



DEPARTMENT OF THE ARMY  
HEADQUARTERS TASK FORCE IRONHORSE  
TIKRIT, IRAQ

REPLY TO  
ATTENTION OF

AFYB-CG

24 August 2003

MEMORANDUM FOR MAJ [REDACTED], Headquarters, 2d Brigade, 4th Infantry Division  
(Mechanized), FOB Warhorse, Baqubah, Iraq

SUBJECT: Appointment of Investigating Officer

1. You are hereby appointed an investigating officer pursuant to AR 15-6 to conduct an informal investigation into three (3) allegations of soldier misconduct contained in a sworn statement by PFC [REDACTED] 2d Brigade, dated 18 August 2003.

a. Unlawful use of force. Whether SFC [REDACTED] ordered soldiers to fire an MK-19 on unarmed civilians (men, women, and children), and whether civilians were wounded or killed in the incident.

b. Maltreatment of detainees. Whether members of BRT, 2d Brigade placed detainees on top of a HMMWV, between the brush guard and hood during transportation to Brigade holding area.

c. Theft of private property. Whether members of BRT, 2d Brigade stole property from the homes of Iraqi citizens and the property of detainees.

2. You will use informal procedures under AR 15-6, Chapter 4. You will make specific findings and recommendations on all relevant issues you identify in the course of your investigation. If, during your investigation, you suspect that persons you intend to interview may have violated any provision of the Uniform Code of Military Justice (UCMJ) or any other criminal law, you must advise them of their rights under the UCMJ, Article 31, or the Fifth Amendment, as appropriate. Rights warnings and waivers will be documented on DA Form 3881. All witness statements will be sworn and recorded on DA Form 2823.

3. Prepare the report of proceedings on DA Form 1574 and submit the original to me within 10 days of receipt of this memorandum. You must submit any requests for delay to me in writing. Include with your report all documentary evidence, sworn statements, and other information or evidence you considered.

4. Before proceeding with the investigation, contact CPT [REDACTED] at 534-[REDACTED] for an initial legal briefing. CPT [REDACTED] will serve as your primary legal advisor.

FOR THE COMMANDER

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[REDACTED]  
COL, GS  
Chief of Staff

Enclosure I

6525



DEPARTMENT OF THE ARMY  
HEADQUARTERS 2BCT, TASK FORCE IRONHORSE  
FOB WARHORSE  
BAQUBAH, IRAQ

AFYB-CO-S6

3 September 2003

MEMORANDUM FOR Chief of Staff, Headquarters, Task Force Ironhorse

SUBJECT: Findings and Recommendations of the investigation into alleged violations of the Law of Land Warfare

1. Findings.

a. Allegation number one. The allegation of unlawful use of force on 8 June 2003 against SFC [REDACTED] is unsubstantiated. There is no credible evidence that civilians were fired upon by members of the 2nd BCT BRT. All of the 16 individuals interviewed stated that no unarmed civilians were attacked that night. SSG [REDACTED] (Exhibit 2) stated that he fired 2 rounds from his M-16 at an armed individual. Both rounds missed the target. After the individual fled into a field SSG [REDACTED] says that 5 40mm rounds were fired. PFC [REDACTED] (Exhibit 3) puts the number of 40 mm rounds at 15. SSG [REDACTED] stated that 2 round apparently hit some Palm trees next to a house. SPC [REDACTED] (Exhibit 4) stated that he saw 2 men through his LRAS and one of them had hot spots in the shoulder area. This could indicate that an individual was bleeding but it is inconclusive. The wounded individual in question was the purported individual that fled into the field. SSG [REDACTED] (Exhibit 5) from A section, 1st platoon arrived on site approximately 5-10 minutes after the incident started. He stated that a thorough search of the area was conducted and they did not find any weapons, impact points, blood trails, or damage to vehicles or buildings. SFC [REDACTED] (Exhibit 6), SGT [REDACTED] (Exhibit 7), and SSG [REDACTED] all stated that another search of the area the next morning failed to reveal anything either. SGT [REDACTED] also said that after talking to the locals they gathered that no one had been injured. There is no evidence to suggest that civilians were fired upon on that night.

b. Allegation number two. There is no proof that the allegation of maltreatment of detainees is true. Every member of the platoon (Exhibits 2-17) did admit to transporting detainees on the hoods of the vehicles. No one admitted to stuffing detainees between the brush guard and the hood of the vehicle. It is physically impossible to put a person in between the brush guard and the hood. There is only 3 inches of clearance behind brush guard. The distance and speed traveled varied among those individuals interviewed. The shortest distance reported was by SPC [REDACTED] at 1-11/2 kilometers. SSG [REDACTED] and SSG [REDACTED] estimated the distance to be 10 - 15 kilometers. The speed varied from 15 mph by SPC Fegahali (Exhibit 8), and SPC [REDACTED] (Exhibit 9) to 30 mph by SPC [REDACTED] (Exhibit 10), SGT [REDACTED] (Exhibit 11), CPL [REDACTED] (Exhibit 12), SPC [REDACTED] and SPC [REDACTED] (Exhibit 13). Although members of the BRT did not mistreat the detainees, placing them on the hood is not a safe method of transportation. There is also no evidence that any detainee was ever severely beaten by members of A section, 1st Platoon. Four individuals, SSG [REDACTED] SPC [REDACTED] SPC [REDACTED] (Exhibit 14), and PFC [REDACTED] (Exhibit 15), did admit that they had to get physical with one detainee who

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Enclosure II

Page 1 of 2

6526

resisted their attempts to apprehend him. SPC [REDACTED] (Exhibit 16) stated that PFC [REDACTED] did tell him that CPT [REDACTED] beat a detainee. There is no evidence to support this claim.

c. Allegation number three. The third allegation of theft of private property is uncorroborated. Every member of the platoon denies the allegation. Seven members of the platoon, SSG [REDACTED], SPC [REDACTED], SPC [REDACTED], SPC [REDACTED], SPC [REDACTED] (Exhibit 17), SPC [REDACTED] and PFC [REDACTED] admit to confiscating money and other items from detainees. Each one asserts that the items were turned in to the supported Task Force. SFC [REDACTED], SPC [REDACTED] and PFC [REDACTED] claim that on several occasions health and welfare searches were conducted to ensure no personnel possessed confiscated property. Every member of the platoon also denies following vehicles to nice homes so that they could be searched for valuable items. There is no corroborating evidence that members of the platoon stole property from detainees or Iraqi Citizens.

## 2. Recommendations

a. Allegation number one. Take no action against SFC [REDACTED]. There is no evidence to support the allegation of unlawful use of force. (b)(6) 5

b. Allegation number two. Although the allegation of maltreatment of detainees is not substantiated, the platoon leadership should coordinate for appropriate vehicles to provide safe transportation of detainees if the tactical situation permits. No administrative or judicial actions should be taken.

c. Allegation number three. Take no action. There is no evidence that any member of 1<sup>st</sup> platoon committed theft against any detainees or Iraqi citizens.

3. Point of contact is the undersigned at DSN 302-534-[REDACTED]

[REDACTED]  
MAJ, SC  
Investigating Officer

except as noted  
(b)(6) 2

6527

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION Rm M C223, Bldg 1001, Fort Hood	2. DATE (YYYYMMDD) 20030818	3. TIME 1350	4. FILE NUMBER N/A
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS PFC E3	
8. ORGANIZATION OR ADDRESS * BRJ 2D BDE, 4ID, FHTX			

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

*SEE ATTACHED*

*all (b)(6) 2*

10. EXHIBIT	11. [REDACTED] PERSON MAKING STATEMENT	PAGE 1 OF <u>7</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.



EXHIBIT 1

6528

statement of [REDACTED] taken at 1350 Dated 2003 0818

PFC [REDACTED]

all (b)(6)(c) Z

BRT 2nd BDE 4ID 1st PLT

It all started with my platoon sergeant running and hiding every time we got into a fire fight. There is about 4 to 5 times where he abandoned us in a fight. The joke of the platoon was him running and hiding. He must of heard us talking about him one day because right before a mission one night he went up to his gunner and asked him if he wanted to test the M-19 out on some one tonight. We went on a patrol mission that night. We usually just drive around and look for people with AKs and confiscate them. We have always been able to drive up to them and take the weapon from them with no shots fired. That night on a mission we seen a IRAQI civilian walking towards ~~us~~<sup>his</sup> on the other side of the canal, so he decided to set up an ambush and kill him in stead of driving up to him and taking the weapon. We waited until he was next to us on the other side of the canal and opened fire on him. He never took his weapon off his shoulder. He just ran away from us into the field for cover. On the country side in IRAQ all people have guns for protection because most of them have never even seen an American soldier.

Z of Z [REDACTED]

6529

all (b)(6) Z

statement of [REDACTED] taken at 1350

Dated 2003 08 18

After the man ran into the field for cover we waited close to a minute and there was never any fire returned. That's when my platoon sergeant told his gunner to spray the field with M-19 rounds. The gunner put about 45 rounds into the field, still there was no return fire. But next door to the ~~house~~ <sup>field</sup> was a house. It is so hot over there that every one sleeps out side. After the M-19 explosions all you heard was women and children screaming. My platoon sergeant told my gunner to get eyes on the house with the ~~LR.A.S.S.~~ LR.A.S.S. There were 2 men - 4-6 women and about 10 children. My platoon sergeant asked my gunner if there was any weapons and he said no, that ~~they~~ <sup>the 2 men</sup> were just trying to get them all inside. Then a single shot come from of in the distance, well over 500 meters away. Then my platoon sergeant said F\*\*\* it, and light them up. His gunner shot about 3-4 M-19 rounds into the front yard and everyone else shot there M-16s. It lasted about 10 seconds. Then we just stopped and watched them. My gunner looking through the LR.A.S.S. seen that the 2 men were injured. One of them had his arm half blown off. All the people at the house were panicing. Some ran into the woods, some into the house, and a couple ran next door to another house. We just sat there and watched them.

6930

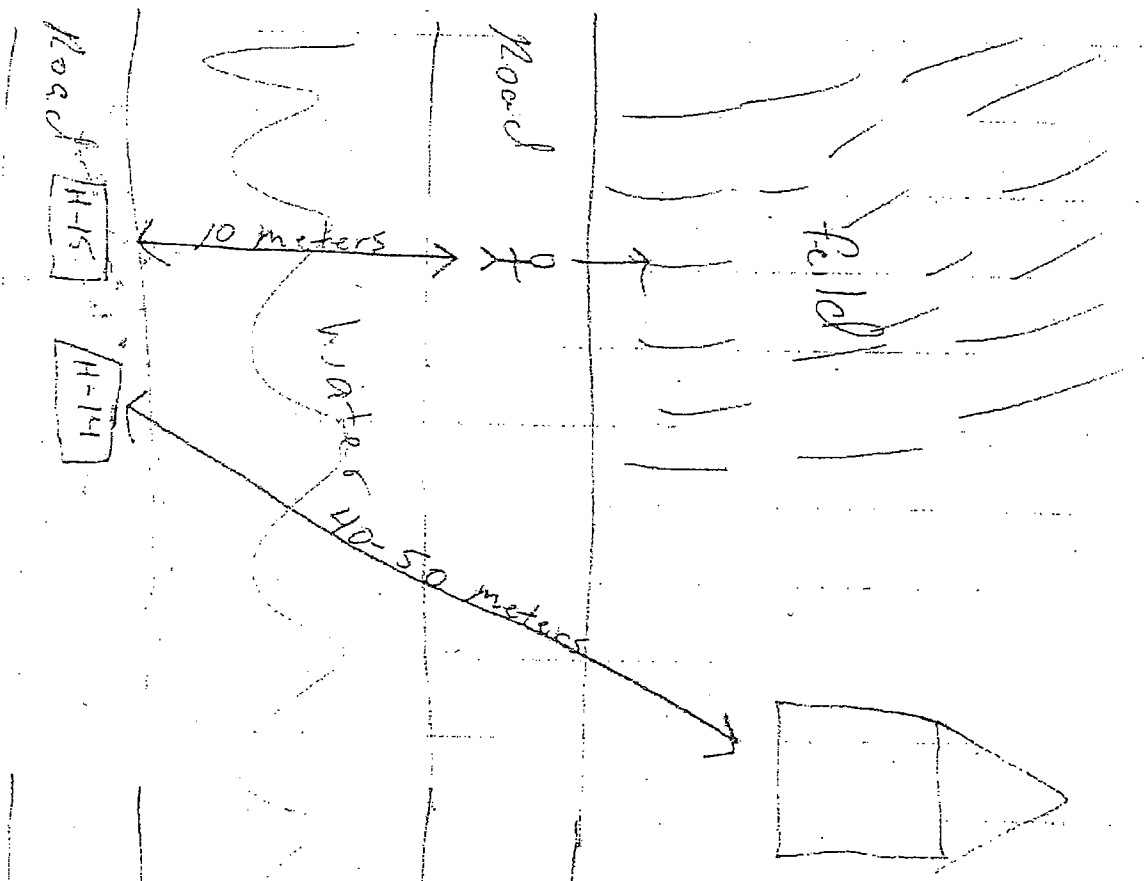
3 of 7 [REDACTED]

(b)(6)z

Statement of [redacted] taken at 1250

Dated 2003 08 18

Finally a SUV drove by and loaded a bunch of injured people in it and drove off. And so did we looking for ~~more~~<sup>re</sup> people to kill. The R.O.E. for us over there was to engage and capture the enemy, seize all weapons, and give medical attention to any one hurt. The R.O.E. was not followed because there were no enemy weapons.



6531

(b)(6)2

We would also take POWs and there wasn't anyone to come pick him up so we would ~~put~~<sup>put</sup> the POWs on top of the HumV with the gunner until one tried to throw up. After that we would hog tie them and stuff them in between the hood and the brush ~~guard~~<sup>guard</sup> of the HumV. I asked to at least tie his leg to the brush guard so ~~that~~ he don't fall off and my NCO would say who cares, if he falls off we just ran him over and one ~~less~~<sup>less</sup> one to worry about. When we captured a POW in a vehicle we had to call a tow truck to pick it ~~up~~<sup>up</sup>. One day we didn't ~~feel~~ feel like waiting so they threw an incendiary grenade in it and told the CO that it crashed into the ditch and caught fire. There are ~~other~~ other times when we would search houses and steal stuff from the houses or the POWs. Such as bricks of ~~money~~<sup>money</sup>, IRAQI army metals uniforms, pictures of Saddam, T-shirts with his face on them all the way down to cigarette lighter. They would drive down the road and see a car pull into a nice house and say the car was running from them to search the house and see what they could get. There is a story about a section lost control on a IRAQI and beat him half to death. Bad enough that the whole hood of the HumV was covered in blood.

(b)(6)2 6532

5 of 7 [REDACTED]



Statement of [REDACTED]

(b)(6)2

taken at 1350

Dated 2003 08 18

After the incident we got back into our truck and continued our patrols. A section was on there way to meet us. We spotted what we thought was people burying weapons up the road. So we waited for A section to show up. Then we searched for the weapons. We couldn't find any so we returned to the house. MY Platoon leader and some of my NCOs went to search the house but we had trouble finding it. We don't know if we ever found the right house.

6533

STATEMENT OF [REDACTED]

TAKEN AT 1350

DATED 2003 08 18

9. STATEMENT (Continued)

NOTHING FOLLOWS

all (b)(6) 2

AFFIDAVIT

I, PFC [REDACTED], 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 INFLUENCE.

[REDACTED]  
(Signature of Person Making Statement)

WITNESSES:

[REDACTED]  
Bldg 1001 Rm 224 Ft Hood TX

ORGANIZATION OR ADDRESS

ROOM 1224, BLDG 1001, FHTX

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18th day of AUGUST, 2003 at ROOM C224, BLDG 1001, FHTX

[REDACTED]  
(Signature of Person Administering Oath)

[REDACTED]  
(Typed Name of Person Administering Oath)

Judge Advocate, Captain, U.S. Army  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 7 OF 7 PAGES

**SWORN STATEMENT**

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

LOCATION	DATE 28 AUG 03	TIME 1100	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS SSG
ORGANIZATION OR ADDRESS BRT, 2 BCT, 4ID			

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

Q What is your position?

A I'm the section sergeant for B section 1st Platoon.

Q How long have you been in the platoon?

A. 2 years and 1 month

Q Did you know PFC [REDACTED]

A yes, he was my driver

Q Has any member of the BRT ever transported a detainee by placing them between the brush guard and the hood of a HUMVEE?

A. No, But we have placed them on the hood and behind the gunner on top

Q Who made the decision to transport them that way?

A. I think it was CPT [REDACTED]

Q What was the max speed and distance that you transported the detainees that way?

A The max distance was about 10-15 Kms. The max speed was about 30 Km per hour.

Q Has any member of the BRT ever beaten a Detainee?

A. Not as far as I know

Q Has any member of the BRT ever stolen property from civilians or detainees? Including large "bricks" of money.

A. I've never seen anyone do that, I've never seen a large quantity of Dinar. with my soldiers

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

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STATEMENT (Continued)

Q Are you aware of an incident in which B section engaged an individual carrying an AK-47 along a canal in the vicinity of FOB Normandy during the May-June time frame?

A. Bravo section was returning north from a patrol south along a dike road. PFC [redacted] pointed out an Iraqi male walking south on the opposite side of the dike. I told PFC [redacted] to stop the vehicle and called it up to SFC [redacted]. SFC [redacted] told me to engage the Iraqi. I fired one round and the Iraqi stopped. I fired another and he took off running across a palm grove towards a house. SFC [redacted] then told PFC [redacted] to shoot. PFC [redacted] was manning the M16. He fired approximately 5 rounds at the individual. We lost contact with the Iraqi so we maneuvered south for better eyes. SFC [redacted] reported and I also saw one round fall short, two rounds hit in the field and two rounds apparently hit palm trees just outside of the house. SFC [redacted] informed me that there were two males and about four females exiting the house with no weapons. He said that it looked like one male was bleeding from his right shoulder. A civilian vehicle pulled up loaded about four people and drove off. Once the platoon was reorganized we did a search of the area to find no blood or impact areas from the 40mm HEDP rounds. I believe this incident happened on June 24 2003.

AFFIDAVIT

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

[redacted] (Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28th day of August, 2003 at [redacted]

[redacted] (Signature of Person Administering Oath)

[redacted] (Typed Name of Person Administering Oath)

AR 15-6

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

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all (b)(6) 2

6536

SWORN STATEMENT

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

LOCATION	DATE 27 AUG 03	TIME 1530	FILE NUMBER
LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS SFC
ORGANIZATION OR ADDRESS BRT, 2 BCT, 4 ID			

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

Q - How long have you been in the platoon?

A - Since JAN 2002

Q - Did you know PFC [REDACTED]?

A - Yes

Q - Are you aware of any patrols along a canal?

Yes

Q - At anytime during these patrols did you fire upon any unarmed civilians?

No, never. I'm SFC [REDACTED] gunner.

Q - Are you aware of a patrol along a canal when SFC [REDACTED] ordered you to open up on a civilian carrying an AK-47?

Yes, he ran into a field. [REDACTED] order me to fire into the field. I fired about 15 rounds into it.

Q - Did you receive any return fire?

No, we did hear gunfire in the distance.

Q - Did you fire at any civilians?

No, never.

Q - Did SFC [REDACTED] ever leave you in a fire fight?

Yes, several times he would run away and lie down in the prone, leaving me and the driver to fight alone.

Q - Did you ever see member of the BRT place detainees between the grill and brush guard of a HUMVEE?

Not between the grill and Brush guard. We sometimes would place them on the hood or behind the gunner because our vehicles are too packed.

EXHIBIT 3	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

all (b)(6) z

6537

Q Who made the decision to place detainees on the Hood?

A. I'm not sure it might have been our old platoon leader  
CPT [REDACTED]

Q Did you ever hear or see a detainee being beaten by members  
of the BRT?

A. No.

Q Are you aware of any soldiers in the BRT who stole items from  
Iraqi homes and detainees including "bricks of money", Iraqi  
Service medals, and pictures of SADDAM?

A. We would confiscate items but we would always turn them  
into 2-8 IN.

Q Do you have anything else to add to this investigation.

A. NO.

all (b)(6)z!

AFFIDAVIT

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

[REDACTED]  
\_\_\_\_\_  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to  
administer oaths, this 27th day of August, 2003  
at

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

[REDACTED]  
\_\_\_\_\_  
(Signature of Person Administering Oath)

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

[REDACTED]  
\_\_\_\_\_  
(Typed Name of Person Administering Oath)  
AR 15-6  
\_\_\_\_\_  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

6538

all (b)(6) z

SWORN STATEMENT

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

LOCATION	DATE 27 AUG 03	TIME 1830	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS SPC
ORGANIZATION OR ADDRESS BRT, 2BCT, 4ID			

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

Q How long have you been in the platoon?

A Since JAN 2002

Q Did you know PFC [REDACTED]?

A Yes, He was my driver.

Q Were you ever on a Patrol in the vicinity of FOB Normandy along a canal where you saw an individual carrying an AK-47

A On one mission along a canal we encountered a man to our left with an AK-47. SSG [REDACTED] shot 2 rounds with his M-16 at the man. The shots missed and he fled into the field. A H-14 fired 2-4 rounds of MK-19 into the field. We heard a shot come from down the road sometime later. We moved down the road and oriented to where we thought the fire might have come from. I was facing to our 9 o'clock with my shoulder into the M40B. I heard a few more rounds from the MK-19. Where those rounds landed, I don't know. I later saw 2 men injured or appeared to be injured through my L RAs. The mens shoulders had hotspots that looked like they had been hit. One man ran down the trail toward another house and one went behind the house with some other people. A SUV pulled up later and we never saw the men after that.

Q Did any member of your platoon give first Aid to the wounded Civilians?

A No, they were on the other side of the canal. We just sat and watched.

Q could you point this out on a map?

A No

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

6539

all (b)(6) z

STATEMENT (Continued)

Q Are you aware of any members of the BRT who placed detainees between the brush guard and the hood of a HUMVEE?

A. No. We did place them on the hood.

Q How far would you drive with them this way?

A About 1 or 1 1/2 kms.

Q How fast were you traveling with the detainees on th hood?

A. I dont know, Maybe 30 mph.

Q Are you aware of any detainees that were beaten by members of the BRT?

A. No.

Q Are you aware of any occasions when members of the BRT stole money or valuable items from Civilians?

A No.

Q Are you aware of any instances when members of the BRT would follow a vehicle to a "nice" house and then search the house under the pretext that the vehicle had tried to flee?

A. NO

Q Is there anything you can add to this investigation?

A. NO

AFFIDAVIT

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

[redacted signature] (Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 27<sup>th</sup> day of August, 2003 at

[redacted signature] (Signature of Person Administering Oath)

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

AR-15-6

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

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6540



all (b)(6) 2

SWORN STATEMENT

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

LOCATION	DATE	TIME	FILE NUMBER
	2 AUG 03	1419	
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY NUMBER	GRADE/STATUS	
[REDACTED]	[REDACTED]	PFC	
ORGANIZATION OR ADDRESS			
BRT, 2 BCT, 4TD			

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

One a mission a canal we encountered a man to our left with an AK-47. My TC shot two rounds with M16 at the man. The shots missed and he fled in to a field. H-14 fired 2-4 rounds of MK-19 into that field. We heard a shot come from down the road sometime later. ~~perhaps~~ We moved down the road and oriented to where we thought the fire might have come from. I was facing to our 9 o'clock with my shoulder into the 240B. I heard a few more rounds from the MK-19. Where those rounds went, I don't know. ~~we~~ I later saw two men injured or appeared to be injured through my LRA. The men's shoulders ~~had~~ had hotspots ~~that~~ that looked like they had been hit. One man ran down the trail toward another house and one went behind the house with some other people. A SUV pulled up later and we never saw the men after that.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF _____ 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.

6541

all (b)(6) 2

SWORN STATEMENT

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

LOCATION	DATE 27 AUG 03	TIME 2000	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS SSG
ORGANIZATION OR ADDRESS BRT, 2 BCT, 4ID			

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

Q What is your position?

A I'm the A Section Sergeant

Q How long have you been in the platoon?

A Since March 2002

Q Do you know PFC [REDACTED]?

A yes

Q Are you aware of an incident where B Section engaged an individual carrying an AK-47 along a canal in the vicinity of FOB Normandy during the MAY to June timeframe?

Yes, I recall the incident, I heard them on the Radio and it took 5-10 minutes for A Section to respond. When we arrived we searched the area, we found no blood trails, no damage or impact points nor did we find any M16 shell casings. We returned the next morning and conducted another search of the area. We didn't find anything after that search either. The people in the area were friendly and asked us into their homes.

Q Do you recall anytime members of the BRT placed a detainee between the brushguard and the hood of a HUMVEE while transporting them to a holding area?

A No, we did transport them on the hoods and on top behind the gunner

Q How far and how fast were you traveling with detainees on the hood?

A The farthest distance was about 10-15 km and about 25 mph

EXHIBIT 5	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

6542

all (b)(6)z

STATEMENT (Continued)

Q Are you aware of anytime that a member of the BRT beat a detainee?

A No, we did have to get physical with one individual when he resisted.

Q Are you aware of any members of the BRT who stole valuables or money from civilians or detainees?

A No, we have turned in large sums of money on occasion.

Q Do you know of any soldiers who would follow cars to "nice" houses and then search the house for valuables under the pretext that the vehicle had tried to run from them

A No

Q Do you have anything to add to this investigation?

AFFIDAVIT

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

[redacted signature]  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 27 day of August, 2003 at

[redacted signature]  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

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

ORGANIZATION OR ADDRESS

AR 15-6  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

USAPPC V2.00

6543

all (b)(6) S

SWORN STATEMENT

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

LOCATION	DATE 28 AUG 03	TIME 1840	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS SFC
ORGANIZATION OR ADDRESS BRT, 2 BCT, 4ID			

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

Q What is your current duty position?

A Platoon Sergeant of 1st platoon

Q Have you ever transported a detainee by placing him between the hood and the brush guard of a HUMVEE?

A No, but A Section did transport some detainees on the hood of a HUMVEE.

Q Did anyone ever transport a detainee on top of a HUMVEE behind the gunner?

A Not to my knowledge.

Q How far were the detainees transported while they were riding on the hood?

A I'm not sure how far it was.

Q Do you have any knowledge of detainees that were beaten by members of the BRT?

A No, I'm not aware of any.

Q Are you aware of any of the soldiers in the BRT who stole property from Iraqi citizens or detainees?

A I'm not aware of any. I conducted several health and welfare searches to ensure that none of the soldiers kept confiscated property

EXHIBIT 6	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_ CONTINUED."  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_\_\_ OF \_\_\_\_\_ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

6944

all (b)(6) z

Q Are you aware of an incident where B section engaged an individual carry an AK-47 along a canal in the vicinity of FOB Normandy during the May-June time frame?

A Bravo Section R14, R15 WAS CONDUCTING A NIGHT patrol while attached to 2-8 Infantry (Camp Normandy). SSG [REDACTED] reported one Iraqi personell at our 10 o'clock with AK47. [REDACTED] (2-8 CDR) Ruler of Engagement for personell outside of a home was to shoot on site. B sec engaged with MK19 from R14/my gunner SPC [REDACTED] while SPC [REDACTED] observed from R15 with LRAS (Night Side). Initial MK19 rounds impacted short sending debris onto my Humvee. SPC [REDACTED] reported the armed individual moved back across a field at our 11 o'clock. SPC [REDACTED] fired his ZVD burst of MK19 rounds. SPC [REDACTED] reported that the individual was hit in his arm but continued behind a village. Personell came out from the village houses after the ZVD burst of MK19 according to SPC [REDACTED] on the LRAS. AT no time did I see any casualties coming by our location. The next morning we returned & questioned the villagers and they reported to CPT [REDACTED] that there were no casualties.

6545

STATEMENT (Continued)

Nothing Follows

AFFIDAVIT

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

[REDACTED]  
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 25<sup>th</sup> day of AUGUST, 2003 at

[REDACTED]  
(Signature of Person Administering Oath)

[REDACTED]  
(Typed Name of Person Administering Oath)

AR 15-6

(Authority To Administer Oaths)

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

USAPPC V2.00

all (b)(6) 2

6546

all (b)(6)z

SWORN STATEMENT

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

LOCATION	DATE 28 Aug 03	TIME 1530	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS SGT
ORGANIZATION OR ADDRESS BRT, 2 BCT, 4ID			

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

Q What is your position?

A I'm the truck commander of H13 in A Section.

Q How long have you been in the platoon?

A 10 months

Q Did you know PFC [REDACTED]

A Yes

Q Have you or anyone else in the BRT placed a detainee between the hood and the brush guard of a HUMVEE and transport them to a holding area?

A No, we have transported them on the hood for no more than a 10K movement. We never mistreated any detainees.

Q How fast were you moving when you transported the detainees on the hood?

A No more than 30 km/h.

Q Do you know of anyone who beat a detainee?

A No.

Q Do you know of any soldier who stole "Bricks" of money or other valuables from Iraqi citizens or detainees?

A No.

Q Are you aware of an incident where B section engaged an individual carrying an AK-47 along a canal in the vicinity of FOB Normandy, during the may to June time frame?

A Yes, on one patrol our Bravo section was patrolling down a dike and came into contact with a

EXHIBIT 7	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_\_\_ OF \_\_\_\_\_ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

6546a

all (b)(6) 2

STATEMENT (Continued)

guy with an AK-47. 'A' section was patrolling north and upon the contact report headed South in support. Upon arrival to 'B' sections location we (A section) were informed that they had fired and wounded the guy w/the AK-47. He was shot with a MK-19 round that had blown off his arm so said by the soldiers in B section. 'A' section searched the surrounding area to find no injured people nor any signs of impacts of the MK-19 rounds. 'A' section returned to the same sight the following day during daylight again to find no impacts of the 40mm grenades. Talking to locals we gathered no one in the area had been injured.

AFFIDAVIT

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

[REDACTED]

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28<sup>th</sup> day of August, 2003 at

[REDACTED]

(Signature of Person Administering Oath)

[REDACTED]

(Typed Name of Person Administering Oath)

AR-15-C

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 2 OF 2 PAGES

USAPPC V2.00

65466



all (b)(6)z

SWORN STATEMENT

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

LOCATION	DATE 27 Aug 03	TIME 1920	FILE NUMBER
LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS SPC
ORGANIZATION OR ADDRESS [REDACTED]			

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

Q. How long have you been in the platoon?

A. Since JAN 2001

Q Did you know PFC [REDACTED]?

A yes

Q Were you ever on a patrol along a canal in the vicinity of FOB Normandy during the MAY-JUN time frame? If so did you encounter an individual carry an AK-47 on his shoulder?

A. No, I'm in A Section. When the incident happened I heard the Radio call from B Section. We responded but it took us about 15 minutes to get there. We looked at the <sup>area</sup> [REDACTED] where the MK-19 gunner said he fired the rounds. We couldn't find any damage. We went back to the <sup>area</sup> [REDACTED] the next day and still didn't see any damage. The people in the houses even offered us drinks.

Q Do you know of any occasion when members of the BRT placed detainees between the hood and the Brush guard of a HUMVEE to transport them to the holding area?

A. No. But we have transported them on the hood and behind the gunner.

Q How fast and how far did you travel with the prisoners on the hood or behind the gunner?

A. No more than 5 miles at a speed of 15-20 mph.

Q Do you know who made the decision to transport them this way?

A I don't know

Q Do you know of any instances where members of the BRT beat detainees?

A. No, I'm not aware of any.

EXHIBIT 8	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_\_\_ OF \_\_\_\_\_ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

6546c

all (b)(6) z

STATEMENT (Continued)

Q Are you aware of any instances where any member of the BRT took items from civilians or detainees and kept them?

A No. Anything we found was turned in. On many occasions we were searched after raids.

Q Do you know of any instances where soldiers would follow a vehicle to a "nice" house, claim that the vehicles had ran from them so that they could search the house for valuables?

A No

Q Do you have anything else to add to this investigation?

A No

AFFIDAVIT

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

[REDACTED] (Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 27th day of August, 2003 at [REDACTED]

ORGANIZATION OR ADDRESS

[REDACTED] (Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED] (Typed Name of Person Administering Oath)

AR 15-6

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 2 PAGES

USAPPC V2.00

6546d

all (b) (6) z

SWORN STATEMENT

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

LOCATION	DATE 28 AUG 03	TIME 0830	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY NUMBER		GRADE/STATUS SPC
ORGANIZATION OR ADDRESS			

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

Q - what section are you in?

A. A Section

Q What is your position?

A. I'm the platoon leader's driver for 1st Platoon.

Q How long have you been in the platoon?

A over 2 years.

Q Do you know PFC [REDACTED]?

A. Yes

Q. Are you aware of the alleged incident involving B Section along a canal road in the vicinity of FOB Normandy where they engaged an individual carrying an AK-47?

A. Yes, my vehicle was the first one on site from A section.

Q what happened after you arrived?

A. B Section was beside the road waiting for us. When we got there we dismounted and conducted a search of the field where the individual fled. We didn't find the individual or the weapon. We also looked for MK-19 impact points but didn't find any. We also searched the outside area of the house.

Q Did you speak to any civilians that night?

A No, we didn't have an interpreter.

Q What happened the next morning?

A. We went back to the area and conducted another search of the area. Again, we didn't find anything.

EXHIBIT 9	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_\_\_ OF \_\_\_\_\_ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

6546e

all (b)(6) Z

STATEMENT (Continued)

Q Did you speak to any of the civilians the next morning?

A I didn't dismount that morning, we never had an interpreter with us so I doubt anyone spoke to the civilians.

Q Is there anything else that you can add to this incident?

A I personally think this is a BS story, If B Section had opened up with a MK-19 there would have been nothing left of the MUD HUT that was there, we only found 1 AK round in the wall of the house, I never heard anyone making a statement about shooting at civilians.

Q Did any member of the BRT transport detainees by placing them between the hood and the brush guard of the vehicle?

A No, we would place them on the hood or behind the gunner.

Q How far and how fast did you travel?

A, maybe 15 km at the most, our speed was about 15-20mph on the good parts of the road.

Q Are you aware of any incident where a member of the BRT beat a detainee?

A Not to my knowledge, we did have to wrestle an individual who was resisting apprehension.

Q Are you aware of any times that members of the BRT stole money from civilians or detainees?

A. I am not aware of any theft by members of the BRT, we did confiscate money but it was always turned in.

AFFIDAVIT

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

[REDACTED SIGNATURE] (Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28th day of August, 2003 at [REDACTED]

ORGANIZATION OR ADDRESS [REDACTED]

[REDACTED SIGNATURE] (Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS [REDACTED]

AR 15-6

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 2 PAGES

USAPPC V2.00

6546f

all (b)(6) 2

SWORN STATEMENT

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

LOCATION	DATE 28 AUG 03	TIME 1400	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS SPC
ORGANIZATION OR ADDRESS BRT, 2BCT, 4ID			

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

Q. What section are you in?

A. A Section

Q. How long have you been in the platoon?

A. about 14 months

Q. Did you know Pfc [REDACTED]

A. Yes

Q. Are you aware of an incident where B section engaged an individual carrying an AK-47 along a canal in the vicinity of FOB Normandy during the May-June time frame?

A. I'm aware of it but I did not participate because my vehicle was broken down.

Q. Have you ever seen a detainee being transported between the brush guard and the hood of a HUMVEE?

A. No, not between the brush guard and the hood. We did transport them on the hood of the HUMVEE.

Q. How far and how fast did you transport the detainees on the hood?

A. I'm not sure the speed was about 25-30 mph. I'm not sure of the distance.

Q. Have you ever seen members of the BRT beat a detainee?  
A. NO

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

all (b)(6) 2

STATEMENT (Continued)

Q Are you aware of any time members of the BRT stole valuable items and "bricks" of money from IRAQ civilians or detainees?

A NO

Q Do you know of any incident where soldiers followed ~~home~~ a vehicle to a "nice" home so that they could search it for valuables under the pretext that the vehicle had tried to evade them?

A NO

Q Do you have anything else to add to this investigation.

A NO

AFFIDAVIT

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

[REDACTED] (statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28<sup>th</sup> day of August, 2003 at [REDACTED]

ORGANIZATION OR ADDRESS

[REDACTED] (Signature of Person Administering Oath)

[REDACTED] (Typed Name of Person Administering Oath)

AR 15-6

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

USAPRC V2.00 6546h

all (b)(6) z

SWORN STATEMENT

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

LOCATION	DATE 28 AUG 03	TIME 1430	FILE NUMBER
LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS SSG
ORGANIZATION OR ADDRESS BRT, 2BCT, 4ID			

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

Q What is your position?

A Squad leader

Q How long have you been in this platoon?

A one year

Q Did you know PFC [REDACTED]?

A yes

Q Do you know anything about an incident where B section engaged an individual carrying an AK-47 along a canal in the vicinity of FOB Normandy during the May-June time frame?

A. I was on emergency leave at the time of the incident

Q Have you ever seen detainees being transported between the Brushguard and the hood of the vehicle?

A. No, but we did place them on the hood and transport them

Q How far and how fast did you travel with the detainees on the hood?

A No more than 5 Kms. Speed was no more than 30mph.

Q Do you know of any detainees that were beaten by members of the BRT?

A. NO

EXHIBIT 11	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_ CONTINUED."  
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all (b)(6)2

STATEMENT (Continued)

Q Do you know of any members of the BRT who stole valuables or "bricks" of money from Civilians or detainees?

A NO

Q Do you know of any incident where members of the BRT followed a vehicle to a "nice" house so that they could search it for valuables. All of this ~~was~~<sup>was</sup> under the pretext that the vehicle tried to evade them?

A NO

Q Do you have anything else to add to this investigation?

A NO

AFFIDAVIT

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

[REDACTED]  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 day of August, 19 2007 at

ORGANIZATION OR ADDRESS

[REDACTED]  
(Signature of Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]  
(Signature of Administering Oath)

AR 15-6

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 2 OF 2 PAGES

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all (b)(6) z

SWORN STATEMENT

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

LOCATION	DATE 28 AUG 03	TIME 1615	FILE NUMBER
LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS CPL
ORGANIZATION OR ADDRESS BRT, 2BCT, 4ID			

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

Q What position did you fill during the MAY and June time frame?

A Gunner in A Section, 1st Platoon

Q Do you know Pfc [REDACTED]?

A yes

Q Have you ever seen a detainee placed between the brush guard and the hood of a detainee?

A NO, we have transported them on the hood,

Q What was the max speed and distance you travelled with detainees on the hood of the HUMVEE?

A About 10 Km and no faster than about 30mph.

Q Have you ever seen a member of the BRT beat a detainee?

A NO.

Q Do you know if any member of the BRT has stolen valuable property or "bricks" of cash from IRAQI citizens or detainees?

A NO

Q Are you aware of an incident where B section engaged an individual carrying an AK-47 along a canal in the vicinity of FOB Normandy, during the May to June time Frame?

A We (A Sec) Arrived on scene after B sec engaged. We drove down the path B sec was on to a crossing to the other side of the dike. I was behind on LRAS and saw two Blangs 570 naturally sound (well for this country) and no

EXHIBIT b2	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

all (b)(6) 2

STATEMENT (Continued)

evidence of Battle damage. The residents came out and observed us as we passed. Went to another house and there was no damage to the house. These occupants also came out, like we had just woken them up. We travelled farther down the dike and came to a field. But there was no damage there either - No knocked down trees, no fires - Nothing. I'd say we travelled 2K Area and there was nothing to indicate there was a fire fight let alone "45 HEPP 40mm Rounds."

Nothing follows

AFFIDAVIT

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

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28th day of Aug, 192003 at [REDACTED]

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

AR 15-6

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

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

DA FORM 2823, JUL 72

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.

EXHIBIT	13	INITIALS OF PERSON MAKING STATEMENT	[REDACTED]	PAGE 1 OF	2	PAGES
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Q What is your position?  
A. I'm a gunner in B Section.

Q How long have you been in the section?  
A. All the time except for a period from the middle of May until sometime in June.

Q Did you know PFC [REDACTED]?  
A. Yes.

Q Are you aware of an incident where B Section engaged an individual carrying an AK-47 along a canal in the vicinity of FOB Normandy, sometime in the MAY-JUNE timeframe?  
A. Yes, I was in A section at the time.

Q What happened when you arrived?  
A. We searched the areas outside the house, we didn't find anything, that would indicate that a fire fight went on. We went back the next morning but didn't find anything.

Q Have you ever seen a member of the BRT transport detainees by placing them between the hood and the brushguard of a HUMVEE?  
A. No, but we have transported them on the hood and behind the gunner.

Q Do you know who made the decision to transport them in this manner?  
A. I don't know.

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

LOCATION		DATE		FILE NUMBER
[REDACTED]		28 AUG 03		[REDACTED]
LAST NAME FIRST NAME MIDDLE NAME		SOCIAL SECURITY NUMBER		GRADE/STATUS
[REDACTED]		[REDACTED]		SPC
BRT, 2BCT, 4ID				

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

SWORN STATEMENT

(b)(6) z

STATEMENT (Continued)

Q How far and how fast would you travel with detainees in this position?

A. We travelled a max distance of 10 km and a max speed of 25-30 mph.

Q Are you aware of any incident where a member of the BRT beat a detainee?

A. No, I'm not aware of any.

Q Are you aware of any individuals in the BRT who stole valuable items or "bricks" of money from IRAQI civilians or detainees?

A NO

Q Are you aware of ~~any~~<sup>any</sup> incident where members of your platoon would follow a vehicle to a "Nice" house so that they could search it ~~and~~<sup>for</sup> for valuables under the pretext that the vehicle had fled from them?

A. NO.

Q Can you add anything else to this investigation?

A NO.

AFFIDAVIT

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

[redacted] (Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28<sup>th</sup> day of August, 2003 at

[redacted] (Signature of Person Administering Oath)

[redacted] (Typed Name of Person Administering Oath)

AR 15-6 (Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

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all (b)(6) 2

SWORN STATEMENT

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

LOCATION	DATE 27 AUG 03	TIME 1632	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS SPC
ORGANIZATION OR ADDRESS BRT, 2 BCT, 4ID			

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

- Q How long have you been in the platoon?  
A 1 1/2 years.
- Q Were you on a patrol w/SFC [REDACTED] along a canal when the patrol engaged an individual carrying an AK 47?  
A That was B Section, I'm in A Section. We heard small arms fire and went to help. It was all over with by the time we arrived.
- Q When you arrived did you see any wounded civilians?  
A No
- Q Do you know when this happened?  
A I have no clue.
- Q Have you ever seen members of the BRT placing detainees between the brush guard and the hood of a HUMVEE?  
A Not between the hood and brush guard but on the hood itself.
- Q Do you know who made the decision to transport them that way?  
A No
- Q Have you ever seen or heard of members of the BRT beating detainees?  
A Once we had to get physical during an arrest because the individual was resisting. We didn't beat him.
- Q Are you aware of any times when member of the BRT stole items from Iraqi Civilians and detainees including "bricks" of money, Pictures of SADDAM and IRAQI service medals.  
A NO

EXHIBIT 14	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_ CONTINUED."  
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_\_\_ OF \_\_\_\_\_ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

all (b)(6)z

STATEMENT (Continued)

Q - Did member of the BRT ever follow a "nice" car home and then say they had to search the house because the vehicle tried to avoid them?

A. No

Q Do you have anything else that might help this investigation.

A. No

AFFIDAVIT

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

[redacted signature]

(Signature of Affirming Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 27 day of August, 192003 at

[redacted location]

(Location of Administering Oath)

[redacted authority]

(Authority To Administer Oaths)

AR 15-6

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

[redacted initials]

PAGE 2 OF 2 PAGES

USAPPC V2.00 6546p

all (b)(6) 2

SWORN STATEMENT

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

LOCATION	DATE	TIME	FILE NUMBER
	27 AUG 03	1445	
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY NUMBER		GRADE/STATUS
[REDACTED]	[REDACTED]		PFC
ORGANIZATION			
BRT, 2 BCT, 4 ID			

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

Q - How long have you been in 1st platoon?

A - Since OCT 2002

Q - Did you know PFC [REDACTED]

A - yes

Q - Are you aware of any time when SFC [REDACTED] ordered soldiers to fire upon unarmed civilians?

A - No. We only fired when we were ambushed or hit by RPGs. We never fire into populated areas, only into open areas.

Q - Were you on a Patrol along a canal?

A - There were several times we conducted patrols along canals but we never fired upon anyone. I don't think that SFC [REDACTED] would give an order to fire upon civilians and PFC [REDACTED] would not have heard verbal commands because he was in another vehicle.

Q - Have you ever seen detainees placed between the grill and the brush guard of a HUMVEE and driven to the brigade holding area?

A - We sometimes would place them on the roof behind the gunner or on the hood next to the windshield because we didn't have room inside the vehicles. We would always drive at a slow pace on a hardball road. We never placed them between the grill and the brush guard.

Q - Have you ever seen any property theft by members of the BRT?

A - No - we would confiscate money and other things but we would always turn it in. We've had several health and welfare inspections and nothing has been found.

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

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

all (b)(6) c

STATEMENT (Continued)

Q. Have you ever seen or heard of members of BRT following a nice car with the pretext of going to their home to search it for valuables?

A. No the only time we would search a house was on a planned Raid. or if a vehicle ~~and~~ or person ran from us.

Q. Have you ever seen or heard of BRT soldiers beating detainees?

A. No. Sometimes we get physical during an arrest but no beatings went on. Our chain of command has always told us we would face UCMJ action if we did.

Q. Where were the patrols along the canal.

A. In the vicinity of Camp Normandy sometime in the May to June timeframe.

Q. Do you have anything to add to this investigation.

A. PFC [redacted] was always saying that he wanted to get shot in the arm or leg so that he could go home. He would fake being sick. He was always whining. He would often say that he wanted to kill SFC [redacted] SFC [redacted] is hard on us but fair. Sometimes he acts like a drill sergeant. Also, [redacted] would point his weapon at children and threatened to kill them if they didn't go away.

AFFIDAVIT

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

[redacted] (Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 27th day of August, 192003

[redacted] (Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[redacted] (Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

AR 15-6 (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

USAPPS 72.00 6546r



all (b)(6) z

SWORN STATEMENT

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

LOCATION	DATE 27 AUG 03	TIME 1745	FILE NUMBER
LAST NAME FIRST NAME MIDDLE NAME	SOCIAL SECURITY NUMBER		GRADE/STATUS SPC
ORGANIZATION OR ADDRESS			

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

Q How long have you been in the platoon?

A Since the end of March 2003

Q Did you know PFC [REDACTED]?

A Yes

Q Are you aware of a patrol that engaged an individual carrying an AK 47 along a canal in the vicinity of FOB Normandy?

A No, I was in A Section at the time.

Q Have you ever seen anyone from the BRT transport a detainee between the brush guard and the hood of a HUMVEE?

A No

Q Have you ever seen a detainee being transported on the hood or on Top behind the gunners position.

A Yes, on the hood. We would only carry them for short distances.

Q Do you know who made the decision to transport the detainees on the hood?

A No

Q Have you ever seen or heard of members of the BRT beat a detainee?

A I've never seen it, but I heard from PFC [REDACTED] that CPT [REDACTED] beat a detainee. Everyone else said that CPT [REDACTED] got physical during an arrest because the individual was resisting but he didn't severely beat him.

EXHIBIT 14	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

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all (b)(6) z

STATEMENT (Continued)

Q - Do you know of any instances where members of the BRT stole items such as "Bricks" of money, Iraqi service medals, and pictures of Saddam?

A. No. When we detain someone we collect everything and turn it in.

Q Did members of the BRT ever follow a "nice" car home and then search the home under the pretext that the vehicle had fled from them?

A No.

Q Do you have anything else to add to this investigation?

A No

AFFIDAVIT

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

[redacted] (Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 27<sup>th</sup> day of August, 2003 at

ORGANIZATION OR ADDRESS

[redacted] (Administering Oath)

ORGANIZATION OR ADDRESS

AR 15-6

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

USAPPC V2.00  
65462

all (b)(6) 2

SWORN STATEMENT

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

LOCATION	DATE 28 AUG 03	TIME 0940	FILE NUMBER
LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS SPC
ORGANIZATION OR ADDRESS BRT, 2 BCT, 4ID			

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

Q What is your position?

A I'm a gunner for A Section 1st Platoon.

Q How long have you been in the platoon?

A Since the end of June.

Q Are you aware of an incident where B Section engaged an individual carrying an AK 47 in the vicinity of FOB Normandy during the MAY-JUNE time frame?

A No, I don't think I was in the platoon at the time.

Q Are you aware of any incident where members of the BRT placed detainees between the brush guard and the hood of a HUMVEE?

A No, sometimes we would place them on the hood to transport them because there was no room inside the vehicle.

Q How far and how fast would you travel with the detainees on the hood?

A No more than 5 kms. The fastest we traveled was about 25mph.

Q Do you know who made the decision to transport them in this manner?

A I'm not sure.

Q Are you aware of any member of the BRT who beat detainees?

A Not to my knowledge.

Q Are you aware of any member of the BRT who stole valuable items or "bricks" of money from civilians or detainees?

A I'm not aware of anyone who stole something from civilians or detainees. If we confiscated it we always turned it in.

EXHIBIT 17	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED."  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

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STATEMENT (Continued)

Q Is there anything else that you can add to this investigation?

A. Not that I could think of.

AFFIDAVIT

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

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28th day of August, 2003, at [redacted]

ORGANIZATION OR ADDRESS

[redacted]

ORGANIZATION OR ADDRESS

[redacted]  
(Typed Name of Person Administering Oath)  
AR 15-C  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[redacted]

PAGE 1 OF 2 PAGES

USAPPC V2.00  
6546V



DEPARTMENT OF THE ARMY  
HEADQUARTERS 4TH INFANTRY DIVISION (MECHANIZED)  
OFFICE OF THE STAFF JUDGE ADVOCATE  
FORT HOOD, TX 76544-5000

REPLY TO  
ATTENTION OF:

AFYB-JA-AL

05 September 2003

MEMORANDUM FOR COMMANDER, 4th Infantry Division (Mechanized), Fort Hood, Texas 76544  
SUBJECT: AR 15-6 Investigation – Legal Review

1. In accordance with AR 15-6, paragraph 2-3, I have reviewed the AR 15-6 investigation into allegations of soldier misconduct contained in a sworn statement by PFC [REDACTED] 2d Brigade, dated 18 August 2003. I make the following determinations:

- a. The proceedings comply with the legal requirements.
  - b. Errors in the proceedings, if any, do not have a material adverse effect on any individual's substantial rights.
  - c. Sufficient evidence supports the findings.
  - d. The recommendations are consistent with the findings.
2. The investigation is legally sufficient.
3. The point of contact is the undersigned, (DNVT) 534 [REDACTED]

[REDACTED]

CPT, JA  
Administrative Law Attorney

*all (b)(6) z*

# 57

all (b)(6) z

Admin Law Control Sheet

ID	Date received	Action	Name/(Unit)
58	10 Sep 03	15-6	PFC [redacted] 2d Bde
Summary	Attorney	Status	
possible Law Of War Viol	CPT [redacted]	cg approved	
Date Completed	Investigating Officer		
10 Sep 03	MAJ [redacted]		

File Copy Made

Print Form

Received by/date  
[redacted] 12 SEP 03

. spoke w/ SGT [redacted] 11 Sep 03