

SAC 2/37

COMMANDER'S REPORT OF DISCIPLINARY OR ADMINISTRATIVE ACTION

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943
PRINCIPAL: 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. Control Information

Thru:

To: Commander
3/187th Infantry Regiment
Fort Campbell, KY

Referred By: SAC, CID Office: Tikrit CID Office
b(6), b(7)(C)

USACRC Number: 0123-2006-CID469-75463-5H6

MP Report Number: N/A

Sub-Installation: AE09393DC

Referral Date: 4/12/2010

Suspense Date: 5/27/2010

The first Lieutenant Colonel in the chain of command is responsible and accountable for completing DA Form 4833 with support documentation (copies of Article 15s, court-martial orders, reprimands, etc) for all USACIDC investigations. The unit and brigade commander or their equivalent will also receive a copy of the DA Form 4833 for all USACIDC investigations.

Company, troop, and battery level commanders are responsible and accountable for completing DA Form 4833 with supporting documentation in all cases investigated by MPI, civilian detectives employed by the Department of the Army, and the PMO. Accurate and complete DA 4833 disposition reports are required to meet installation, command, HQDA, DOD, and federal statutory reporting requirements. The data is used to identify crime trends, establish command programs in law enforcement and other activities, and to ensure that resources are made available to support commanders who must address issues of soldier and family member indiscipline.

In court-martial cases, a conviction of an offense at court-martial may be for a different, or lesser included offense. List the offense for which the individual was convicted at court-martial in the remarks section. Provost Marshals must enter the "MP Report Number" (Block-1) for all cases referred to commanders. "Sub-Installation" (Block-1) is used to enter report number from a civilian law enforcement agency police report. Other information on the civilian law enforcement agency (e.g. civilian law enforcement agency address) may be entered in the remarks section.

2. Offender Identification

Last Name: **b(6), b(7)(C)**

First Name: **b(6), b(7)(C)**

Middle Name: **b(6), b(7)(C)**

Cadency:

Grade: E-4 U.S. Army (SPC)

SSN: **b(6), b(7)(C)**

Date of Birth: **b(6), b(7)(C)**

3. Referral Information

Commander Decision Date: 4/12/2010

No.	Offense	Basis	Date	Sexual Harassment	Action Taken	Reason
1	Justifiable Homicide [5H6]	UCMJ	5/22/2006	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Other
2				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
3				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
4				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
5				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	

3. Referral Information (continued)

No.	Offense	Basis	Date	Sexual Harassment	Action Taken	Reason
6				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
7				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
8				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
9				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
10				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	

NOTE: For each offense marked NO for action taken, you must supply a reason.

If you selected "YES" for any offense, continue to "Action Taken" (Block-4). If you selected "NO" for ALL offenses, go directly to "Commander's Remarks" (Block-10), sign, date, and return the form to the agent specified in "Referred By" (Block-1).

4. Action Taken

- Administrative**
 Non-Adverse Referrals
 Adverse Personnel Actions
- Non-Judicial (Article 15)**
 (see details below)
- Judicial**
 Court Martial or Civilian Criminal Court

Non-Judicial Punishment Authority (select one):

- Summarized
 Company Grade
 Field Grade
 Principal Assistant
- GCMCA Imposed
 General Officer Imposed

Judicial Punishment Authority (select one):

- Summary Court Martial
 Special Court Martial
 Civilian Criminal/Magistrate
- General Court Martial

5. NJP/Court-Martial/Civilian Criminal Court Proceeding Outcome

No.	Charged Offense	Plea	Finding Offense	Trial Finding
1	NO ACTION TAKEN -- Justifiable Homicide [5H6]			
2				
3				
4				
5				

PLEA: G=Guilty, C=No Contest, N=Not Guilty, D=Pre-Trial Diversion, TRIAL FINDING: DCV=Dismissed (Civil), DCR=Dismissed (Criminal), P=Finding for Plaintiff, F=Finding for Respondent, G=Guilty, C=No Contest, N=Not Guilty, S=Settlement

5. NJP/Court-Martial/Civilian Criminal Court Proceeding Outcome (continued)

No.	Charged Offense	Plea	Finding Offense	Trial Finding
6				
7				
8				
9				
10				

PLEA: G=Guilty, C=No Contest, N=Not Guilty, D=Pre-Trial Diversion, TRIAL FINDING: DCV=Dismissed (Civil), DCR=Dismissed (Criminal), P=Finding for Plaintiff, F=Finding for Respondent, G=Guilty, C=No Contest, N=Not Guilty, S=Settlement

6. Administrative Actions

Non-Adverse

Agency	Referred	Responded
Family Advocacy		
Drug/Alcohol Abuse		
Special Referral		
Equal Opportunity		
Legal Office		
Mental Health		
Relief Agency		

Date Imposed	Type of Action	Oral	Written	
			Local	OMPF
	Counseling/Concern	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Reprimand	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Censure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Admonition	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adverse

Date Imposed	Description
	Withholding of Privileges
	Adverse Performance Evaluation (OER/NCOER/Academic Report)
	Relief for Cause (OER/NCOER)
	Mandatory Reassignment
	Transfer (such as rehabilitative)
	Adverse Record Entry - Flag
	Denial of Reenlistment or Continued Service
	Withholding of Promotion
	Delay of Promotion
	Promotion Revocation
	Clearance Revocation
	Control Roster (downgrade of clearance, PRP reclassification)
	Resignation
	Retirement
	Retirement at Lower Grade From: To:
	Transfer to Inactive Reserve

6. Administrative Actions (continued)

Date Imposed	Description
	Military Occupational Specialty Reclassification
	Debarment Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Job Termination
	Job Suspension Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Leave Without Pay Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Loss of Warrant
	Voluntary Disclosure
	Restitution (to US Government) Amount :
	Restitution (to third party Non-US Government) Amount :
	Civil-Civil Action Initiation
	Other (return to states, etc.)
	Contract Suspension Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Contract Termination
	Cost Adjustment Amount :
	Bid Rejection
	Recoupment Amount :
	Denial of Continuation
	Other Contract Action

7. Details of Administrative Separation

Date Imposed	
Regulation	
Chapter	
Characterization	
Effective Date	

Proceed to Commander's Remarks (Block-10) if you chose Administrative Action

8. Non-Judicial/Judicial Sanctions

Date Adjudged	Sanction
	Fine Amount :
	Forfeiture Amount : Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months
	Extra Duty Days:
	Restriction Days:
	Correctional Custody Days:
	Confinement Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years <input type="checkbox"/> Life
	Bad Conduct Discharge Effective Date:
	Dishonorable Discharge Effective Date:
	Reduction in Grade From: To:
	Probation Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Special Assignment Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Total Forfeiture (all pay/allowance) Duration : <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years <input type="checkbox"/> Life
	Death
	Civil Recovery Amount :
	Civil Award Amount :

9. Suspended Sanctions

Were Any Sanctions Suspended? Yes No
 If no sanctions were suspended, proceed to "Commander's Remarks" (Block-10)

Suspended Sanction	Suspended Sanction Information	
Fine	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	
	Suspension Conditions:	
Forfeiture	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	Suspended Portion Time:
	Suspension Conditions:	
Extra Duty	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Restriction	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Correctional Custody	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Confinement	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Reduction in Grade	Date Suspended:	Suspension Duration:
	Suspension Conditions:	
Probation	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Special Assignment	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Total Forfeiture	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Civil Recovery	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	
	Suspension Conditions:	
Civil Award	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	
	Suspension Conditions:	

10. Commander's Remarks

According to the Final Report, **b(6), b(7)(C)** shooting was a Justified Homicide IAW military Rules of Engagement. No action was taken against **b(6), b(7)(C)**

USASCRC Number: 0123-2006-CID469-75463-5H6

Sanction: F1 2010/04/12

11. Commanding Officer *REPORTING*

Was a DNA sample collected from the offender? Yes No

Name and Grade:	b(6), b(7)(C)	W-2
Signature:	b(6), b(7)(C)	Signature Date: 4/12/2010
AKO e-Mail Address:	b(6), b(7)(C) @us.army.mil	

COMMANDER'S REPORT OF DISCIPLINARY OR ADMINISTRATIVE ACTION

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943
PRINCIPAL: 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. Control Information

Thru:	
To:	
Referred By: SAC, CID Office: 10th MP Bn (CID) (Abn) Fort Bragg b(6), b(7)(C)	

USACRC Number: 0123-2006-CID469-75463-5H6
MP Report Number: N/A
Sub-Installation: AE09393DC
Referral Date: 4/24/2007
Suspense Date: 6/8/2007

The first Lieutenant Colonel in the chain of command is responsible and accountable for completing DA Form 4833 with support documentation (copies of Article 15s, court-martial orders, reprimands, etc) for all USACIDC investigations. The unit and brigade commander or their equivalent will also receive a copy of the DA Form 4833 for all USACIDC investigations.

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2. Offender Identification

Last Name: b(6), b(7)(C)
First Name:
Middle Name:
Cadency:

Grade: E-5 U.S. Army (SGT)
SSN: b(6), b(7)(C)
Date of Birth: b(6), b(7)(C)

3. Referral Information

Commander Decision Date: 4/24/2007

No.	Offense	Basis	Date	Sexual Harassment	Action Taken	Reason
1	Voluntary Manslaughter [5H2A]	UCMJ Article 119	5/22/2006	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Other
2				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
3				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
4				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
5				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	

3. Referral Information (continued)

No.	Offense	Basis	Date	Sexual Harassment	Action Taken	Reason
6				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
7				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
8				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
9				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
10				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	

NOTE: For each offense marked NO for action taken, you must supply a reason.

If you selected "YES" for any offense, continue to "Action Taken" (Block-4). If you selected "NO" for ALL offenses, go directly to "Commander's Remarks" (Block-10), sign, date, and return the form to the agent specified in "Referred By" (Block-1).

4. Action Taken

Administrative

Non-Adverse Referrals
Adverse Personnel Actions

Non-Judicial (Article 15)

(see details below)

Judicial

Court Martial or Civilian Criminal Court

Non-Judicial Punishment Authority (select one):

- Summarized
- Company Grade
- Field Grade
- Principal Assistant
- GCMCA Imposed
- General Officer Imposed

Judicial Punishment Authority (select one):

- Summary Court Martial
- Special Court Martial
- Civilian Criminal/Magistrate
- General Court Martial

5. NJP/Court-Martial/Civilian Criminal Court Proceeding Outcome

No.	Charged Offense	Plea	Finding Offense	Trial Finding
1	NO ACTION TAKEN -- Voluntary Manslaughter [5H2A]			
2				
3				
4				
5				

PLEA: G=Guilty, C=No Contest, N=Not Guilty, D=Pre-Trial Diversion, TRIAL FINDING: DCV=Dismissed (Civil), DCR=Dismissed (Criminal), P=Finding for Plaintiff, F=Finding for Respondent, G=Guilty, C=No Contest, N=Not Guilty, S=Settlement

5. NJP/Court-Martial/Civilian Criminal Court Proceeding Outcome (continued)

No.	Charged Offense	Plea	Finding Offense	Trial Finding
6				
7				
8				
9				
10				

PLEA: G=Guilty, C=No Contest, N=Not Guilty, D=Pre-Trial Diversion, TRIAL FINDING: DCV=Dismissed (Civil), DCR=Dismissed (Criminal), P=Finding for Plaintiff, F=Finding for Respondent, G=Guilty, C=No Contest, N=Not Guilty, S=Settlement

6. Administrative Actions

Non-Adverse

Agency	Referred	Responded
Family Advocacy		
Drug/Alcohol Abuse		
Special Referral		
Equal Opportunity		
Legal Office		
Mental Health		
Relief Agency		

Date Imposed	Type of Action	Oral	Written	
			Local	OMPF
	Counseling/Concern	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Reprimand	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Censure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Admonition	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adverse

Date Imposed	Description
	Withholding of Privileges
	Adverse Performance Evaluation (OER/NCOER/Academic Report)
	Relief for Cause (OER/NCOER)
	Mandatory Reassignment
	Transfer (such as rehabilitative)
	Adverse Record Entry - Flag
	Denial of Reenlistment or Continued Service
	Withholding of Promotion
	Delay of Promotion
	Promotion Revocation
	Clearance Revocation
	Control Roster (downgrade of clearance, PRP reclassification)
	Resignation
	Retirement
	Retirement at Lower Grade From: To:
	Transfer to Inactive Reserve

6. Administrative Actions (continued)

Date Imposed	Description
	Military Occupational Specialty Reclassification
	Debarment Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Job Termination
	Job Suspension Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Leave Without Pay Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Loss of Warrant
	Voluntary Disclosure
	Restitution (to US Government) Amount :
	Restitution (to third party Non-US Government) Amount :
	Civil-Civil Action Initiation
	Other (return to states, etc.)
	Contract Suspension Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Contract Termination
	Cost Adjustment Amount :
	Bid Rejection
	Recoupment Amount :
	Denial of Continuation
	Other Contract Action

7. Details of Administrative Separation

Date Imposed	
Regulation	
Chapter	
Characterization	
Effective Date	

Proceed to Commander's Remarks (Block-10) if you chose Administrative Action

8. Non-Judicial/Judicial Sanctions

Date Adjudged	Sanction
	Fine Amount :
	Forfeiture Amount : Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months
	Extra Duty Days:
	Restriction Days:
	Correctional Custody Days:
	Confinement Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years <input type="checkbox"/> Life
	Bad Conduct Discharge Effective Date:
	Dishonorable Discharge Effective Date:
	Reduction in Grade From: To:
	Probation Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Special Assignment Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Total Forfeiture (all pay/allowance) Duration : <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years <input type="checkbox"/> Life
	Death
	Civil Recovery Amount :
	Civil Award Amount :

9. Suspended Sanctions

Were Any Sanctions Suspended? Yes No
 If no sanctions were suspended, proceed to "Commander's Remarks" (Block-10)

Suspended Sanction	Suspended Sanction Information	
Fine	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	
	Suspension Conditions:	
Forfeiture	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	Suspended Portion Time:
	Suspension Conditions:	
Extra Duty	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Restriction	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Correctional Custody	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Confinement	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Reduction in Grade	Date Suspended:	Suspension Duration:
	Suspension Conditions:	
Probation	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Special Assignment	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Total Forfeiture	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Civil Recovery	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	
	Suspension Conditions:	
Civil Award	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	
	Suspension Conditions:	

10. Commander's Remarks

No Action was taken against **b(6), b(7)(C)** About 2005, 22 Apr 10, SA **b(6), b(7)(C)** Special Agent in Charge, Tikrit CID Office, COB Speicher, coordinated with SSG **b(6), b(7)(C)** Post-Trial NCO, 101st ABN DIV SJA, Fort Campbell, KY, who conducted a check of **b(6), b(7)(C)** name to determine whether he was punished. SSG **b(6), b(7)(C)** indicated a check of the files within his office and of Promulgating Orders disclosed no information that suggested **b(6), b(7)(C)** was ever punished/Court-Martialed. SSG **b(6), b(7)(C)** indicated according to the OMPF, **b(6), b(7)(C)** was a reservist, who was released from an Active Duty obligation on 5 Dec 06, and received a Honorable Discharge.

USASCRC Number: 0123-2006-CID469-75463-5H6

Sanction: F1 2007/04/24

11. ~~Commanding Officer~~ REPORTING

Was a DNA sample collected from the offender? Yes No

Name and Grade:	b(6), b(7)(C)	W-2
Signature:	b(6), b(7)(C)	Signature Date: 4/24/2007
AKO e-Mail Address:	b(6), b(7)(C) @us.army.mil	

COMMANDER'S REPORT OF DISCIPLINARY OR ADMINISTRATIVE ACTION

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943
PRINCIPAL: 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. Control Information

Thru:	
To:	Commander 3/187th Infantry Regiment Fort Campbell, KY
Referred By:	SAC, CID Office: Tikrit CID Office b(6), b(7)(C)

USACRC Number:	0123-2006-CID469-75463-5H6
MP Report Number:	N/A
Sub-Installation:	AE09393DC
Referral Date:	4/12/2010
Suspense Date:	5/27/2010

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2. Offender Identification

Last Name:	b(6), b(7)(C)
First Name:	
Middle Name:	
Cadency:	

Grade:	E-5 U.S. Army (SGT)
SSN:	b(6), b(7)(C)
Date of Birth:	

3. Referral Information

Commander Decision Date: 4/12/2010

No.	Offense	Basis	Date	Sexual Harassment	Action Taken	Reason
1	Justifiable Homicide [5H6]	UCMJ	5/22/2006	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Other
2				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
3				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
4				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
5				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	

3. Referral Information (continued)

No.	Offense	Basis	Date	Sexual Harassment	Action Taken	Reason
6				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
7				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
8				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
9				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
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4. Action Taken

- Administrative**
 Non-Adverse Referrals
 Adverse Personnel Actions
- Non-Judicial (Article 15)**
 (see details below)
- Judicial**
 Court Martial or Civilian Criminal Court

Non-Judicial Punishment Authority (select one):

- Summarized
 Company Grade
 Field Grade
 Principal Assistant
- GCMCA Imposed
 General Officer Imposed

Judicial Punishment Authority (select one):

- Summary Court Martial
 Special Court Martial
 Civilian Criminal/Magistrate
- General Court Martial

5. NJP/Court-Martial/Civilian Criminal Court Proceeding Outcome

No.	Charged Offense	Plea	Finding Offense	Trial Finding
1	NO ACTION TAKEN -- Justifiable Homicide [5H6]			
2				
3				
4				
5				

PLEA: G=Guilty, C=No Contest, N=Not Guilty, D=Pre-Trial Diversion, TRIAL FINDING: DCV=Dismissed (Civil), DCR=Dismissed (Criminal), P=Finding for Plaintiff, F=Finding for Respondent, G=Guilty, C=No Contest, N=Not Guilty, S=Settlement

5. NJP/Court-Martial/Civilian Criminal Court Proceeding Outcome (continued)

No.	Charged Offense	Plea	Finding Offense	Trial Finding
6				
7				
8				
9				
10				

PLEA: G=Guilty, C=No Contest, N=Not Guilty, D=Pre-Trial Diversion, TRIAL FINDING: DCV=Dismissed (Civil), DCR=Dismissed (Criminal), P=Finding for Plaintiff, F=Finding for Respondent, G=Guilty, C=No Contest, N=Not Guilty, S=Settlement

6. Administrative Actions

Non-Adverse

Agency	Referred	Responded
Family Advocacy		
Drug/Alcohol Abuse		
Special Referral		
Equal Opportunity		
Legal Office		
Mental Health		
Relief Agency		

Date Imposed	Type of Action	Oral	Written	
			Local	OMPF
	Counseling/Concern	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Reprimand	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Censure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Admonition	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adverse

Date Imposed	Description
	Withholding of Privileges
	Adverse Performance Evaluation (OER/NCOER/Academic Report)
	Relief for Cause (OER/NCOER)
	Mandatory Reassignment
	Transfer (such as rehabilitative)
	Adverse Record Entry - Flag
	Denial of Reenlistment or Continued Service
	Withholding of Promotion
	Delay of Promotion
	Promotion Revocation
	Clearance Revocation
	Control Roster (downgrade of clearance, PRP reclassification)
	Resignation
	Retirement
	Retirement at Lower Grade From: To:
	Transfer to Inactive Reserve

6. Administrative Actions (continued)

Date Imposed	Description
	Military Occupational Specialty Reclassification
	Debarment Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Job Termination
	Job Suspension Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Leave Without Pay Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Loss of Warrant
	Voluntary Disclosure
	Restitution (to US Government) Amount :
	Restitution (to third party Non-US Government) Amount :
	Civil-Civil Action Initiation
	Other (return to states, etc.)
	Contract Suspension Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Contract Termination
	Cost Adjustment Amount :
	Bid Rejection
	Recoupment Amount :
	Denial of Continuation
	Other Contract Action

7. Details of Administrative Separation

Date Imposed	
Regulation	
Chapter	
Characterization	
Effective Date	

Proceed to Commander's Remarks (Block-10) if you chose Administrative Action

8. Non-Judicial/Judicial Sanctions

Date Adjudged	Sanction
	Fine Amount :
	Forfeiture Amount : Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months
	Extra Duty Days:
	Restriction Days:
	Correctional Custody Days:
	Confinement Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years <input type="checkbox"/> Life
	Bad Conduct Discharge Effective Date:
	Dishonorable Discharge Effective Date:
	Reduction in Grade From: To:
	Probation Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Special Assignment Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Total Forfeiture (all pay/allowance)Duration : <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years <input type="checkbox"/> Life
	Death
	Civil Recovery Amount :
	Civil Award Amount :

9. Suspended Sanctions

Were Any Sanctions Suspended? Yes No
 If no sanctions were suspended, proceed to "Commander's Remarks" (Block-10)

Suspended Sanction	Suspended Sanction Information	
Fine	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	
	Suspension Conditions:	
Forfeiture	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	Suspended Portion Time:
	Suspension Conditions:	
Extra Duty	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Restriction	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Correctional Custody	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Confinement	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Reduction in Grade	Date Suspended:	Suspension Duration:
	Suspension Conditions:	
Probation	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Special Assignment	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Total Forfeiture	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Civil Recovery	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	
	Suspension Conditions:	
Civil Award	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	
	Suspension Conditions:	

10. Commander's Remarks

According to the Final Report, **b(6), b(7)(C)** shooting was a Justified Homicide IAW military Rules of Engagement. No action was taken against **b(6), b(7)(C)**

USASCRC Number: 0123-2006-CID469-75463-5H6

Sanction: F1 2010/04/12

11. Commanding Officer *REPORTING*

Was a DNA sample collected from the offender? Yes No

Name and Grade:	b(6), b(7)(C) W-2
Signature:	b(6), b(7)(C) Signature Date: 4/12/2010
AKO e-Mail Address:	b(6), b(7)(C) @us.army.mil

COMMANDER'S REPORT OF DISCIPLINARY OR ADMINISTRATIVE ACTION

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943
PRINCIPAL: 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. Control Information

Thru: To: Commander 3/187th Infantry Regiment Fort Campbell, KY Referred By: SAC, CID Office: Tikrit CID Office By: b(6), b(7)(C)	USACRC Number: 0123-2006-CID469-75463-5H6 MP Report Number: N/A Sub-Installation: AE09393DC Referral Date: 4/12/2010 Suspense Date: 5/27/2010
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The first Lieutenant Colonel in the chain of command is responsible and accountable for completing DA Form 4833 with support documentation (copies of Article 15s, court-martial orders, reprimands, etc) for all USACIDC investigations. The unit and brigade commander or their equivalent will also receive a copy of the DA Form 4833 for all USACIDC investigations.

Company, troop, and battery level commanders are responsible and accountable for completing DA Form 4833 with supporting documentation in all cases investigated by MPI, civilian detectives employed by the Department of the Army, and the PMO. Accurate and complete DA 4833 disposition reports are required to meet installation, command, HQDA, DOD, and federal statutory reporting requirements. The data is used to identify crime trends, establish command programs in law enforcement and other activities, and to ensure that resources are made available to support commanders who must address issues of soldier and family member indiscipline.

In court-martial cases, a conviction of an offense at court-martial may be for a different, or lesser included offense. List the offense for which the individual was convicted at court-martial in the remarks section. Provost Marshals must enter the "MP Report Number" (Block-1) for all cases referred to commanders. "Sub-Installation" (Block-1) is used to enter report number from a civilian law enforcement agency police report. Other information on the civilian law enforcement agency (e.g. civilian law enforcement agency address) may be entered in the remarks section.

2. Offender Identification

Last Name: b(6), b(7)(C) First Name: Middle Name: Cadency:	Grade: E-8 U.S. Army (1SG) SSN: b(6), b(7)(C) Date of Birth: b(6), b(7)(C)
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3. Referral Information

Commander Decision Date: 4/12/2010

No.	Offense	Basis	Date	Sexual Harassment		Action Taken		Reason
				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
1	Voluntary Manslaughter [5H2A]	UCMJ Article 119	5/22/2006	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Other
2	Involuntary Manslaughter [5H3A]	UCMJ Article 119	5/22/2006	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Other
3				Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
4				Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
5				Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	

3. Referral Information (continued)

No.	Offense	Basis	Date	Sexual Harassment	Action Taken	Reason
6				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
7				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
8				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
9				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
10				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	

NOTE: For each offense marked NO for action taken, you must supply a reason.

If you selected "YES" for any offense, continue to "Action Taken" (Block-4). If you selected "NO" for ALL offenses, go directly to "Commander's Remarks" (Block-10), sign, date, and return the form to the agent specified in "Referred By" (Block-1).

4. Action Taken

- Administrative**
 Non-Adverse Referrals
 Adverse Personnel Actions
- Non-Judicial (Article 15)**
 (see details below)
- Judicial**
 Court Martial or Civilian Criminal Court

Non-Judicial Punishment Authority (select one):

- Summarized
 Company Grade
 Field Grade
 Principal Assistant
- GCMCA Imposed
 General Officer Imposed

Judicial Punishment Authority (select one):

- Summary Court Martial
 Special Court Martial
 Civilian Criminal/Magistrate
- General Court Martial

5. NJP/Court-Martial/Civilian Criminal Court Proceeding Outcome

No.	Charged Offense	Plea	Finding Offense	Trial Finding
1	NO ACTION TAKEN -- Voluntary Manslaughter [5H2A]			
2	NO ACTION TAKEN -- Involuntary Manslaughter [5H3A]			
3				
4				
5				

PLEA: G=Guilty, C=No Contest, N=Not Guilty, D=Pre-Trial Diversion, TRIAL FINDING: DCV=Dismissed (Civil), DCR=Dismissed (Criminal), P=Finding for Plaintiff, F=Finding for Respondent, G=Guilty, C=No Contest, N=Not Guilty, S=Settlement

5. NJP/Court-Martial/Civilian Criminal Court Proceeding Outcome (continued)

No.	Charged Offense	Plea	Finding Offense	Trial Finding
6				
7				
8				
9				
10				

PLEA: G=Guilty, C=No Contest, N=Not Guilty, D=Pre-Trial Diversion, TRIAL FINDING: DCV=Dismissed (Civil), DCR=Dismissed (Criminal), P=Finding for Plaintiff, F=Finding for Respondent, G=Guilty, C=No Contest, N=Not Guilty, S=Settlement

6. Administrative Actions

Non-Adverse

Agency	Referred	Responded
Family Advocacy		
Drug/Alcohol Abuse		
Special Referral		
Equal Opportunity		
Legal Office		
Mental Health		
Relief Agency		

Date Imposed	Type of Action	Oral	Written	
			Local	OMPF
	Counseling/Concern	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Reprimand	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Censure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Admonition	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adverse

Date Imposed	Description
	Withholding of Privileges
	Adverse Performance Evaluation (OER/NCOER/Academic Report)
	Relief for Cause (OER/NCOER)
	Mandatory Reassignment
	Transfer (such as rehabilitative)
	Adverse Record Entry - Flag
	Denial of Reenlistment or Continued Service
	Withholding of Promotion
	Delay of Promotion
	Promotion Revocation
	Clearance Revocation
	Control Roster (downgrade of clearance, PRP reclassification)
	Resignation
	Retirement
	Retirement at Lower Grade From: To:
	Transfer to Inactive Reserve

6. Administrative Actions (continued)

Date Imposed	Description
	Military Occupational Specialty Reclassification
	Debarment Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Job Termination
	Job Suspension Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Leave Without Pay Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Loss of Warrant
	Voluntary Disclosure
	Restitution (to US Government) Amount :
	Restitution (to third party Non-US Government) Amount :
	Civil-Civil Action Initiation
	Other (return to states, etc.)
	Contract Suspension Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Contract Termination
	Cost Adjustment Amount :
	Bid Rejection
	Recoupment Amount :
	Denial of Continuation
	Other Contract Action

7. Details of Administrative Separation

Date Imposed	
Regulation	
Chapter	
Characterization	
Effective Date	

Proceed to Commander's Remarks (Block-10) if you chose Administrative Action

8. Non-Judicial/Judicial Sanctions

Date Adjudged	Sanction
	Fine Amount :
	Forfeiture Amount : Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months
	Extra Duty Days:
	Restriction Days:
	Correctional Custody Days:
	Confinement Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years <input type="checkbox"/> Life
	Bad Conduct Discharge Effective Date:
	Dishonorable Discharge Effective Date:
	Reduction in Grade From: To:
	Probation Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Special Assignment Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Total Forfeiture (all pay/allowance)Duration : <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years <input type="checkbox"/> Life
	Death
	Civil Recovery Amount :
	Civil Award Amount :

9. Suspended Sanctions

Were Any Sanctions Suspended? Yes No
 If no sanctions were suspended, proceed to "Commander's Remarks" (Block-10)

Suspended Sanction	Suspended Sanction Information	
Fine	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	
	Suspension Conditions:	
Forfeiture	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	Suspended Portion Time:
	Suspension Conditions:	
Extra Duty	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Restriction	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Correctional Custody	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Confinement	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Reduction in Grade	Date Suspended:	Suspension Duration:
	Suspension Conditions:	
Probation	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Special Assignment	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Total Forfeiture	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Civil Recovery	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	
	Suspension Conditions:	
Civil Award	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	
	Suspension Conditions:	

10. Commander's Remarks

According to the U.S. Army G-1 Personnel Strength Management Database **b(6), b(7)(C)** is now a SGM in the U.S. Army. Action may have been taken against **b(6), b(7)(C)** that amounted to less than information being retained in his permanent personnel file, and was strictly administrative in nature.

USASCRC Number: 0123-2006-CID469-75463-5H6

Sanction: F1 2010/04/12

11. Commanding Officer *REPORTING*

Was a DNA sample collected from the offender? Yes No

Name and Grade:	b(6), b(7)(C) W-2
Signature:	b(6), b(7)(C) Signature Date: 4/12/2010
AKO e-Mail Address:	b(6), b(7)(C) @us.army.mil

COMMANDER'S REPORT OF DISCIPLINARY OR ADMINISTRATIVE ACTION

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943
PRINCIPAL: 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. Control Information

Thru:	USACRC Number: 0123-2006-CID469-75463-5H6
To: Commander 3/187th Infantry Regiment Fort Campbell, KY	MP Report Number: N/A
Referred By: SAC, CID Office: Tikrit CID Office b(6), b(7)(C)	Sub-Installation: AE09393DC
	Referral Date: 4/12/2010
	Suspense Date: 5/27/2010

The first Lieutenant Colonel in the chain of command is responsible and accountable for completing DA Form 4833 with support documentation (copies of Article 15s, court-martial orders, reprimands, etc) for all USACIDC investigations. The unit and brigade commander or their equivalent will also receive a copy of the DA Form 4833 for all USACIDC investigations.

Company, troop, and battery level commanders are responsible and accountable for completing DA Form 4833 with supporting documentation in all cases investigated by MPI, civilian detectives employed by the Department of the Army, and the PMO. Accurate and complete DA 4833 disposition reports are required to meet installation, command, HQDA, DOD, and federal statutory reporting requirements. The data is used to identify crime trends, establish command programs in law enforcement and other activities, and to ensure that resources are made available to support commanders who must address issues of soldier and family member indiscipline.

In court-martial cases, a conviction of an offense at court-martial may be for a different, or lesser included offense. List the offense for which the individual was convicted at court-martial in the remarks section. Provost Marshals must enter the "MP Report Number" (Block-1) for all cases referred to commanders. "Sub-Installation" (Block-1) is used to enter report number from a civilian law enforcement agency police report. Other information on the civilian law enforcement agency (e.g. civilian law enforcement agency address) may be entered in the remarks section.

2. Offender Identification

Last Name: b(6), b(7)(C)	Grade: O-2 U.S. Army (1LT)
First Name:	
Middle Name:	SSN: b(6), b(7)(C)
Cadency:	Date of Birth: b(6), b(7)(C)

3. Referral Information

Commander Decision Date: 4/12/2010

No.	Offense	Basis	Date	Sexual Harassment	Action Taken	Reason
1	Justifiable Homicide [5H6]	UCMJ	5/22/2006	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Other
2				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
3				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
4				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
5				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	

3. Referral Information (continued)

No.	Offense	Basis	Date	Sexual Harassment	Action Taken	Reason
6				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
7				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
8				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
9				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
10				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	

NOTE: For each offense marked NO for action taken, you must supply a reason.

If you selected "YES" for any offense, continue to "Action Taken" (Block-4). If you selected "NO" for ALL offenses, go directly to "Commander's Remarks" (Block-10), sign, date, and return the form to the agent specified in "Referred By" (Block-1).

4. Action Taken

- Administrative**
 Non-Adverse Referrals
 Adverse Personnel Actions
- Non-Judicial (Article 15)**
 (see details below)
- Judicial**
 Court Martial or Civilian Criminal Court

Non-Judicial Punishment Authority (select one):

- Summarized
 Company Grade
 Field Grade
 Principal Assistant
- GCMCA Imposed
 General Officer Imposed

Judicial Punishment Authority (select one):

- Summary Court Martial
 Special Court Martial
 Civilian Criminal/Magistrate
- General Court Martial

5. NJP/Court-Martial/Civilian Criminal Court Proceeding Outcome

No.	Charged Offense	Plea	Finding Offense	Trial Finding
1	NO ACTION TAKEN -- Justifiable Homicide [5H6]			
2				
3				
4				
5				

PLEA: G=Guilty, C=No Contest, N=Not Guilty, D=Pre-Trial Diversion, TRIAL FINDING: DCV=Dismissed (Civil), DCR=Dismissed (Criminal), P=Finding for Plaintiff, F=Finding for Respondent, G=Guilty, C=No Contest, N=Not Guilty, S=Settlement

5. NJP/Court-Martial/Civilian Criminal Court Proceeding Outcome (continued)

No.	Charged Offense	Plea	Finding Offense	Trial Finding
6				
7				
8				
9				
10				

PLEA: G=Guilty, C=No Contest, N=Not Guilty, D=Pre-Trial Diversion, TRIAL FINDING: DCV=Dismissed (Civil), DCR=Dismissed (Criminal), P=Finding for Plaintiff, F=Finding for Respondent, G=Guilty, C=No Contest, N=Not Guilty, S=Settlement

6. Administrative Actions

Non-Adverse

Agency	Referred	Responded
Family Advocacy		
Drug/Alcohol Abuse		
Special Referral		
Equal Opportunity		
Legal Office		
Mental Health		
Relief Agency		

Date Imposed	Type of Action	Oral	Written	
			Local	OMPF
	Counseling/Concern	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Reprimand	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Censure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Admonition	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adverse

Date Imposed	Description
	Withholding of Privileges
	Adverse Performance Evaluation (OER/NCOER/Academic Report)
	Relief for Cause (OER/NCOER)
	Mandatory Reassignment
	Transfer (such as rehabilitative)
	Adverse Record Entry - Flag
	Denial of Reenlistment or Continued Service
	Withholding of Promotion
	Delay of Promotion
	Promotion Revocation
	Clearance Revocation
	Control Roster (downgrade of clearance, PRP reclassification)
	Resignation
	Retirement
	Retirement at Lower Grade From: To:
	Transfer to Inactive Reserve

6. Administrative Actions (continued)

Date Imposed	Description
	Military Occupational Specialty Reclassification
	Debarment Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Job Termination
	Job Suspension Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Leave Without Pay Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Loss of Warrant
	Voluntary Disclosure
	Restitution (to US Government) Amount :
	Restitution (to third party Non-US Government) Amount :
	Civil-Civil Action Initiation
	Other (return to states, etc.)
	Contract Suspension Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Contract Termination
	Cost Adjustment Amount :
	Bid Rejection
	Recoupment Amount :
	Denial of Continuation
	Other Contract Action

7. Details of Administrative Separation

Date Imposed	
Regulation	
Chapter	
Characterization	
Effective Date	

Proceed to Commander's Remarks (Block-10) if you chose Administrative Action

8. Non-Judicial/Judicial Sanctions

Date Adjudged	Sanction
	Fine Amount :
	Forfeiture Amount : Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months
	Extra Duty Days:
	Restriction Days:
	Correctional Custody Days:
	Confinement Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years <input type="checkbox"/> Life
	Bad Conduct Discharge Effective Date:
	Dishonorable Discharge Effective Date:
	Reduction in Grade From: To:
	Probation Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Special Assignment Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Total Forfeiture (all pay/allowance)Duration : <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years <input type="checkbox"/> Life
	Death
	Civil Recovery Amount :
	Civil Award Amount :

9. Suspended Sanctions

Were Any Sanctions Suspended? Yes No
 If no sanctions were suspended, proceed to "Commander's Remarks" (Block-10)

Suspended Sanction	Suspended Sanction Information	
Fine	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	
	Suspension Conditions:	
Forfeiture	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	Suspended Portion Time:
	Suspension Conditions:	
Extra Duty	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Restriction	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Correctional Custody	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Confinement	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Reduction in Grade	Date Suspended:	Suspension Duration:
	Suspension Conditions:	
Probation	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Special Assignment	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Total Forfeiture	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Civil Recovery	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	
	Suspension Conditions:	
Civil Award	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	
	Suspension Conditions:	

10. Commander's Remarks

According to the Final Report, **b(6), b(7)(C)** shooting was a Justified Homicide IAW military Rules of Engagement. No action was taken against **b(6), b(7)(C)**

USASCRC Number: 0123-2006-CID469-75463-5H6

Sanction: F1 2010/04/12

11. Commanding Officer *REPORTING*

Was a DNA sample collected from the offender? Yes No

Name and Grade:	b(6), b(7)(C)	W-2
Signature:	b(6), b(7)(C)	Signature Date: 4/12/2010
AKO e-Mail Address:	b(6), b(7)(C)	@us.army.mil

DEPARTMENT OF THE ARMY
U.S. ARMY CRIMINAL INVESTIGATION COMMAND
HEADQUARTERS AND HEADQUARTERS DETACHMENT, 10TH MILITARY POLICE
BATTALION (CID), CAMP VICTORY, APO AE 09342

7 NOV 2006

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL/SSI - 0123-2006-CID469-75463 - 5H6 / 5H2A / 5H3A

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 21 MAY 2006, 2101 - 22 MAY 2006, 0201; LOCATIONS ALONG GRAVEL PIT ROAD NEAR COMBAT OUTPOST (COP) #3, INCLUDING MGRS 38S LC 91362 74402, SOUTHWEST OF SAMARA, IRAQ

DATE/TIME REPORTED: 07 JUL 2006, 0900

INVESTIGATED BY:

SA (b)(6), (b)(7)(C), (b)(7)(F)
SA
SA
SA
SA
SA
SA

SUBJECT:

1. (b)(6), (b)(7)(C) SPC; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) MALE; WHITE; C CO, 3-187TH INF, 3RD BCT, 101ST ABN DIV (AASLT), FOB BRASSFIELD-MORA, SAMARA, APO AE 09349, HOME STATION: FORT CAMPBELL, KY, IZ; CT; [JUSTIFIABLE HOMICIDE]

2. (b)(6), (b)(7)(C) SGT; (b)(6), (b)(7)(C)
MALE; WHITE; C CO, 3-187TH INF, 3RD BCT, 101ST ABN DIV (AASLT), FOB BRASSFIELD-MORA, SAMARA, APO AE 09349, HOME STATION: FORT CAMPBELL, KY, IZ; CT; [VOLUNTARY MANSLAUGHTER]

3. (b)(6), (b)(7)(C) 1LT; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) MALE; WHITE; C CO, 3-187TH INF, 3RD BCT, 101ST ABN DIV (AASLT), FOB BRASSFIELD-MORA, SAMARA, APO AE 09349, HOME STATION: FORT CAMPBELL, KY, IZ; CT; [JUSTIFIABLE HOMICIDE]

4. (b)(6), (b)(7)(C) 1SG; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) MALE; WHITE; C CO, 3-187TH INF, 3RD BCT, 101ST ABN DIV (AASLT), FOB BRASSFIELD-MORA, SAMARA, APO AE 09349, HOME STATION: FORT

CAMPBELL, KY, IZ; CT; [VOLUNTARY MANSLAUGHTER], [INVOLUNTARY MANSLAUGHTER]

5. **b(6), b(7)(C)** SGT; **b(6), b(7)(C)** MALE; WHITE; C CO, 3-187TH INF, 3RD BCT, 101ST ABN DIV (AASLT), FOB BRASSFIELD-MORA, SAMARA, APO AE 09349, HOME STATION: FORT CAMPBELL, KY, IZ; CT; [JUSTIFIABLE HOMICIDE]

VICTIM:

1. MAHMOOD, (DECEASED); IRAQ; FEMALE; WHITE; HOUSE ADJACENT TO GRAVEL PIT ROAD, SOUTHWEST OF SAMARA, IZ; XZ/ [INVOLUNTARY MANSLAUGHTER]; JUVENILE - THIS RECORD MAY BE RELEASED ONLY AS AUTHORIZED BY AR 195-2, PARAGRAPH 4-3F (NFI)

2. LATIF, AHED OID (DECEASED); MALE; WHITE; HOUSE ADJACENT TO GRAVEL PIT ROAD, SAMARA, IZ; XZ; [VOLUNTARY MANSLAUGHTER] (NFI)

3. MAHMOOD, KASSIM KARIM ABU KASSIM (DECEASED); CIV; IRAQ; MALE; WHITE; HOUSE ADJACENT TO GRAVEL PIT ROAD, SOUTHWEST OF SAMARA, IZ; XZ; [VOLUNTARY MANSLAUGHTER] (NFI)

4. AL NISSANI, OMAR (DECEASED); CIV; IRAQ; MALE; WHITE; STORE, ADJACENT TO GRAVEL PIT ROAD, SW OF SAMARA, IZ; XZ; [JUSTIFIABLE HOMICIDE] (NFI)

5. MAHMOOD, OMAR KARIM (DECEASED); CIV; IRAQ; MALE; WHITE; XZ; [JUSTIFIABLE HOMICIDE] (NFI)

INVESTIGATIVE SUMMARY:

(U) "This is an Operation Iraqi Freedom Investigation"

(U) This office received notification that the killing of six Iraqi nationals, one a 7 year-old girl, on 22 May 06 may have been unlawful.

(U) Investigation established that the shootings of NISSANI and O. MAHMOOD were justified homicides consistent with the Rules of Engagement (ROE).

(U) Investigation established probable cause to believe **b(6), b(7)(C)** committed the offenses of voluntary manslaughter when he ordered the unlawful killing of K. MAHMOOD, who was unarmed and unresisting; and involuntary manslaughter when he exhibited gross negligence in ordering his Soldiers to fire into the room despite the known presence of women and children, killing Miss MAHMOOD.

(U) Investigation established probable cause to believe **b(6), b(7)(C)** committed the offense of voluntary manslaughter when he shot and killed LATIF, who was unarmed, exhibited no signs of resistance and was not positively identified (PID) prior to the shooting as required under the ROE.

(U) STATUTES: Article 119, UCMJ: Manslaughter

(U) EXHIBITS/SUBSTANTIATION:

(U) ATTACHED:

(U) 1. Agent's Investigation Report (AIR) of SA **b(6), b(7)(C)** 23 OCT 06, detailing the basis for investigation, interviews of **b(6), b(7)(C)**

b(6), b(7)(C)
b(6), b(7)(C) and **b(6), b(7)(C)** canvass interviews, receipt of the AR 15-6 Investigation and coordination with the Staff Judge Advocate.

(U) 2. Sworn Statement of **b(6), b(7)(C)** 31 May 06, wherein he related he did not directly witness the shooting of Ms MAHMOOD; however, stated members of his unit did engage and kill K. MAHMOOD once positively identified.

(U) 3. Rough Sketch of the incident, 31 May 06, prepared by **b(6), b(7)(C)**

(U) 4. AR 15-6 Investigation of **b(6), b(7)(C)** 11 Jun 06, which concluded the raid was conducted in accordance with the Rules Of Engagement (ROE) and that the noncombatant was an unintentional victim of a direct fire engagement against K. MAHMOOD. (~~SECRET/NOFORN~~)

(U) 5. Waiver Certificate and Sworn Statement of **b(6), b(7)(C)** 8 Jul 06, wherein he related he had no knowledge of a little girl being killed; however, he did witness the detention of one Iraqi male and a dead Iraqi male's body.

(U) 6. Sworn Statement of **b(6), b(7)(C)** 8 Jul 06, wherein he related his actions on 22 May 06 and that he engaged K. MAHMOOD once positively identified.

(U) 7. Rough Sketch of the incident, 8 Jul 06, prepared by **b(6), b(7)(C)**

(U) 8. Sworn Statement of **b(6), b(7)(C)** 9 Jul 06, wherein he related he had no knowledge of the incident.

(U) 9. Sworn Statement of **b(6), b(7)(C)** 10 Jul 06, wherein he related he had heard a little girl was shot accidentally; however, he was not present as he was pulling security on another house.

(U) 10. Sworn Statement of **b(6), b(7)(C)** 10 Jul 06, wherein he admitted he engaged K. MAHMOOD once positively identified and remembered seeing a little girl; however, he believed she had fainted.

(U) 11. Waiver Certificate/Sworn Statement of **b(6), b(7)(C)** 10 Jul 06, wherein he admitted he engaged K. MAHMOOD once positively identified and remembered seeing a little girl; however, he believed she had fainted.

(U) 12. Rough Sketch of incident, 10 Jul 06, prepared by **b(6), b(7)(C)**

(U) 13. Sworn Statement of **b(6), b(7)(C)** 10 Jul 06, wherein he related he witnessed K. MAHMOOD being engaged and had heard a little girl was killed; however, did not directly witness her being killed.

(U) 14. (2) Rough Sketches of the incident, 10 Jul 06, prepared by **b(6), b(7)(C)**

(U) 15. Sworn Statement of **b(6), b(7)(C)** 10 Jul 06, wherein he related he was present for the mission; however, he had no direct knowledge of the shootings because he was on another objective.

(U) 16. Sworn Statement of **b(6), b(7)(C)** 10 Jul 06, wherein he related he was involved in the mission on 22 May 06 and explained the ROE for the mission (~~SECRET / NOFORN~~).

(U) 17. Sworn Statement of **b(6), b(7)(C)** 10 Jul 06, wherein he admitted he engaged an Iraqi male once positively identified who was positioned on a water heater.

(U) 18. Sworn Statement of **b(6), b(7)(C)** 10 Jul 06, wherein he related he witnessed **b(6), b(7)(C)** and FARMER engage the Iraqi male on the water heater.

(U) 19. Sworn Statement of **b(6), b(7)(C)** 10 Jul 06, wherein he admitted killing LATIF who was not actively surrendering.

(U) 20. Sworn Statement of **b(6), b(7)(C)** 12 Jul 06, wherein he related he had heard a little girl was killed during the mission; however, he did not witness it because he was on another objective.

(U) 21. Sworn Statement of **b(6), b(7)(C)** 12 Jul 06, wherein he related his element detained an Iraqi male on an objective; however, did not have any additional knowledge of the mission.

(U) 22. Sworn Statement of **b(6), b(7)(C)** 15 Jul 06, wherein he denied having any knowledge of the incident.

(U) 23. Sworn Statement of **b(6), b(7)(C)** 16 Jul 06, wherein he related **b(6), b(7)(C)** told him he engaged an Iraqi male and he witnessed the same Iraqi male against a wall bleeding from his face.

(U) 24. Sworn Statement of **b(6), b(7)(C)** 16 Jul 06, wherein he related he knew a little girl had been killed; however, she was not targeted nor would the Iraqi male have been engaged if her presence was known.

(U) 25. Sworn Statement of **b(6), b(7)(C)** 16 Jul 06, wherein he related he engaged an Iraqi male and noticed a little girl being held by her mother, but did not know she was deceased.

(U) 26. Rough Sketch of the incident, 16 Jul 06, prepared by **b(6), b(7)(C)**

(U) 27. Sworn Statement of **b(6), b(7)(C)** 16 Jul 06, wherein he related he heard a little girl was killed; however, he was not present because he was on another objective.

(U) 28. Sworn Statement of **b(6), b(7)(C)** 16 Jul 06, wherein he explained discussions presented at an After Action Review as well as elaborated on the ROE for this incident (~~SECRET / NOFORN~~).

(U) 29. Sworn Statement of **b(6), b(7)(C)** 16 Jul 06, wherein he related **b(6), b(7)(C)** gave the order to engage an Iraqi male and he engaged upon the order, killing the Iraqi male.

(U) 30. Sworn Statement of **b(6), b(7)(C)** 17 Jul 06, wherein he admitted he engaged an Iraqi male who was reaching for a cell phone.

(U) 31. Appointment Orders of BG **b(6), b(7)(C)** 17 Jul 06. (~~SECRET/NOFORN~~)

(U) 32. Sworn Statement of **b(6), b(7)(C)** 19 Jul 06, wherein he related heard about the incident from a Local National source and heard a little girl was accidentally killed.

(U) 33. Sworn Statement of **b(6), b(7)(C)** 19 Jul 06, wherein he related he heard a little girl was accidentally killed by fire targeted at a single person.

(U) 34. Sworn Statement of **b(6), b(7)(C)** 19 Jul 06, wherein he admitted he and **b(6), b(7)(C)** engaged an Iraqi male who was reaching for something in his pocket.

(U) 35. Sworn Statement of **b(6), b(7)(C)** 19 Jul 06, wherein he admitted he, **b(6), b(7)(C)** and **b(6), b(7)(C)** engaged an Iraqi male at a shop who was reaching for something in his pocket.

(U) 36. Sworn Statement of **b(6), b(7)(C)** 26 Jul 06, wherein he related he had heard on the radio a little girl was killed by ricochet.

(U) 37. Sworn Statement of **b(6), b(7)(C)** 31 Jul 06, wherein he denied having any knowledge of the incident.

(U) 38. Sworn Statement of **b(6), b(7)(C)** 23 Aug 06, wherein he related **b(6), b(7)(C)** informed him that C CO, 3-187th INF was running sources and informed him the killing of a little Iraqi girl may not have been accidental.

(U) 39. Sworn Statement of **b(6), b(7)(C)** 25 Aug 06, wherein she related she researched reports through intelligence channels and noted some reports were written and submitted after the raid on 22 May 06.

(U) 40. Sworn Statement of **b(6), b(7)(C)** 28 Aug 06, wherein he related he had no knowledge of the operation or what intelligence was used to conduct it. **b(6), b(7)(C)** stated he did not know if **b(6), b(7)(C)** had two sources to positively identify targets because intelligence was never briefed of **b(6), b(7)(C)** meetings with a source. (~~SECRET/NOFORN~~)

(U) 41. Sworn Statement of **b(6), b(7)(C)** 2 Sep 06, wherein she related she was questioned by **b(6), b(7)(C)** about any intelligence support for the operation; however, she stated no intelligence personnel were consulted prior to the operation. (~~SECRET/NOFORN~~)

(U) 42. Sworn Statement of **b(6), b(7)(C)** 6 Sep 06, wherein he related he was not involved in any intelligence collection or analysis of any targets and was informed the shooting was justified.
(~~SECRET/NOFORN~~)

(U) 43. Opinion Memorandum, 29 Sep 06, prepared by LTC **b(6), b(7)(C)** Command Judge Advocate, HQUSACIDC, Ft Belvoir, VA.

(U) 44. Rules of Engagement, OPORD 01-06. (~~SECRET/NOFORN~~)

(U) 45. Rules of Engagement Training Slides May Refresher 2006. (~~SECRET/NOFORN~~)

(U) 46. Rules of Engagement and Armed Conflict Training Slides, 3 Jul 06.
(~~SECRET/NOFORN~~)

(U) 47. Target Packet and miscellaneous documents from 3/187th INF. (~~SECRET/NOFORN~~)

(U) NOT ATTACHED: None.

(U) The original of Exhibits 1 - 30 and 34 - 42 are forwarded with the USACRC copy of this report. The original of Exhibits 31 and 44 - 47 were retained in the files of the 101st Airborne Division (AASLT), Fort Campbell, KY. The original of Exhibit 33 are retained in CID Report of investigation (ROI) 0122-06-CID469-75462. The originals of Exhibits 22 and 32 are retained in CID ROI 0116-06-CID469-75459. The original of Exhibit 43 is retained by LTC **b(6), b(7)(C)** HQUSACIDC, Fort Belvoir, VA.

(U) STATUS: This is a Final Report. Commander's Report of Disciplinary or Administrative Action (DA Form 4833) is required pertaining to SGT **b(6), b(7)(C)** and 1SG **b(6), b(7)(C)**

(U) REPORT PREPARED BY

REPORT APPROVED BY

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

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

(U) SA **b(6), b(7)(C), b(7)(F)**
(U) Special Agent

CWS **b(6), b(7)(C)**
Operations Officer

(U) DISTRIBUTION:

- 1 - Dir, USACRC, Ft Belvoir, VA 22060 (Original)
- 1 - PM, 101st ABN DIV (AASLT), COB Speicher (email only)
- 1 - THRU: CDR, 3rd MP GRP (CID), Ft Gillem, GA
- TO: CDR, HQUSACIDC, ATTN: CIOP-CO, Ft Belvoir, VA 22060
- 1 - Action CDR, ATTN: SJA, 101st ABN DIV (AASLT), Ft Campbell, KY
- 1 - FILE

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0123-06-CID469-75463

Page 1 of 14 Pages

DETAILS

BASIS FOR INVESTIGATION: About 1235, 31 May 06, SA **(b)(6), (b)(7)(C), (b)(7)(F)** 31st MP DET (CID), Logistical Support Area (LSA) Anaconda, Balad, Iraq, (Home Station: Fort Campbell, KY), interviewed 1LT **(b)(6), (b)(7)(C)** 2nd PLT, C Company (CO), 3/187th Infantry (INF) Regiment (REG), Forward Operating Base Brassfield-Mora, Samara, Iraq, (FBM) who provided a sworn statement detailing the purpose of Operation Time Sensitive Target and his responsibilities therein. **(b)(6), (b)(7)(C)** related the objective he was responsible for resulted in the death of 1 male and a small female child was inadvertently struck by gun fire. **(b)(6), (b)(7)(C)** could not determine exactly how the girl was killed. **(b)(6), (b)(7)(C)** further provided a rough sketch of the incident as it transpired (See Sworn Statement and Sketch for details).

Agent's Comment: On 7 Jul 06, this investigation was initiated based on the aforementioned sworn statement and a review of the AR 15-6 Investigation, both of which were extracted from SDF 0095-06-CID469 (See AR 15-6 Investigation for details).

About 1250, 8 Jul 06, SA **(b)(6), (b)(7)(C), (b)(7)(F)** 31st MP DET (CID), Contingency Operating Base (COB), Speicher, Tikrit, Iraq (Home Station: Fort Bragg, NC), advised SPC **(b)(6), (b)(7)(C)** C CO, 3/187th INF REG, FBM, of his legal rights, which he waived and provided a sworn statement wherein he stated an informant had identified several targets who supposedly gave out information about Combat Out Post (COP) 3 to CPT **(b)(6), (b)(7)(C)** Commander, same unit, and the objective of their mission was to Positively Identify (PID) these individuals. **(b)(6), (b)(7)(C)** affirmed during the course of the mission an Iraqi male was killed at a shop, another Iraqi male was shot in his house and a third Iraqi male was detained. **(b)(6), (b)(7)(C)** continued he did not know how the little girl received her injuries (See Rights Waiver Certificate and Sworn Statement for details).

Agent's Comment: CPT **(b)(6), (b)(7)(C)** had retained counsel and was not interviewed in this investigation.

About 1807, 8 Jul 06, SA **(b)(6), (b)(7)(C), (b)(7)(F)** 31st MP DET (CID), COB Speicher, (Home Station: Fort Stewart, GA), interviewed SFC **(b)(6), (b)(7)(C)** Headquarters and Headquarters Company (HHC), 3/187th INF REG, FBM, who provided a sworn statement wherein he detailed wherein he related his actions on 22 May 06 and that he engaged an Iraqi male once positively identified. **(b)(6), (b)(7)(C)** further provided a rough sketch of the incident as it transpired (See Sworn Statement and Sketch for details).

About 1100, 9 Jul 06, SA **(b)(6), (b)(7)(C), (b)(7)(F)** 481st MP DET (CID), Camp Liberty, Baghdad, Iraq, interviewed CPT **(b)(6), (b)(7)(C)** Executive Officer, HHC, 3/187th INF REG, FBM, who related he had heard of the incident, but did not know any specifics.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA **(b)(6), (b)(7)(C), (b)(7)(F)**

SIG

ORGANIZATION

10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station, Ft Bragg, NC)

DATE

20 OCT 06

EXHIBIT

CID FORM 94

FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE

(Available) RDI 5917 p.37

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ACLU DDII CID ROIS 36544

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

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DETAILS

About 1430, 9 Jul 06, SA **(b)(6), (b)(7)(C)** interviewed SPC **(b)(6), (b)(7)(C)** C CO, 3/187th INF REG, FBM, who related he had no knowledge of an incident involving the death of a 7 year old girl (See Sworn Statement for details).

About 1630, 9 Jul 06, SA **(b)(6), (b)(7)(C)** interviewed SSG **(b)(6), (b)(7)(C)** HHC, 3/187th INF REG, FBM, who denied any knowledge of the death of a 7 year old girl.

About 1919, 8 Jul 06, SA **(b)(6), (b)(7)(C)** interviewed SGT **(b)(6), (b)(7)(C)** C CO, 3/187th INF REG, FBM, who denied any knowledge of the death of a 7 year old girl.

About 1130, 9 Jul 06, SA **(b)(6), (b)(7)(C)** interviewed MAJ **(b)(6), (b)(7)(C)** HHC, 3/187th INF REG, FBM, who related he approved the mission as the Acting BN CDR in which the 7 year girl had been killed. He heard two different versions regarding the circumstances of her death; however, denied any direct knowledge of the incident.

About 1332, 9 Jul 06, SA **(b)(6), (b)(7)(C)** interviewed SPC **(b)(6), (b)(7)(C)** C CO, 3/187th INF REG, FBM, who denied any knowledge of the death of a 7 year old girl.

About 1631, 9 Jul 06, SA **(b)(6), (b)(7)(C)** interviewed SGT **(b)(6), (b)(7)(C)** C CO, 3/187th INF REG, FBM, who denied having any knowledge of the death of a 7 year old girl. **(b)(6), (b)(7)(C)** related he never heard or participated in any kill/kill missions. **(b)(6), (b)(7)(C)** stated he was told even on kill or capture raids that if the target surrenders you could not kill them. **(b)(6), (b)(7)(C)** further stated if the target did not try to surrender before a PID, they were authorized to eliminate the target.

About 1651, 9 Jul 06, SA **(b)(6), (b)(7)(C)** interviewed SSG **(b)(6), (b)(7)(C)** HHC, 3/187th INF REG, FBM, who denied having any knowledge of the death of a 7 year old girl.

About 1723, 9 Jul 06, SA **(b)(6), (b)(7)(C), (b)(7)(F)** 31st MP DET (CID), COB Speicher, interviewed SPC **(b)(6), (b)(7)(C)** HHC, 3/187th INF REG, FBM, who denied having any knowledge of the death of a 7 year old girl.

About 0940, 10 Jul 06, SA **(b)(6), (b)(7)(C)** interviewed SSG **(b)(6), (b)(7)(C)** C CO, 3/187th INF REG, FBM, who related he was part of the operation in which the 7 year old girl died; however, he was on a separate objective and did not witness the incident (See Sworn Statement for details).

About 1000, 10 Jul 06, SA **(b)(6), (b)(7)(C)** 31st MP DET (CID) LSA Anaconda, Balad Iraq, (Home Station: Fort Campbell, KY), interviewed SPC **(b)(6), (b)(7)(C)** C CO, 3/187th INF BN,

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6), (b)(7)(C), (b)(7)(F)		10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station, Ft Bragg, NC)	
SIG		DATE	EXHIBIT
		23 OCT 06	1

ACLU DDII CID ROIS 36545

CID FORM 94 FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE

(A) (U) RDI 5917 p.38

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0123-06-CID469-75463

Page 3 of 14 Pages

DETAILS

FBM, who provided a sworn statement wherein he admitted he engaged an Iraqi male once positively identified and remembered seeing a little girl; however, he believed she had fainted (See Sworn Statement for details).

About 1057, 10 Jul 06, SA **(b)(6), (b)(7)(C)** advised **(b)(6), (b)(7)(C)** of his legal rights, which he waived and stated he passed a window and saw an Iraqi male standing to the rear of the room. **(b)(6), (b)(7)(C)** engaged and shot Mr. Abu KASIM in the chest and head once he and 1SG **(b)(6), (b)(7)(C)** C CO, 3/187th INF REG, FBM, affirmed the person in the house to be one of KASSIM's sons. **(b)(6), (b)(7)(C)** related he knew there were children and women in the house but they were about 4 to 5 meters from the target and out of his line of fire. **(b)(6), (b)(7)(C)** concluded after he stopped shooting, he saw the girl on the ground but believed she had fainted and did not know the girl was dead until after they left the objective. **(b)(6), (b)(7)(C)** provided a rough sketch (See Sworn Statement and Sketch for details).

About 1100, 10 Jul 06, SA **(b)(6), (b)(7)(C)** re-interviewed **(b)(6), (b)(7)(C)** who related he was not part of the first or second killing on the mission; however, stated that the first man had to be neutralized prior to US forces traveling to engage the second target. **(b)(6), (b)(7)(C)** related both men were supposedly identified as Al-Qaeda, and **(b)(6), (b)(7)(C)** had directed a shoot on sight, unless the men were actively surrendering.

About 1130, 10 Jul 06, SA **(b)(6), (b)(7)(C)** interviewed SPC **(b)(6), (b)(7)(C)** C CO, 3/187th INF REG, FBM, who provided a sworn statement wherein he related he witnessed an Iraqi male being engaged and had heard a little girl was killed; however, he denied he directly witnessed her being killed. **(b)(6), (b)(7)(C)** further provided two rough sketches of the incident as it transpired (See Sworn Statement and Sketches for details).

About 1320, 10 Jul 06, SA **(b)(6), (b)(7)(C)** interviewed SPC **(b)(6), (b)(7)(C)** C CO, 3/187th INF REG, FBM, who denied having any knowledge in the death of a 7 year old girl.

About 1330, 10 Jul 06, SA **(b)(6), (b)(7)(C)** interviewed SSG **(b)(6), (b)(7)(C)** C CO, 3/187th INF REG, FBM, who related he was part of the overall mission but related he did not participate in the objective where the 7 year old girl was killed. **(b)(6), (b)(7)(C)** stated he had learned later on that day that a child was killed. He further related based on the ROE they were authorized to shoot a High Value Target without allowing them a chance to surrender. **(b)(6), (b)(7)(C)** related he was not familiar with the term kill/kill.

About 1330, 10 Jul 06, SA **(b)(6), (b)(7)(C)** interviewed SPC **(b)(6), (b)(7)(C)** C CO, 3/187th INF REG, FBM, who related he did not remember any incident involving the shooting of a man and a 7 year old girl.

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6), (b)(7)(C), (b)(7)(F)		10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station, Ft Bragg, NC)	
SIG (b)(6), (b)(7)(C)		DATE	EXHIBIT
		30 OCT 06	

ACLU DDII CID ROIS 36546

CID FORM 94 FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0123-06-CID469-75463

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DETAILS

About 1425, 10 Jul 06, SA **(b)(6), b(7)(C)** interviewed PFC **(b)(6), b(7)(C)** C CO, 3/187th INF REG, FBM, who denied having any knowledge in the death of a 7 year old girl.

About 1500, 10 Jul 06, SA **(b)(6), b(7)(C)** interviewed SGT **(b)(6), b(7)(C)** C CO, 3/187th INF REG, FBM, who provided a sworn statement wherein he related he was present for the mission; however, he denied having any direct knowledge of the shootings because he was on another objective. **(b)(6), b(7)(C)** stated his mission was to secure his objective while looking for six Iraqi males on a black list. He added his element found two adult males, searched them and held them in their custody until departure (See Sworn Statement for details).

About 1600, 10 Jul 06, SA **(b)(6), b(7)(C)** interviewed SGT **(b)(6), b(7)(C)** C CO, 3/187th INF REG, FBM, who provided a sworn statement wherein he related he was present for the mission on 22 May 06. He added the ROE was if a military aged male was present and not "actively surrendering" he (the military aged male) was to be killed on sight (See Sworn Statement for details).

About 1605, 10 Jul 06, SA **(b)(6), b(7)(C)** interviewed SGT **(b)(6), b(7)(C)** C CO, 3/187th INF REG, FBM, who admitted he engaged an Iraqi male who was seated on a water heater because he was a perceived threat. **(b)(6), b(7)(C)** related the Iraqi male had his back turned to him, so he could not see exactly what he (the Iraqi male) was doing (See Sworn Statement for details).

About 1700, 10 Jul 06, SA **(b)(6), (b)(7)(C), (b)(7)(F)** 31st MP DET (CID), COB Speicher, (Home Station: Fort Benning, GA), interviewed SSG **(b)(6), b(7)(C)** C CO, 3/187th INF BN, FBM, who provided a sworn statement wherein he stated he was involved on a mission conducted on 22 May 06 and witnessed **(b)(6), b(7)(C)** engage an Iraqi male on a water heater because he was a perceived threat. **(b)(6), b(7)(C)** related he did not engage the male on the water heater (See Sworn Statement for details)

About 1730, 10 Jul 06, SA **(b)(6), b(7)(C)** interviewed SGT **(b)(6), b(7)(C)** C CO, 3/187th NF REG, FBM, who related he was on a separate objective approximately 1000 meters to the East and had heard of the incident from someone on the objective shortly after. He related he was on the same objective with **(b)(6), b(7)(C)** and **(b)(6), b(7)(C)**

About 1740, 10 Jul 06, SA **(b)(6), b(7)(C)** interviewed SPC **(b)(6), b(7)(C)** C CO, 3/187th INF REG, FBM, who stated he had heard a 7 year old girl had been killed on Operation Time Sensitive Target on 22 May 06, but knew no details or who had told him.

About 1745, 10 Jul 06, SA **(b)(6), b(7)(C)** re-interviewed **(b)(6), b(7)(C)** who stated he was the first man into a house and viewed a military aged male sitting in the floor with a twelve year old boy lying with his head in the man's lap.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA **(b)(6), (b)(7)(C), (b)(7)(F)**

ORGANIZATION

10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq,
APO AE 09342 (Home Station, Ft Bragg, NC)

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

DATE

23 OCT 06

EXHIBIT

ACLU DDII CID ROIS 36547

CID FORM 34

FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE

(AGIU) RDI 5917 p.40

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b(6), b(7)(C) related he entered the room with his rifle up and noticed a little boy sitting right next to a military aged male. He added the male witnessed b(6), b(7)(C) enter the room and just sat there, so b(6), b(7)(C) shot 4 to 5 rounds in the man's head from about 3 feet away as the military aged male was not actively surrendering. b(6), b(7)(C) related a photograph of the HVT was not a part of the target package. (See Sworn Statement for details)

About 1330, 12 Jul 06, SA b(6), b(7)(C) interviewed SPC b(6), b(7)(C) C CO, 3/187th INF REG, FBM, who related he had only 3rd or 4th hand knowledge of the incident, and had no significant information.

About 1345, 12 Jul 06, SA b(6), b(7)(C) interviewed SGT b(6), b(7)(C) C CO, 3/187th INF REG, FBM, who provided a sworn statement wherein he related he had heard a little girl was killed during the mission; however, he did not witness the shooting because he was on another objective (See Sworn Statement for details).

About 1400, 12 Jul 06, SA b(6), b(7)(C) interviewed SSG b(6), b(7)(C) C CO, 3/187th INF REG, FBM, who provided a sworn statement wherein he related his element detained an Iraqi male during the mission; however, did not have any additional knowledge of the mission or any shootings (see Sworn Statement for details).

About 1620, 12 Jul 06, SA b(6), b(7)(C) interviewed PFC b(6), b(7)(C) C CO, 3/187th INF REG, FBM, who denied having any knowledge of the death of a 7 year old girl.

About 1620, 12 Jul 06, SA b(6), b(7)(C) interviewed SSG b(6), b(7)(C) C CO, 3/187th INF REG, FBM, who denied he had ever been authorized to kill a HVT immediately upon positive identification without allowing them a chance to surrender. b(6), b(7)(C) denied he had ever participated in a kill/kill operation; however, had heard that OIT was a kill/kill mission. He stated he was not present for OIT and denied any knowledge in the death of a 7 year old girl. He added he was on another simultaneous mission between Combat Out Posts (COP) 1 and 2 looking for another HVT.

About 2133, 12 Jul 06, SA b(6), b(7)(C) interviewed PFC b(6), b(7)(C) C CO, 3/187th INF REG, FBM, who denied having any knowledge in the death of a 7 year old girl. He related he had been authorized to kill High Value Targets who posed an imminent threat on 16 May 06; however, no one was killed on this particular mission.

About 1000, 13 Jul 06, SA b(6), b(7)(C) interviewed SPC b(6), b(7)(C) C CO, 3/187th INF REG, FBM, who related that he heard from an unknown individual that b(6), b(7)(C) shot a man and the

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA b(6), b(7)(C), b(7)(F)		10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station, Ft Bragg, NC)	
SIG: b(6), b(7)(C)		DATE	EXHIBIT
		23 OCT 06	1

ACLU DDII CID ROIS 36548

AGENT'S INVESTIGATION REPORT

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bullet went through him, striking the 7 year old girl. **b(6), b(7)(C)** further stated as he understood it if the High Value Targets did not put their hands up, even if they were just standing there, they were authorized to shoot to kill.

About 1000, 13 Jul 06, SA **b(6), b(7)(C)** interviewed SSG **b(6), b(7)(C)** C CO, 3/187th INF REG, FBM, who denied having any knowledge of the death of a 7 year old girl.

About 1110, 13 Jul 06, SA **b(6), b(7)(C)** interviewed SGT **b(6), b(7)(C)** C CO, 3/187th INF REG, FBM, who related that on "Operation Judgment Day", he heard about the incident involving the 7 year old girl **b(6), b(7)(C)** further stated he remembered that upon PID, they were authorized to shoot.

About 1222, 13 Jul 06, SA **b(6), b(7)(C)** interviewed SGT **b(6), b(7)(C)** C CO, 3/187th INF REG, FBM, who denied any knowledge of the death of a 7 year old girl.

About 1420, 13 Jul 06, SA **b(6), b(7)(C)** interviewed SPC **b(6), b(7)(C)** C CO, 3/187th INF REG, FBM, who related he heard of the mission but had no pertinent information to add to this investigation.

About 1428, 13 Jul 06, SA **b(6), b(7)(C)** interviewed SPC **b(6), b(7)(C)** C CO, 3/187th INF BN, FBM, who denied any knowledge of the death of a 7 year old girl.

About 1230, 15 Jul 06, SA **b(6), b(7)(C)** interviewed PFC **b(6), b(7)(C)** HHC, 3rd Brigade Combat Team (3BCT), COB Speicher, Tikrit, Iraq, who related he was on Operation Judgment Day; however, he was at an objective where one of the HVT should have been located, but no one was there. Further he denied having any knowledge of the death of a 7 year old girl.

About 1600, 15 Jul 06, SA **b(6), b(7)(C)** interviewed SGT **b(6), b(7)(C)** HHC, 3/187th INF REG, FBM, who denied ever being on a raid where HVT were not given a chance to surrender. He related he had no knowledge of a kill/kill mission. **b(6), b(7)(C)** denied having any direct knowledge of the raid on 22 May 06. (See Sworn Statement for details).

About 1645, 15 Jul 06, SA **b(6), b(7)(C)** interviewed SPC **b(6), b(7)(C)** HHC, 3/187th INF REG, FBM, who denied having any knowledge of the death of a 7 year old girl.

About 0900, 16 Jul 06, SA **b(6), b(7)(C)** re-interviewed **b(6), b(7)(C)** who provided related **b(6), b(7)(C)** told him he **b(6), b(7)(C)** engaged an Iraqi male and he witnessed the same Iraqi male against a wall bleeding from his face (See Sworn Statement for details).

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA **(b)(6), (b)(7)(C), (b)(7)(F)**
b(6), b(7)(C)

ORGANIZATION

10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq,
APO AE 09342 (Home Station, Ft Bragg, NC)

DATE

23 OCT 06

EXHIBIT

ACLU DDII CID ROIS 36549

CID FORM 94 FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE

(A) RDI 5917 p.42

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

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DETAILS

About 0925, 16 Jul 06, SA **b(6), b(7)(C)** interviewed SGT **b(6), b(7)(C)** C CO, 3/187th INF REG, FBM, who stated he was present when a 7 year old girl was killed. He related the young girl was not targeted nor would the Iraqi male have been engaged if her presence was known (See Sworn Statement for details).

About 0941, 16 Jul 06, SA **b(6), b(7)(C)** interviewed PFC **b(6), b(7)(C)** C CO, 3/187th INF REG, FBM, who denied having any knowledge in the death of a 7 year old girl on 22 May 06. He denied targeting an HVT or he had ever heard of or participated in a kill/kill operation. **b(6), b(7)(C)** denied he had ever been authorized to kill HVTs immediately upon positive identification without allowing them a chance to surrender.

About 0930, 16 Jul 06, SA **b(6), b(7)(C)** interviewed SPC **b(6), b(7)(C)** C CO, 3/187th INF REG, FBM, who related he was present at the objective where the 7 year old girl had died. **b(6), b(7)(C)** stated he, **b(6), b(7)(C)** and **b(6), b(7)(C)** were on the side of the house where KASIM and his son were present. Upon looking in the window they saw KASIM and had their sights on him. **b(6), b(7)(C)** came up and assisted in positively identifying the target. **b(6), b(7)(C)** stated he heard someone say "that's him" and then **b(6), b(7)(C)** engaged followed by himself and **b(6), b(7)(C)**. Directly after shots were fired, **b(6), b(7)(C)** ordered the cease fire. **b(6), b(7)(C)** stated he never saw the 7 year old girl run in front of his fire and he had a clear line of sight throughout the engagement. There were women and children along the left wall and right wall as looking in the window, but no women or children were around the location of KASIM, which was directly in front of the window. **b(6), b(7)(C)** related he never saw entrance or exit wounds or any blood on the child. **b(6), b(7)(C)** provided a rough sketch (See Sworn Statement and Sketch for details).

About 0945, 16 Jul 06, SA **b(6), b(7)(C)** interviewed SGT **b(6), b(7)(C)** C CO, 3/187th INF REG, FBM, who related he heard a little girl was killed; however, he was not present because he was on another objective with **b(6), b(7)(C)** and **b(6), b(7)(C)**. **b(6), b(7)(C)** stated he and **b(6), b(7)(C)** engaged an Iraqi male who was seated on a water heater because he was perceived as a threat. **b(6), b(7)(C)** See Sworn Statement for details).

About 1100, 16 Jul 06, SA **b(6), b(7)(C)** re-interviewed **b(6), b(7)(C)** who related during Operation Time Sensitive Target, the ROE was to engage positively identified enemy targets. **b(6), b(7)(C)** stated his unit never used the term "Kill/Kill" operation (See Sworn Statement for details).

About 1105, 16 Jul 06, SA **b(6), b(7)(C)** re-interviewed **b(6), b(7)(C)** who related **b(6), b(7)(C)** gave the order to engage an Iraqi male and he engaged upon receiving the order, killing the Iraqi male (See Sworn Statement for details).

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA **b(6), b(7)(C), (b)(7)(F)**

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

ORGANIZATION

10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq,
APO AE 09342 (Home Station, Ft Bragg, NC)

DATE

26 OCT 06

EXHIBIT

ACLU DDII CID ROIS 36550

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0123-06-CID469-75463

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DETAILS

About 1228, 16 Jul 06, SA **b(6), b(7)(C)** interviewed SGT **b(6), b(7)(C)** C CO, 3/187th INF REG, FBM, who stated he had not been authorized to kill any HVT upon positive identification. **b(6), b(7)(C)** stated he never heard of the term "Kill/Kill" operation. **b(6), b(7)(C)** further stated he never heard of the incident where a 7 year old girl was killed during an operation.

About 1000, 17 Jul 06, SA **b(6), b(7)(C)** interviewed 1LT **b(6), b(7)(C)** C CO, 3/187th INF REG, FBM, who related he was informed that a little girl was shot during the incident. **b(6), b(7)(C)** stated he was on a different objective where he followed his target in a store. **b(6), b(7)(C)** stated his target was fumbling with his cell phone and he shot him (See Sworn Statement for details).

On 17 Jul 06, MG **b(6), b(7)(C)**, Commander, 101st ABN DIV, COB Speicher, appointed BG **b(6), b(7)(C)** Assistant Division Commander – Maneuver, 101st ABN DIV, to conduct an AR 15-6 Investigation into the command climate and Use of Force by 3BCT during OIF 05-09. (See Appointment Orders for details)

About 1000, 19 Jul 06, SA **b(6), b(7)(C)** interviewed SSG **b(6), b(7)(C)** A CO, 221st Military Intelligence (MI) BN, 205th MI Brigade (BDE), FBM, who denied ever being authorized to kill HVTs immediately upon positive identification without allowing them a chance to surrender; however, he related he overheard this authorization in other Soldier's conversations prior to a mission on 14 May 06 at Patrol Base Razor. **b(6), b(7)(C)** stated he heard of a "Kill/Kill" operation by C Company, 3/187th INF BN, FBM, conducted on approximately 22 May 06 in the Albu Gatta area south of Samara, Iraq. He heard of the incident through a local national and then from an interpreter who stated it was on the news. He added on 25 May 06, a member from 3/187th INF BN S-2 told him the little girl ran between her father and US Soldiers, who were in the process of shooting him, and she (the little girl) was killed (See Sworn Statement for details).

About 1100, 19 Jul 06, SA **b(6), b(7)(C)** and SA **b(6), b(7)(C)** interviewed SGT **b(6), b(7)(C)** B CO, 3 Special Troops Battalion (STB), 3BCT, FBM, who denied having any knowledge of the death of a 7 year old girl.

About 1407, 19 Jul 06, SA **b(6), b(7)(C)** interviewed SGT **b(6), b(7)(C)** C CO, 3/187th INF REG, FBM, who related everyone his unit encountered was given the opportunity to surrender. **b(6), b(7)(C)** stated he never heard of the term "Kill/Kill" operation. **b(6), b(7)(C)** further stated he was on another objective when the 7 year old girl was killed. **b(6), b(7)(C)** stated he had no knowledge of the incident other than she was killed.

About 1408, 19 Jul 06, SA **b(6), b(7)(C)** interviewed SPC **b(6), b(7)(C)** C CO, 3/187th INF REG, FBM, who denied ever being authorized to kill HVT's immediately upon positive identification without allowing them a chance to surrender. **b(6), b(7)(C)** denied he had ever heard of or participated in a "Kill/Kill"

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6), (b)(7)(C), (b)(7)(F)		10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station, Ft Bragg, NC)	
b(6), b(7)(C)		DATE	EXHIBIT
		30 OCT 06	1

ACLU DDII CID ROIS 36551

CID FORM 94 FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE

(A) (U) RDI 5917 p.44

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AGENT'S INVESTIGATION REPORT

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DETAILS

operation. He heard from a group of people that the little girl was 9 years old and ran across the room in the middle of Soldiers from C CO, 3/187th INF REG, who were firing at a single person (See Sworn Statement for details).

About 1414, 19 Jul 06, SA **b(6), b(7)(C)** interviewed SFC **b(6), b(7)(C)** C CO, 3/187th INF REG, FBM, who denied having any knowledge of the death of a 7 year old girl. **b(6), b(7)(C)** related he was not present during any PID missions and he had no knowledge of "Kill/Kill" operations.

About 1720, 19 Jul 06, SA **b(6), b(7)(C)** interviewed SGT **b(6), b(7)(C)** C CO, 3/187th INF REG, FBM, who denied having any knowledge of the death of a 7 year old girl. **b(6), b(7)(C)** stated he had been authorized to kill HVTs if they had been positively identified by three sources. **b(6), b(7)(C)** further stated he never heard of a "Kill/Kill" mission.

About 1720, 19 Jul 06, SA **b(6), b(7)(C)** interviewed SGT **b(6), b(7)(C)** C CO, 3/187th INF REG, FBM, who denied having any knowledge of the death of a 7 year old girl. **b(6), b(7)(C)** stated once a person was positively identified they were authorized to kill him. He further stated no one in his platoon had killed anyone without giving them the chance to surrender.

About 1805, 19 Jul 06, SA **b(6), b(7)(C)** re-interviewed **b(6), b(7)(C)** who related he was a part of the Time Sensitive Mission where he and **b(6), b(7)(C)** followed **b(6), b(7)(C)** into the shop where a man was fumbling with a cell phone. **b(6), b(7)(C)** engaged the man and they followed suit (See Sworn Statement for details).

About 1805, 19 Jul 06, SA **b(6), b(7)(C)** re-interviewed **b(6), b(7)(C)** who further stated he had been authorized to kill HVT's if they had been positively identified by three sources (See Sworn Statement for details).

Between 24 Jul 06 and 31 Jul 06, this office received the C Co 3/187th Target Packet and photographs of the victim's remains.

About 1850, 26 Jul 06, SA **b(6), b(7)(C)** interviewed PFC **b(6), b(7)(C)** C CO, 3/187th INF REG, FBM, who denied having any knowledge of the death of a 7 year old girl. **b(6), b(7)(C)** related he was given authorization by **b(6), b(7)(C)** and **b(6), b(7)(C)** to engage a PID HVT unless actively surrendering. **b(6), b(7)(C)** denied having any knowledge of a "Kill/Kill" operation.

About 1900, 26 Jul 06, SA **b(6), b(7)(C)** interviewed SPC **b(6), b(7)(C)** C CO, 3/187th INF REG, FBM, who related he heard a little girl was killed over the radio; however, denied having any direct knowledge pertaining to the incident (See Sworn Statement for details).

TYPED AGENT'S NAME AND SEQUENCE NUMBER	ORGANIZATION
SA b(6), b(7)(C), b(7)(F)	10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq, APO AE 09342 (Home Station, Ft Bragg, NC)
b(6), b(7)(C)	DATE
	EXHIBIT

ACLU DDII CID ROIS 36552

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

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DETAILS

About 2030, 26 Jul 06, SA **b(6), b(7)(C)** interviewed SGT **b(6), b(7)(C)** C CO, 3/187th INF REG, FBM, who denied having any knowledge in the death of a 7 year old girl, but related he knew there was a mission where the unit was authorized to make a kill on a two source PID. **b(6), b(7)(C)** further denied having any knowledge or participating in any HVT raids or a "Kill/Kill" operation.

About 1345, 31 Jul 06, SA **b(6), b(7)(C)** interviewed SGT **b(6), b(7)(C)** C CO, 3/187th INF REG, FBM, who related he was on leave during the time and denied having any direct knowledge of the death of a 7 year old girl. **b(6), b(7)(C)** related he had never participated in a "Kill/Kill" or HVT operation.

About 1350, 31 Jul 06, SA **b(6), b(7)(C)** interviewed PFC **b(6), b(7)(C)** C CO, 3/187th INF REG, FBM, who related he had been authorized to kill HVT's immediately upon identification, but only if their hands were not up, actively surrendering. **b(6), b(7)(C)** stated **b(6), b(7)(C)** and **b(6), b(7)(C)** were the individuals who gave the authorization during Operation Judgment Day on Gravel Pit Road in the mission briefing. **b(6), b(7)(C)** denied having any knowledge of any "Kill/Kill" operations or of the death of a 7 year old girl (See Sworn Statement for details).

About 1500, 1 Aug 06, SA **b(6), b(7)(C)** received an email from CW4 **b(6), b(7)(C)** DET CDR, 31st MP DET (CID), LSAA, containing the Rules of Engagement (ROE) OPOD 01-06 and ROE training information that were in effect during the time OIT and Operation Judgment Day took place.

About 1500, 8 Aug 06, SA **b(6), b(7)(C)** and CW5 **b(6), b(7)(C)** Chief Operations Officer, 10th MP BN (CID), Camp Victory, Baghdad, Iraq, briefed in person COL **b(6), b(7)(C)** Staff Judge Advocate, and MAJ **b(6), b(7)(C)** Provost Marshal, 101st ABN DIV, COB Speicher, on aspects of this investigation.

About 1930, 10 Aug 06, SA **b(6), b(7)(C)** and CW5 **b(6), b(7)(C)** briefed in person COL **b(6), b(7)(C)** and MAJ **b(6), b(7)(C)** on aspects of this investigation.

About 1057, 14 Aug 06, SA **b(6), b(7)(C)** re-interviewed **b(6), b(7)(C)** who related he did not have any further information to add to this investigation.

About 1100, 14 Aug 06, SA **b(6), b(7)(C)** interviewed SPC **b(6), b(7)(C)** Tactical Human Intelligence Team (THT), A CO, 221st MI BN, 205th MI BDE, FBM, who related the only information he had in regards to this investigation was provided by **b(6), b(7)(C)**

About 1100, 14 Aug 06, SA **b(6), b(7)(C)** interviewed SPC **b(6), b(7)(C)** THT, A CO 221st MI BN, 205th MI BDE, FBM, who related the only information he had in regards to this investigation was provided by **b(6), b(7)(C)**

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA **b(6), b(7)(C), b(7)(F)**

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

ORGANIZATION

10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq,
APO AE 09342 (Home Station, Ft Bragg, NC)

DATE

23 OCT 06

EXHIBIT

ACLU DDII CID ROIS 36553

AGENT'S INVESTIGATION REPORT

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DETAILS

About 1146, 14 Aug 06, SA **(b)(6), (b)(7)(C)** interviewed SPC **(b)(6), (b)(7)(C)** THT, A Co 221st MI BN, 205th MI BDE, FBM, who related the only information he had in regards to this investigation was provided by **(b)(6), (b)(7)(C)**.

About 0930, 23 Aug 06, SA **(b)(6), (b)(7)(C)** interviewed SSG **(b)(6), (b)(7)(C)** Operational Management Team (OMT) 72, 101st ABN DIV (ASSLT), (A Co 221st MI BN, 205th MI BDE) COB Speicher, who related he was informed by **(b)(6), (b)(7)(C)** about the events surrounding the 5 May 06 and 22 May 06 raids conducted by C CO

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

About 1330, 23 Aug 06, SA **(b)(6), (b)(7)(C)** met with SSG **(b)(6), (b)(7)(C)** G2X, Humanitarian Operations Center (HOC), 101st ABN DIV (ASSLT), (MI DET, 3 STB), COB Speicher, and provided her the intelligence portion of this case. **(b)(6), (b)(7)(C)** related she would research the information provided by C CO, 3/187th INF BN and contact this office upon completion.

About 1710, 25 Aug 06, SA **(b)(6), (b)(7)(C)** interviewed **(b)(6), (b)(7)(C)** who related only one of the intelligence reports provided in the packet provided by **(b)(6), (b)(7)(C)** was in relation to pictures/targets in the target packet. She stated the reports from 25 and 27 May 06 were established after the raid had taken place and could have not been used to develop information on any of the targets. She could not determine who the actual targets were and what type of information was developed or obtained to determine their status as HVTs. **(b)(6), (b)(7)(C)** further related **(b)(6), (b)(7)(C)** did not disclose who the source was who provided the information (See Sworn Statement for details).

About 1400, 28 Aug 06, SA **(b)(6), (b)(7)(C)** interviewed CPT **(b)(6), (b)(7)(C)** HHC, 3/187th INF REG, FBM, who provided a sworn statement wherein he related he had no knowledge of the operation or what intelligence was used to conduct it. **(b)(6), (b)(7)(C), (b)(7)(D)**

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

(for details).

About 1430, 29 Aug 06, SA **(b)(6), (b)(7)(C)** coordinated in person with CPT **(b)(6), (b)(7)(C)** Senior Trial Counsel, Office of the Staff Judge Advocate (OSJA), 101st Airborne Division (ABN DIV) (AASLT), COB Speicher (Home Station, Ft Campbell, KY). **(b)(6), (b)(7)(C)** related that pursuit of the remains of the deceased was not required for possible action purposes. **(b)(6), (b)(7)(C)** related the Soldiers involved did not deny shooting at and causing the deaths of the Iraqi nationals, and the remains were witnessed by other Soldiers not involved in the shooting.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

ORGANIZATION

10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq,
APO AE 09342 (Home Station, Ft Bragg, NC)

DATE

EXHIBIT

23 OCT 06

ACLU DDII CID ROIS 36554

CID FORM 94

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ACLU RDI 5917 p.47

000047

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0123-06-CID469-75463

Page 12 of 14 Pages

DETAILS

Agent's Comment: The probative forensic value of the remains would be limited by advanced decomposition, and obtaining family approval for exhumation in a Muslim culture has proven to be almost impossible. Due to these factors, and the high risk inherent in combat missions in Iraq, it would be very difficult to obtain approval for a mission to obtain family consent and another mission to complete the exhumation (and another mission to return the remains).

About 1930, 31 Aug 06, SA **b(6), b(7)(C)** coordinated in person with MAJ **b(6), b(7)(C)** MI Officer, G2 Section, 101st ABN DIV (AASLT), COB Speicher (Home Station, Ft Campbell, KY). **b(6), b(7)(C)** related he was willing to review the Commander's Inquiry and AR 15-6 Investigation completed regarding this incident with an eye toward the proper use of informants. SA **b(6), b(7)(C)** subsequently forwarded the references items to SAUM via SIPR.

About 1307, 2 Sep 06, SA **b(6), b(7)(C)** interviewed CPT **b(6), b(7)(C)** B CO, 3 STB, 3rd 3BCT, COB Speicher, who related she was questioned by MAJ **b(6), b(7)(C)** AR 15-6 Investigating Officer, about any intelligence support for the operation; however, she stated no intelligence personnel were consulted prior to the operation (See Sworn Statement for details).

On 2 Sep 06, SA **b(6), b(7)(C)** coordinated electronically with CPT **b(6), b(7)(C)** who related there was insufficient evidence to believe the Soldiers committed an offense, as their actions were IAW the ROE as it was drafted at that time. The OSC could PID a target as a member of the hostile force. CPT **b(6), b(7)(C)** recommended the deaths caused by 1SG **b(6), b(7)(C)** and SGT **b(6), b(7)(C)** be listed as undetermined deaths.

On 4 Sep 06, SA **b(6), b(7)(C)** with the approval of CWS **b(6), b(7)(C)** emailed CPT **b(6), b(7)(C)** Command Judge Advocate, 3rd MP Group (CID), Ft Gillem, GA, and requested he review this case and render an opinion.

About 1102, 6 Sep 06, SA **b(6), b(7)(C)** interviewed MAJ **b(6), b(7)(C)** HHC, 3BCT, COB Speicher, who related he was not involved in any intelligence collection or analysis of any targets and was informed the shooting was justified (See Sworn Statement for details).

On 15 Sep 06, SA **b(6), b(7)(C)** emailed CPT **b(6), b(7)(C)** and provided identification information for the SJA personnel in the 101st Airborne Division and confirmed that they had reviewed the same statements provided to CPT **b(6), b(7)(C)** for his review.

On 18 Sep 06, SA **b(6), b(7)(C)** received an email from CPT **b(6), b(7)(C)** requesting information for the HQUSACIDC SJA.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA **b(6), b(7)(C), b(7)(F)**

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

ORGANIZATION

10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq,
APO AE 09342 (Home Station, Ft Bragg, NC)

DATE

23 OCT 06

EXHIBIT

CID FORM 94

Automated ACU RDI 5917 p.48

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

ACLU DDII CID ROIS 36555

000048

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0123-06-CID469-75463

Page 13 of 14 Pages

DETAILS

On 23 Sep 06, SA **b(6), b(7)(C)** received an email from CPT **b(6), b(7)(C)** who requested clarification of certain issues regarding the ROE.

About 1030, 27 Sep 06, SA **b(6), b(7)(C)** and CW5 **b(6), b(7)(C)** briefed LTG **b(6), b(7)(C)** Commander, Multi-National Corps-Iraq (MNCI), Camp Victory, Baghdad, Iraq, on this investigation.

On 29 Sep 06, CW5 **b(6), b(7)(C)** Operations Officer, 3rd MP Group (CID), Ft Gillem, GA sent a SIPR email forwarding concerns of LTC **b(6), b(7)(C)** Command Judge Advocate, HOUSACIDC, Ft Belvoir, VA, regarding preparing her opinion. SA **b(6), b(7)(C)** discussed with CW5 **b(6), b(7)(C)** and prepared to send a response.

On 2 Oct 06, SA **b(6), b(7)(C)** forwarded a response via SIPR to LTC **b(6), b(7)(C)** including the 15-6 investigation prepared by MAJ **b(6), b(7)(C)**

On 11 Oct 06, SA **b(6), b(7)(C)** received an email from CW5 **b(6), b(7)(C)** which contained a 29 Sep 06 opinion memorandum signed by LTC **b(6), b(7)(C)**. The memorandum prepared by LTC **b(6), b(7)(C)** contained her opinion regarding the listed offenses. LTC **b(6), b(7)(C)** opined that the offense pertaining to SGT **b(6), b(7)(C)** should be unfounded, because in her opinion SGT **b(6), b(7)(C)** properly Positively Identified (PID'd) his target and shot him while unarmed and unresisting, IAW the ROE for the mission (LTC **b(6), b(7)(C)** opinion did not address how shooting a military-aged-male who SGT **b(6), b(7)(C)** had never seen before and had no photograph of could be considered the reasonable certainty required for PID). LTC **b(6), b(7)(C)** opined that the offenses pertaining to 1SG **b(6), b(7)(C)** should be Unfounded for the same reason. LTC **b(6), b(7)(C)** opined that the offenses pertaining to SPC **b(6), b(7)(C)** and SGT **b(6), b(7)(C)** should be unfounded regarding the shooting ordered by 1SG **b(6), b(7)(C)** (See LTC **b(6), b(7)(C)** Memorandum for details)

AGENT COMMENTS: SPC **b(6), b(7)(C)** and SGT **b(6), b(7)(C)** were not the Soldiers who were ordered by 1SG **b(6), b(7)(C)** to shoot; in fact they were on a different objective during the shooting ordered by 1SG **b(6), b(7)(C)**

The actions of SGT **b(6), b(7)(C)** and 1SG **b(6), b(7)(C)** are inconsistent with Army values and contrary to the expectations of the people of the American Nation as to the conduct of its Soldiers at war. These were not acts of self-defense, nor the actions of troops in contact. That the ROE may appear to provide justification for an unlawful act does not supersede the Army's core values nor do they nullify the Law of Armed Conflict.

SGT **b(6), b(7)(C)** could not have had "reasonable certainty" that the person in the residence was Mr LATIF. SGT **b(6), b(7)(C)** had no picture of Mr LATIF to verify against the person he found in the residence. SGT **b(6), b(7)(C)** did not ask Mr LATIF's name. The purported after-the-fact identification by the "wife" of Mr LATIF does not provide justification for his execution.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA **b(6), b(7)(C), b(7)(F)**

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

ORGANIZATION

10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq,
APO AE 09342 (Home Station, Ft Bragg, NC)

DATE

23 OCT 06

EXHIBIT

ACLU DDII CID ROIS 36556

CID FORM 94 FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE

ACLU RDI 5917 p.49

000049

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0123-06-CID469-75463

Page 14 of 14 Pages

DETAILS

On 22 May 06, Soldiers in the same unit, on other objectives during the same operation, under the same ROE, found unarmed and unresisting "HVT" who were "declared" members of a hostile force by the unit commander. These Soldiers exercised their own values, and the Army's core values, to not execute unarmed and unresisting personnel, including those designated as members of a "hostile force".

On 11 Oct 06, SA **b(6), b(7)(C)** forwarded the opinion memorandum to LTC **b(6), b(7)(C)** Chief of Justice, OSJA, MNC-I, Camp Victory, Baghdad, Iraq, (per the request of LTG **b(6), b(7)(C)** during his briefing on 27 Sep 06).

On 12 Oct 06, SA **b(6), b(7)(C)** forwarded LTC **b(6), b(7)(C)** opinion memorandum to CPT **b(6), b(7)(C)** **b(6), b(7)(C)** International Law Attorney, OSJA, MNF-I, Camp Victory, Baghdad, Iraq, (per her 11 Oct 06 request).

On 17 Oct 06, SA **b(6), b(7)(C)** received an email from LTC **b(6), b(7)(C)** confirming receipt of the 2 Oct 06 email containing the 15-6 investigation after returning from TDY. No further information was provided.

On 23 Oct 06, SA **b(6), b(7)(C)** discussed this investigation with CW5 **b(6), b(7)(C)** who concurred with the investigative findings.

///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA **b(6), b(7)(C), b(7)(F)**

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

ORGANIZATION

10th MP Bn (CID)(ABN), Camp Victory, Baghdad, Iraq,
APO AE 09342 (Home Station, Ft Bragg, NC)

DATE

23 OCT 06

EXHIBIT

ACLU DDII CID ROIS 36557

SWORN STATEMENT

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

<i>FOB Brassfield Morn, Iraq</i>	DATE <i>31 May 2006</i>	TIME <i>1353</i>	FILE NUMBER <i>DDAS 06-CID469-</i>
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LAST NAME FIRST NAME MIDDLE NAME b(6), b(7)(C)	SOCIAL SECURITY NUMBER b(6), b(7)(C)	GRADE/STATUS <i>O-1 /</i>
--	--	------------------------------

ORGANIZATION OR ADDRESS
2nd PLT, C Co 3-187 INF 101st

b(6), b(7)(C), I, **b(6), b(7)(C)**, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

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

On 22 May 2006, C Co 3-187 had 7 confirmed Al-Qaida Targets. My platoon had a total of 5 of the 7 targets. We hit all the targets on the three objectives at the same time. I was on the OBJ where both Kasim and Abu Kasim lived. After clearing the first house, I talked to the mole there and asked where Abu Kasim lived. He pointed to a house about 100 meters from his. I took five guys and moved to that house where I linked up

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT b(6), b(7)(C)	PAGE 1 OF <i>5</i> 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 COPIED PAGE.

COAS-06-CID469

USE **b(6), b(7)(C)** THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM

STATEMENT OF **b(6), b(7)(C)** TAKEN AT Fob Brassfield-MINA DATED 31 May 2006

9. STATEMENT (Continued)

with members of headquarters, including **b(6), b(7)(C)** **b(6), b(7)(C)** We started clearing the house but had a hard time finding an entry point. We moved in a stack around the front of the house, where we passed a large window where I heard a man screaming something in Arabic. At that point, I knew that they were aware of our presence and the threat of coming under enemy fire rose. I continued to move around the corner of the house where I found an entry point. I was the third man to enter the house, and as soon as I entered, I could see Kasim (one of our targets) moving toward us very quickly. When he saw us, he turned to his left and stepped toward a window where he was engaged by US Forces. They fired until he went to the ground, then they called ~~setse~~ **b(6), b(7)(C)** cease fire, I repeated the command to them so they knew that we were entering the room. We entered yelling, "Choppin coming in" which is our code to let friendly units know that there are other friendly units moving into an area. We continued to clear the house where no more males were found until we went back to the room where Kasim was engaged and found ABU Kasim sitting against one wall with his hands up surrendering. We took him detainee, and I then noticed that a young girl had been hit. It appeared that she had run in front of the window that US Forces were firing through. She had run directly in between the US Forces and Kasim. From the window, there was no way to see her run into their line of fire. No one on the objective saw her get

hit **b(6), b(7)(C)**
G.A.

INITIALS OF PERSON MAKING STATEMENT **b(6), b(7)(C)**

PAGE 2 OF 5 PAGES

ACLU DDII CID ROIS 36559

0095-06-010469

USE [REDACTED] IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM

STATEMENT OF

TAKEN AT

F&B Brassfield MOLA

DATED

31 May 2004

9. STATEMENT (Continued)

Q. Who was the senior person managing the operation?

A. CPT [REDACTED]

Q. Did the operation you describe have a name?

A. Operation Time Sensitive Target. [REDACTED]

Q. What is "P" "I" "D" mission?

A. IT stands for Positive Identification. Positive ID. has to be accomplished by either photographs, name, confirmed enemy houses or shops, or a combination of these. Also can include TATTOOS, vehicles, etc. [REDACTED]

Q. What is the purpose of the PID mission?

A. To kill the enemy after positive identification is made and before the enemy has time to surrender. [REDACTED]

Q. Did you see the little girl go down (die)?

A. No [REDACTED]

Q. What was her appearance after the shooting?

A. I saw no blood, but her body was limp. [REDACTED]

Q. Did you have the DOL look at her?

A. No, CPT [REDACTED] looked at her, and said she was dead. [REDACTED]

Q. Who by name was on this specific objective?

A. 2LT [REDACTED] CPT [REDACTED] CPT [REDACTED] SFC [REDACTED] 1SGT [REDACTED] SPC [REDACTED] SPC [REDACTED] SGT [REDACTED] SPC [REDACTED] CPL [REDACTED] [REDACTED]

Q. Was there an investigation conducted in relation to the little girl being shot?

A. Yes, investigation done by CPT [REDACTED] [REDACTED]

Q. Was there any other investigation from an outside agency?

A. No, NOT from my knowledge [REDACTED]

Q. What unit provided the intelligence for this operation?

A. C Co 3-187 INF, along with THT and battalion S-2 working with informants. THT is Tactical Humint Team [REDACTED]

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 3 OF 5 PAGES

PAGE 2 DA FORM 2823 DEC 1998

USAPA V1.00

ACLU DDII CID ROIS 36560

0095-06-CID469

USE **b(6), b(7)(C)** THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM

STATEMENT OF **b(6), b(7)(C)** TAKEN AT Grassfield Moia DATED 31 May 2006

9. STATEMENT (Continued)

Q. What happen to the body of the little girl?

A. We left her with the family. **b(6), b(7)(C)**

Q. Did anyone from your unit have further contact with the family of the little girl?

A. Yes, using a neighbor, CPT **b(6), b(7)(C)** paid \$2500 in reparations to the family. **b(6), b(7)(C)**

Q. Did you have an operational problem with the shooting?

A. No; there was nothing more that we could have done to **b(6), b(7)(C)** lessen the risk to the family. **b(6), b(7)(C)**

Q. Did you or anyone from your unit put pressure on any entity to create post-mission intelligence to support your actions?

A. No. **b(6), b(7)(C)**

Q. Do you have anything you wish to add to your statement?

A. No. **b(6), b(7)(C)** // END OF STATEMENT //

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

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 4 OF 5 PAGES

PAGE 2 DA FORM 2823 DEC 1998

USAPA V4.00

ACLU DDII CID ROIS 36561

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

FILE NUMBER: _____
TAKEN AT FOB Brassfield DATED 31 May 06 CONTINUED:
Moja

STATEMENT OF
STATEMENT (Continued)

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

not used

AFFIDAVIT

I, b(6), b(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 5. 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.

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

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 31 day of May, 20 06 at FOB Brassfield Moja

ORGANIZATION OR ADDRESS

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

ORGANIZATION OR ADDRESS

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

(Typed Name of Person Administering Oath)

Ait

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

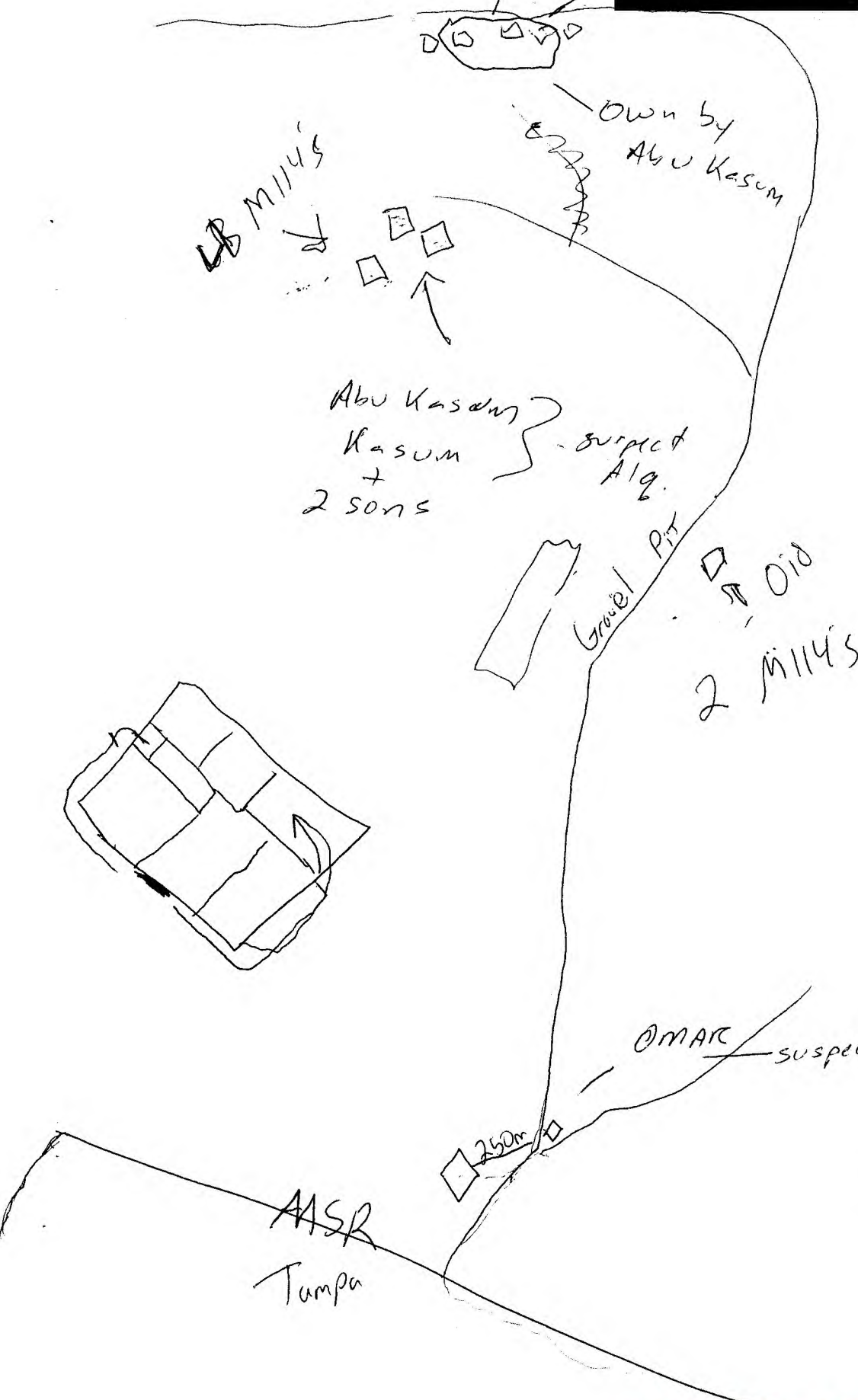
ACLU DDII CID ROIS 36562 PAGES

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

0123 0015-06-CID469
0123-06-CID469-75463
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4 veh.

3/2



Drawings Provided by b(6), b(7)(C)

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

31 1235 May

ACLU DDII CID ROIS 36563

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

EXHIBIT 3

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

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

0123-06-CID469-75463

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

TINNET CID OFFICE

2. DATE

8 July 06

3. TIME

1238

b(6), b(7)(C) 4. FILE NUMBER

8. ORGANIZATION OR ADDRESS

C Company 3/187th Infantry
303 Broadfield-Mena
APO AB 09393

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

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

7. GRADE/STATUS

E4/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. Murder / 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.

-0-

(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)

Have you been advised of your legal rights w/in the last 30 days? No

SECTION B. Waiver

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

WITNESSES (if available)

1a. NAME (Type or Print)

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

b. ORGANIZATION OR ADDRESS AND PHONE

4. SIGNATURE OF INVESTIGATOR

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

2a. NAME (Type or Print)

5. TYPE NAME OF INVESTIGATOR

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

b. ORGANIZATION OR ADDRESS AND PHONE

6. ORGANIZATION OF INVESTIGATOR

31ST MP DET (CIS) (-)
COB Specder
APO AC 09393

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

PART II - RIGHTS WARNING PROCEDURE

THE WARNING

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT BENEFIT

EXHIBIT



ACLU DDII CID ROIS 36566

SWORN STATEMENT

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

LOCATION: Tikrit CID Office
Contingency Operating Base (COB) Speicher
Tikrit, Iraq, APO AE 09393

DATE: 8 July 06 TIME: 1250

NAME: b(6), b(7)(C) SSN: b(6), b(7)(C) GRADE/STATUS: E4/AD

ORGANIZATION OR ADDRESS: Charlie Company 3/187th Infantry, FOB Brassfield-Mora, APO AE 09393

I b(6), b(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER

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

OATH:

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

a house. We stopped at a house. CPT b(6), b(7)(C) b(6), b(7)(C) and some others entered the house and I followed behind. The only person that was there was a teenage male. We cleared the house and left the teenage male unharmed. We did not detain him, we moved on to the next house. At the second house members of second platoon linked up with us while we were in route. At the first door CPT b(6), b(7)(C) threw a flash bang inside. After it exploded I entered the room along with LT b(6), b(7)(C) and SFC b(6), b(7)(C). The room was empty. LT b(6), b(7)(C) moved quickly around the outside of the house looking for an entrance. I followed LT b(6), b(7)(C) and SFC b(6), b(7)(C) was next to me. We moved past an opening with vertical metal bars. We could not enter so we continued around a corner where we found an open door. LT b(6), b(7)(C) SFC b(6), b(7)(C) and I were the first people in that door. The door led to a hallway. In the hallway I remember seeing a tall Iraqi Male in his thirties. I remember seeing an old woman at this time as well. We visually cleared a room to our left. I started up a stairway that was to my right. Before I got more than two steps up the stairs I heard shots fired. The shots sounded like they were coming from people outside of the building. I turned to see SFC b(6), b(7)(C) was also firing down the hallway. I then stopped climbing the stairs and just pulled security up the stairs. I stayed there for a short time, until they brought out an older Iraqi man in his sixties. I helped move the older Iraqi male just outside the door. I pulled security on him. He was also one of the targets but he gave up. I am not sure how he gave up but he was b(6), b(7)(C)

INITIALS OF PERSON MAKING STATEMENT b(6), b(7)(C)

PAGE 1 OF 4 PAGES

DA FORM 2823 (Computer Generated)

EXHIBIT _____

~~FOR OFFICIAL USE ONLY~~ ~~LAW ENFORCEMENT SENSITIVE~~ **ACLU DDII CID ROIS 36567**

CASE#

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT Tikrit CID Office,, COB
SPEICHER, TIKRIT, IRAQ, DATED 8 July, 2006, CONTINUED.

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

detained. While I was moving him outside CPT **(b)(6), (b)(7)(C)** and 1SG **(b)(6), (b)(7)(C)** moved to the door we had entered. I believe CPT **(b)(6), (b)(7)(C)** moved inside to get the older male, but I do not remember. Outside the house 1SG spoke to the older Iraqi male using the interpreter. Shortly after that, members of the unit came out with the body of the dead Iraqi male. The body bag began to tear. CPT **(b)(6), (b)(7)(C)** told us to put it on the front bumper of my vehicle. CPT **(b)(6), (b)(7)(C)** and I drove to the LMTV with the body and loaded it onto the LMTV which was located a short ways down the road.

Q: Did you fire any rounds while out on this mission?

A: No.

Q: Do you think the little girl was killed intentionally?

A: No.

Q: Did you know she had been killed?

A: Not until a few weeks later when I heard a little girl was killed during this operation. I saw other family members and the only man I saw was the tall male. I did not pay attention to who the family members were but I think it was some women and I don't know if there were children. I later saw the older male when he was detained. I think he was in the room at the end of the hallway to the right.

Q: Who were the soldiers that followed the guy into the shop?

A: I am not sure but I think it was members of the 1st Platoon.

Q: Did anyone discuss what happened when they went into the shop?

A: I think they radioed that the guy was killed but I am not sure. CPT **(b)(6), (b)(7)(C)** was going to follow 1st Platoon soldiers in the building but we heard the shots before we reached the shop. **(b)(6), (b)(7)(C), (b)(7)(D)**

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

about that being the guy. CPT **(b)(6), (b)(7)(C)** gave him the go ahead to conduct the mission. I am not sure what they talked about previously but he gave him the go ahead. LT **(b)(6), (b)(7)(C)** and his platoon took off headed for the shop followed by four 2nd platoon vehicles with more vehicles from Headquarters' Platoon. I think it was a total of 10 vehicles with our vehicle being the lead of the last four vehicles. By the time we got to the shop the members of the 1st platoon had already gotten out and followed the guy in the shop and as we get there we heard gun fire. CPT **(b)(6), (b)(7)(C)** told me to continue to the next objective which was a house. We got to the house and we encountered the teenage boy. We left there and went to the house where other members of the unit shot through the window and killed the tall man. I am not sure about the little girl. I did not see her in the house when I entered and I did not see the dead body of a little girl. **(b)(6), (b)(7)(C)**

INITIALS OF PERSON **(b)(6), (b)(7)(C)**
MAKING STATEMENT **(b)(6), (b)(7)(C)**
DA FORM 2823 (Computer Generated)

PAGE 2 OF 4 PAGES

EXHIBIT _____

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 36568

~~CONFIDENTIAL / SENSITIVE~~

CASE#

STATEMENT OF **b(6), b(7)(C)** TAKEN AT Tikrit CID Office,, COB
SPEICHER, TIKRIT, IRAQ, DATED 8 July, 2006, CONTINUED.

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

was told about two or three weeks later that a little girl was killed on the mission. I assumed she was in that house because that was the only place I saw family members and females. No one specifically told me this was where she was killed but I think I put it together based on the information I received about it. I don't know who took the shots outside that would have possibly killed the tall male and the little girl. I know SFC **b(6), b(7)(C)** shot while he was inside. When I came off the stairs I don't remember seeing the tall guy until later. I saw him on the floor in the hallway being put into a body bag. It was not far from where I had seen him standing. I did not see the guy with a weapon or engage in any hostile acts prior to me going into the stairway. When I went up the stairs he was out of my sight and I could not say if he engaged in an hostile act or not.
Q: Was anyone in the house fleeing or acting in a hostile manner?

A: Not that I saw.

Q: **(b)(6), (b)(7)(C), (b)(7)(D)**

A: **(b)(6), (b)(7)(C), (b)(7)(D)**

Q: **(b)(6), (b)(7)(C), (b)(7)(D)**

A: **(b)(6), (b)(7)(C), (b)(7)(D)**

Q: **(b)(6), (b)(7)(C), (b)(7)(D)**

A: **(b)(6), (b)(7)(C), (b)(7)(D)**

Q: **(b)(6), (b)(7)(C), (b)(7)(D)**

A: Do you think all of the deaths during this mission were legitimate kills?

A: Morally and legally. I believe this informant was telling the truth and I trust CPT **b(6), b(7)(C)**

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

A: No.///End of statement///
b(6), b(7)(C)

INITIALS OF PERSON **b(6), b(7)(C)**
MAKING STATEMENT
DA FORM 2823 (Computer Generated)

PAGE 3 OF 4 PAGES

EXHIBIT _____

~~FOR OFFICIAL USE ONLY~~ LAW ENFORCEMENT SENSITIVE
ACLU DDII CID ROIS 36569

~~CONFIDENTIAL / SENSITIVE~~

CASE#

STATEMENT OF **b(6), b(7)(C)** TAKEN AT Tikrit CID Office,, COB SPEICHER, TIKRIT, IRAQ, DATED 8 July, 2006, CONTINUED.

b(6), b(7)(C) READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE **b(6), b(7)(C)** 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.

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

(Signature)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this Saturday, July 08, 2006, at Tikrit CID Office COB Speicher, Tikrit, Iraq, APO AE 09393

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

(Signature of Person Administering Oath)

SA **b(6), b(7)(C)**

Typed Name of Person Administering Oath)
Article 136 (b) UCMJ
(Authority to Administer Oath)

Witness

INITIALS OF PERSON MAKING STATEMENT **b(6), b(7)(C)**
DA FORM 2823 (Computer Generated)

b(6), b(7)(C)
PAGE 4 OF 5 PAGES

EXHIBIT _____

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ACLU DDII CID ROIS 36570

SWORN STATEMENT

LOCATION:

Building 718 (CID Office)
Contingency Operating Base (COB) Speicher
Tikrit, Iraq, APO AE 09393

DATE: 8 Jul 06

TIME: 1807

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

NAME: b(6), b(7)(C) SSN: b(6), b(7)(C) GRADE/STATUS: E7/AD

ORGANIZATION OR ADDRESS: Headquarters Platoon, C CO, 3-187 Infantry,
Forward Operating Base (FOB) Brassfield-Mora, Samarra, Iraq, APO AE 09349

b(6), b(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER
OATH:

On 22 May 2006 I along with members of 2nd Platoon was conducting a high value target (HVT) raid. The purpose of this raid was to kill or capture 7 HVTs. Our HVTs were Abu Kasim, and his son Kasim. When we left the FOB we staged at one of our overt observation points along MSR Tampa. At 0800 hrs 1st Platoon conducted a raid in order to prohibit the other HVTs from being notified that we were coming. Once 1st Platoon was complete we moved to our objective. Once we arrived at the location, there were 3 houses to clear. I immediately cleared the first house, with no presence of our HVT. We then moved to the next house, CPT b(6), b(7)(C) 1SG b(6), b(7)(C) CPT b(6), b(7)(C) and I cleared the first room. I then moved with LT b(6), b(7)(C) CPT b(6), b(7)(C) and CPL b(6), b(7)(C) around the house. Some elements of 2nd Platoon stopped at a window, and we moved on to the entry point. Once in the house CPL b(6), b(7)(C) and I cleared a room and a stairwell to our right, simultaneously CPT b(6), b(7)(C) and LT b(6), b(7)(C) cleared 2 rooms to the left. At the next room to our front I then spotted what appeared to be Kasim, he was wearing a white man dress. When he was asked his name he responded with Kasim, this was verified by 1SG b(6), b(7)(C) and our interpreter. I then heard a gunshot and observed Kasim hunch over, instinct took over and I engage Kasim with well aimed fire to his head. Once he hit the ground and I knew he was dead I ceased firing. Once the firing ceased LT b(6), b(7)(C) CPT b(6), b(7)(C) and I moved into the room. LT b(6), b(7)(C) and CPT b(6), b(7)(C) cleared the far room while I stayed and pulled security. In the corner I spotted Abu Kasim on the right side of the room, he was surrounded by children. I then told him to get up; as he stood up he immediately surrendered. CPT b(6), b(7)(C) grabbed Abu Kasim and handed him over to me. I escorted him outside and where he flex-cuffed by SPC b(6), b(7)(C) I then moved to the outside of our perimeter to ensure we had good security.

Q. SA b(6), b(7)(C)

A. SFC b(6), b(7)(C)

Q. At any time when you fired at Kasim did you see a little girl in your line of fire?

INITIALS OF PERSON
MAKING STATEMENT b(6), b(7)(C)

PAGE 1 OF 5 PAGES

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ACLU RDI CID ROIS 36571

STATEMENT OF **b(6), b(7)(C)** TAKEN AT BLDG 718, COB SPEICHER,
TIKRIT, IRAQ, DATED 8 JULY, 2006, CONTINUED.

A. No

Q. After Kasim was killed did you find the body of a little girl?

A. No, I wasn't even paying attention.

Q. When did you find out a little girl was killed when Kasim was killed?

A. After escorting Abu Kasim outside.

Q. Do you remember who told you?

A. I overheard CPT **b(6), b(7)(C)** say it.

Q. When you first saw Kasim was he presenting a threat?

A. No

Q. What are your orders on Positively Identifying a HVT?

A. Kill or detain

Q. Do your orders state you are to give the HVT a chance to surrender?

A. No

Q. Were you present when 1st Platoon conducted the raid at 0800?

A. I was about 400 m away

Q. Do you know anything about their raid?

A. They drove up cordoned off the area, identified the HVT, and killed him.

Q. How do you know what happened?

A. I saw them drive up and cordon off the area and than I heard something and saw dust as we drove by

Q. Did CPT **b(6), b(7)(C)** use a flash/bang grenade when you cleared the house Kasim was shot in?

A. Yes, but not in the same room, it was in an abandoned room.

Q. How many Flash/Bang grenades did CPT **b(6), b(7)(C)** have?

A. I don't know he used one.

Q. Do you know if 1SG **b(6), b(7)(C)** positively identified Kasim through the window, looking in from outside?

A. Yeah, him and the terp

Q. What was the interpreters name?

A. I believe it was **b(6), b(7)(C)** our Category 2 terp

Q. Do you know what Soldiers were with 1SG **b(6), b(7)(C)** outside the window?

A. Pretty sure it was SPC **b(6), b(7)(C)** and SGT **b(6), b(7)(C)** I think SPC **b(6), b(7)(C)** may have been with them also

Q. Do you know who fired the first shot?

A. I honestly couldn't tell, I do know it came from outside the window.

Q. Who asked Kasim his name?

A. I believe it was **b(6), b(7)(C)**

Q. How do you know they asked him his name?

INITIALS OF PERSON **b(6), b(7)(C)**
MAKING STATEMENT **b(6), b(7)(C)**
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PAGE 2 OF 5 PAGES

EXHIBIT _____

~~CONFIDENTIAL~~
~~LAW ENFORCEMENT SENSITIVE~~
ACLU DDII CID ROIS 36572

STATEMENT OF **b(6), b(7)(C)** TAKEN AT BLDG 718, COB SPEICHER, TIKRIT, IRAQ, DATED 8 JULY, 2006, CONTINUED.

A. I overheard him saying his name.

Q. How do you know 1SG and **b(6), b(7)(C)** positively identified Kasim through the window?

A. He was shot

Q. Did anyone tell you they had identified Kasim?

A. Afterwards I heard it from 1SG

Q. Was the window opened or closed?

A. I don't know, it was either open or didn't have glass. It was like bars

Q. How far from Kasim were you?

A. 10 feet

Q. Did Kasim have a weapon?

A. Not that I saw

Q. Where were his hands?

A. I don't remember them being up, I don't really remember.

Q. Is it possible his hands were up?

A. If they were up I wouldn't have shot him

Q. Did Kasim appear to be surrendering before he was shot?

A. No, he was just standing there

Q. Who gave the order to fire on Kasim?

A. I don't know, I wasn't where the original shot came from

Q. Did you see woman and children in the room with Kasim?

A. I saw a woman to the right of Kasim as I was looking at him, she was sitting down

Q. Who briefed the ROE for this mission?

A. I don't even remember, it was either CPT **b(6), b(7)(C)** or 1SG **b(6), b(7)(C)**

Q. Do you remember what was briefed?

A. Positive identification of target to be killed or captured

Q. Was it briefed that the target was to be given a chance to surrender?

A. No

Q. Is it standard procedure to kill HVTs without giving them a chance to surrender?

A. Yeah

Q. Is this a written order?

A. Verbal

Q. Was there an AAR after this mission?

A. Yes

Q. Who conducted it?

A. CPT **b(6), b(7)(C)**

INITIALS OF PERSON **b(6), b(7)(C)**
MAKING STATEMENT

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EXHIBIT _____

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~
ACLU DDII CID ROIS 36573

STATEMENT OF **b(6), b(7)(C)** TAKEN AT BLDG 718, COB SPEICHER, TIKRIT, IRAQ, DATED 8 JULY, 2006, CONTINUED.

Q. Do you remember what was said during the AAR?

A. A thorough overview of the entire operation.

Q. Did he address anything specifically during the AAR?

A. How the little girl was killed

Q. What did CPT **b(6), b(7)(C)** say?

A. A little girl was shot moving from one side of the room to the other side, she ran into the gunfire

Q. How did CPT **b(6), b(7)(C)** address this topic?

A. Everyone took part in the AAR and that is how we developed the answer to how the girl got shot

Q. Do you know who else fired at Kasim?

A. No

Q. Were the shots at Kasim the only shots fired?

A. Yes

Q. Were there any women and children in the house?

A. Yes, the children were surrounding Abu Kasim and the one woman was with Kasim.

Q. Were you told specifically to kill Kasim or any HVTs without giving them a chance to surrender?

A. Yes, we were not told to give them a chance to surrender. However if they surrender you detain them

Q. What were the lighting conditions in the house?

A. Good, it was daylight, there was plenty of lighting

Q. How many rounds did you fire?

A. I don't know

Q. Did you see where your rounds impacted?

A. Every one, I was firing tracers

Q. Where did they strike?

A. In Kasim's head

Q. Are you certain of where the rounds struck?

A. Yes.

Q. Did you hear the 1SG or **b(6), b(7)(C)** ask Kasim his name?

A. No, I just heard him answer "Kasim"

Q. Were you told specifically to kill Kasim or any HVTs without giving them a chance to surrender?

A. Yes

Q. When were you told this?

A. Prior to the mission

INITIALS OF PERSON **b(6), b(7)(C)**
 MAKING STATEMENT
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EXHIBIT _____

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~
~~LAW ENFORCEMENT SENSITIVE~~ **ACLU RDI CID ROIS 36574**

STATEMENT OF **b(6), b(7)(C)** TAKEN AT BLDG 718, COB SPEICHER, TIKRIT, IRAQ, DATED 8 JULY, 2006, CONTINUED.

Q. Where were you told this?

A. FOB Brassfield-Mora in front of our company Command Post

Q. Who told you this?

A. It was probably CPT **b(6), b(7)(C)** or 1SG **b(6), b(7)(C)**

Q. Can you remember which one told you?

A. No

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

A. No///END OF STATEMENT/// **b(6), b(7)(C)**

I, **b(6), b(7)(C)** READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 5. 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.

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this Saturday, July 08, 2006, at Building 718 COB Speicher Tikrit Iraq APO AE 09393

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

Special Agent **b(6), b(7)(C)**
(Typed Name of Person Administering Oath)

Article 136 (b) (4) UCMJ
(Authority to Administer Oath)

Witness

INITIALS OF PERSON **b(6), b(7)(C)**
MAKING STATEMENT
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EXHIBIT _____

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ACLU DDII CID ROIS 36575

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

8 Jul 06 11:50

WALL ↓

ROUGH SKETCH OF BLOG WHERE KATO TOOK PLACE

Abu Kasim's House



Window Where First Round Came

WALL ↓

THIS IS THE PATH I TOOK

ACLU DDII CID ROIS 36576

SWORN STATEMENT

LOCATION:
Building 718 (CID Office)
Contingency Operating Base (COB) Speicher
Tikrit, Iraq, APO AE 09393

DATE: 9 July 06 **TIME:** 1530

NAME: b(6), b(7)(C) **SSN:** b(6), b(7)(C) **GRADE/STATUS:** E4/AD

ORGANIZATION OR ADDRESS: HHC, 3-187 Infantry, Forward Operating Base (FOB)
Brassfield-Mora, Samarra, Iraq, APO AE 09349

b(6), b(7)(C) **WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:**

Q: SA b(6), b(7)(C)

b(6), b(7)(C) **A:** SPC b(6), b(7)(C)

Q. What do you know about an incident on 17 Jan 06, during which members of 3rd Platoon, C CO, 3-187 shot and killed two men in a semi-truck (possibly hauling a load of tomatoes) on MSR Tampa on the Tigris River Bridge?

b(6), b(7)(C) **A:** Nothing

Q. What do you know about 1LT b(6), b(7)(C) pushing or throwing an Iraqi male to the ground, resulting in the man sustaining a broken jaw or any other injury?

b(6), b(7)(C) **A:** Nothing

Q. What do you know about 1SG b(6), b(7)(C) allegedly taking the hand of a dead Iraqi man and slapping another local national with the dead man's hand? This allegedly took place after the man's body was driver around a market place on the hood of a HMMWV.

b(6), b(7)(C) **A:** Nothing

Q. What do you know about an incident in which members of 3-187 INF engaging a vehicle near observation post by the Samarra hospital, resulting in the death of two Iraqi women, one who was pregnant?

b(6), b(7)(C) **A:** I heard bits and pieces about this incident, but no names or other details. Only that it was apparently a sniper team and that the vehicle was supposedly going away from the shooter.

Q. Have you ever been authorized to kill High Value Targets (HVT) immediately upon positive identification (PID), without allowing them a chance to surrender? If so when, where and by whom?

b(6), b(7)(C) **A:** Yes, during two missions, Operation Katrina at OBJ Fox (a supposed terrorist safe house,) and during a raid in Samara on or about 15 May (not sure, was during CSM b(6), b(7)(C) visit to 3-187.) Both orders were given during the Operation Orders. For both missions, We were to "fire on a PIDd target unless he surrendered first."

INITIALS OF PERSON b(6), b(7)(C)
MAKING STATEMENT

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EXHIBIT 2

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ACLU RDI CID ROIS 36577

STATEMENT OF SPC **b(6), b(7)(C)** TAKEN AT BLDG 718, COB SPEICHER, TIKRIT, IRAQ, DATED 9 JULY, 2006, CONTINUED.

Q. Have you ever heard of or participated in a Kill/Kill operation, versus a Kill/Capture or Capture/Kill? If so who told you it was a Kill/Kill operation and when and where was the operation?

b(6), b(7)(C)
A. No

Q: Can you further describe your understanding of the ROE?

b(6), b(7)(C)
A: The ROE allows for the use of force up to and including deadly force to protect yourself and others from a threat. It also says that the least amount of force necessary will be used to neutralize the threat. IAW with the ROE a person may be classified as a hostile target (meaning he may be shot on sight unless he surrenders,) by the Task Force Band of Brothers Commanding General only. This is a change from the ROE of about a month ago where a Battalion Commander had the authority to declare a person a hostile enemy target through the consideration of all evidence and a recommendation from the BN S-2. For instance, Al Zaraqawi would have been a legal "shoot first" target which explains the use of an air raid to kill him.

Q. What do you know about an operation in which members of 3-187 INF killed a 7 year-old girl during an operation on 22 May targeting a HVT?

b(6), b(7)(C)
: Nothing

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

b(6), b(7)(C) No. ///END OF STATEMENT/// **b(6), b(7)(C)**

INITIALS OF PERSON **b(6), b(7)(C)**
MAKING STATEMENT
DA FORM 2823 (Cont. **b(6), b(7)(C)** Generated)

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EXHIBIT 8

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ACLU DDJ CID ROIS 36578

STATEMENT OF SPC **b(6), b(7)(C)** TAKEN AT BLDG 718, COB
SPEICHER, TIKRIT, IRAQ, DATED 9 JULY, 2006, CONTINUED.

b(6), b(7)(C) SPC **b(6), b(7)(C)** 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.

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

(Signature Making Statement)

Subscribed and sworn to before me, a person
authorized by law to administer oaths, this
Sunday, July 09, 2006, at Building 718
COB Speicher, Tikrit, Iraq, APO AE 09393

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

(Signature Administering Oath)

Special Agent **b(6), b(7)(C)**
(Typed Name of Person Administering Oath)
Article 136 (b) (4) UCMJ
(Authority to Administer Oath)

Witness

INITIALS OF PERSON **b(6), b(7)(C)**
MAKING STATEMENT
DA FORM 2823 (Computer Generated)

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~~LAW ENFORCEMENT SENSITIVE~~
ACLU DDII CID ROIS 36579

SWORN STATEMENT

LOCATION:

Building 718 (CID Office)
Contingency Operating Base (COB) Speicher
Tikrit, Iraq, APO AE 09393

DATE: 10 July 05 TIME: 1140

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

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

NAME: b(6), b(7)(C) SSN: b(6), b(7)(C) GRADE/STATUS: E6/AD

ORGANIZATION OR ADDRESS: C CO, 3-187 Infantry, Forward Operating Base
(FOB) Brassfield-Mora, Samarra, Iraq, APO AE 09349

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

SSG b(6), b(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER

OATH:

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

Towards the end of May or early June, I participated in a mission in which the ROE, as I understood it, was that targets had been identified by multiple sources as being members of AQIZ and that we were to shoot them on sight unless they were in the act of surrendering at which point we were to detain them. This was directed to me by my commander, CPT b(6), b(7)(C). My objective was a few kilometers down Gravel Pit road. We could not move down Gravel Pit road until one target had already been killed or captured. As you move down gravel pit road, approximately 1 km, it splits into a "y". At this split in the road there are some shops. What I had been told is that the owner of one of these shops was a member of AQIZ and that every time an American patrol drove past his shop heading west, he would alert other members of AQIZ out west that we were coming. We could not move on our objective until this target had been killed or captured in order to do away with the early warning and allow us to be successful on our objective. Once we had the word that this target had been killed, we moved to our objective. On our objective, there were two houses. As my vehicle approached the objective, I was in the second vehicle, we passed one house and stopped at the house furthest out. There were no other houses beyond this point. We dismounted our vehicles and entered the house. None of the males in there were the targets we were looking for. Our targets were a Father and two sons, with the Father being the leader of this cell and his two sons being members. At my objective, we detained all the males in the house to take their pictures and determine if we were going to take them back to the FOB to be held for questioning. Myself and one other soldier, SPC b(6), b(7)(C) were left behind at the first house to pull security and secure the male detainees. The rest of the men from my objective, 2LT b(6), b(7)(C) PFC b(6), b(7)(C) SGT b(6), b(7)(C) Specialist b(6), b(7)(C) and CPL b(6), b(7)(C) went to the other house with the Commander and the First Sergeant. After 2LT b(6), b(7)(C) b(6), b(7)(C) b(6), b(7)(C) and b(6), b(7)(C) left, I heard a large volume

INITIALS OF PER b(6), b(7)(C)

MAKING STATEMENT

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ACLU DDII CID ROIS 36580

STATEMENT OF SSG **b(6), b(7)(C)** TAKEN AT BLDG 718, COB
SPEICHER, TIKRIT, IRAQ, DATED 10 JULY, 2006, CONTINUED.

of fire which lasted only a couple of seconds. It was very abrupt and there was no other fire after the initial burst. A few moments after that, 2LT **b(6), b(7)(C)** **b(6), b(7)(C)** **b(6), b(7)(C)** **b(6), b(7)(C)** and **b(6), b(7)(C)** returned to the house I was at. **b(6), b(7)(C)** said that the main target, the father, had surrendered but one of the sons had been shot. He also told me that a little girl had been shot accidentally and she was dead.

Q: SA **b(6), b(7)(C)**

b(6), b(7)(C) A: SSG **b(6), b(7)(C)**

Q: Where is Gravel Pit Road?

b(6), b(7)(C) A: It's on the route 1 bypass, approximately 10km west of Samara.

Q: Who all was present for this mission?

b(6), b(7)(C) A: Everyone in the company had an objective that day.

Q: Earlier in the interview you stated the man on the phone had to be neutralized prior to the continuing of the operation. Can you further explain this?

b(6), b(7)(C) A: Another platoon had to kill or capture this man in order for us to proceed to our object and it turns out he was killed.

Q: Who killed the first man on the phone?

b(6), b(7)(C) A: Somebody in 1st platoon, I don't know who.

Q: Where were you at during that shooting?

b(6), b(7)(C) A: I was on the route 1 bypass approaching Gravel Pit Road.

Q: How many people were involved in that first shooting?

b(6), b(7)(C) A: I don't know.

Q: How did they know he was Al-Qaeda?

b(6), b(7)(C) A: There had been informants telling us. Through Human Intelligence they confirmed he was Al-Qaeda. I believed that these guys were Al-Qaeda, outside of Human Intelligence I don't know what other intelligence was there to confirm that.

Q: Were you part of the portion of the mission neutralizing the first man on the phone?

b(6), b(7)(C) A: No

Q: Do you know if a capture attempt was made on the first man?

b(6), b(7)(C) A: No I do not.

Q: Describe the volume of fire.

b(6), b(7)(C) A: It was approximately 5 seconds long, multiple rifles were involved, exact number I don't know.

Q: Where were you during the second shooting of the man and the girl?

b(6), b(7)(C) A: I was standing on the porch of a house approximately between 50 and 100m away from the house the man was shot in.

Q: Do you know who was present at that shooting?

INITIALS OF PER: **b(6), b(7)(C)**
MAKING STATEMENT: **b(6), b(7)(C)**
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ACLU DDII CID ROIS 36581

STATEMENT OF SSG **b(6), b(7)(C)** TAKEN AT BLDG 718, COB SPEICHER, TIKRIT, IRAQ, DATED 10 JULY, 2006, CONTINUED.

b(6), b(7)(C) A: It was the Company Commander, 1SG **b(6), b(7)(C)** SGT **b(6), b(7)(C)** PFC **b(6), b(7)(C)** CPL **b(6), b(7)(C)** and SPC **b(6), b(7)(C)** that's all I remember.

b(6), b(7)(C) Q: Had you heard anything about this operation that would shed a negative light on your company?

b(6), b(7)(C) A: I wouldn't say negative light. It made us known for going out and getting the enemy.

b(6), b(7)(C) Q: Do you know if the family members and little girl were seen prior to the target being engaged?

b(6), b(7)(C) A: I can not speculate on who saw what as they approached the building since I wasn't there at that building.

b(6), b(7)(C) Q: Do you have anything further to add to this statement?

b(6), b(7)(C) A: No / END OF STATEMENT / **b(6), b(7)(C)**

INITIALS OF PERSON MAKING STATEMENT **b(6), b(7)(C)**
DA FORM 2823 (Continuation of DA Form 2823 Generated)

EXHIBIT _____

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

ACLU DDII CID ROIS 36582

STATEMENT OF SSG **b(6), b(7)(C)** TAKEN AT BLDG 718, COB SPEICHER, TIKRIT, IRAQ, DATED 10 JULY, 2006, CONTINUED.

I, SSG **b(6), b(7)(C)** 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.

b(6), b(7)(C) _____
(Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this Monday, July 10, 2006, at Building 718 COB Speicher, Tikrit, Iraq, APO AE 09393

b(6), b(7)(C) _____
(Signature) Oath

Special Agent **b(6), b(7)(C)**
(Typed Name of Person Administering Oath)
Article 136 (b) (4) UCMJ
(Authority to Administer Oath)

Witness

INITIALS OF PERSON MAKING STATEMENT
DA FORM 2823 (Continued) **b(6), b(7)(C)** (Continued)

Page 4 of 4
EXHIBIT _____

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE
ACLU DDII CID ROIS 36583

SWORN STATEMENT

0123
0124-06-CID469-75466

Use of this form, see AR 190-45; the proponent agency is ODC.

LOCATION Building 718 (CID Office), COB Speicher, Tikrit, IZ	DATE 10-07-06	TIME 1057	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME b(6), b(7)(C)	CCN b(6), b(7)(C)		GRADE/STATUS E-4 SPC

ORGANIZATION OR ADDRESS
C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349

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

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q. What do you know about an incident on 17 Jan 06, during which members of 3rd Platoon, C CO, 3-187 shot and killed two men in a semi-truck (possibly hauling a load of tomatoes) on MSR Tampa on the Tigris River Bridge?

A. I was on patrol that day. All I know that they were suspected of placing an IED. Then they tried to flee.

Q. WERE YOU ON THIS PATROL?

A. NO. 3rd Platoon was at the COPs we were on MSR Patrol

Q. What do you know about 1LT b(6), b(7)(C) pushing or throwing an Iraqi male to the ground, resulting in the man sustaining a broken jaw or any other injury?

A. I know nothing of this

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 1 OF 5 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ 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.

STATEMENT OF **b(6), b(7)(C)** TAKEN AT CID Office, COB Speicher DATED: 10 July 06

STATEMENT (Continued)

Q. What do you know about 1SG **b(6), b(7)(C)** allegedly taking the hand of a dead Iraqi man and slapping another local national with the dead man's hand? This allegedly took place after the man's body was driver around a market place on the hood of a HMMWV.

A **b(6), b(7)(C)** I never heard anything of this matter **b(6), b(7)(C)**

Q. What do you know about an incident in which members of B CO, 3-187 INF engaged a vehicle near the observation post by the Samarra hospital, resulting in the death of two Iraqi women, one who was pregnant?

A **b(6), b(7)(C)** Nothing **b(6), b(7)(C)**

INITIALS OF PERSON MAKING STATEMENT **b(6), b(7)(C)**

PAGE 2 OF 5 PAGES

FILE NUMBER _____

STATEMENT OF **b(6), b(7)(C)**

TAKEN AT CID Office, COB Speicher DATED 10 Jul 06

STATEMENT (Continued)

Q. Have you ever been authorized to kill High Value Targets (HVT) immediately upon positive identification (PID), without allowing them a chance to surrender? If so when, where and by whom?

A ^{b(6), b(7)(C)} Yes I have been. Abu Kasim was a PID target. The mission was in Samarra Iraq behind COP 3. I can not remember the date. I think it was about 2 months ago. My CO Capt ^{b(6), b(7)(C)} gave us the order for that mission. I identified Kasim through a window with ISG ^{b(6), b(7)(C)}. The man did not surrender. I was sure he was our PID target and I engaged ^{b(6), b(7)(C)}

Q. Have you ever heard of or participated in a Kill/Kill operation? If so when, where and from whom?

A ^{b(6), b(7)(C)} Yes I have. It was operation time sensitive target. In Samarra, Iraq. Behind COP 3. The operation was headed by our CO Captain ^{b(6), b(7)(C)}

INITIALS OF PERSON MAKING STATEMENT **b(6), b(7)(C)**

PAGE 3 OF 5 PAGES

STATEMENT OF

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

TAKEN AT CID Office, COB Speicher DATED 10JUL06

STATEMENT (Continued)

Q. What do you know about an operation in which members of 3-187 INF killed a 7 year-old girl during an operation on 22 May targeting HVTs?

A. I was there at this incident. I positively identified one of our PID target through a window. I had a ~~start~~ shot to him. I PID him to be Abu Kasim's son with ISG b(6), b(7)(C). He was the only man visible to me in the room. To the left and right there were women and children. There was enough clearance to engage him with out harming anybody else. I engaged him to his chest and head as I am trained. Never did I shot to the ground. That I remember seeing a girl to the left. When I stopped engaging I saw a woman pull a child to the right side of the room. I then made my way ~~to~~ the next set of windows which were bigger so that I could fit through. By then the group that was clearing the house was at the room where I had engage the target. I saw the woman holding a child. I thought to my self the child must of fainted. We cleared the room better to find in a corner of the room with a lot of women and children a man that was surrendering. He was Abu Kasim the father. We took him into custody b(6), b(7)(C)

Q. Have you ever seen SSG b(6), b(7)(C) with a pistol? If so, please elaborate?

A. No I really don't know him b(6), b(7)(C)

INITIALS OF PERSON MAKING STATEMENT b(6), b(7)(C)

PAGE 4 OF 5 PAGES

File Number _____

STATEMENT OF **b(6), b(7)(C)**

TAKEN AT CID Office, COB Speicher DATED 10 Jul 06

STATEMENT (Continued)

Q Do you have anything to add to this statement?

b(6), b(7)(C) No /// END OF STATEMENT ///

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

AFFIDAVIT

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

I, _____ HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 5. 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 OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

(Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 10 day of Jul 2006 at Building 718 (CID Office), COB Speicher, Tikrit, IZ

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

(Person Administering Oath)

ORGANIZATION OR ADDRESS

SA **b(6), b(7)(C)**

(Typed Name of Person Administering Oath)

Art 136 UCMJ

ORGANIZATION OR ADDRESS

(Authority to Administer Oaths)

INITIALS OF PERSON **b(6), b(7)(C)**EMENT

PAGE 5 OF 5 PAGES

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

0123-06-CID469-75463

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: BLDG 718 (CID OFFICE) OPS SPEICHER TICKET
2. DATE: 10-07-00
3. TIME: 1057
4. FILE NUMBER: 0123-06-
5. Name (Last First MI): b(6), b(7)(C)
6. SSN: b(6), b(7)(C)
7. GRADE/STATUS: E4/RA
8. ORGANIZATION OR ADDRESS: C Co 3-187 INF, FOB BRASSFIELD-MOZA, TAMARA 12 APO AE 09349

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: MURDER II

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.
Nothing I say or do can be used as evidence against me in a criminal trial.
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.

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)

HAVE YOU BEEN ADVISED OF YOUR RIGHTS WITHIN THE PAST 30 DAYS Y (N)

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(6), b(7)(C)
b. ORGANIZATION OR ADDRESS AND PHONE: b(6), b(7)(C)
2a. NAME (Type or Print): b(6), b(7)(C)
b. ORGANIZATION OR ADDRESS AND PHONE: 31st MP Det (CID)

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

PART II - RIGHTS WARNING PROCEDURE

THE WARNING

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

EXHIBIT

ACLU DDII CID ROIS 36589

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

-or-

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

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

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

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

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

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

THE WAIVER

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

"Have you ever requested a lawyer after being read your rights?"
(If the suspect/accused says "yes," find out when and where. If the request was recent (i.e., fewer that 30 days ago), obtain legal advice on whether to continue the interrogation. If the suspect/accused says "no," or if the prior request was not recent, ask him/her the following question.)

"Do you want a lawyer at this time?"
(If the suspect/accused says "yes," stop the questioning until he/she has a lawyer. If the suspect/accused says "no," ask him/her the following question.)

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

SPECIAL INSTRUCTIONS

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

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

PRIOR INCRIMINATING STATEMENTS:
1. If the suspect/accused has made spontaneous incriminating statements before being properly advised of his/her rights he/she should be told that such statements do no obligate him/her to answer further questions.

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

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

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

COMMENTS (Continued)

REVERSE OF DA FORM 3881

ACLU DDII CID ROIS 36590

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

EXHIBIT

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 BLOG 718 (CID OFFICE) COO SPEAKER TICKET	DATE ^{b(6), b(7)(C)} 10-07-06	TIME ^{b(6), b(7)(C)} 1605	FILE NUMBER 0123-06-CID469
LAST NAME, FIRST NAME, MIDDLE NAME ^{b(6), b(7)(C)}	SOCIAL SECURITY NUMBER ^{b(6), b(7)(C)}		GRADE/STATUS E-4 SPC
ORGANIZATION OR ADDRESS C O 3/187 INF Brass Field - moea Iraq			

^{b(6), b(7)(C)}, ^{b(6), b(7)(C)}, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I remember operation Time Concetive, it was about 2 months ago. It was in Samara Iraq, Behind COP3. The objective we had was where we were to PID Abu Kasim and his son. We went to the house we thought he was at. A man told us he was at another house about 100 to 150 meters away. Our Head Quarters Platoon was in this area. I was with Lt ^{b(6), b(7)(C)} and CPL ^{b(6), b(7)(C)} SGT ^{b(6), b(7)(C)} SPC ^{b(6), b(7)(C)} making our way to this house. We met with the CO Captain ^{b(6), b(7)(C)}, 1st SGT ^{b(6), b(7)(C)} and the ^{b(6), b(7)(C)} rest of HQ platoon. We all got around the house. The first small room was to the right upon coming to the house. The CO threw a flash bang into that room. We cleared that and then continued on around the house. As I was passing the first set of windows, I saw out the right side of my eye a figure through the window. I stopped and looked. I could see a man in the room standing ^{b(6), b(7)(C)} along the wall. His back to the wall facing me and looking to the door entrance. I yelled out that I see someone in the house. I looked at the man and identified him to be Abu Kasim's son. The 1SG came to the window and identified him also with me. He looked at his street to positively identify the man. The man through the window did not ^{b(6), b(7)(C)} raise his hands, he looked more like he wanted to run or hide. I could see also that there were women and children in the room. The room was like a rectangle shape narrow and long. I would say about 5 to 6 meters wide and 12 to 15 long. The window was about 4 feet wide. I was right in the middle of the window. 1SG ^{b(6), b(7)(C)} was to my right. In the room he was directly in front of me. I positively identified the man and I engaged. Strait to his ^{b(6), b(7)(C)} chest and head as I am trained to do. At the same time SPC ^{b(6), b(7)(C)} engaged after me. I had remember seeing a girl to the left side of the room. She was with some other women

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT ^{b(6), b(7)(C)}	PAGE 1 OF <u>7</u> 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 THIS FORM.

STATEMENT OF SPC b(6), b(7)(C)

TAKEN AT BLOC 718, COP SPEICHER, TIKRIT 12 DATED 10 JUL 06 CONTINUED

STATEMENT (Continued)

b(6), b(7)(C) but not with our fire. I ceased fire and b(6), b(7)(C) stopped also. I could see Kasim was dead. I then saw a woman reach across the room and pull across a child. The body looked limp I could not see any blood. I then made my way to the next set of windows which where bigger I could fit through the window. By now I saw some of the HQs in the house making there way to the room where Kasim's body was. I got through the window and went to the room to the right where Kasim's body was at. I was in the room with Lt b(6), b(7)(C) SGT b(6), b(7)(C) and someone else but I don't remember who that person was. I saw the woman that had reached across the room holding a child in her lap. I thought to myself maybe she had fainted. I could not see any wounds to the child. We started to clear the room and just saw b(6), b(7)(C) that there was only women and children in the room. But as we started to move out we saw in a corner of the room with a large majority of women and children in front of him. Was Abu Kasim the father another PID. The most important one. He had his hands in the air. We took him into custody and took him out side of the house. Lt b(6), b(7)(C) CPL b(6), b(7)(C) SGT b(6), b(7)(C) SPC b(6), b(7)(C) and myself went to another objective after that. b(6), b(7)(C)

Q: SA b(6), b(7)(C)

A: SPC b(6), b(7)(C)

Q: WHAT DOES PID MEAN?

A: Positive Identification

Q: WAS THE MAN AT THE FIRST HOUSE IDENTIFIED?

A: Yes He was not one of our PIDs. I don't know his name.

Q: WHO ARE LT b(6), b(7)(C) CPL b(6), b(7)(C) SGT b(6), b(7)(C) AND SPC b(6), b(7)(C)

AND WHAT WAS THEIR ROLE IN THE MISSION?

A: Lt b(6), b(7)(C) is Talon Young Platoon leader

CPL b(6), b(7)(C) I don't know his full name he was part of our team to clear the house.

SGT b(6), b(7)(C) I don't know his full name he was team leader

SPC b(6), b(7)(C) his name is b(6), b(7)(C) He is part of SGT b(6), b(7)(C) team.

Q: WHERE IS COP3? AND WHAT DOES COP3 MEAN?

A: COP3 is west of MSR (main supply route) Tampa about 400 meters. Close to the Southern Bypass brigade in Samarra Iraq. COP Coveret Observation Post b(6), b(7)(C)

INITIALS OF PERSON MAKING STATEMENT: b(6), b(7)(C)

PAGE 2 OF 3 PAGES

ACLU DDII CID ROIS 36592

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STATEMENT OF SPC **b(6), b(7)(C)**

TAKEN AT BLDG 718 (CID OFFICE) CORRECTOR 12 DATED 10 JUL 06

CONTINUED

STATEMENT (Continued)

b(6), b(7)(C) Q: WHAT BRIEFING, IF ANY, DID YOU RECEIVE PRIOR TO GOING OUT ON OPERATION TIME SENSITIVE?

A: We had mission brief the night prior the mission. We had as a platoon and company, several PID targets. This information was disseminated through our chain of command. Lt **b(6), b(7)(C)** briefed me on our part. That night and that **b(6), b(7)(C)** morning prior to starting the mission. I was given a packet with all of the PID target locations and name, description with photographs of the PID targets, we also had video which we watched the night prior the mission.

Q: WHERE DID YOU OBTAIN THE VIDEOS FROM?

A: Prior to the mission our Platoon leader was tasked out with Recon of the area. I had a video camera and he had one too. Kasim's house was recorded from a T intersection where there are some shops.

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

Q: WHAT TIME DID THE MISSION BEGIN?

A: In the morning around 0700 or 0800

Q: WHAT TIME DID YOUR TEAM REACH THE OBJECTIVE?

A: Don't remember

Q: CAN YOU CLARIFY "CONTINUED ON AROUND THE HOUSE?"

A: We had stopped at the first room. We thought you could get in to the house. **b(6), b(7)(C)** But it was just a single room. So we had to keep going around the house ~~to~~ to find the door to enter.

Q: WHO GAVE THE COMMAND TO SHOOT KASIM?

A: **b(6), b(7)(C)** After PID that he was Kasim we looked at each other. The 1SGT and I **b(6), b(7)(C)** he was sure and I was sure gave me motion to go ahead. with positive go ahead to engage from the 1SGT.

Q: HOW MANY SHOTS DID YOU FIRE?

A: I shot to his chest and head. **b(6), b(7)(C)** Several times. I saw the first shot go right through his chest.

Q: HOW MANY SHOTS DID **b(6), b(7)(C)** FIRE?

A: I am not sure he stopped firing when I did.

Q: DID ANY ONE ELSE FIRE INTO THE ROOM? **b(6), b(7)(C)**

INITIALS OF PERSON MAKING STATEMENT: **b(6), b(7)(C)** PAGE 7 OF 7 PAGES

ACLU DDII CID ROIS 36593

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

EXHIBIT 000085

STATEMENT OF SPC **b(6), b(7)(C)**

TAKEN AT BLDG 718 (CID OFFICE) COB SPEICHER TIKR DATED 10 JUL 06

CONTINUED

STATEMENT (Continued)

A: I believe it was just us two. Benitez and I.

Q: HOW WAS THE MAN KASIM STANDING?

A: His body was facing me toward the window. His face looking to the right.

Q: WHERE WAS THE REST OF THE TEAM AT THIS TIME?

A: They were going around the house to find the entrance.

Q: DO YOU KNOW IF THE MAN SAW YOU?

A: I think so but he ignored me.

Q: HOW FAR AWAY WOULD YOU SAY THE WOMEN AND CHILDREN WHERE THE LITTLE GIRL WAS STANDING, WERE AWAY FROM KASIM?

A: I would say she was 3 to 4 meters away.

Q: DID YOU HEAR OR SEE ANY ONE ELSE IN THE ROOM?

A: Yes there was other woman and children in the room not sure to us how many. Yes I could hear them screaming and crying.

Q: DID YOU HEAR ANY ONE SAY ANYTHING TO KASIM?

A: No

Q: DID ANYONE CALL OUT KASIM'S NAME?

A: I am not sure. I heard his name called. We had a temp with us. I am not sure if he called out his name. But **b(6), b(7)(C)** a woman in the room said, "Abu Kasim".

Q: DID YOU AT ANY TIME SEE THE GIRL MOVE FROM HER ORIGINAL LOCATION?

A: No

Q: WHY DID YOU THINK SHE HAD FAINTED?

A: I did not see any wounds or blood.

Q: WHEN YOU ENTERED THE HOUSE DID YOU MEET WITH ANY OTHER MEMBERS OF YOUR TEAM OR THE HQ ELEMENT? WHO WERE THEY?

A: Yes I saw SPC **b(6), b(7)(C)** part of head quarters I don't know his full name. He was in the room I entered through the window. Lt **b(6), b(7)(C)** was next then Sgt **b(6), b(7)(C)** and Captain **b(6), b(7)(C)**. This is not the correct spelling of his name and I don't know his full name.

Q: WERE THEY IN THE ROOM WHEN YOU SHOT KASIM?

A: NO.

Q: DO YOU KNOW IF ANY OF THEM FIRED INTO THE ROOM?

A: NO.

Q: DID ANYONE LOOK AT THE LITTLE GIRLS INJURIES? **b(6), b(7)(C)**INITIALS OF PERSON MAKING STATEMENT: **b(6), b(7)(C)** PAGE 4 OF 7 PAGESFor Official Use Only - Law Enforcement Sensitive EXHIBIT 36594
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STATEMENT OF SPC **b(6), b(7)(C)**

TAKEN AT BLDG 718 (CID OFFICE) CO B SPEICHER, TIER 1 DATED 10 JUL 06

CONTINUED

STATEMENT (Continued)

b(6), b(7)(C)
A: I do not know this.

Q: HOW DID YOU KNOW SHE WAS DEAD?

A: later I talked with Lt **b(6), b(7)(C)** and he told me she was dead.
He was told by someone else.

Q: WHAT IS YOUR UNITS SOP FOR ROE OF PID PERSONNEL?

A: If you can PID some one **b(6), b(7)(C)** with one other source like a Squad leader or Lt or PSgt, ISGT. If **b(6), b(7)(C)** PID is immediately surrendering we can not engage. If he sees you and raises his hands up you can not shot him. The person that is being PID has to surrender before he is engaged. This targets are very valuable targets taking them into custody is not what we want. But if they do surrender we have to take them into custody.

Q: HOW DOES A PERSON BECOME A HIGH VALUE TARGET?

A: Some one higher than my chain of command.

Q: DESCRIBE THE WINDOW YOU WERE AT WHEN YOU OBSERVED THE SHOT KASIM THROUGH?

A: The window was a metal frame. metal bars going vertical about a foot apart. No glass through. The window was a curtain which was open to the sides.

Q: **b(6), b(7)(C)** WAS YOUR WEAPON INSIDE THE ROOM AT ANY TIME?

A: Yes about 3 inches in. enough to were the bars did not get in the way of my shot.

Q: DESCRIBE THE WINDOW YOU ENTERED THROUGH?

A: It was also a metal frame. But the bars were seperated further apart. The seal of the window was low to the ground. So all I had to do was step into the room. It was tight but I got in.

Q: WHAT IS YOUR UNDERSTANDING OF HOW SOMEONE GETS PUT ON THE HIGH VALUE TARGET LIST?

A: They have attacked US or coalition force directly or are part of terrorism. They have set up IEDs attacked FOBs US convoys and are part of cell. A cell is a group of terrorist.

Q: HOW DO YOU KNOW THE COMMANDER THREW A FLASH BANG INTO THE ROOM?

A: He said Flash Bang and the I heard it.

Q: WHERE WERE YOU WHEN YOU HEARD HIM SAY FLASH/BANG?

INITIALS OF PERSON MAKING STATEMENT: **b(6), b(7)(C)**

PAGE 5 OF 7 PAGES

ACLU DDII CID ROIS 36595

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STATEMENT OF SFC **b(6), b(7)(C)**TAKEN AT BLOG 718 (CID OFFICE) CONSTRUCTION TIKEL DATED 10 JUL 06

CONTINUED

b(6), b(7)(C) STATEMENT (Continued) **b(6), b(7)(C)**

A: ~~I was a few~~ I was behind Lt **b(6), b(7)(C)** which he was behind another group of people. The CO was at the front of everyone else. I was about 4 or 5 people behind the CO. He was leading. People were also behind me I don't remember exact numbers.

Q: WHAT TYPE OF WEAPON WERE YOU USING?

A: M-4 with a MARS (Multi Aiming Reflexive Sight). Red dot with laser.

Q: WHAT TYPE OF WEAPON WAS **b(6), b(7)(C)** USING?

A: M-4 w/ MARS

Q: HOW MANY SHOTS DO YOU ESTIMATE YOU FIRED?

A: 7 to 10 rounds

Q: WHAT WAS YOUR WEAPON SETTING ON?

A: Semi

Q: YOU SAID EARLIER HE "IGNORED" YOU PLEASE ELABORATE.

A: When I saw him he was looking to his right. He was looking for a way out. In the manner you look in every direction. He looked at my direction a few times but not long enough that you would say he looked at me. I yelled to him in arabic what's your name (Chesmic)? not sure of spelling. I was trying to get his attention so he wouldn't run off to another room or grab something, like a weapon.

Q: OTHER THAN **b(6), b(7)(C)** DID ANYONE ELSE FIRE INTO THE ROOM?

A: No. I know the shots were fired from just at that location being the window.

Q: DID ANYONE ELSE TELL YOU THEY SHOT INTO THE ROOM?

A: Yes SGT **b(6), b(7)(C)** said he was on my right side. But I don't remember seeing him or hearing him. I was zoned in on my target. When shots are fired you don't hear your rounds you focus on your target. All you hear is the click from your trigger and weapon function. I focused on my sight picture so he ended up being in my blind spot.

Q: WHY WOULD YOUR TEAM NOT CAPTURE A "VALUABLE" TARGET?

A: This target was a PID target. He was to be killed. If he surrendered then he would be captured. The order was to PID positively ID and kill. If he had been an AVT target we would of captured him and detained him **b(6), b(7)(C)**

INITIALS OF PERSON MAKING STATEMENT: **b(6), b(7)(C)**

PAGE 6 OF 7 PAGES

ACLU DDII CID ROIS 36596

Non-Confidential Use Only - Law Enforcement Sensitive EXHIBIT

STATEMENT OF SPC b(6), b(7)(C)

TAKEN AT BLDG 718 (CID OFFICE) COB SPEICHER TIKER DATED 10 JUL 06
12

CONTINUED

b(6), b(7)(C) STATEMENT (Continued)

Q: IN YOUR OPINION HOW DO YOU BELIEVE THE GIRL WAS KILLED?

A: My opinion is she may of been hit by a Recoresha? I could see the bullets go through the ~~man~~ man. A bullet could of bounced of the wall. But I am not certain.

Q: DO YOU HAVE ANYTHING TO ADD TO THIS STATEMENT?

A: It is unfortunate that an innocent life was lost. But this men use there families as shields. They ~~star~~ choose this life for there families I choose to protect mine of this. nothing further.

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

A: NO. //END OF STATEMENT// b(6), b(7)(C)

AFFIDAVIT

I, b(6), b(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 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 INDUCEMENT b(6), b(7)(C)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 10 day of Jul, 20 06 at BLDG 718 (CID OFFICE) COB SPEICHER, TIKER 12

ORGANIZATION OR ADDRESS

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

ORGANIZATION OR ADDRESS

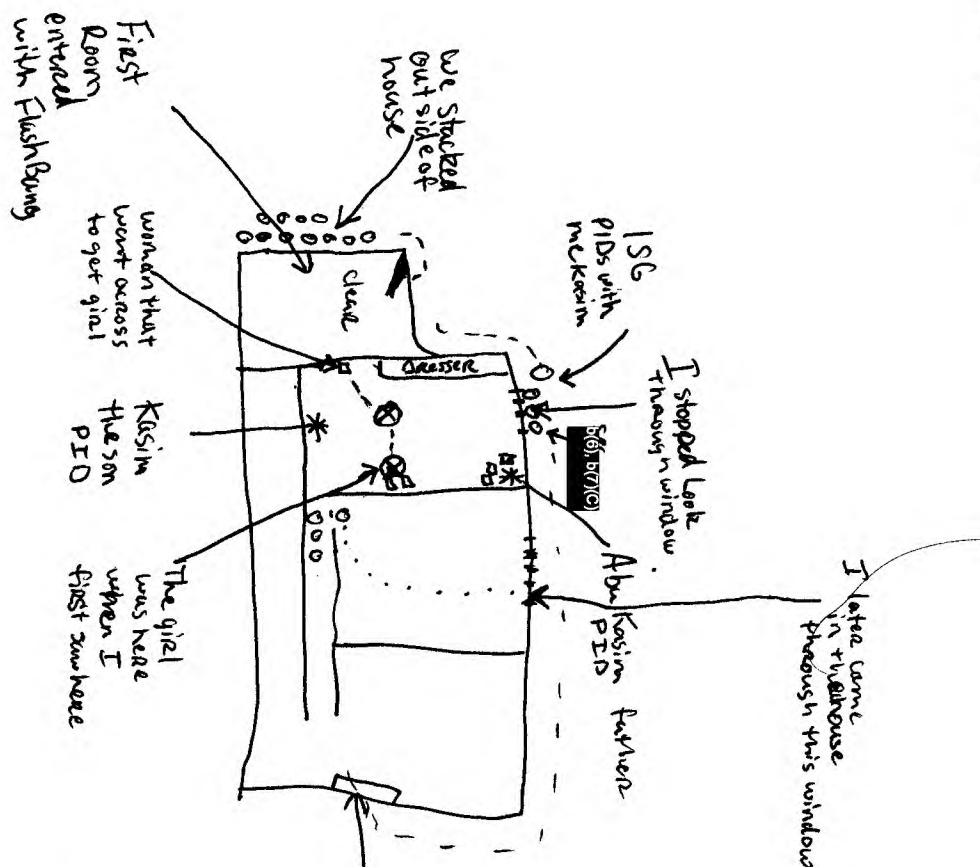
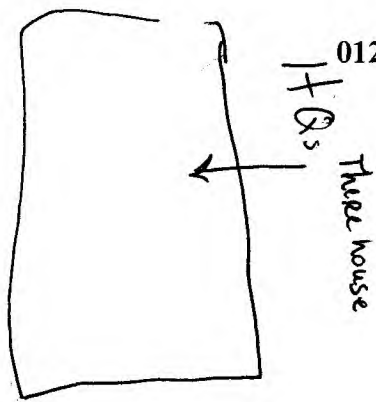
SA
(Typed Name of Person Administering Oath)

UCMJ, Article 136 / 10 USC 936
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 7 OF 7 PAGES



house was concrete block with straw. Furniture was scarce. Old home. The floor was concrete.

ACLU DDII CID ROIS 36598

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EXHIBIT

000090

Drawn by [redacted] b(6), b(7)(C)
10/07/06

NEEDED BY SA [redacted] b(6), b(7)(C)
b(6), b(7)(C)

10 Dec 06

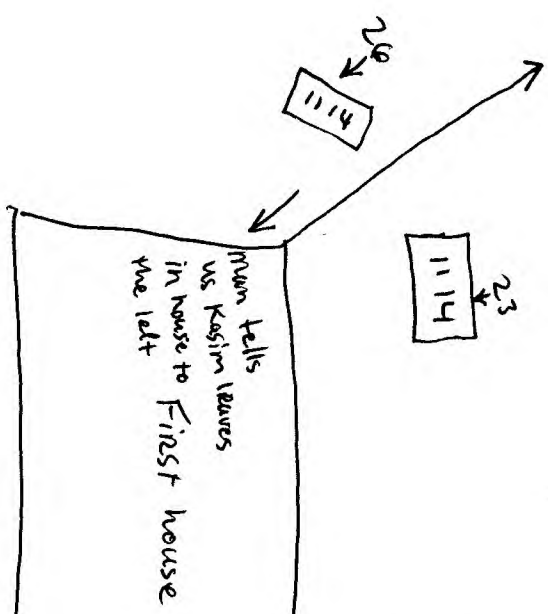
* PID

□ women children

○ US Forces

⊗ child that died

Not to Scale



SWORN STATEMENT

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

LOCATION: Building 718 (CID Office)
Contingency Operating Base (COB) Speicher
Tikrit, Iraq, APO AE 09393

DATE: 10 Jul 06

TIME: 12 20

NAME: b(6), b(7)(C) SSN b(6), b(7)(C) GRADE/STATUS: E4/AD

ORGANIZATION OR ADDRESS: 2nd Platoon, C CO, 3-187 Infantry, Forward
Operating Base (FOB) Brassfield-Mora, Samarra, Iraq, APO AE 09349

I, b(6), b(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER

b(6), b(7)(C) OATH:

On 22 May 2006 our company, C Co., was given a PID mission. We were briefed of the ROE of PID. The ROE states that if you can positively identify the target and if they are not actively surrendering then you're allowed to take them down, shoot them. We were briefed by CPT b(6), b(7)(C) and 1st Sgt b(6), b(7)(C) of the location, the names, and what they look like by photos. I believe it was third plt that had the early warning guy as their target. They staged at the top of cop 3 and watched the shops just to the west of them where their target was to show up. Once their target did show up we was given the word to move to our targets. Our target was down the southwest road of the shops behind cop 3. When arriving at out target house we realized that the house that we were at was the wrong one. It was the house that we just bypassed. We then went back to the correct house. By the time we got there CPT b(6), b(7)(C) 1st SGT b(6), b(7)(C) and the headquarters element was already there. Just before I entered the house I heard shots going off. When I got into the house I saw that one of our targets was being shot. I don't know exactly who the shooters was, they was in a location where I could not see. I was then grabbed up by SFC b(6), b(7)(C) to clear what part of the house we could. We could not cross the room cause of the rounds that was coming in. SFC b(6), b(7)(C) and I cleared a stairwell and an upstairs room. By the time we came down the rest of the house was already searched and the older guy was being detained. He was one of the HVT, but he was surrendering. After he was detained 1st b(6), b(7)(C) sent some guys in to get the body out of the house. He also said that there was a dead girl in the house that was shot also. After he said that I remembered seeing a woman holding a girl in her arms, but didn't think anything of it at the time. I just thought that she was holding her cause a man was just shot right in front of her. Then all of 2nd plt that was at that location moved to the northwest road where the other two targets was at. Once we got there the rest of our plt had already completed their mission. We searched the area finding information linking the targets to other HVT and other information such as telephone

INITIALS OF PERSON MAKING STATEMENT b(6), b(7)(C)

PAGE 1 OF 4 PAGES

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EXHIBIT 13

STATEMENT OF **b(6), b(7)(C)** TAKEN AT BLDG 718, COB SPEICHER, TIKRIT, IRAQ, DATED 10 JULY, 2006, CONTINUED.

numbers. After the mission was completed we returned to FOB Brassfield/Mora. We was told of that all the males that was shot was the right ones and that the father was detained. We was told of the little girl that was shot and all the information that we had found started to really check out and would help us to find the other key leaders.

Q. SA **b(6), b(7)(C)**

A. CPL **b(6), b(7)(C)**

Q. Did you type the above narrative?

A. Yes

Q. What does PID stand for?

A. Positive Identification

A. What does COP stand for?

A. Combat Outpost

Q. Did you hear or see anyone positively identify the person shot?

A. At the time no, afterwards I heard the 1SG positively identified the guy

Q. Who did you hear this from?

A. It was SPC **b(6), b(7)(C)** he was standing beside 1SG when 1SG identified the man

Q. Did you see where the rounds were coming from that killed the man?

A. They were from my right to left

Q. Did SFC **b(6), b(7)(C)** fire at the man?

A. Not that I am aware of

Q. Did you fire at the man?

A. No

Q. Did you see woman and children in the house?

A. After the man was already dead and I looked into the room

Q. What happened to the early warning guy?

A. He was also killed

Q. Who killed him?

A. I believe it was 3rd PLT

Q. Was he killed before or after the man in the house?

A. Before

Q. Did you witness this?

A. No

Q. Who was in the house with you when you first entered?

A. CPT **b(6), b(7)(C)** SFC **b(6), b(7)(C)** 2LT **b(6), b(7)(C)** is all I can remember

Q. What do you mean by actively surrendering?

INITIALS OF PERSON
MAKING STATEMENT **b(6), b(7)(C)**
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PAGE 2 OF 4 PAGES

EXHIBIT _____

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STATEMENT OF **b(6), b(7)(C)** TAKEN AT BLDG 718, COB SPEICHER, TIKRIT, IRAQ, DATED 10 JULY, 2006, CONTINUED.

A. putting their hands up, any verbal way of saying surrendering, waving a white cloth, or if they are not showing anything that says they are surrendering than they are not surrendering

Q. Did your unit take any fire during this mission?

A. No

Q. Did your unit collect any weapons, munitions, or explosives on this mission?

A. All of that stuff I'm not sure, we did get a bunch of intel

Q. How could you tell one of your targets was being shot?

A. I seen him getting shot

Q. What was the target doing?

A. Kinda like a little jerk

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

A. No///END OF STATEMENT///**b(6), b(7)(C)**

INITIALS OF PERSON
MAKING STATEMENT **b(6), b(7)(C)**
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PAGE 3 OF 4 PAGES

EXHIBIT _____

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~~LAW ENFORCEMENT SENSITIVE~~
~~FOR OFFICIAL USE ONLY~~

ACLU DDII CID ROIS 36601

EXHIBIT _____

STATEMENT OF **b(6), b(7)(C)** TAKEN AT BLDG 718, COB SPEICHER, TIKRIT, IRAQ, DATED 10 JULY, 2006, CONTINUED.

I, **b(6), b(7)(C)** READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE **b(6), b(7)(C)** 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.

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

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this Monday, July 10, 2006, at Building 718 COB Speicher, Tikrit, Iraq, APO AE 09393

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

(Signature of Person Administering Oath)

Special Agent **b(6), b(7)(C)**

(Typed Name of Person Administering Oath)

Article 136 (b) (4) UCMJ
(Authority to Administer Oath)

Witness

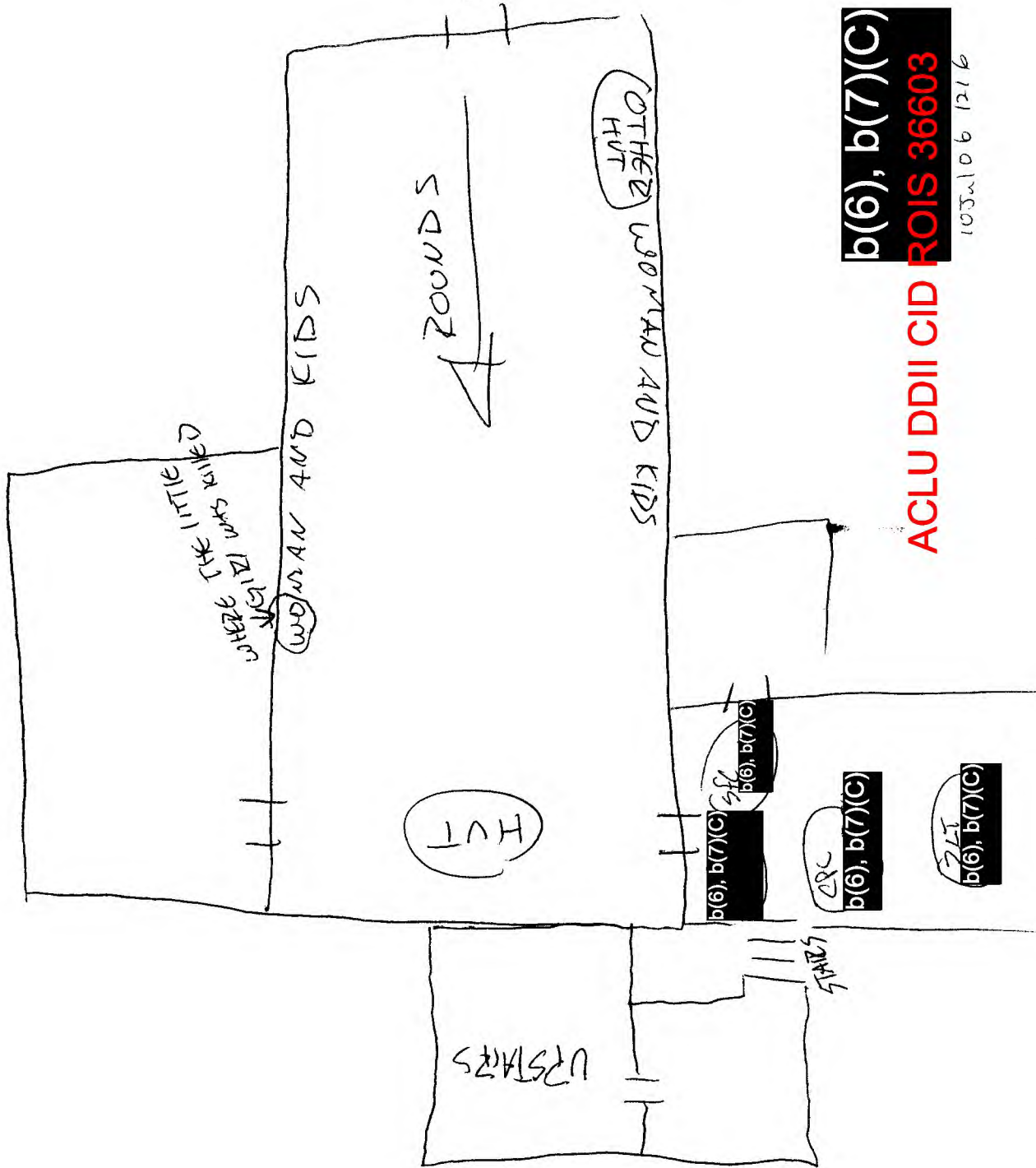
INITIALS OF PERSON **b(6), b(7)(C)**
MAKING STATEMENT
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ACLU RDI CID ROIS 36602
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DOOR
2002
2002



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

ACLU DDII CID ROIS 36603

1052106 1216

SWORN STATEMENT

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

LOCATION: Building 718 (CID Office)
Contingency Operating Base (COB) Speicher
Tikrit, Iraq, APO AE 09393

DATE: 10 Jul 06

TIME: 15 23

NAME: b(6), b(7)(C) SSN: b(6), b(7)(C) GRADE/STATUS: E5/AD

ORGANIZATION OR ADDRESS: 2nd Platoon, C CO, 3-187 Infantry, Forward
Operating Base (FOB) Brassfield-Mora, Samarra, Iraq, APO AE 09349

I, b(6), b(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER

b(6), b(7)(C) OATH:

My mission on 22MAY06 was to secure my objective, while looking for any of the six males on our black list. We were told that these men were to be confronted, and if they did not comply and surrender to shoot to kill (PID). I got to my objective and dismounted and searched the area. We found two adult males, and two male kids. We searched the adult males and held them there until we exfilled. During the mission four males were killed. I do not know there names, or what exact objectives they were killed on. I did not see who shot the males, but I know they were all on separate objectives. The main person we were looking for was detained and brought back to FOB Brassfield-Mora for questioning. I did not hear of anyone taking fire, and I don't know the details of how and by whom the males were killed by. After the mission I returned to COP 2 for four days

Q. SA b(6), b(7)(C)

A. SGT b(6), b(7)(C)

Q. Did you type the above narrative?

A. Yes

Q. What does PID stand for?

A. Positive Identification

Q. Who was with you on you objective?

A. myself, SSG b(6), b(7)(C) SGT b(6), b(7)(C) SGT b(6), b(7)(C) PFC b(6), b(7)(C) PFC b(6), b(7)(C) SPC b(6), b(7)(C) and SPC b(6), b(7)(C)

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

A. No///END OF STATEMENT/// b(6), b(7)(C)

INITIALS OF PERS b(6), b(7)(C)
MAKING STATEMENT

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PAGE 1 OF 2 PAGES

EXHIBIT _____

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~~FOR OFFICIAL USE ONLY~~ **ACLU DDII CID ROIS 36605**
~~FOR OFFICIAL USE ONLY~~ **EXHIBIT** ~~SENSITIVE~~

STATEMENT OF **b(6), b(7)(C)** TAKEN AT BLDG 718, COB SPEICHER, TIKRIT, IRAQ, DATED 10 JULY, 2006, CONTINUED.

I, **b(6), b(7)(C)** 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,

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

ment)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this Monday, July 10, 2006, at Building 718 COB Speicher Tikrit Iraq APO AF 09393

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

h)

Special Agent **b(6), b(7)(C)**
(Typed Name of Person Administering Oath)

Article 136 (b) (4) UCMJ
(Authority to Administer Oath)

Witness

INITIALS OF PERSON **b(6), b(7)(C)**
MAKING STATEMENT
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PAGE 2 OF 2 PAGES

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ACLU DDII CID ROIS 36606

EXHIBIT 15
000098

SWORN STATEMENT

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

LOCATION:

Building 718 (CID Office)
Contingency Operating Base (COB) Speicher
Tikrit, Iraq, APO AE 09393

DATE: 10 Jul 06

TIME: 1644

NAME: b(6), b(7)(C) SSN: b(6), b(7)(C) GRADE/STATUS: E5/AD

ORGANIZATION OR ADDRESS: 2nd Platoon, C CO, 3-187 Infantry, Forward
Operating Base (FOB) Brassfield-Mora, Samarra, Iraq, APO AE 09349

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

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

WANT TO MAKE THE FOLLOWING STATEMENT

UNDER OATH:

On the 22nd of may 2006 I was part of a PID mission off of the gravel pit road. My mission was to kill, or capture any of our targets at a market that was located just off the side of the road. The targets were Abu Casim, his two sons, and one other HVT that wasn't found on the Objective. When we arrived at the market we started searching the area for the targets finding none of the targets inside the market. I then walked around the back of the market. I saw someone seated up on a water tank with the left side of his body toward me. I immediately PID the person to be one of Abu Casims sons. I then started to approach him from the side giving him the chance to surrender. When I got within approximately 25 ft. from him he turned toward me with something that appeared to be a weapon in his hand, without hesitation my team leader and I opened fire until he was dead. When we moved to clear the body, we found a welding torch in his right hand. This was the only objective I was on during the mission. Although I heard reports passed down that two other HVTs were killed and our main HVT (Abu Casim) surrendered and was captured.

Q. SA b(6), b(7)(C)

A. SGT b(6), b(7)(C)

Q. Did you type the above narrative?

A. Yes

Q. Who was with you on your objective?

A. SSG b(6), b(7)(C) SGT b(6), b(7)(C) and PV2 b(6), b(7)(C) there were others I don't remember

Q. Who was with you when you shot the son?

A. SGT b(6), b(7)(C)

Q. How many times did you fire?

A. I fired about six rounds

Q. Did SGT b(6), b(7)(C) fire?

A. Yes, around the same number of times

INITIALS OF PERSON
MAKING STATEMENT b(6), b(7)(C)

PAGE 1 OF 3 PAGES

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EXHIBIT 14

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ACLU DDJ CID ROIS 36609

STATEMENT OF **b(6), b(7)(C)** TAKEN AT BLDG 718, COB
SPEICHER, TIKRIT, IRAQ, DATED 10 JULY, 2006, CONTINUED.

Q. What does PID mean?

A. Positively Identify Personnel or Target

Q. How did you PID your target?

A. Remembered his face from a picture shown to us the night before the mission

Q. What were your orders for this mission?

A. To kill or capture the HVTs, using the PID ROE and giving them the chance to
surrender

Q. Do you know anything about a man with a cell phone being killed?

A. Yeah, he was one of the HVTs that came down on the net had been killed that's
all I know

Q. What do you mean by net?

A. Radio

Q. From whom did you receive your orders for this mission?

A. SSG **b(6), b(7)(C)** read the OP Order and the mission came down from the company

Q. Who briefed the ROE to you?

A. Several people, my platoon leader, 1LT **b(6), b(7)(C)** SSG **b(6), b(7)(C)** and my PLT
SGT, SFC **b(6), b(7)(C)**

Q. Where did the picture, of the HVT, come from that you saw the night before the
mission?

A. A couple of days before the mission they sent out patrols to the different
objectives that would get video footage and pictures by walking around the area
and talking to people in the market. They would bring it back and the company
had an informant at FOB Brassfiel-Mora and he picked out the HVTs. We were
shown still pictures and video footage of the HVTs

Q. Who showed these to you?

A. SSG **b(6), b(7)(C)** during the OP Order briefing

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

A. No///END OF STATEMENT/// **b(6), b(7)(C)**

INITIALS OF PERSON
MAKING STATEMENT **b(6), b(7)(C)**

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PAGE 2 OF 3 PAGES

EXHIBIT 8

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ACLU DDII CID ROIS 36610

STATEMENT OF **b(6), b(7)(C)** TAKEN AT BLDG 718, COB
SPEICHER, TIKRIT, IRAQ, DATED 10 JULY, 2006, CONTINUED.

I, **b(6), b(7)(C)** 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.

b(6), b(7)(C) _____
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person
authorized by law to administer oaths, this
Monday, July 10, 2006, at Building 718
COB Speicher, Tikrit, Iraq, APO AE 09393

b(6), b(7)(C) _____
(Signature of Person Administering Oath)

Special Agent **b(6), b(7)(C)**
(Typed Name of Person Administering Oath)

Article 136 (b) (4) UCMJ
(Authority to Administer Oath)

Witness

INITIALS OF PERSON **b(6), b(7)(C)**
MAKING STATEMENT _____
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EXHIBIT _____

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ACLU DDII CID ROIS 36611
~~LAW ENFORCEMENT SENSITIVE~~

SWORN STATEMENT

0123-06-CID469-75463

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

LOCATION Cob Speicher, Tikrit, Iraq, APO AE 09393	DATE 10 Jul 06	TIME 1840	FILE NUMBER
b(6), b(7)(C)	SOCIAL SECURITY NUMBER b(6), b(7)(C)		GRADE/STATUS E-6/AD

C Co, 3/187th INF BN, FOB Brassfield-Mora, Samarra, Iraq, APO AE 09349

b(6), b(7)(C) SSG b(6), b(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On about 14 May at 0600 hrs I was assigned to take part in a mission to Kill or Capture Known terrorists.

The first terrorist was killed by first platoon. My platoon was then to move up the road (Pipeline road) to our three separate objectives. Second Squad broke off first moving into their objective which was a house. We then traveled south to the objective that I was assigned to. It was a shop area with open bays and I was looking for 4 of the Known terrorists. As I was walking north along the 5 shop strip mall I saw 2 men standing by a Bongo truck. I thought that one of the men was one of the targets. I moved towards him and as I cleared the end of the shop SPC b(6), b(7)(C) (one of the soldiers on my truck) and SGT b(6), b(7)(C) (Another soldier on my truck) noticed one of our targets squatting on a water heater behind a building with an object in his hand. SPC b(6), b(7)(C) and SGT b(6), b(7)(C) immediately shot the man until he was dead.

I walked over to the two men standing by the bongo truck and saw that neither one of them was the other target.

We then went and cleared the body and found a welding torch and a mask that he was not wearing behind him.

Q: SA b(6), b(7)(C)

A: SSG b(6), b(7)(C)

Q: Do you know who shot and killed the first terrorist and where it occurred?

A: Members of First Platoon at a shop just off the MSR Tampa. The exact person or persons is unknown to me.

Q: Were you in the vicinity of the house which was b(6), b(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT b(6), b(7)(C)	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 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

ACLU DOJ CID 9015 36812

STATEMENT OF

b(6), b(7)(C)TAKEN AT CoB Speicher, Tikrit, Iraq, APO AE 94393 DATED 18 Jul 06 ⁵⁰⁰

CONTINUED

STATEMENT (Continued)

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

Assigned to second squad?

A: NO, I was about at least 3 kilometers away

Q: Did you later hear of a High Value Target being shot in a house who was on a cell phone?

A: NO, I don't know about the cell phone, only that people were shot

Q: Was there anyone else with your 3 man element?

A: PFC **b(6), b(7)(C)**

Q: What was the dead Iraqi wedding?

A: The water tank

Q: Were there any weapons, ammunition or any other contraband found on him or any detainees?

A: NO

Q: Who is in second squad?

A: SSG **b(6), b(7)(C)** SGT **b(6), b(7)(C)** SGT **b(6), b(7)(C)** SPC **b(6), b(7)(C)** SPC **b(6), b(7)(C)**PFC **b(6), b(7)(C)** PFC **b(6), b(7)(C)** SPC **b(6), b(7)(C)** SPC **b(6), b(7)(C)** The only members that I can say were present were SSG **b(6), b(7)(C)** SGT **b(6), b(7)(C)**

Q: Who identified the High Value Target?

A: Myself and SPC **b(6), b(7)(C)**

Q: Who approved this particular mission?

A: My Company Commander CPT **b(6), b(7)(C)**

Q: Was this a Kill/Kill mission?

A: NO

Q: Was this mission necessary before the mission in which the 7 year old girl was killed?

A: Yes, It was necessary to the United State's future in Iraq. Also necessary for the safety of american soldiers traveling on MSR Tampa daily as well as the safety of the Iraqi people who often get caught in the crossfire.

Q: Did you fire?

A: NO

Q: Those who fired, what weapon was used and how many rounds?

A: Both M4's about 10 rounds **b(6), b(7)(C)**INITIALS OF PERSON MAKING STATEMENT: **b(6), b(7)(C)**

PAGE 2 OF 3 PAGES

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EXHIBIT

b(6), b(7)(C) STATEMENT (Continued)

Q: Was there an After Action Review, AR 15-6 Investigation or Storyboard for this particular shooting?

A: There was an After Action Review. I Dont know about the investigation or the story board, but the After Action Review entailed every thing said in this statement.

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

A: NO /// END OF STATEMENT /// b(6), b(7)(C)

AFFIDAVIT

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

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

(Typed Name of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 10th day of Jul 20 06 at COB Speicher, Tikrit Iraq, APO AF 09593

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

JA b(6), (b)(7)(C), (b)(7)(F)

UCMJ, Article 136 / 10 USC 936 (Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

ACLU DDII CID ROIS 36614

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EXHIBIT

STATEMENT OF **b(6), b(7)(C)** TAKEN AT **31st MP DET (CID)** DATED **10 Jul 06** CONTINUED
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 **31th MP DET (CID) FOB Speicher, Tikrit, APO AE** DATE **b(6), b(7)(C)** TIME **b(6), b(7)(C)** FILE NUMBER
LAST NAME FIRST NAME MIDDLE NAME SOCIAL SECURITY NUMBER GRADE/STATUS
b(6), b(7)(C) **b(6), b(7)(C)** E-5 / AD
ORGANIZATION OR ADDRESS
C Co, 3-187TH INF REGT, 101ST ABN DIV, AASLT, FOB Brassfield-Mora, Samarra , Iraq, APO AE 09349

b(6), b(7)(C), **b(6), b(7)(C)**, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 22 May 2006 I participated in a PID (Positive Identification) mission. My squad consisted of SSG **b(6), b(7)(C)** SGT **b(6), b(7)(C)** SPC **b(6), b(7)(C)** PFC **b(6), b(7)(C)** SPC **b(6), b(7)(C)** SGT **b(6), b(7)(C)** myself), SPC **b(6), b(7)(C)** SPC **b(6), b(7)(C)** and PFC **b(6), b(7)(C)**. The ROE for this mission was upon positive identification of the HVT (High Value Target), through photographs, we were authorized to shoot to kill as long as the HVT was not actively surrendering. Insurgent SOP (Standard Operating Procedure) at the time was to use family and children as shields in order to protect themselves from U.S. soldiers. If we encountered such behavior we were to close the gap between us and the target and kill them at point blank range as long as they are not actively surrendering. We identified 6 known AIF (Anti Iraqi Force) operators who operated in the area South of COP 3 (Combat Outpost) and who were involved in an organized attack on COP 3 back in Feb. One target was a shop owner by the name of Omar who owned a shop right at the bottom of COP 3. Anytime coalition forces rode by his shop he would use his cell phone to call the rest of the cell that we were coming down the road. About 1 km South down Gravel Pit Rd. South was our squad's target named Ahmed Oied Latief. Further down were four more targets that the rest of the platoon was to go after, the names I don't remember. At 0800 Omar usually opened his shop. The plan was to kill or capture Omar right before we went after the rest of the targets to keep him from warning the others. Soldiers on COP 3 were to positively identify Omar and call Choppin 6 (Captain **b(6), b(7)(C)**) who would then initiate the mission. Around 0830 COP 3 radioed Choppin 6 with a positive ID of Omar. Choppin 6 initiated the mission. Our platoon was going back and forth on the MSR near COP 3 so we could stay close and time it so that when Omar was killed or captured we would be rolling through just after. Once initiated our convoy headed toward Gravel Pit Rd. Our squad consisted of the last two trucks and was going to peel off from the rest of the convoy once we reached our objective. I don't know the order of the convoy, but my squad made up the last two vehicles. On our objective we were to raid Ahmed's house. We knew where he lived, what kind of vehicle he drove and that he was the only military aged male living in the house. We also had his name. Our ROE on this objective was the same as the one above except we didn't have a picture. On our objective we were to kill any military aged male unless they were actively surrendering. We neared Gravel Pit South and a call came over the radio saying that Omar had been killed. As we got to the house I saw the blue bongo that belonged to Ahmed and realized he was home. As we neared the house I dismounted along with everyone in the squad except for SPC **b(6), b(7)(C)** and PFC **b(6), b(7)(C)** who stayed in the turret to pull cordon security. I was the number one man into the house and saw a military aged male sitting in the floor with a twelve year old boy lying with his head in his lap. I entered the room with my rifle up. His son was sitting right to his right side. When he saw me enter the room he just sat there and looked at me as if to say "what do you want". He was a military aged male and was not actively surrendering so I shot 4 rounds into his head from about 3 ft. away. As I fired I remember seeing the rest of his family sitting along the opposite wall that he was. The same time I fired the rest of my squad was entering the room. I remember seeing SPC **b(6), b(7)(C)** SSG **b(6), b(7)(C)** SPC **b(6), b(7)(C)** and PFC **b(6), b(7)(C)** initially. Once I was sure Ahmed was dead we got his family up and into another room so they didn't have to look at him any more. SSG **b(6), b(7)(C)** and I loaded Ahmed into a body bag and transported it to the truck being careful not to go in front of the room where the wife and children were being held. I believe PFC **b(6), b(7)(C)** SGT **b(6), b(7)(C)** and SPC **b(6), b(7)(C)** cleared the rest of the room as we

STATEMENT OF **b(6), b(7)(C)** TAKEN AT 31st MP DET (CID) DATED 10 Jul 06 CONTINUED

b(6), b(7)(C) searched Ahmed and the room that he was in. We also pushed out to other rooms and the surrounding areas around the house. On our initial sweep we only found Ahmed's cell phone. On a more thorough search SGT **b(6), b(7)(C)** noticed something in the ceiling of the room where Ahmed was shot. He found two pistol mags and what looked like a phone list. Choppin 6 and 7 (1SG **b(6), b(7)(C)**) both came to the objective to get a situation report. We showed Choppin 6 the phone list and he immediately had the interpreter translate the names. Choppin 6 off hand recognized 4 of the twenty-something names as confirmed HVTs in the area of Samarra. We also had the interpreter **b(6), b(7)(C)** ask the wife the KIA's name. The name she gave us matched the name on our HVT list. We decided to take the body back to COP 3 and load it onto the 2 1/2 ton truck so it could be transported back to FOB Brassfield. I was never on the other objectives, but I heard through radio traffic that the rest of my platoon (2nd) had killed two HVTs and took our number one HVT as a detainee. One of our targets was not on the objective and was never found. After the rest of the platoon finished their searches we met back at COP 3. The individuals who were involved with taking the detainee rode back to the FOB to fill out sworn statements. The rest of our platoon went back to our regular mission **b(6), b(7)(C)**

Q: **b(6), b(7)(C)**

A:

Q: Who was senior ranking on your objective?

A: SSG **b(6), b(7)(C)**

Q: How many adults and how many children were inside the house?

A: Two adults (Ahmed and wife) and about 6 children **b(6), b(7)(C)**

Q: Where was the twelve year old when you entered the house?

A: He was lying down with his head in Ahmed's lap. **b(6), b(7)(C)**

Q: Were there any other military aged males in the house?

A: No **b(6), b(7)(C)**

Q: Did you have a physical description of the Ahmed before you entered the house?

A: No, I had a description of the vehicle that he drives and the information that he was to be the only military aged male living inside the house. **b(6), b(7)(C)**

Q: Who identified the body?

A: The wife gave us his name. We also recovered his ID card. For some unknown reason he also had the number on HVT's passport in his possession which linked them to each other. **b(6), b(7)(C)**

Q: Did anyone take a photo of the dead individual?

A: Somebody did, however I never saw anybody actually physically take a photograph. **b(6), b(7)(C)**

Q: Was the photo turned into the TOC (Tactical Operations Control) or CP (Command Post)?

A: I never saw or heard that it was. However, we're supposed to do this and if it hadn't been done I would have been asked about it. Since no one asked I figured it had been done. **b(6), b(7)(C)**

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

A: No//End of Statement// **b(6), b(7)(C)**

STATEMENT OF **b(6), b(7)(C)**

CONTINUED:
STATEMENT (Continued)

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

AFFIDAVIT

b(6), b(7)(C) I **b(6), b(7)(C)** 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 **b(6), b(7)(C)**

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

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 10, Day of Jul, 2006 at 31TH MP DET (CID) FOB SPEICHER, TIKRIT, IZ APO AE 09393

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

(Signature of Person Administering Oath)

SA **b(6), b(7)(C)**
(Typed Name of Person Administering Oath)

ARTICLE #136 UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT **b(6), b(7)(C)**

SWORN STATEMENT

LOCATION:

Building 718 (CID Office)
Contingency Operating Base (COB) Speicher
Tikrit, Iraq, APO AE 09393

DATE: 12 Jul 06

TIME: 1534

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

NAME: b(6), b(7)(C)

SSN: b(6), b(7)(C) GRADE/STATUS: E5/AD

ORGANIZATION OR ADDRESS: C CO, 3-187 Infantry, Forward Operating Base
(FOB) Brassfield-Mora, Samarra, Iraq, APO AE 09349

I, b(6), b(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER
OATH:

Q. SA b(6), b(7)(C)

A. SGT b(6), b(7)(C)

Q. What do you know about an incident on 17 Jan 06, during which members of 3rd Platoon, C CO, 3-187 shot and killed two men in a semi-truck (possibly hauling a load of tomatoes) on MSR Tampa on the Tigris River Bridge?

A. On or around 17 January 2006 about 1600 hrs, I was sitting on COP 2 just south of the bypass bridge on MSR Tampa. One of the soldiers in the truck facing Route 1 Proper North said that there was a semi truck that was stopped on the bridge in the north bound lane. He said that they had taken out a black bag and were messing with it outside the truck. Myself, 1LT b(6), b(7)(C) PFC b(6), b(7)(C) PFC b(6), b(7)(C) and PFC b(6), b(7)(C) got in our truck with 31A (SGT b(6), b(7)(C) PFC b(6), b(7)(C) and PFC b(6), b(7)(C) already waiting behind us. We got on the MSR and slowly crept to the semi truck to get a better look of what the personnel were doing outside. I was closer to the truck, so I told the PL that it looked as though they were changing a tire. We moved up about another 150 meters passed the truck, jumped into the south bound lane to block traffic. 1LT b(6), b(7)(C) got out of the truck with PFC b(6), b(7)(C) and PFC b(6), b(7)(C) to call the personnel forward towards out truck to search and allow the other truck to send its dismounts towards to the truck to search it. The PL started to yell in Arabic for the driver and passenger to come towards us. He yelled for about 30 seconds, and then I heard him yell stop in Arabic a couple of times. So I got out off the truck to check to see what the situation was and I noticed that the truck was moving towards us. It bowed towards the shoulder and turned head on to us. The PL fired a disabling shot into the engine block. The truck still kept on coming so he fired another one into the right front tire. Still coming towards us I gave the command to open fire on the truck because now I considered it a threat. All five of us opened up on the truck. Then I heard bullets coming towards us and I saw the passenger shooting out the window. Still firing on the truck I gave the command for the gunner PFC b(6), b(7)(C) to open up with the M2 .50 cal machine gun. He turned the turret towards the truck and fired. About 12 shots from the .50 cal, the truck came to a stop. I yelled cease fire and noticed that there was liquids leaking from under and

INITIALS OF PERSON b(6), b(7)(C)
MAKING STATEMENT

PAGE 1 OF 5 PAGES

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EXHIBIT 20

STATEMENT OF **b(6), b(7)(C)** TAKEN AT BLDG 718, COB SPEICHER,
TIKRIT, IRAQ, DATED 12 JULY, 2006, CONTINUED.

around the truck. I told everybody to move back to be safe and I moved the humvee back about 50 meters. I then called up the company cp and gave them a situation report of what had just occurred on the bridge. Then we moved forward toward the truck to clear it. I moved to the drivers door and opened it and saw that he was dead. I got up on the truck and saw that the passenger was also dead. SPC **b(6), b(7)(C)** got inside the truck with me to help search for anybody else that might still be inside the truck. There was no one inside. SPC **b(6), b(7)(C)** and I then took the bodies out of the truck and got into the truck to do a more thorough search of the inside. Upon completion of our first search we found visas, multiple identification cards of both individuals and receipts from Jordan and Syria. The PL was outside with the rest of the guys conducting a search for the black bag that was seen outside the truck when we passed before the incident. They did about three searches and found nothing. Then Predator 2 (MP unit in Samara) and took pictures of the semi truck, the inside of the truck and pictures of our humvee which had gotten hit by the bullets that were fired from the passenger. All the bullet impacts were on the passenger side doors. Finally the IP's arrived to collect the bodies and then they left. We called the company cp and gave them another sitrep and they advised us to come back to the cp to fill out sworn statements and turn in the evidence that we had collected from the truck and to change clothes and boots due to blood. On our way back to the COP's the cp called and said that we had to pull security around the truck and wait for the IP's to show back up with a wrecker to haul it away. The IP's didn't show up till about 0630 hrs the following morning.

Q. What do you know about 1LT **b(6), b(7)(C)** pushing or throwing an Iraqi male to the ground, resulting in the man sustaining a broken jaw or any other injury?

A. What I heard from CPL **b(6), b(7)(C)** was that the Iraqi male was being uncooperative so 1LT **b(6), b(7)(C)** tripped him to get him to the floor. Upon doing so the Iraqi male hit his face on the pavement which resulted to some scratches and a broken jaw.

Q. What do you know about 1SG **b(6), b(7)(C)** allegedly taking the hand of a dead Iraqi man and slapping another local national with the dead man's hand? This allegedly took place after the man's body was driver around a market place on the hood of a HMMWV?

A. This was the sniper incident which resulted in the death of an Iraqi male that was shooting at our COP's with a Dragunov and the capture of his assistant. After killing the sniper 1st platoon and 1SG **b(6), b(7)(C)** took the body to and paraded it around the Thar Thar market and advised the Iraqis in the area that if they want to keep messing with us, this is how they were going to end up. 1SG **b(6), b(7)(C)** then took the dead Iraqis hand and started slapping it in the face of the other Iraqi male.

INITIALS OF PERSON **b(6), b(7)(C)**
MAKING STATEMENT **b(6), b(7)(C)**
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PAGE 2 OF 5 PAGES

EXHIBIT _____

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EXHIBIT _____

STATEMENT OF **b(6), b(7)(C)** TAKEN AT BLDG 718, COB SPEICHER, TIKRIT, IRAQ, DATED 12 JULY, 2006, CONTINUED.

Q. What do you know about an incident in which members of 3-187 INF engaging a vehicle near a checkpoint by the Samarra hospital, resulting in the death of an Iraqi national and/or specifically a pregnant woman?

A. I don't know anything about this incident.

Q. Have you ever been authorized to kill High Value Targets (HVT) immediately upon positive identification (PID), without allowing them a chance to surrender? If so when, where and by whom?

A. Yes I have. On the 22nd of May we had an operation to destroy an IED cell in our sector. Our HVT was named Adnon, and our objective was on the south side of the bypass bridge. The order to kill upon PID was given from 1SG **b(6), b(7)(C)** and CPT **b(6), b(7)(C)** and that the guidance came from the Battalion level.

Q. Have you ever heard of or participated in a Kill/Kill operation, versus a Kill/Capture or Capture/Kill? If so who told you it was a Kill/Kill operation and when and where was the operation?

A. I have never heard of or participated in this kind of operation. I have never heard of it.

Q. What do you know about an operation in which members of 3-187 INF killed a 7 year-old girl during an operation on 22 May targeting a HVT?

A. This mission was the same mission that we were on only we were south of the bypass bridge. Our objective site was at Adnon's house. We rallied up at COP 2 which was the staging point for our platoon. When we got the word from CPT **b(6), b(7)(C)** or 1SG **b(6), b(7)(C)** that Omar had been killed we were to move towards Adnon's house and raid it.

When we got the word that Omar had been killed, we moved on the southern canal trail heading south to Adnon's house. We hit the turn point and moved in on the house. Adnon was not there, but upon completion of searching his house we found his identification cards. Outside the cordon that was set up around Adnon's house an Iraqi male was caught and detained. He said that he knew where Adnon was at. So he took us into Samara and led us to a mechanic shop. Adnon was not there so we were to move back to Adnon's house. The detainee had told us that Adnon drove a grey bongo truck. As we were reaching Adnon's house, 1LT **b(6), b(7)(C)** said to turn around because he saw a grey bongo truck. When I turned around I saw the bongo truck and stopped just short of it. I got out of the truck and immediately identified Adnon. I told him to come here towards me in Arabic so I could search him. I found his id's as I was searching him. After I was done searching Adnon, I told him to kneel down in front of the humvee and I moved to 1LT **b(6), b(7)(C)** and showed him the ID. He also identified him as Adnon. So I detained Adnon and we moved back to his house. After we called CPT **b(6), b(7)(C)** and 1SG **b(6), b(7)(C)** they came to the house and informed us that one of the other platoons had shot a little girl on the objective. They said that the little girl had run towards her father while they were engaging him.

INITIALS OF PERSON **b(6), b(7)(C)**
 MAKING STATEMENT **b(6), b(7)(C)**
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PAGE 3 OF 5 PAGES

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EXHIBIT 10

STATEMENT OF **b(6), b(7)(C)** TAKEN AT BLDG 718, COB SPEICHER, TIKRIT, IRAQ, DATED 12 JULY, 2006, CONTINUED.

Q. What do you know about an incident involving 1SG **b(6), b(7)(C)** and the shooting of a vehicle (possibly a Suburban) with a family in it?

A. This incident was in early January around 2200 hrs on MSR Tampa. 1SG **b(6), b(7)(C)** was out on patrol with SSG **b(6), b(7)(C)**, SFC **b(6), b(7)(C)**, PFC **b(6), b(7)(C)**, SPC **b(6), b(7)(C)**, SGT **b(6), b(7)(C)**, SPC **b(6), b(7)(C)**, SPC **b(6), b(7)(C)**, SSG **b(6), b(7)(C)** and 1LT **b(6), b(7)(C)**. 1SG **b(6), b(7)(C)** decided to set up a Tactical Check Point on the MSR. After searching a couple of cars a suburban comes through the check point and doesn't stop. 1SG **b(6), b(7)(C)** gave the command to open fire on the suburban. After the suburban came to a stop and started to catch on fire, SSG **b(6), b(7)(C)** heard screaming in the vehicle. He advised everyone that was on the ground that there was still people inside the truck. SSG **b(6), b(7)(C)** moved towards the truck to get them out. 1SG **b(6), b(7)(C)**, SFC **b(6), b(7)(C)** and SSG **b(6), b(7)(C)** went to assist him in taking our the family. They took a pregnant woman and a kid who were severely injured to the battalion aid station. The pregnant woman and child didn't make it. The other three individuals in the suburban that were dead burnt in the flames.

Q. Did you type the above answers?

A. Yes.

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

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

INITIALS OF PERSON **b(6), b(7)(C)**
MAKING STATEMENT
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LAW ENFORCEMENT SENSITIVE~~

ACLU DDII CID ROIS 36621

EXHIBIT _____

STATEMENT OF **b(6), b(7)(C)** TAKEN AT BLDG 718, COB SPEICHER, TIKRIT, IRAQ, DATED 12 JULY, 2006, CONTINUED.

I, **b(6), b(7)(C)** READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 5. 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.

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

(**b(6), b(7)(C)** Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this Wednesday, July 12, 2006, at Building 718 COB Speicher Tikrit Iraq APO AE 09393

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

(Signature of Person Administering Oath)

Special Agent **b(6), b(7)(C)**

(Typed Name of Person Administering Oath)

Article 136 (b) (4) UCMJ
(Authority to Administer Oath)

Witness

INITIALS OF PERSON **b(6), b(7)(C)** MAKING STATEMENT
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ACLU DDII CID ROIS 36622

EXHIBIT _____

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 BLDG 718 (CID OFFICE) COBSPECHER TIKRIT 12 APOAE 09393	DATE ^{b(6), b(7)(C)} 12 JUL 06	TIME ^{b(6), b(7)(C)} 1629	FILE NUMBER 0123-06-CID469-15408
^{b(6), b(7)(C)}	^{b(6), b(7)(C)}	GRADE/STATUS SSC	
ORGANIZATION OR ADDRESS C Co 3-187th IN REGT 3D AFN			

^{b(6), b(7)(C)}, ^{b(6), b(7)(C)}, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

During operation Judgement Day 3rd platoon was given a mission to kill/capture an IED maker and Engineer. The man's name was Adnon. We were instructed that we could kill the individual if we had positively identified him as Adnon. None of the leaders in the platoon were sure of this and nobody wanted to make a mistake and kill the wrong person. The platoon departed FOB Brassfield more during the morning and headed south to stage at COP 2 for our part of the mission. After being at COP 2 for a while we were informed to get Adnon. 2 vehicles including one of which was mine moved south on MSR Tampa to seal the western side of the house, the other 4 vehicles moved south on the south canal trail. 2 of which sealed the road and the others to hit the target house. Once in position traffic on MSR Tampa stopped. a man fitting the description of Adnon was driving the pick up truck. we detained the individual and checked his ID card and then had the gatekeeper sent to us. The man wasn't Adnon, but he knew him, and gave us a lot of intel on Adnon. what he drove was a gray Bongo, where he worked and that he had seen him the day prior. I informed Lt [redacted] of this and the individual agreed to show us where he saw Adnon the day prior. we moved north along RTE 1 proper to a welding shop and rounded up all the personnel there and asked if they knew Adnon, no body there knew anything so we left and took back to the house Adnon lived at. once on MSR Tampa again the lead vehicle spotted a vehicle that matched Adnon's Bongo. as the lead truck returned to the oil shop a man matching Adnon's description raised his hand and was detained with no problems. he was then flex cuffed blind folded and placed in to a truck. we linked up with the remainder of the platoon at Adnon's house. At which point

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT ^{b(6), b(7)(C)}	PAGE 1 OF 9 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.

STATEMENT OF SSG **b(6), b(7)(C)**

TAKEN AT CID OFFICE, CDS SPEICHER, AKRIT DATED 12 Jul 06

CONTINUED

STATEMENT (Continued)

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

ADNON's Father was released. Shortly after that The Individual detained that looked like ADNON was released and the platoon took ADNON back to Brassfield-mora and placed in the BIF.

Q: WHO INSTRUCTED YOU COULD KILL ADNON AFTER HE WAS POSITIVELY IDENTIFIED?

A: Lt **b(6), b(7)(C)** 1SG **b(6), b(7)(C)** **b(6), b(7)(C)**

Q: YOU MENTIONED "NONE OF THE LEADERS IN THE PLATOON FELT WERE SURE OF THIS" WHO WERE THESE LEADERS AND WHY WERE THEY NOT COMFORTABLE DOING THIS?

A: Lt **b(6), b(7)(C)** 1SG **b(6), b(7)(C)** SSG **b(6), b(7)(C)** SSG **b(6), b(7)(C)** SSG **b(6), b(7)(C)** and myself, nobody wanted to kill the wrong person or have one of their soldiers kill the wrong person.

Q: WHAT MEDIUMS WERE MADE AVAILABLE TO YOU AND/OR YOUR SOLDIERS TO AID IN POSITIVELY IDENTIFYING ADNON?

A: Pictures of the individuals were shown to the soldiers. during the operation order and before the mission.

Q: DO YOU TAKE PHOTOGRAPHS OF THE INDIVIDUALS OUT ON MISSIONS? WHO GETS THEM? ARE THEY USED TO POSITIVELY IDENTIFY THE INDIVIDUAL PRIOR TO ENGAGING OR DETAINING?

A: Photographs are taken on most mission. If we have enough S&D leaders will get them. The Platoon leader will almost always have pictures. The photos are used to detain personnel or engage.

Q: IF THE INDIVIDUAL REFUSES TO SURRENDER WHO GIVES THE ORDER TO ENGAGE?

A: We use the least amount of force possible to detain somebody nobody in the platoon has had anybody refuse to surrender.

Q: WHAT WAS JUDGEMENT DAY?

A: It was The End of MAY. It was the name of the mission.

Q: WHO WAS IN THE LEAD VEHICLE?

A: Lt **b(6), b(7)(C)** 1SG **b(6), b(7)(C)** Cpl **b(6), b(7)(C)**

Q: WHO DETAINED ADNON?

A: When I got there Cpl **b(6), b(7)(C)** was guarding Adnon, I think SGT **b(6), b(7)(C)** put the Mercocks on him. **b(6), b(7)(C)**

INITIALS OF PERSON MAKING STATEMENT: **b(6), b(7)(C)**

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EXHIBIT

STATEMENT OF SSgt [REDACTED] b(6), b(7)(C)

TAKEN AT C10 OFFICE COB SPEICHER, TIKRIT DATED 12 JUL 06

CONTINUED

STATEMENT (Continued)

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

DO YOU KNOW WHO POSITIVELY IDENTIFIED ADNOW?

A: NO.

Q: HOW WAS ADNOW POSITIVELY IDENTIFIED?

A: By his ID CARD.

Q: WAS THIS THE ONLY MISSION YOU CONDUCTED ON THIS DAY?

A: Yes

Q: WHAT DETERMINES HOW A PERSON GETS PUT ON A HVT LIST?

A: High value [REDACTED] b(6), b(7)(C) Target list are made up of people know to attack IA, and CF and or listed by things they do or have done, Example is IED makers, or a financer of a group of terrorist and people that have a track record of links to terrorist groups.

Q: WHAT DETERMINED HOW A PERSON GETS PUT ON A PID LIST?

A: The PID list is only for certain mission or an individual that is known to be bad for a long time. Example: IED emplacer, financer, or a leader of a known [REDACTED] b(6), b(7)(C) terrorist cell in a area.

Q: WHAT WAS THE ROE FOR THIS MISSION?

A: Kill anybody that was positively identified during the operation under Detention. Then was allowed as well. I would say it was capture or kill the people [REDACTED] b(6), b(7)(C) were after.

Q: WHO DETERMINES OR APPROVES THE HVT AND PID LISTS?

A: I don't know.

Q: WHO APPROVES THE ROE FOR THE MISSIONS?

A: UNSURE, This is done echlon above me.

Q: WAS THIS THE ONLY MISSION WHERE YOUR INTENT WAS TO CAPTURE/KILL THE PID/HVT?

A: no, From Triangle. But there was no PID or HVT to the mission. The individuals on the Island were Al.Qaid members.

Q: DO YOU HAVE ANYTHING TO ADD TO THIS STATEMENT?

A: NO // END OF STATEMENT [REDACTED] b(6), b(7)(C)

INITIALS OF PERSON MAKING STATEMENT:

[REDACTED] b(6), b(7)(C)

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EXHIBIT

STATEMENT (Continued) SSG

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

Lined area for the statement content.

AFFIDAVIT

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

I, **b(6), b(7)(C)**, 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.

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

(Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12 day of June, 2006 at

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

(Administering Oath)

SA **b(6), b(7)(C)**

(Typed Name of Person Administering Oath)

UCMJ, Article 136 / 10 USC 936
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

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ACLU DDII CID ROIS 36626

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EXHIBIT

SWORN STATEMENT

LOCATION: Tikrit CID Office
Contingency Operating Base (COB) Speicher
Tikrit, Iraq, APO AE 09393
DATE: 15 Jul 06 TIME: 1600 [redacted]

NAME: [redacted] SSN: [redacted] GRADE/STATUS: SGT/AD

ORGANIZATION OR ADDRESS: HHC, 3/187th Infantry Company, COB Speicher,
Tikrit, Iraq, APO AE 09393

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

OATH:

Q: SA [redacted]
A: SGT [redacted]

Q: What was your understanding of what was supposed to happen with the statements provided by [redacted] and [redacted] in regards to Operation Iron Triangle?

A: When I got back from Remagen I went up to LT [redacted] and said we did not turn in our sworn statements and that it should be the first thing we do. He agreed and [redacted] and I wrote statements the next day and turned 2 or 3 copies of them into LT [redacted]. He then told us he was going to turn them into the HHC XO, CPT [redacted] who would then turn them into the Battalion XO. LT [redacted] also said he would turn a copy into CPT [redacted]. The statement that I turned in stated in a general sense that during operation iron triangle there was 4 or 5 farmers about 900 meters away and I looked at LT [redacted] and asked if he wanted me to get the Barrett M107 out to get eyes on. He agreed and [redacted] and I got the rifle out and got eyes on. All I heard was LT [redacted] say "engage". [redacted] and I looked at each other and agreed that it would definitely be a bad idea to kill these guys because they did not pose a threat. We were the ones with the 10 power scope and 4 power scopes, so stack shot 3 rounds and I shot 5. They were all way short of the 4 to 5 men. It appeared the men were doing farm work and not anything hostile in nature. I do not recall anyone coming up to me directly after we shot saying we shouldn't have shot. When people told us we missed our shot we replied with "we missed on purpose because the men in the field did not pose a threat".

Q: Was it clear to you that LT [redacted] wanted you to shoot the men in the field?

A: From what I heard, yes.

Q: Did he say anything to you about going against his order and not shooting them, vice versa or missing the shot?

A: Before the AAR I told him we missed on purpose and he said that was a good idea.

Q: What do you know about an incident during Jan 06, which members of 3rd platoon, C 3/187, shot and killed two men in a tomato truck on a bridge? [redacted]

INITIALS OF PERSON MAKING STATEMENT [redacted]
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PAGE 1 OF 5 PAGES

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~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~ **ACLU RDI CID ROIS 36627**
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STATEMENT OF **b(6), b(7)(C)** TAKEN AT Tikrit CID Office, COB
SPEICHER, TIKRIT, IRAQ, DATED 15 July, 2006, CONTINUED.

b(6), b(7)(C) A: I was not there but I heard rumors. I heard that they shot a truck that was either coming towards them or stopped. I also heard that the passenger threw out a bag with a pistol in it after he had shot at the soldiers. I do not recall who told me this.

Q: What do you know about 1LT **b(6), b(7)(C)** or anyone else pushing or throwing an Iraqi male to ground, resulting in the man sustaining a broken jaw or any other injury?

A: I was at this incident and I did not see the Iraqi male get beat in anyway. I do not know how he got the marks on his face. The only time I did not have eyes on the Iraqi was when I was searching the vehicle for the first time and when I was searching it for the second time when I found the rifles in the trunk. I also didn't have eyes on after I pulled the rifles out because I was told to go pull security. We then left with a truck to do a cordon. The Iraqi stayed back at the main site. The first time I knew about the beating on the Iraqi was when CID came to Brassfield to investigate for the first time. I also saw pictures of the Iraqi and the marks on his face when I came to Speicher for a CID investigation.

Q: Did you at any time tell anyone that you witnessed LT **b(6), b(7)(C)** push an Iraqi down while he was zip tied and you think he broke his jaw or injured the detainee?

A: No.

Q: Who did you speak to about this incident in which the detainee was injured while in the presence of LT **b(6), b(7)(C)**?

A: I spoke to SFC **b(6), b(7)(C)** after I was informed that CID was investigating the incident in which I was there when the person was detained. I told SFC **b(6), b(7)(C)** that CID was here to investigate because supposedly the guy we detained was beaten. I also said I could see how that may have happened because the guy looked pretty messed up. I did not say LT **b(6), b(7)(C)** had pushed him or that I saw someone harm him. His face, pants and clothes were muddy. He looked all messed up. Before I searched the car he was a little muddy. Before we did the cordon, he was bought over by LT **b(6), b(7)(C)** and an interpreter. LT **b(6), b(7)(C)** said lets see if anyone knows this guy. He was going to escort him around the vehicles that were stopped on the north side of the road. He changed his mind because someone said they should just take a picture of the guy instead of walking him around. They took the picture and while they were walking the picture around LT **b(6), b(7)(C)** was asking the Iraqi questions and he did not answer. He gave the Iraqi water to wash his mouth out. He spit and the water was muddy. He still did not answer and they gave him a piece of paper to answer the questions. I informed **b(6), b(7)(C)** after I was interviewed by CID and related I did not say anything about my suspicions. I was suspicious because he did not look the same way he looked when I had last seen him. I did not witness anything or no one told me anything. It clicked in my head after they showed up at Brassfield. That is when I was like hey something could have happened to this guy. I was told by others that they did not say anything. I didn't want to say what I thought. I didn't want to fuel the fire and be **b(6), b(7)(C)**

INITIALS OF PERSON
MAKING STATEMENT **b(6), b(7)(C)**
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STATEMENT OF **b(6), b(7)(C)** TAKEN AT Tikrit CID Office, COB
SPEICHER, TIKRIT, IRAQ, DATED 15 July, 2006, CONTINUED.

b(6), b(7)(C) the only one saying anything when I did not see or hear anything. It was not my intention to disrupt the investigation. I just did not want to say something that was not true. I was not avoiding talking to CID but I was on missions when they came the other times to Brassfield. I was told by someone that CID was there and that they were told I was out on a mission and CID could get you or come back some other time. I think this was 1Sg **b(6), b(7)(C)**

Q: Do you think they were purposely trying to keep you away or stop you from being interviewed?

A: I think they were not taking steps to ensure I was there. I think if I was there and CID was there he wouldn't take steps to stop me from being interviewed.

Q: Were you avoiding being interviewed by this office?

A: No. I did tell the agent that I did not have anything to say because I thought it was my right to not say anything. I now understand I should have said something even though everyone else did not. I now realize my role in the investigation.

Q: Did you inform anyone that LT **b(6), b(7)(C)** had pushed the guy down?

A: No, the only thing I mentioned about LT **b(6), b(7)(C)** was that he took pictures and asked the Iraqi some questions.

Q: What do you know about 1SG **b(6), b(7)(C)** allegedly taking the hand of a dead Iraqi man and slapping another local national while in a market place?

A: I don't remember 1SG **b(6), b(7)(C)** doing this but I do remember after the LT **b(6), b(7)(C)** incident where one of the snipers was killed we took the body back to Brassfield. We met up with 1SG **b(6), b(7)(C)** on the MSR. I believe I was in one of the first trucks and saw 1SG **b(6), b(7)(C)** about 3 vehicles back. He got a few locals at a house and brought them over to the vehicle where the dead body was located in the trunk of the local car that was driven to the location by one of the soldiers. I didn't see what happened after that. I did not hear anything regarding 1SG **b(6), b(7)(C)** allegedly taking the hand of a dead Iraqi man and slapping another local national while in a market place.

Q: What do you know about an incident in which members of B Co engaged a vehicle near an observation post by Samarra hospital?

A: I heard about a vehicle going through a road that was off limits to civilians and an observation post shooting the vehicle, killing a pregnant woman. I am not sure where or who I heard this from. It was just one the rumors after the incident took place.

Q: Have you ever been authorized to kill High Value Targets (HVT) immediately upon positive identification (PID), without allowing them a chance to surrender?

A: No, I have never been on a door kick down raid to kill an HVT without giving him a chance to surrender. But I am a sniper and I go out on missions where we are told to kill a known enemy from a distance, therefore not giving them a chance to surrender. We went on both battalion and company missions and this was all based on them **b(6), b(7)(C)**

INITIALS OF PERSON **b(6), b(7)(C)**
MAKING STATEMENT
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EXHIBIT _____

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~ **ACLU RDI CID ROIS 36629**
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STATEMENT OF **(b)(6), b(7)(C)** TAKEN AT Tikrit CID Office, COB
SPEICHER, TIKRIT, IRAQ, DATED 15 July, 2006, CONTINUED.

(b)(6), b(7)(C) conducting suspicious activity, like placing IED. I have never had to shoot anyone but
the man at the LT **(b)(6), b(7)(C)** incident.

Q: Have you ever heard of or participated in a kill/kill operation?

A: No, I don't know what that is.

Q: What do you know about an operation in which members of 3-187th killed a 7 year
old girl during an operation on 22 May targeting a HVT?

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

Q: Have you ever seen or heard SSC **(b)(6), b(7)(C)** had a pistol?

A: I don't remember ever seeing him with a pistol. I know nothing about him having a
pistol. I know nothing about him period except what I heard in regards to the
investigation.

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

A: No.///END OF STATEMENT///**(b)(6), b(7)(C)**

INITIALS OF PERSON **(b)(6), b(7)(C)**
MAKING STATEMENT
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ACLU DDII CID ROIS 36630

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STATEMENT OF **b(6), b(7)(C)** TAKEN AT Tikrit CID Office, COB
SPEICHER, TIKRIT, IRAQ, DATED 15 July, 2006, CONTINUED.

b(6), b(7)(C) **b(6), b(7)(C)** READ OR HAVE HAD READ TO ME THIS STATEMENT
WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 5 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. **b(6), b(7)(C)**

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

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person
authorized by law to administer oaths, this
Saturday, July 15, 2006, at COB Speicher,
Tikrit, Iraq, APO AE 09393

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

(Signature of Person Administering Oath)

Special Agent **(b)(6), (b)(7)(C), (b)(7)(F)**
(Typed Name of Person Administering Oath)
Article 136 UCMJ
(Authority to Administer Oath)

Witness

INITIALS OF PERSON **b(6), b(7)(C)**
MAKING STATEMENT
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SWORN STATEMENT

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

LOCATION:

Tikrit CID Office
Contingency Operating Base (COB) Speicher
Tikrit, Iraq, APO AE 09393

DATE: 16 Jul 06 TIME: 0945

NAME: b(6), b(7)(C) SSN: b(6), b(7)(C) GRADE/STATUS: E3/AD
ORGANIZATION OR ADDRESS: C, 3/187th Infantry Company, COB Speicher, Tikrit,
Iraq, APO AE 09393

I, b(6), b(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER

OATH:

b(6), b(7)(C) Q: SA b(6), b(7)(C)

A: PFC b(6), b(7)(C)

Q: What was your mission on 22 May 06?

A: Our mission was to search for a known terrorist member, search his house and surrounding area. We were given a description of the male and his vehicle. The R.O.E for the mission was to engage any hostile personnel or terrorist member, unless they were surrendering. I was the driver of one first 2nd squad. The target house was identified and we made our way to the house. I missed the driveway so I had to back up, then pull into my proper position. The second truck with bravo team in it

dismounted first while I was out of position. I got into position and parked the truck so b(6), b(7)(C) b(6), b(7)(C) b(6), b(7)(C) and b(6), b(7)(C) could dismount. SGT b(6), b(7)(C) and

members of his team made entry in the house first. As I was running towards the house I heard I think 4 gun shots (two controlled pairs). As I made my way into the house I saw one male in the room against the wall bleeding from his facial area. SGT b(6), b(7)(C) told us he was the one who shot him. Immediately I and other squad members

began clearing the other rooms in the house. After the house was cleared the women and children were moved into the kitchen where I watched them while the other squad members searched the house. The body was placed inside a body bag and moved outside while we conducted another search of the house. We rotated out watching the women and children so I participated in searching the house and the field area. We found a list that contained names and numbers of known terrorists on the third search in a pouch in the stray or hay ceiling. Captain b(6), b(7)(C) came to our location to check on our progress and view what we found in the house. Then about 20 min later the Iraqi Army showed up at our location as well. The IA commander questioned the wife about her husband for a min or so and then left. After the objective was deemed clear and we were done searching we loaded up the body and went to COP 3 to drop it off and waited for further instructions. The CO told us to go and join up with the other 2nd platoon elements that were searching for a motorcycle driver that fled from their outer cordon. When we linked up with the rest of the element we drove around for about 15

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

INITIALS OF PERSON MAKING STATEMENT b(6), b(7)(C)

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STATEMENT OF **b(6), b(7)(C)** TAKEN AT Tikrit CID Office, COB
SPEICHER, TIKRIT, IRAQ, DATED 16 July, 2006, CONTINUED.

b(6), b(7)(C) minutes trying to see if we could spot the motorcycle. We noticed a couple of houses with motorcycles parked in the front yard. We stopped and searched the houses but most of them were empty and no military aged males were present. After about a hour of conducting dismounted searches we were told to stop the search and link at the hardball road. When everyone was accounted for we headed back to FOB Brassfield-Mora.

Q: Has anyone explained to you what happened inside the house before you entered into house?

A: Yes. SGT **b(6), b(7)(C)** stated he entered the house and the male was sitting against the wall. His family was sitting across from him against the other wall. I know SGT **b(6), b(7)(C)** said the guy turned and looked at him. I think he said he made some kind of movement and that's when he fired the shots.

Q: Were you on any other objectives during this raid when other Iraqis were killed?

A: Negative.

Q: Was the shooting of the Iraqi male by **b(6), b(7)(C)** in accordance with the ROE?

A: Yes.

Q: Why?

A: The male was the guy that we were looking for, a known terrorist member, which meant that unless he was surrendering he could be engaged.

Q: Did he say that a young child was sitting on his lap when he shot him?

A: I don't remember him saying that. I remember him saying there were women and children around when he was shot.

Q: What were the women and children doing before and after he was shot?

A: Before he was shot I was told they were just sitting there. After he was shot they were crying and screaming.

Q: What was the description you were given about the person in which you were seeking?

A: We were told his height, age, general facial description and what he drove. This information was placed on a piece of paper and given to the squad leaders.

Q: How did they know this was the person they were seeking?

A: He matched the description that was put out.

Q: Is it possible the person could have been someone else?

A: It was possible before he was shot but he was identified by CPT **b(6), b(7)(C)** and members of the IA as being the target when he was in the body bag after they arrived on scene.

Q: How did CPT **b(6), b(7)(C)** identify the male as the target?

A: We found an ID with a name and questioned his wife. The wife verified it was him on the ID and that he was the one who was shot. Then they came back and said that **b(6), b(7)(C)**

INITIALS OF PERSON
MAKING STATEMENT **b(6), b(7)(C)**
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STATEMENT OF **b(6), b(7)(C)** TAKEN AT Tikrit CID Office, COB
SPEICHER, TIKRIT, IRAQ, DATED 16 July, 2006, CONTINUED.

b(6), b(7)(C) he was the target whom was shot by **b(6), b(7)(C)** and the named matched the person on the list.

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

A: No.///END OF STATEMENT/// **b(6), b(7)(C)**

INITIALS OF PERSON
MAKING STATEMENT **b(6), b(7)(C)**
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PAGE 3 OF 4 PAGES

EXHIBIT _____

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ACLU DDII CID ROIS 36634

EXHIBIT _____

STATEMENT OF **b(6), b(7)(C)** TAKEN AT Tikrit CID Office, COB
SPEICHER, TIKRIT, IRAQ, DATED 16 July, 2006, CONTINUED.

I, **b(6), b(7)(C)** READ OR HAVE HAD READ TO ME THIS STATEMENT
WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4 **b(6), b(7)(C)** 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.

b(6), b(7)(C) _____
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person
authorized by law to administer oaths, this
Sunday, July 16, 2006, at COB Speicher,
Tikrit, Iraq, APO AE 09393

b(6), b(7)(C) _____
(Signature of Person Administering Oath)

Special Agent **b(6), (b)(7)(C), (b)(7)(F)**
(Typed Name of Person Administering Oath)
Article 136 (b) UCMJ
(Authority to Administer Oath)

Witness

INITIALS OF PERSON
MAKING STATEMENT _____
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PAGE 4 OF 4 PAGES

EXHIBIT _____

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ACLU DDII CID ROIS 36635
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SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCS/SP5

0123

63

LOCATION
Building 718 (CID Office), COB Speicher, Tikrit, IZ

DATE
16 July 2006

TIME
1106

FILE NUMBER
02406 CID 49-15

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

SSN: b(6), b(7)(C)

GRADE/STATUS
E-5/AD

ORGANIZATION OR ADDRESS
C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349

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

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

I, _____, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q. What do you know about an incident during Jan 06, during which members of 3rd Platoon, C CO, 3-187 shot and killed two men in a semi-truck (possibly hauling a load of tomatoes) on MSR Tampa on the Tigris River Bridge?

A. I dont know anything about it. I was not here. I also never spoke to any members of thier platoon about the incident. b(6), b(7)(C)

Q. What do you know about 1LT b(6), b(7)(C) or anyone else pushing or throwing an Iraqi male to the ground, resulting in the man sustaining a broken jaw or any other injury?

A. I dont know anything about it. I was not here. I also never spoke to any members of the platoon about the incident. b(6), b(7)(C)

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT
b(6), b(7)(C)

PAGE 1 OF 5 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.

STATEMENT OF Sgt [REDACTED] TAKEN AT CID Office, COB Speicher DATED 16 Dec 06

STATEMENT (Continued)

Q. What do you know about 1SG [REDACTED] allegedly taking the hand of a dead Iraqi man and slapping another local national with the dead man's hand? This allegedly took place after the man's body was driver around a market place on the hood of a HMMWV.

A. [REDACTED] I dont know anything about the incident, I was not there, I never heard anything about the incident from anyone else in the company. [REDACTED]

Q. What do you know about an incident in which members of B CO, 3-187 INF engaged a vehicle near the observation post by the Samarra hospital, resulting in the death of two Iraqi women, one who was pregnant?

A. [REDACTED] I was not there and never heard anything about the incident. [REDACTED]

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 5 PAGES

STATEMENT OF **b(6), b(7)(C)**

TAKEN AT CID Office, COB Speicher DATED 16 JUL 66

STATEMENT (Continued)

Q. Have you ever been authorized to kill High Value Targets (HVT) immediately upon positive identification (PID), without allowing them a chance to surrender? If so when, where and by whom?

b(6), b(7)(C) Yes **b(6), b(7)(C)** **b(6), b(7)(C)** we were authorized to kill them upon PID. They always have a chance to surrender. We were told this before **b(6), b(7)(C)** Operation Time Sensitive Target by our commander, **b(6), b(7)(C)** **b(6), b(7)(C)**

Q. Have you ever heard of or participated in a Kill/Kill operation? If so when, where and from whom?

b(6), b(7)(C) I have no idea what that even means. I have never heard of that kind of operation before. **b(6), b(7)(C)**

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 5 PAGES

STATEMENT OF SA **b(6), b(7)(C)**

TAKEN AT CID Office, COB Speicher DATED 16 Dec 2006

STATEMENT (Continued)

Q. What do you know about an operation in which members of 3-187 INF killed a 7 year-old girl during an operation on 22 May targeting a HVT?

A. **b(6), b(7)(C)** was there when the girl was killed. She was in **b(6), b(7)(C)** a room with an HVT after we positively identified him. We did not see her when we engaged the man, we had only found out she was in the room and that she had been killed after we got the dead HVT out of the room. She was never targeted nor would we have engaged the man if we **b(6), b(7)(C)** knew there was a chance that she would have been killed. **b(6), b(7)(C)**

Q. What do you know about an incident at a gas station during Operation Iron Triangle, in which members of 1LT **b(6), b(7)(C)** platoon opened fire on several vehicles, resulting in the death of an Iraqi man?

b(6), b(7)(C) ~~don't~~ **b(6), b(7)(C)** I don't know anything about the incident. I was not there and never heard details of the incident from any members of the company. **b(6), b(7)(C)**

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 4 OF 5 PAGES

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ACLU DDII CID ROIS 36639

EXHIBIT 24

STATEMENT OF SGT **b(6), b(7)(C)** TAKEN AT CID Office, COB Speicher DATED 16 Jul 06

STATEMENT (Continued)

Q. Have you ever seen SSG **b(6), b(7)(C)** with a pistol? If so, please elaborate?

A. **b(6), b(7)(C)** I have never seen him with a pistol. I have never been around him for more than a minute or two. I have never talked with him. I chose to stay away from him a long time ago. He is not someone I would want to be around. I know he was not good to be around back at Fort Campbell.

Q. WHY DO YOU THINK HE WAS NOT A GOOD PERSON TO BE AROUND?

A. He seemed to me like his was not good to be around because he seemed like his intentions were not good. **b(6), b(7)(C)**

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

A. I have nothing to add. // END OF STATEMENT // **b(6), b(7)(C)**

AFFIDAVIT

I, **b(6), b(7)(C)** HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 5. 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 OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 16 day of Jul, 2006 at Building 718 (CID Office), COB Speicher, Tikrit, IZ

ORGANIZATION OR ADDRESS

b(6), b(7)(C)
(Administering Oath)

ORGANIZATION OR ADDRESS

b(6), b(7)(C)
(Typed Name of Person Administering Oath)

Art 136 UCMJ

(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 5 OF 5 PAGES

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 COB Speicher Tray APO AE 09343	DATE 16 July 2006	TIME 1539	FILE NUMBER
LAST NAME FIRST NAME MIDDLE NAME b(6), b(7)(C)	SOCIAL SECURITY NUMBER b(6), b(7)(C)		GRADE/STATUS E-4 / AD
ORGANIZATION OR ADDRESS Co 3-187 Inf, FOB Crossfield-Mary, IZ, APO AE 09349			

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

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On the 21st of May 2006 the night before the mission myself and our squad received paper work and photos on four Hvt's. We were told to study the photos of the Hvt's carefully and good before morning time. The next day we started preping our trucks and equipment around 0600 22 May 2006 and be ready to go around 0730. We then proceeded to drive as if we were a regular patrol that day. After driving by the road which led to the houses where the Hvt's were suppose to be staying at we then turned around and proceeded to the Hvt's house. Myself and SSG b(6), b(7)(C) and SGT b(6), b(7)(C) arrived at the first house with Lt. b(6), b(7)(C) and PFC b(6), b(7)(C) as I was stepping out of the truck and ran forwards the house I was told "wrong house get back in truck its the next house". We then proceeded to the next house where we found about four to five military aged males in their teens. I was the first one to enter the house as I cleared my corner I had one of the teens in my b(6), b(7)(C) I heard SSG b(6), b(7)(C) yell out its one of the youngest sons dont shoot hold your fire. After clearing the whole house we detained, and questioned the detainees they told us their father was in the next house about 100 meters away. We were then told to head towards the house by Lt. b(6), b(7)(C) myself SGT b(6), b(7)(C) Lt. b(6), b(7)(C) and PFC b(6), b(7)(C) ran forward. The other house SSG b(6), b(7)(C) stood behind to watch the detainees. After arriving at the next house we noticed b(6), b(7)(C) and his team were there already which included SFC b(6), b(7)(C) and CPT b(6), b(7)(C) we were told look for a way in the house. As we were walking around the outside of the house I noticed PFC b(6), b(7)(C) stop at a window and yell out I have a male b(6), b(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT b(6), b(7)(C)	PAGE 1 OF 8 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 EACH PAGE MUST BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

STATEMENT (Continued)

b(6), b(7)(C) in the room I then ran to his position and stood to the left of his position and looked inside the room. We both had our sights fixed on the only male in the room there were also multiple females in the room about four to five on the left side of the room and three to four on the right side. As I had my sights fixed on the target I can hear and see the 1SG walk up to our position out of the corner of my eye. I heard them talking the 1SG and PFC **b(6), b(7)(C)** I heard PFC **b(6), b(7)(C)** ask the 1SG is that him is that him 1SG then said hold on while I make sure I then noticed someone pull out the photo from the right photo and I then heard 1SG say it's him I'm not sure what else he said afterward but from the R.O.T. **b(6), b(7)(C)** given to us the night before was after "up down" from 1SG myself and PFC **b(6), b(7)(C)** and SGT **b(6), b(7)(C)** began to fire after giving "House Fire" from 1SG we ceased fire I then noticed SFC **b(6), b(7)(C)** in the room he walked in and said we have one more male in here he then grabbed him and proceeded to take him out of the room. After SFC **b(6), b(7)(C)** had taken out the second male found in the room myself and SGT **b(6), b(7)(C)** proceeded to the front of the house where the entrance was. We then entered the house there was already another team in the house which gave us the clear signal as myself and SGT **b(6), b(7)(C)** walked forward the room where we had shot into we passed equipment rooms to our left and right which seemed to be a long hallway towards the room. As we arrived at the room I was the first one to look inside I'm not real sure if it was after or before that I noticed one of the females from the side of the room where the crib was lean forward and reach out and pull the body of a little girl forward over and into her abuse I noticed her do this I could not verify if she was dead I could not notice or see any entrance **b(6), b(7)(C)** wounds or blood stains any where on the body I then felt CPT **b(6), b(7)(C)** SGT **b(6), b(7)(C)** and into the room I witnessed CPT **b(6), b(7)(C)** and SGT **b(6), b(7)(C)** pull and drag the body out of the room and into the hallway to be placed into a body bag. They then took the body outside of the house as they were doing so we closed the door to the room where the body was taken out of **b(6), b(7)(C)** I was then told by CPT **b(6), b(7)(C)** to open the door and pull security on the room so no one would sneak up on us from behind with a AK, so I began pulling security on the room. I was pulling security on the room the **b(6), b(7)(C)** one of the females in the room which could of been the wife of the HVT we had just fired upon began asking me why with her hands extended out she then began to gather up **b(6), b(7)(C)** brain matter from the floor she then picked up **b(6), b(7)(C)** what she had gathered up from the floor and began to smear it from the top of her head down all over her face and body. At that time I was the only one who had witnessed this I then heard CPT **b(6), b(7)(C)** **b(6), b(7)(C)** tell me to then informed him of the situation in the room he then instructed me to go outside a pull security with **b(6), b(7)(C)**

INITIALS OF PERSON MAKING STATEMENT **b(6), b(7)(C)**

STATEMENT (Continued)

b(6), b(7)(C) SFC **b(6), b(7)(C)** which was outside of the house. After the body was loaded up on to one of trucks myself and SGT **b(6), b(7)(C)** began to clear the house one more time after clearing the house we came upon the room where all the females were still in. Once again myself and SGT **b(6), b(7)(C)** noticed one of the females holding a child in her arms, the child was motionless and wrapped up in a blanket, this time still we did not see any blood stains on the child's body or the female holding her. We were then instructed to leave the room and the ship's body and head back to assist SSG **b(6), b(7)(C)** with the detentions at the previous house. Finally we pulled security in the room. All mission was over. (Continued) **b(6), b(7)(C)**
 next page **b(6), b(7)(C)**

INITIALS OF PERSON MAKING STATEMENT **b(6), b(7)(C)**

PAGE 3 OF 8 PAGES

STATEMENT OF SPC **b(6), b(7)(C)** TAKEN AT COB SPEICHER, TIKRIT, IRAQ, DATED 16 JULY, 2006, CONTINUED.

Q: Did you hear anyone yell into the room and ask the dead Iraqi's name?

b(6), b(7)(C): I remember someone said something in Arabic, but I can't remember if there was a terp there or not. I know it wasn't any of us. It wasn't from inside the room, it was from outside and was a male voice.

Q: How far away were you from SFC **b(6), b(7)(C)** when he said there was another male?

b(6), b(7)(C): I was still on the outside with SGT **b(6), b(7)(C)** after we got the cease fire, SFC **b(6), b(7)(C)** went in there with another team to make sure we had a confirmed ID. He pulled the other male out from between the women and children that were around him.

Q: How many rounds did you fire?

b(6), b(7)(C): Probably between 5 and 10, but I can't be sure. It went quick.

Q: How many rounds did **b(6), b(7)(C)** and **b(6), b(7)(C)** fire?

b(6), b(7)(C): Them, that's on them, I wouldn't know. When the cease fire was yelled out, everyone stopped firing.

Q: What position was the male in when you fired?

b(6), b(7)(C): He was upright, standing straight, facing the window towards us. He was standing, we couldn't really see his hands, he had a white mandress I believe, I was fixated on the upper body and I remember not being able to see his hands the whole time.

Q: Did you see anyone near him?

b(6), b(7)(C): No, I didn't see anyone near him. I was clear, I could tell I could fire and not hit anyone from where I was, there was more than 2 meters between him and the females.

Q: How good of a line of sight did you have on him? Could you see him from head to toe?

b(6), b(7)(C): When I first showed up to where **b(6), b(7)(C)** was, I immediately looked at his chest to face, when the 1SG showed up to identify the guy, that's when I scanned further and noticed I couldn't see his hands at all.

Q: How high off the ground was the window?

b(6), b(7)(C): About 4 feet off the ground.

Q: What were the dimensions of the window?

b(6), b(7)(C): About 4 feet wide by 3 feet high.

Q: What was your angle of fire?

b(6), b(7)(C): I was on the left, not straight on, angled towards the right a little bit.

Q: What was **b(6), b(7)(C)** and **b(6), b(7)(C)** angles of fire?

b(6), b(7)(C): **b(6), b(7)(C)** had the same as me, but opposite angle, SGT **b(6), b(7)(C)** had the straightest shot, not completely straight on, but straighter than mine and **b(6), b(7)(C)**

Q: Was your m4 inside the window at all or were you firing from behind the window?

b(6), b(7)(C): I'd probably say it wasn't completely in the window. Maybe half an inch inside the window, just hovering inside it.

Q: Where were you aiming at on the Iraqi?

b(6), b(7)(C): I was aiming center mass.

INITIALS OF PERSON
MAKING STATEMENT **b(6), b(7)(C)**
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Page 5 of 8

EXHIBIT _____

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EXHIBIT 25

STATEMENT OF SPC [REDACTED] TAKEN AT COB SPEICHER, TIKRIT, IRAQ, DATED 16 JULY, 2006, CONTINUED.

Q: Where did your lowest round strike?

A: My lowest one was probably a little bit higher than the stomach and belly button.

Q: Did anyone inside the house fire?

A: Not that I know of, no.

Q: How long after initially firing the first shot, did 1SG [REDACTED] order a cease fire?

A: It felt like he gave it right away. It went by quick, it seemed like as soon as I pulled the trigger he yelled cease fire.

Q: How was the male positioned after he fell?

A: He had fallen and was bent over forward over his knees, I couldn't see his legs, but he was hunched over his knees.

Q: What were the dimensions of the room?

A: It was longer than it was in width. Probably about 16 feet by 28 feet.

Q: Did you see any US Forces inside the house prior to firing?

A: No.

Q: Could you see the women and children while engaging the target?

A: When I was engaging I kind of just zoned in on the target and the area around him, and I never saw any women or children get in my way or cross my sector. The way we were aiming we were all shooting center mass. We talked about it and thought it could have been a ricochet or something, we didn't see any blood on clothes, no entrance or exit wounds and no from her on the floor. The only blood was around the target.

Q: Could you have seen if she did run in front?

A: Yes.

Q: Did any of the other females or children have any wounds at all that you could see?

A: No.

Q: How far away was the little girl from the window and how far away from the left and right walls as you were looking in the window? Was she directly between the window and the dead Iraqi?

A: When we seen her, her body was lying in the middle, a little more to the right, and from her father, she was probably about a yard. From the window she was pretty far, she was kind of in the middle, but closer to her father than the window.

Q: How many wounds did you see on the dead Iraqi? Describe what you saw in detail.

A: I couldn't see his wounds really since I didn't go in and pull the body out. There was blood everywhere, I didn't get to see his face or anything, just blood on the back of his clothes.

Q: How many times was he shot?

A: I'm more than positive all of our rounds hit.

Q: Why do you say that?

A: Big factor was the distance, we've had way to much training to miss at that range.

Q: Was the little girl's body taken as well?

INITIALS OF PERSON
MAKING STATEMENT [REDACTED]
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Page 6 of 8

EXHIBIT _____

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EXHIBIT 25

STATEMENT OF SPC **b(6), b(7)(C)** TAKEN AT COB SPEICHER, TIKRIT,
IRAQ, DATED 16 JULY, 2006, CONTINUED.

b(6), b(7)(C): No, it was left behind.

Q: Did anyone see wounds to her, or how was it determined she was dead?

b(6), b(7)(C): No one saw wounds, but when we saw the body get dragged it was motionless, just no life or movement at all. When the woman was cradling the child, still no movement came from the child.

Q: Was an AAR conducted afterwards and did you attend?

b(6), b(7)(C): That was conducted that night we got back I think. We had two of them, there was a main AAR and a separate one for the shooters and anyone who witnessed the shooting.

Q: What was discussed in the main AAR?

b(6), b(7)(C): That one I do not remember, I don't even remember if I was there.

Q: What was discussed during the second AAR?

b(6), b(7)(C): The second one was a discussion about the child and filling out Sworn Statements and to put down what happened with the child. They basically wanted the sketch, sworn statement, everything.

Q: Did anyone coach you on what to put in your sworn statement or sketch?

b(6), b(7)(C): No.

Q: Were all Sworn Statements filled out together in a group?

b(6), b(7)(C): We were all separated because they wanted to see our sketches and we all had different sketches. I know someone from 1SGs team drew where they were around the house, they didn't have where we were. The sketches from those of us outside looked pretty close to the same, but each sketch was a little different.

Q: Do you know any information about the other KIAs during Operation Judgment Day?

b(6), b(7)(C): I know there was three others, I don't know anything about them since I didn't get too involved. We were more worried about making sure our Sworn Statements and Sketches were right. All we knew was the targets were taken out and I didn't hear nothing further than that. We did hear about the cell phone with the information and the numbers.

Q: When did you hear this?

b(6), b(7)(C): I'm not sure if they said it while we were doing our sworn statements or if it was right after or before. But they did tell us they found more information on a cell phone leading to more Al-Qaeda members or other connections.

Q: Did you hear anything about the man who owned the phone?

b(6), b(7)(C): All I knew was the phone had more valuable information, and that's basically all I got from it, was more information was found.

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

b(6), b(7)(C): No. /// End of Statement /// **b(6), b(7)(C)**

INITIALS OF PERSON **b(6), b(7)(C)**
MAKING STATEMENT
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Page 7 of 8

EXHIBIT _____

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EXHIBIT _____

STATEMENT OF SPC **b(6), b(7)(C)** TAKEN AT COB SPEICHER, TIKRIT, IRAQ, DATED 16 JULY, 2006, CONTINUED.

I, SPC **b(6), b(7)(C)** READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 8. 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.

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

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this Sunday, July 16, 2006, at Building 718 COB Speicher, Tikrit, Iraq, APO AE 09393

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

(Signature of Person Administering Oath)

Special Agent **b(6), b(7)(C)**
(Typed Name of Person Administering Oath)
Article 136 (b) (4) UCMJ
(Authority to Administer Oath)

Witness

INITIALS OF PERSON **b(6), b(7)(C)**
MAKING STATEMENT
DA FORM 2823 (Computer Generated)

Page 8 of 8

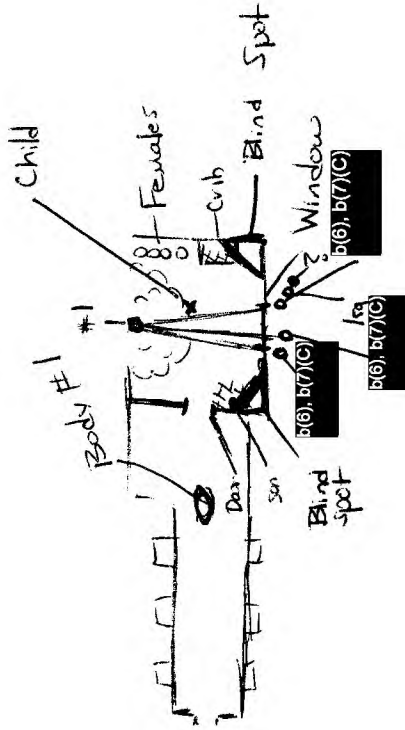
EXHIBIT _____

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ACLU DDJ CID ROIS 36648

EXHIBIT 25

SKETCH OF House of Operation Judgment Day



Sketched By: b(6), b(7)(C)
Print Name: b(6), b(7)(C)
Signature: b(6), b(7)(C)
Date/Time: 16 July 2006 1513

Witnessed By: [Redacted]
Print Name: SA b(6), b(7)(C)
Signature: b(6), b(7)(C)
Date/Time: [Redacted]

ACLU DDH CID ROIS 36649

SWORN STATEMENT

LOCATION:

Building 718 (CID Office)
Contingency Operating Base (COB) Speicher
Tikrit, Iraq, APO AE 09393

DATE: 16 Jul 06

TIME: 1200 [REDACTED]

NAME: [REDACTED] SSN: [REDACTED] GRADE/STATUS: E5/AD

ORGANIZATION OR ADDRESS: C CO, 3-187 Infantry, Forward Operating Base (FOB) Brassfield-Mora, Samarra, Iraq, APO AE 09349

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

Q. SA [REDACTED]

A. SGT [REDACTED]

Q. What do you know about an incident during Jan 06, during which members of 3rd Platoon, C CO, 3-187 shot and killed two men in a semi-truck (possibly hauling a load of tomatoes) on MSR Tampa on the Tigris River Bridge?

A. I was on patrol that day. I responded to the incident, but by the time I arrived there, it was over. I saw the tomato truck from a distance while I was pulling security stopping traffic.

Q. What do you know about 1LT [REDACTED] or anyone else pushing or throwing an Iraqi male to the ground, resulting in the man sustaining a broken jaw or any other injury?

A. I know that 1st platoon killed one sniper and the other one had gotten injured. I don't remember when this happened or know anything else about it.

Q. What do you know about 1SG [REDACTED] allegedly taking the hand of a dead Iraqi man and slapping another local national with the dead man's hand? This allegedly took place after the man's body was driven around a market place on the hood of a HMMWV.

A. Nothing at all, I have never heard on that.

Q. What do you know about an incident in which members of B CO, 3-187 INF engaged a vehicle near the observation post by the Samarra hospital, resulting in the death of two Iraqi women, one who was pregnant?

A. Nothing at all.

Q. Have you ever been authorized to kill High Value Targets (HVT) immediately upon positive identification (PID), without allowing them a chance to surrender? If so when, where and by whom?

A. We were authorized to kill PID targets if they were not actively surrendering. I was never informed that we had to give them the chance to surrender. I sat in on an operation order for the PID mission, but do not remember who gave it. The only PID mission that was authorized was on 22 MAY 06.

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 1 OF 4 PAGES

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EXHIBIT _____

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ACLU/DJI CID ROIS 36650

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EXHIBIT 27

STATEMENT OF **b(6), b(7)(C)** TAKEN AT BLDG 718, COB SPEICHER,
TIKRIT, IRAQ, DATED 16 JULY, 2006, CONTINUED.

- Q. What was the name of this mission?
A. Operation Time Sensitive Target
- Q. Have you ever heard of or participated in a Kill/Kill operation? If so when, where and from whom?
A. No, I have never heard of a Kill/Kill operation.
- Q. What do you know about an operation in which members of 3-187 INF killed a 7 year-old girl during an operation on 22 May targeting a HVT?
A. I know that a girl did die during that operation from the ricochets.
- Q. Where were you during this mission?
A. I was probably 600 meters west of that objective
- Q. Did you see or hear anything about this incident?
A. I didn't see it, but SGT **b(6), b(7)(C)** is probably my best friend and he was on that objective and after the mission he told me they didn't even know the girl had been killed at first.
- Q. What was your objective during the mission on 22 May 06?
A. To kill or capture all HVTs for that mission
- Q. What were your actions on your objective?
A. Myself and Spc **b(6), b(7)(C)** got out of our truck at our objective. We were looking for an HVT named **b(6), b(7)(C)** that was known to own a shop. We were also looking for the sons on Abu Kassim. We went into the shops and found 10 men. None were the HVT's. We continued to look around and checked a few cars that had males in it. Then Spc **b(6), b(7)(C)** and Myself went behind the shop and saw a military age male sitting on top of a water tank. As soon as he turned around towards us we immediately identified him as on the sons of Abu Kassim. As he turned around completely, we saw some thing in his hands, which turned out to be a welding arc. Spc **b(6), b(7)(C)** and I both took it as a hostile threat and then killed the male and eliminated the threat.
- Q. Who all was with you on this objective?
A. SGT **b(6), b(7)(C)** and SSG **b(6), b(7)(C)**
- Q. What did SSG **b(6), b(7)(C)** do at this objective?
A. He was looking for the HVTs.
- Q. Was he with you and SGT **b(6), b(7)(C)**?
A. Yes.
- Q. Did he engage the man on the water tank/
A. I do not believe so.
- Q. Why not?
A. I'm not sure.
- Q. Are SGT **b(6), b(7)(C)** and SPC **b(6), b(7)(C)** the same Soldier?
A. Yes, he was promoted 4 days ago
- Q. How many times did you fire?

INITIALS OF PERSON **b(6), b(7)(C)**
MAKING STATEMENT **b(6), b(7)(C)**
DA FORM 2823 (Computer Generated)

PAGE 2 OF 4 PAGES

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ACLU DDII CID ROIS 36651

EXHIBIT _____

**STATEMENT OF b(6), b(7)(C) TAKEN AT BLDG 718, COB SPEICHER,
TIKRIT, IRAQ, DATED 16 JULY, 2006, CONTINUED.**

- A. I probably say six, four in his heart and two in his head
- Q. Did SGT b(6), b(7)(C) fire as well?
- A. Yes, probably the same number of times
- Q. Who gave you your orders for this mission?
- A. the CO, CPT b(6), b(7)(C)
- Q. How did you identify the man you shot?
- A. I identified him because him and his brother are the only 300 lb Iraqis in the area and we saw pictures of him
- Q. When did you see the pictures?
- A. During the Operations Order.
- Q. Who showed you the pictures?
- A. I don't remember.
- Q. Do you know where the picture you were shown came from?
- A. No.
- Q. What do you know about an incident at a gas station during Operation Iron Triangle, in which members of 1LT b(6), b(7)(C) platoon opened fire on several vehicles, resulting in the death of an Iraqi man?
- A. I was not there, I responded to it after it had happened. When I arrived the incident was over. I was then pushed out to clear the surrounding buildings.
- Q. Have you ever seen SSG b(6), b(7)(C) with a pistol? If so, please elaborate?
- A. No.
- Q. What do you know about the first person killed on the 22 May 06 operation?
- A. He was the relay man for the rest of the cell. When coalition forces would go by his shop he would call and tell the rest of the cell that we were coming. I did not see the first person killed. I was driving by in a Humvee when it happened, but did not see anything.
- Q. Who were the Soldiers that went to this objective?
- A. I don't know.
- Q. Do you know who killed the man on the cell phone?
- A. No, I know it is first platoon that's it.
- Q. Have you ever heard of Operation Judgment Day?
- A. I have heard other Soldiers call the mission on 22 May 06 Operation Judgment Day, but OP Order called it Operation Time Sensitive Target
- Q. Do you have anything else to add to this statement?
- A. No///END OF STATEMENT/// b(6), b(7)(C)

INITIALS OF PERSON b(6), b(7)(C)
MAKING STATEMENT
DA FORM 2823 (Computer Generated)

PAGE 3 OF 4 PAGES

EXHIBIT _____

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ACLU RDI CID ROIS 36652

EXHIBIT 2

STATEMENT OF **b(6), b(7)(C)** TAKEN AT BLDG 718, COB SPEICHER, TIKRIT, IRAQ, DATED 16 JULY, 2006, CONTINUED.

I, **b(6), b(7)(C)** 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.

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

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this Sunday, July 16, 2006, at Building 718 COB Speicher, Tikrit, Iraq, APO AE 09393

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

Special Agent **b(6), b(7)(C)**

(Typed Name of Person Administering Oath)

Article 136 (b) (4) UCMJ
(Authority to Administer Oath)

S Sgt. **b(6), b(7)(C)**

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

Witness

INITIALS OF PERSON MAKING STATEMENT **b(6), b(7)(C)**
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PAGE 4 OF 4 PAGES

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ACLU RDI CID ROIS 36653

EXHIBIT _____

SWORN STATEMENT

0123-06-CID469-75463

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

LOCATION COB SPEICHER, TIKRIT, IZ	DATE ^{b(6), b(7)(C)} 16 Jul 06	TIME ^{b(6), b(7)(C)} 1216	FILE NUMBER
LAST NAME FIRST NAME MIDDLE NAME ^{b(6), b(7)(C)}	SOCIAL SECURITY NUMBER ^{b(6), b(7)(C)}		GRADE/STATUS O2/AU
ORGANIZATION OR ADDRESS 2ND PLT, C Co 3-18T INF			

^{b(6), b(7)(C)}

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

In the operation order for operation Time Sensitive Target, CPT ^{b(6), b(7)(C)} informed us of the ROE. We were using an ROE that enabled us to engage a target if positive identification was made and the target had not surrendered. This is the same ROE that snipers use, they identify a target as an enemy, and they engage that target before he either surrenders or has a chance to engage US forces. CPT ^{b(6), b(7)(C)} made it clear that we could not engage a target if the target surrenders. This is also the same ROE that we use in ambush positions. In an ambush, the objective is to kill the enemy before they have time to flee, fight, or surrender.

In the AAR (After Action Review), we focused on the objective where the little girl was killed. We mainly focused our AAR to determine if there was anything further that could have been done to insure that no non-combatants were injured. We had everyone talk about where they were and what they saw. No one saw the girl until she had already been hit and the house was being cleared. At no time were the phrases "Kill Kill Mission" or "Kill Capture Mission" used in the operation order, nor did I hear these phrases any time before the mission. These are not doctrinal terms. The first I heard these terms was from CID. Going into this mission, we briefed the ROE for each target. As far as I know, we do not use phrases such as "Kill Kill" or "Kill Capture". If I had to put this mission in one of those categories, it would

EXHIBIT	INITIALS OF PERSON ^{b(6), b(7)(C)} ENT	PAGE 1 OF 7 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.

ACLU DD CIJ ROIS 36654

STATEMENT OF **b(6), b(7)(C)**TAKEN AT COB SpeicherDATED 16 July 2006

CONTINUED

STATEMENT (Continued)

be a "kill, capture" mission. This is because our ROE enabled us to take detainees if they surrendered. For example, we took our primary target, Abu Kasim (the cell leader) detainee because when we entered the room, he had his hands up.

Q: **b(6), b(7)(C)**A: **b(6), b(7)(C)**

Q: ACCORDING TO YOUR BRIEF AND ROE, CAN YOU KILL A **b(6), b(7)(C)** POSITIVE IDENTIFIED TARGET IF THEY DON'T SEE YOU?

A: Yes, as long as they have not surrendered or are not surrendering to other Coalition Forces. For example, if our target is in a house and we see him through a window inside but he doesn't see us, we can engage.

Q: CAN YOU GIVE THE TARGET THE OPPORTUNITY TO SURRENDER?

A: Yes, **b(6), b(7)(C)** For example, if we do not feel comfortable with the dangers to non-combatants, we can capture that individual. For example, if he is holding a child in front of him and we **b(6), b(7)(C)** are unable to engage, then we would try to capture him.

Q: IN YOUR STATEMENT YOU MENTIONED THE ROE STATES YOU CAN ENGAGE A TARGET BEFORE HE HAS THE OPPORTUNITY TO SURRENDER OR ENGAGE YOU AND THEN YOU STATE CPT **b(6), b(7)(C)** GAVE ORDERS TO NOT TO ENGAGE ANY TARGET THAT SURRENDER. DID HIS ORDERS CONTRADICT THE ROE? PLEASE CLARIFY?

A: CPT **b(6), b(7)(C)** explained that we can not engage a target that is actively surrendering. This ROE does not require us to give the target an opportunity to surrender, and our mission was to hit all three objectives simultaneously so that none of the targets would have a chance to surrender. But if they saw us coming and surrendered, we could not engage. We were to treat these targets with the same ROE as we would if they were wearing a uniform.

INITIALS OF PERSON MAKING STATEMENT: **b(6), b(7)(C)**

PAGE 2 OF 7 PAGES

ACLU DDII CID ROIS 36655

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EXHIBIT 28

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

STATEMENT OF _____

TAKEN AT COB Speicher

DATED 16 July 2006

CONTINUED

STATEMENT (Continued)

Q: DID THE ROE ENABLE YOU TO ENGAGE (KILL) A POSITIVELY IDENTIFIED TARGET EVEN IF THEY ARE NON-COMBATIVE AND POSED NO IMMEDIATE THREAT TO YOU?

A: Yes, if we saw our target walking across a field and he didn't pose an immediate threat, according to the ROE, we could still engage.

Q: DURING THE AAR, DID YOU DETERMINE IF THERE COULD HAVE BEEN SOMETHING COULD HAVE BEEN DONE TO INSURE THAT NO NON-COMBATIVES WERE INJURED OR KILLED?

A: We went over many different options, such as putting snipers in to overwatch the objective. But this option, due to the location of the objective, was not a viable option because they would have been compromised. At the end of the AAR, we felt that we had done everything possible to safeguard non-combatants.

Q: WHO BRIEFED THE OPERATION ORDER AND ROE?

A: CPT briefed me, then I briefed my squad leaders. It wasn't a formal operation order where everyone comes together and listens to the commander. I didn't know 1st or 3rd platoon's exact missions, I only knew the time that all the platoons would be prepared to conduct the mission, waiting on CPT word to go.

Q: WHAT DO YOU KNOW ABOUT AN INCIDENT DURING JAN 06, DURING WHICH MEMBERS OF 3RD PLATOON, C CO, 3-18T SHOT AND KILLED TWO MEN IN A SEMI-TRUCK (POSSIBLY HAULING A LOAD OF TOMATOES) ON MSIZ TAMPA ON THE TIGRIS RIVER?

A: I wasn't a member of C Co at that time. So I know nothing about this incident.

Q: WHAT DO YOU KNOW ABOUT LT PUSHING OR THROWING AN IRAQI MALE TO THE GROUND, RESULTING IN THE MAN SUSTAINING A BROKEN JAW OR ANY OTHER INJURY?

A: Nothing, I haven't heard of this.

INITIALS OF PERSON MAKING STATEMENT: _____

PAGE 3 OF 7 PAGES

ACLU DDII CID ROIS 36656

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EXHIBIT 28

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

STATEMENT OF

TAKEN AT CID Office, COB Speicher DATED

16 July 2006

STATEMENT (Continued)

Q. What do you know about 1SG b(6), b(7)(C) allegedly taking the hand of a dead Iraqi man and slapping another local national with the dead man's hand? This allegedly took place after the man's body was driver around a market place on the hood of a HMMWV.

A. My first knowledge of this is that CID was asking this question. I've never heard of this happening.

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

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

Q. What do you know about an incident in which members of B CO, 3-187 INF engaged a vehicle near the observation post by the Samarra hospital, resulting in the death of two Iraqi women, one who was pregnant?

A. Nothing, we have very little contact with other companies. I heard a pregnant woman was shot by B Co. but don't know any details.

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

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

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 4 OF 7 PAGES

FILE NUMBER

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

STATEMENT OF

TAKEN AT CID Office, COB Speicher DATED 18 July 2006

STATEMENT (Continued)

Q. Have you ever been authorized to kill High Value Targets (HVT) immediately upon positive identification (PID), without allowing them a chance to surrender? If so when, where and by whom?

A. Yes, see the beginning of my statement.

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

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

Q. Have you ever heard of or participated in a Kill/Kill operation? If so when, where and from whom?

A. No, we don't have Kill/Kill operations. I had never heard the term "kill kill mission" before CID started using this term.

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

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

INITIALS OF PERSON MAKING STATEMENT b(6), b(7)(C)

PAGE 5 OF 7 PAGES

ACLU DDII CID ROIS 36658

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

STATEMENT OF

TAKEN AT CID Office, COB Speicher DATED

16 July 2006

STATEMENT (Continued)

Q. What do you know about an operation in which members of 3-187 INF killed a 7 year-old girl during an operation on 22 May targeting a HVT?

A. I have already addressed this question on the statement that I gave on 31 MAY 2006.

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

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

Q. What do you know about an incident at a gas station during Operation Iron Triangle, in which members of 1LT b(6), b(7)(C) platoon opened fire on several vehicles, resulting in the death of an Iraqi man?

A: I air assaulted in to this area after this happened to assist in clearing houses in the area. I don't know any details about them opening fire, but I was there after the incident. When I got there, we immediately went into a large apartment complex and started clearing houses, so I had very little contact with LT. b(6), b(7)(C) element. I don't think I saw LT. b(6), b(7)(C) until a few hours after I got there. Later on that day, I did see a vehicle that was hit in the shooting. I spoke to the owner using a TERP and gave him a claims card for the damages. I don't remember speaking to LT b(6), b(7)(C) about this, because they left to go on a resupply mission. I spoke with no one about any details about what had happened.

INITIALS OF PERSON MAKING STATEMENT b(6), b(7)(C)

PAGE 6 OF 7 PAGES

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

File Number _____

STATEMENT OF _____

TAKEN AT CID Office, COB Speicher DATED

16 July 2006

STATEMENT (Continued)

Q. Have you ever seen SSG b(6), b(7)(C) with a pistol? If so, please elaborate?

A. No, Not to my knowledge.

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

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

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

A. No.

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

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

AFFIDAVIT

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

I, b(6), b(7)(C) HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 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 OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 16 day of Jul 2006 at Building 718 (CID Office) COB Speicher, Tikrit, IZ

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

(Typed Name of Person Administering Oath)

Art 136 UCMJ

(Authority to Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 7 OF 7 PAGES

SWORN STATEMENT

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

LOCATION BLDG 718, CID OFFICE COB SPEECHER, TIKRT	DATE 16 July 2006	TIME 1225	FILE NUMBER 0123-06-CID469-75463
LAST NAME FIRST NAME MIDDLE NAME b(6), b(7)(C)	SOCIAL SECURITY NUMBER b(6), b(7)(C)		GRADE/STATUS E-5 / AD
ORGANIZATION OR ADDRESS C Co 3/187 INF 101st ABN DIV (AASLT) AR/AE 09393			

I, **b(6), b(7)(C)** want to make the following statement under oath: During operation **b(6), b(7)(C)** time sensitive target, my truck was tasked to go to Abu Kasim's house where he was expected to be with his two sons. His sons names are **b(6), b(7)(C)** and **b(6), b(7)(C)**. We made the turn down gravel pit road off of Route 1 and followed it until we came to the dirt road that led to Abu Kasim's house. We followed the road until it came to an end. There were three houses there. We went sure which one was Abu Kasim's house so we started to clear **b(6), b(7)(C)** the houses from south to north. The first house we cleared had a man inside that told us Kasim's house was the middle house in the group of three. A couple guys stayed at the first house we cleared and myself and two other guys ran over to the middle house that was said to be Kasim's house and met up with a team of guys from headquarters platoon. Just as we got there they had thrown a flash-bang grenade into one of the rooms. A team went and cleared it with no results of anyone being in the room. We all immediately started to go around the outside of the house looking for another way in. We were passing a series of windows and SPC **b(6), b(7)(C)** said he saw some people and a man in one of the **b(6), b(7)(C)** rooms. He and I stopped and were accompanied by the ISG and SPC **b(6), b(7)(C)** was right up on the window looking in with his weapon pointing in the room. He was trying to identify the man in the room. The ISG started to look into the room and saw the man standing there. He then pulled out a piece of paper that had Kasim's picture on it. The ISG positively identified the man and asked SPC **b(6), b(7)(C)** to look at the paper and identify ~~him~~ **b(6), b(7)(C)** the man. SPC **b(6), b(7)(C)** then positively identified ~~him~~ **b(6), b(7)(C)** the man. The ISG asked the interpreter we had with us to ask the man his name. The terp asked him and got the reply "Kasim". The ISG then said "yep thats him, kill him!" SPC **b(6), b(7)(C)** SPC **b(6), b(7)(C)** and myself all engaged. The man was standing in the room with no body around him. He was not actively surrendering. I'm not sur **b(6), b(7)(C)**

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT b(6), b(7)(C)	PAGE 1 OF 5 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 OF ANOTHER COPY OF THIS FORM.

ACLU DDII CID ROIS 36661

FILE NUMBER: 0123-06-10409-75463

STATEMENT OF SGT **b(6), b(7)(C)** TAKEN AT 31st MP DET (CID) DATED 16 Jul 06 CONTINUED

b(6), b(7)(C) how many rounds were fired but I know I probably **b(6), b(7)(C)** shot about 10. After a couple seconds of firing the ISG told us to cease fire. When we quit firing the other people in the room started screaming. I could tell there was more people in the room than what we could see. When we first engaged we could see maybe one or two kids in the corner that was closest to us on our left. After we ceased firing we went to the south side of the house so we could **b(6), b(7)(C)** get into the house and finish clearing it of any hostile intent. We **b(6), b(7)(C)** initially went into the room and saw that Kasim was dead for sure. I didn't see it but apparently **b(6), b(7)(C)** Abu Kasim was in one of the corners with about seven kids around him. He was immediately detained because we could not engage him with all the kids around him. I went back outside and saw the commander, **b(6), b(7)(C)** CPT **b(6), b(7)(C)** and told him we should get Kasim's body out of the house. He and I went back inside and drag Kasim's body out into the hallway. A couple guys were already there waiting with a body bag. We put his body in the bag and it was taken out to the truck. Someone also found a small girl in the room and said she was dead. I think someone went in to make sure. When we shot Kasim nobody saw the little girl around him. Abu Kasim was taken outside after he was detained and put into a truck from the headquarters platoon. They then left to go to another target area. Me and **b(6), b(7)(C)** my other guy went back to the first house we cleared to pull our watch on the other houses from a rooftop. The little girl who had been killed was left with her **b(6), b(7)(C)** family.

Q: WHAT WERE THE NAMES OF THE TWO GUYS WHO RAN TO THE MIDDLE HOUSE WITH YOU?

A: SPC **b(6), b(7)(C)** SPC **b(6), b(7)(C)**

Q: WHAT WAS THE ISG'S NAME?

A: ISG **b(6), b(7)(C)**

Q: WHO THREW THE FLASH BOMB?

A: I DON'T KNOW WHO THREW IT. IT HAD ALREADY BEEN THROWN. **b(6), b(7)(C)**

INITIALS OF PERSON MAKING STATEMENT: **b(6), b(7)(C)**

ACLU DDII CID ROIS 36662

PAGE 2 OF 5 PAGES

ACLU-RDI 5917 b-151

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EX-000153 29

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

STATEMENT OF **b(6), b(7)(C)** TAKEN AT 31st MP DET (CID) DATED 16 Jul 06 CONTINUED

Q: DESCRIBE THE WINDOW YOU WERE LOOKING THROUGH?

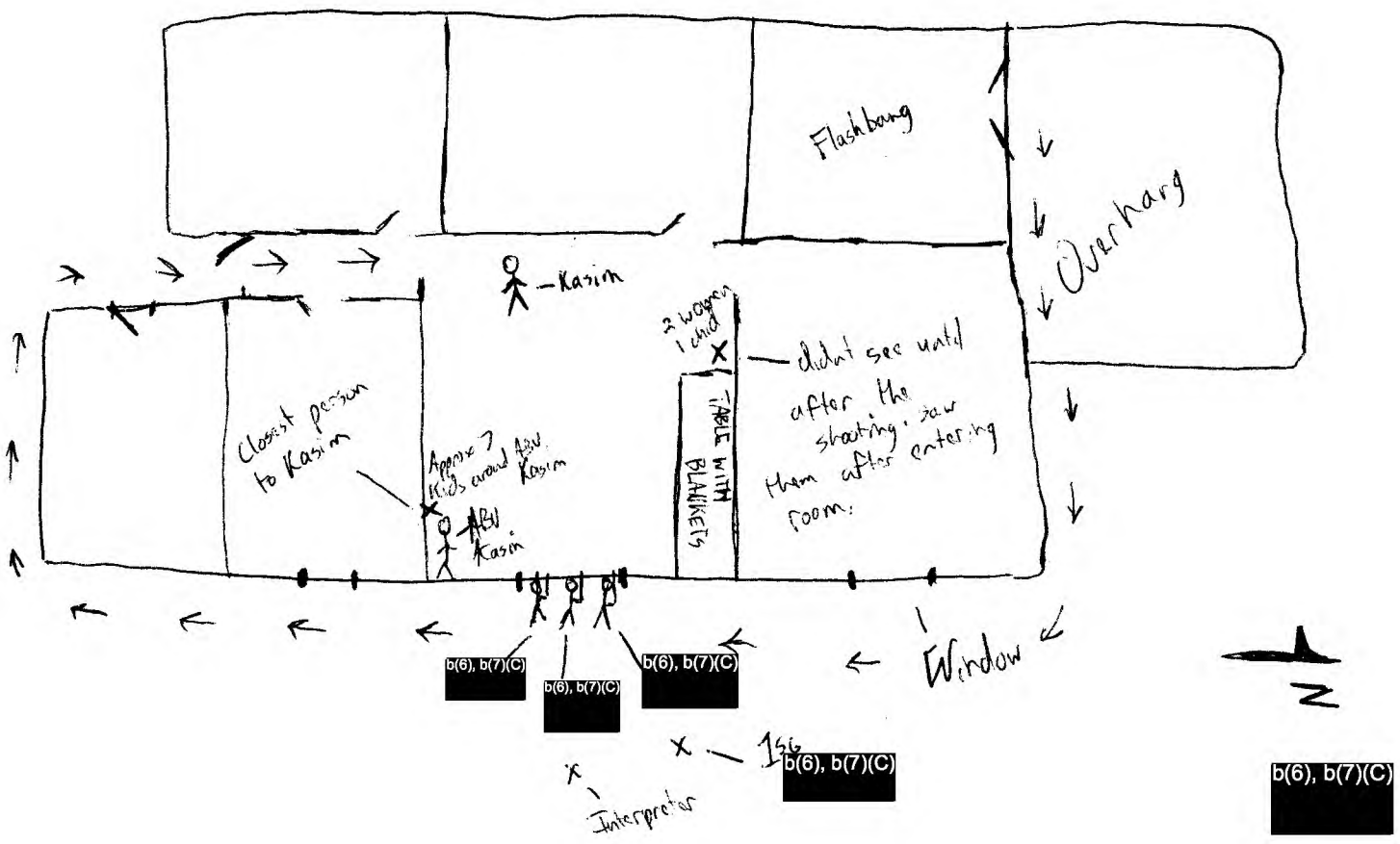
A: I about 3' x 3', no glass but it had metal bars across the front that ran from top to bottom of the window. It also had curtains but they were pulled to the sides.

Q: DESCRIBE THE HOUSE:

A: I saw that the inside of the house was concrete but the outside looked like it had some sort of mud covering, the ground around the house was dirt. Some pillars on the north side of the house with an overhang. The floor inside was concrete.

Q: PLEASE DRAW A LAYOUT OF THE HOUSE TO INCLUDE THE ROOM WHERE KASIM WAS STANDING BEFORE HE WAS KILLED, THE CONTENTS OF THE ROOM AND THE POSITION FROM WHICH YOU FIRED AT KASIM?

A



STATEMENT OF [REDACTED] CONTINUED

[REDACTED] b(6), b(7)(C)

TAKEN AT: CID Office, COB Speicher, IZ DATED: 16 Jul 06

Q: WHAT TYPE OF WEAPON DID YOU HAVE AND WHAT TYPE OF ROUNDS?

A: I was carrying an M-4 carbine and was using 5.56 Ball ammunition

Q: WHAT MODE WAS YOUR WEAPON SET ON?

A: My weapon was set on semi.

Q: WHEN THE ISG PULLED OUT THE PICTURES AND HIM AND SFC [REDACTED] b(6), b(7)(C) WERE MAKING THEIR POSITIVE IDENTIFICATION (PID) DID YOU LOOK AT THE PICTURES?

A: NO, I did not see [REDACTED] b(6), b(7)(C) was not looking at the paper.

Q: DID YOU VIEW PHOTOGRAPHS OF KASIM PRIOR TO GOING ON THIS MISSION?

A: Yes. We were given papers of all the HVI's the afternoon prior to the mission and were advised to study the pictures.

Q: WHO SHOWED YOU THE PICTURES AND WHO ADVISED YOU TO STUDY THEM?

A: We were given the photographs by our squad leader SSG [REDACTED] b(6), b(7)(C) and was advised to study them by ISG [REDACTED] b(6), b(7)(C)

Q: WAS THERE ANY DIFFERENCE BETWEEN KASIM THE PERSON AND KASIM THE PHOTOGRAPH IF SO WHAT WERE THE DIFFERENCES?

A: There were no differences. Everything was exactly the same including his facial hair.

Q: HOW FAR WOULD YOU SAY WAS THE DIFFERENCED DISTANCE BETWEEN YOUR FIRING POSITION AND WHERE KASIM WAS STANDING?

A: 12 Feet,

Q: DID YOU AT ANY TIME PRIOR TO ENGAGING OR KASIM OBSERVE THE YOUNG CHILD WHO DIED IN THE ROOM?

A: No, I never saw the child before we engaged Kasim.

Q: HOW DO YOU THINK THE YOUNG CHILD DIED?

A: I think she died from a ricochet inside the room.

Q: APPROXIMATELY HOW MANY ROUNDS WERE FIRED INTO THE ROOM AT KASIM?

A: Approximately 30-40 rounds.

Q: DID ANYONE ELSE, TO YOUR KNOWLEDGE, FIRE ROUNDS INTO THE ROOM AT KASIM?

A: Nobody else to my knowledge fired any rounds into the room.

Q: DURING THE PERIOD WHERE SFC [REDACTED] b(6), b(7)(C) AND ISG [REDACTED] b(6), b(7)(C) WERE KILLING KASIM DID KASIM EVER LOOK AT YOUR POSITION AND WHAT WERE HIS ACTIONS PRIOR TO GETTING ASKING HIS NAME?

A: Kasim was looking at us the whole time. He never moved. He was standing with his arms to his sides facing us.

Q: DO YOU KNOW WHO IDENTIFIED THE YOUNG GIRL WHO WAS DEAD AND HOW?

A: I can't remember who found out or who actually checked to see if she was dead.

INITIALS OF PERSON MAKING STATEMENT: [REDACTED] b(6), b(7)(C)

PAGE 1 OF 3 PAGES

ACLU DDH CID ROIS 36664

STATEMENT OF SGT **b(6), b(7)(C)** TAKEN AT 31ST MPDET (CID) DATED 16 JUL 06

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

96-CID547-

b(6), b(7)(C) Q. WHO LEFT FOR ANOTHER TARGET AREA AND WHERE WAS THAT TARGET AREA?

A: The members from Headquarters platoon left to go to another target area that was approximately 500 meters to the west of Abu Kasim's house. It contained a shop that Abu Kasim owned.

Q. DO YOU HAVE ANYTHING TO ADD TO THIS STATEMENT?

A: I have nothing to add. // END OF STATEMENT // **b(6), b(7)(C)**

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

AFFIDAVIT

I, **b(6), b(7)(C)** HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 5. 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.

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

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

SUBSCRIBED AND SWORN BEFORE ME, A PERSON **b(6), b(7)(C)** WHOSE DUTY IT IS TO ADMINISTER OATHS, THIS 16 DAY OF JULY 2006 AT BUE 712 CAMPUS, HERTZ

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

(Administering Oath)

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

(Name of Person Administering Oath)

ACT 136.

(Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

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

ACLU DDII CID ROIS 36665

SWORN STATEMENT

LOCATION: Tikrit CID Office
Contingency Operating Base (COB) Speicher
Tikrit, Iraq, APO AE 09393

DATE: 17 Jul 06 TIME: 1000 [REDACTED]

NAME: [REDACTED] SSN: [REDACTED] GRADE/STATUS: 02/AD

ORGANIZATION OR ADDRESS: C Company, 3/187th Infantry Regiment, FOB
Brassfield-Mora, APO AE 09393

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT

[REDACTED] UNDER OATH:

Q: SA [REDACTED]
A: 1LT [REDACTED]

Q: Were you part of the mission on 22 May 06 and what was your mission?
A: 1st Platoon's mission on 22 May 06 was to Kill/Capture an HVT vicinity Gravel Pit Road, [REDACTED]

[REDACTED]

[REDACTED] I drove to the location with elements from COP 3. I leapt out of the vehicle and went into the store where the HVT was present, inside the store. No one else was inside the store. The store had food items and small pharmacy items on its shelves. The HVT saw me and was frantically jamming with his cell phone. I did not know if the man was trying to send a warning to others, or initiate an IED against my vehicles outside, but it was clear that he was NOT surrendering. I made this assessment (that he was not surrendering) in an extremely rapid manner, and then engaged the HVT, which killed him. SSG [REDACTED] and SGT [REDACTED] were close by, and fired after I engaged as well.

Q. What do you know about an incident on 17 Jan 06, during which members of 3rd Platoon, C CO, 3-187 shot and killed two men in a semi-truck (possibly hauling a load of tomatoes) on MSR Tampa on the Tigris River Bridge?

A: I arrived at the scene a day after the incident took place on patrol. I unloaded the tomatoes from the back of the truck. The cab was bullet-ridden, and there was blood, but the bodies had already been taken. I asked 1LT [REDACTED] what happened, and he told me that the driver had fired upon him during a routine traffic stop, and that his gunner returned fire, killing the men in the truck.

Q: Did anyone else return fire? [REDACTED]

INITIALS OF PERSON [REDACTED]
MAKING STATEMENT [REDACTED]
DA FORM 2823 (Computer Generated)

PAGE 1 OF 4 PAGES

EXHIBIT _____

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ACLU DDII CID ROIS 36666
~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~ EXHIBIT _____

-CID469

STATEMENT OF **b(6), b(7)(C)** **TAKEN AT Tikrit CID Office,, COB**
SPEICHER, TIKRIT, IRAQ, DATED 17 July, 2006, CONTINUED.

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

I am not sure. I think someone else engaged with a M4 but I don't think **b(6), b(7)(C)** engaged.

Q: Did he explain why they had to engage the truck?

A: He said they had stopped this truck and motioned for the driver to come out of the vehicle. The driver drove forward and they fired upon the HMMWV. He stated his gunner engaged first. I don't know if anyone else fired. I was unclear if the driver ever drove forward.

Q: Did the shooting seem suspicious to you?

A: No, not "suspicious" as in unlawful killing. However, my platoon's threshold for engaging the enemy is higher than most platoons, so I may have waited a little while longer before engaging. I wasn't on the ground however, and if I was, and if I waited, then perhaps the driver would have wounded/killed one of my men. In summary, I do NOT believe that 3rd Platoon murdered the truck drivers.

Q: What do you understand happened?

A: Several people said they saw bullet marks on the HMMWV but I did not look at the vehicle. I did not look at the vehicle to determine if there were bullet marks or not.

Q: Did he explain to you why the 50 cal was used?

A: He did not explain why it was used, but I know why. Whenever we dismount our HMMWVs, our gunners pull security for us. The dismounts outside that perform the searches, and that talk to locals are not actively pulling security. This means that if something happens such as receiving enemy fire, the gunners pulling security should be the first ones to return fire. This allows the dismounts to assess the situation and then return fire themselves.

Q. What do you know about 1SG **b(6), b(7)(C)** allegedly taking the hand of a dead Iraqi man and slapping another local national with the dead man's hand? This allegedly took place after the man's body was driven around a market place on the hood of a HMMWV.

A: I had never heard of 1SG **b(6), b(7)(C)** slapping a local national with a dead man's hand. I have never heard of 1SG **b(6), b(7)(C)** striking any local nationals, with dead body parts or otherwise. He's a "shouter", but he hasn't ever crossed the line that I have heard of.

Q. What do you know about an incident in which members of 3-187 INF engaged a vehicle near observation post by the Samarra hospital, resulting in the death of two Iraqi women, one who was pregnant?

A: I had heard that the OP engaged a vehicle that was in the military only lane, and that only afterward did the OP realize a woman was in the vehicle.

Q. Have you ever been authorized to kill High Value Targets (HVT) immediately upon positive identification (PID), without allowing them a chance to surrender? If so when, where and by whom? **b(6), b(7)(C)**

INITIALS OF PERSON **b(6), b(7)(C)**
 MAKING STATEMENT **b(6), b(7)(C)**
 DA FORM 2823 (Computer Generated)

PAGE 2 OF 4 PAGES

EXHIBIT _____

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ACLU DDII CID ROIS 36667

EXHIBIT _____

-CID469

STATEMENT OF [REDACTED] b(6), b(7)(C) TAKEN AT Tikrit CID Office,, COB SPEICHER, TIKRIT, IRAQ, DATED 17 July, 2006, CONTINUED.

[REDACTED] b(6), b(7)(C) The ROE was briefed to me by CSM [REDACTED] b(6), b(7)(C) with LTC [REDACTED] b(6), b(7)(C) present, during a battalion OPORD. CSM [REDACTED] b(6), b(7)(C) stated that the ROE allowed soldiers to kill HVTs ONLY if they were positively identified, and ONLY if they weren't actively surrendering. This took place in May when the 240B was lost during an IED incident.

Q. Have you ever heard of or participated in a Kill/Kill operation, versus a Kill/Capture or Capture/Kill? If so who told you it was a Kill/Kill operation and when and where was the operation?

A: I had not ever heard of a Kill/Kill operation. "Kill/Capture" was an expression used by CPT [REDACTED] b(6), b(7)(C) during some of his mission statements. In my platoon mission statements I generally used: "Mission: Detain, Deter, or Kill AIF in sector in order to . . . etc"

Q. What do you know about an operation in which members of 3-187 INF killed a 7 year-old girl during an operation on 22 May targeting a HVT?

A: I was not at the scene when it happened, but afterward I heard that 2nd Platoon was engaging an HVT, and a little girl was accidentally shot in the confusion. Several guys in 2nd Platoon, to include 2LT [REDACTED] b(6), b(7)(C) seemed bummed out about the incident, which reinforced to me that they were telling the truth and it was just an accident.

Q: Have you seen SSG [REDACTED] b(6), b(7)(C) with a pistol? If so, please elaborate?

A: I have not ever seen SSG [REDACTED] b(6), b(7)(C) with a pistol.

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

A: No.///END OF STATEMENT/// [REDACTED] b(6), b(7)(C)

INITIALS OF PERSON b(6), b(7)(C)
MAKING STATEMENT [REDACTED]
DA FORM 2823 (Computer Generated)

PAGE 3 OF 4 PAGES
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ACLU DDII CID ROIS 36668

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EXHIBIT _____

-CID469

STATEMENT OF **b(6), b(7)(C)** TAKEN AT Tikrit CID Office,, COB
SPEICHER, TIKRIT, IRAQ, DATED 17 July, 2006, CONTINUED.

I, **b(6), b(7)(C)** READ OR HAVE HAD READ TO ME THE **b(6), b(7)(C)**
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.

b(6), b(7)(C) let
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person
authorized by law to administer oaths, this
Monday, July 17, 2006, at Tikrit CID Office
COB Speicher, Tikrit, Iraq, APO AE 09393

b(6), b(7)(C)
(Signature of Person Administering Oath)

SA **b(6), b(7)(C)**
Typed Name of Person Administering Oath
Article 136 UCMJ
(Authority to Administer Oath)

Witness

INITIALS OF PERSON **b(6), b(7)(C)**
MAKING STATEMENT
DA FORM 2823 (Computer Generated)

PAGE 4 OF 4 PAGES

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ACLU DDII CID ROIS 36669

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EXHIBIT _____

SWORN STATEMENT

0123-06-CID469-75463

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

a of this form, see AR 190-45; the pre b(6), b(7)(C) is ODU

LOCATION *FOB Brassfield-Mora, Samarra, IZ*
Building 718 (CID Office), COB Speicher, Tikrit, IZ

DATE *07/19/2006*

TIME *1331*

FILE NUMBER

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

SSN *b(6), b(7)(C)*

GRADE/STATUS
E-6/SSG

ORGANIZATION OR ADDRESS

C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349

ACO 221 MIBN

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

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q. What do you know about an incident during Jan 06, during which members of 3rd Platoon, C CO, 3-187 shot and killed two men in a semi-truck (possibly hauling a load of tomatoes) on MSR Tampa on the Tigris River Bridge?

A. *I KNOW NOTHING ABOUT THIS INCIDENT.*

Q. What do you know about 1LT *b(6), b(7)(C)* or anyone else pushing or throwing an Iraqi male to the ground, resulting in the man sustaining a broken jaw or any other injury?

A. *I KNOW NOTHING ABOUT THIS INCIDENT.*

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

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 1 OF *1* PAGES

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

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.

STATEMENT OF **b(6), b(7)(C)**

AKEN AT CID Office, COB Speicher DATED 07/19/2004 **b(6), b(7)(C)**

b(6), b(7)(C) STATEMENT (Continued)

What do you know about 1SG **b(6), b(7)(C)** allegedly taking the hand of a dead Iraqi man and slapping another local national with the dead man's hand? This allegedly took place after the man's body was driver around a market place on the hood of a HMMWV.

A. I HEARD A Rumor ABOUT 1SG **b(6), b(7)(C)** PLACING ~~THE~~ ^A DEAD BODY ON THE HOOD OF THE HMMWV AND DRIVING AROUND AN OBJECTIVE. I HEARD THIS FROM MULTIPLE PERSONS, AND IT WAS ALWAYS IN A JOKING MANNER. I CAN ~~NOT~~ ^{NOT} REMEMBER WHEN I HEARD IT FROM PRECISELY.

Q. What do you know about an incident in which members of B CO, 3-187 INF engaged a vehicle near the observation post by the Samarra hospital, resulting in the death of two Iraqi women, one who was pregnant?

A. I READ ABOUT THIS INCIDENT ON THE INTERNET, I HAVE NEVER HEARD ANYONE TALK ABOUT IT **b(6), b(7)(C)**

INITIALS OF PERSON MAKING STATEMENT **b(6), b(7)(C)**

PAGE 2 OF 3 PA **b(6), b(7)(C)**

FILE NUMBER

STATEMENT OF **b(6), b(7)(C)**

TAKEN AT CID Office, COB Speicher DATED 07/14/2006 **b(6), b(7)(C)**

STATEMENT (Continued)

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

Have you ever been authorized to kill High Value Targets (HVT) immediately upon positive identification (PID), without allowing them a chance to surrender? If so when, where and by whom?

A. I HAVE NEVER BEEN ~~FORMALLY~~ ~~BRIEFED~~ THAT THIS ROE WAS IN EFFECT ON A MISSION. I HEARD THIS AS Bystander TO OTHER SOLDIERS CONVERSATIONS BEFORE A MISSION, ON 14 May 2006 AT PB RAZOR WITH ACO SIB TF3-187. I DON'T KNOW WHO THE SOLDIERS WERE.

Q. Have you ever heard of or participated in a Kill/Kill operation? If so when, where and from whom?

A. YES, I HEARD THAT ABOUT THE CO TF 3-187 MISSION ON APPROXIMATELY 22 MAY 2006, IN THE ALBU GATTA AREA SOUTH OF SAMARRA. LT **b(6), b(7)(C)** TOLD ME OUTSIDE THE DETENTION CENTRAL ON THE MORNING OF 22 OR 23 MAY 2006, THAT CO TF 3-187 HAD COME ON A MISSION TO KILL HVT(S) AND HE TOLD ME THAT THEY HAD KILLED 4 MALES THAT WERE UNARMED. LT **b(6), b(7)(C)** SAID ~~THEY~~ ^{THE MEN} **b(6), b(7)(C)** HAD NO WEAPONS AND NO WEAPONS WERE FOUND, AND THAT THE ONLY REASON THE ONE DETAINEE PRESENT WAS NOT KILLED WAS BECAUSE THE WOMEN AND CHILDREN ~~WERE~~ ^{Huddled} **b(6), b(7)(C)** AROUND HIM SO THEY COULDN'T SHOT HIM. CPT. **b(6), b(7)(C)** + ISG **b(6), b(7)(C)** ^{STATED TO ME} **b(6), b(7)(C)** ~~ALSO~~ ^{SAID} **b(6), b(7)(C)** ~~THAT~~ ^{THAT} THE ONLY REASON THEY DID NOT KILL THE ONE DETAINEE WAS BECAUSE THE FAMILY SHIELDED HIM FROM THE U.S. SOLDIERS SO THEY COULDN'T SHOT HIM. ^{CPT. **b(6), b(7)(C)** AND ISG **b(6), b(7)(C)** TOLD ME THIS IN THEIR CHAT.} **b(6), b(7)(C)**

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

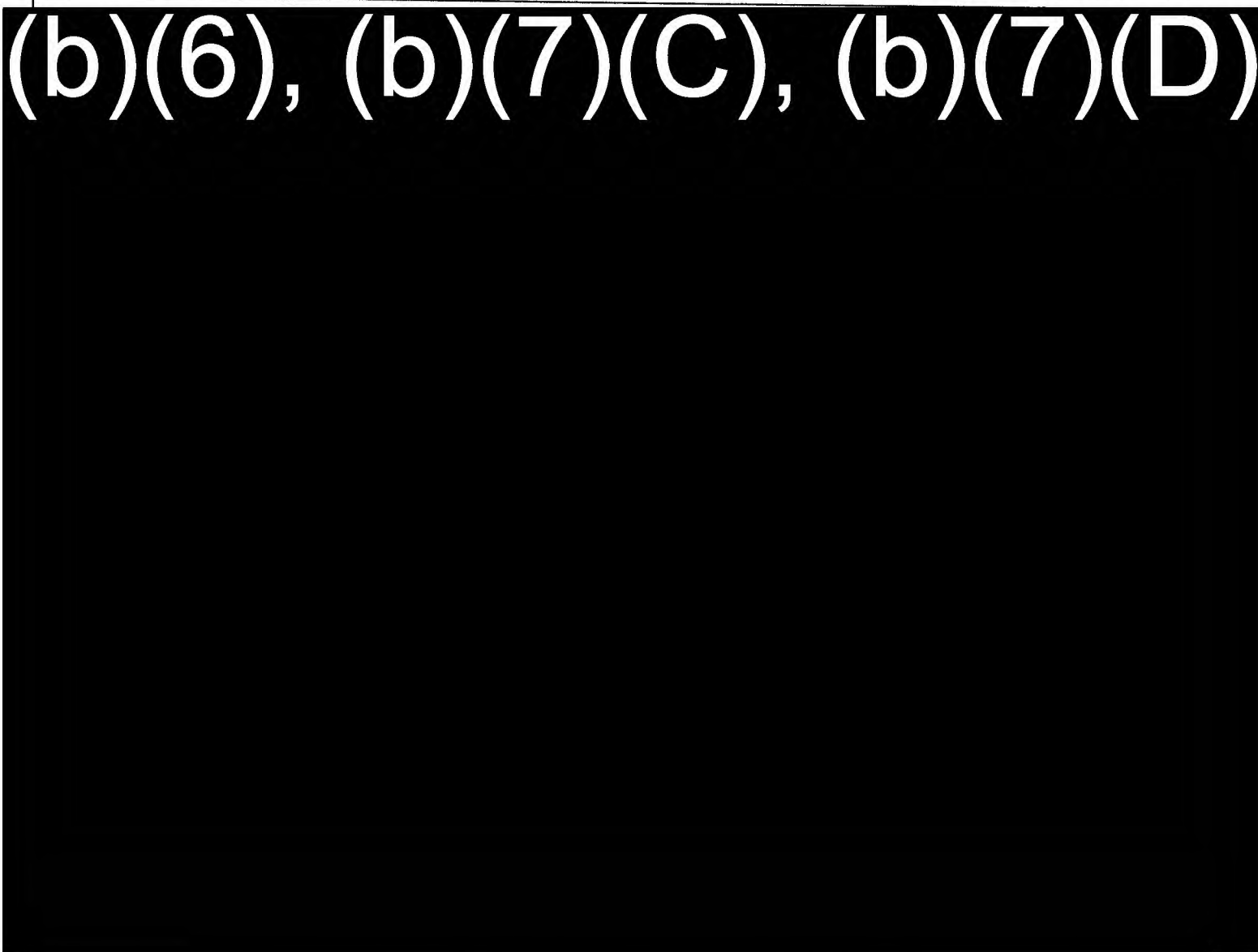
STATEMENT OF **b(6), b(7)(C)**

TAKEN AT FOB BRASSFIELD MORA, SAMARRA, IZ DATED 7/19/2006

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

CONTINUED

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



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INITIALS OF PERSON MAKING STATEMENT: **b(6), b(7)(C)**

PAGE 4 OF 8 PAGES

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

ACLU DDII CID ROIS 36675

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STATEMENT OF **b(6), b(7)(C)**

TAKEN AT Fob Brassfields MIA, Samarra, IL DATED 7/19/2006 **b(6), b(7)(C)**

CONTINUED

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

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

INITIALS OF PERSON MAKING STATEMENT: **b(6), b(7)(C)**

PAGE 5 OF 8 PAGES

ACLU DDII CID ROIS 36676

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EXHIBIT

STATEMENT OF **b(6), b(7)(C)**

MAKEN AT CID Office, COB Speicher DATED 07/14/2006

STATEMENT (Continued)

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

What do you know about an operation in which members of 3-187 INF killed a 7 year-old girl during an operation on 22 May targeting a HVT?

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

A. I WROTE MY STATEMENT ABOUT THIS OPERATION ON THE PREVIOUS QUESTION. I FIRST HEARD ABOUT THE LITTLE GIRL ~~BEING~~ ^{BEING} FROM A LOCAL NATIONAL SOURCE AND THEN FROM MY INTERPRETERS TELLING ME IT WAS ON THE NEWS. ^{LOCAL TV} IN APPROXIMATELY 25TH MAY 2006, A MEMBER OF THE S-2¹⁸⁷ TOLD ME THAT THE LITTLE GIRL RAN BETWEEN HER FATHER AND U.S. SOLDIERS, WHO WERE IN THE PROCESS OF SHOOTING HER, AND SHE WAS STRUCK BY A U.S. SOLDIERS BULLET AND KILLED. THIS WAS THE LAST STATEMENT I HEARD ABOUT THIS INCIDENT, AND I DONOT RECALL WHO TOLD ME ABOUT IT FROM THE S-2.

Q. What do you know about an incident at a gas station during Operation Iron Triangle, in which members of 1LT **b(6), b(7)(C)** platoon opened fire on several vehicles, resulting in the death of an Iraqi man?

I HAVE NEVER HEARD ABOUT THIS INCIDENT.

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

A. NOT ^{**b(6), b(7)(C)**} TO MY KNOWLEDGE.

Q: What do you know about anyone falsifying SIGACTS?

A: THERE HAVE BEEN INCIDENT WERE INFORMATION NEVER GET REPORTED, ~~FOR~~ IT TOOK THREE DAYS FOR THE INCIDENT W/ THE 7 YEAR OLD GIRL TO GET REPORTED. AND A CCOTF-3887 MISSION ON 4TH MAY 2006 WAS FALSELY REPORTED IN THE SIGACTS. THE SIGACT SAID THAT THERE WAS A WEAPONS CACHE AND A LOCAL NATIONAL WAS SHOT RUNNING FOR THE CACHE. BUT ^{ON 5TH MAY 2006 AT APPROX 2100} CPT. **b(6), b(7)(C)** TOLD ME THERE WAS NO WEAPONS CACHE AND THE LOCAL NATIONAL WAS KILLED BY HIS SOLDIERS HOURS AFTER THE MISSION WAS COMPLETE AT THE **b(6), b(7)(C)**

INITIALS OF PERSON MAKING STATEMENT **b(6), b(7)(C)**

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

ACLU DDII CID ROIS 36677

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STATEMENT OF **b(6), b(7)(C)**

TAKEN AT Fob BRASSFIELD/MOLA, SAMAKKA, IZ

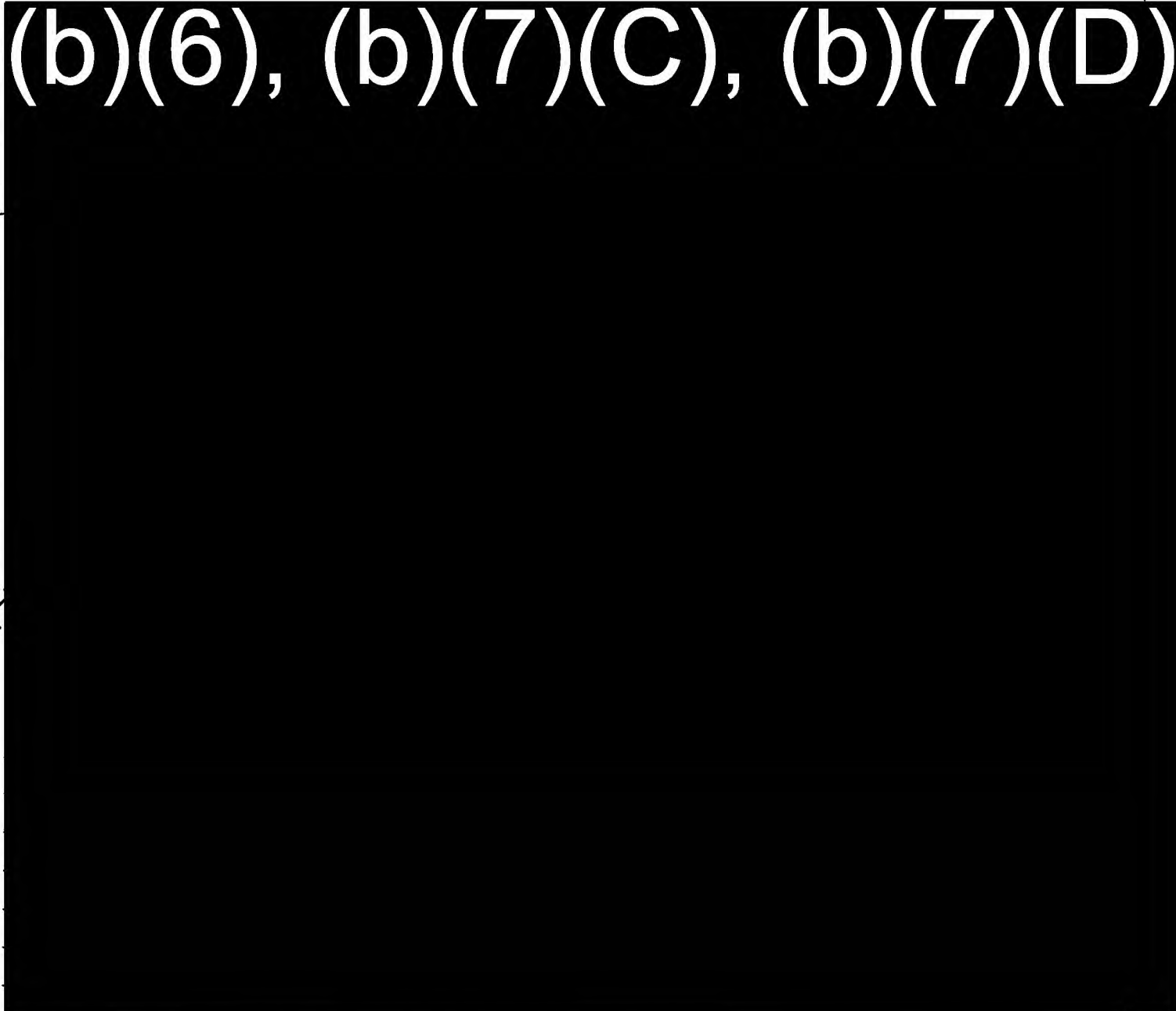
DATED 7/19/2006

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

CONTINUED

EMENT (Continued)

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



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INITIALS OF PERSON MAKING STATEMENT: **b(6), b(7)(C)**

PAGE 7 OF 8 PAGES

ACLU DDII CID ROIS 36678

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

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File Number

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

STATEMENT OF **b(6), b(7)(C)**

TAKEN AT CID Office, COB Speicher DATED 7/19/06

STATEMENT (Continued)

Q. Have you ever seen SSG **b(6), b(7)(C)** with a pistol? If so, please elaborate?

A. NEVER, AND I DON'T THINK I EVEN KNOW WHO HE IS.

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

A. NOTHING FURTHER. **b(6), b(7)(C)** // END OF STATEMENT // **b(6), b(7)(C)**

AFFIDAVIT

b(6), b(7)(C) SSG **b(6), b(7)(C)** HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE **b(6), b(7)(C)** I 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 OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT **b(6), b(7)(C)**

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

WITNESSES:

Subscribed and sworn to before me, a person authorized by **b(6), b(7)(C)** Law to administer oaths, this 19th day of Jul 2006 at Building 718 (CID Office), COB Speicher, Tikrit, IZ FOB Brassfield-Mr

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

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA **(b)(6), (b)(7)(C), (b)(7)(F)**

(Typed Name of Person Administering Oath)

Art 136 UCMJ

ORGANIZATION OR ADDRESS

(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT **b(6), b(7)(C)**

PAGE 8 OF 8 PAGES **b(6), b(7)(C)**

EXHIBIT

ACLU DDII CID ROIS 36679

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EXHIBIT

FOR OFFICIAL USE ONLY

SWORN STATEMENT

If this form, see AR 190-45; the proponent agency is ODCS

0123-06-CID469-75463

LOCATION <u>FOB Brassfield-Mora, Samarra, IZ</u> <u>Building 748 (CID Office), COB Speicher, Tikrit,</u>	DATE <u>14 Jun 06</u>	TIME <u>1627</u>	FILE NUMBER
b(6), b(7)(C)	b(6), b(7)(C)	b(6), b(7)(C)	GRADE/STATUS <u>E-4/AD</u>

C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349

b(6), b(7)(C) SP4 **b(6), b(7)(C)**, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q. What do you know about an incident during Jan 06, during which members of 3rd Platoon, C CO, 3-187 shot and killed two men in a semi-truck (possibly hauling a load of tomatoes) on MSR Tampa on the Tigris River Bridge?

A. Myself and Sgt **b(6), b(7)(C)** with Pfc **b(6), b(7)(C)** and Cpl **b(6), b(7)(C)** as the gunner of the truck I was driving responded to a suspicious semi truck parked in the middle part of the bridge in the North Bound lanes. It was both trucks "3i-A" and "3-6's" trucks. The 3:6 truck went forward past the semi in the south bound lane. All dismounts were out of both trucks now. The two men from the semi were working or doing something around their truck. As we came up they started moving very irrationally. At this point **b(6), b(7)(C)** our Pl. was motioning the two men to stop moving and be ready to be searched. The two men continued to run around the back of the truck. Soon after I think they got inside of their semi but both men came back outside running to the back again. During all this Sgt **b(6), b(7)(C)** & Pfc **b(6), b(7)(C)** were dismounted and approaching the truck. So now the two men got back into the truck after our dismounts were.

Q. What do you know about 1LT **b(6), b(7)(C)** or anyone else pushing or throwing an Iraqi male to the ground, resulting in the man sustaining a broken jaw or any other injury?

A. Nothing from this matter.

physically motioning and verbally telling these guys to stop what they were doing. They didn't and got back into their truck and stomped on the gas. At this point our Pl. went into the middle of the north bound lanes still motioning for them to stop. The semi showed no intention of stopping so the Pl. ran out of the way. Everyone I think at that point took cover and our Pl. fired a disabling shot into the grill of the truck. The truck picked up speed to the right and then to the left heading straight into the 3:6 truck. I think at this point everyone opened fire from the 3:6 truck. After the truck was still moving towards them Pfc **b(6), b(7)(C)** opened up on the 50 cal. Simultaneously with the gun fire Sgt **b(6), b(7)(C)** & Pfc **b(6), b(7)(C)** opened fire also. The truck stopped and there was silence. **b(6), b(7)(C)**

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT b(6), b(7)(C)	PAGE 1 OF <u>5</u> 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.

STATEMENT OF **b(6), b(7)(C)**

TAKEN AT CID Office, COB Speicher DATED 19 JUL 06

STATEMENT (Continued)

Q. Have you ever been authorized to kill High Value Targets (HVT) immediately upon positive identification (PID), without allowing them a chance to surrender? If so when, where and by whom?

A. After positively identification if they surrendered then we would arrest them. So No.

After our P.L. LT **b(6), b(7)(C)** shot a disabling shot he ran and took cover because the semi was picking up speed towards all the dismounts at 3:06 truck. The dismounts from 3:06 truck opened up fire when I saw from my view in the drivers seat of 3:1A position south of the semi in the north bound lane. So the 3:06 dismounts opened fire. Next Sgt **b(6), b(7)(C)** and PFC **b(6), b(7)(C)** opened fire from the south right of the truck. The ~~3:06~~ semi was still moving forward at the 3:06 truck so that's when I saw the gunner PFC **b(6), b(7)(C)** open up w/ the 50 cal. I did not dismount neither did my gunner PFC **b(6), b(7)(C)** during all of this. After the ^{semi} truck stopped the gun fire stopped. After a long while the bodies were taken out and laid out to be prepped for shipment. I later dismounted to help out with putting the bodies in bags. A search of the semi found no weapons that I am aware of. LT **b(6), b(7)(C)** and the dismounts told me later the passenger of the semi had a hand gun and was firing it. I was later showed by I think LT **b(6), b(7)(C)** where the bullets from the hand gun had hit. I remember

Q. Have you ever heard of or participated in a Kill/Kill operation? If so when, where and from whom?

A. No

Someone taking pictures of it. Norge Affairs later came w/ I.A. to take the bodies away. All the people ^{**b(6), b(7)(C)**} from 3:1A later froze at our asses off that night pulling security for the semi waiting for a tow truck. I ~~to~~ know I saw the M-4's open up before the ^{truck} 50 cal went off. The truck I believe turned in the direction of the 3:06 after the disabling shot was fired. The disabling shot was fired from the South Bound lane from LT **b(6), b(7)(C)**. I believe the doors were open or half open during all of this. I could be wrong though. **b(6), b(7)(C)**

INITIALS OF PERSON MAKING STATEMENT **b(6), b(7)(C)**

PAGE 2 OF 5 PAGES

STATEMENT OF **b(6), b(7)(C)**

TAKEN AT CID Office, COB Speicher DATED 19 JUL 06

STATEMENT (Continued)

b(6), b(7)(C) Q. What do you know about an operation in which members of 3-187 INF killed a 7 year-old girl during an operation on 22 May targeting a HVT?

A. I heard from a group of people that this girl was 9 years old and ran across the room in the middle of some soldiers from C.C.O firing at a single person. I'm not sure if this is true I don't even know if that's a correct date.

Q. What do you know about an incident at a gas station during Operation Iron Triangle, in which members of 1LT **b(6), b(7)(C)** platoon opened fire on several vehicles, resulting in the death of an Iraqi man?

I don't know anything about this one. Except that 1LT **b(6), b(7)(C)** platoon opened up fire at a gas station. **b(6), b(7)(C)**

INITIALS OF PERSON MAKING STATEMENT

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

PAGE **b(6), b(7)(C)** 3 OF **b(6), b(7)(C)** 5 PAGES

~~FOR OFFICIAL USE ONLY~~ **AGLU DDII CID ROIS 36682**
FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE
Law Enforcement Sensitive

EXHIBIT

STATEMENT OF **b(6), b(7)(C)**

TAKEN AT CID Office, COB Speicher DATED 19 JUL 06

STATEMENT (Continued)

Q. What do you know about 1SG **b(6), b(7)(C)** allegedly taking the hand of a dead Iraqi man and slapping another local national with the dead man's hand? This allegedly took place after the man's body was ^{driven} ~~driven~~ around a market place on the hood of a HMMWV.

A. I don't know of the slapping incident but I think it was the body of a dead enemy sniper. And I heard he was in the trunk.

Q. What do you know about an incident in which members of B CO, 3-187 INF engaged a vehicle near the observation post by the Samarra hospital, resulting in the death of two Iraqi women, one who was pregnant?

A. Nothing **b(6), b(7)(C)**

INITIALS OF PERSON MAKING STATEMENT **b(6), b(7)(C)**

PAGE 4 OF 5 PAGES **b(6), b(7)(C)** **b(6), b(7)(C)**

STATEMENT OF **b(6), b(7)(C)**

TAKEN AT CID Office, COB Speicher DATED 19 JUL 2006

STATEMENT (Continued)

Q. Have you ever seen SSG **b(6), b(7)(C)** with a pistol? If so, please elaborate?

A. NO

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

A. I heard 1SG **b(6), b(7)(C)** has the strength of ten men and can shoot fire balls from his ass to destroy the enemy **b(6), b(7)(C)**

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

A: NO // END OF STATEMENT // **b(6), b(7)(C)**

AFFIDAVIT

SFC b(6), b(7)(C) HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE **b(6), b(7)(C)** 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 OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT **b(6), b(7)(C)**

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

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 19th day of Jul 2006 at Building 718 (CID Office) COB Speicher, Tikrit - 17 Fob Brassfield, Iraq

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

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SFC b(6), b(7)(C), b(7)(F)

(Typed Name of Person Administering Oath)

Art 136 UCMJ

ORGANIZATION OR ADDRESS

(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT **b(6), b(7)(C)**

PAGE 5 OF 5 PAGES **b(6), b(7)(C)** **b(6), b(7)(C)**

SWORN STATEMENT

0123-06-CID469-75463

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

LOCATION FCB Brassfield-Mora	DATE 22 Nov 96	TIME 1805	FILE NUMBER b(6), b(7)(C)
LAST NAME, FIRST NAME, MIDDLE NAME b(6), b(7)(C)	SOCIAL SECURITY NUMBER b(6), b(7)(C)		GRADE/STATUS E-5/SGT
ORGANIZATION OR ADDRESS C Company 3/387th Infantry Regiment, APO AE 09393			

b(6), b(7)(C), I, b(6), b(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

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

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT b(6), b(7)(C)	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.

ACDA-RDI 5828 p.172
1 JUL 72

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE EXHIBIT
SUPERSEDED BY FORM 2823, 1 JAN 68, WHICH WILL BE USED.
EXH 000175

STATEMENT OF **b(6), b(7)(C)**

TAKEN AT FOB Brassfield Mora DATED July 19, 2006

CONTINUED

b(6), b(7)(C) STATEMENT (Continued)

Identified the man in the shop, the morning before the mission we looked and were pointed out by Lt. **b(6), b(7)(C)** on who the man was and what he looked like. The morning of the mission I saw a man in front of the shop with his door open talking on a phone in a white robe, I asked Lt. **b(6), b(7)(C)** if he was the man he said yes has been confirmed by the Commander he was the right man. As he walked into his shop about 5 minutes maybe less we went down to his shop.

Q. Why was he a target?

A. We were going by the ROE at the time given out by our chain of command. I was told this man was positively

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

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

A. NO // END OF STATEMENT // **b(6), b(7)(C)**

AFFIDAVIT

I, **b(6), b(7)(C)**, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2 **b(6), b(7)(C)** 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

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19th day of July, 2006 at FOB Brassfield Mora

b(6), b(7)(C)
(Signature of Person Administering Oath)

SA **b(6), b(7)(C)**
(Typed Name of Person Administering Oath)

UCMJ, Article 136 / 10 USC 936
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 2 PAGES

ACLU DDII CID ROIS 36686

EXHIBIT

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>FOB BRASSFIELD - MONA</i>	DATE <i>19/06/06</i>	TIME <i>1805</i>	FILE NUMBER
NAME (FIRST, MIDDLE, LAST) (b)(6), b(7)(C)	SOCIAL SECURITY NUMBER (b)(6), b(7)(C)		GRADE/STATUS <i>SSG/E-6</i>
ORGANIZATION OR ADDRESS <i>Co 3/187</i>			

(b)(6), b(7)(C) SSG **(b)(6), b(7)(C)** WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 21 May 06 THE Co Came Over TO CAP #3 TO TELL ME ABOUT A MISSION THAT WAS TO HAPPEN IN THE MORNING. THE Co WANTED TO KNOW ABOUT A SHOP THAT WAS ON GRAVEL PIT RD. THE SHOP SAT AT THE ^{(b)(6), b(7)(C)} OF GRAVEL PIT NORTH & SOUTH. HE WANTED TO KNOW WHAT TIME IT OPENED AND WHAT WAS TRAFFIC LIKE AT THAT TIME. I TOLD ^{(b)(6), b(7)(C)} HIM THE SHOP OPENED AT ABOUT 0800 AND TRAFFIC WAS PRETTY SLOW AT THAT TIME. HE SAID THAT

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

Q: SA **(b)(6), b(7)(C)**

A: SSG **(b)(6), b(7)(C)**

Q: How did you know that was the man you were looking for?

A: **(b)(6), (b)(7)(C), (b)(7)(D)**

EXHIBIT	INITIALS OF PERSON (b)(6), b(7)(C) MENT	PAGE 1 OF <u>2</u> 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.

FILE NUMBER _____

STATEMENT OF _____

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

TAKEN AT _____

FOB BRASSFIELD - MORIA

DATED _____

19 Jul 06

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

CONTINUED

STATEMENT (Continued)

COMMANDER'S VEHICLE ABOUT 500 METERS AWAY. THE MAN WAS IN FRONT OF HIS SHOP UNHARMED.

Q: Was the man already down when you entered the building?

A: No THE MAN WAS STILL STANDING.

Q: Was the man ever on his cell phone?

A: AS THE CO'S VEHICLE PASSED THE SHOP THE MAN PULLED OUT HIS CELL PHONE.

Q: Was the man armed or were any weapons found?

A: AFTER SEARCHING HIM WE FOUND NO WEAPONS.

Q: Why was he shot and killed?

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

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

A: NO. // END OF STATEMENT //

AFFIDAVIT

I, **b(6), b(7)(C)**, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE **b(6), b(7)(C)**. 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.

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

(statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19th day of Jul, 2006 at FOB Brassfield-Moria Simarra, Iraq

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

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

SA _____
(Typed Name of Person Administering Oath)

UCMJ, Article 136 / 10 USC 936
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

ACLU DDII CID FOIS 86688

EXHIBIT

SWORN STATEMENT

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

LOCATION:

Building 718 (CID Office)
Contingency Operating Base (COB) Speicher
Tikrit, Iraq, APO AE 09393

DATE: 26 Jul 06

TIME: 1949

NAME: b(6), b(7)(C) SSN: b(6), b(7)(C) GRADE/STATUS: E4/AD

ORGANIZATION OR ADDRESS: C CO, 3-187 Infantry, Forward Operating Base
(FOB) Brassfield-Mora, Samarra, Iraq, APO AE 09349

I, b(6), b(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

- Q. What was your objective during the operation on 22 May?
- A. our objective was to positively identify the HVT, behind all of the IEDs for our sector and give them a chance to surrender and if they refused take them down because we had proof that they were in charge of a bunch of attacks on U.S. forces.
- Q. What do you mean by take them down?
- A. shoot them
- Q. Was this order given in a ROE brief?
- A. Yeah
- Q. Who briefed the ROE to you?
- A. I think it was CPT b(6), b(7)(C)
- Q. How close were you to where the 7 year old girl was killed?
- A. It was a couple of miles away
- Q. You stated you heard she was killed by a ricochet earlier, who told you this?
- A. Its just what we heard when they put it out on the radio
- Q. Do you remember the name of the HVTs?
- A. No
- Q. Do you have anything else to add to this statement?
- A. No///END OF STATEMENT/// b(6), b(7)(C)

INITIALS OF PERSON MAKING STATEMENT b(6), b(7)(C)
DA FORM 2823 (Computer Generated)

PAGE 1 OF 2 PAGES

EXHIBIT 30

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LAW ENFORCEMENT SENSITIVE

ACLU DDII CID ROIS 36689

STATEMENT OF **b(6), b(7)(C)** TAKEN AT BLDG 718, COB SPEICHER, TIKRIT, IRAQ, DATED 26 JULY, 2006, CONTINUED.

I, **b(6), b(7)(C)** 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.

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

(Signature)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this Wednesday, July 26, 2006, at Building 718 COB Speicher, Tikrit, Iraq, APO AF 09393

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

Special Agent **b(6), b(7)(C)**
(Typed Name of Person Administering Oath)

Article 136 (b) (4) UCMJ
(Authority to Administer Oath)

Witness

INITIALS OF PERSON **b(6), b(7)(C)**
MAKING STATEMENT
DA FORM 2823 (Computer Generated)

PAGE 2 OF 2 PAGES

EXHIBIT 30

~~FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE~~

ACLU RDI CID ROIS 36690
000180

SWORN STATEMENT

Fr of this form, see AR 190-45; the proponent agency is ODCSC

0123

LOCATION
Building 718 (CID Office), COB Speicher, Tikrit, IZ

DATE
31 Jul 06

TIME
15:52

FILE NUMBER
b(6), b(7)(C) 0124-CID469-75466

LAST NAME
b(6), b(7)(C)

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

GRADE/STATUS
E-3 Single

ORGANIZATION OR ADDRESS
C CO, 3-187 INF, FOB Brassfield-Mora, Samarra, IZ, APO AE 09349

b(6), b(7)(C) PFC b(6), b(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q. What do you know about an incident during Jan 06, during which members of 3rd Platoon, C CO, 3-187 shot and killed two men in a semi-truck (possibly hauling a load of tomatoes) on MSR Tampa on the Tigris River Bridge?

A. American forces observed this truck stopped on the Bridge when they went to check it out they saw these guys throw something over the side of the Bridge then b(6), b(7)(C) one of the two men shot at them with some kind of handgun and thats when American forces returned fire. And thats what I heard

Q. What do you know about 1SG b(6), b(7)(C) allegedly taking the hand of a dead Iraqi man and slapping another local national with the dead man's hand? This allegedly took place after the man's body was driver around a market place on the hood of a HMMWV.

A. I've not heard anything about this. b(6), b(7)(C)

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT
b(6), b(7)(C)

PAGE 1 OF 5 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.

STATEMENT OF **b(6), b(7)(C)**

TAKEN AT CID Office, COB Speicher DATED 31 July 06

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

STATEMENT (Continued)

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

Q. What do you know about an incident in which members of B CO, 3-187 INF engaged a vehicle near the observation post by the Samarra hospital, resulting in the death of two Iraqi women, one who was pregnant?

A. I've not heard about this

Q. Have you ever been authorized to kill High Value Targets (HVT) immediately upon positive identification (PID), without allowing them a chance to surrender? If so when, where and by whom?

A. Yes, "Operation Judgment day" out on "Gravel Pit Road" Authorized by CPT **b(6), b(7)(C)** and LT **b(6), b(7)(C)** only when PID. These HVTs were **b(6), b(7)(C)** well known, for sure terrorists or "bad guys". If we go into their house and they actually have their hands up in the air we'll detain them. But if their not gonna make an effort to surrender we kill them. We were authorized to do this in the choppin' CP and at the mission briefing. **b(6), b(7)(C)**

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 9 PAGES

STATEMENT OF **b(6), b(7)(C)**

TAKEN AT CID Office, COB Speicher DATED 31 July 06
b(6), b(7)(C)

STATEMENT (Continued)

Q. Have you ever heard of or participated in a Kill/Kill operation? If so when, where and from whom?

b(6), b(7)(C) Never heard of it

Q. What do you know about an operation in which members of 3-187 INF killed a 7 year-old girl during an operation on 22 May targeting a HVT?

A. I've never heard anything about a 7 year old girl **b(6), b(7)(C)**

INITIALS OF PERSON MAKING STATEMENT **b(6), b(7)(C)**

PAGE 3 OF 5 PAGES
b(6), b(7)(C) **b(6), b(7)(C)**

STATEMENT OF **b(6), b(7)(C)**

TAKEN AT CID Office, COB Speicher DATED 3 July 06 **b(6), b(7)(C)**

STATEMENT (Continued)

b(6), b(7)(C). What do you know about an incident at a gas station during Operation Iron Triangle, in which members of 1LT **b(6), b(7)(C)** platoon opened fire on several vehicles, resulting in the death of an Iraqi man?

See separate sworn statement for details **b(6), b(7)(C)**

Q. Have you ever seen SSG **b(6), b(7)(C)** with a pistol? If so, please elaborate?

A. I never really hung around SSG Girourd but the times I was around him I never seen him with a pistol **b(6), b(7)(C)**

INITIALS OF PERSON MAKING STATEMENT **b(6), b(7)(C)**

PAGE 4 OF 5 PAGES **b(6), b(7)(C)** **b(6), b(7)(C)**

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Law Enforcement Sensitive

STATEMENT OF **b(6), b(7)(C)** TAKEN AT CID Office, COB Speicher DATED 31 July 06 **b(6), b(7)(C)**

STATEMENT (Continued)

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

A. NO // END OF STATEMENT // **b(6), b(7)(C)**

AFFIDAVIT

I, PFC **b(6), b(7)(C)** HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 5 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 OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT **b(6), b(7)(C)**

b(6), b(7)(C)
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 31st day of Jul 2006 at Building 718 (CID Office), COB Speicher, Tikrit, IZ

b(6), b(7)(C)
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA **(b)(6), (b)(7)(C), (b)(7)(F)**
(Typed Name of Person Administering Oath)

Art 136 UCMJ

ORGANIZATION OR ADDRESS

(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT **b(6), b(7)(C)**

PAGE 5 OF 5 PAGES **b(6), b(7)(C)** **b(6), b(7)(C)**

SWORN STATEMENT

LOCATION: Tikrit CID Office
Contingency Operating Base (COB) Speicher
Tikrit, Iraq, APO AE 09393

DATE: 23 Aug 06 TIME: 1220

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

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

NAME: b(6), b(7)(C) SSN: b(6), b(7)(C) GRADE/STATUS: SSG/AD

ORGANIZATION OR ADDRESS: A Company 221, MI BN, 205th MI BDE, COB Speicher, APO AE 09393

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

I, b(6), b(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On or around 7 May 2006, I received a phone call from my Tactical Humint Team (THT) Leader of Team 705, SSG b(6), b(7)(C) located at Forward Operating Base Brassfield-Mora in Samarra, Iraq. He was calling to inform me that Choppin Company had conducted a raid the night before he called me. SSG b(6), b(7)(C) proceeded to

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

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

On or around 26 May 2006, SSG b(6), b(7)(C) and his team were on Forward Operating Base Speicher to visit me when he approached me about another issue. For awhile he

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

INITIALS OF PERSON MAKING STATEMENT b(6), b(7)(C)

PAGE 1 OF 7 GES

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EXHIBIT 38

CASE#

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT Tikrit CID Office, COB SPEICHER, TIKRIT, IRAQ, DATED 23 August, 2006, CONTINUED.

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

had been hearing rumors around FOB Brassfield Mora about an unwritten Rules of Engagement (ROE) being used by 3-187 in which it was stated that if you could get two people to finger someone as a bad guy, then you could kill them. Not capture or detain but kill. It was being talked about by the soldiers and NCOs of the line companies and the rumor had it that it came all the way down from the 3rd Brigade, 101st Airborne Division commander, Col **(b)(6), (b)(7)(C)** SSG **(b)(6), (b)(7)(C)** then proceeded to tell me that on the 22nd of May, he was walking by the detainee holding area on Brassfield Mora on his way to the Dinning facility for dinner when he observed a truck pull up in front of the holding area. In the back of the truck he observed a very old Iraqi man who was covered in blood. There was also a lot of blood in the back of the truck. SSG **(b)(6), (b)(7)(C)** then engaged a Lieutenant (LT) who was with the truck on what happened and the LT told him that they had conducted a raid and killed four Iraqi local national men. It was stated by the LT that they would have killed the old man in the truck also if he had not been being protected by the women and children in the house that was raided. The LT had a targeting package that he let SSG **(b)(6), (b)(7)(C)** look at. SSG **(b)(6), (b)(7)(C)** stated that upon looking thru the targeting package, he saw nothing in there that was solid intelligence indicating the individuals were bad or insurgents. He did,

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

(b)(6), (b)(7)(C) then proceeded to dinner where he overheard stories being told in the chow hall by soldiers who had been on the raid that were along the lines of "we just killed them" and "we would have killed the old guy too if the women and children hadn't been protecting him". After eating, SSG **(b)(6), (b)(7)(C)** went to the Battalion S-2 to find out what the results of the raid had been and discovered that there had been no weapons found during the raid. He said that the initial Significant Activities (SIGACT) report that was put out by the S-2 reflected this but a day or two later a new one was issued that indicated weapons were found in the raid. This was all very disturbing to him and knowing SSG **(b)(6), (b)(7)(C)** like I do, this is his second tour here and he is a Police Officer in Texas, I knew there had to be something going on as I have never seen him disturbed like he was. He then went on to tell me that he was also hearing stories of a 7 year old girl who was killed in the 22 May raid. The official story that he got was that she was killed in a crossfire during the raid. SSG **(b)(6), (b)(7)(C)** began hearing stories around Brassfield from the infantry guys who were involved in the raid that that was not the case. The first story that he heard was that the little girl was killed when she tried to protect her father from being shot by running in front of him. The other story went that she would not stop crying after her father was killed and so some of the soldiers on the raid took her into another room and shot her. According to SSG **(b)(6), (b)(7)(C)** some of the soldiers who participated in the raid were disturbed by these events also but were afraid of what would happen to them if they said anything. I have had numerous dealings since being **(b)(6), (b)(7)(C)**

INITIALS OF PERSON
MAKING STATEMENT **(b)(6), (b)(7)(C)**
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(b)(6), (b)(7)(C)
PAGE 2 OF / PAGES

EXHIBIT 22

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE 006687~~ **ACLU RDI CID ROIS 96697**

CASE#

STATEMENT OF **(b)(6), b(7)(C)**, TAKEN AT Tikrit CID Office, COB SPEICHER, TIKRIT, IRAQ, DATED 23 August, 2006, CONTINUED.

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

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

straight to the 101st Division G2X with these issues. To many times during this past year we have given 3rd Brigade chances to fix the problems with their line units in Bayji, Samarra and Tikrit and they have failed to act on the information so for months I have been actively pursuing other approaches thru the Division G2X, CID, DAIG, and the Military Intelligence Field Office on FOB Speicher to bring attention to these matters.

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

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

She did not discuss

any other info about the 15-6 with me. I need to note that other then my conversation with CPT **(b)(6), b(7)(C)** I did not have direct access to any of the above events but only second hand thru SSG **(b)(6), b(7)(C)** **(b)(6), b(7)(C)**

Q: SA **(b)(6), b(7)(C)**

A: SSG **(b)(6), b(7)(C)**

Q: Do you know how the information was developed to determine the names of the HVT's for the 22 May raid?

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

Q: Do you know if anyone higher on the intelligence side confirmed this information?

A: No.

Q: Did you attempt to confirm information?

A: No.

Q: Whose responsibility is it to confirm the information was accurate?

A: CPT **(b)(6), b(7)(C)** thru his S2, S2X or G2X before initiating the raid. All information in regards provided to intelligence was received by intelligence after the raid had taken place.

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

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

INITIALS OF PERSON **(b)(6), b(7)(C)**
MAKING STATEMENT

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EXHIBIT 29

~~FOR OFFICIAL USE ONLY~~ LAW ENFORCEMENT SENSITIVE 36698
000188

CASE#

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT Tikrit CID Office, COB SPEICHER, TIKRIT, IRAQ, DATED 23 August, 2006, CONTINUED.

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

Q: Was the person he established known in the Intell area as providing reliable information?

A: No he was not.

Q: How do you know this.

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

Q: Did **(b)(6), (b)(7)(C)** say how he knew they were the same?

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

INITIALS OF PERSON
MAKING STATEMENT **(b)(6), (b)(7)(C)**
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EXHIBIT 22

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~ **ACLU DDII CID ROIS 36699**

000189

CASE#

STATEMENT OF **b(6), b(7)(C)** TAKEN AT Tikrit CID Office, COB SPEICHER, TIKRIT, IRAQ, DATED 23 August, 2006, CONTINUED.

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

A: Not to my knowledge.

Q: Was the information false?

A: To my knowledge yes. We never had any reporting that he had anything to do with the MOE killings.

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

Q: Do you know if this information provided by **b(6), b(7)(C)** as it related to **b(6), b(7)(C)** made an issue by the 3BCT or anyone in the 101st ABN DIV?

A: Yes, because I took it directly to 101st G2X who also informed this office. **b(6), b(7)(C)**

INITIALS OF PERSON **b(6), b(7)(C)** MAKING STATEMENT

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EXHIBIT

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~ **ACLU RDI CID ROIS 36700**

CASE#

STATEMENT OF **b(6), b(7)(C)** TAKEN AT Tikrit CID Office, COB SPEICHER, TIKRIT, IRAQ, DATED 23 August, 2006, CONTINUED.

b(6), b(7)(C) Q: What about the commanders of the battalion, brigade and division?

A: I don't know.

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

A: No.///END OF STATEMENT/// **b(6), b(7)(C)**

INITIALS OF PERSON MAKING STATEMENT **b(6), b(7)(C)**
DA FORM 2823 (Computer Generated)

b(6), b(7)(C)
PAGE 6 OF 7 PAGES
EXHIBIT 38

~~FOR OFFICIAL USE ONLY~~ **LA ENFORCEMENT SENSITIVE** **ACLU DDH CID ROIS 36701**
000190A

CASE#

STATEMENT OF **b(6), b(7)(C)** TAKEN AT Tikrit CID Office, COB SPEICHER, TIKRIT, IRAQ, DATED 23 August, 2006, CONTINUED.

I, **b(6), b(7)(C)** READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE **b(6), b(7)(C)** 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.

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

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this Wednesday, August 23, 2006, at Tikrit CID Office COB Speicher, Tikrit, Iraq, APO AE 09393

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

(Signature of Person Administering Oath)

SA **b(6), b(7)(C)**

Typed Name of Person Administering Oath)

Article 136 (b) UCMJ

(Authority to Administer Oath)

Witness

INITIALS OF PERSON MAKING STATEMENT **b(6), b(7)(C)**

DA FORM 2823 (Computer Generated)

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

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EXHIBIT

~~FOR OFFICIAL USE ONLY~~ LAW ENFORCEMENT SENSITIVE

ACLU DDII CID ROIS 36702

000191

SWORN STATEMENT

LOCATION: Tikrit CID Office
Contingency Operating Base (COB) Speicher
Tikrit, Iraq, APO AE 09393

DATE: 25 Aug 06 **TIME:** 1710

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

NAME: b(6), b(7)(C) **SSN:** b(6), b(7)(C) **GRADE/STATUS:** SSG/AD

ORGANIZATION OR ADDRESS: MI DET, 501st STB, COB Speicher, APO AE 09393

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

b(6), b(7)(C) **WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:**

On the 23rd of August SA b(6), b(7)(C) gave me a packet of Intelligence reports for myself to confirm. I took the packet of information and looked up the reporting through intelligence channels. All of the reporting in the packet has been submitted through me, as the 101st Div G2X HOC, however, there are two reports with information acquired after the date of the raid, which I was informed was the 22nd of May. Additionally, the reports were written and submitted for editing after the raid, both on the 25th and 27th of May. The information contained in the packet made no mention of the identities of the men who were killed on the objective, so there is no way to confirm if those individuals were identified in the intelligence reports. Without those individuals' identities or further information there is no way to determine if the raid was justified through the intelligence reporting in the packet.

Q: SA b(6), b(7)(C)

A: SSG b(6), b(7)(C)

Q: From your understanding of reading the report when did the raid take place?

A: May 22, 2006

Q: Is the information in the report related to any raid in particular?

A: Not that I know of.

Q: Does it identify the targets of that raid and provide information on why the persons were targeted?

A: The names of individuals in the intelligence reports match with the AO Choppin Operation 2/C/3-187 IN & 3/2-1-4 IA, 220800May06, however there is not a clear target in both the intelligence reporting and the Choppin report. The Choppin report is a list of individuals who are either HVTs or not HVTs. The slide show with pictures match the names on the Company HVT list in the Choppin report, but there is no information on who the unit was targeting. In the intelligence reporting, the only names I could find who were listed on the HVT list were the following: b(6), b(7)(C) from the 24th of April report; b(6), b(7)(C) and b(6), b(7)(C) both from the 25th of May report. I did not find any other names on the HVT list in the intelligence reporting. The six people who are HVTs listed on the Choppin slides with pictures, only

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

INITIALS OF PERSON MAKING STATEMENT b(6), b(7)(C)

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EXHIBIT

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ACLU DDII CID ROIS 36703

000192

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT Tikrit CID Office, COB SPEICHER, TIKRIT, IRAQ, DATED 25 August, 2006, CONTINUED.

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

he is listed in an intelligence report as being a leader of an insurgent group called the Muhammad Husayn Abu Gatta Al Abassi Insurgent Group.

Q: Is there any intelligence reporting that defines the Abu Gatta Al Abassi as an insurgent group?

A: Yes.

Q: Was any of the names mentioned in the intelligence reporting other than the leader?

A: Just the other two names listed above which two were acquired after the raid had taken place.

Q: Is it possible there was intelligence on the other two individuals before the 25th and 27th of May?

A: Yes, it just was not in the packet.

Q: When you conducted your research what intelligence reports did you look for?

A: Just the one's in the packet. I also looked at the significant acts (SIGACT) reports and I did not find anything that matched this raid. There may be a SIGACT on the information but it was not posted to the Division page.

Q: **(b)(6), (b)(7)(C), (b)(7)(D)**

A: **(b)(6), (b)(7)(C), (b)(7)(D)**

Q: Explain.

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

Q: Is the information I provided you a actual target packet?

A: To the best of my knowledge it is not an intelligence target packet. It could have been a target packet used by the commander to determine his targets. The information

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

INITIALS OF PERSON MAKING STATEMENT **(b)(6), (b)(7)(C)**
DA FORM 2823 (Computer Generated)

CASE#

STATEMENT OF **b(6), b(7)(C)** TAKEN AT Tikrit CID Office, COB SPEICHER, TIKRIT, IRAQ, DATED 25 August, 2006, CONTINUED.

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

that packet does not provide information that actually state who the targets were or why they were targets.

Q: Do you think there possible more information out there in regards to the personnel killed in this raid in the intelligence community that would identify them as targets and provide information on who are the deceased personnel were?

A: It is possible but it is not in the packet you provided. The S2 may have a complete Intell target packet which would explain who they were and how they were targeted.

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

A: No.///END OF STATEMENT// **b(6), b(7)(C)**

INITIALS OF PERSON MAKING STATEMENT **b(6), b(7)(C)**
DA FORM 2823 (Computer Generated)

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EXHIBIT 30

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ACLU DDII CID ROIS 36705

000194

CASE#

STATEMENT OF **b(6), b(7)(C)** TAKEN AT Tikrit CID Office, COB SPEICHER, TIKRIT, IRAQ, DATED 25 August, 2006, CONTINUED.

I, **b(6), b(7)(C)** 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 **b(6), b(7)(C)**

(Signature)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this Friday, August 25, 2006, at Tikrit CID Office COB Speicher, Tikrit, Iraq, APO AE 09393

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

(Oath)

SA **b(6), b(7)(C)**

Typed Name of Person Administering Oath

Article 136 (b) UCMJ

(Authority to Administer Oath)

Witness

INITIALS OF PERSON MAKING STATEMENT **b(6), b(7)(C)**
DA FORM 2823 (Continued)

PAGE 4 OF 4 PAGES

EXHIBIT

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ACLU DDIT CID ROIS 36706