### Itemized List of Evidentiary Exhibits

Py 6,70,7d

- I Initial statement by
- II Initial statement by
- III- Statement of Lupon initial questioning of
- IV- Statement of upon initial questioning of
- V- Initial statement of the statement and mandatory disclosure form taken by and privacy act statement and mandatory disclosure form taken by
- VI- Initial statement of taken by taken by taken by statement and mandatory disclosure form taken by
- VII- Initial statement of and privacy act statement and mandatory disclosure form taken by
- VIII- Initial statement of a statement and mandatory disclosure form taken by
- IX- Initial statement of and privacy act statement and mandatory disclosure form taken by
- X- Initial statement of certificate taken by
- XI- Rights warning waiver certificate(non-waiver) of taken by
- XII- Statement of regarding questioning of all soldiers involved.
- XIII- Applicable portions of OPORD for Operation Thunder Payback
- XIV- Packet of 4 Questionnaires handed out to soldiers to get a general understanding of the view on treatment of detainees in general and of the events in this particular mission.

63+6-2 66-4 66-5

PRIVACY ACT STATEMENT  AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2051; E.O. 9397 dated November 22, 1943 (SSN).  To provide commanders and law enforcement officials with means by which information may be accurately identified. South the section of a positive section of a positive section and in the company area of the 94th MP CO. I was speaking with MS Stand and on the observed which are ground, being guarded by the section of a positive section of the	PRIVACY ACT STATEMENT THORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O., 9397 dated November 22, 1943 (SSN).  INCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.  PUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  PORTION TO BISCIOSURE: Disclosure of your social security number is voluntary.  DISCLOSURE: Disclosure of your social security number is voluntary.  DATE (YYYYMMOD) 3. TIME 4. FILE NUMBER 2003/07/31 July 7. GRADE TATELY  PROPERTY NAME, MIDDLE NAME 6. SSN 7. GRADE TATELY  ORGANIZATION OR ADDRESS IN MICHAEL STATEMENT UNDER OATH:  MY 2003/07/29 at approx. 1630hrs I was in the company area of the 94th MP CO. I was speaking with under the day.  Want TO MAKE THE FOLLOWING STATEMENT UNDER OATH:  MY 2003/07/29 at approx. 1630hrs I was in the company area of the 94th MP CO. I was speaking with under the day.  Was talking about a raid he went on earlier in the day.  Was talking about a raid he went on earlier in the day.  Stated he was talking about a raid he went on earlier in the day.  Stated he was talking about a raid he went on earlier in the day.  Stated he was vithin a reasonable distance to observed incident.  Said he was within a reasonable distance to observe this incident.  Said he was vithin a reasonable distance to observe this incident.  Said he was vithin a reasonable distance to observe this incident.  Said he was soling to bring the incident up the soldiers involved Chain of Command.		For use of this	SWOR	N STATEMENT 90-45; the proponent	agency is ODCSOP	\$		
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10. EXHIBIT

**PAGES** PAGE 1 OF

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

DA FORM 2823. DEC 1998

DA FORM 2823, JUL 72, IS OBSOLETE

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PAGE 3. DA FORM 2823. DEC 1998



10. EXHIBIT		11. INITIALS OF PE	RSON MAKING STATEMEN	PAGE 1 OF	2 PAGES
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HORITY:		Title 5 USC Section 2951; E	O. 9397 dated November 2		ely identified.
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THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED. DA FORM 2823. DEC 1998

DA FORM 2823, JUL 72, IS OBSOLETE

USAPA V1.00

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#### SWORN STATEMENT

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

POIVACY ACT STATEMENT							
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Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).

PRINCIPAL PURPOSE:

To provide commanders and law enforcement officials with means by which information may be accurately identified. Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

**ROUTINE USES:** DISCLOSURE:

Disclosure of your social security number is voluntary.

2. DATE (YYYYMMDD)

4. FILE NUMBER

1. LOCATION

Rifles Base, Ar Ramadi Iraq LAST NAME, FIRST NAME, MIDDLE NAME

6. SSN

2003/07/31

7. GRADE/STATUS

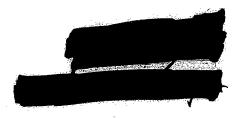
8. ORGANIZATION OR ADDRESS 94th MP CO Rifles Base Ar Ramadi

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

and I went to FOB Maddog to interview On the 30th day of July 2003 kicking a detainee that was already "flex-cuffed" in the back, neck, and head. morning of the 29th he witnessed Joon seeing this he yelled out that if that soldier kicks the detainee anymore that he was going to kick the soldier. He also told squad leader that he same. After this, was said he would take care of it and went towards. nelt down on the detainee's back to change the flex-cuffs and while doing this location he said to put all of this in a statement he said that he didn't have a problem with and and rubbed the detainee's face in the dirt. the investigators asked expressed how he didn't want anybody getting in trouble. He just wanted some accountability in the company. He wrote a said in the statement that just had his foot on the detainee and was not kicking him. It seemed that relized we were there on an "official" capacity that his story softened up. Furthermore he went on to write that statement and said in the statement that only had his hand on the back of the detainees neck holding him down while he changed the flex-cuffs and not rubbing his face in the dirt like he had told us when we first started talking to him. The statement that identical to the verbal statement we recieved from

End statement





10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF

**PAGES** 

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF\_

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

**DA FORM 2823, DEC 1998** 

DA FORM 2823, JUL 72, IS OBSOLETE

**USAPA V1.00** 



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DA FORM 2823, DEC 1998

DA FORM 2823, JUL 72, IS OBSOLETE

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## DATA REQUIRED BY THE PRIVACY ACT OF 1974

<u>AUTHORITY</u>: The solicitation of personal information in conjunction with this investigation is authorized under Title 10 USC 3012.

PURPOSE: The purpose for collecting this information is to obtain facts and make recommendations to assist the Commander in determining what action to take with regard to:

ROUTINE USES: Information obtained during the conduct of this investigation will be used to document relevant facts regarding the incident concerned. it will be used to determine the cause(s) leading to the incident, establish individual responsibilities, negligence, and make recommendations for corrective actions and/or appropriate administrative actions. Any information you provide is disclosable to members of the Department of Defense who have a need for it in the performance of their duties.

DISCLOSURE MANDATORY OR VOLUNTARY, AND THE EFFECT OF NOT PROVIDING INFORMATION:

The information you furnish is voluntary. There will be no adverse effect on you for not furnishing the information other than that certain facts or information might not be otherwise available to the Commander for his decision in this matter.

The information you furnish is mandatory. Failure to provide the requested information could result in disciplinary or other adverse action against you under Article 134, UCMJ.

I, \_\_\_\_\_\_, having been advised of the above provisions of the Privacy Act agree to provide information concerning the above cited incident.

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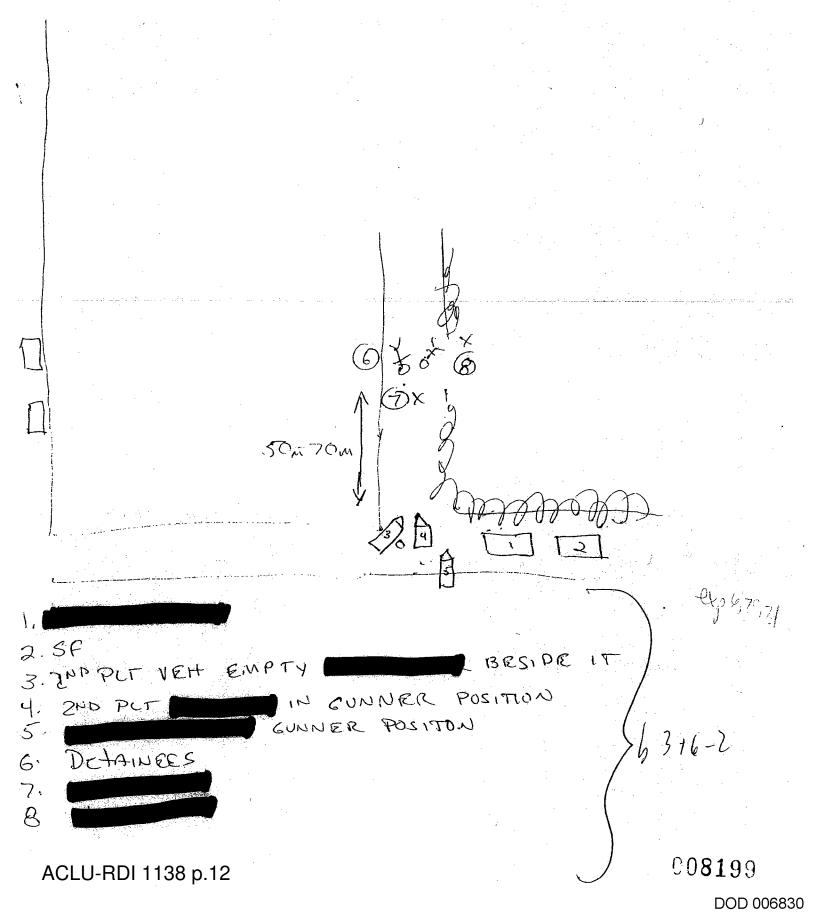
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## DATA REQUIRED BY THE PRIVACY ACT OF 1974

AUTHORITY: The solicitation of personal information in conjunction with this investigation is authorized under Title 10 USC 3012.

PURPOSE: The purpose for collecting this information is to obtain facts and make recommendations to assist the Commander in determining what action to take with regard to: #551de mIST Cormon Cor DOTCHINES 29 JULO3 in Pail

Information obtained during the conduct of this investigation will be used to document relevant facts regarding the incident concerned. it will be used to determine the cause(s) leading to the incident, establish individual responsibilities, negligence, and make recommendations for corrective actions and/or appropriate administrative actions. Any information you provide is disclosable to members of the Department of Defense who have a need for it in the performance of their duties.

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, having been advised of the above provisions of the Privacy Act agree to provide information concerning the above cited incident.

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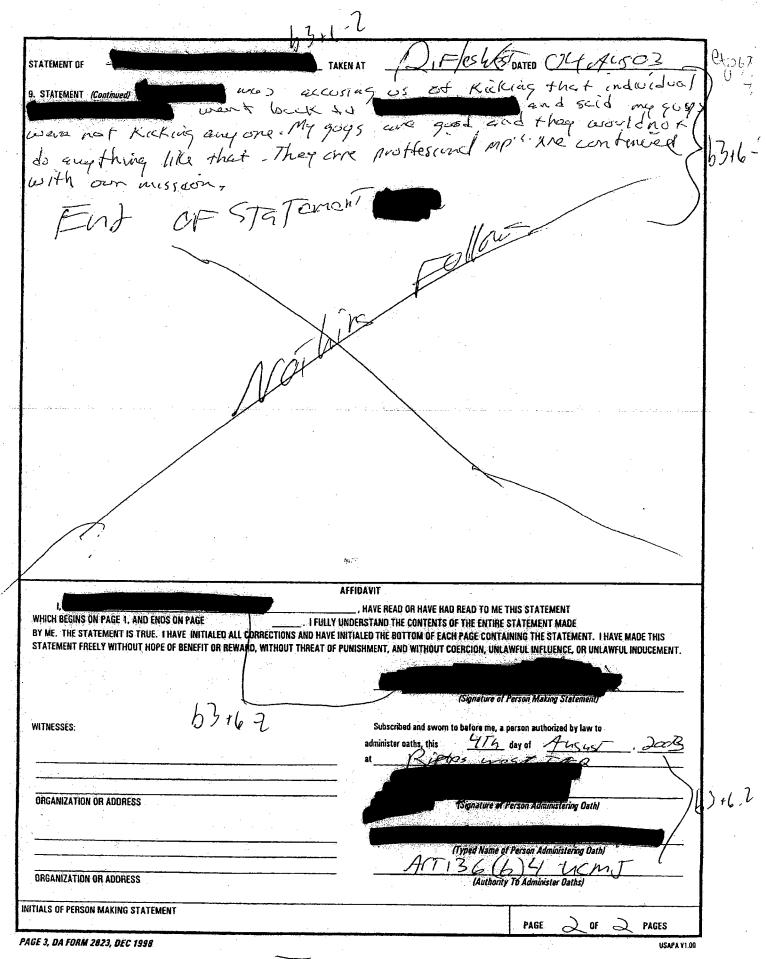
I, having been advised of the above provisions of the Fireprocess agree to provide information concerning the above cited incident.

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		PAGE 1 OF	AGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "S THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR TI "PAGE OF PAGES." WHEN ADDITIONAL PAGE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE	HE INITIALS OF THE PERSON MAKING TH AGES ARE UTILIZED, THE BACK OF PAGE	E STATEMENT AND BE INIT	IALED AS THE
	DRM 2823,1 JAN 68, WHICH WILL BE USE	D. US	APPC V2.00

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#### DATA REQUIRED BY THE PRIVACY ACT OF 1974

<u>AUTHORITY</u>: The solicitation of personal information in conjunction with this investigation is authorized under Title 10 USC 3012.

PURPOSE: The purpose for collecting this information is to obtain facts and make recommendations to assist the commander in determining what action to take with regard to:

| Color |

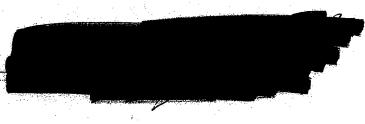
ROUTINE USES: Information obtained during the conduct of this investigation will be used to document relevant facts regarding the incident concerned. it will be used to determine the cause(s) leading to the incident, establish individual responsibilities, negligence, and make recommendations for corrective actions and/or appropriate administrative actions. Any information you provide is disclosable to members of the Department of Defense who have a need for it in the performance of their duties.

DISCLOSURE MANDATORY OR VOLUNTARY, AND THE EFFECT OF NOT PROVIDING INFORMATION:

The information you furnish is voluntary. There will be no adverse effect on you for not furnishing the information other than that certain facts or information might not be otherwise available to the Commander for his decision in this matter.

The information you furnish is mandatory. Failure to provide the requested information could result in disciplinary or other adverse action against you under Article 134, UCMJ.

I, having been advised of the above provisions of the Privacy Act agree to provide information concerning the above cited incident.



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	SWORN STATEMENT For use of this form, see AR 190-45; the proponent agency is ODCSOPS	
		i.
AUTHORITY: Title 10 USC S	PRIVACY ACT STATEMENT section 301; Title 5 USC Section 2951; E.O. 9397 dated Nevember 22, 1943 (SSN).	
Annual Control of the	manders and law enforcement officials with means by which information may be accurately identified.	
	unity number is used as an additional/alternate means of identification to facilitate filing and retrieval.	
	our social security number is voluntary.	
1. LOCATION	2. DATE (YYYYMMOD) 3. TIME 4. FILE NUMBER	
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Į.	. WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:	<i>[</i> -
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the reeds	spetted the second man , ub gave	1
		7
them commands	to come out they where hesitante to come	/
out As soon	as they came out we cross slung weapons	*
	a b Chi and I of U.	
and escorted	them to flat ground, at this time the	
detainors were	flex cuffed and placed on the ground.	
Al this	ODA came to scene with 3 detainers and	
Mer in point	out the to seem with a metarnees and	
screened our	2 detainers claiming, the one was the head	
gry they wante	d. The ODA term had his brother, at this time	
and lake as a	Dallas to The	
ODA took our a	etainee and I escorted his brother, be placed	
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O. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	
	PAGE 1 OF PAGES	
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THE BOTTOM OF EACH ADDITIONAL PAGE MUST	BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.	

DA FORM 2823, DEC 1998

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			6346-2
		nature of Person Maying Statementi	
WITNESSES:		worn to before me, a person authorized by law to his 477 day of August , 2003	
	at RiFlox	West/Ffee	
ORGANIZATION OF ADDRESS			12x1
OTTOANIZATION OF ADDITION			16716-6
	- ITYPEC	I, Name of Person Administering Oath)	
ORGANIZATION OR ADDRESS		(Authority To Administer Oaths.	The state of the s
TITIALS OF PERSON MAKING STATEMENT	1311-7	2 2	
	63+6-2	PAGE 2 OF 2 PAGES USAPA VI.O	



# RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE For use of this form, see AR 190-30; the proponent agency is ODCSOPS DATA REQUIRED BY THE PRIVACY ACT AUTHORITY: Title 10, United States Code, Section 3012(g) PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified. Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval. ROUTINE USES: DISCLOSURE: Disclosure of your Social Security Number is voluntary. FILE NO. ex, 16,70 PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE Section A. Rights Before he/she asked me any questions about the offensels), however, he/she made it clear to me that I have the following rights: I do not have to answer any question or say anything. Anything I say or do can be used as evidence against me in a criminal trial. (For personnel subject othe UCM). 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, IFor 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 will be appointed for me before any questioning begins. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present. I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below. COMMENTS (Continue on reverse side) Section B. Waiver I understand my rights as stated above, cam now willing to discuss the offensels) under investigation and make a statement without talking to a lawyer first and SIGNATURE OF INTERVIEWEE WITNESSES (If available) NAME (Type or Print) ORGANIZATION OR ADDRESS AND PHONE 2a. NAME (Type or Print) ORGANIZATION OR ADDRESS AND PHONE Section C. Non-waiver I do not want to give up my rights I want a lawyer [ ] I do not w... to be questioned or say anything

DA FORM 3881, NOV 89

SIGNATURE OF INTERVIEWER

EDITION OF NOV 84 IS OBSOLETE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT TOA FORM 28231 SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

JSAPA 2.01

	For use of this	SWORN STATEMENT form, see AR 190-45; the propone	ent agency in OBCCCC		
		PRIVACY ACT STATEMENT			
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POUTINE USES:	Your social security number	and law enforcement officials with	means by which inform	ation may be accurately identi	lited.
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NITIALS OF PERSON MAKING STATEMENT		PAGE 3 OF	Company of the last of the las
AGE 3 DA FORM 2823. DEC 1998			USAPA V1.00



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	enforcement officials with means by which information may be accurately identified.  ed as an additional/alternate means of identification to facilitate filing and retrieval.
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6. SSN 7 GRADE/STA	ratus .
PART 1 - RIGHT	S WAIVER/NON-WAIVER CERTIFICATE
Section A. Rights	
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questioned all soldiers known to be involved in the incident involving the raid on 29JUL03 and also questioned others whom I found witnessed enough to warrant investigation. I initially questioned very briefly for an understanding of background and then questioned on his opinions and was informed that he felt had attempted to backtrack on his initial statements at Rifles Base. I then questioned who had already had statements taken by I questioned them on the contents of their statements as well as on secondary questions that I had. For context purposes, the first thing I did was have walk me through the whole operation from preparation until ending. I then questioned him on his statement, what he witnessed and then any questions I had or discrepancies I noticed. Based on my questions I found out that he was very angry at what he perceived was kicking and that got him started. He could not say with certainty that he actually saw kicking as all he saw was foot movement from his peripheral vision. Also, he started to yell at a soldier near the detainee and a soldier in the turret of the vehicle that was across from him velled back(it turned out to be The two of them were yelling at each other and was getting madder. I told him about the perception that had that he had backtracked on his statements and questioned him about it. He explained that at this time he realized the seriousness of the situation and did not want to get soldiers in trouble. I had made it clear that his responsibility is to remember what he saw, not worrying about getting soldiers in trouble. He verified that he "perceived" actions but could not say that those particular actions actually took place. The only thing he Knows he saw was "foot movement" and he cannot confirm that he saw put a detainees head in the dirt. He also admitted he was very angry during and after the events due to his perception and his confrontations with the two soldiers He also told me that when he made the statements initially at Ritles base to he remembers saying to them that it looked like the detainees were getting kicked. It was not verified. Same for the face in the dirt. I also asked him for a background on the mission itself to get and idea on how much, if any our soldiers had been briefed to go get the killers. He explained that that he was at the briefing and that it was briefed that they were going to get the FOX 6 killers but that this was not a vigilante mission. He also stated that the 5s were in fact briefed on treatment of detainees. He did mention that the did state that he was a friend of Fox 6 but did not give any particular orders. Also, he said confronted the suspected killer, talked to him and left, that's it. He also said he never spoke to any of the soldiers that were on the ground near the detainee and that after he got told to stay in his lane by he did not speak to him again but remained very angry. stated that he did not see any of the supposed kicking incidents but only heard it second hand from He did however state that he "heard profanities" coming from soldiers near the detainees but could not say what soldier was saying what. I also asked if he saw a soldier with his foot on a detainees head and he replied that he was moving but that he did see a soldier have his foot on the upper body of the detainee. was also able to verify that a good brief did occur prior to the mission and that no specific instructions were given out for any type of vigilante justice and that proper treatment of detainees was covered. I now talked to 2<sup>nd</sup> Plt. saw on of the soldiers put his foot on one of the detainees but did

63+67

later on put the detainees face in the dirt. not witness a kick nor did he seel He was involved in an argument across HUMVEE turrets with and from was yelling to defend his his statements, he was attempting to counter what own platoon's soldiers. He was the one arguing about the Geneva convention and also not to yell about the Geneva convention when hel threatening his own soldiers.

kick a detainee but did did not witness admit to talking to them as he was walking back and fort as security. He did make the statement that they(soldiers) would listen to them as long as they completed a sentence in English. He seemed very and did not feel that any soldiers did anything wrong.

ever kicked a detainee. He was denied that either he or put his foot on him to secure the dedicated security with him and only saw him when he went to tighten zip ties that it appeared the detainee was trying to get out of. came up and told them to stop kicking detainees and He also stated that that he was surprised he would say that. He denied any wrongdoing and thought that the put new flexcuffs on the detainees were treated well. He also stated that detainee and moved his head to stop the detainee from looking around. He also stated that he remembered the detainee saying "thank you mister" after

asked a few questions about his rights waiver warning and when I explained the reasons, was more than willing to sign it and talk. He strongly denied kicking a detainee and explained that a detainee was moving and he moved his foot to position it on the detainee's back to roll him back over on his chest so he could reapply zipcuffs while maintaining control of his weapon. He also stated that to stop kicking the detainee and was surprised as they had up and told him and rub a detainees face in the not kicked anyone. He also enied seeing willingly reapplied zipties himself when he ground and explained that realized they were too tight on the detainee.

seemed very concerned when read his rights warning waiver. I walked him through the sheet and the instructions by the numbers and eventually he did say he thought it best if he talk to a lawyer. The instructions clearly state not to coerce in any way so I held up all questions and we went to Rifles to find an attorney. After at TOC he helped me find in the chow hall. I explained the finding situation and was told that He would need to talk to TDS but that I could still ask him of this we questions and he could listen and answer voluntarily. I informed moved to Patriot Base second floor. He did answer all questions I asked. The first question I asked was whether he saw any soldier kicking detainees and he said no. I then asked if he had rubbed a detainees face in the dirt and he emphatically denied it. He explained that he briefs his soldiers to take care of detainees and when he heard accuse them of kicking a soldier went over and told them to stop. He explained that they were taken aback by the accusation and informed him that neither one was kicking a detainee. He then explained that he had knelt down with one knee between a detainee's shoulder blades because it was brought to his attention that the zip ties on the detainee were too tight. He explained that the detainee kept trying to look back at him and he kept turning his head back so he was facing forward and not observing him. He also expressed for calling him out in front of people. He told that he was very mad at he would willingly go see the First Sergeant with him if he had a problem.

63+6-2

etp 6,76, 7d

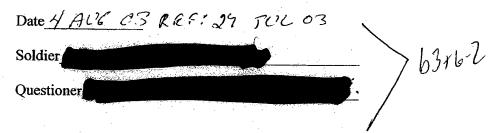
63+6 CAUS 03

# BATES PAGES 8219 - 8221

(IDA: OTJAG – Administrative Law)

# ARE NON-RESPONSIVE AND HAVE BEEN REMOVED





Did you take part in or see any portion of the incident being investigated which took place on the morning of 29AUG03 and if the answer is yes, what was your involvement?

YES, I WAS THE GUNNER FOR 1SH PLT, 3RD SQD, SCT

S TEAM 3-C

Did your higher command at this or any other time issue any directive on the way captured personnel are to be treated and if so, explain to the best of your ability. YES, PERSONNE CAPTURED BY KILLER TROOP WERE TO BE SECREGATED, AS PER 5-5'S / ALSO MALKED ON BACK OF THE LEFT HAUD WITH MAGIC MARKER AS TO WHICH / HOUSE OR LOCATION DETAINED.

Has your higher command at any time issued specific directives on treatment of detainees and did they for this raid? What was your understanding of the reasons for this operation and how did that affect your actions? YES THIS RAID WAS CONDOCTED ON INFORMATION COLLECTED THAT THE INDIVIDUALS WHO KILLED FOX 6 WERE AT THAT LOCATION,

OSEPPEARTE WENEN AND CHILDREN

OF MILITARY ACE, AND MARK THEM WITH

(1) SEPERATE WEMEN AND CHICDREN

(2) ZIP TIE MEN OF MILITARY ACR, AND MARK THEM WITH

LOCATION DETRINED (SER REVERSE) # 1

Do you believe that the actions you took or witnessed were justified and appropriate and based on your anwer, why yes or no? THE RAID YES THE INDIVIDUALS WERE WHO WERE CAUGHT HIDING, NO, (TIRRED INDIVIDUALS WERE CAUGHT BY 2ND PIT, THEY WERE ZIP TIED, AND PUT IN THE PROBLE POSITION, AFTER APPROXIMATIEY 30 MIN, ONE WAS ID. MITTER NOMBER ONE NAME ON THE RAID LIST FOR THAT MISSION Have you ever seen other soldiers treating detainees in a way you consider to be inappropriate and if so, when and where? NO, BUT I HAVE SEEN

Have you ever seen other soldiers treating detainees in a way you consider to be inappropriate and if so, when and where? NO, BUT I HAVE SEEN

HIE 3 ed/380 ACR KICLER, GRIM, AND MAD DOG TROOPS

BE OVERTU AGGRESSIVE, AND UNPROPESSINAL IN THE HAPIDELING

OF CIVILIANS AT CHECK POINTS.

What is your understanding of the Geneva Conventions in regard to treatment of prisoners of war and how do you believe this applies to your situation? Has your leadership briefed you on this topic?

Briefed NOT TO MY RECOLITION!

(B) GENEVACOUVENTION, TO SAFE GUARD AND

PROTECT DETAINESS WHILE IN YOUR CUSTEDY

TO PREVENT ANY HAILM FROM CIVILIAN, OF MILTORY

PUSCNNEL.

FIGURE BULLDENG WILL CLEARED PANEL MARKER WOULD BE HUNG SUT-

TWO MICHARY TO CEMEN, WHERE LEFT TO COARD THE TWO

REMAINING DETAINED AT THIS TIME & MAY LATER IN

AS MAS RECORMING WALKING SECURITY AND

WAS RECORMING WALKING SECURITY AND

WAS WATCHING THE

TO DE KICKING

THE DETAINER ON THE RIGHT SIDE OF THE ROAD,

THE DETAINER ON THE RIGHT SIDE OF THE ROAD,

THE DETAINER ON THE MAS USING HIS LEFT

BUT AS IT TURNED OUT THE MAS USING HIS LEFT

THAT HE HELD THE DETAINER BY PLACING HIS FOOT

THAT HE HELD THE DETAINER BY PLACING HIS FOOT

ON: A) SMALL OF HIS BACK

B) HEAD C) NECK

I COULD NOT SEE THE DETAINER, STRUERLING, WORLD COOLDD I HEAR THE DETAINER TO BELIEVE THERE WAS NO JUSTIFABLE REASEN FOR

Jy 6,75,7

ex 6,70,7

Date 04 Av6, 2003
Soldier
Questione
Did you take part in or see any portion of the incident being investigated which took place on the morning of 29AUG03 and if the answer is yes, what was your involvement?  ITLE  Mrs. I overheard part of a conversation between  and witnessel  and witnessel  and witnessel  Did your higher command at this or any other time issue any directive on the way captured personnel are to be treated and if so, explain to the best of your ability.  Most of the briefings Thave been to commanders do not go into specific first of detained handling except the wift regard to paperwork and golder bafety (i.e. 2ipties, searching etc.) They did not on 5 st.  Has your higher command at any time issued specific directives on treatment of detainees and did they for this raid? What was your understanding of the reasons for this operation and how did that affect your actions?  My Mr Chain of command has directed as to treat detaineds as my Mr Chain of command has directed as to treat detaineds as a specific directives on treatment of detained and how did that affect your actions?  My Mr Chain of command has directed as to treat detaineds as my Mr Chain of command has directed as to treat detaineds.
her person, 5 s's
Do you believe that the actions you took or witnessed were justified and appropriate and based on your anwer, why yes or no? No, I believe it demonstrates poor professionalism and further, US forces are supposed to set the example, Acting in this manner only nakes us more like Saddan's Regime.
Have you ever seen other soldiers treating detainees in a way you consider to be
nappropriate and if so, when and where?  180, Several TCP's with 3/3 squadron, not inst detarrees  but Iragi nationals who we were just pairing thru a TCP.
What is your understanding of the Geneva Conventions in regard to treatment of prisoners of war and how do you believe this applies to your situation? Has your eadership briefed you on this topic?  Mes, we have been breefed. The beneva Convention has very specify guidelines for the free fund of prisoners which verolves around respect for human rights and the cial to of the individual.

Qyp 6, 20



Did you take part in or see any portion of the incident being investigated which took place on the morning of 29AUGO and if the answer is yes, what was your involvement?

Yes, I aided in The search pend of cle talners.

Did your higher command at this or any other time issue any directive on the way captured personnel are to be treated and if so, explain to the best of your ability.

Yes, to trent them IAW the Geneva Conventions, humanly, ad with the least amount of Lorce recissary inorder to achieve the goal of restrainty via the coffs searching for revoluce, and beeping the area as calmas possible. Has your higher command at any time issued specific directives on treatment of detainees and did they for this raid? What was your understanding of the reasons for this operation and how did that affect your actions? No. We have always been hunt to theat the cleaning the same regardless of the reason for obtaining term. The raid was to catch the Killer's of fox 6. That did not affect my achieves, lacted as directed and previously described.

Do you believe that the actions you took or witnessed were justified and appropriate and based on your anwer, why yes or no? Yes, I used minimum kends of Great to achieve the desired goal, keeping in mind my surroundings, and possible saftey risks stemmy from possible actions.

Have you ever seen other soldiers treating detainees in a way you consider to be inappropriate and if so, when and where? No.

What is your understanding of the Geneva Conventions in regard to treatment of prisoners of war and how do you believe this applies to your situation? Has your leadership briefed you on this topic? The Geneva Conventions say we must howarely freely all defainces. Search and confiscate only material with possible intellegence, or danger. Provide them with food, water, and my saffey equipment trey came with I may situation the defainces were treated fair and howard using minimum force to achieve goals, there confort was later into consideration and moved to a safer More comfortable location (to technicle) as soon as practically possible. Its tre leader drip of 2nd 111. has frequently briefed us on Detainer Policy.

Date OHAUS CB	13+	1.2
Soldier	6)	W.
	and the same of th	State of the State
Questioner		

Did you take part in or see any portion of the incident being investigated which took place on the morning of 29AUG03 and if the answer is yes, what was your involvement?

Ges, Gunner pulling Security Aprex + SO METERS

Did your higher command at this or any other time issue any directive on the way captured personnel are to be treated and if so, explain to the best of your ability

Sence Rules of Non Abuse of Detaines, At the Time of the incident, nothing needed to be said, the soldiers pro Not Abuse the Detaines, the Rules policies on treatment of detained.

Has your higher command at any time issued specific directives on treatment of detainees.

and did they for this raid? What was your understanding of the reasons for this operation and how did that affect your actions?

THE BASIC Speaks given Before ALL
RAIDS, BE SAFE, DON'T MUZZLE, WIEVE DETAINES SWEETLY
HAND SAFELY - FOR THEIR SAFTY AND OURS. THE REASON
FOR THE RAID WAS TO CAPTURE THOSE RESPONSIBLE
TOR AN IED ATTACH, IT didn'T CHANGE THE WAY TO SAFELY AS POSICIE
DO you believe that the actions you took or witnessed were justified and appropriate and
based on your anwer, why yes or no?

yes, ABSOLUTELY, NO ABUSE OF DETAINES EVER TOOK PLACE, THEIR MOVEMENT WAS LIMITED FOR THEIR SAFTY AS WELL AS THE SAFTY OF NEARBY SOLDIERS

Have you ever seen other soldiers treating detainees in a way you consider to be inappropriate and if so, when and where?

~ 63162

What is your understanding of the Geneva Conventions in regard to treatment of prisoners of war and how do you believe this applies to your situation? Has your leadership briefed you on this topic?

my understanding is detained are to be treated Humanily and with Dignity. No physical abuse is allowed once Detained, passed what is needed to safety secure them.

Yes, as an imp, I have be Briefed many Times on the expected treatment of Detaines.