b(6), b(3)

Around mid July 2003, while we were returning from the RTOC, I saw a person on the top of the telephone pole cutting wire. We stopped and detained them, I was with EN26, SIGO, when I detained the individuals and took them to the CMOC turning them over to Buildog elements.

On 19 July 2003, we were going to the ASP. I saw a person pointing to a vehicle and copper wire on the sidewalk. It looked like someone stole the wire. I told EN21, EN22 to stop. When I walked up with my translator to try to find out where they got this copper wire, my translator told me it was stolen. I was trying to talk to the Iraqi citizen who owned the vehicle to find out where he got this wire from when he tried to push me or grab me. I felt like he was going for my weapon. I grabbed him and told my Driver to hand cuff him. While we were trying to put the handcuffs on, I heard gun shots coming from my left. I told wikis stay and cuff the detainee. When I walked over to the vicinity the gunshot came from, I saw a person with an AK-47 ready to shoot again. The individual was aiming at EN21, I fired 3 shots and took him down. When I walked over to the body, I saw that it was a female, she was trying to get to the AK-47 she dropped. ook the AK-47 and took her to Camp Mariboro. shooter first AID, and she lived. Later we found out, from our translator who escorted the women through the medical channels, that the woman's brother was the shooter. After he ran she thought he was shot and brought out another AK-47. I feel that if I had not taken the actions I did, that she would have shot and possibly killed members of my plateon who could not see her. I know that what I did was wrong, I made a bad judgement call on stripping the looters. I am ready to take

responsibility for my action.



DEPARTMENT OF THE ARMY

(4), b(3)

AFZX-CB-EN

28 August 2003

MEMORANDUM FOR

SUBJECT: Response to 15-6 Investigation

it about two weeks after I was assigned to took over as the Platoon Leader. Since his first day, he has mentored and coached me to be a leader. His emphasis on taking care of the soldier and living the Army values has set a base for my development as an has demonstrated his ability to react to any officer. During Operation Iraqi Freedom, situation, ranging from helping a depressed soldier to calming upset citizens of Iraq. When the platoon mayory was the first to make sure they were treated right. He would give started detaining looters, water to the thirsty and when informed of possible mistreatments, he talked to the platoon to make sure it would not happen. For a brief period looters were being shot when looter on the back of Camp Marlboro. / felt it necessary to embarrass them to the When told to rough up, scare, and release detainees: point they would not return to loot and possibly get shot. His decision was to make he detainee strip and walk home nude. The decision may not have been the best, but it worked. is aware that he made a bad choice, but in that choice had saving the lives of the looters in his mind. He is a great asset to the platoon and should not be punished to the point of losing his position as

		DATA REQUIRED BY THE PRIVACY ACT
LUTHORITY:	Title 10, United States Code, Section 30	312(n)
RINCIPAL PURPOSE:		ement officials with means by which information may be accurately identified.
DUTINE USES:		an additional/alternate means of identification to facilitate filing and retrieval.
ISCLOSURE:	Disclosure of your Social Security Number	er is voluntary.
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. LOCATION Chand A	lanthors Bahada	2. DATE 3. TIME 4. FILE NO.
NAME (Last. First. Mil	roan togen o roangen	8. ORGANIZATION OR AUDRESS
. SSN	7. SRADE	EISTATUŞ
ection A. Rights	PARTI	I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE
scrion M. Hights	· · · · · · · · · · · · · · · · · · ·	
is mysstigator whose name annosi	re holow told ma that hole is with the United States	es Atmy
ispectedDccusad:	elamee Aware	and wanted to question me about the following offense(s) of which i am
	is about the offense(s), however field to made it clea	at to me that I have the following rights:
I do not have to answer any q		
	ed as evidence against me in a criminal trial.	
		efore, during, and after questioning and to have a lawyer present with me
during questioning. This lawye	er can be a civilian lawyer I arrange for at no expense	e to the Bovernment or a military lawyer detailed for me at no expense to me.
or both.		The state of the state of the state of the state of the
		· or -
(For civilians not subject to the	e UCMJI I have the right to talk-privately to a lawyer	er before, during, and after questioning and to have a lawyer present with
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KI	s of this form, see AR 190:30; the proponent agency is OBCSOPS
	DATA REQUIRED BY THE PRIVACY ACT
· ·	enforcement officials with means by which information may be accurately identified. sed as an additional/alternate means of identification to facilitate filing and retrieval.
1. LOCATION Camp Madbore Beghdad Irag	2. DATE 3. TIME 4. FILE NO. 78 Aug 03 1225
6 SSN 7.	8. ORGANIZI N OR ADDRESS.
2 11 3,1 3,1	AND A DOUGH WANTER STATE OF THE
	PART I - RIGHTS WAIVERINGN-WAIVER CERTIFICATE
Section A. Rights	
The investigator whose name appears below told me that he she is with the Unit	tad States Army
The state of the s	and wanted to question me about the following offense(s) of which I am
suspected accusad: Percince 4-6056	
me during questioning. I understand that this lawyer can be one that I arrawill be appointed for me before any questioning begins.	a lawyer before, during, and after questioning and to have a lawyer present with ange for at my own expense, or if i cannot afford a lawyer and want one, a lawyer without a lawyer present, I have a right to stop answering questions at any time, or waiver below.
5. COMMENTS (Continue on reverse side)	
Section B. Waiver	
understand my rights as stated above. I am now willing to discuss the offense(s	s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.
WITNESSES (If available)	3. SIGNATURE OF INTERVIEWEE
a. NAME (Type or Print)	
ORGANIZATION OR ADDRESS AND PHONE	4. SIGNATURE OF INVESTIGATOR
a. NAME (Type or Print)	5. TYPED NAME OF INVESTIGATOR
ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR
ection C. Non-waiver	SDI PCI, HHI. 1/2 ACIZ
. I do not want to give up my dights	•
T want a lawyer	i do not want to be questioned or say anything

DA FORM 3881, NOV 89

SIGNATURE OF INTERVIEWEE

EDITION OF NOV 84 IS OBSOLETE

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

USAPA 7.01

Personal Info Redacted IAW Sec of Dec Memo 01-CORR-101, dtd 9 Nov 01

	2-	CEDURE/WAIVER CERT (0.30) the proponent agency is 000	F. sops	(6), 6(3)
	DATA REQUIRE	D BY THE PRIVACY ACT		
PRINCIPAL PURPOSE: To ROUTINE USES: You	le 18, United States Code, Section 3012(g) provide commanders and law enforcement officials with or Social Security Number is used as an additional/aftern closure of your Social Security Number is voluntary.	•	•	
1. LUCATION Camp Maril	boro, Bughdad, Iraq	Z. DATE 5.8-03	3. TIME 12:54	4. FILE ND.
5. NAME (Last, First, MI)		8. ORGANIZATION OR		
6. SSN	7. GRADEISTATUS		/ - / (-)	
: <u></u>	PART 1 - RIGHTS WAIN	/ER/NON-WAIVER CERTIFICA	TE	•
Section A. Rights				
The investigator w^	Anny	· · · · · ·		
stispected/adjcused:	Sie Alexa	and wanted to question	me about the following offense!	s) of which i arm
	the oftense(s), however. The made it clear to me that I have to	tte following rights:		
1. I do not have to answer any question or	r say anything.			
 Anything I say or do can be used as evia (for personnel subject othe UCM) That 	idence against me in a criminal trial, ave the right to falk privately to a lawyer before, during, and aft	toe minetingies and to have a law-	· Bracent with	
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or both.			or no orpoints to the	
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will be appointed for me before any que	·	CI II I Califor Birms a 1841751 and 51	ant one, a rawyer	
	sels) under investigation, with or without a lawyer present, I ka	eve a right to stop answering questi	ons at any time, or	•
speak privately with a lawyer before an	nsweding further, even if I sign the waiver below.			
			•	
5. COMMENTS (Continue on reverse side	91			
Section B. Waiver	· · · · · · · · · · · · · · · · · · ·		· .	
l understand my rights as stated above. I am a	ow willing to discuss the offense(s) under investigation and ma	ke a statement without talking to a	lawyer first and without having	a lawyer present with me.
With	NESSES <i>(If avadable)</i>	3. SIGNATURE OF INTE	RVIEWEE	
1a. NAME (Type or Print)		-		
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b. ORGANIZATION OR ADDRESS AND PI	HONE	4. SIGNATHRE DEANUE	RTIFATINE	7
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2a. NAME (Type or Print)			FSTIGATOR	
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ORGANIZATION OR ADDRESS AND PL	AONE	6. ORGANIZATION OF I	WESTIGATOR	
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Section C. Non-waiver		···	· ·	
1. I do not want to give up my rights		-		
i want a fawyer		ido not want to be	questioned or say anything	
2. SIGNATURE OF INTERVIEWEE		· · · · · · · · · · · · · · · · · · ·		·· -
*	-			

DA FORM 3881, NOV 89

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

- Exhibit A
- Exhibit B
- Exhibit C
- Exhibit D
- Exhibit E
- Exhibit F
- Exhibit G
- Exhibit H
- Exhibit I
- Exhibit I
- Exhibit K
- Exhibit L
- Exhibit M
- Exhibit N
- Exhibit O
- Exhibit P
- Exhibit Q
- Exhibit R
- Exhibit S
- Exhibit T
- Exhibit U
- Exhibit V
- Exhibit W
- Exhibit X
- Exhibit Y
- Exhibit Z
- Exhibit AA

6(6), b(3)

SWORN STATEMENT For use of this form, see AR 190-45; the proponent agency is ODCSOPS PRIVACY ACT STATEMENT Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 ISSNJ. **AUTHORITY:** PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval. ROUTINE USES: Disclosure of your social security number is voluntary. DISCLOSURE 4. FILE NUMBER 3. TIME 1. LOCATION 2. DATE (YYYYMMDD) 2003 07 CAMP DRAGOON LAST NAME, FIRST NAME MIDDI F NAME 7. GRADE/STATUS 8. ORGANIZATION OR ADDRESS 9. ON 19 JULY It was brought to my attention that a soldier under my commend had vert to the Chaplin reference the possible mis-treatment of Ing: civilians. upon finding this out, I went & the Chaplin (1) and received the information that was brought do his attention. Upon heaving the possible allegations I went & the Platoon Leader & Sergent to get an intial read. They both said they had head rumors or talk but know noting. I then talked with a couple of soldiers. was the soldier that went to the Chaplin and he confirmed what the Origin had teld me. He said that the platoon had stripped an Tragi civilian Shocked an Iragi civilian with an M34 blusting device and royled a civilian up in their ADD. I also talked with who stated that the plateon provoked a lot of things and both soldiers stated the platoon was doing things they should not be doing. The following day, 20 JULY 03, I had the come to my Location. I then begin asking them generating reference the proposed allegations. I also spoke with all Upon my questioning I gathered the Collows intermedian To the best of my knowledge all incidents happened in the absence of the PL. He skill he had no Knowledge and had heard some talk but had not seen any · admitted to of the above stated incidences. After initial questioning bein present for all and directing the stripping of one individual. seems & how been present for all and took part in the stripping and shocking admitted to bein present but had no direct inwhered. incident. also admitted to being present but had no direct involvenced. Upon questions offer soldier to the best of my Knowledge I believe it as sheen So from the 11. INITIALS OF PERSON MAKING STATEMENT PAGE 1 OF ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT

DA FORM 2823, DEC 1998

MUST BE BE INDICATED.

DA FORM 2823, JUL 72, IS OBSOLETE

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

STATEMENT OF	TAI	KEN AT	DATED 28. July 2003
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har at a second		GAVE BEAD OR HAVE HAD	READ TO ME THIS STATEMENT
WHICH BEGINS ON PAGE 1, AND END BY ME. THE STATEMENT IS TRUE. I CONTAINING THE STATEMENT. I HA THREAT OF PUNISHMENT, AND WITH	IDS ON PAGE_ <u>2</u> _ 1 FULL 1 HAVE INITIALED ALL COI AVE MADE THIS STATEMEN	LY UNDERSTAND THE CONTENT RRECTIONS AND HAVE INITIALE	TS OF THE ENTIRE STATEMENT MADE ED THE BOTTOM OF EACH PAGE
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	HOUT COERCION, UNLAW!	Subscribed and swom to administer oaths, this 28	Ferson Making Statementl before me, a person authorized by law to
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	HOUT COERCION, UNLAW!	Subscribed and swom to administer oaths, this 28	before me, a person authorized by law to day of July 2003
WITNESSES:	HOUT COERCION, UNLAW!	Subscribed and sworn to administer oaths, this 28	before me, a person authorized by law to day of July 2003 Brephool Drec
WITNESSES:	HOUT COERCION, UNLAW!	Subscribed and sworn to administer oaths, this 28	before me, a person authorized by law to day of July 2003
WITNESSES:	HOUT COERCION, UNLAW!	Subscribed and swom to administer oaths, this 28 at 100 (Typed Name to 15)	before me, a person authorized by law to day of July 2003 Reson Administering Oath)
WITNESSES:	HOUT COERCION, UNLAW!	Subscribed and swom to administer oaths, this 28 at 100 (Typed Name to 15)	before me, a person authorized by law to day of July 2003 Brephool Drec

(b), b(3)

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:

9.

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

ROUTINE USES:

Disclosure of your social security number is voluntary." DISCLOSURE: 3. TIME 2. DATE (YYYYMMDD)

20150 20030728 7. GRADE/STATUS 6. SSN

5. LAST NAME, FIRST NAME, MIDDLE NAME

8. ORGANIZATION OR ADDRESS

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On or about 2 weeks prior to the 4th of July I witnessel acts aginst an Iragi Civilian that I fe allow with other soldiers felt was wrong. I of the plateons trucks had gone on a misson to buy drinks for the 4th of July (trucks 27, 23, 22). On the way back from the misson they went through the back forty to look for looters. One Iragi boy was apperhended (between 15+18 years old) and brought back to Camp Marthero. Instead of taking him to be turned in the Plt Sot celled the truck with the prisiner and told them to go directly to the & Werehouse with out dropping of the prisiner. The translator was dropped off at the translator office and they all met at the wavehouse. White every one was untouding the drinks the prisinor was taken off the truck remed up aginst the wall. The PH Syt walked up and whel the prising if he manted water then proceded to pour water . took a blestins machine all over the pristner. Then and shocked the prising on his feet theck while he was I zip cuffs. I then left the area and told was happing. He vent to the PH Syst and told him that it was not wright. I returned to the warehouse about thout

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT

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

7	28 T.l. 1/2
STATEMENT O: TAKEN	AT DATED 28 July 015
1 20 minute late	is They loaded the Prisiner in
- 1 -01 - 2 - 1 - 2 - 2 - 2 - 2 - 2 - 4 - 4 - 4 - 4 - 4	
is in the second and what but	n roll
mat/bors, There the prisiner was	as faken off the track and
taken into a building. White	he was inside I could not
see him at first but heard	lots of yelling. Then
I could see him and watched	
his elething. They made him	- Start walking away Nated
and then sprayed Pepper spr	ay on his clothing that was
all in the bilding. Then they	said that will supprise him
if he comes back to get his	Clothes, with
to the trucks and we will	returned to Camp Mar/bors tor
speaking up k was talked badly	, about behind his back by well of
the Platoon and was not allould to	growt on missons with the Plt set
unless there was no other options	
AFF	DAVIT
WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE Z . I FULLY BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRI CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL	
	Y
	(Signature of Person Making Statement)
WITNESSES:	Subscribed and sworn to before me, a person authorized by law to
1.02	administer paths, this 280 day of July 2005
2	at Keymenty 100
	Administering Oath)
ORGANIZATIONARATIORESS	T
	1 Cartina in Carti
	(Typed plame of Person Administering Oath)
ORGANIZATION OR ADDRESS	(Authority To Administer Oaths)
INITIALS OF PERSON MAKING STATEMENT	PAGE 2 OF 2 PAGES



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	2, 1943 (SSN).
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5. LAST NAME, FIRST NAME, MIDDLE NAME, 6. SSN	7. GRADES (A103
8. ORGANIZATION OR ADDRESS	
9. WANT TO MAKE THE FOLLOWING STA	TEMENT UNDER OATH:
A few days after July 4th at about 1500 hrs	'c Cene to
me and said you want believe that I saw. I said a	hat he told
me and said you want deplace to	te bild .
me that they had carpht an Irayi steeling. H	Le de la
that they had taken a 4 millimetal pistol and hit	nim high if
and knocked him unconcious and left him there be	•
in zip Lutts. Then walked up to me	an told me
the same thing and that he had watched it he	ppen.
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT DATED

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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11. INITIALS OF PERSON MAKING STATEMENT

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PAGE 1 OF

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STATEMENT OF	TAKEN AT .	D	ATED
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	AFFIDAVI	Τ	
1,	- ·, HA	VE READ OR HAVE HAD RE	AD TO ME THIS STATEMENT
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	<u> </u>	(Signature of Per	rson Making Statement)
_	- S	subscribed and sworn to before	ore me, a person authorized by law t
WITNESSES:	adr	minister oaths, this	day of Suly . Zeo3
	at_	Mediment VOC	Social Itag
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PAGE 3, DA FORM 2823, DEC 1998

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·	·	e AR 190-45; the proponent a	gency is obcoor o		
· · · · · · · · · · · · · · · · · · ·	P	RIVACY ACT STATEMENT	7 dated November 22	1943 (SSN)	
AUTHORITY: T	itle 10 USC Section 301; Title 5	USC Section 2951; E.U. 939.	ne by which informat	ion may be accurately	
RINCIPAL PURPOSE: T	ICIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately TO provide commanders and law enforcement officials with means by which information may be accurately TINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filling and retrieval.				
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	Disclosure of your social security	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER	
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Camp Marlborn	Orgnono	6. SSN		7. GRADE/STATUS	
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de my division	mul that if it is h	nous A needs	to stop.		
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investigation by	, L (044	Les avece deta	ince and to	ken directly to	
talking to	y that all act	or Machine house	lit to my alt	ention by ,	
Bulldag X-Ray	at Camp Marbord.	The augustions of sh	co, Stocking	with a blasting	
and	cuter force	of the was we	aware of the	be types of actions	
Machine, and 4	excessive beating, I	per son to a	a water so	ken directly to ention by with a blasting be types of actions I while detaining a process, the	
if they were on	scurring. I was with	, and	id i	4 Drocuess. the	
300 4 Sadwide	Is on approx 2nd or	314 week of June	e, During In	taken to Bullday striving, the mothery tody. attransport our choices were them out, drive nor the detainers	
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Vago at a	14 the to be hearty	I off to Bullday o	where whom a	Land MED TO CONT	
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at on or the by	ederled that nothing	s could be done	tight then so	our choices were	
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to reach the der	release them. We	i i valor then	n out + relea	nst the detainers	
ar ounce ound of	release them. We	Crest to	11) said	He detainers.	
I stuyed at Camp	Markeyo and sent m	y other 2 trucks of	Wilde	er Wharehouse.	
I am aware of	one instance of a	detained being	proad to		
My second squ	nd vehicle had	a flat tire. 5	sa while t	Le tore was	
being fixed m	w Platoon Sergen	-4 drove buck to !	the wherehous	Le tire was e with the detainer soccier ball off from he didnot y made surv	
in the back D	me of the soldiers	in the back had	bounced a	Sacret Bott of	
il delainers	hoad an	reach	and told	prin he avant	
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have seen or	strip + walkhome	but have not 5	eenthis, - 1	Vething Follows-	
being forced to	Still A Market	1			
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SWORN STATEMENT

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		ACT STATEMENT		
AUTHORITY: Title 10 USC Section 301; T	itle 5 USC Se	ection 2951; E.O. 9397	7 dated November 2:	2, 1943 <i>(SSN)</i> .
PRINCIPAL PURPOSE: To provide commanders and	law enforcer	nent officials with mea	ns by which informa	ition may be accurately
ROUTINE USES: Your social security number	is used as an	additional/alternate me	eans of identification	to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social sec	curity number	is voluntary.	· · · · · · · · · · · · · · · · · · ·	
1. LOCATION	2. D	ATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
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a COCANITATION OF ACCOUNTS		<u> </u>	· · · · · · · · · · · · · · · · · · ·	<u> 1</u>
8. ORGANIZATION OR ADDRESS		· <u> </u>	e was of the second	·
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then come onto with I	is cla	Alles.		
10. EXHIBIT	T1, BNIT	TALS OF PERSON MAI	KING STATEMENT	PAGE 1 OF 2 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING	3 "STATEMEN	VT TAKEN A	AT DATED	
THE BOTTOM OF EACH ADDITIONAL PAGE MUST	BEAR THE IN	TIALS OF THE PERSON	N MAKING THE STA	TEMENT, AND PAGE NUMBER
MUST BE BE INDICATED.				

STATEMENT OF TAK	EN AT DATED
9. STATEMENT (Continued) The final Universelect all was pres Discrept him bedle to comp in what he wanted the do with I to the wereloose When we from its use the clatrice. I w When all walked bealt in in the wellowere all agoing to	out for we caught one dorter northered al osled the PSG win. He told he to kning him ago there al went out the stayed outside for about 10 min. In care out and told well all told well all welked to the
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when it les told me that	some would wind us down.
aday of ise later he iterlel	ne it werdent hoppen agen
AF	FIDAVIT
WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 4. I FULLY BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORR CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFU	FREELY WITHOUT HOPE OF BENEFIT OF REWARD WITHOUT
	(Signature of Person Making Statement)
WITNESSES:	Subscribed and sworn to before me, a person authorized by law to administer oaths, this 24 day of 2003
	at Como Marthero, Buglidad, Frag.
URGANIZATION OF AUDRESS	(Signature of Six
	(Signature of Person Administerary Oath)
f-1	(Typed Name or rerson Aumanistering Oath)
1	STYPES Mainte of Person Administering Ustri)
ORGANIZA FON OR ADDRESS	(Authority To Administer Oaths)
NITIALS OF PERSON MAKING STATEMENT	PAGE 2 OF Z PAGES
AGE 3, DA FORM 2823, DEC 1998	

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For use of this form, see	AR 190-45; the proponent a	igency is ODCSOPS	· ·		
	IVACY ACT STATEMENT				
AUTHORITY: Title 10 USC Section 301; Title 5 U	USC Section 2951; E.O. 939	7 dated November 7	22, 1943 (SSN).		
PRINCIPAL PURPOSE: To provide commanders and law er	nforcement officials with mea	ans by which inform	lation may be accurately		
ROUTINE USES: Your social security number is used		leans of identification	on to facilitate filing and retrieval.		
DISCLOSURE: Disclosure of your social security number is voluntary. 1 LOCATION 2. DATE (YYYYMMDD) 3. TIME 4. FILE NUMBER					
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11. INITIALS OF PERSON MAKING STATEMENT 10. EXHIBIT PAGE 1 OF **PAGES** ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT

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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SWORN STATEMENT

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

PRIVACY	ACT :	STAT	EMENT		

AUTHORITY:

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

PRINCIPAL PURPOSE: ROUTINE USES:

To provide commanders and law enforcement officials with means by which information may be accurately

Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

Disclosure of your social security number is voluntary.

DISCLOSURE: 2. DATE (YYYYMMDD) 030130 3. TIME 4. FILE NUMBER 1. LOCATION Marlborg 7. GRADE'CT

8. ORGANIZATION OR ADDRESS

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WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Prior to the 4th of July, End 2, END3, END7 Seen boters. We detained 1 of them. We then went & behind Camp Muriboro. They (-. is a believe then Striped and the Iragi of his Clothes. While this was going on I was EN23 pulling security on the . 50 cal. Then I seen the Iragi run out of the building. Then left and came back to Camp Mariboro

Did you see the Iraqi run out of the Blilding and past your truck naked?

10. EXHIBIT		i i name	Of Tensor Minimum Street
ADDITIONAL PAGE	ES MUST CONTAIN TH	IE HEADING "STATEMENT	TAKEN AT

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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		(Signature of Person Making Statement)	
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ORGANIZATION OR ADDRESS		(Signature of Person Administering with)	
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PAGE 3, DA FORM 2823, DEC 1998

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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. 939	7 dated November 22	2, 1943 (SSN).
PRINCIPAL PURPOSE:	To provide commanders and lay	wenforcement officials with mea	ans by which informa	tion may be accurately
ROUTINE USES:	Your social security number is u	ised as an additional/alternate m	eans of identification	to tacilitate filing and retrieval.
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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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THREAT OF PUNISHMENT, AND WITH	HOUT COERCION, UNLAWFUL INFLUENCE OR	(Signature of Person Making Statement)
WITNESSES:	Subscribed a	and sworn to before me, a person authorized by law to
	administer oatt	hs, this 30th day of July 2003 Mart 1000 Bod of of Fire
ORGANIZATION OR ADDR E SS		101-notion of Person Administering Oath)
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ORGANIZATION OR ADDRESS		(Authority To Administer Oaths)
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	For use of this form	SWORN STATEMENT n, see AR 190-45; the proponer	nt agency is ODCSOPS		
AUTHORITY: PRINCIPAL PURPOSE: ROUTINE USES:	Title 10 USC Section 301; Ti : To provide commanders and Your social security number i	PRIVACY ACT STATEMENT tle 5 USC Section 2951; E.O. 9 law enforcement officials with s used as an additional/alternat	3397 dated November means by which inform	22, 1943 (SSN).	eval.
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10. EXHIBIT PAGE 1 OF ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT DATED TAKEN AT .

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

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11. INITIALS OF PERSON MAKING STATEMENT

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AUTHORITY:	Title 10 USC Section 301; Title 5 U	SC Section 2951; E.O. 939;	7 dated November 22	2, 1943 (SSN).
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ROUTINE USES:	Your social security number is used		eans of identification	to racilitate fitting and retrieval.
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PAGE 3, DA FORM 2823, DEC 1998

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b(6).663 SWORN STATEMENT Personal Info Redacted IAW Sec of Def Memo 01. 200R-101, dtd 9 Nov 01 For use of this form, see AR 190-45; the proponent agency is ODESOPS PRIVACY ACT STATEMENT Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN). AUTHORITY: To provide commanders and law enforcement officials with means by which information may be accurately identified. PRINCIPAL PURPOSE: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval. ROUTINE USES: DISCLOSURE: 3. TIME 4, FILE NUMBER 2. DATE *(YYYYMMDO)* 1. LOCATION 5. LAST NAME, FIRST NAME, MIDDLE NAME 2*00 3073* 7. GRADEISTATUS 8. ORGANIZATION OR ADDRESS During the month of June 2003, myself and other 2nd have contrared and detained lookers The first ten cases, we broug before, and attempted old by Buldon personner it was too much progresor b

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11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF

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ID. EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

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9. STATEMENT (Continued)			
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e Nair		AVE HAD READ TO ME THIS STATEMENT	
WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REW	. I FULLY UNDERSTAND THE CON I CORRECTIONS AND HAVE INITIALED THE BOTTOM	TENTS OF THE ENTIRE STATEMENT MADE OF EACH PAGE CONTAINING THE STATEMENT THAY	E MADE THIS
•		The second of th	OE INDOCEMENT.
		(Signature of Person Making Statement)	<u> </u>
WITNESSES:	Sulveribad see	swom to before me, a person authorized by law to	!
mercoto.	administry paths.		.2003
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ORGANIZATION OR ADDRESS			
	\ _	(Signature of Porson Administering Dath)	
		Typed Name of Person Againstaining June	
ORGANIZATION OR ADDRESS		15-6	<u>-</u>
*	<u> </u>	(Authority To Administer Oaths)	
INITIALS OF PERSON MAKING STATEMENT		PAGE OF	PACEC
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061, 6(3)

SWORN STATEMENT

For use of this form

n,	see AH 190-45; the proponent agency is obtain
	PRIVACY ACT STATEMENT

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

To provide commanders and law enforcement officials with means by which information may be accurately AUTHORITY: PRINCIPAL PURPOSE:

Your social security number is used as an additional/alternate means of identification to facilitate filling and retrieval.

ROUTINE USES: Disclosure of your social security number is voluntary. DISCLOSURE: 4. FILE NUMBER 3. TIME 2. DATE (YYYYMMOD) 1. LOCATION 194D 5. LAST NAME. FIRST NAME. MIDDLE NAME 20030731 7. GRADE/STATUS 8. ORGANIZATION OR ADDRESS

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

remember 44 of July I can't truck 23 and 26 went out to round up to to the camp, but I guess the camp them. We then drove back out the gade to an open with some buildings. Once we stopped I got pulled occority. De world a little while some people got out and went into the building. I didn't see who exactly , but noticed that people weren't in thier trucks, only the people who were out pulling security next trink I noticed I kids ran past my Rield of fire. Then we sof in trucks and left. another occasion when we were chasing looters we up picking up one looten. We took him to camp, but for some reason we didn't drop him off, he ended up driving back to the warehouse with 415. Once back at the warehouse set him againt they took him out of the truck most of the platoon went to inow. out to play vollyball with another unit 11. INITIALS OF PERSON MAKING STATEMENT

MUST BE BE INDICATED. DA FORM 2823, DEC 1998

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT

10. EXHIBIT

DA FORM 2823, JUL 72, IS OBSOLETE

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

USAPA V1.00

PAGES

PAGE 1 OF

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STATEMENT OF	TAKEN AT	DATED		
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WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 1. BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED CONTAINING THE STATEMENT. I HAVE MADE THIS S THREAT OF PUNISHMENT, AND WITHOUT COERCION,	ALL CORRECTIONS AND TATEMENT FREELY WITH	HAVE INITIALED THE BOTTO OUT HOPE OF BENEFIT OR RE	M OF EACH PAGE EWARD, WITHOUT (# 11)	
		of Person Makin	g Statement)	
WITNESSES:	Subscribe	d and sworn to pefore me, a p	erson authorized by law to	
and the second s		eaths, this Start day of Archara	Oly .2003	
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ORGANIZATION OR ADDRESS		Simulture of Parene Admin	ictoring Nath)	
	<u></u> <u></u>	(Typed Name of Person Admir	nistering Oath)	
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INITIALS OF PERSON MAKING STATEMENT	····································	PAGE	OF PAGES	

PAGE 3, --- FUHM 2823, DEC 1998

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 Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

ROUTINE USES:

9.

Disclosure of your social security number is voluntary.

DISCLOSURE: 4. FILE NUMBER 2. DATE (YYYYMMDDI 3. TIME 1. LOCATION

6. SSN

GANIZATION OF ADDITESS

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Did not see ordo not know anything that happen

nothing Follows 11. INITIALS OF PERSON MAKING STATEMENT, 10. EXHIBIT PAGES PAGE 1 OF DATED ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT 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

PAGE 3; DA FORM 2823, DEC 1998

SWORN STATEMENT b(0,bC For use of this form, see AR 190-45; the proponent agency is DOCSOPS PRIVACY ACT STATEMENT Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN). AUTHORITY: PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified. **BOUTINE 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 3. TIME 4. FILE NUMBER 5. LAST NAME, FIRST NAME, MIDDLE NAME 7. GRADE/STATUS 8. DRGANIZATION OR ADDRESS

"ANT TO MAKE THE FOLLOWING STATEMENT UNDER DATH: During July 3rd 2003 we recieve a mission to go buy sodas for the 4th of July events, the truck that were chosen to go where 21,22,23 and 27. We got to the soda place and bought them then we returned back to enno or the way back we were could to police up the 100 fers by Carp Morlboro we caugh one and brought him back to the gets at the time to turn him in to the cimoc somebody to take him to the ware house so we the wave house at the time Isa 51st signal playing volley ball and cold. he said to go ask for next game and glome back todown load sodas as soon as me the worehouse and parked I then volley bull coury and asked for next eturned to download sodas when looter we caught was sitting down wall inbetween 76 and 27. We finish dow loading sodas adue wen T The next have. During our play in the second 18. EXHIBIT 11. INITIALS OF PERSON MAKING STATEMENT PAGE 1 OF ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF DATEO 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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TAKEN AT Comp Mariboro DATED 1 Acx 2003 come and asked of many sodas fell of the truck because there was 10 cases of sodas missing. I said no and told him to court them agrin I minutes told me togo and bount them so I the vear of the wavehouse and on the way told me we wert good it was a MISS COUNT I partially counted them and startles to head out to play again on the way out I heard the Iragi scream I then looked and laught aglance of our medic pooring water on him I lest adstarted to play again. There was another incident that involved znaked gry 5. and amission with I contfully remember on our way back to camp we heard over the rad, platoon net to go get some looters some poceeded to go after them the truck I was in (23) we distit get no body be cause our driver was in experienced when there were no looter left we followed the rest of the trucks (-27,22,) to son shock our fruck waited and every oncelet dismounded some to smoke and others to do who twee they did Well as ne vaited on Iraqi runed passed us naked I started laughing and ... did to about 5 min la Ter and ther Irogi stated running naked passe our fruck goin and that's all I som and know abov; that incident.

INITIALS OF PERSON MAKING STATEMEN

AFZX-CB-EN

MEMORANDUM FOR

SUBJECT: Investigating Officer's Report

I acknowledge receipt of the AR 15-6 investigating officer's report and accompanying memorandum from the Commander, 2d ACR. I acknowledge that I will have three days from today's date to reply to this report and to submit relevant rebuttal materials on my behalf.

I waive my rights to reply to this investigation in writing and to submit any rebuttal materials.

I request an opportunity to reply to this investigation in writing and submit rebuttal materials on my behalf.

DATE: 25 Aug 2003 9900 hrs



AFZX-CB-EN

b(6), b(3)

MEMORANDUM FOR

SUBJECT: Investigating Officer's Report

I acknowledge receipt of the AR 15-6 investigating officer's report and accompanying memorandum from the Commander, 2d ACR. I acknowledge that I will have three days from today's date to reply to this report and to submit relevant rebuttal materials on my behalf.

I waive my rights to reply to this investigation in writing and to submit any rebuttal materials.

 $\frac{2}{2}$ I request an opportunity to reply to this investigation in writing and submit rebuttal materials on my behalf.

DATE: 25 Any 2003 0910 hrs



Personal Info Redacted IAW Sec of Def Memo 01-CORR-101, dtd 9 Nov 01

b(b), b(3)



AFZX-C-CO

23 August 2003

MEMORANDUM FOR:

SUBJECT: Notification of AR 15-6 Investigating Officer's Report

1. I have reviewed the Investigating Officer's report into alleged detainee abuse by soldiers in your platoon. I concur with investigating officer's findings. You mistreated Iraqi detainees who were under your control.

2. I have provided you with a copy of this AR 15-6 investigation. Before I take final action on this matter, you will be afforded an opportunity to submit a reply to the investigating officer's report in writing and submit relevant rebuttal materials. I will review and evaluate your response before I take final action on this report. You will have three days from the date you receive this memorandum to submit your reply and rebuttal.

Encl.





DEPARTMENT OF THE ARMY

b(6), b(3)



AFZX-C-CO

23 August 2003

MEMORANDUM FOR Augustin cirsi of

:1

SUBJECT: Notification of AR 15-6 Investigating Officer's Report

- 1. I have reviewed the Investigating Officer's report into alleged detainee abuse by soldiers in your platoon. I concur with investigating officer's findings. While serving as the platoon sergeant, you mistreated Iraqi detainees who were under your control.
- 2. I have provided you with a copy of this AR 15-6 investigation. Before I take final action on this matter, you will be afforded an opportunity to submit a reply to the investigating officer's report in writing and submit relevant rebuttal materials. I will review and evaluate your response before I take final action on this report. You will have three days from the date you receive this memorandum to submit your reply and rebuttal.
- 3. You are suspended from your platoon sergeant duties pending resolution of this matter.

Encl.

CORR-101, dtd 9 Nov 01

AR 15-4 Anvestigation

Report - 2d Havitzer Battery,

2d ACR

(Redacted)

b(6), b(3)

DEPARTMENT OF THE ARMY

HEADQUARTERS, 2D SQUADRON, 2D ARMORED CAVALRY REGIMENT UNIT # 92375 BAGHDAD, IRAQ APO AE 09322-2375

AFZX-CB-A

22 September 2003

MEMORANDUM FOR:

SUBJECT: Appointment of Investigating Officer

- 1. You are hereby appointed an investigating officer pursuant to AR 15-6 to conduct an informal investigation into the alleged mistreatment of detainees by soldiers of 2d Howitzer Battery, 2d Armored Cavalry Regiment on or about 21 September 2003.
 - 2. In your investigation, all witness statements will be sworn. From the evidence, you will assess the circumstances and events surrounding the incident.
 - 3. Submit your findings and recommendations in four copies on DA Form 1574 to this headquarters, ATTN: AFZX-C-CO, within 7 days.



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REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BO. For use of this form, see AR 15-6; the proponent agency is OTJAG. IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS SECTION 1 - APPOINTMENT Appointed by (Appointing authority) (Attach inclosure 1: Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6.) 22 SEP 03 (Date) SECTION II - SESSIONS The (investigation) (board) commenced at Camp Marlboro, Baghdad, Iraq 🏥 (If a formal board met for more than one session, check here 🔲 . Indicate in an inclosure the time each session began and ended, the place, persons present and absent, and explanation of absences, if any.) The following persons (members, respondents, counsel) were present: (After each name, indicate capacity, e.g., President, Recorder, Member, Legal Advisor.) The following persons (members, respondents, counsel) were absent: (Include brief explanation of each absence.) (See paras 5-2 and 5-8a, AR 15-6.) 22 SEP 03 1850 The (investigating officer) (board) finished gathering/hearing evidence at (Time) 22 SEP 03 2200 and completed findings and recommendations at (Time) SECTION III - CHECKLIST FOR PROCEEDINGS YES NO A. COMPLETE IN ALL CASES Inclosures (para 3-15, AR 15-6)

Are the following inclosed and numbered consecutively with Roman numerals: (Attached in order listed) a. The letter of appointment or a summary of oral appointment data? b. Copy of notice to respondent, if any? (See item 9, below) c. Other correspondence with respondent or counsel, if any? d. All other written communications to or from the appointing authority? e. Privacy Act Statements (Certificate, if statement provided orally)? f. Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)? g. Information as to sessious of a formal board not included on page 1 of this report? h. Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board? If Explain all negative answers on an attached sheet FOOTNOTES: If Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation

	E 175 to Area 2 16 4D 15 6)	YES	NO	NA³i
2	Exhibits (para 3-16, AR 15-6) a. Are all items offered (whether or not received) or considered as evidence individually numbered or lettered as	1		
	a. Are all items offered (whether or not received) of considered as evidence many many many many many many many many	X	1	
	b. Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?	X	L	
	b. Is an index of all exhibits offered to or considered by investigating officer or been reduced to written form and attached as c. Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as	X	<u> </u>	
	t an arbibit?	+^-	 -	
	d. Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is	<u> </u>	<u> </u>	X
	e. Are descriptions or diagrams included of locations visited by the investigating officer or board (para 3-6b, AR 15-6)?	 	<u> </u>	X
 	f. Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim record?			×
	g. If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit (para 3-16d, AR 15-6)?			X
_	Was a quorum present when the board voted on findings and recommendations (paras 4-1 and 5-2b, AR 15-6)?	†	i	X
3	Was a quorum present when the board voted on initiality and recommendation (Chapter 5, AR 15-6)			
-	COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6) At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment (para 5-3b, AR 15-6)?			
4	Was a quorum present at every session of the board (para 5-2b, AR 15-6)?	1	1	
5	Was a quorum present at every session of the board (para 5-2a, AR 15-6)?	1	 	}
6	Was each absence of any memoer property excessed (para 3-2, AR 15-6)? Were members, witnesses, reporter, and interpreter sworm, if required (para 3-1, AR 15-6)?	1		
7	Were members, witnesses, reporter, and interpreter sword, in required special states of the board received some evidence, If any members who voted on findings or recommendations were not present when the board received some evidence,	1-	<u> </u>	
8	does the inclosure describe how they familiarized themselves with that evidence (para 5-2d, AR 15-6)?			
_	COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)			
<u>ن</u>	Notice to respondents (para 5-5, AR 15-6):			
y	a. Is the method and date of delivery to the respondent indicated on each letter of notification?	- ALCOHOLD	1	
	b. Was the date of delivery at least five working days prior to the first session of the board?		1"	
	c. Does each letter of notification indicate —	<u> </u>		
	fit board appropriate that respondent?			
	15 We are a short the corporations of any?	1		
	***	 -	1	
		 		
	Personal Property of the Prope		 	
İ	d. Was the respondent provided a copy of all unclassified documents in the case file?	\top	† ·	
	e. If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?	1		(C)(-)(-2)
<u></u>	If any respondent was designated after the proceedings began (or otherwise was absent during part of the proceedings):			1
10		6次5%	75.CF+T08	THE PROPERTY.
	a. Was he properly notified (para 5-5, AR 15-6)? b. Was record of proceedings and evidence received in his absence made available for examination by him and his counsel (para 5-4c, AR 15-6)?	1	 	
11	Counsel (para 5-6, AR 15-6):	D-800-05-05-05	elise tuiring	2000
ĺ	a. Was each respondent represented by counsel?			
[Name and business address of counsel:		-0.577	
	(If counsel is a lawyer, check here [])	40000	A DEC S	270 - T 2800
	b. Was respondent's counsel present at all open sessions of the board relating to that respondent?	+	+	
	c. If military counsel was requested but not made available, is a copy (or, if oral, a summary) of the request and the action taken on it included in the report (para 5-6b, AR 15-6)?	1		}
12	If the respondent challenged the legal advisor or any voting member for lack of impartiality (para 5-7, AR 15-6):	100 Table	\$2500 PM	ANGEL STATE
	a. Was the challenge properly denied and by the appropriate officer?	+-	 	
	b. Did each member successfully challenged cease to participate in the proceedings?			
13	Was the respondent given an opportunity to (para 5-8a, AR 15-6):	97:35%	300 A 40 A	
	a. Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent?	+	┼	(5.20) 項及
	b. Examine and object to the introduction of real and documentary evidence, including written statements?		+-	+
	c. Object to the testimony of witnesses and cross-examine witnesses other than his own?	-	1	
	d. Call witnesses and otherwise introduce evidence?		+	7 to 19
	e. Testify as a witness?		}	12 (50 kg)
	f. Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)?		 	1970
14	If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in	İ		
	arranging for the presence of witnesses (para 5-8b, AR 15-6)?		 	
15	Are all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an inclosure or exhibit to it (para 5-11, AR 15-6)?			<u> </u>
FO	OTNOTES. We retain all according automore on an attached sheet	01	$5\overline{2}$	7
	Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation			

access to the detainee holding

SECTION IV - FINDINGS (para 3-10, AR 15-6)

The (investigating officer) (board), having carefully considered the evidence, finds:

The three detainees in the Squadron holding pen were punched and kicked at approximately 21 2330 SEP 03 by soldiers from HWB 2/2 ACR for several minutes (Exhibit I, II, III, IV, V, XI, XII, XIII)

passports. (Exhibit I, XII)

detained for pointing a weapon at the tower and using children as a shield. (Exhibit II, XIII)

for possessing contraband ammunition. (Exhibit III, XI)

area. (Exhibit IV, V)

and did not attempt to stop the attacks or report the incident. (Exhibit IV, V)

acted alone. (Exhibit I, II, III)

allowed (

eported hearing screams from the detainee holding area while pulling guard on Tower 6. (Exhibit VIII, IX)

nvestigated Tower 6's report to discover the beating incident.(Exhibit VIII)

valuated the three detainees and determined they had suffered bumps, bruises

Battery (Exhibit I, II, III, IV, V)

reported no direct knowledge of similar events within the

SECTION V - RECOMMENDATIONS (para 3-11, AR 15-6)

In view of the above findings, the (investigating officer) (board) recommends:

The Appointing Authority consult with the Staff Judge Advocate about possible UCMJ action.

<u> </u>	SECTION VI - A	AUTHENTICATION (para 3-17, AR 15-	
THIS REPORT OF PR	OCEEDINGS IS COMPLETE AND ACC son in the space where his signature should	CURATE. (If any voting member or the recorder fails to sign here or in Section VII	•
		•	
•			
·			
		(Investigating Officer) (President)	_
	(Recorder)	finite state of th	
			_
	(Member)	(Member)	
			_
	(Member)	(Member)	
	SECTION VII - N	MINORITY REPORT (para 3-13, AR 15-6)	
To the extent indicated	the undersion	ned do(es) not concur in the findings and recommendations of the board. endation in which the dissenting member(s) do(es) not concur. State the	
reasons for disagreeme	nt. Additional/substitute findings and/or re	commendations may be included in the inclosure.)	
			_
	(Member)	(Member)	_
	SECTION VIII - ACTION E	IY APPOINTING AUTHORITY (para 2-3; AR 15-6)	_0
whetitutione). (If the ar	mendations of the (investigating officer) (pointing authority returns the proceedings that correspondence (or a summary, if or	board) are (approved) (disapproved) (approved with following exceptions/ to the investigating officer or board for further proceedings or -al) as a numbered inclosure.)	ORR-101, atd 9
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Personal Intor Redacted IAW Sec of Def Menno 01-CORR-101, dtd 9 Nov 01

Exhibit I

Exhibit II

Exhibit III

Exhibit IV

Exhibit V

Exhibit VI

Exhibit VII

Exhibit VIII

Exhibit IX

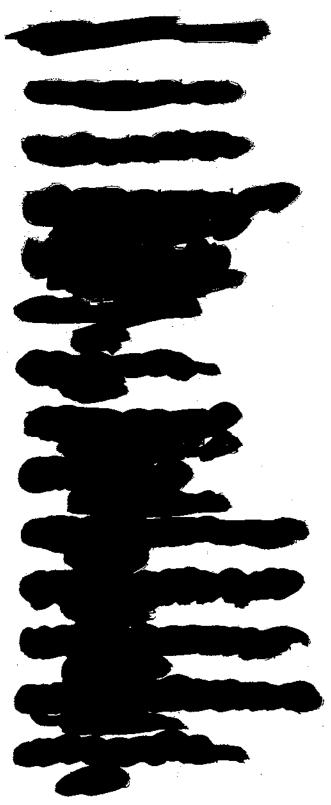
Exhibit X

Exhibit XI

Exhibit XII

Exhibit XIII

Exhibit XIV



RIGH 🕃 WARNING PROCEDURE/WAIVER CER' 🚨	ATE
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For use of this form, see AR 190-30; the proponent agency is ODCSOPS

0/	4).	6	3)
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DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY:

Title 10, United States Code, Section 3012(g)

POUT INE USES: Your Social Security Number is used as a Disclosure: Disclosure of your Social Security Number	an additional/alternate means of identification to facilitate filing and retrieval er is voluntary.
1. LOCATION	2. DATE 3. TIME 4. FILE NO.
CAMP MARCBORD	8. OBGANIZATION OF ADDRESS
5	
6. SSN 7. GRADE/STATUS	CAMP MANUSORO
PART I - RIGHTS WAIT	VER/NON-WAIVER CERTIFICATE
Section A. Rights	
The investigator whose name appears below told me that he/she is with the Un	
suspected/accused:	
Before he/she asked me any questions about the offensels), however, he/she m	nade it cleer to me that I have the following rights:
1. If do not have to answer any question or say anything.	
2. Anything I say or do can be used as evidence against me in a criminal trial	
3. (For personnel subject othe UCMJ 1 have the right to talk privately to a la	awyer before, during, and after questioning and to have a lawyer present with me expense to the Government or a military lawyer detailed for me at no expense to me,
	expense to the dovernment of a minute of the state of the
or both.	- of -
me during questioning. I understand that this lawyer can be one that I array	a fawyer before, during, and after questioning and to have a lawyer present with inge for at my own expense, or if I cannot afford a lawyer and want one, a lawyer without a lawyer present, I have a right to stop answering questions at any time, or waiver below.
5. COMMENTS (Continue on reverse side) Section B. Waiver	declared and the second are without talking to a fawver first and with
understand my rights as stated above. I am now willing to discuss the offensel having a lawyer present with me.	(s) under investigation and make a statement without talking to a lawyer first and with
WITNESSES (If available)	3. SIGNATURE OF INTERVIEWEE
a. NAME (Type or Print)	
ORGANIZATION OR ADDRESS AND PHONE	4. SIGNATURE OF INVESTIGATOR
·	
	5. TYPED NAME OF INVESTIGATOR
a. NAME (Type or Print)	5. TYPED NAME OF INVESTIGATOR 6. ORGANIZATION OF PROSTIGATOR
a. NAME (Type or Print)	
a. NAME (Type or Print) ORGANIZATION OR ADDRESS AND PHONE	
a. NAME (Type or Print) ORGANIZATION OR ADDRESS AND PHONE ection C. Non-waiver	
a. NAME (Type or Print)	
a. NAME (Type or Print) ORGANIZATION OR ADDRESS AND PHONE ection C. Non-waiver 1 do not want to give up my rights	6. ORGANIZATION OF PROSTIGATOR

DA FORM 3881, NOV 89

EDITION OF NOV 84 IS OBSOLETE

USAPA 2.01

	For use of this for	SWORN m, see AR 190	STATEMENT 0-45; the proponent a	agency is ODCSOPS	6/6),6(3)
AUTHORITY: PRINCIPAL PURPOSE: ROUTINE USES: DISCLOSURE:	Title 10 USC Section 301; To provide commanders and	PRIVACY / itle 5 USC Sec law enforcements used as an a	ACT STATEMENT tion 2951; E.O. 939 ent officials with meadditional/alternate m	7 dated November 2	22, 1943 <i>(SSN)</i> .
1. LOCATION		2. DA	TE (YYYYMMDD)	3. TIME	4. FILE NUMBER
5. LAST NAME FIRST	NAME MIDDLE NAME		6. SSN	, (D	7. GRADE/STATUS
8. ORGANIZATION OR					
-14 (k to the dagpo s. I was told	ound at	ter skift	and was i	ING TOWERS
and he wa	s hiding behind	kids w	ith it. Ano	ther had	a morter printed assports for got really upset hicken coop and to each one of
at the wh	ite house, Th	e 3rd	one was	making po	assports tor
fediren to	go to the sta	tes. When	. I was	told this 1	got really upset
and the	and 2 other	r soblie	re-kd	to the c	hicken coop and
told the Sg	juys to stand u	op, Lack cc. I	dishit wat	ch what t	the other 2 soblier
were doing t	but I know with	hen I	moved my	foot to co	ome closer my
Land Hor 5	times on his rig	ght arm	and then	I STOPPE	and let T. We
were in H	c chicken coop DOTAINONE DID YOU	2015	minutes an	d that is a	all that happen,
Q wito INFO	that was doing must you or 140 p	The pass	AS DOTAINOUS	- PER BEING	460
O. EXHIBIT			S OF PERSON MAKI	NG STATEMENT F	PAGE 1 OF Z PAGES
DDITIONAL PAGES MUS	T CONTAIN THE HEADING "S	STATEMENT	TAKEN AT	DATED	
HE BOTTOM OF EACH A MUST BE BE INDICATED.	DOITIONAL PAGE MUST BEA	R THE INITIAL	S OF THE PERSON I	MAKING THE STATE	EMENT, AND PAGE NUMBER

HAO YOU BOOK GIVON WHILE Q: WHAT INSTRUCTIONS DETAINER GALD?

A. To give food or water if needed and to make sure they don't get

Q: DO YOU THINK YOUR ACTIONS WORK APPROPRIATE GROW THE CITCOMSTANCES?

A. In a way yes and no yes because I know 2 of those guys could have killed abot of the soldiers and one could have made another attack on America. No, because I felt that I stopped out of line.

Q: DO YOU HAUG ANYTHING TO ADD?

A: Yes, I think that is any American and soldier would have acted as I did and the other soldiers. For one I'm one of the guys that pulls guard on the tower around the comp all it would have taken is for one of us to come down from the tower and got shot by the guy hiding with a the pistal behind kids. And Just think of the soldiers that live in the white house if that guy would have shot the montor round it would have killed hundreds of peoples friends and families. The guy who made passports to go to America, all I can think about is 411 and I know any body con't stand to see or know people that would try to do any of this to friends or family.

PAGE Z OF S

USAPA V1.00

Personal Info Redacted IAW Sec of Def Memo 01

A DOMESTIC OF THE PROPERTY OF	DUBE/MAIN/ER CERTIFI (E) (/)	1/51
RIGHTS VARNING PROCEL For use of this form, see AR 190-30	OURE/WAIVER CERTIFI TE D; the proponent agency is ODCSOPS (6)	0(5)
DATA REQUIRED 8	Y THE PRIVACY ACT	
AUTHORITY: Title 10, United States Code, Section 3012(g PRINCIPAL PURPOSE: To provide commanders and law enforcement ROUTINE USES: Your Social Security Number is used as an ad DISCLOSURE: Disclosure of your Social Security Number is to	t officials with means by which information may be accurate distinct to facilitate filing a	ely identified. Ind retrieval.
1. LOCATION CAMP MARCBORD	2. DATE 3. TIME 4. FILE	NO.
5. NAME (Last, First, MI)	8. ORGANIZATION OR ADDRESS	
6. SSN 7. GRADE/STATUS	CAMP MANLBORO	· · · · · · · · · · · · · · · · · · ·
PART 1 - RIGHTS WAIVER	NON-WAIVER CERTIFICATE	
Section A. Rights		
The investigator whose name appears below told me that he/she is with the United	States Army and wanted to question me about the following offense(s) of v	which I am
 Anything I say or do can be used as evidence against me in a criminal trial. Iffor personnel subject othe UCMU I have the right to talk privately to a lawyer during questioning. This lawyer can be a civilian lawyer I arrange for at no export both. If or civilians not subject to the UCMU I have the right to talk privately to a lame during questioning. I understand that this lawyer can be one that I arrange will be appointed for me before any questioning begins. If I am now willing to discuss the offensels) under investigation, with or without speak privately with a lawyer before answering further, even if I sign the waitened. 	- or - awyer before, during, and after questioning and to have a lawyer pres for at my own expense, or if I cannot afford a lawyer and want one, but a lawyer present, I have a right to stop answering questions at an	eent with , a lawyer
5. COMMENTS (Continue on reverse side)		
Section B. Waiver		
I understand my rights as stated above. I am now willing to discuss the offense(s) having a lawyer present with me.	under investigation and make a statement without talking to a lawye	r first and without
witnesses (If available)	3. SMATURE OF INTERVIEWEE	. •
1a. NAME (Type or Print)		·
b. ORGANIZATION OR ADDRESS AND PHONE	4. GATOR	
2a. NAME (Type or Print)	5. TYPED NAME OF INVESTIGATOR	
b. ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR	
Section C. Non-waiver	CHANGE CO.	
I do not want to give up my rights		
☐ I want a lawyer	l do not want to be questioned or say anything	

DA FORM 3881, NOV 89

SIGNATURE OF INTERVIEWEE

EDITION OF NOV 84 IS OBSOLETE

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

USAPA 2.01

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	SWORN STATEMENT	
For use of this form,	see AR 190-45; the proponent agency is ODCSO	PS
AUTHORITY: Title 10 USC Section 301; Title PRINCIPAL PURPOSE: To provide commanders and law Your social security number is used.	PRIVACY ACT STATEMENT 5 USC Section 2951; E.O. 9397 dated November v enforcement officials with means by which information and additional/alternate means of identifications.	er 22, 1943 <i>(SSN)</i> . ormation may be accurately
DISCLOSURE: Disclosure of your social securit 1. LOCATION	2 DATE /VVYYMMODI 13. TIME	4. FILE NUMBER
CAMP MARBOR	2063 0922 1810	
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS		
Around 233\$ Shift at the Chicken discussing the detaine return there and given there I placed my we I contind the Chicken	Conpe, at which the es. The descision was the detamels. After capon, cancel buck to a Coupe where my	noned from their ne we began s made to er walking down Boonie cep down.
getting to no respon	Le men asked a co Server to hit few times due of we stopped got a Surances? por HIT?	ouple of questions the measure Of Heir yelling CORR-101, dtd 9 Nov 01 About THE
A. A. Commande de comme de la	grand or long steene wh	ste 6 brit dule
	STATEMENT TAKEN AT DATE	
ADDITIONAL PAGES MUST CONTAIN THE HEADING "S	STATEMENT FAKEN AT DATE	

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, JUL 72, IS OBSOLETE

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USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.
STATEMENT OF TAKEN AT 1810 DATED 27 300 07
9. STATEMENT (Continued) Q: WHAT INSTRUCTIONS AND YOU ROCIOUS ON TRUMMOND OF DOTAINOUS.
A: We have reviewed a black of instructions saying the we must be in uniform (soft up, water, weapon & maguz.he),
must be in unitorm (soft cop, whit, weapon & maguzine)
Call the COR. Por anything that we may need
(ic. wuter-orload etc.), We usually are not to 80 into
a: Do you think you parions vont proportion Givon 7HT ancounting cos?
A: My autions were not appropriate given that the men were
ancounstances? A: My actions were not appropriate, given that the menaitre in our constody of under investigation. I came to this conclusion after the fact. The conclusion after the fact.
Q: DO YOU KNOW OF ANY SIMILAR INSTANCES; ETHER FIRST HAWA OR
Rumons.
N. Dent to be and several primary in and battery to
Q: DO HAVE ANYTHING TO ADD?
1 V - L have 10 St & Date should the
14 That Carticulary Close 10 the Hought
of this man standing Here w/ a weepon pointed
at any of my follow soldiers arrand me. The idea
at him, using children inhiviated me even more.
Soons at anger I struck him only affine times
and told to the testop.
INITIALS OF PERSON MAKING STATEMENT PAGE Z- OF 3 PAGES
USAPA V 1.00

STATEMENT OF	TAKEN AT	DATED	
9. STATEMENT (Continued)		· .	
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	AFFIDAVIT, HAVE READ	OR HAVE HAD READ TO ME THIS STATE	ATEMENT FEMENT MADE
WHICH BEGINS ON PAGE 1, AND ENDS OF BY ME. THE STATEMENT IS TRUE. I HAVE CONTAINING THE STATEMENT. I HAVE N	E INITIALED ALL CONRECTIONS AND	OUT HOPE OF BENEFIT OR REWARD,	CH PAGE WITHOUT
CÖNTAINING THE STATEMENT, I HAVE N THREAT OF PUNISHMENT, AND WITHOUT	COERCION, UNLAWFUL INFLUENCE,	OR UNLAWFUL INDUCEMENT.	
		Signature of Person making Statem	ent) .
WITNESSES:	Subscribed	I and sworn to before me, a person aut	horized by law to
WITNESSES.	administer of at (Aw	aths, this 22 day of SOP	, Zoo <u>3</u>
ORGANIZATION OR ADDRESS		(Signature hinistering C	sth)
		(Typed Name of Person Administering	Cathi
	·	A1 15-6	
ORGANIZATION OR ADDRESS		(Authority To Administer Oaths)	

PAGES

INITIALS OF PERSON MAKING STATEMENT

OF

CORR-101, dtd 9 Nov 01

RIGHTS WARNING PROCEDURE/WAIVER CERTIFIC. . E

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

DATA REQUIRED BY THE PRIVACY ACT

A11	THO	TRI	Υ:	

Title 10, United States Code, Section 3012(g)

PRINCIPAL PURPOSE: ROUTINE USES:

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

DISCLOSURE:

Disclosure of your Social Security Number is voluntary.

CAMT MANCEOLO TSAGADAS IMA	2. DATE 3. TIME 4. FILE NO. 775000 1850
	8. ORGANIZATION OR ADDRESS
5. NAME (Last, First, MI)	
6. S.M. 7. GRADE/STATUS.	CAMP MAN BOTO, BAGADAA
PART 1 - RIGHTS WAIVERA	NON-WAIVER CERTIFICATE
Section A. Rights	
The investigator whose name appears below told me that he/she is with the United S	States Army and wanted to question me about the following offense(s) of which i am
suspected/accused:	
Before he/she asked me any questions about the offense(s), however, he/she made i	it clear to me that I have the following rights:
I do not have to answer any question or say anything.	•
2. Anything I say or do can be used as evidence against me in a criminal trial.	hadge, during and after questioning and to have a lawver present with me
Anything I say or do can be used as ovidently against to talk privately to a lawyer (For personnel subject othe UCMJ I have the right to talk privately to a lawyer	ense to the Government or a military lawyer detailed for me at no expense to me,
	The state of the s
or bott i.	• Qf •
(For civilians not subject to the UCMJ) i have the right to talk privately to a law	wyer before, during, and after questioning and to have a lawyer present with
me during questioning. I understand that this lawyer can be one that I arrange to	for at my own expense, or if i cannot afford a lawyer and want one, a lawyer
will be appointed for me before any questioning begins.	
4. If I am now willing to discuss the offense(s) under investigation, with or without	at 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 waive	ar below.
COMMENTS (Continue on reverse side)	<u> </u>
Section B. Waiver	· · · · · · · · · · · · · · · · · · ·
I understand my rights as stated above. I am now willing to discuss the offensels) \boldsymbol{u} having a lawyer present with me.	inder investigation and make a statement without talking to a lawyer first and without
WITNESSES (If available)	3. SIGNATURE OF INTERVIEWEE
ta. NAME (Type or Print)	
THE STATE OF PERSONS ASSESSED.	
b. ORGANIZATION OR ADDRESS AND PHONE	4. S VATURE OF INVESTIGATOR
· · · · · · · · · · · · · · · · · · ·	
2a. NAME (Type or Print)	5. TYPED NAME OF THE STIGATOR
2a. NAME (Type or Print)	
b. ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR
	CAMP MANUBORO, BAGOLDAD
Section C. Non-waiver	
1. I do not want to give up my rights ☐ I want a lawyer	I do not want to be questioned or say anything
☐ I want s lawyer	<u>-:</u>
2. SIGNATURE OF INTERVIEWEE	
	1921 CHREENIENT V EVECUTED BY THE CHEPTOTACCHISED
ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2	823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

DA FORM 3881, NOV 89

EDITION OF NOV 84 IS OBSOLETE

USAPA 2.01

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY:

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

PRINCIPAL PURPOSE:

To provide commanders and law enforcement officials with means by which information may be accurately

ROUTINE USES:

Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE:

Disclosure of your social security number is voluntary.

1. LOCATION

2. DATE (YYYYMMDD) 20030927

3. TIME

4. FILE NUMBER

LAST NAME, FIRST NAME, MIDDLE NAME

MARCBORD

1800

7. GRADE/STATUS

ORGANIZATION OR ADDRESS

9.

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

to 2300 on 20030921. After getting being there things cargli

10. EX	(HIBIT
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11. INITIALS OF PERSON MAKING STATEMENT

PAGES PAGE 1 OF

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT

DATED

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

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there for ninntes, if that! We best ON Our OWN and proceeded back to the skep area. Q: who's 700A was IT TO GO THE CHICAGO Skep area. Q: who's 700A was IT TO GO THE CHICAGO CONTO. Q: which DIAMOND DID YOU HIT ARE HOW OFTON? Q: which DIAMOND DID YOU HIT ARE HOW OFTON? Q: which DIAMOND DID YOU HIT ARE HOW OFTON? Q: whit Approximate DID YOU FOR APOUT CASE FOR THE CHIMANOS? A: Basically treat the detainies to we respect. No extra force. A: Basically treat the detainies to we respect. No extra force. A: Basically treat the detainies to we respect. No extra force. A: Basically treat the detainies to we respect. No extra force. A: Basically treat the detainies to we respect. No extra force. A: Ha the fire yes I did, No that live had time to think with A: At the fire yes I did, No that live had time to think with Q: Do you wow or any similar situations on many you would Q: Do you move or similar Instances? A: Do you have about theything yes. Just Rumors. A: I would just like to say, that my disition that A: I would just like to say, that my disition that Night might not have been the best one ive been in the	USE THIS PAGE IF NEEDED.	IF THIS PAGE IS NOT NEEDED, PLEASE PROC	EED TO FINAL PAGE OF THIS FORM.	
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INITIALS OF PERSON	MAKING STATEMENT			PAGE 30F3	PAGES

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICAGE

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)

anders and law enforcement officials with means by which information may be accurately identified.

	NCIPAL PURPOSE: JTINE USES:	Your Social Security Number is used as	s an additio	nal/alternate means	of identification to fa	acilitate filing and retrieval.
	CLOSURE:	Disclosure of your Social Security Num	iber is volu	ntary.		
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		PART I - RIGHTS W	AIVER/NO	N-WAIVER CERTIFI	CATE	
Se-	tion A. Rights					<u> </u>
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susp	pected/accused:			per to me that I have t	he following rights:	
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	or both		•			
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	(For civilians not subject	to the UCMJI I have the right to talk privately	γ to a lawye	r before, during, and a	rier questioning and to hi if I cannot afford a laws:	er and want one, a lawyer
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	speak privately with a las	wyer before answering futilities, even is a sign t	, D1			
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Sec	ction B. Waiver					
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navi	ing a lawyer present with t		3	SIGNATURE OF II	NYERVIEWEE	· ·
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Sec	tion C. Non-waiver					
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	AR 190-45; the proponent ag	gency is Obcades	
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AUTHORITY: Title 10 USC Section 301; Title 5 U	SC Section 2951; E.O. 939	ne by which informa	tion may be accurately
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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.

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PAGE 3, DA FORM 2823, DEC 1998

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USAPA V1.00

RIGHTS WARNING PROC	CEDURE/WAIVER CERTIFI FE 5 (6), 5 (3)
DATA REQUIRED	D BY THE PRIVACY ACT
AUTHORITY: Title 10, United States Code, Section 301 PRINCIPAL PURPOSE: To provide commanders and law enforcem Your Social Security Number is used as an DISCLOSURE: Disclosure of your Social Security Number	n additional/alternate means of identification to facilitate filing and retrieva
LOCATION	2. DATE 3. TIME 4. FILE NO.
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NAME (Last, First, MI)	A MANUEL POLO
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PART 1 - RIGHTS WAIV	VER/NON-WAIVER CERTIFICATE
Section A. Rights	
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The investigator whose name appears below told me that helshe is with the Un	and wanted to question me about the following offense(s) of which I em
suspected/accused: Before he/she asked me any questions about the offense(s), however, he/sha π	made it clear to me that I have the following rights:
to answer any question or say anything-	
Anothing I say or do can be used as evidence against me in a criminal use	el. lawyer before, during, and after questioning and to have a lawyer present with me to expense to the Government or a military lawyer detailed for me at no expense to me
 (For personnel subject othe UCMJ have the right to talk privately to a !! 	lawyer before, during, and after quescoining data by the forme at no expense to make the Government or a military lawyer detailed for me at no expense to make the government or a military lawyer detailed for me at no expense to make the government or a military lawyer detailed for me at no expense to make the government of a military lawyer detailed for me at no expense to make the government of the gover
during questioning. This lawyer can be a civilian lawyer I arrange for at no	o expense to the salar
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	times and ofter questioning and to have a lawyer present with
(For civilians not subject to the UCMJ) I have the right to tak privately	to a lawyer before, during, and arter quantities a lawyer and want one, a lawyer mange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer
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will be appointed for me before any questioning begins.	without a lawyer present, I have a right to stop answering questions at any time, or
4. If I am now willing to discuss the offense(s) under investigation, with the	e waiver below.
 If I am now witting to discuss the ordered to the speak privately with a lawyer before answering further, even if I sign the 	
5. COMMENTS (Continue on reverse side)	
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Section B. Waiver	
Section B. Water State of the section of the sectio	nsels) under investigation and make a statement without talking to a lawyer first and t
having a lawyer present with me.	3. SIGNATURE OF INTERVIEWEE
WITNESSES (If available)	
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Section C. Non-waiver	
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1 want a lawyer	I do not want to be questioned of say anything
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2. SIGNATURE OF INTERVIEWEE	
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	VACY ACT STATEMENT ISC Section 2951; E.O. 9397 dated Novem	nber 22, 1943 (SSN).
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t a sumbar is used	as an additional/alternate means of identif	ication to facilitate filing and retrieval.
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USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM

STATEMENT OF



TAKEN AT 270 DATED ZZSOPOZ

9. STATEMENT (Continued)

Q: DO YOU THINK WONE APPROPRIATE?

A: I think that beating on innocent people is wrong in every way and I also think that 'b semicone is trying to must us then to rough my up is not bed as long as you don't kill throw. But as for as the signation from what I seen and know , then ton as to do them, but brom they

Q: DO HAUD AMYTHING OUS TO ADD THAT YOU THINK MAY BUT RELEVANT & THES STATHON;

A: One to the fact that I really don't know what is right and what's wrong as for as beating prisiners; my mixed emotions and the short time of the beating much it hand for me to do anything about the Situation. I really delived know what to do. Ib I right from wrong then I would make some the right thing happened but I didn't understand

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF3

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STATEMENT OF	TAKEN AT DATED
9. STATEMENT (Continued)	b(6), b(3)
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	AFFIDAVIT
	WAYE DOAD OR HAVE HAD READ TO ME THIS STATEMENT
WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED A CONTAINING THE STATEMENT. I HAVE MADE THIS STA THREAT OF PUNISHMENT, AND WITHOUT COERCION, U	. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE ATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT UNLAWFUL INFLUENCE, OR LINEAWFUL INDUCEMENT.
	Signature or Person Making Statement)
WITHESSES:	Subscribed and swom to before me, a person authorized by law to administer paths, this
	at CAMP MANUBINO
ORGANIZATION OR ADDRESS	nature of Pa ninistering Oath)
	(Typed Name of Person Administering Oath)
ORGANIZATION OR ADDRESS	(Authority To Administer Oaths)
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ITIALS OF PERSON MAKING STATEMENT	PAGE 3 OF 3 PAGES USAPA VI.
	USAPA VI

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For use of this form, see AR 190-30; the proponent agency is ODC5UPS

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY:	
AUTHORITI	

Title 10, United States Code, Section 3012(g)

PRINCIPAL PURPOSE: ROUTINE USES:

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

Disclosure of your Social Security Number is voluntary. DISCLOSURE:

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1.	LOCATION CAMP MANUESORO	2.	DATE 3. TIME 4. FILE NO.
5.	NAME (Last, First, MI)	8.	ORGANIZATION OR ADDRESS
6.	SSN 7. GRADE/STATUS		CAMP MANEGO NO

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Hights		
	• •	
The investigator whose name appears below	w told me that he/she is with the United States Army	nted to question me about the following offense(s) of which I am
	end wer	sted to question me about the lowowing discussion of minor
suspected/accused:	standa however heighe made it clear to me	that I have the following rights:

Before he/she asked me any questions about the offense(s), however, he/she made it o

- 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.
- 3. (For personnel subject othe UCMJ 1 have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

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

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

Section B. Waiver

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

- SIGNATURE OF INTERVIEWEE 3. WITNESSES (If available) NAME (Type or Print) IGATOR ORGANIZATION OR ADDRESS AND PHONE
- IGATOR YPED NAME NAME (Type or Print) 2a.
- ORGANIZATION OF INVESTIGATOR ORGANIZATION OR ADDRESS AND PHONE b.

Section C. Non-waiver

- I do not want to give up my rights
 - I want a lawyer

I do not want to be questioned or say enything

SIGNATURE OF INTERVIEWEE

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

USAPA 2.01

OPS (6)	, b	(3)
her 2	2 1943	S (SSN	 }_

SWORN STATEMENT

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

PRIVACY	ACT	STATI	MENT

AUTHORITY:

Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November

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.

2. DATE (YYYYMMDD) 1. LOCATION

2003 0922 MARLIBORD

3. TIME 4. FILE NUMBER 1430

CAMP LAST NAME, FIRST NAME, MIDDLE NAME

6. SSN

7. GRADE/STATUS

dtd 9 Nov

8. ORGANIZATION OR ALLESS

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

started my cor shift at 1900 when I started my shift the out going con told me that all the commo was good and everything was fine. So I waited about 30 minutes then I went out to check all of the quard points. My first stop the chicken coop. When I arrived their I asked did they have water they told me yes but it wasn't cold so I said o.K I would try to get some ice or bring them some cold bottles back and before I left onto of the quard's said his roomate had came by Before and said that he was gaing to bring the cooler from their so I asked which was he vent because he said that his room as walking so he said in the direction of the aid station so I told them to give me a radio check and if the didn't run into him going that way then I would bring them to bottles of cold water back and they said ok. from their I went to tower to check their NVG's and their M249 and to make sure the commo, and water and they where good. I then went to the the wall and cheeked commo, and water, and NVG's also tower 2, 3A, and 3B all where good except JA which the batteries for the NVG's needed replaced some I came to the dog pound and got some new batturies then back out to three 3A then from their chicken coop when I returned the quards roomate Already brought their cooler and he said he was good

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT

PAGE 1 OF _S

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

PAGES

____ TAKEN AT ________

_ DATED _

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so I told them to give me another radio check and I also said that since I had already gotten them two bottles of weter if they wanted them to go ahead and take them and he did and I left again and did the whole rotation again which was tower I and this time when I went to tower 7 their singurs pattery was low so I went strait from their to the box and cheek to see if they had any batteries charged yet they said No 30 I went back to tower I and told them that when I brought their relief that I would stop past the box again and by them I box said the bettery should be charged up so I let them know that and then I left and continued my checks by checking the hole in the wall, Tower 2,3A, and 3B then I left from their and came back to the dug pound and while I was at the chicken coop before I left one of the quard told me to make stere to cheek on their replacements to make sure that then where replaced on time so I notified their section chaif and confinue into the bay where I conducted my quard mount wheeh was done at 1030 then we left and I posted the: guards at tower I, then hole in the wall, then tower I, 3A, and then 3B then at each quard mount before I 124 I tild then to give me a radio check and then I left by the time I finished it was about may be 1130 so I went back to the hole in the wall and talked to the NCO their

to wake up

for about 5 minutes and I went back to the go dog pound and then I heard over the radio for the

50G, 15G, and the commander to come to the chicken coop so since I had just got their I was waiting for the relief to get

dressed so I drove the SOG To the chicken coop and then was directed by my 156 to get 3 personnel and bring them to the when I returned my replacement was dressed so he said that he

INITIALS <u>OF</u> PERSON MAKING STATEMENT

PAGE Z OF ገ<u>ጓ</u> PAGES DOC OF DOT TATORITY OF.

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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 Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

ROUTINE USES:

Disclosure of your social security number is voluntary.

DISCLOSURE: 4. FILE NUMBER 3. TIME 2. DATE (YYYYMMDD) 1. LOCATION 2003 0922 1535 CAMP MARLBORD

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DA FORM 2823, DEC 1998

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DA FORM 2823, DEC 1998

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Q: DID for though the third detainer.

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AUTHORITY:

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

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

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Disclosure of your social security number is voluntary.

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11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF **PAGES**

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11. INITIALS OF PERSON MAKING STATEMENT PAGE 1 OF **PAGES**

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT

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

10. EXHIBIT

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AR 15-6 Investigation Report-Coney Davis (Redacted)

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15-6 INVESTIGATION

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TAB C-DA FORM 3881 (Rights Wavier Certificates

TAB D - DA FORM 3881 (Rights Wavier Certificate

TABE-DA FORM 3881 (Rights Wavier Certificates

TABF-DA FORM 3881 (Rights Wavier Certificate,

TAB G - DA FORM 3881 (Rights Wavier Certificate,

TAB H - DA FORM 2823 (Swom Statement,

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TAB L - DA FORM 2823 (Sworn Statement,

TAB M - DA FORM 2883 (Sworn Statement,

TAB N - DA FORM 2883 (2/2 ACR, Battle Drill #3, Detainees)

TAB O - DA FORM 2882 (2ACR, DRAGOON Rules of Engagement)

REPORT OF Ph. JEEDINGS BY INVE	STIGATING OFFICEF)ARD O 15-6; the proponent agency is U (JAG.	F OFF	ICERS		
IF MORE SPACE IS REQUIRED IN FILLING OUT AN	Y PORTION OF THIS FORM, ATTACH AD	DITION	IAL SHEETS		
SECTION	1 - APPOINTMENT				
	•	-			
Appointed by Commander, 2d ACR, Camp Dragoon, Baghdad,	Iraq	 . —	<u>·</u>		
	(Appointing authority)				
on 16 Aug 03 (Attach inclosure 1: Letter of appointment	t or summary of oral appointment data.) (See	para 3	-15, AR 15-6.)		
	IN II - SESSIONS				
The (investigation) (board) commenced at Camp Dragoon, Baghdad	Iraq	at		700 inte)	
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on 16 Aug 03 (If a formal board met for more than one	session, check here []. Indicate in an inclu	osure the	e time each sessio	n began	ша
ended, the place, persons present and absent, and explanation of absences, if a	any.) The following persons (members, resp	onaenis	c. comiser were		C
present: (After each name, indicate capacity, e.g., President, Recorder, Memi	ber, Legal Advisor.)				CORR-101, dtd 9 Nov 01
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The following persons (members, respondents, counsel) were absent: (Includents)	de brief explanation of each absence.) (See p	aras 5-2	2 and 5-8a, AR 15	-6.)	sec of het Memo
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The (investigating officer) (board) finished gathering/hearing evidence at _	2200	on		ate)	_
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and completed findings and recommendations at	1600 on	<u> </u>	(Date)		
•	CKLIST FOR PROCEEDINGS				
	CKLIST FOR FROCEESINGS			YES	NOIN
A. COMPLETE IN ALL CASES			<u> </u>		
Inclosures (para 3-15, AR 15-6) Are the following inclosed and numbered consecutively with Roman numer	als: (Attached in order listed)				
a. The letter of appointment or a summary of oral appointment data?			,	_ X	ļ
b. Copy of notice to respondent, if any? (See item 9, below)					╁╾╶┼┽
c. Other correspondence with respondent or counsel, if any?					 - (
d. All other written communications to or from the appointing authority?					+- +-
District A Statements (Certificate if statement provided orally)?				+-	++-
f. Explanation by the investigating officer or board of any unusual delays,	difficulties, irregularities, or other problems	s			. :
a special to a cheence of material witnesses)?				+-	+ +
and a second of a formal board sot included on page 1 of t	his report?				
h. Any other significant papers (other than evidence) relating to administ	Tanve aspects of the lavestigation of bourter			!	
FOOTNOTES: If Explain all negative answers on an acached sheet. If Use of the NIA column constitutes a positive representation that the co		r in this i	investigation		
or build	NOV 77 IS OBSOLETE		Page I of 4 pages	ត្រូវ	1548

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