guards. SSG [redacted] stated Mr. [redacted] had been detained about five days. SSG [redacted] confirmed Special Forces interviewed Mr. [redacted] on at least one occasion. The only medications SSG [redacted] was aware of were cough syrup and Motrin. SSG [redacted] related there was a board that told the guards what medicines each prisoner was supposed to receive. SSG [redacted] further related Mr. [redacted] was not on sleep deprivation, but was not sleeping. *b7c1 b7c2 b7c4 b7c5*

About 1235, 9 Jan 04, INV [redacted] 94<sup>th</sup> Military Police Co, interviewed SPC [redacted] S and T Troop, Support Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq. SPC [redacted] related he worked from 0000-0400, 9 Jan 04, as a guard. He witnessed Mr. [redacted] attempt *b7c1 b7c4 b7c5*

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### DETAILS

to escape. He alerted SGT [redacted] and SPC [redacted] who apprehended Mr. [redacted] and returned him to his isolation cell and shackled him to a pole. *b7c5*

About 1236, 9 Jan 04, SA [redacted] interviewed SGT [redacted] 2133 Transportation Co, Iowa Army National Guard, attached to 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq. SGT [redacted] related Mr. [redacted] was a detainee for about one week. SGT [redacted] stated Special Forces soldiers interviewed Mr. [redacted] on at least one occasion. *b7c4*

About 1246, 9 Jan 04, SA [redacted] interviewed SPC [redacted] 2133<sup>rd</sup> Transportation Company, Iowa Army National Guard, attached to 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq, who rendered two sworn statements. SPC [redacted] related Mr. [redacted] had been in custody for about one week. SPC [redacted] stated Special Forces soldiers interrogated Mr. [redacted]. About 2300, 8 Jan 04, SPC [redacted] saw Mr. [redacted] while Mr. [redacted] had his shirt off. SPC [redacted] noticed several dark bruises on Mr. [redacted]'s upper body. (See Sworn Statements for details) *b7c2*

AGENT'S COMMENT: SPC [redacted] statement is recorded on two separate Sworn Statement forms, as he prematurely signed the first statement. SA [redacted] swore SPC [redacted] to each statement separately. *b7c1*

About 1250, 9 Jan 04, INV [redacted] interviewed SGT [redacted] AVIM Troop, Support Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq, who rendered a sworn statement. SGT [redacted] related he noticed bruising on Mr. [redacted] abdomen between 2000 and 2200, 8 Jan 04. SGT [redacted] related he could see the bruises from some distance, as he was standing on the raised platform in the Detention Facility. (See Sworn Statement for details) *b7c2*

About 1250, 9 Jan 04, SA [redacted] interviewed SSG [redacted] 2133 Transportation Co, Iowa Army National Guard, attached to 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq. SSG [redacted] related he was the supervisor of the guard shift from 0000-0400, 9 Jan 04. During that shift, Mr. [redacted] attempted to escape from the Detention Facility. The escape attempt occurred about 0215, 9 Jan 04. SPC [redacted] stopped the escape attempt. While SPC [redacted] was subduing Mr. [redacted] Mr. [redacted] defecated in his clothing. While returning Mr. [redacted] to his cell, SSG [redacted] noticed large bruises on his [redacted] sides. Mr. [redacted] was moving very slowly and appeared to experiencing difficulty with all of his movements. SSG [redacted] related Special Forces soldiers interrogated Mr. [redacted] earlier in the week. *b7c4*

About 1251, 9 Jan 04, INV [redacted] interviewed PFC [redacted] Maintenance Troop, Support Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq. PFC [redacted] stated he assisted SGT [redacted] in unshackling Mr. [redacted] and laying him on the floor. PFC [redacted] stated he observed significant bruising on the upper body of Mr. [redacted]. *b7c2*

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Between 1218 and 1253, SA [redacted] <sup>date</sup> INV [redacted] and INV [redacted] 94<sup>th</sup> Military Police Co, conducted canvass interviews of the soldiers listed below. None of the soldiers were able to provide information pertinent to this investigation.

NAME	SSN	UNIT
SGT [redacted]	[redacted]	Maintenance Troop, Support Squadron, 3 <sup>rd</sup> <sup>Ask</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq
SGT [redacted]	[redacted]	Maintenance Troop, Support Squadron, 3 <sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq
PFC [redacted]	[redacted]	S and T Troop, Support Squadron, 3 <sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq
PFC [redacted]	[redacted]	HHT, Support Squadron, 3 <sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq
PFC [redacted]	[redacted]	S and T Troop, Support Squadron, 3 <sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq
PFC [redacted]	[redacted]	HHT, Support Squadron, 3 <sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq
SPC [redacted]	[redacted]	AVIM Troop, Support Squadron, 3 <sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq
SPC [redacted]	[redacted]	2133 Transportation Company, Iowa Army National Guard, <sup>WA</sup> attached to 3 <sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq

About 1335, 9 Jan 04, SA [redacted] <sup>spell out</sup> interviewed Ms [redacted] Linguist, Titan Corporation, Norfolk, VA, who related she was the linguist present when Mr. [redacted] received his medical screening. Dr. (CPT) [redacted] <sup>Ask</sup> Med Troop, Support Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq, performed the screening. Mr. [redacted] told the doctor he had high blood pressure and was diabetic. Dr. [redacted] checked Mr. [redacted] s blood sugar. He also examined the medication Mr. [redacted] had with him for his high blood pressure. Dr. [redacted] returned the medication to Mr. [redacted] and told him to notify the guards if he ran out.

About 1345, 9 Jan 04, SA [redacted] and SA [redacted] <sup>and</sup> conducted a re-check of the crime scene, They were unable to locate the medicine described by Ms [redacted]

About 1423, 9 Jan 04, SA [redacted] and SA [redacted] examined the remains of Mr. [redacted] There was extensive bruising on the upper body of Mr. [redacted] Bruises were visible over the sternum, the abdomen and

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SA [redacted] <sup>v2</sup> b7c1		87th Military Police Detachment (CID) (DSE) (FWD) Ar Ramadi, (Rifles Base, Iraq)	
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 on both sides. The bruises were large and very dark purple in color. Abraded injuries were present near the left elbow. There was a pair of pants on the remains that were pushed down to the ankles. He was wearing boxer shorts and a white t-shirt. The white t-shirt was pushed up towards the armpits. The hands were bound with flexi cuff style handcuffs. There was a bandage on the left wrist. There was swelling present under the bandage. Mr. [REDACTED] had defecated in his underwear prior to dying. SA [REDACTED] exposed digital photographs of the remains utilizing a Nikon Coolpix 995 Digital Card Camera. (See CID 040009-679 for details) b7c1

b7c1  
 About 1500, 9 Jan 04, SA [REDACTED] interviewed Mr. [REDACTED] (detainee, Rifles Base, Iraq) utilizing Mr. [REDACTED] Interpreter, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq, as an interpreter. Mr. [REDACTED] occupied the isolation cell adjacent Mr. [REDACTED]'s cell. Mr. [REDACTED] related Mr. [REDACTED] had been complaining for three days about wanting to go home. On 8 Jan 04, Mr. [REDACTED] observed bruises on Mr. [REDACTED] after Mr. [REDACTED] removed his dish dash because it was wet from having water thrown on him as punishment for talking. Mr. [REDACTED] further complained of being cold after being doused with water. b7c1

b7c1  
 About 1530, 9 Jan 04, SA [REDACTED] interviewed Mr. [REDACTED] (detainee, Rifles Base, Iraq) with Mr. [REDACTED] serving as interpreter. Mr. [REDACTED] occupied one of the isolation cells. He was detained on 8 Jan 04, and was not able to provide any information pertinent to this investigation.

b7c1  
 About 1540, 9 Jan 04, SA [REDACTED] and INV [REDACTED] interviewed Mr. [REDACTED] an Israeli national who occupied one of the isolation cells. Mr. [REDACTED] detailed the levels of punishment he witnessed detainees receive for talking in their cells. The first level of punishment was being made to stand. The second level was being made to kneel. The third level was having your head doused in water. The fourth level was being gagged. Mr. [REDACTED] stated he observed Mr. [REDACTED] having difficulty breathing. Mr. [REDACTED] was awakened during Mr. [REDACTED] escape attempt and noticed he was having extreme difficulty breathing. Mr. [REDACTED] stated masked men came and took Mr. [REDACTED] out of the Detention Facility three days prior to his death. When Mr. [REDACTED] returned, Mr. [REDACTED] noticed he was in much worse physical shape and described him as being hurt badly. b7c1

b7c1  
 About 1555, 9 Jan 04, SA [REDACTED] interviewed Mr. [REDACTED] (detainee, Rifles Base, Iraq) with Mr. [REDACTED] serving as interpreter. Mr. [REDACTED] was confined in the large confinement area adjacent Mr. [REDACTED] isolation cell. Mr. [REDACTED] related men in mask came and took Mr. [REDACTED] to interrogation two or three times. Each time, Mr. [REDACTED] returned, he was having difficulty breathing. On the morning of 9 Jan 04, when Mr. [REDACTED] was made to stand up, he had to be lifted up by the guards. He also stated Mr. [REDACTED] complained of being cold at night. On 8 Jan 04, Mr. [REDACTED] observed Mr. [REDACTED] being "hog tied" and then doused with water as punishment for talking. Mr. [REDACTED] noticed a lot of bruises on Mr. [REDACTED]. b7c1

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SA [REDACTED] b7c1  
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DETAILS

*b7c4*  
[redacted] at that time. He further stated he had never seen any of the Detention Facility guards hit or hurt anyone.

About 1705, 9 Jan 04, SA [redacted] interviewed *b7c1* Dr. [redacted] *CPT PA* (Dr.) [redacted] *PA CPT* related no life saving measures were performed on Mr. [redacted] *b7c1* Dr. [redacted] stated rigor mortis was present, but not fixed and he was in the supine position when he examined Mr. [redacted] body. Dr. [redacted] pronounced Mr. [redacted] dead at 0900, 9 Jan 04. *PA CPT*

About 1709, 9 Jan 04, SA [redacted] interviewed SGT [redacted] and PFC [redacted] both assigned to Med Troop, Support Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq, who were the medics that responded to the Detention Facility. They related they were called to breathing difficulties. When they arrived at the Detention Facility, Mr. [redacted] was lying on his back, covered by a blanket. SGT [redacted] stated he checked Mr. [redacted] for a pulse or any signs of life, which met with negative results. No life saving measures were conducted by SGT [redacted] or PFC [redacted]. No blood was present at the scene, however they observed bruising on the abdominal area of Mr. [redacted].

About 2030, 9 Jan 04, SA [redacted] interviewed CPT [redacted] *b7c1* Commander, B Co, 1<sup>st</sup> Battalion, 5<sup>th</sup> Special Forces Group, Fort Campbell, KY (FCKY), (ODA 525, Rifles Base, Iraq). CPT [redacted] related members of his unit interviewed Mr. [redacted] on two occasions. The first interrogation was conducted on 6 Jan 04, from approximately 1000 to 1800, at the ODA compound on FOB Rifles Base. SFC [redacted]

[redacted] SFC [redacted] SFC [redacted] and SSG [redacted] all assigned to ODA 525, B Co, 1/5<sup>th</sup>, SF GRP, FCKY, and [redacted] (Titan Corporation Contractor, Interpreter), were present during the first interrogation. Between 1300 and 1400, 7 Jan 04, SFC [redacted] and [redacted] interrogated Mr. [redacted] at the FOB Rifles Base Detention Facility.

Around 0923, 10 Jan 04, SA [redacted] advised SFC [redacted] of his legal rights which he waived and provided a verbal statement in which he stated he did not take part in the interrogation of Mr. [redacted]. SFC [redacted] stated he was the team sergeant and did not take part in interrogations or operations as a norm. SFC [redacted] stated he spoke with his team about the interrogation of Mr. [redacted] and they informed him he was not beaten but had attacked SFC [redacted] during the interrogation and had to be restrained.

Around 1050, 10 Jan 04, SA [redacted] advised SFC [redacted] of his legal rights which he waived and rendered a sworn statement in which he stated Mr. [redacted] attacked SFC [redacted] during the interrogation on 6 Jan 04. SFC [redacted] stated prior to the attack Mr. [redacted] was released from his flexi cuffs and was seated on a chair in the interrogation room. He stated he was unsure why Mr. [redacted] suddenly changed his manner from relatively docile to aggressive. But he stated once the attack occurred it took SFC [redacted]

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SSG [redacted] and himself to restrain him. SFC [redacted] stated Mr. [redacted] was struck in the mid section by all three of them several times in order to gain control over him. (See Statement for details)

About 1052, 10 Jan 04, SA [redacted] and SA [redacted] interviewed Mr. [redacted] detainee number [redacted] utilizing Mr. [redacted] as the interpreter. Mr. [redacted] stated he was arrested with Mr. [redacted]. Mr. [redacted] related he was treated well during the arrest, but Mr. [redacted] was kicked in the chest two or three times by one of the soldiers. Mr. [redacted] stated it was a caucasian soldier about 5'6" tall. Mr. [redacted] was interrogated one time by men wearing masks. The men did not strike or hurt Mr. [redacted]. Mr. [redacted] stated he was in the proximity of Mr. [redacted] holding cell on 6 Jan 04. At that time, Mr. [redacted] told Mr. [redacted] the men in black masks had tortured him. On 8 Jan 04, Mr. [redacted] saw Mr. [redacted] in the FOB Rifles Base Detention Facility. Mr. [redacted] had removed his shirt after he was doused with water for talking. Mr. [redacted] noticed large bruises on Mr. [redacted] abdomen. Mr. [redacted] did not see anyone strike Mr. [redacted] after they were arrested. He further stated no one had struck him while he was in U.S. custody. Mr. [redacted] stated he did not think Mr. [redacted] had eaten since being detained, he had only seen him drink water.

About 1125, 10 Jan 04, SA [redacted] and SA [redacted] interviewed Mr. [redacted] detainee number [redacted] utilizing Mr. [redacted] as interpreter. Mr. [redacted] related he was detained with Mr. [redacted]. At the time they were detained, one U.S. soldier kicked Mr. [redacted] in the chest. Mr. [redacted] thought the soldier only kicked Mr. [redacted] one time. Mr. [redacted] stated he was interrogated only one time by the men in masks while in U.S. custody. He stated one of the men kicked him while he was walking behind him, but not very hard. The kick did not leave a bruise. On 8 Jan 04, Mr. [redacted] saw Mr. [redacted] without his shirt on. Mr. [redacted] had taken his shirt off after guards doused him with water for talking. Mr. [redacted] noticed large bruises on Mr. [redacted] upper body.

Around 1354, 10 Jan 04, SA [redacted] advised SSG [redacted] of his legal rights which he waived and rendered a sworn statement in which he stated he struck and kicked Mr. [redacted] several times in the mid section in an attempt to restrain him after he (Mr. [redacted]) attacked SFC [redacted] during an interrogation, which occurred on 6 Jan 04. SSG [redacted] stated during the struggle to restrain Mr. [redacted] he (Mr. [redacted]) made several attempts at SSG [redacted] weapon, which was in his shoulder holster. SSG [redacted] stated there was one other incident where force was required to get Mr. [redacted] into a Non Tactical Vehicle (NTV) but stated it was not as severe as the force required to restrain him during the interrogation. (See Statement for details)

About 1436, 10 Jan 04, SA [redacted] advised SFC [redacted] of his rights, which he waived. SFC [redacted] rendered a sworn statement wherein he stated he participated in the interrogation of Mr. [redacted] on 6 Jan 04. During the interrogation, Mr. [redacted] jumped out of his chair and grabbed SFC [redacted] by the front of his shirt. SFC [redacted] stated he kned Mr. [redacted] in the ribs repeatedly in an attempt to take his breath away.

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SFC [redacted] also punched Mr. [redacted] the ribs several times. SFC [redacted] further related SSG [redacted] and SFC [redacted] assisted with subduing Mr. [redacted]. SFC [redacted] estimated it took one to two minutes to subdue Mr. [redacted]. (See Sworn Statement for details)

About 1449, 10 Jan 04, SA [redacted] advised SGT [redacted] of his legal rights. SGT [redacted] waived his rights and rendered a sworn statement. SGT [redacted] denied he hit or kicked Mr. [redacted] when they apprehended him on 4 Jan 04. SGT [redacted] further stated Mr. [redacted] was guarded by SPC [redacted] ADA BTRY, 1<sup>st</sup> Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq, while he searched the vehicle which Mr. [redacted] was traveling in at the time of his arrest. SGT [redacted] did recall that Mr. [redacted] refused to stop talking when directed on numerous occasions however, he never witnessed anyone hit or kick Mr. [redacted]. (See Sworn Statement for details)

About 1527, 10 Jan 04, SA [redacted] advised SPC [redacted] of his rights. SPC [redacted] waived his rights and rendered a sworn statement wherein he admitted to kicking Mr. [redacted] about two or three times in the chest. SPC [redacted] stated he was assigned to watch the detainees while their vehicle was being searched. While he was guarding them Mr. [redacted] continued to talk and attempted to get up several times before he resorted to force (kicking) to keep him on the ground. SPC [redacted] further stated his intent was to keep Mr. [redacted] from getting up and talking not to inflict bodily harm. SPC [redacted] admitted Mr. [redacted] was restrained with flexi cuffs at the time he kicked him. (See Sworn Statement for details)

About 1635, 10 Jan 04, SA [redacted] interviewed SSG [redacted] who stated he searched the vehicle which Mr. [redacted] was traveling in when he was apprehended. While he was conducted his search SPC [redacted] was guarding the detainees. SSG [redacted] stated he did not witness any abuse of the detainees. SSG [redacted] further stated Mr. [redacted] seemed to be in fair health and was able to walk and breathe without any visible difficulties. SSG [redacted] stated all the detainees were delivered to the EPW detention site in the same condition as when they were initially detained.

Around 1642, 10 Jan 04, SA [redacted] interviewed Mr. [redacted] who stated he was the interpreter during the interrogation of Mr. [redacted] which lasted approximately one to one and a half hours on 6 Jan 04. He stated during the interrogation Mr. [redacted] attacked SFC [redacted] which required SFC [redacted] and SSG [redacted] to restrain Mr. [redacted]. Mr. [redacted] stated there was punching and kicking from both sides. Mr. [redacted] stated he believed SFC [redacted] and SSG [redacted] used the appropriate level of force to subdue Mr. [redacted]. Mr. [redacted] stated during the transfer of Mr. [redacted] into the NTV, Mr. [redacted] resisted and was forced into the vehicle by SSG [redacted] and someone else who he could not recall. Mr. [redacted] stated there was not an excess of force used to get Mr. [redacted] into the NTV.

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ORGANIZATION

SA [redacted]  
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**DETAILS**

About 1650, 10 Jan 04, SA [redacted] interviewed SFC [redacted], ADA BTRY, 1<sup>st</sup> Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq, who corroborated the statements of SSG [redacted] and SGT [redacted].

Around 1720, 10 Jan 04, SA [redacted] interviewed SSG [redacted], B Co, 1/5<sup>th</sup> SF GRP, FCKY, who stated he was part of the Positive Identification (PID) mission in which Mr. [redacted] brought members of ODA 525 to the site where he (Mr. [redacted]) had emplaced three 155 artillery rounds along the side of a roadway to attack coalition forces. While preparing for the mission he observed SSG [redacted] and SSG [redacted], B Co, 1/5<sup>th</sup> SF GRP, FCKY, try for approximately five minutes to get Mr. [redacted] in the back seat of an NTV. SSG [redacted] stated [redacted] were pulling Mr. [redacted] from the driver's side back seat while SSG [redacted] was pushing from the passenger's side of the NTV. SSG [redacted] stated he observed SSG [redacted] slapping at Mr. [redacted] legs and arms in an attempt to get Mr. [redacted] into the NTV. SSG [redacted] stated Mr. [redacted] was cooperative with the exception of the incident with the NTV. SSG [redacted] stated he had been with the team for approximately one year and had never seen or heard any member of the team mistreat a detainee.

About 1730, 10 Jan 04, SA [redacted] advised SFC [redacted], ODA 525, 5<sup>th</sup> Special Forces Group, Fort Campbell, KY 42223, which he waived. SFC [redacted] rendered a sworn statement, wherein he stated he did not participate in the interrogation of Mr. [redacted]. SFC [redacted] did supervise a mission during which Mr. [redacted] identified a site where he [redacted] had emplaced an IED. At the outset of the mission, Mr. [redacted] hesitated when told to get into the truck SFC [redacted] was driving. SFC [redacted] witnessed SSG [redacted] slap and kick Mr. [redacted] until he got into the truck. Mr. [redacted] did not appear to be injured while he was with SFC [redacted]. (See Sworn Statement for details)

Around 1834, 10 Jan 04, SA [redacted] advised SSG [redacted] of his legal rights which he waived and rendered a verbal statement. SSG [redacted] stated around 1330, 6 Jan 04, he was tasked to conduct a PID from information gained from the interrogation of Mr. [redacted]. He stated he was not involved in the interrogation but did have an incident in which he had to lay hands on Mr. [redacted]. SSG [redacted] stated as SSG [redacted] was attempting to get Mr. [redacted] into the NTV, Mr. [redacted] resisted. SSG [redacted] stated he got on the drivers side of the NTV in the back seat and pulled Mr. [redacted] into the NTV while SSG [redacted] pushed from the other side. SSG [redacted] stated at one point during the struggle to get Mr. [redacted] into the NTV SSG [redacted] kicked Mr. [redacted] twice in the abdomen in an attempt to get him into the NTV. SSG [redacted] stated Mr. [redacted] did not cause any other trouble during the mission. (See rights waiver for details)

TYPED AGENT'S NAME AND SEQUENCE NUMBER

ORGANIZATION

87th Military Police Detachment (CID) (DSE) (FWD)  
Ar Ramadi, (Rifles Base, Iraq)

SA [redacted]

SIGNATURE

DATE

EXHIBIT

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# AGENT'S INVESTIGATION REPORT

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## DETAILS

**CRIME SCENE EXAMINATION:** About 1315, 11 Jan 04, SA [REDACTED] and SA [REDACTED] conducted a crime scene examination of the ODA 525 detainee interrogation area, located within the ODA Compound, Rifles Base, Iraq, MGRS 38S KC 62928 43339.

**Characteristics of the Scene:** The ODA interrogation room was located within a bunker on the compound. The bunker was comprised of one main room with two attached smaller rooms. The main room was utilized for interrogating detainees. There was ductwork from the ventilation system that ran along the ceiling of the room.

**Condition of the Scene:** The bunker was neat and well organized. The main room was furnished with one table and four plastic chairs. All of the furniture was standing upright. There were no signs of damage to any of the walls or furniture.

**Factors pertinent to Entry/Exit:** The main access point to the bunker was via a staircase that led from an open outside entryway. A metal blast door located at the bottom of the staircase provided access to the main room of the bunker. The secondary access point was an escape hatch that could be accessed from a latter that ran up from the center of the bunker.

**Scene Documentation:** SA [REDACTED] exposed digital photographs of the bunker utilizing a Nikon Coolpix 995 Digital Card Camera. SA [REDACTED] prepared a sketch of the bunker. (See CID 0200097679 and sketch for details)

**Collection of Evidence:** Nothing of evidentiary value was discovered during the crime scene examination.

Around 1800, 11 Jan 04, SA [REDACTED] received via email a copy of the preliminary autopsy report pertaining to Mr. [REDACTED]. Dr. [REDACTED] MD, CDR, MC, USN, DMO/FS, Chief Deputy Medical Examiner, Armed Forces Institute of Pathology performed the autopsy. Dr. [REDACTED] provided the Cause of Death as Blunt Force Injuries and Asphyxia and the Manner of Death as Homicide. (See preliminary autopsy report for details)

Around 1025, 12 Jan 04, SA [REDACTED] advised SFC [REDACTED] of his legal rights which he waived and provided a verbal statement in which he maintained his original statement was true and correct.

Around 1248, 12 Jan 04, SA [REDACTED] advised SFC [REDACTED] of his legal rights which he waived and provided a verbal statement in which he maintained his original statement was true and correct.

Around 1348, 12 Jan 04, SA [REDACTED] advised SSG [REDACTED] of his legal rights which he waived and provided a verbal statement in which he maintained his original statement was true and correct.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

ORGANIZATION

87th Military Police Detachment (CID) (DSE) (FWD)  
Ar Ramadi, (Rifles Base, Iraq)

SA [REDACTED]  
SIGNATURE

DATE

EXHIBIT

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### DETAILS

Around 1435, 13 Jan 04, SA [redacted] interviewed Mr. [redacted] (Titan Corporation Category 2 interpreter) assigned to ODA 525, who stated the only time he had contact with Mr. [redacted] was during an interrogation which occurred around 1020, 7 or 8 Jan 04. Mr. [redacted] stated the interrogation was conducted by SFC [redacted] with him as the interpreter and took place at the detention facility on Rifles Base, Al Asad, Iraq. Mr. [redacted] stated the interrogation lasted approximately forty-five minutes. He stated at no time during the interrogation was Mr. [redacted] beaten or struck. He stated during the interrogation he noticed Mr. [redacted] left leg shaking while he was being interrogated. He also stated Mr. [redacted] seemed to be limping when he was escorted back to his isolation cell. Mr. [redacted] stated he had been with ODA 525 since the early part of October 2003, and had never witnessed them beat or mistreat a prisoner/detainee.

Around 2030, 13 Jan 04, SA [redacted] coordinated with Dr. [redacted]. Dr. [redacted] was asked if Mr. [redacted] would have been able to hide the extent of his injuries for two or three days. Dr. [redacted] stated it was possible but unlikely, he stated there should have been some outward signs of injury, such as labored breathing. Dr. [redacted] stated several of the rib fractures had little bleeding, similar to that of post mortem breaks. He stated Mr. [redacted] died most likely of a combination of his injuries as well as being gagged and forced to stand.

Around 1330, 14 Jan 04, SA [redacted] coordinated with SGT [redacted] who provided a copy of the SOP governing the responsibilities and Do's and Don'ts of the guard force located at the detention facility. (See SOP for details)

Around 1545, 14 Jan 04, SA [redacted] coordinated with CPT [redacted] who stated probable cause existed to believe SPC [redacted] assaulted Mr. [redacted] during Mr. [redacted]'s capture.

Around 1230, 1 Feb 04, SA [redacted] coordinated with MAJ [redacted] SJA, 1/5<sup>th</sup> SF Group, Ft Campbell, KY, (BIAP, Iraq) who stated he would provide an opine upon the review of the final autopsy report. MAJ [redacted] provided a copy of the Commanders Inquiry conducted by CPT [redacted] Adjutant, 1/5<sup>th</sup> SF Group, Ft Campbell, KY, (BIAP, Iraq). (See Report for details)

Around 1600, 18 Feb 04, SA [redacted] verified the height of the door frame from which Mr. [redacted] was hung from to be six feet nine inches.

Around 1000, 7 Apr 04, SA [redacted] coordinated with SGT [redacted] who stated he had been redeployed and MAJ [redacted] SJA, 5<sup>th</sup> SF Group, Fort Campbell, KY, would be prosecuting the case.

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA [redacted] b7c1		87th Military Police Detachment (CID) (DSE) (FWD)	
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# AGENT'S INVESTIGATION REPORT

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### DETAILS

Around 1435, 19 May 04, SA [redacted] <sup>concord w/ SA [redacted] AFDP who provide a copy</sup> received a copy of the final autopsy report from SA [redacted]. A review of the report revealed the Cause of Death as Blunt Force Injuries and Asphyxia and the Manner of Death as Homicide. ~~(See Autopsy report for details)~~ b24

Around 1420, 25 May 04, during an operational review identified two documents which were classified Secret. The documents were removed from the case file and mark in accordance to army regulation and secured with S2, 10<sup>th</sup> MP Bn, (CID), FBNC. Documents pertained to CJTF-7 Interrogation and Counter-Resistance Policy, 10 Sep 03, and Document from FOB 51 S-2 pertaining to Detention Operations relating to Detainees, 7 Oct 03. <sup>spell out the down</sup> b7c

Around 1220, 3 Jun 04, SA [redacted] <sup>b7c</sup> fully briefed CPT [redacted] Trial Counsel, 3 ACR, Fort Carson, CO, on all aspects of this investigation. CPT [redacted] was also informed this agent would be at Fort Carson between 7 and 11 Jun 04, to conduct follow up interviews of 3 ACR personnel. b7c2

Around 1405, 7 Jun 04, SA [redacted] <sup>b7c</sup> fully briefed LTC [redacted] Deputy CDR, 3ACR, Fort Carson, CO, on all aspects of this investigation. LTC [redacted] was given a list of soldiers to be interviewed. b7c2

Around 0900, 8 Jun 04, SA [redacted] <sup>b7c</sup> advised SGT [redacted] of his legal rights, which he waived and provided a verbal statement clarifying his previous statement. SGT [redacted] stated he worked the 2000-0000, shift on 8 Jan 04, and the 0400-0800, shift on 9 Jan 04. He stated upon arriving for his shift on 8 Jan 04, Mr. [redacted] was in the sleep deprivation area located in front of the guard tower. He stated Mr. [redacted] was in leg shackles only and sat there his entire shift. SGT [redacted] stated on his 0400-0800, 9 Jan 04, shift Mr. [redacted] was placed into his isolation cell and shackled to a post, legs shackled with an approximate two foot slack, and his hands were flexi cuffed in front. SGT [redacted] further clarified his statement regarding Mr. [redacted] being forced to stand as follows; after he and SPC [redacted] forced him to stand by hand cuffing his flexi cuffed hands to the top of the door frame of his cell, they gagged Mr. [redacted] with a length of cloth, which had a knot tied in the center of it. SPC [redacted] from behind Mr. [redacted] pulled the gag into his mouth while SGT [redacted] used pressure points on the chin and lower jaw to force Mr. [redacted] to open his mouth. After the gag was secured SPC [redacted] and SGT [redacted] left Mr. [redacted] cell. While SGT [redacted] was washing his hands he noticed Mr. [redacted] slumped over, after about three minutes he went to check on him. After trying to speak with Mr. [redacted] SGT [redacted] noticed Mr. [redacted] as not breathing; he checked Mr. [redacted] pulse at the carotid artery and found no pulse. He then un-cuffed Mr. [redacted] who fell to the floor, head towards the outside of his cell, the body approximately half way out of the cell. He stated he called for help / medics and checked one more time for a pulse which met with negative results. b7c4  
b7c5

SGT [redacted] <sup>b7c5</sup> stated it took the medics approximately thirty minutes <sup>b7c2</sup> to arrive. He stated he was not on duty at the time of the escape attempt and he did not tell SGT [redacted] <sup>Further</sup> assisted in the re-capture of Mr. [redacted] b7c4

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA [redacted] <sup>102</sup> <sup>b7c1</sup>		87th Military Police Detachment (CID) (DSE) (FWD) Ar Ramadi, (Rifles Base, Iraq)	
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SGT [redacted] <sup>b7c5</sup> stated the use of the latrines for the prisoners was not a mandatory thing, they went if they had to go, he stated Mr. [redacted] did not use the latrines on his last two shifts prior to Mr. [redacted] s death. b7c4

Around 1020, 8 Jun 04, SA [redacted] <sup>b7c4</sup> advised SPC [redacted] of his legal rights, which he waived and provided a sworn statement in which he stated PFC [redacted] choked Mr. [redacted] with a police style baton and slapped him in the face after Mr. [redacted] failed escape attempt. (See sworn statement for details)

Around 1245, 8 Jun 04, SA [redacted] <sup>b7c4</sup> advised PFC [redacted] of his legal rights, which he waived and provided a verbal statement. PFC [redacted] stated he was not involved in the re-capture of Mr. [redacted] after Mr. [redacted] escape attempt on 9 Jan 04. He stated he did not slap or choke Mr. [redacted] with a nightstick. He stated the only time he had hands on Mr. [redacted] was after he yelled at him for escaping and then opened the door to the cell Mr. [redacted] was in and told him of he wanted to go home then go. He stated when Mr. [redacted] made for the door he, PFC [redacted] pushed him back causing Mr. [redacted] to fall backwards. PFC [redacted] stated he was unaware that Mr. [redacted] was already in leg shackles when he did this. PFC [redacted] then requested a lawyer when pressed for his alleged choking of Mr. [redacted]. b7c4  
b7c5

Around 0900, 9 Jun 04; SA [redacted] <sup>b7c4</sup> interviewed SGT [redacted] who clarified his previous statement given on 9 Jan 04. SGT [redacted] stated the use of the latrines by the detainees was voluntary and he did not remember whether or not Mr. [redacted] used the latrine during his shift of 2000 - 0000, 8 Jan 04. SGT [redacted] described Mr. [redacted] as an old sick man. SGT [redacted] stated the on coming shift was SPC [redacted] PFC [redacted] another sergeant and maybe SPC [redacted]. b7c4  
b7c5

Around 0938, 9 Jun 04, SA [redacted] <sup>b7c4</sup> advised SPC [redacted] of his legal rights, which he waived and rendered a sworn statement in which he described in detail the escape attempt by Mr. [redacted] on 9 Jan 04. SPC [redacted] clarified his previous statement concerning SGT [redacted] presence during the take down of Mr. [redacted]. SPC [redacted] stated SPC [redacted] took down Mr. [redacted] alone. (See sworn statement for details)

Around 1130, 9 Jun 04, SA [redacted] <sup>b7c4</sup> interviewed CPL [redacted] who clarified his previous statement given on 9 Jan 04. CPL [redacted] stated Mr. [redacted] did not use the latrine during the 0400-0800, 9 Jan 04, shift. He stated the isolation cells were the last to go to the latrine and by the time it was their turn he was already dead. CPL [redacted] stated when he used the term "muzzled" when describing punishment for the detainees he was referring to gagging a detainee for repeated talking.

Around 1300, 9 Jun 04, SA [redacted] <sup>b7c4</sup> advised SPC [redacted] of his legal rights, which he waived and rendered a verbal statement clarifying his previous statement given 9 Jan 04. SPC [redacted] stated at no time did he or SGT [redacted] strike, strangle or other wise inflict injury to Mr. [redacted]. SPC [redacted] stated after he assisted SGT [redacted] in gagging Mr. [redacted] Mr. [redacted] was breathing and talking.

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA [redacted] <sup>b7c4</sup>		87th Military Police Detachment (CID) (DSE) (FWD)	
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# AGENT'S INVESTIGATION REPORT

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### DETAILS

through the gag. SPC [redacted] <sup>b7c5</sup> stated he had not heard of the attempted escape by Mr. [redacted] <sup>b7c4</sup> until informed by CID. [redacted]

Around 1600, 9 Jun 04, SA [redacted] <sup>b7c1</sup> interviewed SGT [redacted] <sup>b7c2</sup> Maintenance Troop, Support Sqd, 3 ACR, Fort Carson, CO, who provided a sworn statement in which he stated he in processed Mr. [redacted] on 4 Jan 04, and did not observe any bruises or injuries. He stated Mr. [redacted] was seen at least two other times by medics (NFI) for complaints of rib injuries. (See sworn statement for details)

Around 0900, 10 Jun 04, SA [redacted] <sup>b7c1</sup> advised SPC [redacted] <sup>b7c1</sup> AVIM Troop, Support Sqd, 3 ACR, Fort Carson, CO of his legal rights which he waived and provided a sworn statement in which he stated he did not see PFC [redacted] choke or strike Mr. [redacted]. (See sworn statement for details)

Around 1100, 10 Jun 04, SA [redacted] <sup>b7c1</sup> interviewed SPC [redacted] <sup>b7c1</sup> clerk, assigned to Medical Troop, Support Sqd, 3 ACR, Fort Carson, CO who stated after transferring all the data from the green note book used to document treatment given to detainees into a digital database he burned the note book. A search of the digital database met with negative results.

Around 1125, 10 Jun 04, SA [redacted] <sup>b7c1</sup> interviewed CPT [redacted] <sup>b7c1</sup> who stated he never treated Mr. [redacted] for any medical problems, nor did he conduct the medical screening of Mr. [redacted] CPT [redacted] stated the medical screening was conducted by the EPW site personnel and Doctors, PA's or medics were only contacted about a screening if the detainee had some sort of injury or complaint.

Around 1150, 10 Jun 04, SA [redacted] <sup>b7c1</sup> coordinated with CPT [redacted] <sup>b7c1</sup> Cdr, Medical Troop, Support Sqd, 3 ACR, Fort Carson, CO, who stated medics were assisted by either a Doctor or PA when conducted sick call for the detainee's. He stated CPT [redacted] and 1LT [redacted] were the only two PA's assigned to his unit. The other PA's/Dr's who were attached to his unit while deployed were CPT [redacted] Fort Bliss, TX (NFI), CPT [redacted] Fort Hood (NFI) and CPT [redacted] Fort Riley. However he stated he would coordinate with all the medics assigned to his Troop for personnel who treated Mr. [redacted].

Around 1210, 10 Jun 04, SA [redacted] <sup>b7c1</sup> interviewed 1LT [redacted] <sup>b7c1</sup> who stated she never treated Mr. [redacted] and was unaware of who if anyone did.

Around 1300, 10 Jun 04, SA [redacted] <sup>b7c1</sup> coordinated with CPT [redacted] <sup>b7c1</sup> who stated none of his medics recall treating Mr. [redacted] or seeing a detainee at the detention facility with the injuries described. CPT [redacted] also stated a DA 6 was not maintained to document who was on call or working any particular day.

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA [redacted] <sup>b7c1</sup>		87th Military Police Detachment (CID) (DSE) (FWD)	
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# AGENT'S INVESTIGATION REPORT

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## DETAILS

appraised of how the interviews go at Carson, and let me know when the VTC or teleconference will be."

Forwarded copy of email to SA [REDACTED] b7c

Around 0904, 27 Jul 04, SA [REDACTED] and SA [REDACTED] 11th MP BN (CID), Fort Hood, TX, advised SGT [REDACTED] of his legal rights which he waived and conducted an interview of SGT [REDACTED] in which SGT [REDACTED] stated he did not strike or choke any detainee, nor did he witness anyone do it. He also stated he did not remember touching Mr. [REDACTED] throat, but went on to say "it was a long time ago, and that anything was possible. SGT [REDACTED] went on to describe how he and SPC [REDACTED] placed the gag into Mr. [REDACTED] mouth, he stated while he forced Mr. [REDACTED] s mouth open using the before mentioned method, SPC [REDACTED] placed the gag into Mr. [REDACTED] mouth from behind. SGT [REDACTED] stated the cloth gag never went below his hands which prevented the gag from coming into contact with Mr. [REDACTED] throat. ~~See rights waiver~~

SGT [REDACTED] when questioned whether or not he felt responsible for the detainee's death responded yes, he said he was the NCOIC of the shift and he took the death personally. SGT [REDACTED] so stated Mr. [REDACTED] was the first deceased person he had been in contact with his entire life. (See Rights Waiver for details) b7c b7d

Around 1440, 27 Jul 04, SA [REDACTED] interviewed SPC [REDACTED] who provided a verbal statement in which he elaborated on his previous statements. SPC [REDACTED] was questioned specifically about how PFC [REDACTED] utilized a Military Police style black in color night stick to lift Mr. [REDACTED] to a standing position. SPC [REDACTED] stated Mr. [REDACTED] was in a sitting or kneeling position when PFC [REDACTED] who was standing behind Mr. [REDACTED] placed the night stick under Mr. [REDACTED] s chin and lifted him to a standing position. This action was taken because Mr. [REDACTED] ad refused to stand on his own power. SPC [REDACTED] stated Mr. [REDACTED] was facing away from the general population of detainees and was positioned in front of the guard tower. He stated he did not recall whether or not Mr. [REDACTED] turned his head while PFC [REDACTED] lifted him. He stated he did not observe any immediate trauma to Mr. [REDACTED] s neck but did state Mr. [REDACTED] requested a doctor and motioned towards his abdomen. SPC [REDACTED] stated he did not know if Mr. [REDACTED] ever saw a doctor or not, but did state he put Mr. [REDACTED] detainee number on the medics board for him to be seen. b7c

Around 0800, 28 Jul 04, SA [REDACTED] advised SPC [REDACTED] of his legal rights which he waived and provided a verbal statement in which he denied striking or choking Mr. [REDACTED]. SPC [REDACTED] stated he believed he may have been responsible for the death of Mr. [REDACTED] when he placed the cloth gag into his mouth, but insisted he did not strike Mr. [REDACTED] n throat or any where else, he also was adamant about not choking him or seeing anyone else choke Mr. [REDACTED] (See Rights Waiver for details) b7c

TYPED AGENT'S NAME AND SEQUENCE NUMBER

ORGANIZATION

87th Military Police Detachment (CID) (DSE) (FWD)  
Ar Ramadi, (Rifles Base, Iraq)

SIGNATURE

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# AGENT'S INVESTIGATION REPORT

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### DETAILS

Around 1000, 9 Aug 04, SA [redacted] <sup>b7c1</sup> and SA [redacted] attended a briefing with Dr. [redacted] and Dr. [redacted] concerning the injuries and cause of death of Mr. [redacted]. Dr. [redacted] stated the majority of the injuries sustained by Mr. [redacted] were caused hours, not days prior to his death. He stated most of Mr. [redacted] ribs were broken, several with <sup>multiple</sup> compound fractures. The ribs were broken in a crushing fashion described by Dr. [redacted] as normally seen in a vehicle accident death. Dr. [redacted] stated Mr. [redacted] would have been in great pain and would have had great difficulty breathing and would not have been able to walk or attempt an escape. Dr. [redacted] also stated Mr. [redacted] had an unhealthy heart, most likely had hyper tension as well as bruised lungs. Dr. [redacted] stated it was possible Mr. [redacted] sustained one or two broken ribs and most of the visible bruising from the incident with ODA 525 two days prior to his death but not any of the life threatening injuries.

b7c2  
b7c4

Agents Comment: With the information provided by Dr. [redacted] it is probable that the crushing injuries occurred during or just after his escape attempt, since the pathologist insists he would not have been able to make an escape attempt with the injuries noted. The personnel on shift during the time of the failed escape attempt were SSG [redacted] SPC [redacted] SPC [redacted], PFC [redacted] and SPC [redacted] SPC [redacted] and PFC [redacted] stated they did not witness the escape attempt as they were outside the building at the time performing a detail; SPC [redacted] admitted to apprehending Mr. [redacted] but stated he used an appropriate level of force. The escape attempt occurred early in the morning which would explain the reason a possible assault was not observed by other detainees as they were asleep.

b7c2  
b7c4  
b7c5

Around 1100, 17 Aug 04, SA [redacted] <sup>b7c1</sup> and SA [redacted] this office, advised SSG [redacted] of his legal rights which he waived and rendered a verbal statement clarifying his previous statements. SSG [redacted] detailed the following events of the apprehension of Mr. [redacted] by SPC [redacted]. SSG [redacted] and SPC [redacted] were watching a DVD (Buffy the Vampire Slayer) when they noticed Mr. [redacted] escaping. SPC [redacted] and PFC [redacted] were also on the shift but were outside the building burning feces. After Mr. [redacted] actually got out of his cell and was shuffling towards the back door of the detention facility when SSG [redacted] told SPC [redacted] to get him. SSG [redacted] stated SPC [redacted] ran towards Mr. [redacted] with SPC [redacted] next, followed by him. He stated SPC [redacted] made contact with Mr. [redacted] pushing him into the back wall of the facility, which was made of plywood then bear hugged Mr. [redacted] turned him and brought him to the floor with SPC [redacted] landing directly on top of him. SSG [redacted] stated he did not touch the detainee nor did he see SPC [redacted] touch him other than assisting SPC [redacted] escort Mr. [redacted] to the front of the holding area. Once Mr. [redacted] was brought to the front of the detention area he was shackled and flexi cuffed. SSG [redacted] stated PFC [redacted] was in the holding area with the detainee but he did not see anyone else in with the detainee, however he believed the door of the holding area was left open which would give the remaining soldiers unrestricted access. SSG [redacted] stated he went to the isolation pen to repair it <sup>to prevent</sup> another escape. He stated while he was repairing the pen PFC [redacted] placed a gag on Mr. [redacted] but it was on him for only fifteen minutes. He stated it took him approximately one hour to

b7c  
b7c5

TYPED AGENT'S NAME AND SEQUENCE NUMBER

ORGANIZATION

SA [redacted] <sup>b7c1</sup>  
SIGNATURE

87th Military Police Detachment (CID) (DSE) (FWD)  
Ar Ramadi, (Rifles Base, Iraq)

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### DETAILS

repair the cell at which time PFC [redacted] and SPC [redacted] walked Mr. [redacted] under his own power, to his isolation cell and shackled him to the corner of the cell. SSG [redacted] stated he checked the security of the detainee and that was the last contact he or his soldiers had with Mr. [redacted]. SSG [redacted] stated he felt he held his soldiers back from abusing not only this prisoner but others by placing time limits for gagging and hog tying of prisoners. Additionally, SSG [redacted] stated that SPC [redacted] approached him upon hearing of the death of Mr. [redacted] and asked if in his opinion, the take down of Mr. [redacted] was in any way responsible for the cause of death of Mr. [redacted].

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Around 1315, 18 Aug 04, SA [redacted] and SA [redacted] interviewed PFC [redacted]. Interview was terminated when PFC [redacted] stated he had retained a lawyer and was told by his attorney not to provide any further statements. PFC [redacted] attorney was CPT [redacted] Fort Carson, Trial Defense, [redacted].

Around 1500, 19 Aug 04, SA [redacted] and SA [redacted] advised SPC [redacted] of his legal rights which he waived and provided a verbal statement in which he continued to deny any knowledge of anyone striking or choking Mr. [redacted]. SPC [redacted] described how SPC [redacted] prevented Mr. [redacted] escape as follows. After hearing the barbed and constantina wire rattle he noticed Mr. [redacted] was out of his isolation cage and walking quickly to the back door of the detention facility. He alerted SSG [redacted] and SPC [redacted] who were watching a DVD with him (SPC [redacted]). SPC [redacted] stated SPC [redacted] took off running and caught Mr. [redacted] just before he went outside the door. SPC [redacted] pulled Mr. [redacted] back by the shoulders to the ground and secured him until he and SSG [redacted] arrived, at which time Mr. [redacted] may or may not have been leg shackled then walked to the front of the detention facility and placed in the sleep deprivation area. SPC [redacted] stated Mr. [redacted] walked under his own power to the sleep deprivation area and did not appear to be injured or having trouble breathing. He stated while Mr. [redacted] was in the sleep deprivation area SSG [redacted] repaired Mr. [redacted]'s cell, which reportedly took only five minutes, (According to SSG [redacted] statement it took nearly an hour to repair the cell). SPC [redacted] stated other than keeping Mr. [redacted] awake he was not punished for the escape attempt. When asked why the detainee was not punished SPC [redacted] stated he believed the detainee to be at least seventy years old and emotionally unsound. SPC [redacted] stated when his shift was over around 0400, 9 Jan 04, Mr. [redacted] was being escorted by PFC [redacted] from the sleep deprivation area, but he did not see where PFC [redacted] took him.

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Agents Comment: SPC [redacted] was extremely argumentive throughout the interview and refused to provide his finger prints or allow his photograph to be taken until ordered by a member of his command.

Around 1735, 19 Aug 04, SA [redacted] and SA [redacted] advised SPC [redacted] of his legal rights which he waived and rendered a sworn statement in which he admitted to conspiring with SSG [redacted] SPC [redacted].

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TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA [redacted] b7c1		87th Military Police Detachment (CID) (DSE) (FWD) Ar Ramadi, (Rifles Base, Iraq)	
SIGNATURE	DATE	EXHIBIT	
DRAFT COPY			

025506

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0009-04-CID679-83486

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DETAILS

SPC [redacted] and PFC [redacted] in order to hide the fact that Mr. [redacted] actually got outside the detention facility prior to being apprehended. (See sworn statement for details)

Around 0816, 20 Aug 04, SA [redacted] and SA [redacted] advised CPL [redacted] of his legal rights, which he waived and rendered a verbal statement in which he stated during his shift, 0400-0800, 9 Jan 04, Mr. [redacted] was in his isolation cell the entire time alone, until SGT [redacted] went into the cell to make him stand / gag him. He stated he did not see anyone strike or hurt Mr. [redacted]. CPL [redacted] stated he was alerted by SPC [redacted] of the deceased prisoner as SPC [redacted] ran from the detention facility towards the MI section of the compound. CPL [redacted] stated he was outside with other detainees allowing them to utilize the latrine when SPC [redacted] notified him. (See p. 11)

Around 0855, 20 Aug 04, SA [redacted] and SA [redacted] advised SPC [redacted] of his legal rights, which he waived and rendered a verbal statement in which he stated Mr. [redacted] was in his view the entire shift 0400-0800, 9 Jan 04, and he did not see anyone in or near the cell occupied by Mr. [redacted] until he and SGT [redacted] gagged / forced him to stand. (See p. 11)

///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

ORGANIZATION

87th Military Police Detachment (CID) (DSE) (FWD)  
Ar Ramadi, (Rifles Base, Iraq)

SA [redacted] <sup>102</sup>  
SIGNATURE <sub>674</sub>

DATE

EXHIBIT

DRAFT COPY

CID FORM 94

FOR OFFICIAL USE ONLY

025507

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21 May 04

## MEMORANDUM FOR RECORD

SUBJECT: Operational Review of ROI 0009-04-CID697-83846

1. On 17 May 04, this office received a Request for Investigation from Headquarters, USACIDC, to conduct an operational review of all detainee deaths and other crimes against detainees by US military Personnel.

2. This investigation was initiated on 9 Jan 04. This investigation pertains to the death of [REDACTED] reported to be a former LTC in the Iraqi Army who died on 9 Jan 04 at the Detention Facility, Forward Operating Base, Rifles Base, Al Asad, Iraq. At the time of his death, he was gagged and handcuffed to the top of a doorframe to the room. According to witnesses, about five minutes later he was found dead. Medical personnel were called and determined he was dead, no life saving methods were employed. The final autopsy report listed the cause of death as blunt force injuries and asphyxia. Although a sergeant of the guard force ordered [REDACTED] to be hand cuffed to the door frame as punishment for talking, the autopsy indicates [REDACTED] died from the blunt force injuries which included massive contusions, numerous fractured ribs, internal injuries which included a fractured hyoid bone. The guard force denied hitting or striking Jaleel in any way, which would have inflicted such injuries. Between his capture on 4 Jan and his death on 9 Jan, there were at least three incidents in which members of the 1/5<sup>th</sup> SF Group are known to have kicked and punched [REDACTED]. Detailing a time line and specifics of those injuries is difficult.

3. On 20 -21 May 04, the undersigned conducted an operational review of the above ROI and determined there was continuous investigative activity. This ROI was initiated on 9 Jan 04, by the 87<sup>th</sup> MP Det while deployed in Iraq. The unit re-deployed from Iraq in Mar 04 and was not replaced by another CID element. Therefore this case was brought back to Ft Bragg for completion. The last investigative activity, documented in the case file was 18 May 04. The original of the case file was secured in a conex on or about 10 Feb 04 for shipment, electronic copies of documents were maintained by the case agent. There had been no periodic reviews by the Det SAC although the Bn OPS and HQ, USACIDC was clearly involved and aware of the investigation. During the operational review, the following investigative issues or leads were identified as being outstanding:

a. A number of documents in the file are marked "secret" and therefore classification issues and storage concerns must be addressed.

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CIRC-OP

SUBJECT: Operational Review of ROI 0009-04-CID697-83486

b. A copy of the final autopsy report, prepared by AFIP, 30 Apr 04, was in the case file. There are a number of technical issues, which need to be addressed with AFIP and the pathologist.

c. There was no north wall sketch of the scene, no measurements of the height to the top of the doorframe to aid in determining the impact of being elongated for any period of time. Sketch of scene is incomplete, decisions regarding collection of items depicted in scene photographs need to be documented. Although now it is apparent the interrogation room should have been viewed by the agents, and documented, its value is doubtful.

d. There are a number of civilian translators [redacted] who need to be interviewed. The two other Iraq civilians who were apprehended with [redacted] were never identified or interviewed, they may have witnessed the first incident of physical force applied to [redacted]. I suspect they both may have been released and may not be located. *b7c*

e. There are a number of administrative and documentation issues to be corrected and a cross check of all names mentioned in statements and noted conducted. *b7c*

f. The Commander, 1/5<sup>th</sup> SF Group completed a Commanders informal Inquiry, dated 23 Jan 04, which concludes [redacted] died as a result of injuries sustained during an escape attempt and the placement of a gag in his mouth by guards at the holding facility. It concludes Operational Detachment Alpha 525 did not contribute to the circumstances of his death. [redacted] supporting SIA [redacted] [redacted] they did not have the advantage of the final autopsy report and the detailed statements contained within the case file. *b-5-2*

g. Overall, the case is reasonably thorough, considering the circumstances and the status of persons involved. This investigation may well be open for a considerable amount of time.

4. POC for this action is the undersigned at DSN: 236-[redacted] or email [redacted]@us.army.mil.

///original signed/// *b7c*

[redacted]  
CW5, MP  
Bn, Operations Officer

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Review of note envelop

- 1. Photocopy of two-quarter size sheets of paper, name of Sgt [redacted] b7c1  
20040109, apparently his notes. Reflects interviews of
  - a. SGT [redacted] appears he was a guard 8 & 9 Jan > b7c2
  - b. CPL [redacted] guard duty 8 & 9 Jan

- 2. note page from SA [redacted] b7c1
  - a. 1055/9 Jan reviewed detainee file nothing mentioned
  - b. 1119/9 Jan SPC [redacted] he was on duty when prisoner died, SGT [redacted] told him to put gag on and cuff prisoner to rail so he had to stand in such a way to force him to stand. 15 min later [redacted] noticed he was slumped and eyes closed, [redacted] went for help, prisoner never asked for medical attention
  - c. follow on page contains list of 22 names, all checked off, apparently guards: > b7c5

- 1. CPL [redacted]
- 2. Sgt [redacted]
- 3. SPC [redacted]
- 4. SSG [redacted]
- 5. SPC [redacted]
- 6. PFC [redacted]
- 7. SPC [redacted]
- 8. SSG [redacted]
- 9. PFC [redacted]
- 10. SGT [redacted]
- 11. SGT [redacted]
- 12. PFC [redacted]
- 13. SGT [redacted]
- 14. SGT [redacted]
- 15. SPC [redacted]
- 16. SPC [redacted]
- 17. PFC [redacted]
- 18. PFC [redacted]
- 19. [redacted]
- 20. SPC [redacted]
- 21. SGT [redacted]

b7c2  
b7c5

b7c2

Side note, who does the med screening Sgt [redacted] on leave at time?

Name [redacted] also mentioned on the page

- 3. note pages of SA [redacted] b7c1 interview 10 Jan, SFC [redacted] he describes an interrogation by SF of a prisoner who lunged at [redacted] (terp), [redacted] (SF) subdued him, SFC [redacted] came in, cuffed again, shackled to a > b7c5

pipe overhead, given water, spit out tooth. Decides to talk, takes SF team to IED on roadside and a cache. Prisoner not identified

4. unidentified author:

- a. 1217 PFC [redacted] b7c2
- b. 1224 SPC [redacted] said at 0215, tried to escape, brought to the middle row / walkway and shackled. List of names:
  - 1. SPC [redacted]
  - 2. SGT [redacted]
  - 3. SPC [redacted]
  - 4. SPC [redacted] take down b7c5

5. note page of SGT [redacted]

- a. 1125, PFC [redacted] 54<sup>th</sup> QM,
- b. 1158 body removed
- c. 1227 hrs SGT [redacted] says wrists swollen from Sgt [redacted] was damp, sitting up
- d. 1231 Sgt [redacted] apparently on guard duty 1600-2000, seemed fine, little stiff when moving, at 0800, SGT [redacted] said he had no pulse (can't read the rest) b7c5

6. Rough sketch of location. Upper portion of page reads: 21 gavrds, 131 EPW, Isolation, Grid (can't read) 385 KC6016040494, ele 714ft

7. Notes of SA [redacted] header lists [redacted] b7c4, 6 Jan

- a. 0923/10 Jan Interview of [redacted] Team Sgt (531 ODA) b7c2
- b. PID positively identified
- c. 1582 aggressive move towards [redacted]
- d. PIO names listed: [redacted]
- e. Interrogators: [redacted] (terp), [redacted] (Titan Terp for second interview)
- f. 1050 interview of [redacted] - see statement
- g. 1351, interview of [redacted] - see statement
- h. CPT [redacted] (FOB Tiger)
- i. 1826 SSG [redacted] 1/5 SF Group described he and [redacted] struggling to get [redacted] into a vehicle on 7 Jan, SFC [redacted] drove [redacted] back to detention facility after mission (IED on roadside?)
- j. 2030 interview w/CPT [redacted] ODA 525, B/1/5 SF Gp, Ft Campbell, KY b7c2  
identified interrogators as:
  - 1. SFC [redacted]
  - 2. SFC [redacted] b7c5
  - 3. SFC [redacted]
  - 4. SSG [redacted]
  - 5. Mr. [redacted] NFI, Titan Terp on second interview

[redacted] said on 6 Jan, 1000-1800 first interview on 7 Jan got back from interrogation around 1800 interrogated for about 1 hr @ detention center

b7c2

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k. 2131 Coord with SJA CPT [redacted] body to Baghdad on flight 10 Jan; **b7c2**  
advisal of ADO Agg assault, brief on case

7. Notes of SA [redacted] 9 Jan: **b7c1**
- a. 1705, CPT [redacted] pronounced at 0900, no medical, was in rigor when examined (this should tell us something)?????
  - b. 1709, SGT [redacted]
  - c. PFC [redacted] responded to breathing difficulties, supine on back covered w/blanket, no life signs, rec a call at 0800, guard said he must have past during the night, arrived at scene about 0815 **b7c2**

8. Note page of SA [redacted] 9 Jan **b7c1**
- a. 1050/9 Jan SGT [redacted], 94<sup>th</sup> MP - verified scene **b7c2**
  - b. 1056 SSG [redacted] NCOIC of Guard Force, 22 guards, said Sgt [redacted] gagged man for talking, died about 0745, 9 Jan
  - c. 1110 Sgt [redacted] found man dead, SPC [redacted] gagged him assisted by Sgt [redacted], man tried to escape at 0400, told so by Sgt [redacted] sqd [redacted] Was told prisoner soiled himself, locked up about 0445, sat there for about 1.5 hrs, quietly but moving around, power went out about 0600, 0650 everyone woke up, see rest of notes HOPE THERE IS A STATEMENT **b7c2** **b7c4** **b7c5**
  - d. 1205 SGT [redacted] 66MI, said MI never interview [redacted] no record of ODA interviewing him, but they are the only ones who did interview him **b7c1**
  - e. 1423 [redacted] arrive at mortuary affairs, coord with PFC [redacted] **b7c2**
  - f. [redacted] 52 briefed SAC
  - g. [redacted] 59 Chief [redacted] ODA advised CPT [redacted] out on mission will call upon return **b7c1** **b7c2**

9. Note pages of SA [redacted] Jan 04 **b7c1** **b7c5**
- a. SPC [redacted]
  - b. 1236 SGT [redacted] came to work that morning after man was dead **b7c2**
  - c. 1250 SSG [redacted] supervised 12-0400 shift on 9 Jan, detainee refused to sleep, about 0215 SPC [redacted] say him try to escape, SPC [redacted] apprehended, man was moving very slowly, thinks man defecated in pants when [redacted] detained him, SF had man in interrogation 2 days before **b7c5**
  - d. 1305 Civ [redacted], linguist for Titan Corp, screened for **b7c2** medical, man had blood pressure meds in his pocket, diabetic, nothing else wrong, when CPT [redacted] examined him the card of pills was in his pocket
  - e. 1430 translator contracting [redacted]
  - f. 1500 [redacted] prisoner, on 8 Jan saw bruises on man, said guards tortured him a lot **b7c4**
  - g. [redacted] in processed last night, knows nothing

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b7c4 h. [redacted] Israeli National, labored breathing, masked men...can't read what is written

i. [redacted] man interrogated 2 or 3 times, old man couldn't breath after, hard to stand, they pulled him up, because of torture he shit himself, he could not stand the cold nights, they tied hands to legs, hog tied him and threw water on him, much bruising on sides from interrogation, no bating in cage

10. Note page of SA [redacted] 10 Jan 03 (?) b7c4

a. 1052, [redacted] apparently another prisoner, said men in masks tortured the old man, only one man kicked - white man 5'6"

b. 25 [redacted] was arrested with old man, men in mask hit him

c. SPC [redacted] bio info only ??? b7c5

d. 1635 SSG [redacted] was with [redacted] don't understand what this means

e. 1650 SEC [redacted] didn't see

f. 1710 briefed CPT [redacted] ADA Brty CDR

11. Envelope containing CD 040009.679 contains photos of scene and body, heavy bruising on abdomen.

12. envelop containing CD ME04-014, photos from autopsy, heavy black bruises on bottoms of feet and left side in particular

13. CID Form 44s Interview Worksheets on:

- 1. SPC [redacted]
- 2. SSG [redacted]
- 3. SPC [redacted]
- 4. PFC [redacted]
- 5. SPC [redacted]
- 6. PFC [redacted]
- 7. PFC [redacted]
- 8. SPC [redacted]
- 9. SGT [redacted]
- 10. SFC [redacted]
- 11. SFC [redacted]
- 12. SPC [redacted]
- 13. CIV [redacted]
- 14. SFC [redacted]
- 15. SFC [redacted]
- 16. SSG [redacted]
- 17. SSG [redacted]
- 18. SSG [redacted]
- 19. CIV [redacted] Titan Employee

14. Canvas Interview Worksheet SA [redacted]

- 1. SPC [redacted]
- 2. PFC [redacted]
- 3. PFC [redacted]

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4. SPC [redacted] b7c2

- 15. Memo, 10 Sep 03, subject CJTF-7 Interrogation and Counter-Resistance Policy
- 16. Evidence Property Custody Document, rag, cloth red and white in color, all that was taken from the scene by SA [redacted]
- 17. There is a Memo for Commander, 1/5 SF Group, 23 Jan 04, Subject: Commanders Informal Inquiry. I will read this last.
- 18. Memo for Support Squadron Staff, 31 Jul 03, Subject Guard Standards, states to use non-violent corrective training, do not strike prisoners
- 19. Eleven pages, apparently an extract from an SOP or other guide, pertains to duties and responsibilities of guards and other persons dealing with prisoners mentions use of only sitting, standing and PT as forms of punishment, another sheet "Medical Problems SOP" states that if you feed that a detainee has a medical condition that warrants medical attention or if the detainee complains of a medical issue, use the following steps.....last sheet is a signature page for soldiers who have (read) the material, signatures are 6 - 9 Dec 03.

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- 20. AIR of SA [redacted] 12 Jan 04, pertains to the autopsy of [redacted] and the preliminary findings cause of death at blunt force injuries and asphyxia, most ribs were fractured, thyroid cartilage and hyoid bone were fractured, photos ME04-14 CD were taken
- 21. Preliminary autopsy report, 11 Jan 04
- 22. Death Certificate
- 23. Final Autopsy Report, # ME04-14, dated 30 Apr 04, cause of death, blunt force injuries and asphyxia, manner of death: homicide. Multiple blunt force injuries to chest wall numerous rib fractures, lung contusions, fractures of the thyroid cartilage and hyoid bone. The severe blunt force injuries, the hanging position and the obstruction of the oral cavity with a gag contributed to this individual's death.

24. Rights Waiver of SSG [redacted] 13 Jan

25. R/W of SFC [redacted] 13 Jan

26. R/W of SFC [redacted], 13 Jan

27. R/W of [redacted] 10 Jan

28. R/W and statement of SFC [redacted] 10 Jan, he discusses initial contact with [redacted] describes his resisting getting into the vehicle, being kicked, showing IED site and then cache where 4 more Iraq were detained. Identified [redacted]

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b7c4

b7c5

[redacted] and [redacted] as being on the team that day. [redacted]

b7c5

[redacted] slapped and kicked [redacted] b7c4

29. R/W and statement of SPC [redacted] 10 Jan, discussed apprehension of [redacted] and two others, pointed M16 at him, threatened to shoot him if he didn't shut up, kicked him in chest, 2-3 times, while he was sitting, then took to [redacted] processed them and took to detention site. b7c2

b7c4

b7c4

30. R/W and statement of SGT [redacted] 10 Jan, details the circumstances of the apprehension of [redacted] on 4 Jan??, however said no one kicked or abused any prisoner, specifically [redacted]. This is not true, [redacted] lied. Add for false swearing

31. R/W and statement of SFC [redacted] 10 Jan, he and [redacted] transported [redacted] and 3 others from detention facility (7 Jan) to the SF compound on Rifles Base.

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██████ was interrogating ██████ when he lunged at ██████ and ██████ subdued him, afterwards ██████ spit out a tooth. ██████ agreed to take him to an IED and ██████ turned him over to another team to exploit the location. ██████ and ██████ the ██████ were also in the room. ██████ said he heard there was an SOP on interrogating detainees but he never read it.

b7c4

32. R/W and statement of SSG ██████ 10 Jan, describes the morning of 6 Jan, picking up 4 detainees, one named ██████ and transporting to SF compound. ██████ admitted being a LTC in the Iraq army. ██████ helped ██████ after ██████ attacked him. ██████ kicked ██████ in the mid section several times. Read the part in the statement, page 3, about mid way: "I want to kill Americans". He then decided that he was going to fully cooperate with us. This doesn't follow, what happened to make him have such a change of heart??? Then he spit out the tooth. When they tried to take him to the IED site, he resisted to some degree. When ██████ last saw ██████ at the cache he was resting comfortably and did not appear to be in any distress.

33. Interrogation Summary, 6 Jan 04, prepared by SFC ██████ makes no mention of any struggle. Recommendation: Reinterrogate and Never allow him to see the light of day again

33. Interrogation Summary, 8 Jan 04, prepared by SFC ██████ Recommendation: Reinterrogate, this detainee is much too dangerous to ever release.

34. R/W and Statement of SFC ██████ 10 Jan, first learned of detainee 1582 (██████) on 5 Jan. On 6 Jan interrogated him, when ██████ attacked ██████ kicked him, all three wrestled ██████ to the floor, he was hit in the midsection to force him to lower his arms. The translator was ██████ had him flex cuffed to an overhead pipe. They gave him some water, he spit out a tooth, ██████ looked at it, no bleeding from gums. ██████ said he was going to hook up the bombs and kill Americans, and then he agreed to take us to site. ██████ took him to the site. The next time he saw detainee ██████ was on 8 Jan about 1100. He and ██████ questioned him for about an hour, cooperative.

b7c4

35. R/W and statement of SGT ██████ 10 Jan he was a guard the evening of 8 Jan, about 2000-2200, he noticed the bruises around the abdomen of ██████ SGT ██████ briefed him on how to hold prisoners that were in processing. ██████ told him to shoot them if they tried to run away or gang up on another guard member. IS THIS IN THE SOP?

36. Statement of SPC ██████ night of 8 Jan, 2300, saw dark black excessive bruising around abdominal area no one ever struck him in the holding area.

36. Stmt of CPL ██████ 9 Jan, guard, came to work 0400-0800 shift, didn't see everything, heard a lot

37. This is as far as I got.

except as noted  
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About 1050, 9 Jan 04, SA [redacted] coordinated with SGT [redacted] 94<sup>th</sup> Military Police Co, FOB Rifles Base, Al Asad, Iraq, who related he had secured the crime scene pending the arrival of CID.

CRIME SCENE EXAMINATION: About 1055, 9 Jan 04, SA [redacted] this office, and INV [redacted] 94<sup>th</sup> Military Police Co, conducted a crime scene examination of the FOB Rifles Base Detention Facility located at MGRS 38S KC 60160 40494.

CHARACTERISTICS OF THE SCENE: The Detention Facility was located in a large, hardened airplane hangar. The interior of the hangar was divided into two large confinement areas and four isolation areas built using barbed wire and concertina wire. Each area had a metal-framed cage type door. The four isolation areas were located adjacent the southern end of the hangar.

CONDITION OF THE SCENE: The Detention Facility housed 130 detainees. The detainees were primarily housed in the two large confinement areas. Three detainees were housed individually in three of the four isolation cells. The body of Mr. [redacted] was located in the isolation cell closest to the southwest corner of the hangar. The body was lying face up, with his head facing the cell door. He was covered with a blanket. He was wearing undergarments that appeared to be soiled a shirt, which was pushed up towards his chest and a pair of pants, which were pulled down to his knees. Extensive bruising was visible on the upper body. The bruises were dark blue and purple in color. There was a second blanket rolled up on the floor at the foot of the remains. There was a light colored Dish Dash (Man Dress) draped over the concertina wire to the left of the deceased. A pair of leg shackles lay on the floor in the northeastern corner of the cell. There was an open MRE in the cell and one water bottle in the cell. It did not appear that any of the contents of the MRE were consumed. Immediately outside the deceased's cell was a rag. The rag was lying on the floor, and had been used to gag the deceased. There was a denim jacket lying on the floor outside of the cell in the southwest corner of the hangar.

ENVIRONMENTAL CONDITIONS: At the time of the crime scene examination the outside temperature was approximately 55 degrees Fahrenheit. There was low humidity and no signs of moisture. The temperature inside the hangar was approximately 60 degrees Fahrenheit.

FACTORS PERTINENT TO ENTRY/EXIT: There was one door that allowed entry/exit to Mr. [redacted] isolation cell. The Detention Facility was accessible by two doors. One door was located on the northern wall of the hangar the other on the southern wall.

SCENE DOCUMENTATION: SA [redacted] exposed digital photographs of the crime scene utilizing a Nikon Coolpix 995 Digital Card Camera with built in flash. SA [redacted] prepared a crime scene sketch. (See Photographic CD #040009.679 and Crime Scene Sketch for details)

COLLECTION OF EVIDENCE: SA [redacted] collected one white and red rag, which was used to gag Mr. [redacted] as evidence on a DA Form 4137, Evidence/Property Custody Document.

About 1055, 9 Jan 04, SA [redacted] coordinated with SGT [redacted] 66<sup>th</sup> MI, 3ACR, Fort Carson, CO, (Rifles Base, Iraq) who provided the detainee file pertaining to Mr. [redacted]. A review of the packet revealed Mr. [redacted] was detained on 4 Jan 04. He was detained by SSG [redacted] and SGT [redacted] (NFI), both assigned to ADA Battery, 1 Squadron, 3<sup>rd</sup> Armored Cavalry Regiment. Mr. [redacted] was detained on ASR Bronze with two other IZ males. At the time of his detention he was in possession of a pair of binoculars, three handheld radios, two motorcycle batteries, one hand pick and approximately 100 feet of wire.

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 About 1110, 9 Jan 04, SA [redacted] interviewed SGT [redacted] Maintenance Troop, Support Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq. SGT [redacted] rendered a sworn statement, wherein he stated he and SPC [redacted] S and T Troop, Support Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq, placed Mr. [redacted] in shackles when he refused to stand as punishment for talking. Mr. [redacted] was shackled to the top of the door of his cell in such a way that forced him to stand. When he still refused to stop talking, SGT [redacted] and SPC [redacted] gagged him. SGT [redacted] further related, about five minutes later he discovered Mr. [redacted] was not breathing. SGT [redacted] unshackled Mr. [redacted] and removed his gag. SGT [redacted] laid him on the floor and discovered he had no pulse. SGT [redacted] sent SPC [redacted] to summon medical aid. (See Sworn statement for details)

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 About 1119, 9 Jan 04, SA [redacted] interviewed SPC [redacted]. SPC [redacted] rendered a sworn statement wherein he described assisting SGT [redacted] with gagging Mr. [redacted] and SGT [redacted] discovering Mr. [redacted] was not breathing. (See Sworn Statement for details)

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 About 1125, 9 Jan 04, SA [redacted] released Mr. [redacted] remains to PFC [redacted] Mortuary Affairs, 54<sup>th</sup> Quartermaster Co, attached to 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq.

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 About 1200, 9 Jan 04, SA [redacted] interviewed SPC [redacted] AVIM Troop, Support Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Iraq. SPC [redacted] rendered a sworn statement, wherein he related Mr. [redacted] approached him on 8 Jan 04 complaining his zip tie handcuffs were cutting off circulation to his hands. SPC [redacted] removed the handcuffs, bandaged the abraded injury underneath and re-cuffed Mr. [redacted]. SPC [redacted] also related at 0215, 9 Jan 04, Mr. [redacted] attempted to escape from the Detention Facility. SPC [redacted] detained Mr. [redacted] in the hallway leading from the isolation cells. (See Sworn Statement for details)

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 About 1200, 9 Jan 04, INV [redacted] interviewed CPL [redacted] S and T Troop, Support Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq. Who provided a sworn statement in which he stated members of a Special Forces unit interrogated Mr. [redacted] between 1200 and 1600, 8 Jan 03. (See Sworn Statement for details)

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 About 1205, 9 Jan 04, SA [redacted] interviewed SGT [redacted] 66<sup>th</sup> Military Intelligence Co, 3<sup>rd</sup> Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq, who related Mr. [redacted] had not been interrogated by any MI personnel. The only personnel who interrogated Mr. [redacted] came from the Special Forces unit operating in the area. He further stated there was no written record of Special Forces signing Mr. [redacted] out of the Detention Facility in violation of SOP. SGT [redacted] thought Mr. [redacted] may have been a diabetic and been prescribed heart medicine but could not provide any documentation to show his medical condition.

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 About 1225, 9 Jan 04, SA [redacted] interviewed SSG [redacted] AVIM Troop, Support Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq. SSG [redacted] stated he was the NCOIC of the Detention Facility Guards. SSG [redacted] stated Mr. [redacted] had been detained about five days. SSG [redacted] confirmed Special Forces interviewed Mr. [redacted] on at

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least one occasion. The only medications SSG [redacted] was aware of were cough syrup and Motrin. SSG [redacted] related there was a board that told the guards what medicines each prisoner was supposed to receive. SSG [redacted] further related Mr. [redacted] was not on sleep deprivation, but was not sleeping.

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About 1235, 9 Jan 04, INV [redacted] 94<sup>th</sup> Military Police Co, interviewed SPC [redacted] S and T Troop, Support Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq. SPC [redacted] related he worked from 0000-0400, 9 Jan 04, as a guard. He witnessed Mr. [redacted] attempt to escape. He alerted SGT [redacted] and SPC [redacted] who apprehended Mr. [redacted] and returned him to his isolation cell and shackled him to a pole.

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About 1236, 9 Jan 04, SA [redacted] interviewed SGT [redacted] 2133<sup>rd</sup> Transportation Co, Iowa Army National Guard, attached to 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq. SGT [redacted] related Mr. [redacted] was a detainee for about one week. SGT [redacted] stated Special Forces soldiers interviewed Mr. [redacted] on at least one occasion.

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About 1246, 9 Jan 04, SA [redacted] interviewed SPC [redacted] 2133<sup>rd</sup> Transportation Company, Iowa Army National Guard, attached to 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq, who rendered two sworn statements. SPC [redacted] related Mr. [redacted] had been in custody for about one week. SPC [redacted] stated Special Forces soldiers interrogated Mr. [redacted]. About 2300, 8 Jan 04, SPC [redacted] saw Mr. [redacted] while Mr. [redacted] had his shirt off. SPC [redacted] noticed several dark bruises on Mr. [redacted]'s upper body. (See Sworn Statements for details)

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AGENT'S COMMENT: SPC [redacted] statement is recorded on two separate Sworn Statement forms, as he prematurely signed the first statement. SA [redacted] swore SPC [redacted] to each statement separately.

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About 1250, 9 Jan 04, INV [redacted] interviewed SGT [redacted] AVIM Troop, Support Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq, who rendered a sworn statement. SGT [redacted] related he noticed bruising on Mr. [redacted] abdomen between 2000 and 2200, 8 Jan 04. SGT [redacted] related he could see the bruises from some distance, as he was standing on the raised platform in the Detention Facility. (See Sworn Statement for details)

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About 1250, 9 Jan 04, SA [redacted] interviewed SSG [redacted] 2133<sup>rd</sup> Transportation Co, Iowa Army National Guard, attached to 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq. SSG [redacted] related he was the supervisor of the guard shift from 0000-0400, 9 Jan 04. During that shift, Mr. [redacted] attempted to escape from the Detention Facility. The escape attempt occurred about 0215, 9 Jan 04. SPC [redacted] stopped the escape attempt. While SPC [redacted] was subduing Mr. [redacted], Mr. [redacted] defecated in his clothing. While returning Mr. [redacted] to his cell, SSG [redacted] noticed large bruises on his [redacted] sides. Mr. [redacted] was moving very slowly and appeared to experiencing difficulty with all of his movements. SSG [redacted] related Special Forces soldiers interrogated Mr. [redacted] earlier in the week.

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About 1251, 9 Jan 04, INV [redacted] interviewed PFC [redacted] Maintenance Troop, Support Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq. PFC [redacted] stated he assisted SGT [redacted] in unshackling Mr. [redacted] and laying

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him on the floor. PFC [redacted] stated he observed significant bruising on the upper body of Mr. [redacted]

Between 1218 and 1253, SA [redacted] INV [redacted] and INV [redacted] 94<sup>th</sup> Military Police Co, conducted canvass interviews of the soldiers listed below. None of the soldiers were able to provide information pertinent to this investigation.

NAME	SSN	UNIT
SGT [redacted]	[redacted]	Maintenance Troop, Support Squadron, 3 <sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq
SGT [redacted]	[redacted]	Maintenance Troop, Support Squadron, 3 <sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq
PFC [redacted]	[redacted]	S and T Troop, Support Squadron, 3 <sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq
PFC [redacted]	[redacted]	HHT, Support Squadron, 3 <sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq
PFC [redacted]	[redacted]	S and T Troop, Support Squadron, 3 <sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq
PFC [redacted]	[redacted]	HHT, Support Squadron, 3 <sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq
SPC [redacted]	[redacted]	AVIM Troop, Support Squadron, 3 <sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq
SPC [redacted]	[redacted]	2133 Transportation Company, Iowa Army National Guard, attached to 3 <sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq

About 1335, 9 Jan 04, SA [redacted] interviewed Ms [redacted] Linguist, Titan Corporation, Norfolk, VA, who related she was the linguist present when Mr. [redacted] received his medical screening. Dr. (CPT) [redacted] Med Troop, Support Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq, performed the screening. Mr. [redacted] told the doctor he had high blood pressure and was diabetic. Dr. [redacted] checked Mr. [redacted] blood sugar. He also examined the medication Mr. [redacted] had with him for his high blood pressure. Dr. [redacted] returned the medication to Mr. [redacted], and told him to notify the guards if he ran out.

About 1345, 9 Jan 04, SA [redacted] and SA [redacted] conducted a re-check of the crime scene. They were unable to locate the medicine described by Ms [redacted]

About 1423, 9 Jan 04, SA [redacted] and SA [redacted] examined the remains of Mr. [redacted]. There was extensive bruising on the upper body of Mr. [redacted]. Bruises were visible over the sternum, the abdomen and on both sides. The bruises were large and very dark purple in color. Abraded injuries were present near the left elbow. There was a pair of pants on the remains that were pushed down to the ankles. He was wearing boxer shorts and a white t-shirt. The white t-shirt was pushed up towards the armpits. The hands were bound with flexi cuff style handcuffs. There was a bandage on the left wrist. There was swelling present under the bandage. Mr. [redacted] had defecated in his underwear prior to dying. SA [redacted] exposed digital photographs of the remains utilizing a Nikon Coolpix 995 Digital Card Camera. (See CD 040009.679 for details)

SUBJECT: Initial Update of Category I Monitorship ROI 0009-04-CID679-83846

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About 1500, 9 Jan 04, SA [redacted] interviewed Mr. [redacted] (detainee, Rifles Base, Iraq) utilizing Mr. [redacted] Interpreter, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq, as an interpreter. Mr. [redacted] occupied the isolation cell adjacent Mr. [redacted] cell. Mr. [redacted] related Mr. [redacted] had been complaining for three days about wanting to go home. On 8 Jan 04, Mr. [redacted] observed bruises on Mr. [redacted] after Mr. [redacted] removed his dish dash because it was wet from having water thrown on him as punishment for talking. Mr. [redacted] further complained of being cold after being doused with water.

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About 1530, 9 Jan 04, SA [redacted] interviewed Mr. [redacted] (detainee, Rifles Base, Iraq) with Mr. [redacted] serving as interpreter. Mr. [redacted] occupied one of the isolation cells. He was detained on 8 Jan 04, and was not able to provide any information pertinent to this investigation.

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About 1540, 9 Jan 04, SA [redacted] and INV [redacted] interviewed Mr. [redacted] an Israeli national who occupied one of the isolation cells. Mr. [redacted] detailed the levels of punishment he witnessed detainees receive for talking in their cells. The first level of punishment was being made to stand. The second level was being made to kneel. The third level was having your head doused in water. The fourth level was being gagged. Mr. [redacted] stated he observed Mr. [redacted] having difficulty breathing. Mr. [redacted] was awakened during Mr. [redacted] escape attempt and noticed he was having extreme difficulty breathing. Mr. [redacted] stated masked men came and took Mr. [redacted] out of the Detention Facility three days prior to his death. When Mr. [redacted] returned, Mr. [redacted] noticed he was in much worse physical shape and described him as being hurt badly.

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About 1555, 9 Jan 04, SA [redacted] interviewed Mr. [redacted] (detainee, Rifles Base, Iraq) with Mr. [redacted] serving as interpreter. Mr. [redacted] was confined in the large confinement area adjacent Mr. [redacted] isolation cell. Mr. [redacted] related men in mask came and took Mr. [redacted] to interrogation two or three times. Each time, Mr. [redacted] returned, he was having difficulty breathing. On the morning of 9 Jan 04, when Mr. [redacted] was made to stand up, he had to be lifted up by the guards. He also stated Mr. [redacted] complained of being cold at night. On 8 Jan 04, Mr. [redacted] observed Mr. [redacted] being "hog tied" and then doused with water as punishment for talking. Mr. [redacted] noticed a lot of bruises on Mr. [redacted] at that time. He further stated he had never seen any of the Detention Facility guards hit or hurt anyone.

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About 1705, 9 Jan 04, SA [redacted] interviewed Dr. [redacted] (Dr.) [redacted] related no life saving measures were performed on Mr. [redacted] Dr. [redacted] stated the body had rigor mortis was present, but not fixed and was in the supine position when he examined Mr. [redacted] body. Dr. [redacted] pronounced Mr. [redacted] dead at 0900, 9 Jan 04.

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About 1709, 9 Jan 04, SA [redacted] interviewed SGT [redacted] and PFC [redacted] both assigned to Med Troop, Support Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq, who were the medics that responded to the Detention Facility. They related they were called to breathing difficulties. When they arrived at the Detention Facility, Mr. [redacted] was lying on his back, covered by a blanket. SGT [redacted] stated he checked Mr. [redacted] for a pulse or any signs of life, which met with negative results. No life saving measures were conducted by SGT [redacted] or PFC [redacted] No blood was present at the scene, however they observed bruising on the abdominal area of Mr. [redacted]

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About 2030, 9 Jan 04, SA [redacted] interviewed CPT [redacted] Commander, B Co, 1<sup>st</sup> Battalion, 5<sup>th</sup> Special Forces Group, Fort Campbell, KY (Rifles Base, Iraq). CPT [redacted]



related ODA 525 interviewed Mr. [redacted] on two occasions. The first interrogation was conducted on 6 Jan 04 from approximately 1000 to 1800 at the ODA compound on FOB Rifles Base. SFC [redacted] (NFI), SFC [redacted], SFC [redacted] and SSG [redacted] all assigned to ODA 525, and [redacted] (NFI), Interpreter, Titan Corporation, were present during the first interrogation. Between 1300 and 1400, 7 Jan 04, SFC [redacted] and [redacted] interrogated Mr. [redacted] at the FOB Rifles Base Detention Facility.

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Around 0923, 10 Jan 04, SA [redacted] advised SFC [redacted], B Company, 1<sup>st</sup> Battalion, 5<sup>th</sup> Special Forces Group (1/5<sup>th</sup> SF GRP), Fort Campbell, KY (FCKY), of his legal rights which he waived and provided a verbal statement in which he stated he did not take part in the interrogation of Mr. [redacted]. SFC [redacted] stated he was the team sergeant and did not take part in interrogations or operations as a norm. SFC [redacted] stated he spoke with his team about the interrogation of Mr. [redacted] and they informed him he was not beaten but had attacked SFC [redacted] B Co, 1/5<sup>th</sup> SF GRP, FCKY, during the interrogation and had to be restrained.

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Around 1050, 10 Jan 04, SA [redacted] advised SFC [redacted] B Co, 1/5<sup>th</sup> SF GRP, FCKY, of his legal rights which he waived and rendered a sworn statement in which he stated Mr. [redacted] attacked SFC [redacted] during the interrogation on 6 Jan 04. SFC [redacted] stated prior to the attack Mr. [redacted] was released from his flexi cuffs and was seated on a chair in the interrogation room. He stated he was unsure why Mr. [redacted] suddenly changed his manner from relatively docile to aggressive. But he stated once the attack occurred it took SFC [redacted] SSG [redacted] B Co, 1/5<sup>th</sup> SF GRP, FCKY, and himself to restrain him. SFC [redacted] stated Mr. [redacted] was struck in the mid section by all three of them several times in order to gain control over him. (See Statement for details)

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About 1052, 10 Jan 04, SA [redacted] and SA [redacted] interviewed Mr. [redacted] detainee number [redacted], utilizing Mr. [redacted] as the interpreter. Mr. [redacted] stated he was arrested with Mr. [redacted]. Mr. [redacted] related he was treated well during the arrest, but Mr. [redacted] was kicked in the chest two or three times by one of the soldiers. Mr. [redacted] stated it was a caucasian soldier about 5'6" tall. Mr. [redacted] was interrogated one time by men wearing masks. The men did not strike or hurt Mr. [redacted]. Mr. [redacted] stated he was in the proximity of Mr. [redacted] holding cell on 6 Jan 04. At that time, Mr. [redacted] told Mr. [redacted] the men in black masks had tortured him. On 8 Jan 04, Mr. [redacted] saw Mr. [redacted] in the FOB Rifles Base Detention Facility. Mr. [redacted] had removed his shirt as he was doused with water for talking. Mr. [redacted] noticed large bruises on Mr. [redacted]'s abdomen. Mr. [redacted] did not see anyone strike Mr. [redacted] after they were arrested. He further stated no one had struck him while he was in U.S. custody. Mr. [redacted] stated he did not think Mr. [redacted] had eaten since being detained, and he had only seen him drink water.

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About 1125, 10 Jan 04, SA [redacted] and SA [redacted] interviewed Mr. [redacted] detainee number [redacted] utilizing Mr. [redacted] as interpreter. Mr. [redacted] related he was detained with Mr. [redacted]. At the time they were detained, one U.S. soldier kicked Mr. [redacted] in the chest. Mr. [redacted] thought the soldier only kicked Mr. [redacted] one time. Mr. [redacted] was interrogated one time by men in masks while in U.S. custody. He stated one of the men kicked him while he was walking behind him, but not very hard. The kick did not leave a bruise. On 8 Jan 04, Mr. [redacted] saw Mr. [redacted] without his shirt on. Mr. [redacted] had taken his shirt off after guards doused him with water for talking. Mr. [redacted] noticed large bruises on Mr. [redacted] upper body.

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 Around 1354, 10 Jan 04, SA [redacted] advised SSG [redacted] of his legal rights which he waived and rendered a sworn statement in which he stated he struck and kicked Mr. [redacted] several times in the mid section in an attempt to restrain him after he (Mr. [redacted]) attacked SFC [redacted] during an interrogation, which occurred on 6 Jan 04. SSG [redacted] stated during the struggle to restrain Mr. [redacted] (Mr. [redacted]) made several attempts at SSG [redacted] weapon, which was in his shoulder holster. SSG [redacted] stated there was one other incident where force was required to get Mr. [redacted] into a Non Tactical Vehicle (NTV) but stated it was not as severe as the force required to restrain him during the interrogation. (See Statement for details)

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 About 1436, 10 Jan 04, SA [redacted] advised SFC [redacted] of his rights, which he waived. SFC [redacted] rendered a sworn statement wherein he stated he participated in the interrogation of Mr. [redacted] on 6 Jan 04. During the interrogation, Mr. [redacted] jumped out of his chair and grabbed SFC [redacted] by the front of his shirt. SFC [redacted] stated he kned Mr. [redacted] in the ribs repeatedly in an attempt to take his breath away. SFC [redacted] also punched Mr. [redacted] in the ribs several times. SFC [redacted] further related SSG [redacted] and SFC [redacted] assisted with subduing Mr. [redacted]. SFC [redacted] estimated it took one to two minutes to subdue Mr. [redacted]. (See Sworn Statement for details)

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 About 1449, 10 Jan 04, SA [redacted] advised SGT [redacted], ADA Battery (BTRY), 1<sup>st</sup> Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq of his rights. SGT [redacted] waived his rights and rendered a sworn statement. SGT [redacted] denied he hit or kicked Mr. [redacted] when they apprehended him on 4 Jan 04. SGT [redacted] further stated Mr. [redacted] was guarded by SPC [redacted], ADA BTRY, 1<sup>st</sup> Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq, while he searched the vehicle which Mr. [redacted] was traveling in at the time of his arrest. SGT [redacted] did recall that Mr. [redacted] refused to stop talking when directed on numerous occasions however, he never witnessed anyone hit or kick Mr. [redacted]. (See Sworn Statement for details)

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 About 1527, 10 Jan 04, SA [redacted] advised SPC [redacted] of his rights. SPC [redacted] waived his rights and rendered a sworn statement wherein he admitted to kicking Mr. [redacted] about two or three times in the chest. SPC [redacted] stated he was assigned to watch the detainees while their vehicle was being searched. While he was guarding them Mr. [redacted] continued to talk and attempted to get up several times before he resorted to force (kicking) to keep him on the ground. SPC [redacted] further stated his intent was to keep Mr. [redacted] from getting up and talking not to inflict bodily harm. SPC [redacted] admitted Mr. [redacted] was restrained with flexi cuffs at the time he [redacted] kicked him [redacted]. (See Sworn Statement for details)

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 About 1635, 10 Jan 04, SA [redacted] interviewed SSG [redacted], ADA BTRY, 1<sup>st</sup> Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq, who stated he searched the vehicle which Mr. [redacted] was traveling in when he was apprehended. While he was conducted his search SPC [redacted] was guarding the detainees. SSG [redacted] stated he did not witness any abuse of the detainees. SSG [redacted] further stated Mr. [redacted] seemed to be in fair health and was able to walk and breathe without any visible difficulties. SSG [redacted] stated all the detainees were delivered to the EPW detention site in the same condition as when they were initially detained.

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 Around 1642, 10 Jan 04, SA [redacted] interviewed Mr. [redacted] (Titan Corporation Contractor, Interpreter). Mr. [redacted] stated he was the interpreter during the interrogation of Mr. [redacted] which lasted approximately one to one and a half hours on 6 Jan 04. He stated during the interrogation Mr. [redacted] attacked SFC [redacted] which required SFC [redacted] and SSG [redacted] to restrain Mr. [redacted]. Mr. [redacted] stated there was punching and kicking from both sides. Mr. [redacted] stated he believed SFC [redacted] and SSG [redacted] used the appropriate level of force to subdue Mr. [redacted]. Mr. [redacted] stated during the transfer of Mr. [redacted] into the NTV Mr. [redacted] resisted and was forced into the vehicle by SSG [redacted] and someone else who he could not recall. Again Mr. [redacted] stated there was not an excess of force used to get Mr. [redacted] into the NTV.

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 About 1650, 10 Jan 04, SA [redacted] interviewed SFC [redacted] ADA BTRY, 1<sup>st</sup> Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, FOB Rifles Base, Al Asad, Iraq, who corroborated the statements of SSG [redacted] and SGT [redacted].

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 Around 1720, 10 Jan 04, SA [redacted] interviewed SSG [redacted] B Co, 1/5<sup>th</sup> SF GRP, FCKY, who stated he was part of the Positive Identification (PID) mission in which Mr. [redacted] brought ODA 525 to the site where he (Mr. [redacted]) had emplaced three 155 artillery rounds along the side a roadway to attack coalition forces. While preparing for the mission he observed SSG [redacted] and SSG [redacted] B Co, 1/5<sup>th</sup> SF GRP, FCKY, try for approximately five minutes to get Mr. [redacted] in the back seat of an NTV. SSG [redacted] stated SSG [redacted] was pulling Mr. [redacted] from the driver's side back seat while SSG [redacted] was pushing from the passenger's side of the NTV. SSG [redacted] stated he observed SSG [redacted] slapping at Mr. [redacted] legs and arms in an attempt to get Mr. [redacted] into the NTV. SSG [redacted] stated Mr. [redacted] was cooperative with the exception of the incident with the NTV. SSG [redacted] stated he had been with the team for approximately one year and had never seen or heard any member of the team mistreat a detainee.

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 About 1730, 10 Jan 04, SA [redacted] advised SFC [redacted] ODA 525, 5<sup>th</sup> Special Forces Group, Fort Campbell, KY 42223, which he waived. SFC [redacted] rendered a sworn statement, wherein he stated he did not participate in the interrogation of Mr. [redacted]. SFC [redacted] supervised a mission during which Mr. [redacted] identified a site where he (Mr. [redacted]) had emplaced an IED. At the outset of the mission, Mr. [redacted] hesitated when told to get into the truck SFC [redacted] was driving. SFC [redacted] witnessed SSG [redacted] slap and kick Mr. [redacted] until he got into the truck. Mr. [redacted] did not appear to be injured while he was with SFC [redacted]. (See Sworn Statement for details)

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 Around 1834, 10 Jan 04, SA [redacted] advised SSG [redacted] of his legal rights which he waived and rendered a verbal statement. SSG [redacted] stated around 1330, 6 Jan 04, he was tasked to conduct a PID from information gained from the interrogation of Mr. [redacted]. He stated he was not involved in the interrogation but did have an incident in which he had to lay hands on Mr. [redacted]. SSG [redacted] stated as SSG [redacted] was attempting to get Mr. [redacted] into the NTV, Mr. [redacted] began to resist. SSG [redacted] stated he got on the drivers side of the NTV in the back seat and pulled Mr. [redacted] into the NTV while SSG [redacted] pushed from the other side. SSG [redacted] stated at one point during the struggle to get Mr. [redacted] into the NTV SSG [redacted] kicked

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Mr. [redacted] twice in the abdomen in an attempt to get him into the NTV. SSG [redacted] stated Mr. [redacted] did not cause any other trouble during the mission.

CRIME SCENE EXAMINATION: About 1315, 11 Jan 04, SA [redacted] and SA [redacted] conducted a crime scene examination of the ODA 525 detainee interrogation area, located within the ODA Compound, Rifles Base, Iraq, MGRS 38S KC 62928 43339.

Characteristics of the Scene: The ODA interrogation room was located within a bunker on the compound. The bunker was comprised of one main room with two attached smaller rooms. The main room was utilized for interrogating detainees. There was ductwork from the ventilation system that ran along the ceiling of the room.

Condition of the Scene: The bunker was neat and well organized. The main room was furnished with one table and four plastic chairs. All of the furniture was standing upright. There were no signs of damage to any of the walls or furniture.

Factors pertinent to Entry/Exit: The main access point to the bunker was via a staircase that led from an open outside entryway. A metal blast door located at the bottom of the staircase provided access to the main room of the bunker. The secondary access point was an escape hatch that could be accessed from a latter that ran up from the center of the bunker.

Scene Documentation: SA [redacted] exposed digital photographs of the bunker utilizing a Nikon Coolpix 995 Digital Card Camera. SA [redacted] prepared a sketch of the bunker. (See CD 040009.679 and sketch for details)

Collection of Evidence: Nothing of evidentiary value was discovered during the crime scene examination.

About 1300, 11 Jan 04, SA [redacted] Forensic Science Officer and SA [redacted] 10<sup>th</sup> Military Police Battalion, Baghdad International Airport (BIAP), APO AE 09335, attended the autopsy of Mr [redacted] conducted by CDR (Dr) [redacted] Chief Deputy Medical Examiner, Office of the Armed Forces Medical Examiner, Rockville, MD 20850 while at Mortuary Affairs, Baghdad, Iraq. Mr [redacted] had numerous blunt force injuries on his body. Most of Mr [redacted] were fractured and some had multiple fractures. Mr [redacted] Thyroid cartilage and Hyoid bone were both fractured. The manner of death was determined to be homicide and the cause of death was determined to be a combination of blunt force injuries and asphyxia. CDR [redacted] provided Preliminary Autopsy Report ME 04-14 and CD Rom with the photographs taken of the injuries. (See Preliminary Autopsy Report and CD Rom for details)

b7c2  
b7c4

Around 1800, 11 Jan 04, SA [redacted] received via email a copy of the preliminary autopsy report pertaining to Mr [redacted] Dr. [redacted] D, CDR, MC, USN, DMO/FS, Chief Deputy Medical Examiner, Armed Forces Institute of Pathology performed the autopsy. Dr [redacted] provided the Cause of Death as Blunt Force Injuries and Asphyxia and the Manner of Death as Homicide. (See preliminary autopsy report for details)

Around 1025, 12 Jan 04, SA [redacted] advised SFC [redacted] of his legal rights which he waived and provided a verbal statement in which he maintained his original statement was true and correct.

Around 1248, 12 Jan 04, SA [redacted] advised SFC [redacted] of his legal rights which he waived and provided a verbal statement in which he maintained his original statement was true and correct.

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b7c5

Around 1348, 12 Jan 04, SA [redacted] advised SSG [redacted] of his legal rights which he waived and provided a verbal statement in which he maintained his original statement was true and correct.

b7c1

Around 1435, 13 Jan 04, SA [redacted] interviewed Mr. [redacted] (Titan Corporation Category 2 interpreter) assigned to ODA 525, who stated the only time he had contact with Mr. [redacted] was during an interrogation which occurred around 1020, 7 or 8 Jan 04. Mr. [redacted] stated the interrogation was conducted by SFC [redacted] with him as the interpreter and took place at the detention facility on Rifles Base, Al Asad, Iraq. Mr. [redacted] stated the interrogation lasted approximately forty-five minutes. He stated at no time during the interrogation was Mr. [redacted] beaten or struck. He stated during the interrogation he noticed Mr. [redacted] left leg shaking while he was being interrogated. He also stated Mr. [redacted] seemed to be limping when he was escorted back to his isolation cell. Mr. [redacted] stated he had been with ODA 525 since the early part of October 2003, and had never witnessed them beat or mistreat a prisoner/detainee.

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Around 2030, 13 Jan 04, SA [redacted] coordinated with Dr. [redacted]. Dr. [redacted] was asked if Mr. [redacted] would have been able to hide the extent of his injuries for two or three days. Dr. [redacted] stated it was possible but unlikely, he stated there should have been some outward signs of injury, such as labored breathing. Dr. [redacted] stated several of the rib fractures had little bleeding, similar to that of post mortem breaks. He stated Mr. [redacted] died most likely of a combination of his injuries as well as being gagged and forced to stand.

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Around 1330, 14 Jan 04, SA [redacted] coordinated with SGT [redacted] who provided a copy of the SOP governing the responsibilities and Do's and Don'ts of the guard force located at the detention facility. (See SOP for details)

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b7c2

Around 1545, 14 Jan 04, SA [redacted] coordinated with CPT [redacted] who stated probable cause existed to believe SPC [redacted] assaulted Mr. [redacted] during Mr. [redacted] capture.

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b7c4

Around 1230, 1 Feb 04, SA [redacted] coordinated with MAJ [redacted] SJA, 1/5<sup>th</sup> SF Group, Ft Campbell, KY, (BIAP, Iraq) who stated he would provide an opine upon the review of the final autopsy report. MAJ [redacted] provided a copy of the Commanders Inquiry conducted by CPT [redacted] Adjutant, 1/5<sup>th</sup> SF Group, Ft Campbell, KY, (BIAP, Iraq). (See Report for details)

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Around 1600, 18 Feb 04, SA [redacted] verified the height of the door frame from which Mr. [redacted] was hung from to be six feet 9 inches.

b7c1

Around 1050, 5 May 04, SA [redacted] coordinated with MAJ [redacted] who stated he was going to speak with Dr. [redacted] for a more specific account of the injuries of Mr. [redacted], since the final autopsy report was unavailable. MAJ [redacted] stated he would back brief this agent after he spoke with Dr. [redacted]

b7c1

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b7c4

Around 0900, 12 May 04, SA [redacted] received an email from MAJ [redacted] which provided a general back ground as to his conversation with Dr. [redacted]. MAJ [redacted] stated Dr. [redacted] had completed his final report and it just needed a final review from his supervisor before it was released. (See email dated 12 May 2004, 0209, for details)

b7c1

87<sup>th</sup> MILITARY POLICE DETACHMENT (CID)(Airborne)  
U. S. ARMY CRIMINAL INVESTIGATION COMMAND  
8-1221 RANDOLPH STREET  
FORT BRAGG, NORTH CAROLINA 28310-5000

REPLY TO  
ATTENTION OF

CIRC-ABB

23 Jun 04

MEMORANDUM THRU

Commander, 10<sup>th</sup> Military Police Battalion, 8-1221 Randolph Street, Fort Bragg, NC 28304.

Commander, 3d Military Police Group (MP Grp), USACIDC, 4699 N 1<sup>st</sup> Street Forest Park, GA  
30297-5119

FOR Commander, USACIDC, (CISP-PE-AC) 6010 6<sup>th</sup> Street, Fort Belvoir, VA 22060-5506

SUBJECT: 5<sup>th</sup> Update of Category I Monitorship ROI 0009-04-CID679-83846

1. References:

a. CIDR 195-1, CID Operations, Paragraph 4-6.

2. In accordance with above cited references, the following initial update is provided.

a. Subjects identified to date:

[REDACTED] SFC; [REDACTED] M;  
WHITE; ODA 525, B COMPANY, 1<sup>ST</sup> BATTALION, 5<sup>TH</sup> SPECIAL FORCES GROUP, FORT  
CAMPBELL, KY (FOB RIFLES BASE, IRAQ; SP. [MURDER]

[REDACTED]; SPC; [REDACTED] M;  
WHITE; ADA BATTERY, 1/3 ARMORED CAVALRY REGIMENT, FORT CARSON, CO  
(FOB RIFLES BASE, IRAQ); CT. [ASSAULT]

*b7cs*

[REDACTED] SFC; [REDACTED] A, CA;  
M; WHITE; ODA 525, B COMPANY, 1<sup>ST</sup> BATTALION, 5<sup>TH</sup> SPECIAL FORCES GROUP,  
FORT CAMPBELL, KY (FOB RIFLES BASE, IRAQ; SP. [MURDER]

[REDACTED] SG; [REDACTED] A; M;  
WHITE; ODA 525, B COMPANY, 1<sup>ST</sup> BATTALION, 5<sup>TH</sup> SPECIAL FORCES GROUP, FORT  
CAMPBELL, KY (FOB RIFLES BASE, IRAQ; SP. [MURDER]

b. Investigative activity conducted during this reporting period, 23 Jun 04 to 28 Jun 04:

1. No change

025526

c. Investigative activities to be conducted and/or considered:

1. Pending polygraph of SPC [REDACTED]
2. Pending interview of CPT [REDACTED]
3. Pending completion of RFA to interview SSG [REDACTED] (Iowa NG)

b7c5

d. Problem areas:

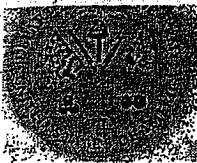
1. Prosecution of this investigation. Need independent prosecutor. (discussed with CW5 [REDACTED])

b7c5

3. POC is CW2 [REDACTED] or WO1 [REDACTED], commercial (910) [REDACTED]  
or email [REDACTED]@bragg.army.mil or [REDACTED]@bragg.army.mil.

[REDACTED]  
CW2, MP  
Special Agent

b7c1



DEPARTMENT OF THE ARMY  
 87<sup>th</sup> MILITARY POLICE DETACHMENT (CID)(Airborne)  
 U. S. ARMY CRIMINAL INVESTIGATION COMMAND  
 8-1221 RANDOLPH STREET  
 FORT BRAGG, NORTH CAROLINA 28310-5000

REPLY TO  
 ATTENTION OF

CIRC-ABB

6 Jul 2004

MEMORANDUM THRU

Commander, 10<sup>th</sup> Military Police Battalion, 8-1221 Randolph Street, Fort Bragg, NC 28310.

Commander, 3d Military Police Group (MP Grp), USACIDC, 4699 N 1<sup>st</sup> Street Forest Park, GA 30297-5119

FOR Commander, USACIDC, (CISP-PE-AC) 6010 6<sup>th</sup> Street, Fort Belvoir, VA 22060-5506

SUBJECT: 6<sup>th</sup> Update of Category I Monitorship ROI 0009-04-CID679-83846

1. References:

a. CIDR 195-1, CID Operations, Paragraph 4-6.

2. In accordance with above cited references, the following initial update is provided.

a. Subjects identified to date:

[REDACTED]; SFC; [REDACTED]; M;  
 WHITE; ODA 525, B COMPANY, 1<sup>ST</sup> BATTALION, 5<sup>TH</sup> SPECIAL FORCES GROUP, FORT  
 CAMPBELL, KY (FOB RIFLES BASE, IRAQ; SP. [MURDER]

[REDACTED]; SPC; [REDACTED]; M;  
 WHITE; ADA BATTERY, 1/3 ARMORED CAVALRY REGIMENT, FORT CARSON, CO  
 (FOB RIFLES BASE, IRAQ); CT. [ASSAULT]

[REDACTED]; SFC; [REDACTED]  
 M; WHITE; ODA 525, B COMPANY, 1<sup>ST</sup> BATTALION, 5<sup>TH</sup> SPECIAL FORCES GROUP,  
 FORT CAMPBELL, KY (FOB RIFLES BASE, IRAQ; SP. [MURDER]

[REDACTED]; SSG; [REDACTED]  
 WHITE; ODA 525, B COMPANY, 1<sup>ST</sup> BATTALION, 5<sup>TH</sup> SPECIAL FORCES GROUP, FORT  
 CAMPBELL, KY (FOB RIFLES BASE, IRAQ; SP. [MURDER]

b. Investigative activity conducted during this reporting period, 29 Jun 04 to 6 Jul 04:

025528

SUBJECT: 6<sup>TH</sup> Update of Category I Monitorship ROI 0009-04-CID679-83846

1. Technical Interview of SPC [REDACTED] was conducted wherein it was determined his polygrams were inconclusive in detecting or negating the possibility of deception. SPC [REDACTED] stated PFC [REDACTED] utilized a nightstick to stand Mr. [REDACTED] up however, he did not believe PFC [REDACTED] used it to choke Mr. [REDACTED].

c. Investigative activities to be conducted and/or considered:

1. Pending interview of CPT [REDACTED]
2. Pending completion of RFA to interview SSG [REDACTED] (Iowa NG)

d. Problem areas:

1. Prosecution of this investigation. Need independent prosecutor. (Discussed with CW5 [REDACTED])

3. POC is CW2 [REDACTED] or WO1 [REDACTED] Commercial (910) [REDACTED] or email [REDACTED]@bragg.army.mil or [REDACTED]@bragg.army.mil.

//////SIGNED/////

[REDACTED]  
CW2, MP  
Special Agent



DEPARTMENT OF THE ARMY  
87<sup>th</sup> MILITARY POLICE DETACHMENT (CID)(Airborne)  
U. S. ARMY CRIMINAL INVESTIGATION COMMAND  
8-1221 RANDOLPH STREET  
FORT BRAGG, NORTH CAROLINA 28310-5000

REPLY TO  
ATTENTION OF

CIRC-ABB

12 Jul 2004

MEMORANDUM THRU

Commander, 10<sup>th</sup> Military Police Battalion, 8-1221 Randolph Street, Fort Bragg, NC 28310.

Commander, 3d Military Police Group (MP Grp), USACIDC, 4699 N 1<sup>st</sup> Street Forest Park, GA  
30297-5119

FOR Commander, USACIDC, (CISP-PE-AC) 6010 6<sup>th</sup> Street, Fort Belvoir, VA 22060-5506

SUBJECT: 7<sup>th</sup> Update of Category I Monitorship ROI 0009-04-CID679-83846

1. References:

a. CIDR 195-1, CID Operations, Paragraph 4-6.

2. In accordance with above cited references, the following initial update is provided.

a. Subjects identified to date:

[REDACTED] SFC; [REDACTED] M;  
WHITE; ODA 525, B COMPANY, 1<sup>ST</sup> BATTALION, 5<sup>TH</sup> SPECIAL FORCES GROUP, FORT  
CAMPBELL, KY (FOB RIFLES BASE, IRAQ; SP. [MURDER]

[REDACTED] SPC; [REDACTED] M;  
WHITE; ADA BATTERY, 1/3 ARMORED CAVALRY REGIMENT, FORT CARSON, CO  
(FOB RIFLES BASE, IRAQ); CT. [ASSAULT]

[REDACTED] SFC; [REDACTED]  
M; WHITE; ODA 525, B COMPANY, 1<sup>ST</sup> BATTALION, 5<sup>TH</sup> SPECIAL FORCES GROUP,  
FORT CAMPBELL, KY (FOB RIFLES BASE, IRAQ; SP. [MURDER]

[REDACTED] SSG; [REDACTED] M;  
WHITE; ODA 525, B COMPANY, 1<sup>ST</sup> BATTALION, 5<sup>TH</sup> SPECIAL FORCES GROUP, FORT  
CAMPBELL, KY (FOB RIFLES BASE, IRAQ; SP. [MURDER]

b. Investigative activity conducted during this reporting period, 7 Jul 04 to 12 Jul 04:

025530

SUBJECT: 7<sup>TH</sup> Update of Category I Monitorship ROI 0009-04-CID679-83846

b7c5

1. Coordination with Rock Island Resident Agency who stated the interview of SSG [redacted] was completed and hardcopy was forwarded to this office. Further SSG [redacted] corroborated SPC [redacted] statement that SPC [redacted] stood behind Mr. [redacted] and used the nightstick, under his chin, to leverage [redacted] to his feet.

c. Investigative activities to be conducted and/or considered:

b7c5

b7c4

1. Pending interview of CPT [redacted] (PA), to determine if he treated [redacted] for injuries prior o the date of his death.

b7c2

2. SPC [redacted] has declined to undergo a technical interview.

b7c5

3. Coordination with SJA to change the offenses from murder to aggravated assault against [redacted]. Further coordinate with SJA for probable cause to list [redacted] for appropriate offense (neg homicide vs. involuntary manslaughter) as it is apparent his actions with the night stick were the most direct cause of [redacted] death.

d. Problem areas:

b7c4

1. We have to brief and coordinate with several prosecutors, as there are multiple subjects. They need coordinated efforts.

3. POC is CW2 [redacted] or WO1 [redacted] commercial (910) [redacted] or email [redacted]@bragg.army.mil or [redacted]@bragg.army.mil.

////////SIGNED////////

[redacted signature]

CW2, MP  
Special Agent

b7c1



DEPARTMENT OF THE ARMY  
 US ARMY CRIMINAL INVESTIGATION COMMAND  
 FORT MCCOY CID OFFICE  
 1753 SOUTH 11TH STREET  
 FORT MCCOY, WISCONSIN 54656

CIRC-CRI

6 Jul 04

MEMORANDUM FOR Special Agent in Charge, 87<sup>th</sup> Military Police Detachment (CID) (Airborne), USACIDC, 8-1221 Randolph Street, Fort Bragg, NC 28130-5000

SUBJECT: Second Information Report (0066-04-CID065)

1. Reference your Request for Assistance (RFA) 0009-04-CID679-83486, received by this office on 15 Jun 04.
2. All anticipated investigative activity has been completed by this office and is annotated in the below listed attachments.
3. The following man-hours were expended:
  - a. Administrative Hours: 2
  - b. Investigative Hours: 2.5
  - c. Travel Hours: 10
4. .0015 Contingency Funds expended: None.
5. Privacy Act disclosures: None.
6. POC this office is the undersigned at DSN: 280- [REDACTED] COM: (608) [REDACTED] or E-MAIL: [REDACTED]@emh2.mccoys.army.mil.

5 Encls

1-AIR of SA [REDACTED] 30 Jun 04

1-DA Form 3881 of SSG [REDACTED] 29 Jun 04

1-Handwritten DA Form 2823 of SSG [REDACTED] 29 Jun 04

1-Typed DA Form 2823 of SSG [REDACTED] 29 Jun 04

1- CID Form 44 of SSG [REDACTED]

[REDACTED]  
 CW2, MP  
 Special Agent in Charge

*b7c1* [REDACTED] *b7c1*  
 [REDACTED] *b7c5*

For Official Use Only - Law Enforcement Sensitive

025532

[REDACTED]  
From: [REDACTED] SA CID [REDACTED]@us.army.mil  
Sent: Tuesday, July 20, 2004 11:56 AM  
To: [REDACTED]@bragg.army.mil  
Subject: IDY

[REDACTED], I am flying into C/Springs on Monday, 26 Jul arriving 1030. I will probably get to the CID office around noon or so and then we can sit down and talk about this case. I am staying at the [REDACTED] Tel (719) [REDACTED]. Their Govt rate is \$79.00 and they have continental breakfast, etc. If you want to stay there fine, if not, see you at the office. I sent the request in on [REDACTED], now awaiting approval and will keep you posted. [REDACTED]

*all b7c1*

[Redacted]

b7c2

From: [Redacted]@us.army.mil  
Sent: Tuesday, July 20, 2004 2:39 AM  
To: [Redacted]  
Subject: Re: RE: RFI

SA [Redacted] b7c1

Thanks for the reply. My siprnet address is: [Redacted]@[Redacted]iraq.soccent.smil.mil (there is an underscore between [Redacted])

RE 525--bottom line, based on my conversation with Dr. [Redacted] and review of the various reports and witness interviews and various pictures i've looked in the reports [Redacted]

[Redacted]

b-5-2

If there is new information, I'm of course always willing to consider it--so keep me apprised of how the interviews go at Carson, and let me know when the VTC or teleconference will be.

Let me know if you have any questions, and I'll try to locate the memo SGT [Redacted] mentioned. V/r

[Redacted] b7c2

b7c2

MAJ, JA  
Group Judge Advocate

This message is from the 5th Special Forces Group Judge Advocate and is intended only for the addressee. The information contained in this message is confidential, may be attorney-client privileged, and is intended only for the use of the addressee. Unauthorized forwarding, printing, copying, distributing, or using such information is strictly prohibited and may be unlawful. If you are not the addressee, please promptly delete this message and notify the sender of the delivery error by return e-mail or call my office at (270) [Redacted]

----- Original Message -----

b7c1

From: "[Redacted]@us.army.mil">

Date: Monday, July 19, 2004 10:40 pm

Subject: RE: RFI

> MAJ [Redacted] b7c2  
>  
>  
>

7/20/2004

025534

[REDACTED]

---

**From:** [REDACTED] CW3 [REDACTED]@us.army.mil]  
**Sent:** Tuesday, July 13, 2004 1:50 PM  
**To:** [REDACTED]@bragg.army.mil  
**Subject:** FW: POLYGRAPH EXAMINATION OF [REDACTED] 04-679-83486

-----Original Message-----

**From:** Office Mailbox - MAILCICP [REDACTED]@belvoir.army.mil]  
**Sent:** Tuesday, July 13, 2004 7:46 AM  
**To:** [REDACTED] (E-mail)  
**Subject:** POLYGRAPH EXAMINATION OF [REDACTED] 04-679-83486

Further analysis of the above described polygraph examination has been accomplished and the examination now meets the standards of this Command. The report and allied documentation are within the standards of this Command and may be released for enclosure in the Report of Investigation as appropriate.

//FOR THE DIRECTOR//

[REDACTED] POLY DIV, CRC, [REDACTED]

*all b7c*

7/20/2004

025535

From: [redacted] CW3 [redacted]@us.army.mil  
Sent: Saturday, June 19, 2004 9:57 AM  
To: [redacted]@bragg.army.mil  
Subject: Cat 1 case

b7c1

This is not an info report, just an informal email letting you know what I did so you can update your file.

About 0955, 16 Jun 04, SA [redacted] Polygraph Examiner, Fort Leonard Wood Resident Agency, FLW, MO, advised [redacted] of his rights, which he waived, and continued to deny seeing [redacted] or anyone choke [redacted]

b7c1

About 1445, 16 Jun 04, SA [redacted] advised [redacted] of his rights, which he waived, and continued to deny choking [redacted] at any time.

b7c1

b7c4

\*\*\*FOR YOUR NOTES\*\*\* [redacted] was No Opinion after Series I. During post-test interview he continued to deny seeing [redacted] or anyone choke [redacted] [redacted] became irate and upset, and ultimately terminated the interview when he declined to answer any further questions.

b7c5

b7c4

b7c5

b7c5

[redacted] declined testing, but accepted the opportunity to answer questions. [redacted] continued to deny involvement. He related he was going to seek legal counsel.

I spoke with [redacted] yesterday and he will scramble someone to Carson this coming week to test [redacted] and [redacted]

b7c1

b7c5

Once I receive my QC message from CRC I will email you the reports. I am putting the original rights waiver forms along with polygraph requests and authorization messages for [redacted] and [redacted]

b7c5

SA [redacted] MBA  
Special Agent Polygraph Examiner

b7c1

025536

[Redacted] SA *b7c1*

From: [Redacted] MCCOY CID [Redacted]@emh2.mccoy.army.mil]  
Sent: Friday, June 18, 2004 12:57 PM  
To: [Redacted]@bragg.army.mil  
Subject: RFA for 0009-04-CID679-83486

Sir,

*b7c1*

I received your RFA for the interview of SSG [Redacted]. Our case number is 0066-04-CID065. Do you need major case print on SSG [Redacted] or are we going to determine that by his Statement? Let me know. I am going to try to get a hold of SSG [Redacted] today and attempt to interview him on Monday or Tuesday at the latest.

V/R

[Redacted]  
Special Agent  
Fort McCoy CID Office  
(608) [Redacted]  
DSN:280-[Redacted]  
Fax: XXX-[Redacted]

*b7c1*

7/18/2004

025537

00 149



SA

From: [REDACTED] CW5  
Sent: Wednesday, June 16, 2004 8:54 AM  
To: [REDACTED] (SA); [REDACTED] (SA); [REDACTED] (SA); [REDACTED] CW2  
Subject: Iraq case 0009

All, this was the memo of the review I conducted on the LTC case. However, I have pages of notes in a document on a disc which I haven't been able to find. I'm still searching.

[REDACTED] I need to update this memo, in a similar way like we do a status report. So I need to know what you have done over the last two weeks, specifically interviews conducted, coordination with AFIP and pathologist. Have to cover the issue of having to deal with 2 SJAs (SF and 3ID). I know [REDACTED] has to do a SIPPER message on Wed.

all b7c1

6/16/2004

ACLU-RDI 2285 p.381

025538

00 150

DOD-051039

[REDACTED] SA

From: [REDACTED] CW5

Sent: Wednesday, June 16, 2004 8:55 AM

To: [REDACTED] (A [REDACTED] (SA) [REDACTED] (SA) [REDACTED] (SA) [REDACTED] CW2)

Subject: Iraq case review 0009

[REDACTED] These are part of the notes from my review of the LTC death case. The balance are on a disc which I can't find just now. Regardless, I've got some issues and questions you will need to resolve and include in your IP. We need to discuss this more. [REDACTED]

*all b7c*

6/16/2004

025539

CW3

From: [REDACTED] (PKI) [REDACTED]@us.army.mil]  
Sent: Tuesday, June 15, 2004 10:25 AM  
To: [REDACTED] (CW3 [REDACTED] E-mail)  
Subject: FW: POLYGRAPH AUTHORIZATION FOR [REDACTED] 04-1067

b7c1

-----Original Message-----

From: Office Mailbox [REDACTED]@belvoir.army.mil]  
Sent: Tuesday, June 15, 2004 3:59 AM  
To: [REDACTED] (E-mail)  
Subject: POLYGRAPH AUTHORIZATION FOR [REDACTED] 04-1067

b7c8

UNCLAS  
SUBJECT: POLYGRAPH AUTHORIZATION 04-1067

REF YOUR MSG 14 JUN 04, SUBJ AS ABOVE, THE EXAM OF [REDACTED] AS AUTHORIZED, THIS DATE 14 JUN 04. NO RECORD OF PRIOR CRIMINALITY CONTAINED ON FILE AT CRC.

//SIGNED//

[REDACTED]  
DIRECTOR, CRC

b7c1

025540

6/19/2004

From 87th-CID <[REDACTED]@D82.army.smil.mil>

Sent Saturday, January 10, 2004 10:51 am

0009-04-CID679-83846

To [REDACTED]@us.army.smil.mil [REDACTED]@us.army.smil.mil>

Subject RE: RE:

Attachments

b7c

291K

580K

I could not locate the FM.

0009-04-CID679-83846

Ref MI Reg, AR 190-8, para 2-1a(1)(d) states, "The use of physical or mental torture or any coercion to compel prisoners to provide information is prohibited." It further states, "prisoner may not be threatened, insulted, or exposed to unpleasant or disparate treatment of any kind because of their refusal to answer questions."

Also, FM 34-52 (Interview of Interrogations) specifically prohibits use of force during interrogations.

Ref to the MG Death case - Ask those MI guys who authorized them to do those "Stress Technique"...

Reg MP Reg, AR 190-47 (Army Corrections), para 12-10e, prohibits the use of irons, restraining straps and jackets shackles, hand irons, or legs irons as punishments and prohibits fastening prisoners to stationary objects. Securing a prisoner to a fixed object is also prohibited under AR 190-47, para 9-7e, except in emergencies. AR 190-8, para 6-11a(4) prohibits, "inhumane, brutal or dangerous" disciplinary punishment and specifies the "age, sex and health of the civilian internee will be considered."

-----Original Message-----

From: [REDACTED]@us.army.smil.mil [REDACTED]  
Sent: Saturday, January 10, 2004 9:41 AM  
To: 87th-CID  
Subject: Re: RE:

b7c

Got it. I thought you were going to send the MI regs. We really need them. Please copy CPT [REDACTED] on the email when you send them. Tell [REDACTED] the remains are going to BIAP today. They should arrive about 1400.

b7c2

----- Original Message -----

From: 87th-CID [REDACTED]@D82.army.smil.mil>  
Date: Friday, January 9, 2004 7:52 pm  
Subject: RE:

b7c

> LET [REDACTED] know that I SENT his 3rd statUS report. Attached is a  
> CoPy.  
>

025541

1/12/2004

00-153

DEPARTMENT OF THE ARMY  
87<sup>th</sup> MILITARY POLICE DETACHMENT (CID)(Airborne)  
U. S. ARMY CRIMINAL INVESTIGATION COMMAND  
8-1221 RANDOLPH STREET  
FORT BRAGG, NORTH CAROLINA 28310-5000

REPLY TO  
ATTENTION OF

30A-782-8419

MEMORANDUM FOR Special Agent in Charge, Rock Island Resident Agency, 3<sup>rd</sup> Military Police Group (CID), Rock Island, IL.

SUBJECT: Request for Assistance (0009-04-CID679-83486)

1. This investigation was initiated upon notification from the 94<sup>th</sup> Military Police Co, FOB Rifles Base, Al Asad, Iraq, of a detainee death at the Forward Operating Base (FOB) Rifles Base Detention Facility.

2. Preliminary investigation revealed MR. [REDACTED] was detained on 4 JAN 04, and brought to the Rifles Base detention facility, Al Asad, Iraq. On 6 Jan 04, Mr. [REDACTED] was interrogated by members of Special Forces unit ODA 525, and again on 8 Jan 04. Around 0215, 9 Jan 04, Mr. [REDACTED] attempted to escape the detention facility but was apprehended before exiting the facility by SPC [REDACTED] AVIM Troop, Support Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, Fort Carson, CO. Around 0715, 9 Jan 04, Mr. [REDACTED] died. On shift with SPC [REDACTED] during the time of the escape attempt was SSG [REDACTED] 2133 Transportation Co, Iowa Army National Guard, IO, SPC [REDACTED] S and T Troop, Support Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, Fort Carson, CO, SPC [REDACTED] AVIM Troop, Support Sqd, 3 ACR, Fort Carson, CO, and PFC [REDACTED] S and T Troop, Support Squadron, 3<sup>rd</sup> Armored Cavalry Regiment, Fort Carson, CO.

On 8 Jun 04, SPC [REDACTED] was interviewed and provided a sworn statement in which he stated PFC [REDACTED] choked Mr. [REDACTED] with a police style baton for approximately ten to fifteen seconds and then said to Mr. [REDACTED] "What the fuck were you thinking" and slapped him across the face.

On 8 Jun 04, PFC [REDACTED] was interviewed and denied he choked or slapped Mr. [REDACTED]. On 9 Jun 04, SPC [REDACTED] and SPC [REDACTED] were interviewed and denied any knowledge of PFC [REDACTED] choking or slapping Mr. [REDACTED].

2. According to the autopsy report Mr. [REDACTED] died of blunt force trauma and asphyxia. The asphyxia was contributed to a broken hyoid bone, which was determined to have been broken close to death.

b7c4

b7c5

b7c5

b7c5

b7c4

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3. Request your office locate SSG [redacted] advise him of his legal rights (negligent homicide) and determine if he has knowledge of this incident or any other pertaining to Mr. [redacted] to include if he witnessed any injuries on Mr. [redacted] prior to his death.

b7c5 b7c4

4. Provide this office with any man-hours and .0015 funds expended.

5. The POC for this action is SA [redacted] DSN 236-[redacted] or CID Mail at, [redacted] bragg.army.mil Fax Com. (910) [redacted]

b7c1

[redacted]

b7c1

WO1, MP  
Special Agent

Enclosures:

- 1 - Statement of SPC [redacted] b7c5
- 2 - Initial Report

From: [redacted]  
Sent: Tuesday, May 25, 2004 1:11 AM  
To: [redacted]  
Subject: name checks

b7c1

I need the following name checks for an Iraqi case.

ROI 0009-04-CID679-83846

b7c5

Thanks

b7c1

From: SA [redacted]  
Sent: Tuesday, May 25, 2004 1:07 AM  
To: MAJ (5SFG)  
Subject: mailed report

Contacts: [redacted], MAJ (5SFG)

Sir,

I was just checking to see if you received the report. I have the final autopsy report now, our command will review it for any leads missed or other investigative activity needed. If you have any questions just give me a call.

SA [redacted]

b7c1

b7c2

b7c1



SA b7c1

0009-04-CID679-83846

From: [REDACTED] SA  
Sent: Tuesday, May 18, 2004 9:20 PM  
To: [REDACTED] MAJ (5SFG)  
Subject: arrival of connex  
Contacts: [REDACTED] MAJ (5SFG)

b7c2

Sir,

The connex arrived today with the case file in it. Send me your mailing address and I will get a copy out to you ASAP.

b7c1

SA b7c1

From: [redacted] CW2  
Sent: Monday, May 17, 2004 4:28 PM  
To: [redacted] SA  
Subject: FW: US troops tortured Iraqi prisoner to death: report (1324 EDT) (U)  
Importance: High

0009-04-CID679-83846

-----Original Message-----

From: [redacted] CW5  
Sent: Saturday, May 15, 2004 8:43 PM  
To: [redacted]  
Cc: [redacted] CW2  
Subject: RE: US troops tortured Iraqi prisoner to death: report (1324 EDT) (U)  
Importance: High

[redacted] just got this, I'll have [redacted] give me what ever he has on this and I'll review on Monday. I think this case file is in the conex, due to arrive on 20th or so.

-----Original Message-----

From: [redacted]  
To: [redacted]  
Sent: 5/15/2004 10:05 AM  
Subject: FW: US troops tortured Iraqi prisoner to death: report (1324 EDT) (U)

If the case is final, please have someone send up a copy to us here. Otherwise, please verify that it is timely and thorough and that the action commander has a copy of whatever he needs to begin taking action.

-----Original Message-----

From: [redacted] CID [mailto:[redacted]@us.army.mil]  
Sent: Friday, May 14, 2004 9:55 PM  
To: [redacted]  
Cc: [redacted] CW5  
Subject: RE: US troops tortured Iraqi prisoner to death: report (1324 EDT) (U)

Mr. [redacted]

Case is with 87th (BRAGG), [redacted]

-----Original Message-----

From: [redacted]  
To: [redacted] COL  
Cc: [redacted] Mr.; [redacted] COL CIDG G3; [redacted] CW5; [redacted] CW3; [redacted] CID'; [redacted]

Sent: 5/14/04 12:22 PM  
Subject: RE: US troops tortured Iraqi prisoner to death: report (1324 EDT) (U)

Yes, this is case 0009-04-CID679. Case is still open; however, we

025547

00 159

currently have three enlisted Special Forces Soldiers titled for Voluntary Manslaughter and one ADA Soldier titled for Assault in the case. Autopsy was conducted on 11 Jan 04 by AFIP, who advised cause of death was blunt force trauma and asphyxia, with manner of death listed as homicide. I'll give [REDACTED] a call (I've worked with him before).

[REDACTED] - may want to review the referenced case verify it is moving along in a timely manner and that the action commanders know that they need not wait for the final. If there are photos in Germany, you may want to sent 202d an RFA to see if they can get a copy.

-----Original Message-----

From: [REDACTED] COL  
Sent: Friday, May 14, 2004 5:33 PM  
To: [REDACTED]  
Cc: [REDACTED] Mr.; [REDACTED] COL CIDC G3.  
Subject: FW: US troops tortured Iraqi prisoner to death: report (1324 EDT) (U)  
Importance: High

[REDACTED] would like a call back this evening whether the below allegation fits one of our cases; if not, then treat information as deemed operationally necessary. I think we'll be getting lots more of this kind of stuff from Ms [REDACTED] office. Info [REDACTED] and me on response.

Thanks,

-----Original Message-----

From: [REDACTED] COL PMG  
Sent: Friday, May 14, 2004 5:22 PM  
To: [REDACTED]@us.army.mil  
Subject: FW: US troops tortured Iraqi prisoner to death: report (1324 EDT) (U)  
Importance: High

From: [REDACTED] Mr OSD-USDI  
Sent: Friday, May 14, 2004 5:21:41 PM  
To: [REDACTED] COL PMG  
Subject: FW: US troops tortured Iraqi prisoner to death: report (1324 EDT) (U)  
Importance: High  
Auto forwarded by a Rule

UNCLASSIFIED

Well, hope this is you. Would appreciate anything you can let me know as to whether this was in the package you left with us.

Thanks.

-----Original Message-----

2 all this b7c/ 025548

# Page(s)

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English Translation:

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## Withheld due to:

Foreign Language

Photos depicting Americans

Photos depicting foreign nationals

Civilian Agency Records

Audio/Video depicting foreign  
nationals and Americans

025549

# Page(s)

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## Referred to:

U.S. ARMY MEDICAL COMMAND  
FREEDOM OF INFORMATION/  
PRIVACY ACT OFFICE  
ATTENTION: MCFP  
2050 WORTH ROAD, SUITE 13  
FORT SAM HOUSTON, TEXAS  
78234-6013

MR. JOHN PETERSON  
John.Peterson1@cen.amedd.army.mil  
(210) 221-7826

# Page(s)

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## Referred to:

Inspector General

Department of Defense  
Freedom of Information Act &  
Privacy Act Office  
400 Army Navy Drive

Room 223

Arlington, Virginia 22202-4704

Phone: (703)604-9775

E-mail: FOIA@dodig.osd.mil

02551

[REDACTED] SAC Fort Carson/48th MP Det(CID)

**From:** [REDACTED] MAJ Fort Carson/3ACR  
**Sent:** Wednesday, August 18, 2004 2:55 PM  
**To:** [REDACTED] SAC Fort Carson/48th MP Det(CID)  
**Subject:** RE: Report on [REDACTED] investigation

[REDACTED]  
I'd like to see him sometime Friday, if he's available. The commander is not available, so I'd like to get an update from him on the [REDACTED] behalf.

Anytime Friday is good except for the lunch hour.

Thanks

[REDACTED]  
Brave Rifles!

MAJ [REDACTED]  
Rifles 5  
W: [REDACTED]  
C: [REDACTED]

-----Original Message-----

**From:** [REDACTED] SAC Fort Carson/48th MP Det(CID)  
**Sent:** Wednesday, August 18, 2004 11:13 AM  
**To:** [REDACTED] MAJ Fort Carson/3ACR  
**Subject:** RE: Report on [REDACTED] investigation

[REDACTED]  
Just a heads up. Special Agent [REDACTED] from the Fort Bragg CID office is currently here conducting additional investigative activity for the investigation dealing with the death of the Iraqi LTC. He should be here a couple of days if you would like to meet with him and possibly get copies of any necessary reports. I know he is briefing the low level company commander's of the soldiers involved in the case. Just let me know and I will get with [REDACTED] and have him call you.

[REDACTED]  
CW3, MP  
Special Agent in Charge  
719-[REDACTED] DSN [REDACTED]

-----Original Message-----

**From:** [REDACTED] MAJ Fort Carson/3ACR  
**Sent:** Friday, August 13, 2004 1:46 PM  
**To:** [REDACTED] SAC Fort Carson/48th MP Det(CID)  
**Subject:** RE: Report on [REDACTED] Investigation

Thanks, [REDACTED] I think it's classified.....so you know.

*all b7c*

8/19/2004

025552

SA

From: [redacted] CPT Fort Carson/Spt 3ACR [redacted]@CARSON.ARMY.MILJ

Sent: Tuesday, June 29, 2004 2:53 PM

To: [redacted]@bragg.army.mil

b7c1

SA

I'm the new commander of S&T Troop, 3d ACR. I'm trying to get an update of SPC [redacted] and PFC [redacted] case. It's regarding EPW treatment at Al Asad, Iraq. If you could reply to this email or call me on my cell at 719 [redacted] or office at 719 [redacted]

b7c5

Thanks,

CPT [redacted]

CPT, TC  
S&T CDR  
6 [redacted]

b7c2

7/18/2004

025553

00 174



SA - b7c1

From: [redacted] CPT Fort Carson/OSJA [redacted]@us.army.mil  
Sent: Tuesday, August 24, 2004 2:41 PM  
To: [redacted] SA  
Subject: RE: [redacted] detainee death case

b7c2

b7c4

[redacted] I am ready to move forward on this. I will look it over.

-----Original Message-----

From: [redacted] SA [mailto:[redacted]@us.army.mil] >b7c1  
Sent: Tuesday, August 24, 2004 12:23 PM  
To: [redacted] CPT Fort Carson/OSJA - b7c2  
Subject: [redacted] detainee death case

b7c4

Sir here is a draft copy of my AIR containing all investigative activity to date.

I am going to Fort Eustis to interview SPC [redacted] first part of next week. I am also preparing this case for closure and final review from my command to determine any missed leads or interviews. During your review of case if you find anything else just let me know.

[redacted]

b7c1

b7c5

8/25/2004

025554

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## Referred to:

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

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



DEPARTMENT OF THE ARMY  
 87<sup>th</sup> MILITARY POLICE DETACHMENT (CID)(Airborne)  
 U. S. ARMY CRIMINAL INVESTIGATION COMMAND  
 8-1221 RANDOLPH STREET  
 FORT BRAGG, NORTH CAROLINA 28310-5000

REPLY TO  
 ATTENTION OF

CIRC-ABB

27 May 04

MEMORANDUM THRU

Commander, 10<sup>th</sup> Military Police Battalion, 8-1221 Randolph Street, Fort Bragg, NC 28304.

Commander, 3d Military Police Group (MP Grp), USACIDC, 4699 N 1<sup>st</sup> Street Forest Park, GA 30297-5119

FOR Commander, USACIDC, (CISP-PE-AC) 6010 6<sup>th</sup> Street, Fort Belvoir, VA 22060-5506

SUBJECT: Initial Update of Category I Monitorship ROI 0009-04-CID679-83846

1. References:

a. CIDR 195-1, CID Operations, Paragraph 4-6.

2. In accordance with above cited references, the following initial update is provided.

a. Subjects identified to date:

[REDACTED], SFC; [REDACTED], M; WHITE;  
 ODA 525, B COMPANY, 1<sup>ST</sup> BATTALION, 5<sup>TH</sup> SPECIAL FORCES GROUP, FORT CAMPBELL, KY  
 (FOB RIFLES BASE, IRAQ; SP. [MURDER])

[REDACTED], SPC; [REDACTED], WHITE;  
 ADA BATTERY, 1/3 ARMORED CAVALRY REGIMENT, FORT CARSON, CO (FOB RIFLES  
 BASE, IRAQ); CT. [ASSAULT]

[REDACTED], SFC; [REDACTED], M;  
 WHITE; ODA 525, B COMPANY, 1<sup>ST</sup> BATTALION, 5<sup>TH</sup> SPECIAL FORCES GROUP, FORT  
 CAMPBELL, KY (FOB RIFLES BASE, IRAQ; SP. [MURDER])

[REDACTED], SSG; [REDACTED], M; WHITE; ODA  
 525, B COMPANY, 1<sup>ST</sup> BATTALION, 5<sup>TH</sup> SPECIAL FORCES GROUP, FORT CAMPBELL, KY (FOB  
 RIFLES BASE, IRAQ; SP. [MURDER])

b. Investigative activity conducted during this reporting period, 9 Jan 04 to 26 May 04:

BASIS FOR INVESTIGATION: About 1010, 9 Jan 04, the 94<sup>th</sup> Military Police Co, FOB Rifles Base, Al Asad, Iraq, notified this office of a detainee death at the FOB Rifles Base Detention Facility.

*b7c5*

025556

00 252

[REDACTED] SA

**From:** [REDACTED] MAJ (5SFG) [REDACTED]@soc.mil  
**Sent:** Tuesday, May 25, 2004 1:28 AM  
**To:** [REDACTED]  
**Subject:** RE: mailed report

SA [REDACTED] negative on receiving the report, but thanks for mailing it (I'm just glad the report made it and is not water logged). Did you fed ex it or regular mail? I know we discussed previously the possibility of asking the 3rd ACR soldiers involved to take a poly--please let me know if you believe that request will be made. Thx-[REDACTED]

[REDACTED]  
MAJ, JA  
Group Judge Advocate

This message is from the 5th Special Forces (Airborne) Group Judge Advocate and is intended only for the addressee. The information contained in this message is confidential, may be attorney-client privileged, and is intended only for the use of the addressee. Unauthorized forwarding, printing, copying, distributing, or using such information is strictly prohibited and may be unlawful. If you are not the addressee, please promptly delete this message and notify the sender of the delivery error by return e-mail or call my office at (270) [REDACTED]

-----Original Message-----

**From:** [REDACTED] SA [mailto:[REDACTED]@us.army.mil]  
**Sent:** Monday, May 24, 2004 4:07 PM  
**To:** [REDACTED] MAJ (5SFG)  
**Subject:** mailed report

[REDACTED]  
I was just checking to see if you received the report. I have the final autopsy report now, our command will review it for any leads missed or other investigative activity needed. If you have any questions just give me a call.

SA [REDACTED]

*all b7c1  
b7c2*

025557

5/25/2004

00 253

From: [redacted]@D82.army.smil.mil  
Sent: Thursday, February 12, 2004 12:00 PM  
To: [redacted]  
Subject: RE: detainee death (UNCLASSIFIED)

I sent the email from the MAJ on to the [redacted] man. Tell these guys they have no choice about the print and ask them to come over again. If they blow us off again, tell their COC, who I am sure will be more than happy to help us out.

That was sarcasm.

If the COC does not help we will take it higher and let them fight it out. This whole thing is horse shit. CID has been "titling" people for years with less credible info and now all of a sudden everyone is wrapped up with getting an SJA opine to title. Maybe this will help CID change its titling process and keep the Subject info within CID channels until the end of the investigation. If the subject did not do it (unfounded) then it stays within CID and never makes it to CRC/NCIC.

-----Original Message-----

From: [redacted] [mailto:[redacted]@BACR.HQ.C5.ARMY.SMIL.MIL]  
Sent: Thursday, February 12, 2004 11:54 AM  
To: [redacted] (E-mail)  
Subject: FW: detainee death (UNCLASSIFIED)  
Importance: High

Something else on this. These guys were supposed to come over for prints and photos yesterday and blew us off. How hardass do you want us to play this? Someone in CID needs to tell these guys how it is. Let us know.

87TH MP DET (ABN) (CID)  
FOB RIFLES BASE  
AL ASAD, IRAQ  
539 [redacted]

-----Original Message-----

From: [redacted] [mailto:[redacted]@soccent.centcom.smil.mil]  
Sent: Thursday, February 12, 2004 3:01 AM  
To: [redacted]  
Cc: [redacted] Chief of Staff; [redacted] DEPUTY CHIEF OF STAFF  
Subject: RE: detainee death (UNCLASSIFIED)  
Importance: High

Classification: UNCLASSIFIED  
Caveats: FOUO

Special Agent [redacted]  
87th MP Det. (A) (CID)

*all b7c1*

025558

00 254

From: [redacted] soccent.centcom.smil.mil]  
Sent: Wednesday, February 11, 2004 4:51 PM  
To: T3ACR-CID  
Cc: [redacted] Chief of Staff  
Subject: CID Point-of-Contact (UNCLASSIFIED)

Classification: UNCLASSIFIED  
Caveats: FOUO

Special Agent [redacted]

b7c1

Would you please help me with an issue by referring me to the right person in CID channels? I'm trying to contact an SAC or other agent who is designated as the CID liaison for [redacted]. If nobody has been appointed yet, who should I talk to about appointing one?

b6-b, b7c-6

The [redacted] Commander told me that he has left several messages with "CID" but nobody ever called him back. He's very frustrated. He wants to deconflict intelligence operations with criminal investigations, and to generally coordinate CID investigations that may affect his command. He asked me to track down someone in CID who is our primary CID point-of-contact for operations across Iraq (not a full-time person, just someone to call when necessary). I'd appreciate any help that you can provide -- even if it's just forwarding this request up your chain-of-command. Thanks.

b6-b, b7c-6

v/r,

[redacted]  
MAJ [redacted]  
Staff Judge Advocate  
Combined Joint Special Operations  
Task Force - Arabian Peninsula [redacted]  
DSN (318) [redacted]  
Classification: UNCLASSIFIED  
Caveats: FOUO

b7c2

025559

00 255

*b7c2*

From: [redacted] soccent.centcom.smil.mil]  
Sent: Thursday, February 12, 2004 3:01 AM  
To: T3ACR-CID  
Cc: [redacted] Chief of Staff, [redacted] DEPUTY CHIEF OF STAFF  
Subject: RE: detainee death (UNCLASSIFIED)

Importance: High

Classification: UNCLASSIFIED  
Caveats: FOUO

Special Agent [redacted]  
87th MP Det. (A) (CID)

*b7c1*

*b7c1*

[Large redacted block of text]

*b-5-1*  
*b-5-2*

- 1) Name, Rank & position of the agent who made the titling decision.
- 2) Name, Rank & phone number of his/her commander.
- 3) Did you receive a formal opine from the 3d ACR RJA, 3d MP Group GJA, or other JAG? If so, please provide me his/her name and phone number.

Thank you,

MAJ [redacted]  
Staff Judge Advocate  
Combined Joint [redacted]  
Arabian Peninsula [redacted]

*b7c2*

DSN (318) [redacted]

-----Original Message-----

From: [redacted] [mailto:[redacted]@ACR.HQ.C5.ARMY.SMIL.MIL]  
Sent: Wednesday, February 11, 2004 11:36 AM  
To: [redacted]@us.army.smil.mil  
Subject: detainee death

*b7c2*

025560

From: [redacted]@soccent.centcom.smil.mil  
Sent: Wednesday, February 11, 2004 4:37 PM  
To: T3ACR-CID  
Subject: RE: detainee death (UNCLASSIFIED)

b7c1

Classification: UNCLASSIFIED  
Caveats: FOOO

Thanks for the update regarding the [redacted] death. I agree that the final autopsy will be critical, so please let me know as soon as we get that.

[Large redacted block of text]

b-5-1  
b-5-2

Do you need me to track down the IO Conclusions/Recommendations for you?

Thanks again, [redacted]

b7c1

MAJ [redacted]  
Staff Judge Advocate  
Combined Joint [redacted]  
- Arabian Peninsula [redacted]  
DSN (318) [redacted]

-b7c2

-----Original Message-----

From: [redacted]@3ACR.HQ.C5.ARMY.SMIL.MIL]  
Sent: Wednesday, February 11, 2004 11:36 AM  
To: [redacted]@us.army.smil.mil  
Subject: detainee death

b7c2

b7c5

I didn't get the IO report with his conclusions / recommendations, I have all the statement write ups and such. I still haven't received the final autopsy report, will let you know when I get it. We (CID) have titled [redacted] with Voluntary Manslaughter for now, this may change upon review of the final autopsy report. The other soldier [redacted] was titled with Assault. That's really all that is going on with this right now, unless something else comes up this investigation is pending the autopsy report to be closed. If you or the command have any questions please contact me.

b-7(c)(5)

025561



SA [REDACTED]  
87TH MP DET (ABN) (CID)  
FOB RIFLES BASE  
AL ASAD, IRAQ  
539 [REDACTED]

0009-04-CID679-83846

b7c1

87TH MP DET (ABN) (CID)  
FOB RIFLES BASE  
AL ASAD, IRAQ  
539 [REDACTED]  
Classification: UNCLASSIFIED  
Caveats: FOUO

SA [redacted]

0009-04-CID679-83846

From: [redacted], MAJ (5SFG) [redacted]@soc.mil]  
Sent: Wednesday, May 12, 2004 2:09 AM  
To: [redacted] SA [redacted]  
Subject: RE: CID Report 0009-04-CID679-83486

SA [redacted] - I took the detainee's name from the 1/5 commander's inquiry, which calls him [redacted] however I do note the CID report lists him as [redacted]. For short, I've been calling him [redacted] but we are talking about the same person.

Generally speaking, Dr. [redacted] remained consistent with what I call his holistic approach/opinion to the detainee's death (most of the injuries he had right before he died made it hard for him to breath, and the neck injury and gag coupled with any pre-existing injuries made it impossible for him to breath). However, determining what injuries were pre-existing and how long those injuries were there is problematic for Dr. [redacted] to opine about, with the important exception of the broken ribs.

In my view, the most serious of the pre-existing injuries are the multiple broken ribs and the broken hyroid bone/thyroid cartilage. For the broken ribs, Dr. [redacted] told me that in his opinion the breaks must have happened shortly before, during, or even immediately after death. He thought it was highly unlikely the breaks occurred 36-48 hours before death, and unlikely they occurred 16-20 hours before death. For the neck injuries, while probably not fatal by themselves, they would have been extremely painful and noticable to anyone around [redacted]. Thus, he believes it is reasonable to assume this injury occurred shortly before death and that whoever inflicted this injury knew he was causing serious injury. Dr. [redacted] wouldn't let me pin him down on when [redacted] suffered the neck injury, but did say if we assume the guards were paying attention to him, the guards would have noticed immediately he was in significant pain. For the remaining blunt force injuries suffered by [redacted] Dr. [redacted] would not say with any degree of medical certainty when those injuries were inflicted.

Your point re [redacted] did not go into the detention facility with those injuries, and the only time he was not in full view of all the guards as well as the other detainees was when he was with ODA 525" is well taken by me and one I want to discuss further. First, one thing that is bothering me about this case is the lack of a paper trail for [redacted] once he is taken into custody. Did your investigation turn up any receipt of prisoner forms that comment on the detainee's health when he was first received by the detention facility and then when he was transferred back and forth between the facility and ODA 525?

Second, right now its my view that Dr. [redacted] medical opinions at the least makes any prosecution against an ODA 525 member problematic. For example, its tough to square what Dr. [redacted] told me with the implication of your point above, which is if someone other than ODA 525 hurt [redacted] the CID investigation would have discovered that person. According to Dr. [redacted], a person or individuals were beating or kicking [redacted] so hard either shortly before, during, or shortly after death that the beating/ kicking broke several of [redacted] ribs. Per Dr. [redacted], its highly unlikely that the 6 Jan 04 interrogation resulted in [redacted] broken ribs and unlikely the re-interrogation on 8 Jan 04 resulted in the broken ribs. (As far as I know, no individual's statement says any physical contact occurred at the re-interrogation.) Given this timeline, it would not be unreasonable to assume whoever broke [redacted] ribs also is the person who strangled him or stepped on his neck, but it would be unreasonable to assume either of these happened on 6 Jan 04. Thus, if we accept Dr. [redacted] opinion, an individual or individuals besides ODA 525 caused the broken rib and neck injuries--individual(s) who should have been observed by the guards, the detainees or both. Since Dr. [redacted] cannot give an opinion when the other blunt force injuries occurred, there is no way for us to know whether ODA 525 or the individual(s) who broke [redacted] ribs caused the other blunt force injuries.

Once you get a chance to read this over, I'll give you a call to discuss. MAJ [redacted]

5/12/2004

b7c2  
b7c4

025563

00 259

MAJ, JA  
Group Judge Advocate

0009-04-CID679-83846

b2c2

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-----Original Message-----

From: [redacted] SA [mailto:[redacted]@us.army.mil]  
Sent: Tuesday, May 11, 2004 2:41 PM  
To: [redacted] MAJ (5SFG)  
Subject: RE: CID Report 0009-04-CID679-83486

b7c1

Who is [redacted] the victims name is [redacted]. Anyway, I'm assuming we were talking about the same person. I don't know how your conversation went with Dr. [redacted] but it doesn't sound like it was in line with the conversation I had with him back in Jan 04. I find it troubling to think that [redacted] injuries were not a contributing factor to his death on 9 Jan. [redacted] did not go into the detention facility with those injuries, and the only time he was not in full view of all the guards as well as the other detainees was when he was with ODA 525.

b7c1

I will contact SA [redacted] at AFIP and try to push the final report through a little faster. Also our connex containing the full report should be here on the 13th of this month.

-----Original Message-----

From: [redacted] MAJ (5SFG) [mailto:[redacted]@soc.mil]  
Sent: Tuesday, May 11, 2004 7:20 PM  
To: [redacted] SA  
Subject: RE: CID Report 0009-04-CID679-83486

b7c1

SA [redacted] - Dr. [redacted] postponed, so I didn't get a chance to talk to him until yesterday. Right now I'm reviewing my notes from what he told me, but the bottom line I took from our conversation is he was doubtful any injuries sustained by [redacted] on 6 Jan were a significant contributing factor to [redacted] death on 9 Jan. I'm going to review the entire file that I have one more time, and then prepare to make recommendations to the chain of command on how to proceed. Before doing so, I'd like to discuss this case with you to compare what Dr. [redacted] opined with your investigation.

b7c1

Also, Dr. [redacted] said his final autopsy results were done, but just needed a peer review before he released them (I'll make sure you get a copy).

[redacted] b7c2

MAJ, JA  
Group Judge Advocate

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5/12/2004

025564

00 260

From: [redacted] MAJ (5SFG) [redacted]@soc.mil]  
Sent: Wednesday, May 05, 2004 6:32 PM  
To: [redacted]@us.army.mil  
Subject: CID Report 0009-04-CID679-83486

Importance: High

SA [redacted] -has the CID report shown up yet? If so, I need it. Please give me a call a 270. [redacted] DSN 635 to discuss. Thx--MAJ [redacted]

b7c1  
b7c2

MAJ, JA  
Group Judge Advocate

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SA

0009-04-CID679-83846

**From:** [REDACTED], MAJ (5SFG) [REDACTED]@soc.mil]  
**Sent:** Wednesday, May 19, 2004 9:33 PM  
**To:** [REDACTED] SA'  
**Subject:** RE: arrival of connex

SA [REDACTED]—thanks in advance for mailing the report to me. The mailing address is:

MAJ [REDACTED]  
5th Special Forces (Airborne)  
Group Judge Advocate  
ATTN: AOSO-SFA-JA  
Building 3212  
Indiana Avenue  
Fort Campbell, KY 42223

Office Phone: (270) [REDACTED]

[REDACTED]  
[REDACTED]  
MAJ, JA  
Group Judge Advocate

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-----Original Message-----

**From:** [REDACTED] A [mailto:[REDACTED]@us.army.mil]  
**Sent:** Tuesday, May 18, 2004 12:20 PM  
**To:** [REDACTED] MAJ (5SFG)  
**Subject:** arrival of connex

[REDACTED]  
The connex arrived today with the case file in it. Send me your mailing address and I will get a copy out to you ASAP.  
[REDACTED]

*all b7c/  
b7c2*

5/19/2004

025566

00 263

SA [redacted] b7c1  
From: [redacted], SGT (5SFG) [redacted]@soc.mil]  
Sent: Thursday, April 22, 2004 6:53 PM  
To: [redacted] SA  
Subject: RE: [redacted] b7c2

Thanks

-----Original Message-----

From: [redacted] SA [mailto:[redacted]@us.army.mil]  
Sent: Thursday, April 22, 2004 9:23 AM  
To: [redacted] SGT (5SFG)  
Subject: RE: [redacted] b7c4

Here you go, attempt 2

-----Original Message-----

From: [redacted], SGT (5SFG) [mailto:[redacted]@soc.mil]  
Sent: Thursday, April 22, 2004 12:03 AM  
To: [redacted] SA  
Subject: [redacted] b7c2 - b7c4

Could you try to resend your last email?

4/22/2004

025567

00 264

(270)

0009-04-CID679-83846

-----Original Message-----

From [redacted] SA [mailto:[redacted]@us.army.mil]  
Sent: Tuesday, May 11, 2004 7:44 AM  
To [redacted] MAJ (5SFG)  
Subject: RE: CID Report 0009-04-CID679-83486

Just curious to what the outcome of your talk with Dr. [redacted] was.

-----Original Message-----

From [redacted] MAJ (5SFG) [mailto:[redacted]@bc.mil]  
Sent: Thursday, May 06, 2004 6:36 PM  
To [redacted] A  
Subject: RE: CID Report 0009-04-CID679-83486

SA [redacted] I talked to Dr [redacted] today and he and I will discuss his findings, etc., tomorrow morning. I'll keep you posted [redacted]

[redacted]  
MAJ, JA  
Group Judge Advocate

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-----Original Message-----

From [redacted] SA [mailto:[redacted]@us.army.mil]  
Sent: Thursday, May 06, 2004 7:10 AM  
To [redacted] MAJ (5SFG)  
Subject: RE: CID Report 0009-04-CID679-83486

I sent you a copy of the initial report, which has all the info on who was titled and for what.

-----Original Message-----

From [redacted] MAJ (5SFG) [mailto:[redacted]@soc.mil]  
Sent: Wednesday, May 05, 2004 8:03 PM

5/12/2004

all 5701  
6702

025568

00 265

T [REDACTED]@us.army.mil'

0009-04-CID679-83846

Subject: RE: CID Report 0009-04-CID679-83486

SA [REDACTED] thanks for the phone call back, and I'll let you know how my discussion with Dr. [REDACTED] goes. Also, when you get a chance, can you let me know who was titled for what in this investigation. Thx--MAJ [REDACTED]

[REDACTED]  
MAJ, JA  
Group Judge Advocate

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> -----Original Message-----

> From: [REDACTED] C., MAJ (SSFG)  
> Sent: Wednesday, May 05, 2004 9:32 AM  
> To: [REDACTED]@us.army.mil'  
> Subject: CID Report 0009-04-CID679-83486  
> Importance: High

> SA [REDACTED] has the CID report shown up yet? If so, I need it. Please  
> give me a call a 270. [REDACTED] to discuss. Thx--MAJ [REDACTED]

> [REDACTED]  
> MAJ, JA  
> Group Judge Advocate

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> by return e-mail or call my office at (270) [REDACTED]

all b7c1  
b7c2

5/12/2004

025569

00 266



**Page(s)**

267-270

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**Referred to:**

U.S. CENTRAL COMMAND  
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Master Sergeant Pamela Andrews  
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025570