

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

14NOV06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA

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

COMMAND/I MEF/11931

MADE AT/SDTC/SAN DIEGO CA (b)(6), (b)(7)(C) TECH ENFORCEMENT OFFICER

REFERENCE(S) (S)

(A) NCISTSD San Diego, CA ROI (ACTION)/03OCT06

NARRATIVE

1. Since submission of Reference (A), no additional technical investigative support has been provided in captioned investigation. Pending oral/wire intercept authority, final installation has been held in abeyance to safeguard and preclude unauthorized use of equipment. SA (b)(6), (b)(7)(C), ASAC, NCISFO Marine Corps West, Camp Pendleton, CA has been apprized.

ACTION

0023B: Provided for status. Lead tasking remains pending oral/wire intercept authority for completion of installation and operational turnover to MWPE for monitoring.

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NCISHQ (SI): 0023

ACTION: 0023B

INFO: MEBJ/MWPE/24B1

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

//23/PE//

REPORT OF INVESTIGATION (ACTION)

22FEB07

DEATH (II)

CONTROL: 13MAR06-MEJ-0164-7HMA

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

- V/ALI, ABDUL HAMEED HUSIN/CIV
F/W/FNIZ/N//01JUL29/HADITHA AL ANBAR CITY, IRAQ
- V/ALI, KHAMISA TUEMA/CIV
F/W/FNIZ/N//01JAN39/HADITHA AL ANBAR CITY, IRAQ
- V/HASAN, WALEED ABDALHAMID/CIV
M/W/FNIZ/N//01JAN68/HADITHA AL ANBAR CITY, IRAQ
- V/HAMEED, ABDULLAH WALEED ABDUL /CIV
M/W/FNIZ/N//06AUG01/HADITHA AL ANBAR CITY, IRAQ
- V/HASAN, GUHID ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA AL ANBAR CITY, IRAQ
- V/HASAN, RASHEED ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA AL ANBAR CITY, IRAQ
- V/RASIF, ASMAA SALMAN/CIV
F/W/FNIZ/N///HADITHA AL ANBAR CITY, IRAQ
- V/RASIF, YUNIS SALAM/CIV
M/W/FNIZ/N//01JAN62/HADITHA AL ANBAR CITY, IRAQ
- V/AHMED, AIDA YASIN/CIV
F/W/FNIZ/N//01MAR65/HADITHA AL ANBAR CITY, IRAQ
- V/SALIM, MOHMED YUNIS/CIV
M/W/FNIZ/N///HADITHA AL ANBAR CITY, IRAQ
- V/RASIF, NOOR SALIM/CIV
F/W/FNIZ/N//01JAN92/HADITHA AL ANBAR CITY, IRAQ
- V/SALIM, SEBEA YUNIS/CIV
F/W/FNIZ/N//03APR95/HADITHA AL ANBAR CITY, IRAQ
- V/SALIM, ZAINAB UNES/CIV
F/W/FNIZ/N//17JUN00/HADITHA AL ANBAR CITY, IRAQ
- V/SALIM, AISHA UNES/CIV
F/W/FNIZ/N//19MAR02/HADITHA AL ANBAR CITY, IRAQ
- V/AHMED, HUDA YASIN/CIV
F/W/FNIZ/N//01JAN66/HADITHA AL ANBAR CITY, IRAQ
- V/AHMED, JAMAL AIAD/CIV
M/W/FNIZ/N//16JUL66/HADITHA AL ANBAR CITY, IRAQ
- V/AHMED, JASIB AIAD/CIV
M/W/FNIZ/N//01JAN77/HADITHA AL ANBAR CITY, IRAQ
- V/AHMED, MARWAN AIAD/CIV

CASE CONTROL: 2/23/07 MAIL: 2/23/07
 TRANSMIT: 2/23/07 FAX: NA

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SUBJ: (b)(6), (b)(7)(C)

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

M/W/FNIZ/N//01JAN78/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, KAHTAN AIAD/CIV
M/W/FNIZ/N//01JAN84/HADITHA AL ANBAR CITY, IRAQ
V/ALZAWI, KALED AIDA/CIV

M/W/FNIZ/N//01JAN85/HADITHA AL ANBAR CITY, IRAQ
V/ALZAWI, WAGDI AIDA/CIV
M/W/FNIZ/N//01JAN79/HADITHA AL ANBAR CITY, IRAQ
V/FLAEH, AKRAM HAMID/CIV
M/W/FNIZ/S///HADITHA AN ALBAR CITY, IRAQ
V/AHMED, MOHMED TABAL/CIV
M/W/FNIZ/N//01JAN84/HADITHA AL ANBAR CITY, IRAQ
V/MUSLEH, AHMED KHUTAR/CIV
M/W/FNIZ/N//01JAN76/HADITHA AL ANBAR CITY, IRAQ

COMMAND/I MEF/11931

MADE AT/MWPE/CAMP PENDLETON CA (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S)

(A) NCISFO Marine Corps West ROI (ACTION)/23Oct06

EXHIBIT(S)

- (1) IA: Results of Preliminary Examination of Firearms/11Jan07... (Orig 0023B only)
- (2) IA: Seizure of (b)(6), (b)(7)(C) Personal Logbooks/24Jan07... (Orig 0023B only)
- (3) IA: Review of (b)(6), (b)(7)(C) Personal Logbooks/21Feb07... (Orig 0023B only)
- (4) IA: Results of Interview of (b)(6), (b)(7)(C) USMC/10Feb07... (Orig 0023B only)

NARRATIVE

1. Subsequent to the submission of Reference (A), additional investigative effort has been completed by agents at NCISFO Marine Corps West Field Office, Camp Pendleton, CA (CPC) in support of this investigation.

2. Between 20Dec06 and 05Jan07, preliminary examinations of firearms seized during this investigation were conducted by Participating Agent (PA) (b)(6), (b)(7)(C) for the presence of trace amounts of blood or other biological material. All stains, which were found on the weapons, were photographed and subsequently swabbed for possible future analysis; Exhibit (1) pertains.

3. On 17Jan07, PAs (b)(6), (b)(7)(C) seized two logbooks from (b)(6), (b)(7)(C) USMC, WPNS Co, 3rd Battalion, 1st Marine Regiment (3/1), CPC. According to (b)(6), (b)(7)(C) the logbooks contained his personal notes and writings relative to this investigation; Exhibit (2) pertains. Prior to the seizure of these logbooks, (b)(6), (b)(7)(C) marked several pages, where he indicated entries, which were associated with the events of 19Nov05. On 20Feb07, the logbooks were reviewed for content and photocopies were

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SUBJ: (b)(6), (b)(7)(C)

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

made of the pages previously marked by (b)(6), (b)(7)(C) Further review of the remaining pages of the logbooks did not surface any additional information pertinent to this investigation; Exhibit (3) pertains.

4. On 08Feb07, (b)(6), (b)(7)(C) USMC, Marine Medium Helicopter Squadron 164 (HMMT 164), 3rd Marine Aircraft Wing (3rd MAW), CPC provided a list of Marine pilots who provided air support to Marines in Haditha, Iraq on 19Nov05. (b)(6), (b)(7)(C) related that the pilots were concerned that they had not been interviewed regarding this investigation. (b)(6), (b)(7)(C) stated he did not know what time during that day the pilots were called in to support the Marines. (b)(6), (b)(7)(C) was not aware, however, that the events, which took place subsequent to the IED explosion on Routes Chestnut and Viper, were separate from the events, which took place in the southern part of the city later that day; Exhibit (4) pertains.

PARTICIPANT(S)

- (b)(6), (b)(7)(C) Special Agent, Southwest Field Office, San Diego, CA
- (b)(6), (b)(7)(C) Special Agent, Marine Corps West Field Office, CPC
- (b)(6), (b)(7)(C) Forensic Consultant, Marine Corps West Field Office, CPC

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

09FEB07

DEATH (II)

CONTROL: 13MAR06-MEJ-0164-7HMA

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

COMMAND/I MEF, CAMP PENDLETON, CA/11931

MADE AT/EULN/LONDON UK (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S) (S)

(A) NCISHQ Washington DC ROI (ACTION)/01Dec06

(B) NCISRU London, UK ROI/15Dec06

(C) NCISRU London, UK ROI/12Jan07

NARRATIVE

1. Lead tasking pursuant to Reference (A) remains pending. NCISRU London, UK has obtained approval through the U.S. Embassy London, Department of Justice Representative, to conduct the interview of (b)(6), (b)(7)(C). UK Immigration officials will participate as host nation representative and to assist in assuaging (b)(6), (b)(7)(C) concerns over asylum and immigration. Thus far no response has been received from (b)(6), (b)(7)(C) to electronic mail requests for the interview. Law enforcement officials in the Manchester area have been contacted to assist in locating (b)(6), (b)(7)(C).

PARTICIPANT

(b)(6), (b)(7)(C) Clerk to Circuit Justice (b)(6), (b)(7)(C) London, UK

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INFO: EUNA/EADLANT

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

06FEB07

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA

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

COMMAND/I MEF/11931

MADE AT/SDTC/SAN DIEGO CA (b)(6), (b)(7)(C) TECH ENFORCEMENT OFFICER

REFERENCE(S) (S)

(A) NCISTSD San Diego, CA ROI (ACTION)/15DEC06

NARRATIVE

1. Since submission of Reference (A), no additional technical investigative support has been provided in captioned investigation. Completion of final equipment installation remains in abeyance to safeguard and preclude unauthorized use of equipment. On 06FEB07, (b)(6), (b)(7)(C) FOSO, NCISFO Camp Pendleton, CA was contacted regarding the installed equipment. (b)(6), (b)(7)(C) stated that there will be no change in status of the installed equipment at this time.

ACTION

0023B: Provided for status. Lead tasking remains pending oral/wire intercept authority for completion of installation and operational turnover to MWPE for monitoring.

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ACTION: 0023B
INFO: MEBJ/MWPE/24B1

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

22JAN07

DEATH (II)

CONTROL: 13MAR06-MEJ-0164-7HMA/T

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

V/ALI, ABDUL HAMEED HUSIN/CIV
M/W/FNIZ/N//01JUL29/HADITHA, AL ANBAR PROVINCE, IRAQ
V/ALI, KHAMISA TUEMA/CIV
F/W/FNIZ/N//01JAN39/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, WALEED ABDALHAMID/CIV
M/W/FNIZ/N//01JAN68/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HAMEED, ABDULLAH WALEED ABDUL/CIV
M/W/FNIZ/N//06AUG01/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, GUHID ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, RASHEED ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, ASMAA SALMAN/CIV
F/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, YUNIS SALIM/CIV
M/W/FNIZ/N//01JAN62/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, AIDA YASIN/CIV
F/W/FNIZ/N//01MAR65/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, MOHMED YUNIS/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, NOOR SALIM/CIV
F/W/FNIZ/N//01JAN92/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, SEBEA YUNIS/CIV
F/W/FNIZ/N//03APR95/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, ZAINAB UNES/CIV
F/W/FNIZ/N//17JUN00/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, AISHA UNES/CIV
F/W/FNIZ/N//19MAR02/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, HUDA YASIN/CIV
F/W/FNIZ/N//01JAN66/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, JAMAL AIAD/CIV
M/W/FNIZ/N//16JUL66/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, JASIB AIAD/CIV
M/W/FNIZ/N//01JAN77/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, MARWAN AIAD/CIV
M/W/FNIZ/N//01JAN78/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, KAHTAN AIAD/CIV

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SUBJ: (b)(6), (b)(7)(C)

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/ALZAWI, KALED AIDA/CIV
 M/W/FNIZ/N//01JAN85/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/ALZAWI, WAGDI AIDA/CIV
 M/W/FNIZ/N//01JAN79/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/FLAEH, AKRAM HAMID/CIV
 M/W/FNIZ/S///HADITHA, AL ANBAR PROVINCE, IRAQ
 V/AHMED, MOHMED TABAL/CIV
 M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/MUSLEH, AHMED KHUTAR/CIV
 M/W/FNIZ/N//01JAN76/HADITHA, AL ANBAR PROVINCE, IRAQ

COMMAND/I MEF, CAMP PENDLETON, CA/11931

MADE AT/0023/NCISHQ WASHINGTON DC (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCES

- (A) NCISHQ Washington DC ROI (INTERIM)/12Apr06 (Contains Exhibits 1-57)
- (B) NCISHQ Washington DC ROI (INTERIM)/05Jun06 (Contains Exhibits 58-105)
- (C) NCISHQ Washington DC ROI (INTERIM)/20Jun06 (Contains Exhibits 108-227)
- (D) NCISHQ Washington DC ROI (INTERIM)/03Aug06 (Contains Exhibits 228-380)
- (E) NCISHQ Washington DC ROI (INTERIM)/12Sep06 (Contains Exhibits 381-491)
- (F) NCISHQ Washington DC ROI (INTERIM)/09Nov06 (Contains Exhibits 492-515)
- (G) NCISHQ Washington DC ROI (INTERIM)/16Nov06 (Contains Exhibits 516-524)
- (H) NCISHQ Washington DC ROI (INTERIM)/03Jan07 (Contains Exhibits 525-528)

EXHIBITS

- (529) Regional Computer Forensics Lab San Diego Examination Report/05-08May06... (Orig 0023/Copy MWPE)
- (530) Regional Computer Forensics Lab San Diego Examination Report/26Jun06... (Orig 0023/Copy MWPE)
- (531) IA: Attempts to Meet With (b)(6), (b)(7)(C) Nov06... (Orig 0023/Copy MWPE)
- (532) IA: Contact With UK Immigration/15Dec06... (Orig 0023/Copy MWPE)
- (533) IA: Translation of Iraqi Ministry of Health Report/18Dec06... (Orig 0023/Copy MWPE)

EXECUTIVE SUMMARY

1. On 19Nov05 at approximately 0716, 1st Squad, 3rd Platoon, Kilo Company, 3rd Battalion (3DBN), 1st Marine Division (MARDIV), I Marine Expeditionary Force (MEF) (3/1), and [] Iraqi Security Forces (ISF) members were traveling in a convoy on Route "Chestnut" in Haditha, Al Anbar Province, Iraq, when they received a complex attack (i.e., an attack wherein the enemy strikes in more than one manner). Specifically, the fourth High Mobility Multi-Wheel Vehicle (HMMWV) was struck by an improvised explosive device (IED) reportedly

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SUBJ: (b)(6), (b)(7)(C)

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

followed by small arms fire (SAF) from the south. The complex attack resulted in one (1) friendly killed in action (FKIA) and friendlies wounded in action (FWIA). The Marines in the convoy immediately responded to the explosion by dismounting their vehicles, attending to the injured, and securing the perimeter. According to the Marines involved, they received SAF after the explosion. Consequently, they broke into fire teams, searched/cleared homes in the area, and identified detainees. Over a period of several hours, (b)(6), (b)(7)(C) and co-subjects' actions resulted in the deaths of twenty-four (24) Iraqi civilians and two (2) injured Iraqi children. In the evening hours of 19Nov05, Marines from 3/1 conducted a battle damage assessment (BDA) and transported the dead to the Haditha hospital morgue.

2. On 20Nov05, the 2d Marine Division issued a press release that reported the attack on 19Nov05 as resulting in the deaths of one (1) Marine, fifteen (15) Iraqi civilians, and eight (8) insurgents. On 10Feb06, a TIME magazine reporter contacted the Multi-National Corps-Iraq (MNC-I) regarding information he received from a Sunni-based group that alleged Marines from 3/1 wrongfully killed twenty-four (24) Iraqi civilians on 19Nov05. The Sunni group supported the allegation with video footage that contained images of the dead at the Haditha hospital morgue before the bodies were released to family members on 20Nov05.

3. On 14Feb06, Lieutenant General (b)(6), (b)(7)(C) USA, MNC-I directed a U.S. Army administrative inquiry (AR 15-6) and appointed COL (b)(6), (b)(7)(C) USA, as the Investigating Officer (IO). On 03Mar06, COL [redacted] submitted the results of the investigation, revealing that as a result of the 19Nov05 incident, Iraqi civilians (men, women, and children) were killed. MNC-I in turn recommended further investigation by the Army's Criminal Investigation Division (CID) or the Naval Criminal Investigative Service (NCIS).

4. On 12Mar06, Major General [redacted] USMC, Commanding General, I MEF (Forward) and MNF-W, requested NCIS conduct a criminal investigation regarding the Iraqi civilians killed by Kilo Company Marines of 3/1 on 19Nov05. On 13Mar06, NCIS initiated the investigation and a team of agents traveled to the Forward Operating Base (FOB) Haditha Dam, Iraq.

5. On 17Mar06, Multi-National Force-Iraq (MNF-I) issued a press release announcing there would be a second AR 15-6 investigation regarding potential misconduct by the Marines after the IED attack in Haditha. On 19Mar06, Lieutenant General [redacted] appointed Major General [redacted], USA, as the IO for the second AR 15-6 investigation. Emphasis was to be on the training and preparation of the Marines prior to engagement and the reporting of information concerning 19Nov05 at all levels of the chain-of-command from patrol through MNF-W and MNC-I.

6. As reported under References (A)-(H), initial investigative efforts included a preliminary death scene examination; interviews, interrogations, re-interrogations of several 3/1 Marines; and

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SUBJ: (b)(6), (b)(7)(C)

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

Interviews of numerous Iraqi witnesses. The results of the foregoing investigative efforts are as follows:

a. IED BLAST: On 19Nov05 between 0700 and 0716, a []-vehicle convoy of Kilo Company, 3/1, was ambushed in Haditha, Iraq, in a coordinated attack involving an IED and reported SAF while traveling with ISF personnel, killing one (1) Marine and wounding two (2).

b. TAXI (5 killed): Moments before the attack, the lead vehicle in the convoy motioned an approaching taxi to the side of the road. When the IED detonated soon thereafter, the Marines dismounted, prepared a defensive position, and began to render aid to the wounded. The taxi's five (5) occupants exited the vehicle and according to U.S. and Iraqi witnesses, were shot by (b)(6), (b)(7)(C) as they stood, unarmed, next to the vehicle approximately ten (10) feet in front of him. (b)(6), (b)(7)(C) later told (b)(6), (b)(7)(C), who witnessed the shooting, to say, if questioned, that the Iraqis had attempted to flee and were shot by ISF personnel. (b)(6), (b)(7)(C) admits to shooting the five (5) bodies on the ground after (b)(6), (b)(7)(C) initially shot them. (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) also walked over to the bodies and shot the five (5) Iraqi males again, while standing within a foot of them.

c. HOUSE #1 (6 killed): A quick reaction force (QRF), led by [] (b)(6), (b)(7)(C) USMC, arrived at the IED blast site within fifteen (15) minutes (between approximately 0715 - 0730). The QRF attended to the casualties and prepared to remove them from the scene. After receiving a report from (b)(6), (b)(7)(C) that SAF was observed coming from the vicinity of a nearby home (house #1), instructed a fire team to "take the house." First, (b)(6), (b)(7)(C) fired rounds with a M203 grenade launcher toward house #1. Then a fire team consisting of (b)(6), (b)(7)(C), (b)(6), (b)(7)(C), (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) conducted a forced entry into house #1. All members of the fire team reported they were not receiving SAF upon their approach to house #1. (b)(6), (b)(7)(C) conducted a forced entry into house #1 and shot and killed an unarmed Iraqi adult female in the hallway. Certain members of the fire team reported hearing the sound of an AK-47 "racking" and two (2) fragmentation grenades were thrown into a room on the left, but only one (1) exploded. (b)(6), (b)(7)(C) then cleared a room on the right of the hallway, killing an unarmed Iraqi male adult. At that time, an unidentified Marine reportedly yelled that there was someone running from the house. This caused the fire team to cease the clearing operation and immediately exit house #1 toward house #2. (b)(6), (b)(7)(C) recalled the fire team later returned to house #1 with (b)(6), (b)(7)(C) who reportedly cleared a room by firing his 9mm pistol into it. Additionally, (b)(6), (b)(7)(C) advised he entered a room after (b)(6), (b)(7)(C). Shortly thereafter, both he and (b)(6), (b)(7)(C) shot approximately four (4) people, none of which were standing. (b)(6), (b)(7)(C) explained he shot these individuals because (b)(6), (b)(7)(C) shot them first and believed the entire house was "hostile." The re-entry of house #1 reported by (b)(6), (b)(7)(C) is consistent with the accounts of both (b)(6), (b)(7)(C) and an Iraqi woman who survived the clearing/attack of house #1. (b)(6), (b)(7)(C) stated she fled the house in the brief period when the Marines initially departed toward house #2.

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SUBJ: (b)(6), (b)(7)(C)

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total of six (6) Iraqis were killed in house #1, including two (2) women and one (1) child. No weapons were found.

d. HOUSE #2 (8 killed): Prior to entering house #2, an unarmed Iraqi adult male was observed standing inside the front door of the house facing out. This individual was shot and killed by (b)(6), (b)(7)(C) who was reportedly told by (b)(6), (b)(7)(C) to treat the house as "hostile." Upon entering the house, the fire team used three (3) fragmentation grenades in two (2) unoccupied rooms but according to statements, only two (2) of those exploded. (b)(6), (b)(7)(C) reported hearing (b)(6), (b)(7)(C) firing into a room and responded by joining him. Upon entering the room, (b)(6), (b)(7)(C) stated he observed a body in the doorway, and then positively identified an unarmed woman and children on or around the bed before shooting. Similar to house #1, (b)(6), (b)(7)(C) stated he began shooting because (b)(6), (b)(7)(C) had already engaged the individuals with gunfire and he felt this meant there was a threat. A total of eight (8) Iraqi civilians, including five (5) children, were killed. No weapons were recovered in house #2.

e. OBSERVATION POST (1 killed): After houses #1 and #2 were cleared, the fire team cleared two (2) additional unoccupied homes in the area before moving to the observation post (OP) site. The OP was established around 0830. Some members of the fire team posted themselves on the rooftop of the OP. At approximately 0845, Marines manning the OP reportedly observed an unarmed Iraqi male running on a ridgeline in the vicinity of house #1. (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) fired shot(s), killing the individual (later identified as a household member of house #1). Some time later, the OP observed one (1) or two (2) unidentified Iraqi males looking at them from another nearby house, hereafter referred to as house #4. At approximately 0945, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) decided to approach the house and investigate.

f. HOUSE #3 (0 killed): The events surrounding houses #3 and #4 are less clear as witness and survivor statements differ significantly from those provided by the Marines. According to Marine accounts, they approached houses #3 and #4 because they observed male(s) outside of houses #3 and/or #4 watching them while the Marines were at the OP. Prior to arriving at house #4, the Marines passed by house #3 where the Marines reportedly encountered women and children. The Marines stated they asked the women where the men were and the women directed the Marines next door to house #4. Subsequently, (b)(6), (b)(7)(C) remained at house #3 with the women while (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) proceeded to house #4. In contrast, Iraqi witness statements indicate that only a man, woman, and their fourteen year-old son occupied house #3. The Marines questioned the three (3) family members of house #3 about the IED and about the occupants of house #4. The three (3) Marines then reportedly removed the three (3) family members and escorted them to the adjacent home, house #4. According to Iraqi witnesses, an AK-47 was voluntarily retrieved from house #3 after the Marines questioned them while standing in front of house #4. No one was killed in house #3. According to Marines, no weapons were recovered from house #3. However, the Iraqi witnesses related one (1) AK-47 from house #3 was handed over to the Marines.

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. HOUSE #4 (4 killed): (b)(6), (b)(7)(C) reported entering house #4 and encountering four (4) Iraqi males, at least one of which was armed with an AK-47. (b)(6), (b)(7)(C) killed the armed Iraqi male when he allegedly raised the weapon in the direction of (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C). Additionally, (b)(6), (b)(7)(C) reportedly shot and killed the three (3) other men with his 9mm pistol in the clearing operation. (b)(6), (b)(7)(C) subsequently shot into the four (4) bodies with his M-16 rifle. Iraqi witnesses/surviving family members from house #3 and #4 provide different accounts. The key difference surrounds the Marines' approach to house #3 and interaction with the occupants of house #4. Iraqi witnesses indicate the three (3) family members from house #3 (one (1) adult male, one (1) adult female, and one (1) teenage male) were escorted to an area in front of house #4. Shortly thereafter, the occupants of house #4 (four (4) adult males, three (3) adult females, and one (1) infant) were brought out of the house to the same area in front of house #4. The Marines reportedly separated four (4) of the adult males from the group of family members and directed them into house #4. The remaining family members were directed into house #3. Subsequently, the family members in house #3 reported hearing shots fired in house #4 and observed the Marines leaving the area. After the Marines departed, family members reported finding the four (4) adult males dead in house #4. Marine reports regarding the number of weapons recovered from house #4 vary, ranging from one (1) to three (3) AK-47s. Iraqi witness statements indicate that there was one (1) AK-47 in house #4 but said it was surrendered to the Marines after they questioned the family members in front of house #4 (at or about the same time the AK-47 from house #3 was provided to the Marines).

h. At approximately 1245, SGT (b)(6), (b)(7)(C) USMC, Human Intelligence Exploitation Team (HET) arrived at the scene with the 2nd QRF and began to collect potential intelligence, take photographs of the deceased, and interview detainees.

i. During the late afternoon, Marines were directed to document the scene and conduct what has been characterized as a BDA. LCPLs (b)(6), (b)(7)(C) USMC were instructed to mark/count and take photographs of the deceased. These photographs were later provided to Kilo Company's Combat Operations Center (COC) where an unidentified Marine reportedly downloaded them.

j. In the late evening hours, Marines removed the deceased from the five (5) different locations (Route Chestnut, house #1, ridgeline, house #2, and house #4) and loaded them into HMMWVs for transportation to the Firmbase located within Haditha, and later to the Haditha hospital morgue.

7. Since the submissions of References (A)-(H), investigative efforts have included receipt of Regional Computer Forensic Lab (RCFL) San Diego reports, contact with the United Kingdom Immigration National Intelligence Unit regarding a potential Iraqi witness that resides in the United Kingdom, and translation of an Iraqi Health Report authored by the Iraqi Ministry of Health.

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SUBJ: (b)(6), (b)(7)(C)

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1. This investigation pertains to potential violations of Article 118 (Murder) and Article 81 (Conspiracy) of the Uniform Code of Military Justice (UCMJ). The remainder of this report outlines receipt of investigative documents and recent investigative actions.
2. On 05May06, SA (b)(6), (b)(7)(C) NCIS Pacific Cyber Division met with (b)(6), (b)(7)(C) civilian, and obtained an image of (b)(6), (b)(7)(C) computer for forensic analysis. As previously reported in Reference (B), (b)(6), (b)(7)(C) advised he had received photographic images of dead bodies from his friend, (b)(6), (b)(7)(C) USMC. Subsequently, (b)(6), (b)(7)(C) signed a Search Computer Equipment/Electronic Data form and provided consent for the imaging and search of his computer. Exhibit (529) pertains.
3. On 26Jun06, SA [] processed electronic mail (e-mail) data obtained from [] USMC, hotmail account which was related to the events that occurred in Haditha, Iraq on 19Nov05. SA [] found e-mails from media reporters, articles on the Haditha incident, and a Kilo Company holiday newsletter. SA [] documented the results of the examination in a Regional Computer Forensics Lab Examination Report. Exhibit (530) pertains.
4. During the course of Reference (F), on 29Oct06, (b)(6), (b)(7)(C) civilian, a Fellow of the New America Foundation, Washington, DC, contacted, via e-mail, the Office of Communication, NCISHQ, Washington, DC, to report he had an Iraqi friend who was in possession of "evidence" that the United States does not have relative to the "Haditha incident." Through a series of e-mail dialogues/messages covering an approximately 4-week period, introduced NCIS Division Chief [] to his friend, (b)(6), (b)(7)(C) civilian, who claimed he possessed information regarding the Haditha incident such as morgue reports, videotaped interviews of the medical staff from the Haditha hospital, and videotaped interviews of witnesses. (b)(6), (b)(7)(C) reportedly sought to exchange such information for political asylum. Although several attempts were made to contact (b)(6), (b)(7)(C) and arrange an interview, (b)(6), (b)(7)(C) advised he was living in the United Kingdom (b)(6), (b)(7)(C) and could not risk his life to assist NCIS with the investigation. As of 28Nov06, (b)(6), (b)(7)(C) has not responded to NCIS inquiries and attempts to meet him. On 12Dec06, NCIS met with (b)(6), (b)(7)(C) a representative of the United Kingdom Immigration National Intelligence Unit. (b)(6), (b)(7)(C) confirmed (b)(6), (b)(7)(C) status as a (b)(6), (b)(7)(C) from Iraq currently (b)(6), (b)(7)(C). Exhibits (531) - (532) pertain.
5. As reported in Reference (E), Exhibit (469), NCIS received documents and a compact disc that LTCOL (b)(6), (b)(7)(C), Chief, Operational Law Unit, MNF-I, had obtained from (b)(6), (b)(7)(C) the Iraqi Minister of Human Rights (IMH). The documents consisted of an IMH report written in Arabic and copy of IMH report translated in English. For verification purposes, NCIS had (b)(6), (b)(7)(C) an Arabic linguist with the Department of Defense Counterintelligence Field Activity (CIFA), review both reports and authenticate the English (b)(6), (b)(7)(C).

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SUBJ: (b)(6), (b)(7)(C)

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translation. (b)(6), (b)(7)(C) advised the translation of the IMH report is accurate in detail. Exhibit (533) pertains.

6. Attempts to locate and interview (b)(6), (b)(7)(C) through the American Embassy in London continue. Efforts to obtain permission for exhumation of the victims' remains are being led by MNF-I. This investigation is pending review for prosecutorial merit and potential adjudication. Command has been fully briefed regarding the status of this investigation.

PARTICIPANTS

(b)(6), (b)(7)(C) Special Agent, Computer Forensic Examiner, Pacific Cyber Division, San Diego, CA

(b)(6), (b)(7)(C) , Special Agent, NCISRU London, United Kingdom
 (b)(6), (b)(7)(C) Special Agent, NCISHQ Washington, DC
 Linguist, DOD CIFA, Crystal City, VA
 Division Chief, Violent Crimes Division, NCISHQ
 Washington, DC

DISTRIBUTION:

NCISHQ (DSI): 0023

INFO: MWPE (H)/LTCOL (b)(6), (b)(7)(C) USMC, SJA, Marine Corps
 Forces Central Command (H)/LTCOL (b)(6), (b)(7)(C) USMC, Legal
 Liaison Officer, I MEF (H)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

03JAN07

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA/T

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

V/ALI, ABDUL HAMEED HUSIN/CIV
M/W/FNIZ/N//01JUL29/HADITHA, AL ANBAR PROVINCE, IRAQ
V/ALI, KHAMISA TUEMA/CIV
F/W/FNIZ/N//01JAN39/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, WALEED ABDALHAMID/CIV
M/W/FNIZ/N//01JAN68/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HAMEED, ABDULLAH WALEED ABDUL/CIV
M/W/FNIZ/N//06AUG01/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, GUHID ABDALHAMID/CIV
M/W/FNIZ/N//HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, RASHEED ABDALHAMID/CIV
M/W/FNIZ/N//HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, ASMAA SALMAN/CIV
F/W/FNIZ/N//HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, YUNIS SALIM/CIV
M/W/FNIZ/N//01JAN62/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, AIDA YASIN/CIV
F/W/FNIZ/N//01MAR65/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, MOHMED YUNIS/CIV
M/W/FNIZ/N//HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, NOOR SALIM/CIV
F/W/FNIZ/N//01JAN92/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, SEBEA YUNIS/CIV
F/W/FNIZ/N//03APR95/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, ZAINAB UNES/CIV
F/W/FNIZ/N//17JUN00/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, AISHA UNES/CIV
F/W/FNIZ/N//19MAR02/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, HUDA YASIN/CIV
F/W/FNIZ/N//01JAN66/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, JAMAL AIAD/CIV
M/W/FNIZ/N//16JUL66/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, JASIB AIAD/CIV
M/W/FNIZ/N//01JAN77/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, MARWAN AIAD/CIV
M/W/FNIZ/N//01JAN78/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, KAHTAN AIAD/CIV

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SUBJ: (b)(6), (b)(7)(C)

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/ALZAWI, KALED AIDA/CIV
 M/W/FNIZ/N//01JAN85/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/ALZAWI, WAGDI AIDA/CIV
 M/W/FNIZ/N//01JAN79/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/FLAEH, AKRAM HAMID/CIV
 M/W/FNIZ/S//HADITHA, AL ANBAR PROVINCE, IRAQ
 V/AHMED, MOHMED TABAL/CIV
 M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/MUSLEH, AHMED KHUTAR/CIV
 M/W/FNIZ/N//01JAN76/HADITHA, AL ANBAR PROVINCE, IRAQ

COMMAND/I MEF, CAMP PENDLETON, CA/11931

MADE AT/0023/NCISHQ WASHINGTON DC (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCES

- (A) NCISHQ Washington DC ROI (INTERIM)/12Apr06 (Contains Exhibits 1-57)
- (B) NCISHQ Washington DC ROI (INTERIM)/05Jun06 (Contains Exhibits 58-105)
- (C) NCISHQ Washington DC ROI (INTERIM)/20Jun06 (Contains Exhibits 108-227)
- (D) NCISHQ Washington DC ROI (INTERIM)/03Aug06 (Contains Exhibits 228-380)
- (E) NCISHQ Washington DC ROI (INTERIM)/12Sep06 (Contains Exhibits 381-491)
- (F) NCISHQ Washington DC ROI (INTERIM)/09Nov06 (Contains Exhibits 492-515)
- (G) NCISHQ Washington DC ROI (INTERIM)/16Nov06 (Contains Exhibits 516-524)

EXHIBITS

- (525) IA: Results of Contact with 3RD MAW Communications Section/23May06...(Orig 0023/Copy MWPE)
- (526) IA: Attempted Re-Interview of (b)(6), (b)(7)(C) USMC/20Oct06...(Orig 0023/Copy MWPE)
- (527) IA: Hand Drawn Map Marked By (b)(6), (b)(7)(C) Indicating His Movements on 19Nov05 in Haditha, IZ/18-19Oct06...(Orig 0023/Copy MWPE)
- (528) Statement of (b)(6), (b)(7)(C) /25Oct06...(Orig 0023/Copy MWPE)

EXECUTIVE SUMMARY

1. On 19Nov05 at approximately 0716, 1st Squad, 3rd Platoon, Kilo Company, 3rd Battalion (3DBN), 1st Marine Division (MARDIV), I Marine Expeditionary Force (MEF) (3/1), and [redacted] Iraqi Security Forces (ISF) members were traveling in a convoy on Route "Chestnut" in Haditha, Al Anbar Province, Iraq, when they received a complex attack (i.e., an attack wherein the enemy strikes in more than one manner). Specifically, the fourth High Mobility Multi-Wheel Vehicle (HMMWV) was struck by an improvised explosive device (IED) reportedly followed by small arms fire (SAF) from the south. The complex attack resulted in one (1) friendly killed in action (FKIA) and (b)(7)(F)

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SUBJ: (b)(6), (b)(7)(C)

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

friendly wounded in action (FWIA). The Marines in the convoy immediately responded to the explosion by dismounting their vehicles, attending to the injured, and securing the perimeter. According to the Marines involved, they received SAF after the explosion. Consequently, they broke into fire teams, searched/cleared homes in the area, and identified detainees. Over a period of several hours, (b)(6), (b)(7)(C) and co-subjects' actions resulted in the deaths of twenty-four (24) Iraqi civilians and two (2) injured Iraqi children. In the evening hours of 19Nov05, Marines from 3/1 conducted a battle damage assessment (BDA) and transported the dead to the Haditha hospital morgue.

2. On 20Nov05, the 2d Marine Division issued a press release that reported the attack on 19Nov05 as resulting in the deaths of one (1) Marine, fifteen (15) Iraqi civilians, and eight (8) insurgents. On 10Feb06, a TIME magazine reporter contacted the Multi-National Corps-Iraq (MNC-I) regarding information he received from a Sunni-based group that alleged Marines from 3/1 wrongfully killed twenty-four (24) Iraqi civilians on 19Nov05. The Sunni group supported the allegation with video footage that contained images of the dead at the Haditha hospital morgue before the bodies were released to family members on 20Nov05.

3. On 14Feb06, Lieutenant General (b)(6), (b)(7)(C) USA, MNC-I directed a U.S. Army administrative inquiry (AR 15-6) and appointed COL (b)(6), (b)(7)(C) USA, as the Investigating Officer (IO). On 03Mar06, COL (b)(6), (b)(7)(C) submitted the results of the investigation, revealing that as a result of the 19Nov05 incident, Iraqi civilians (men, women, and children) were killed. MNC-I in turn recommended further investigation by the Army's Criminal Investigation Division (CID) or the Naval Criminal Investigative Service (NCIS).

4. On 12Mar06, Major General (b)(6), (b)(7)(C), USMC, Commanding General, I MEF (Forward) and MNF-W, requested NCIS conduct a criminal investigation regarding the Iraqi civilians killed by Kilo Company Marines of 3/1 on 19Nov05. On 13Mar06, NCIS initiated the investigation and a team of agents traveled to the Forward Operating Base (FOB) Haditha Dam, Iraq.

5. On 17Mar06, Multi-National Force-Iraq (MNF-I) issued a press release announcing there would be a second AR 15-6 investigation regarding potential misconduct by the Marines after the IED attack in Haditha. On 19Mar06, Lieutenant General (b)(6), (b)(7)(C) appointed Major General (b)(6), (b)(7)(C) USA, as the IO for the second AR 15-6 investigation. Emphasis was to be on the training and preparation of the Marines prior to engagement and the reporting of information concerning 19Nov05 at all levels of the chain-of-command from patrol through MNF-W and MNC-I.

6. As reported under References (A)-(G), initial investigative efforts included a preliminary death scene examination; interviews, interrogations, re-interrogations of several 3/1 Marines; and interviews of numerous Iraqi witnesses. The results of the foregoing investigative efforts are as follows:

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SUBJ: (b)(6), (b)(7)(C)

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a. IED BLAST: On 19Nov05 between 0700 and 0716, a [] vehicle convoy of Kilo Company, 3/1, was ambushed in Haditha, Iraq, in a coordinated attack involving an IED and reported SAF while traveling with ISF personnel, killing one (1) Marine and wounding

b. TAXI (5 killed): Moments before the attack, the lead vehicle in the convoy motioned an approaching taxi to the side of the road. When the IED detonated soon thereafter, the Marines dismounted, prepared a defensive position, and began to render aid to the wounded. The taxi's five (5) occupants exited the vehicle and according to U.S. and Iraqi witnesses, were shot by (b)(6), (b)(7)(C) as they stood, unarmed, next to the vehicle approximately ten (10) feet in front of him. (b)(6), (b)(7)(C) later told (b)(6), (b)(7)(C), who witnessed the shooting, to say, if questioned, that the Iraqis had attempted to flee and were shot by ISF personnel. (b)(6), (b)(7)(C) admits to shooting the five (5) bodies on the ground after (b)(6), (b)(7)(C) initially shot them. (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) also walked over to the bodies and shot the five (5) Iraqi males again, while standing within a foot of them.

c. HOUSE #1 (6 killed): A quick reaction force (QRF), led by (b)(6), (b)(7)(C) USMC, arrived at the IED blast site within fifteen (15) minutes (between approximately 0715 - 0730). The QRF attended to the casualties and prepared to remove them from the scene. After receiving a report from (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) that SAF was observed coming from the vicinity of a nearby home (house #1), instructed a fire team to "take the house." First, (b)(6), (b)(7)(C) fired rounds with a M203 grenade launcher toward house #1. Then a fire team consisting of (b)(6), (b)(7)(C), (b)(6), (b)(7)(C), (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) conducted a forced entry into house #1. All members of the fire team reported they were not receiving SAF upon their approach to house #1. (b)(6), (b)(7)(C) conducted a forced entry into house #1 and shot and killed an unarmed Iraqi adult female in the hallway. Certain members of the fire team reported hearing the sound of an AK-47 "racking" and two (2) fragmentation grenades were thrown into a room on the left, but only one (1) exploded. (b)(6), (b)(7)(C) then cleared a room on the right of the hallway, killing an unarmed Iraqi male adult. At that time, an unidentified Marine reportedly yelled that there was someone running from the house. This caused the fire team to cease the clearing operation and immediately exit house #1 toward house #2. (b)(6), (b)(7)(C) recalled the fire team later returned to house #1 with (b)(6), (b)(7)(C) who reportedly cleared a room by firing his 9mm pistol into it. Additionally, (b)(6), (b)(7)(C) advised he entered a room after (b)(6), (b)(7)(C). Shortly thereafter, both he and (b)(6), (b)(7)(C) shot approximately four (4) people, none of which were standing. (b)(6), (b)(7)(C) explained he shot these individuals because (b)(6), (b)(7)(C) shot them first and believed the entire house was "hostile." The re-entry of house #1 reported by (b)(6), (b)(7)(C) is consistent with the accounts of both (b)(6), (b)(7)(C) and an Iraqi woman who survived the clearing/attack of house #1. (b)(6), (b)(7)(C) stated she fled the house in the brief period when the Marines initially departed toward house #2. A total of six (6) Iraqis were killed in house #1, including two (2) women and one (1) child. No weapons were found.

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SUBJ: (b)(6), (b)(7)(C)

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

d. HOUSE #2 (8 killed): Prior to entering house #2, an unarmed Iraqi adult male was observed standing inside the front door of the house facing out. This individual was shot and killed by (b)(6), (b)(7)(C) who was reportedly told by (b)(6), (b)(7)(C) to treat the house as "hostile." Upon entering the house, the fire team used three (3) fragmentation grenades in two (2) unoccupied rooms but according to statements, only two (2) of those exploded. (b)(6), (b)(7)(C) reported hearing (b)(6), (b)(7)(C) firing into a room and responded by joining him. Upon entering the room, (b)(6), (b)(7)(C) stated he observed a body in the doorway, and then positively identified an unarmed woman and children on or around the bed before shooting. Similar to house #1, (b)(6), (b)(7)(C) stated he began shooting because (b)(6), (b)(7)(C) had already engaged the individuals with gunfire and he felt this meant there was a threat. A total of eight (8) Iraqi civilians, including five (5) children, were killed. No weapons were recovered in house #2.

e. OBSERVATION POST (1 killed): After houses #1 and #2 were cleared, the fire team cleared two (2) additional unoccupied homes in the area before moving to the observation post (OP) site. The OP was established around 0830. Some members of the fire team posted themselves on the rooftop of the OP. At approximately 0845, Marines manning the OP reportedly observed an unarmed Iraqi male running on a ridgeline in the vicinity of house #1. (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) fired shot(s), killing the individual (later identified as a household member of house #1). Some time later, the OP observed one (1) or two (2) unidentified Iraqi males looking at them from another nearby house, hereafter referred to as house #4. At approximately 0945, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) decided to approach the house and investigate.

f. HOUSE #3 (0 killed): The events surrounding houses #3 and #4 are less clear as witness and survivor statements differ significantly from those provided by the Marines. According to Marine accounts, they approached houses #3 and #4 because they observed male(s) outside of houses #3 and/or #4 watching them while the Marines were at the OP. Prior to arriving at house #4, the Marines passed by house #3 where the Marines reportedly encountered women and children. The Marines stated they asked the women where the men were and the women directed the Marines next door to house #4. Subsequently, (b)(6), (b)(7)(C) remained at house #3 with the women while (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) proceeded to house #4. In contrast, Iraqi witness statements indicate that only a man, woman, and their fourteen year-old son occupied house #3. The Marines questioned the three (3) family members of house #3 about the IED and about the occupants of house #4. The three (3) Marines then reportedly removed the three (3) family members and escorted them to the adjacent home, house #4. According to Iraqi witnesses, an AK-47 was voluntarily retrieved from house #3 after the Marines questioned them while standing in front of house #4. No one was killed in house #3. According to Marines, no weapons were recovered from house #3. However, the Iraqi witnesses related one (1) AK-47 from house #3 was handed over to the Marines.

g. HOUSE #4 (4 killed): (b)(6), (b)(7)(C) reported entering house #4 and encountering four (4) Iraqi males, at least one of which was armed

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SUBJ: (b)(6), (b)(7)(C)

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with an AK-47. (b)(6), (b)(7)(C) killed the armed Iraqi male when he allegedly raised the weapon in the direction of (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C). Additionally, (b)(6), (b)(7)(C) reportedly shot and killed the three (3) other men with his 9mm pistol in the clearing operation. (b)(6), (b)(7)(C) subsequently shot into the four (4) bodies with his M-16 rifle. Iraqi witnesses/surviving family members from house #3 and #4 provide different accounts. The key difference surrounds the Marines' approach to house #3 and interaction with the occupants of house #4. Iraqi witnesses indicate the three (3) family members from house #3 (one (1) adult male, one (1) adult female, and one (1) teenage male) were escorted to an area in front of house #4. Shortly thereafter, the occupants of house #4 (four (4) adult males, three (3) adult females, and one (1) infant) were brought out of the house to the same area in front of house #4. The Marines reportedly separated four (4) of the adult males from the group of family members and directed them into house #4. The remaining family members were directed into house #3. Subsequently, the family members in house #3 reported hearing shots fired in house #4 and observed the Marines leaving the area. After the Marines departed, family members reported finding the four (4) adult males dead in house #4. Marine reports regarding the number of weapons recovered from house #4 vary, ranging from one (1) to three (3) AK-47s. Iraqi witness statements indicate that there was one (1) AK-47 in house #4 but said it was surrendered to the Marines after they questioned the family members in front of house #4 (at or about the same time the AK-47 from house #3 was provided to the Marines).

h. At approximately 1245, SGT (b)(6), (b)(7)(C) USMC, Human Intelligence Exploitation Team (HET) arrived at the scene with the 2nd QRF and began to collect potential intelligence, take photographs of the deceased, and interview detainees.

i. During the late afternoon, Marines were directed to document the scene and conduct what has been characterized as a BDA. LCPLs (b)(6), (b)(7)(C) USMC were instructed to mark/count and take photographs of the deceased. These photographs were later provided to Kilo Company's Combat Operations Center (COC) where an unidentified Marine reportedly downloaded them.

j. In the late evening hours, Marines removed the deceased from the five (5) different locations (Route Chestnut, house #1, ridgeline, house #2, and house #4) and loaded them into HMMWVs for transportation to the Firmbase located within Haditha, and later to the Haditha hospital morgue.

7. Since the submission of References (A)-(G), investigative efforts have included receipt of reports regarding the re-interviews of 3/1 Marines.

NARRATIVE

1. This investigation pertains to potential violations of Article 118 (Murder) and Article 81 (Conspiracy) of the Uniform Code of Military Justice (UCMJ). The remainder of this report outlines the re-interviews of Marines.

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SUBJ: (b)(6), (b)(7)(C)

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numbering of exhibits as noted above.

7. All significant investigative activity has been completed. Efforts to obtain permission for exhumation of the victims' remains are being led by MNF-I. This investigation is pending review for prosecutorial merit and potential adjudication. Command has been fully briefed regarding the status of this investigation.

PARTICIPANTS

(b)(6), (b)(7)(C) Special Agent, NCIS Al Asad, Iraq
Special Agent NCISFO Hawaii
Special Agent NCISFO Hawaii
Special Agent NCISFO Marine Corps West, Camp Pendleton, CA
Special Agent, NCISFO Marine Corps West, Camp

Pendleton, CA

(b)(6), (b)(7)(C) Special Agent, NCIS Marine Corps West, Camp

Pendleton, CA

(b)(6), (b)(7)(C) Special Agent, NCIS Marine Corps West, Camp

Pendleton, CA

(b)(6), (b)(7)(C) Division Chief, Violent Crimes Division, NCISHQ
Washington, DC

DISTRIBUTION:

NCISHQ (DSI): 0023

INFO: MWPE (H)/LTCOL (b)(6), (b)(7)(C) USMC, SJA, Marine Corps
Forces Central Command (H)/LTCOL (b)(6), (b)(7)(C), USMC, Legal
Liaison Officer, I MEF (H)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

15DEC06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA

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

COMMAND/I MEF/11931

MADE AT/SDTC/SAN DIEGO CA (b)(6), (b)(7)(C) TECH ENFORCEMENT OFFICER

REFERENCE(S) (S)

(A) NCISTSD San Diego, CA ROI (ACTION)/14NOV06

NARRATIVE

1. Since submission of Reference (A), no additional technical investigative support has been provided in captioned investigation. Pending oral/wire intercept authority, final installation has been held in abeyance to safeguard and preclude unauthorized use of equipment.

ACTION

0023B: Provided for status. Lead tasking remains pending oral/wire intercept authority for completion of installation and operational turnover to MWPE for monitoring.

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ACTION: 0023B

INFO: MEBJ/MWPE/24B1

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

15DEC06

DEATH (II)

CONTROL: 13MAR06-MEJ-0164-7HMA/T

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

COMMAND/I MEF, CAMP PENDLETON, CA/11931

MADE AT/EULN/LONDON UK (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE

(A) NCISHQ Washington DC ROI (ACTION)/01DEC06

EXHIBIT(S)

(1) IA: Contact with UK Immigration/12DEC06...(Original 0023/Copy EUNA)

NARRATIVE

1. As requested via Reference (A), UK Immigration was contacted regarding (b)(6), (b)(7)(C) is an Iraqi national currently in the UK

remain in the UK until then. Exhibit (1) provides details.

2. EULN is coordinating attempts to locate and interview (b)(6), (b)(7)(C) through the Legal Attach=E9, American Embassy, London. Lead coverage continues.

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

01DEC06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA/T

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

V/ALI, ABDUL HAMEED HUSIN/CIV
M/W/FNIZ/N//01JUL29/HADITHA, AL ANBAR PROVINCE, IRAQ
V/ALI, KHAMISA TUEMA/CIV
F/W/FNIZ/N//01JAN39/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, WALEED ABDALHAMID/CIV
M/W/FNIZ/N//01JAN68/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HAMEED, ABDULLAH WALEED ABDUL/CIV
M/W/FNIZ/N//06AUG01/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, GUHID ABDALHAMID/CIV
M/W/FNIZ/N//HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, RASHEED ABDALHAMID/CIV
M/W/FNIZ/N//HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, ASMAA SALMAN/CIV
F/W/FNIZ/N//HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, YUNIS SALIM/CIV
M/W/FNIZ/N//01JAN62/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, AIDA YASIN/CIV
F/W/FNIZ/N//01MAR65/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, MOHMED YUNIS/CIV
M/W/FNIZ/N//HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, NOOR SALIM/CIV
F/W/FNIZ/N//01JAN92/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, SEBEA YUNIS/CIV
F/W/FNIZ/N//03APR95/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, ZAINAB UNES/CIV
F/W/FNIZ/N//17JUN00/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, AISHA UNES/CIV
F/W/FNIZ/N//19MAR02/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, HUDA YASIN/CIV
F/W/FNIZ/N//01JAN66/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, JAMAL AIAD/CIV
M/W/FNIZ/N//16JUL66/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, JASIB AIAD/CIV
M/W/FNIZ/N//01JAN77/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, MARWAN AIAD/CIV
M/W/FNIZ/N//01JAN78/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, KAHTAN AIAD/CIV

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL: 13MAR06-MEBJ-0164-7HMA/T

01Dec06

FOR OFFICIAL USE ONLY M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ

V/ALZAWI, KALED AIDA/CIV
M/W/FNIZ/N//01JAN85/HADITHA, AL ANBAR PROVINCE, IRAQ
V/ALZAWI, WAGDI AIDA/CIV
M/W/FNIZ/N//01JAN79/HADITHA, AL ANBAR PROVINCE, IRAQ
V/FLAEH, AKRAM HAMID/CIV
M/W/FNIZ/S//HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, MOHMED TABAL/CIV
M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ
V/MUSLEH, AHMED KHUTAR/CIV
M/W/FNIZ/N//01JAN76/HADITHA, AL ANBAR PROVINCE, IRAQ

COMMAND/I MEF, CAMP PENDLETON, CA/11931

MADE AT/0023/WASHINGTON DC/(b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCES

- (A) NCISHQ Washington DC ROI (INTERIM)/12Apr06 (Contains Exhibits 1-57)
- (B) NCISHQ Washington DC ROI (INTERIM)/05Jun06 (Contains Exhibits 58-107)
- (C) NCISHQ Washington DC ROI (INTERIM)/20Jun06 (Contains Exhibits 108-227)
- (D) NCISHQ Washington DC ROI (INTERIM)/03Aug06 (Contains Exhibits 228-380)
- (E) NCISHQ Washington DC ROI (INTERIM)/12Sep06 (Contains Exhibits 381-491)
- (F) NCISHQ Washington DC ROI (INTERIM)/09Nov06 (Contains Exhibits 492-515)

EXHIBITS

- (1) IA: Attempts to Meet with (b)(6), (b)(7)(C) NOV06... (Copy EULN)

EXECUTIVE SUMMARY

1. On 19Nov05 at approximately 0716, 1st Squad, 3rd Platoon, Kilo Company, 3rd Battalion (3DBN), 1st Marine Division (MARDIV), I Marine Expeditionary Force (MEF) (3/1), and (b)(6), (b)(7)(C) Iraqi Security Forces (ISF) members were traveling in a convoy on Route "Chestnut" in Haditha, Al Anbar Province, Iraq, when they received a complex attack (i.e., an attack wherein the enemy strikes in more than one manner). Specifically, the fourth High Mobility Multi-Wheel Vehicle (HMMWV) was struck by an improvised explosive device (IED) reportedly followed by small arms fire (SAF) from the south. The complex attack resulted in one (1) friendly killed in action (FKIA) and two (2) friendlies wounded in action (FWIA). The Marines in the convoy immediately responded to the explosion by dismounting their vehicles, attending to the injured, and securing the perimeter. According to the Marines involved, they received SAF after the explosion. Consequently, they broke into fire teams, searched/cleared homes in the area, and identified detainees. Over a period of several hours, (b)(6), (b)(7)(C) and co-subjects' actions resulted in the deaths of twenty-four (24) Iraqi civilians and two (2) injured Iraqi children. In the evening hours of 19Nov05, Marines from 3/1 conducted a battle damage assessment (BDA) and transported the dead to the Haditha hospital

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morgue.

2. On 20Nov05, the 2d Marine Division issued a press release that reported the attack on 19Nov05 as resulting in the deaths of one (1) Marine, fifteen (15) Iraqi civilians, and eight (8) insurgents. On 10Feb06, a TIME magazine reporter contacted the Multi-National Corps-Iraq (MNC-I) regarding information he received from a Sunni-based group that alleged Marines from 3/1 wrongfully killed twenty-four (24) Iraqi civilians on 19Nov05. The Sunni group supported the allegation with video footage that contained images of the dead at the Haditha hospital morgue before the bodies were released to family members on 20Nov05.

3. On 14Feb06, Lieutenant General (b)(6), (b)(7)(C) USA, MNC-I directed a U.S. Army administrative inquiry (AR 15-6) and appointed COL (b)(6), (b)(7)(C) USA, as the Investigating Officer (IO). On 03Mar06, COL [redacted] submitted the results of the investigation, revealing that as a result of the 19Nov05 incident, Iraqi civilians (men, women, and children) were killed. MNC-I in turn recommended further investigation by the Army's Criminal Investigation Division (CID) or the Naval Criminal Investigative Service (NCIS).

4. On 12Mar06, Major General [redacted] USMC, Commanding General, I MEF (Forward) and MNF-W, requested NCIS conduct a criminal investigation regarding the Iraqi civilians killed by Kilo Company Marines of 3/1 on 19Nov05. On 13Mar06, NCIS initiated the investigation and a team of agents traveled to the Forward Operating Base (FOB) Haditha Dam, Iraq.

5. On 17Mar06, Multi-National Force-Iraq (MNF-I) issued a press release announcing there would be a second AR 15-6 investigation regarding potential misconduct by the Marines after the IED attack in Haditha. On 19Mar06, Lieutenant General [redacted] appointed Major General [redacted] USA, as the IO for the second AR 15-6 investigation. Emphasis was to be on the training and preparation of the Marines prior to engagement and the reporting of information concerning 19Nov05 at all levels of the chain-of-command from patrol through MNF-W and MNC-I.

6. As reported under References (A)-(F), initial investigative efforts included a preliminary death scene examination; interviews, interrogations, re-interrogations of several 3/1 Marines; and interviews of numerous Iraqi witnesses. The results of the foregoing investigative efforts are as follows:

a. IED BLAST: On 19Nov05 between 0700 and 0716, a four-vehicle convoy of Kilo Company, 3/1, was ambushed in Haditha, Iraq, in a coordinated attack involving an IED and reported SAF while traveling with ISF personnel, killing one (1) Marine and wounding two (2).

b. TAXI (5 killed): Moments before the attack, the lead vehicle in the convoy motioned an approaching taxi to the side of the road. When the IED detonated soon thereafter, the Marines dismounted, prepared a defensive position, and began to render aid to the wounded. The taxi's five (5) occupants exited the vehicle and

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according to U.S. and Iraqi witnesses, were shot by (b)(6), (b)(7)(C) as they stood, unarmed, next to the vehicle approximately ten (10) feet in front of him. (b)(6), (b)(7)(C) later told (b)(6), (b)(7)(C) who witnessed the shooting, to say, if questioned, that the Iraqis had attempted to flee and were shot by ISF personnel. (b)(6), (b)(7)(C) admits to shooting the five (5) bodies on the ground after (b)(6), (b)(7)(C) initially shot them. (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) also walked over to the bodies and shot the five (5) Iraqi males again, while standing within a foot of them.

c. HOUSE #1 (6 killed): A quick reaction force (QRF), led by (b)(6), (b)(7)(C) USMC, arrived at the IED blast site within fifteen (15) minutes (between approximately 0715 - 0730). The QRF attended to the casualties and prepared to remove them from the scene. After receiving a report from (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) that SAF was observed coming from the vicinity of a nearby home (house #1), instructed a fire team to "take the house." First, (b)(6), (b)(7)(C) fired rounds with a M203 grenade launcher toward house #1. Then a fire team consisting of (b)(6), (b)(7)(C), (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) conducted a forced entry into house #1. All members of the fire team reported they were not receiving SAF upon their approach to house #1. (b)(6), (b)(7)(C) conducted a forced entry into house #1 and shot and killed an unarmed Iraqi adult female in the hallway. Certain members of the fire team reported hearing the sound of an AK-47 "racking" and two (2) fragmentation grenades were thrown into a room on the left, but only one (1) exploded. (b)(6), (b)(7)(C) then cleared a room on the right of the hallway, killing an unarmed Iraqi male adult. At that time, an unidentified Marine reportedly yelled that there was someone running from the house. This caused the fire team to cease the clearing operation and immediately exit house #1 toward house #2. (b)(6), (b)(7)(C) recalled the fire team later returned to house #1 with (b)(6), (b)(7)(C) who reportedly cleared a room by firing his 9mm pistol into it. Additionally, (b)(6), (b)(7)(C) advised he entered a room after (b)(6), (b)(7)(C) shortly thereafter, both he and (b)(6), (b)(7)(C) shot approximately four (4) people, none of which were standing. (b)(6), (b)(7)(C) explained he shot these individuals because (b)(6), (b)(7)(C) shot them first and believed the entire house was "hostile." The re-entry of house #1 reported by (b)(6), (b)(7)(C) is consistent with the accounts of both (b)(6), (b)(7)(C) and an Iraqi woman (b)(6), (b)(7)(C) who survived the clearing/attack of house #1. (b)(6), (b)(7)(C) stated she fled the house in the brief period when the Marines initially departed toward house #2. A total of six (6) Iraqis were killed in house #1, including two (2) women and one (1) child. No weapons were found.

d. HOUSE #2 (8 killed): Prior to entering house #2, an unarmed Iraqi adult male was observed standing inside the front door of the house facing out. This individual was shot and killed by (b)(6), (b)(7)(C) who was reportedly told by (b)(6), (b)(7)(C) to treat the house as "hostile." Upon entering the house, the fire team used three (3) fragmentation grenades in two (2) unoccupied rooms but according to statements, only two (2) of those exploded. (b)(6), (b)(7)(C) reported hearing (b)(6), (b)(7)(C) firing into a room and responded by joining him. Upon entering the room, (b)(6), (b)(7)(C) stated he observed a body in the doorway, and then positively identified an unarmed woman and children on or around the bed before shooting. Similar to house #1, (b)(6), (b)(7)(C) stated he began

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CONTROL: 13MAR06-MEJ-0164-7HMA/T

01Dec06

shooting because (b)(6), (b)(7)(C) had already engaged the individuals with gunfire and he felt this meant there was a threat. A total of eight (8) Iraqi civilians, including five (5) children, were killed. No weapons were recovered in house #2.

e. OBSERVATION POST (1 killed): After houses #1 and #2 were cleared, the fire team cleared two (2) additional unoccupied homes in the area before moving to the observation post (OP) site. The OP was established around 0830. Some members of the fire team posted themselves on the rooftop of the OP. At approximately 0845, Marines manning the OP reportedly observed an unarmed Iraqi male running on a ridgeline in the vicinity of house #1. (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) fired shot(s), killing the individual (later identified as a household member of house #1). Some time later, the OP observed one (1) or two (2) unidentified Iraqi males looking at them from another nearby house, hereafter referred to as house #4. At approximately 0945, (b)(6), (b)(7)(C), (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) decided to approach the house and investigate.

f. HOUSE #3 (0 killed): The events surrounding houses #3 and #4 are less clear as witness and survivor statements differ significantly from those provided by the Marines. According to Marine accounts, they approached houses #3 and #4 because they observed male(s) outside of houses #3 and/or #4 watching them while the Marines were at the OP. Prior to arriving at house #4, the Marines passed by house #3 where the Marines reportedly encountered women and children. The Marines stated they asked the women where the men were and the women directed the Marines next door to house #4. Subsequently, (b)(6), (b)(7)(C) remained at house #3 with the women while (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) proceeded to house #4. In contrast, Iraqi witness statements indicate that only a man, woman, and their fourteen year-old son occupied house #3. The Marines questioned the three (3) family members of house #3 about the IED and about the occupants of house #4. The three (3) Marines then reportedly removed the three (3) family members and escorted them to the adjacent home, house #4. According to Iraqi witnesses, an AK-47 was voluntarily retrieved from house #3 after the Marines questioned them while standing in front of house #4. No one was killed in house #3. According to Marines, no weapons were recovered from house #3. However, the Iraqi witnesses related one (1) AK-47 from house #3 was handed over to the Marines.

g. HOUSE #4 (4 killed): (b)(6), (b)(7)(C) reported entering house #4 and encountering four (4) Iraqi males, at least one of which was armed with an AK-47. (b)(6), (b)(7)(C) killed the armed Iraqi male when he allegedly raised the weapon in the direction of (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C). Additionally, (b)(6), (b)(7)(C) reportedly shot and killed the three (3) other men with his 9mm pistol in the clearing operation. (b)(6), (b)(7)(C) subsequently shot into the four (4) bodies with his M-16 rifle. Iraqi witnesses/surviving family members from house #3 and #4 provide different accounts. The key difference surrounds the Marines' approach to house #3 and interaction with the occupants of house #4. Iraqi witnesses indicate the three (3) family members from house #3 (one (1) adult male, one (1) adult female, and one (1) teenage male) were escorted to an area in front of house #4. Shortly thereafter, the occupants of house #4 (four (4) adult males, three

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(3) adult females, and one (1) infant) were brought out of the house to the same area in front of house #4. The Marines reportedly separated four (4) of the adult males from the group of family members and directed them into house #4. The remaining family members were directed into house #3. Subsequently, the family members in house #3 reported hearing shots fired in house #4 and observed the Marines leaving the area. After the Marines departed, family members reported finding the four (4) adult males dead in house #4. Marine reports regarding the number of weapons recovered from house #4 vary, ranging from one (1) to three (3) AK-47s. Iraqi witness statements indicate that there was one (1) AK-47 in house #4 but said it was surrendered to the Marines after they questioned the family members in front of house #4 (at or about the same time the AK-47 from house #3 was provided to the Marines).

h. At approximately 1245, SGT (b)(6), (b)(7)(C) USMC, Human Intelligence Exploitation Team (HET) arrived at the scene with the 2nd QRF and began to collect potential intelligence, take photographs of the deceased, and interview detainees.

i. During the late afternoon, Marines were directed to document the scene and conduct what has been characterized as a Battle Damage Assessment (BDA). LCPLs (b)(6), (b)(7)(C) USMC were instructed to mark/count and take photographs of the deceased. These photographs were later provided to Kilo Company's Combat Operations Center (COC) where an unidentified Marine reportedly downloaded them.

j. In the late evening hours, Marines removed the deceased from the five (5) different locations (Route Chestnut, house #1, ridgeline, house #2, and house #4) and loaded them into HMMWVs for transportation to the Firmbase located within Haditha, and later to the Haditha hospital morgue.

7. Since the submission of References (A)-(F), investigative efforts have included receipt of reports for electronic media seized from witnesses, re-interviews of 3/1 Marines, and receipt of the Bureau of Alcohol Tobacco and Firearm's (ATF) report on their analysis of the fire damage in house #1.

NARRATIVE

1. This investigation pertains to potential violations of Article 118 (Murder) and Article 81 (Conspiracy) of the Uniform Code of Military Justice (UCMJ).

2. During the course of Reference (F), on 29Oct06, (b)(6), (b)(7)(C) Civilian, a Fellow of the New America Foundation, Washington, DC, contacted, via electronic mail (e-mail), the Office of Communication, NCISHQ, Washington, DC, to report he had an Iraqi friend who was in possession of "evidence" that the United States does not have relative to the "Haditha incident." Through a series of e-mail dialogues/messages covering an approximately 4-week period, (b)(6), (b)(7)(C) introduced Reporting Agent (RA) to his friend, (b)(6), (b)(7)(C) Civilian, who claimed he possesses:

(b)(7)(F)

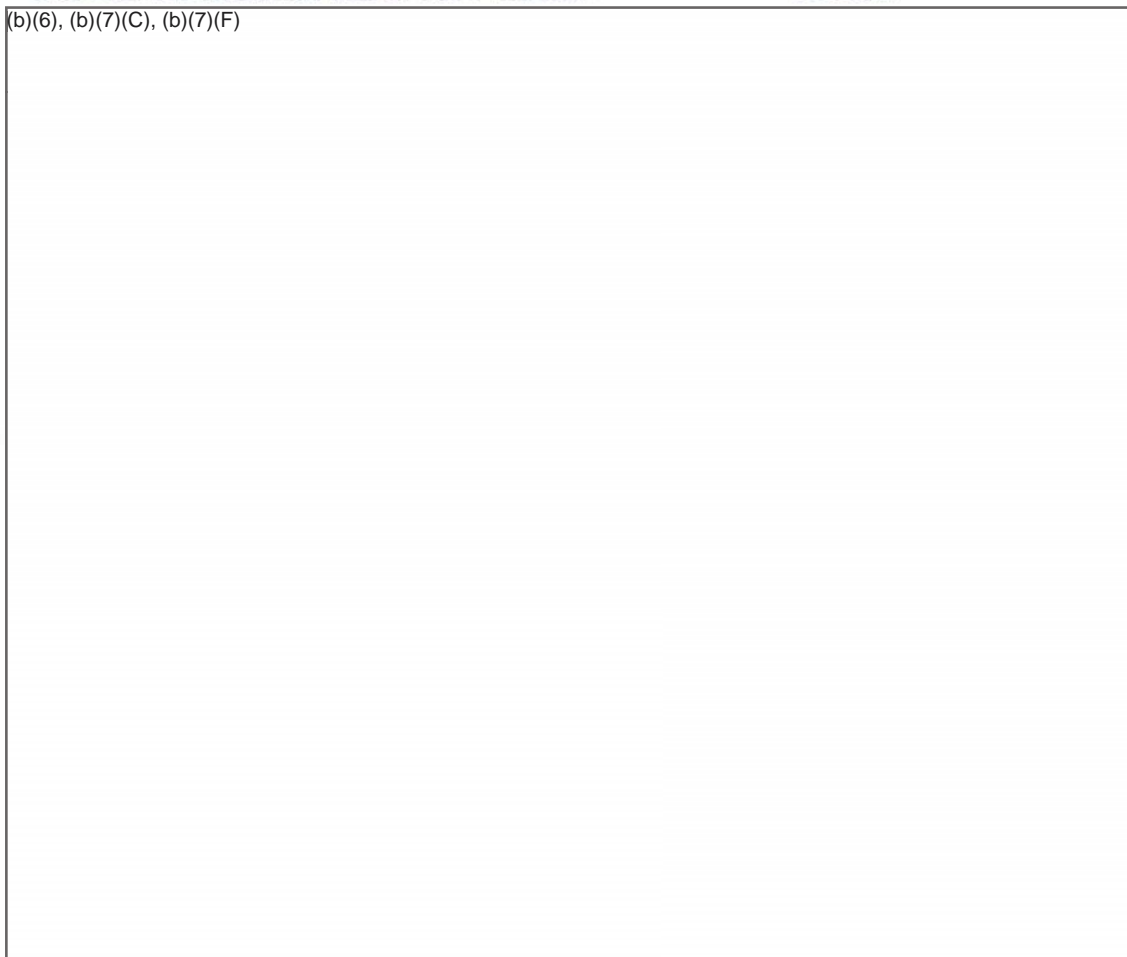
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(b)(6), (b)(7)(C), (b)(7)(F)



3. RA attempted to arrange a "face to face" meeting with (b)(6), (b)(7)(C) in the UK, but was unsuccessful. (b)(6), (b)(7)(C) declined to meet with NCIS stating he was a target of Iraqi militia groups and did not want to risk his life to help the case (Haditha investigation). He stated there were many reasons to get killed and he did not want to add another reason. (b)(6), (b)(7)(C) advised he would be back in Iraq in January (2007) and he will (b)(7)(C) his best to stay alive. Details regarding RA's e-mail dialogues with (b)(6), (b)(7)(C) are contained in exhibit (1). Additionally, background information on (b)(6), (b)(7)(C) is reported in exhibit (1).

4. Criminal history indices and Fusion Data Base (Terrorist/Insurgent) inquiries were conducted on (b)(6), (b)(7)(C) in the United States, United Kingdom and Iraq, and produced negative results. An "Internet" search of the name (b)(6), (b)(7)(C) found (b)(7)(F)

(b)(7)(F)

(unconfirmed without further identifying data).

5. A NCISHQ Cyber Department search of (b)(6), (b)(7)(C) e-mail addresses

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

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revealed the Internet Protocol (IP) addresses resolve to the United Kingdom.

ACTION

R.EULN: Utilizing exhibit (1), attempt to accomplish below lead taskings:

Please check with UK/British Government law enforcement counterparts/contacts (i.e., Customs-Immigration, Criminal Investigations, Counterintelligence, Counterterrorism agencies, etc.) and determine if (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) is in fact an Iraqi or Middle Eastern citizen currently residing and (b)(7)(F)

With current terrorism alerts in the UK, is (b)(6), (b)(7)(C) (or his AKAs) being looked at as a possible terrorist, insurgent or sympathizer of Jihad or Al Qaeda?

(b)(7)(F)

UK, for "two months and a year." Is this in fact true?

Obtain as much identifying data on (b)(6), (b)(7)(C) His e-mail addresses indicate he may use several AKA's: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Based on information from Agents who have deployed to the Middle East, most Middle Eastern names have three entries...First Name, Family Name & Tribal Name. It appears (b)(6), (b)(7)(C) last name may be (b)(6), (b)(7)(C) but unconfirmed. It is not know if (b)(6), (b)(7)(C) is a tribal name. If possible obtain (b)(6), (b)(7)(C) full name and conduct appropriate history checks.

6. If available, obtain a photograph of (b)(6), (b)(7)(C)

7. If available, obtain (b)(6), (b)(7)(C) rolled fingerprints from British counterparts. These fingerprints can be compared with Biometric data base.

8. (b)(7)(F)

9. NCISHQ has conducted "fusion" data base check (for terrorists/insurgents/insurgency history) on (b)(6), (b)(7)(C) with MTAC, CT, and Iraq (Baghdad & Fallujah) and obtained negative results.

Please conduct UK "fusion" and criminal history checks on (b)(6), (b)(7)(C) and his AKA's.

10. Please conduct any other inquiries you deem appropriate.

11. If able to locate (b)(6), (b)(7)(C) attempt to conduct interview on the issues he disclosed above and in exhibit (1). Be systematic in your interview starting with IED blast site, Taxi Cab site, House #1, House #2, Observation Post, House #3, House #4, Witness Interviews, Hospital Records, Hospital Morgue, Autopsy Reports, Medical Staff Interviews, etc.

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12. If (b)(6), [redacted] is willing to relinquish his "evidence": Recover any audio/video/documentary evidence he may possess regarding the Haditha investigation.

If you have any questions, please contact RA at: Office: (202) 433-[redacted] / Cellular Phone:

DISTRIBUTION

NCISHQ (DSI): 0023

ACTION: EULN (M) Attn: SA's

INFO: EUFO/MWPE

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REPORT OF INVESTIGATION (INTERIM)

16NOV06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA/T

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



V/ALI, ABDUL HAMEED HUSIN/CIV
M/W/FNIZ/N//01JUL29/HADITHA, AL ANBAR PROVINCE, IRAQ
V/ALI, KHAMISA TUEMA/CIV
F/W/FNIZ/N//01JAN39/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, WALEED ABDALHAMID/CIV
M/W/FNIZ/N//01JAN68/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HAMEED, ABDULLAH WALEED ABDUL/CIV
M/W/FNIZ/N//06AUG01/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, GUHID ABDALHAMID/CIV
M/W/FNIZ/N//HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, RASHEED ABDALHAMID/CIV
M/W/FNIZ/N//HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, ASMAA SALMAN/CIV
F/W/FNIZ/N//HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, YUNIS SALIM/CIV
M/W/FNIZ/N//01JAN62/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, AIDA YASIN/CIV
F/W/FNIZ/N//01MAR65/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, MOHMED YUNIS/CIV
M/W/FNIZ/N//HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, NOOR SALIM/CIV
F/W/FNIZ/N//01JAN92/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, SEBEA YUNIS/CIV
F/W/FNIZ/N//03APR95/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, ZAINAB UNES/CIV
F/W/FNIZ/N//17JUN00/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, AISHA UNES/CIV
F/W/FNIZ/N//19MAR02/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, HUDA YASIN/CIV
F/W/FNIZ/N//01JAN66/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, JAMAL AIAD/CIV
M/W/FNIZ/N//16JUL66/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, JASIB AIAD/CIV
M/W/FNIZ/N//01JAN77/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, MARWAN AIAD/CIV
M/W/FNIZ/N//01JAN78/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, KAHTAN AIAD/CIV

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SUBJ: (b)(6), (b)(7)(C)

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M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ
V/ALZAWI, KALED AIDA/CIV
M/W/FNIZ/N//01JAN85/HADITHA, AL ANBAR PROVINCE, IRAQ
V/ALZAWI, WAGDI AIDA/CIV
M/W/FNIZ/N//01JAN79/HADITHA, AL ANBAR PROVINCE, IRAQ
V/FLAEH, AKRAM HAMID/CIV
M/W/FNIZ/S///HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, MOHMED TABAL/CIV
M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ
V/MUSLEH, AHMED KHUTAR/CIV
M/W/FNIZ/N//01JAN76/HADITHA, AL ANBAR PROVINCE, IRAQ

COMMAND/I MEF, CAMP PENDLETON, CA/11931

MADE AT/0023/NCISHQ WASHINGTON DC (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCES

- (A) NCISHQ Washington DC ROI (INTERIM)/12Apr06 (Contains Exhibits 1-57)
- (B) NCISHQ Washington DC ROI (INTERIM)/05Jun06 (Contains Exhibits 58-107)
- (C) NCISHQ Washington DC ROI (INTERIM)/20Jun06 (Contains Exhibits 108-227)
- (D) NCISHQ Washington DC ROI (INTERIM)/03Aug06 (Contains Exhibits 228-380)
- (E) NCISHQ Washington DC ROI (INTERIM)/12Sep06 (Contains Exhibits 381-491)
- (F) NCISHQ Washington DC ROI (INTERIM)/09Nov06 (Contains Exhibits 492-515)

EXHIBITS

- (516) IA: Results of Forensic Reconstruction and Pathology Consultation - Roadside/16Oct06... (Orig 0023/Copy MWPE)
- (517) IA: Results of Forensic Reconstruction and Pathology Consultation - House #1/16Oct06... (Orig 0023/Copy MWPE)
- (518) IA: Results of Forensic Reconstruction and Pathology Consultation - House #2/16Oct06... (Orig 0023/Copy MWPE)
- (519) IA: Results of Forensic Reconstruction and Pathology Consultation - House #4/16Oct06... (Orig 0023/Copy MWPE)
- (520) IA: Results of Forensic Analysis, Roadside/15Nov06... (Orig 0023/Copy MWPE)
- (521) IA: Results of Forensic Analysis, House #1/15Nov06... (Orig 0023/Copy MWPE)
- (522) IA: Results of Forensic Analysis, House #2/15Nov06... (Orig 0023/Copy MWPE)
- (523) IA: Results of Forensic Analysis, House #4/15Nov06... (Orig 0023/Copy MWPE)
- (524) IA: Receipt of Original USACIL Reports/16Nov06... (Orig 0023/Copy MWPE)

EXECUTIVE SUMMARY

1. On 19Nov05 at approximately 0716, 1st Squad, 3rd Platoon, Kilo Company, 3rd Battalion (3DBN), 1st Marine Division (MARDIV), I Marine Expeditionary Force (MEF) (3/1), and Iraqi Security Forces (ISF)

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members were traveling in a convoy on Route "Chestnut" in Haditha, Al Anbar Province, Iraq, when they received a complex attack (i.e., an attack wherein the enemy strikes in more than one manner). Specifically, the fourth High Mobility Multi-Wheel Vehicle (HMMWV) was struck by an improvised explosive device (IED) reportedly followed by small arms fire (SAF) from the south. The complex attack resulted in one (1) friendly killed in action (FKIA) and friendlies wounded in action (FWIA). The Marines in the convoy immediately responded to the explosion by dismounting their vehicles, attending to the injured, and securing the perimeter. According to the Marines involved, they received SAF after the explosion. Consequently, they broke into fire teams, searched/cleared homes in the area, and identified detainees. Over a period of several hours, (b)(6), (b)(7)(C) and co-subjects' actions resulted in the deaths of twenty-four (24) Iraqi civilians and two (2) injured Iraqi children. In the evening hours of 19Nov05, Marines from 3/1 conducted a battle damage assessment (BDA) and transported the dead to the Haditha hospital morgue.

2. On 20Nov05, the 2d Marine Division issued a press release that reported the attack on 19Nov05 as resulting in the deaths of one (1) Marine, fifteen (15) Iraqi civilians, and eight (8) insurgents. On 10Feb06, a TIME magazine reporter contacted the Multi-National Corps-Iraq (MNC-I) regarding information he received from a Sunni-based group that alleged Marines from 3/1 wrongfully killed twenty-four (24) Iraqi civilians on 19Nov05. The Sunni group supported the allegation with video footage that contained images of the dead at the Haditha hospital morgue before the bodies were released to family members on 20Nov05.

3. On 14Feb06, Lieutenant General (b)(6), (b)(7)(C) USA, MNC-I directed a U.S. Army administrative inquiry (AR 15-6) and appointed COL (b)(6), (b)(7)(C) USA, as the Investigating Officer (IO). On 03Mar06, COL [] submitted the results of the investigation, revealing that as a result of the 19Nov05 incident, Iraqi civilians (men, women, and children) were killed. MNC-I in turn recommended further investigation by the Army's Criminal Investigation Division (CID) or the Naval Criminal Investigative Service (NCIS).

4. On 12Mar06, Major General [] USMC, Commanding General, I MEF (Forward) and MNF-W, requested NCIS conduct a criminal investigation regarding the Iraqi civilians killed by Kilo Company Marines of 3/1 on 19Nov05. On 13Mar06, NCIS initiated the investigation and a team of agents traveled to the Forward Operating Base (FOB) Haditha Dam, Iraq.

5. On 17Mar06, Multi-National Force-Iraq (MNF-I) issued a press release announcing there would be a second AR 15-6 investigation regarding potential misconduct by the Marines after the IED attack in Haditha. On 19Mar06, Lieutenant General [] appointed Major General [] USA, as the IO for the second AR 15-6 investigation. Emphasis was to be on the training and preparation of the Marines prior to engagement and the reporting of information concerning 19Nov05 at all levels of the chain-of-command from patrol

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through MNF-W and MNC-I.

6. As reported under References (A)-(F), initial investigative efforts included a preliminary death scene examination; interviews, interrogations, re-interrogations of several 3/1 Marines; and interviews of numerous Iraqi witnesses. The results of the foregoing investigative efforts are as follows:

a. IED BLAST: On 19Nov05 between 0700 and 0716, a [] vehicle convoy of Kilo Company, 3/1, was ambushed in Haditha, Iraq, in a coordinated attack involving an IED and reported SAF while traveling with ISF personnel, killing one (1) Marine and wounding

b. TAXI (5 killed): Moments before the attack, the lead vehicle in the convoy motioned an approaching taxi to the side of the road. When the IED detonated soon thereafter, the Marines dismounted, prepared a defensive position, and began to render aid to the wounded. The taxi's five (5) occupants exited the vehicle and according to U.S. and Iraqi witnesses, were shot by (b)(6), (b)(7)(C) as they stood, unarmed, next to the vehicle approximately ten (10) feet in front of him. (b)(6), (b)(7)(C) later told (b)(6), (b)(7)(C) who witnessed the shooting, to say, if questioned, that the Iraqis had attempted to flee and were shot by ISF personnel. (b)(6), (b)(7)(C) admits to shooting the five (5) bodies on the ground after (b)(6), (b)(7)(C) initially shot them. (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) also walked over to the bodies and shot the five (5) Iraqi males again, while standing within a foot of them.

c. HOUSE #1 (6 killed): A quick reaction force (QRF), led by [] USMC, arrived at the IED blast site within fifteen (15) minutes (between approximately 0715 - 0730). The QRF attended to the casualties and prepared to remove them from the scene. After receiving a report from (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) that SAF was observed coming from the vicinity of a nearby home (house #1), instructed a fire team to "take the house." First, (b)(6), (b)(7)(C) fired rounds with a M203 grenade launcher toward house #1. Then a fire team consisting of (b)(6), (b)(7)(C), (b)(6), (b)(7)(C), (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) conducted a forced entry into house #1. All members of the fire team reported they were not receiving SAF upon their approach to house #1. (b)(6), (b)(7)(C) conducted a forced entry into house #1 and shot and killed an unarmed Iraqi adult female in the hallway. Certain members of the fire team reported hearing the sound of an AK-47 "racking" and two (2) fragmentation grenades were thrown into a room on the left, but only one (1) exploded. (b)(6), (b)(7)(C) then cleared a room on the right of the hallway, killing an unarmed Iraqi male adult. At that time, an unidentified Marine reportedly yelled that there was someone running from the house. This caused the fire team to cease the clearing operation and immediately exit house #1 toward house #2. (b)(6), (b)(7)(C) recalled the fire team later returned to house #1 with (b)(6), (b)(7)(C) who reportedly cleared a room by firing his 9mm pistol into it. Additionally, (b)(6), (b)(7)(C) advised he entered a room after (b)(6), (b)(7)(C). Shortly thereafter, both he and (b)(6), (b)(7)(C) shot approximately four (4) people, none of which were standing. (b)(6), (b)(7)(C) explained he shot these individuals because (b)(6), (b)(7)(C) shot them first and believed the

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entire house was "hostile." The re-entry of house #1 reported by (b)(6), (b)(7)(C) is consistent with the accounts of both (b)(6), (b)(7)(C) and an Iraqi woman (b)(6), (b)(7)(C) who survived the clearing/attack of house #1. (b)(6), (b)(7)(C) stated she fled the house in the brief period when the Marines initially departed toward house #2. A total of six (6) Iraqis were killed in house #1, including two (2) women and one (1) child. No weapons were found.

d. HOUSE #2 (8 killed): Prior to entering house #2, an unarmed Iraqi adult male was observed standing inside the front door of the house facing out. This individual was shot and killed by (b)(6), (b)(7)(C) who was reportedly told by (b)(6), (b)(7)(C) to treat the house as "hostile." Upon entering the house, the fire team used three (3) fragmentation grenades in two (2) unoccupied rooms but according to statements, only two (2) of those exploded. (b)(6), (b)(7)(C) reported hearing (b)(6), (b)(7)(C) firing into a room and responded by joining him. Upon entering the room, (b)(6), (b)(7)(C) stated he observed a body in the doorway, and then positively identified an unarmed woman and children on or around the bed before shooting. Similar to house #1, (b)(6), (b)(7)(C) stated he began shooting because (b)(6), (b)(7)(C) had already engaged the individuals with gunfire and he felt this meant there was a threat. A total of eight (8) Iraqi civilians, including five (5) children, were killed. No weapons were recovered in house #2.

e. OBSERVATION POST (1 killed): After houses #1 and #2 were cleared, the fire team cleared two (2) additional unoccupied homes in the area before moving to the observation post (OP) site. The OP was established around 0830. Some members of the fire team posted themselves on the rooftop of the OP. At approximately 0845, Marines manning the OP reportedly observed an unarmed Iraqi male running on a ridgeline in the vicinity of house #1. (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) fired shot(s), killing the individual (later identified as a household member of house #1). Some time later, the OP observed one (1) or two (2) unidentified Iraqi males looking at them from another nearby house, hereafter referred to as house #4. At approximately 0945, (b)(6), (b)(7)(C), (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) decided to approach the house and investigate.

f. HOUSE #3 (0 killed): The events surrounding houses #3 and #4 are less clear as witness and survivor statements differ significantly from those provided by the Marines. According to Marine accounts, they approached houses #3 and #4 because they observed male(s) outside of houses #3 and/or #4 watching them while the Marines were at the OP. Prior to arriving at house #4, the Marines passed by house #3 where the Marines reportedly encountered women and children. The Marines stated they asked the women where the men were and the women directed the Marines next door to house #4. Subsequently, (b)(6), (b)(7)(C) remained at house #3 with the women while (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) proceeded to house #4. In contrast, Iraqi witness statements indicate that only a man, woman, and their fourteen year-old son occupied house #3. The Marines questioned the three (3) family members of house #3 about the IED and about the occupants of house #4. The three (3) Marines then reportedly removed the three (3) family members and escorted them to the adjacent home, house #4.

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According to Iraqi witnesses, an AK-47 was voluntarily retrieved from house #3 after the Marines questioned them while standing in front of house #4. No one was killed in house #3. According to Marines, no weapons were recovered from house #3. However, the Iraqi witnesses related one (1) AK-47 from house #3 was handed over to the Marines. g. HOUSE #4 (4 killed): (b)(6), (b)(7)(C) reported entering house #4 and encountering four (4) Iraqi males, at least one of which was armed with an AK-47. (b)(6), (b)(7)(C) killed the armed Iraqi male when he allegedly raised the weapon in the direction of (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C). Additionally, (b)(6), (b)(7)(C) reportedly shot and killed the three (3) other men with his 9mm pistol in the clearing operation. (b)(6), (b)(7)(C) subsequently shot into the four (4) bodies with his M-16 rifle. Iraqi witnesses/surviving family members from house #3 and #4 provide different accounts. The key difference surrounds the Marines' approach to house #3 and interaction with the occupants of house #4. Iraqi witnesses indicate the three (3) family members from house #3 (one (1) adult male, one (1) adult female, and one (1) teenage male) were escorted to an area in front of house #4. Shortly thereafter, the occupants of house #4 (four (4) adult males, three (3) adult females, and one (1) infant) were brought out of the house to the same area in front of house #4. The Marines reportedly separated four (4) of the adult males from the group of family members and directed them into house #4. The remaining family members were directed into house #3. Subsequently, the family members in house #3 reported hearing shots fired in house #4 and observed the Marines leaving the area. After the Marines departed, family members reported finding the four (4) adult males dead in house #4. Marine reports regarding the number of weapons recovered from house #4 vary, ranging from one (1) to three (3) AK-47s. Iraqi witness statements indicate that there was one (1) AK-47 in house #4 but said it was surrendered to the Marines after they questioned the family members in front of house #4 (at or about the same time the AK-47 from house #3 was provided to the Marines).

h. At approximately 1245, SGT (b)(6), (b)(7)(C) USMC, Human Intelligence Exploitation Team (HET) arrived at the scene with the 2nd QRF and began to collect potential intelligence, take photographs of the deceased, and interview detainees.

i. During the late afternoon, Marines were directed to document the scene and conduct what has been characterized as a BDA. LCPLs (b)(6), (b)(7)(C) USMC were instructed to mark/count and take photographs of the deceased. These photographs were later provided to Kilo Company's Combat Operations Center (COC) where an unidentified Marine reportedly downloaded them.

j. In the late evening hours, Marines removed the deceased from the five (5) different locations (Route Chestnut, house #1, ridgeline, house #2, and house #4) and loaded them into HMMWVs for transportation to the Firmbase located within Haditha, and later to the Haditha hospital morgue.

7. Since the submission of References (A)-(F), investigative efforts have included receipt of reports for the forensic reconstruction and

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analysis, and the forensic laboratory examinations pertaining to deoxyribonucleic acid (DNA) and firearms evidence.

NARRATIVE

1. This investigation pertains to potential violations of Article 118 (Murder) and Article 81 (Conspiracy) of the Uniform Code of Military Justice (UCMJ). The remainder of this report outlines the examination results for physical evidence submitted to the United States Army Criminal Investigation Laboratory (USACIL), Fort Gillem, Forest Park, GA, and provides the Forensic Reconstruction findings of the death scenes.
2. In September 2006, NCIS Forensic Consultants completed the Forensic Reconstructions of the four (4) main locations where Iraqi deaths occurred on 19Nov05. Incorporated with each of the Forensic Reconstruction reports is a Pathology Consultation completed by the Office of the Armed Forces Medical Examiner. Exhibits (516)-(519) pertain.
3. In November 2006, NCIS Forensic Consultants completed a detailed Forensic Analysis of the four (4) main locations where Iraqi deaths occurred on 19Nov05. The analysis supports the conclusions outlined in the Forensic Reconstruction efforts. Exhibits (520)-(523) pertain. Additionally, attached to Exhibit (521) is a report submitted by the Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE), Jacksonville, Florida, wherein an analysis of the fire damage in house #1 was conducted.
4. On 16Nov06, the original USACIL reports detailing the analysis of DNA and firearms evidence were provided to NCIS. Exhibit (524) pertains.
5. All significant investigative activity has been completed. Efforts to obtain permission for exhumation of the victims' remains are being led by MNF-I and are ongoing. This investigation is pending review for prosecutorial merit and potential adjudication. Command has been fully briefed regarding the status of this investigation.

PARTICIPANTS

(b)(6), (b)(7)(C) Special Agent, Forensic Consultant, NCISRA Okinawa
 (b)(6), (b)(7)(C) Special Agent, Forensic Consultant, NCISFO Mayport, FL
 (b)(6), (b)(7)(C) Forensic Consultant, NCISFO Gulf Coast, FL
 (b)(6), (b)(7)(C) Assistant Special Agent In Charge, NCIFO Norfolk, VA
 (b)(6), (b)(7)(C) Special Agent, Forensic Consultant, NCISFO Norfolk,

VA
 (b)(6), (b)(7)(C) Gardner Forensic Consulting, Lake City, GA

(b)(6), (b)(7)(C) BATFE, Jacksonville, FL
 (b)(6), (b)(7)(C) Forensic DNA Examiner, USACIL, Forest Park, GA
 (b)(6), (b)(7)(C) Forensic Firearms Examiner, USACIL, Forest Park, GA
 (b)(6), (b)(7)(C) Regional Medical Examiner, AFIP, OAFME
 (b)(6), (b)(7)(C) Division Chief, Violent Crimes Division, NCISHQ

Washington, DC

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13MAR00 MEMO 0104 71MM/1
SUBJ: (b)(6), (b)(7)(C)

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

(b)(6), (b)(7)(C) Division Chief, Violent Crimes Program, NCISHQ
Washington, DC

DISTRIBUTION:

NCISHQ (DSI): 0023

INFO: MWPE (H) /LTCOL (b)(6), (b)(7)(C) USMC, SJA, Marine Corps
Forces Central Command (H) /LTCOL (b)(6), (b)(7)(C) USMC, Legal
Liaison Officer, I MEF (H)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

14NOV06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA

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

COMMAND/I MEF/11931

MADE AT/SDTC/SAN DIEGO CA (b)(6), (b)(7)(C) TECH ENFORCEMENT OFFICER

REFERENCE(S) (S)

(A) NCISTSD San Diego, CA ROI (ACTION)/03OCT06

NARRATIVE

1. Since submission of Reference (A), no additional technical investigative support has been provided in captioned investigation. Pending oral/wire intercept authority, final installation has been held in abeyance to safeguard and preclude unauthorized use of equipment. SA (b)(6), (b)(7)(C) ASAC, NCISFO Marine Corps West, Camp Pendleton, CA has been apprized.

ACTION

0023B: Provided for status. Lead tasking remains pending oral/wire intercept authority for completion of installation and operational turnover to MWPE for monitoring.

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ACTION: 0023B

INFO: MEBJ/MWPE/24B1

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

09NOV06

DEATH (II)

CONTROL: 13MAR06-MEJ-0164-7HMA/T

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

V/ALI, ABDUL HAMEED HUSIN/CIV
M/W/FNIZ/N//01JUL29/HADITHA, AL ANBAR PROVINCE, IRAQ
V/ALI, KHAMISA TUEMA/CIV
F/W/FNIZ/N//01JAN39/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, WALEED ABDALHAMID/CIV
M/W/FNIZ/N//01JAN68/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HAMEED, ABDULLAH WALEED ABDUL/CIV
M/W/FNIZ/N//06AUG01/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, GUHID ABDALHAMID/CIV
M/W/FNIZ/N//HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, RASHEED ABDALHAMID/CIV
M/W/FNIZ/N//HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, ASMAA SALMAN/CIV
F/W/FNIZ/N//HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, YUNIS SALIM/CIV
M/W/FNIZ/N//01JAN62/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, AIDA YASIN/CIV
F/W/FNIZ/N//01MAR65/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, MOHMED YUNIS/CIV
M/W/FNIZ/N//HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, NOOR SALIM/CIV
F/W/FNIZ/N//01JAN92/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, SEBEA YUNIS/CIV
F/W/FNIZ/N//03APR95/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, ZAINAB UNES/CIV
F/W/FNIZ/N//17JUN00/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, AISHA UNES/CIV
F/W/FNIZ/N//19MAR02/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, HUDA YASIN/CIV
F/W/FNIZ/N//01JAN66/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, JAMAL AIAD/CIV
M/W/FNIZ/N//16JUL66/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, JASIB AIAD/CIV
M/W/FNIZ/N//01JAN77/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, MARWAN AIAD/CIV
M/W/FNIZ/N//01JAN78/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, KAHTAN AIAD/CIV

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M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/ALZAWI, KALED AIDA/CIV
 M/W/FNIZ/N//01JAN85/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/ALZAWI, WAGDI AIDA/CIV
 M/W/FNIZ/N//01JAN79/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/FLAEH, AKRAM HAMID/CIV
 M/W/FNIZ/S///HADITHA, AL ANBAR PROVINCE, IRAQ
 V/AHMED, MOHMED TABAL/CIV
 M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/MUSLEH, AHMED KHUTAR/CIV
 M/W/FNIZ/N//01JAN76/HADITHA, AL ANBAR PROVINCE, IRAQ

COMMAND/I MEF, CAMP PENDLETON, CA/11931

MADE AT/0023/NCISHQ WASHINGTON DC (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCES

- (A) NCISHQ Washington DC ROI (INTERIM)/12Apr06 (Contains Exhibits 1-57)
 (B) NCISHQ Washington DC ROI (INTERIM)/05Jun06 (Contains Exhibits 58-107)
 (C) NCISHQ Washington DC ROI (INTERIM)/20Jun06 (Contains Exhibits 108-227)
 (D) NCISHQ Washington DC ROI (INTERIM)/03Aug06 (Contains Exhibits 228-380)
 (E) NCISHQ Washington DC ROI (INTERIM)/12Sep06 (Contains Exhibits 381-491)

EXHIBITS

- (492) IA: Permissive Search of (b)(6), (b)(7)(C) Residence and Personal Vehicle/01May06... (Orig 0023/Copy MWPE)
 (493) IA: Seizure of (b)(6), (b)(7)(C) Digital Camera/05May06... (Orig 0023/Copy MWPE)
 (494) IA: Seizure of (b)(6), (b)(7)(C) Computer, Digital Video Camera and Memory Card/11May06... (Orig 0023/Copy MWPE)
 (495) IA: Results of Imaging and Acquisition of Media/18Jul06... (Orig 0023/Copy MWPE)
 (496) IA: Results of Review of (b)(6), (b)(7)(C) Laptop Computer/06Sep06... (Orig 0023/Copy MWPE)
 (497) IA: Results of RCFL Review of Civilian, (b)(6), (b)(7)(C) Thumb Drives/11Oct06... (Orig 0023/Copy MWPE)
 (498) IA: Results of RCFL Review of Civilian, (b)(6), (b)(7)(C) Imaged Hard Drive/12Oct06... (Orig 0023/Copy MWPE)
 (499) IA: Results of RCFL E-mail String and Keyword Search (b)(6), (b)(7)(C) Imaged Hard Drive/13Oct06... (Orig 0023/Copy MWPE)
 (500) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Fujifilm XD 256MB Picture Card/11Oct06... (Orig 0023/Copy MWPE)
 (501) IA: Forensic Review of Hard Drives/11Oct06... (Orig 0023/Copy MWPE)
 (502) IA: Results of Interview - (b)(6), (b)(7)(C) /20Oct06... (Orig 0023/Copy MWPE)
 (503) Statement of (b)(6), (b)(7)(C) /18Oct06... (Orig 0023/Copy

MWPE)

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- (504) Statement of (b)(6), (b)(7)(C) 18Oct06... (Orig 0023/Copy MWPE)
- (505) IA: Sketch Used By (b)(6), (b)(7)(C) on 18Oct06/... (Orig 0023/Copy MWPE)
- (506) IA: Results of Interview of (b)(6), (b)(7)(C) USN/18Oct06... (Orig 0023/Copy MWPE)
- (507) IA: Results of Re-Interview of (b)(6), (b)(7)(C) 19Oct06... (Orig 0023/Copy MWPE)
- (508) Statement of (b)(6), (b)(7)(C) /19Oct06... (Orig 0023/Copy MWPE)
- (509) Statement of (b)(6), (b)(7)(C) /20Oct06... (Orig 0023/Copy MWPE)
- (510) Results of Interview of (b)(6), (b)(7)(C) 19Oct06... (Orig 0023/Copy MWPE)
- (511) Statement of (b)(6), (b)(7)(C) /20Oct06... (Orig 0023/Copy MWPE)
- (512) IA: Interview of (b)(6), (b)(7)(C) 25Oct06... (Orig 0023/Copy MWPE)
- (513) IA: Interview of (b)(6), (b)(7)(C) USMC/17Oct06... (Orig 0023/Copy MWPE)
- (514) IA: Results of Re-Interview of (b)(6), (b)(7)(C) USMC/18Oct06... (Orig 0023/Copy MWPE)
- (515) IA: Interview of (b)(6), (b)(7)(C) 18Oct06... (Orig 0023/Copy MWPE)

EXECUTIVE SUMMARY

1. On 19Nov05 at approximately 0716, 1st Squad, 3rd Platoon, Kilo Company, 3rd Battalion (3DBN), 1st Marine Division (MARDIV), I Marine Expeditionary Force (MEF) (3/1), and [] Iraqi Security Forces (ISF) members were traveling in a convoy on Route "Chestnut" in Haditha, Al Anbar Province, Iraq, when they received a complex attack (i.e., an attack wherein the enemy strikes in more than one manner). Specifically, the fourth High Mobility Multi-Wheel Vehicle (HMMWV) was struck by an improvised explosive device (IED) reportedly followed by small arms fire (SAF) from the south. The complex attack resulted in one (1) friendly killed in action (FKIA) and (b)(7)(F) friendlies wounded in action (FWIA). The Marines in the convoy immediately responded to the explosion by dismounting their vehicles, attending to the injured, and securing the perimeter. According to the Marines involved, they received SAF after the explosion. Consequently, they broke into fire teams, searched/cleared homes in the area, and identified detainees. Over a period of several hours, (b)(6), (b)(7)(C) and co-subjects' actions resulted in the deaths of twenty-four (24) Iraqi civilians and two (2) injured Iraqi children. In the evening hours of 19Nov05, Marines from 3/1 conducted a battle damage assessment (BDA) and transported the dead to the Haditha hospital morgue.

2. On 20Nov05, the 2d Marine Division issued a press release that reported the attack on 19Nov05 as resulting in the deaths of one (1) Marine, fifteen (15) Iraqi civilians, and eight (8) insurgents. On 10Feb06, a TIME magazine reporter contacted the Multi-National Corps-Iraq (MNC-I) regarding information he received from a Sunni-based group that alleged Marines from 3/1 wrongfully killed twenty-four (24) Iraqi civilians on 19Nov05. The Sunni group supported the

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allegation with video footage that contained images of the dead at the Haditha hospital morgue before the bodies were released to family members on 20Nov05.

3. On 14Feb06, Lieutenant General (b)(6), (b)(7)(C) USA, MNC-I directed a U.S. Army administrative inquiry (AR 15-6) and appointed COL (b)(6), (b)(7)(C) USA, as the Investigating Officer (IO). On 03Mar06, COL [redacted] submitted the results of the investigation, revealing that as a result of the 19Nov05 incident, Iraqi civilians (men, women, and children) were killed. MNC-I in turn recommended further investigation by the Army's Criminal Investigation Division (CID) or the Naval Criminal Investigative Service (NCIS).

4. On 12Mar06, Major General [redacted] USMC, Commanding General, I MEF (Forward) and MNF-W, requested NCIS conduct a criminal investigation regarding the Iraqi civilians killed by Kilo Company Marines of 3/1 on 19Nov05. On 13Mar06, NCIS initiated the investigation and a team of agents traveled to the Forward Operating Base (FOB) Haditha Dam, Iraq.

5. On 17Mar06, Multi-National Force-Iraq (MNF-I) issued a press release announcing there would be a second AR 15-6 investigation regarding potential misconduct by the Marines after the IED attack in Haditha. On 19Mar06, Lieutenant General [redacted] appointed Major General [redacted] USA, as the IO for the second AR 15-6 investigation. Emphasis was to be on the training and preparation of the Marines prior to engagement and the reporting of information concerning 19Nov05 at all levels of the chain-of-command from patrol through MNF-W and MNC-I.

6. As reported under References (A)-(E), initial investigative efforts included a preliminary death scene examination; interviews, interrogations, re-interrogations of several 3/1 Marines; and interviews of numerous Iraqi witnesses. The results of the foregoing investigative efforts are as follows:

a. IED BLAST: On 19Nov05 between 0700 and 0716, a (b)(7)(F) vehicle convoy of Kilo Company, 3/1, was ambushed in Haditha, Iraq, in a coordinated attack involving an IED and reported SAF while traveling with ISF personnel, killing one (1) Marine and wounding two (2).

b. TAXI (5 killed): Moments before the attack, the lead vehicle in the convoy motioned an approaching taxi to the side of the road. When the IED detonated soon thereafter, the Marines dismounted, prepared a defensive position, and began to render aid to the wounded. The taxi's five (5) occupants exited the vehicle and according to U.S. and Iraqi witnesses, were shot by (b)(6), (b)(7)(C) as they stood, unarmed, next to the vehicle approximately ten (10) feet in front of him. (b)(6), (b)(7)(C) later told [redacted] who witnessed the shooting, to say, if questioned, that the Iraqis had attempted to flee and were shot by ISF personnel. [redacted] admits to shooting the five (5) bodies on the ground after (b)(6), (b)(7)(C) initially shot them. [redacted] advised (b)(6), (b)(7)(C) also walked over to the bodies and shot the five (5) Iraqi males again, while standing within a foot

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SUBJ: (b)(6), (b)(7)(C)

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of them.

c. HOUSE #1 (6 killed): A quick reaction force (QRF), led by (b)(6), (b)(7)(C) USMC, arrived at the IED blast site within fifteen (15) minutes (between approximately 0715 - 0730). The QRF attended to the casualties and prepared to remove them from the scene. After receiving a report from (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) that SAF was observed coming from the vicinity of a nearby home (house #1), instructed a fire team to "take the house." First, (b)(6), (b)(7)(C) fired rounds with a M203 grenade launcher toward house #1. Then a fire team consisting of (b)(6), (b)(7)(C), (b)(6), (b)(7)(C), (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) conducted a forced entry into house #1. All members of the fire team reported they were not receiving SAF upon their approach to house #1. (b)(6), (b)(7)(C) conducted a forced entry into house #1 and shot and killed an unarmed Iraqi adult female in the hallway. Certain members of the fire team reported hearing the sound of an AK-47 "racking" and two (2) fragmentation grenades were thrown into a room on the left, but only one (1) exploded. (b)(6), (b)(7)(C) then cleared a room on the right of the hallway, killing an unarmed Iraqi male adult. At that time, an unidentified Marine reportedly yelled that there was someone running from the house. This caused the fire team to cease the clearing operation and immediately exit house #1 toward house #2. (b)(6), (b)(7)(C) recalled the fire team later returned to house #1 with (b)(6), (b)(7)(C) who reportedly cleared a room by firing his 9mm pistol into it. Additionally, (b)(6), (b)(7)(C) advised he entered a room after (b)(6), (b)(7)(C). Shortly thereafter, (b)(6), (b)(7)(C) both he and (b)(6), (b)(7)(C) shot approximately four (4) people, none of which were standing. (b)(6), (b)(7)(C) explained he shot these individuals because (b)(6), (b)(7)(C) shot them first and believed the entire house was "hostile." The re-entry of house #1 reported by (b)(6), (b)(7)(C) is consistent with the accounts of both (b)(6), (b)(7)(C) and an Iraqi woman (b)(6), (b)(7)(C) who survived the clearing/attack of house #1. (b)(6), (b)(7)(C) stated she fled the house in the brief period when the Marines initially departed toward house #2. A total of six (6) Iraqis were killed in house #1, including two (2) women and one (1) child. No weapons were found.

d. HOUSE #2 (8 killed): Prior to entering house #2, an unarmed Iraqi adult male was observed standing inside the front door of the house facing out. This individual was shot and killed by (b)(6), (b)(7)(C) who was reportedly told by (b)(6), (b)(7)(C) to treat the house as "hostile." Upon entering the house, the fire team used three (3) fragmentation grenades in two (2) unoccupied rooms but according to statements, only two (2) of those exploded. (b)(6), (b)(7)(C) reported hearing (b)(6), (b)(7)(C) firing into a room and responded by (b)(6), (b)(7)(C) joining him. Upon entering the room, (b)(6), (b)(7)(C) stated he observed a body in the doorway, and then positively (b)(6), (b)(7)(C) identified an unarmed woman and children on or around the bed before shooting. Similar to house #1, (b)(6), (b)(7)(C) stated he began shooting because (b)(6), (b)(7)(C) had already engaged the individuals with gunfire and he felt this meant there was a threat. A total of eight (8) Iraqi civilians, including five (5) children, were killed. No weapons were recovered in house #2.

e. OBSERVATION POST (1 killed): After houses #1 and #2 were cleared, the fire team cleared two (2) additional unoccupied homes in the area

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before moving to the observation post (OP) site. The OP was established around 0830. Some members of the fire team posted themselves on the rooftop of the OP. At approximately 0845, Marines manning the OP reportedly observed an unarmed Iraqi male running on a ridgeline in the vicinity of house #1. (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) fired shot(s), killing the individual (later identified as a household member of house #1). Some time later, the OP observed one (1) or two (2) unidentified Iraqi males looking at them from another nearby house, hereafter referred to as house #4. At approximately 0945, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) decided to approach the house and investigate.

f. HOUSE #3 (0 killed): The events surrounding houses #3 and #4 are less clear as witness and survivor statements differ significantly from those provided by the Marines. According to Marine accounts, they approached houses #3 and #4 because they observed male(s) outside of houses #3 and/or #4 watching them while the Marines were at the OP. Prior to arriving at house #4, the Marines passed by house #3 where the Marines reportedly encountered women and children. The Marines stated they asked the women where the men were and the women directed the Marines next door to house #4. Subsequently, (b)(6), (b)(7)(C) remained at house #3 with the women while (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) proceeded to house #4. In contrast, Iraqi witness statements indicate that only a man, woman, and their fourteen year-old son occupied house #3. The Marines questioned the three (3) family members of house #3 about the IED and about the occupants of house #4. The three (3) Marines then reportedly removed the three (3) family members and escorted them to the adjacent home, house #4. According to Iraqi witnesses, an AK-47 was voluntarily retrieved from house #3 after the Marines questioned them while standing in front of house #4. No one was killed in house #3. According to Marines, no weapons were recovered from house #3. However, the Iraqi witnesses related one (1) AK-47 from house #3 was handed over to the Marines.

g. HOUSE #4 (4 killed): (b)(6), (b)(7)(C) reported entering house #4 and encountering (b)(6), (b)(7)(C) (4) Iraqi males, at least one of which was armed with an AK-47. (b)(6), (b)(7)(C) killed the armed Iraqi male when he allegedly raised the weapon in the direction of (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C). Additionally, (b)(6), (b)(7)(C) reportedly shot and killed the three (3) other men with his 9mm pistol in the clearing operation. (b)(6), (b)(7)(C) subsequently shot into the four (4) bodies with his M-16 rifle. Iraqi witnesses/surviving family members from house #3 and #4 provide different accounts. The key difference surrounds the Marines' approach to house #3 and interaction with the occupants of house #4. Iraqi witnesses indicate the three (3) family members from house #3 (one (1) adult male, one (1) adult female, and one (1) teenage male) were escorted to an area in front of house #4. Shortly thereafter, the occupants of house #4 (four (4) adult males, three (3) adult females, and one (1) infant) were brought out of the house to the same area in front of house #4. The Marines reportedly separated four (4) of the adult males from the group of family members and directed them into house #4. The remaining family members were directed into house #3. Subsequently, the family members in house #3 reported hearing shots fired in house #4 and observed the Marines leaving the area. After the Marines departed,

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family members reported finding the four (4) adult males dead in house #4. Marine reports regarding the number of weapons recovered from house #4 vary, ranging from one (1) to three (3) AK-47s. Iraqi witness statements indicate that there was one (1) AK-47 in house #4 but said it was surrendered to the Marines after they questioned the family members in front of house #4 (at or about the same time the AK-47 from house #3 was provided to the Marines).

h. At approximately 1245, SGT (b)(6), (b)(7)(C) USMC, Human Intelligence Exploitation Team (HET) arrived at the scene with the 2nd QRF and began to collect potential intelligence, take photographs of the deceased, and interview detainees.

i. During the late afternoon, Marines were directed to document the scene and conduct what has been characterized as a BDA. LCPLs (b)(6), (b)(7)(C) USMC were instructed to mark/count and take photographs of the deceased. These photographs were later provided to Kilo Company's Combat Operations Center (COC) where an unidentified Marine reportedly downloaded them.

j. In the late evening hours, Marines removed the deceased from the five (5) different locations (Route Chestnut, house #1, ridgeline, house #2, and house #4) and loaded them into HMMWVs for transportation to the Firmbase located within Haditha, and later to the Haditha hospital morgue.

7. Since the submission of References (A)-(E), investigative efforts have included receipt of reports for electronic media seized from witnesses, re-interviews of 3/1 Marines, and receipt of the Bureau of Alcohol Tobacco and Firearm's (ATF) report on their analysis of the fire damage in house #1.

NARRATIVE

1. This investigation pertains to potential violations of Article 118 (Murder) and Article 81 (Conspiracy) of the Uniform Code of Military Justice (UCMJ). The remainder of this report is presented in two (2) sections that are organized in the following manner: The first section addresses several reports that were received since Reference (E) on electronic media items that were seized and reviewed for potential evidentiary value (e.g., computers, discs, and media chips). The second section outlines several re-interview results of various 3/1 members that participated or have knowledge of the events that occurred in Haditha on 19Nov05.

SECTION I: ELECTRONIC MEDIA SEIZURE & REVIEW

2. On 01May06, (b)(6), (b)(7)(C) USMC, was re-interviewed and permitted the search of residence and vehicle. During the course of the searches, (b)(6), (b)(7)(C) computer, digital camera, media card, and cellular telephone records were seized. As reported in Reference (E), a forensic analysis of these seized items was conducted and several photographs of the deceased were found. Exhibit (492) pertains.

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3. On 05May06, (b)(6), (b)(7)(C) USMC, voluntarily provided his digital camera to NCIS. As reported in Reference (), a forensic analysis of (b)(6), (b)(7)(C) camera was conducted and revealed seven (7) relevant photographs. The photographs depicted the IED site, the HMMWV wreckage, and a fire inside house #1. Exhibit (493) pertains.

4. On 11May06, (b)(6), (b)(7)(C) computer, digital camera, and memory card were seized after (b)(6), (b)(7)(C) provided a Permissive Authorization for Search and Seizure (PASS) to search the foregoing items. As background, these items were seized when the investigation at hand revealed (b)(6), (b)(7)(C) had produced and possessed a video of Kilo Company's deployment to Iraq. As reported in Reference (E), a forensic analysis of the seized items identified video clips of the shooting of the "ridgeline victim" and images of body parts that appear to be from the deceased of 19Nov05. Exhibit (494) pertains.

5. On 06Jul06, (b)(6), (b)(7)(C), a former Marine assigned to 3/1's Protective Service Detail in November 2005, was interviewed regarding his knowledge of the events of 19-20Nov05. During his interview, (b)(6), (b)(7)(C) advised he took photographs of the IED blast site and provided a PASS to search his laptop computer, digital camera, and memory sticks. On 07Jul06, (b)(6), (b)(7)(C) computer hard drive was imaged using forensic software. On 18Jul06, this action was documented in a forensic report. On 06Sep06, a NCIS forensic investigator completed and provided a report detailing the results of an examination conducted on (b)(6), (b)(7)(C) media. The examination revealed 30 images that appeared to be related to the events of 19Nov05 (e.g., photographs of the IED blast site and the site where the 500-pound bomb was dropped in Haditha city on 19Nov05). Exhibits (495)-(496) pertain.

6. On 11Oct06, a review of the forensic analysis report for (b)(6), (b)(7)(C) two (2) thumb drives was conducted. The forensic analysis found no digital photographs related to the events. Exhibit (497) pertains.

7. On 12Oct06, a review of the forensic analysis for (b)(6), (b)(7)(C) computer was conducted. The forensic analysis identified seven (7) thumbnail photograph; however, only three (3) of the photographs were relevant to the events of 19Nov05. The photographs depict some of the deceased. Exhibit (498) pertains.

8. On 13Oct06, a review of the forensic analysis for (b)(6), (b)(7)(C) hard drive was conducted. The report detailed the results of an e-mail string and key word search conducted of (b)(6), (b)(7)(C) hard drive. The analysis revealed three (3) photographs which depict some of the deceased. Exhibit (499) pertains.

9. On 11Oct06, a review of the forensic analysis for (b)(6), (b)(7)(C) USMC, picture card was conducted. The analysis found several graphic files; however, the review did not surface any relevant information. Exhibit (500) pertains.

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10. On 11Oct06, a NCIS forensic investigator documented actions taken to create duplicates of six (6) hard drives seized during the course of this investigation. The investigator also documented the preparation of the hard drives/computers for return to original owners. Exhibit (501) pertains.

SECTION II: RE-INTERVIEW RESULTS OF 3/1 MEMBERS

KILO COMPANY COMBAT OPERATIONS CENTER (COC)

11. On 20Oct06, (b)(6), (b)(7)(C), USMC, a radio operator for the Kilo Company COC on 19Nov05, was re-interviewed regarding clarification of a statement he provided to NCIS on 08May06. (b)(6), (b)(7)(C) reported after he heard the explosion on 19Nov05, he went to the Kilo Company COC where he overheard a radio transmission from 3rd Squad, 3rd Platoon advising three (3) wounded Marines needed immediate medical evacuation. (b)(6), (b)(7)(C) also heard via the radio the Marines were taking gunfire from a white vehicle that approached the convoy after the IED detonated and other Marines were following four (4) Iraqis into a nearby house. (b)(6), (b)(7)(C) could not distinguish the type of gunfire he heard nor was he able to provide amplifying details on the foregoing radio transmissions. (b)(6), (b)(7)(C) indicated these radio transmissions were heard in the minutes following the explosion and were heard by others in the COC such as (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) noted (b)(6), (b)(7)(C) was on the radio with 3rd Platoon most of the day on 19Nov05 and (b)(6), (b)(7)(C) spent much of his time communicating to the battalion on the company "CHAT" (SIPRnet e-mail). (b)(6), (b)(7)(C) advised he did not learn of the civilian deaths until he returned to the U.S. in the Spring of 2006. (b)(6), (b)(7)(C) explained some information that was relayed via radio may have not transmitted to the Kilo Company COC because the radio traffic was heavy that morning and some messages may have reached other squads, but not the COC. Additionally, (b)(6), (b)(7)(C) indicated he did not recall a portion of the statement he provided on 08May06 wherein he claimed to have overheard conversations regarding the incident at the "smoke pit" on the evening of 19Nov05. Exhibit (502) pertains.

3rd SQUAD, 3rd PLATOON

12. On 18Oct06 (b)(6), (b)(7)(C) USMC, a member of the QRF that first arrived on scene, was re-interviewed regarding what he observed on 19Nov05 in Haditha, Iraq. The details of his re-interview follow:

a. TAXI: (b)(6), (b)(7)(C) advised he and the other members of 3rd Squad, 3rd Platoon were sent to the IED blast site sometime between 0700 and 0800 on 19Nov05. (b)(6), (b)(7)(C) confirmed when the QRF arrived on-scene, he saw dead bodies next to the white taxi. (b)(6), (b)(7)(C) noted the taxi was located near the intersection of Route Chestnut and Route Zebra. (b)(6), (b)(7)(C) recalled (b)(6), (b)(7)(C) were dropped off at or near this intersection. Shortly thereafter, he and the rest of his squad drove further and reached the HMMWV wreckage.

b. SAF: (b)(6), (b)(7)(C) reported he did not hear any gunfire or see anyone taking cover when and after they arrived on-scene. (b)(6), (b)(7)(C)

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acknowledged this is contrary to what he initially reported to NCIS. During previous interviews, (b)(6), (b)(7)(C) advised he had positively identified AK-47 gunfire coming from the south. (b)(6), (b)(7)(C) explained he was not truthful because he wanted to protect the involved Marines. (b)(6), (b)(7)(C) advised after (b)(6), (b)(7)(C) were dropped off, he heard one (1) M203 being fired. Although (b)(6), (b)(7)(C) did not see who shot the round, he saw (b)(6), (b)(7)(C) with his M-16 rifle and attached M203 grenade launcher. (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) had his M-16 rifle in a "raised" position and assumed he had fired the round. Moreover, (b)(6), (b)(7)(C) observed (b)(6), (b)(7)(C) fire a M203 round. According to (b)(6), (b)(7)(C) the rounds hit a house north of the "wadi" (ravine) and south of Route Chestnut.

c. SECURITY & SAF: After the M203 rounds were fired, (b)(6), (b)(7)(C) followed (b)(6), (b)(7)(C) order to post security at the intersection of River Road and Route Chestnut. While en-route to this position, (b)(6), (b)(7)(C) observed (b)(7)(F) Marines moving to "assault" a house south of Chestnut. After a few minutes on security, (b)(6), (b)(7)(C) heard gunfire coming from the southwest. (b)(6), (b)(7)(C) opined the SAF sounded like muffled M-16 and AK-47 gunfire, "like it was inside a house." A few minutes after he heard the gunfire, (b)(6), (b)(7)(C) was directed to turn back, pick up the injured, and transport them to the Landing Zone (LZ). (b)(6), (b)(7)(C) estimated he and the QRF members were on-scene for fifteen (15) minutes.

d. 1st RETURN TO IED SITE: (b)(6), (b)(7)(C) stated he returned to the IED site around 1500 to pick-up detainees 1st Squad had detained. While on Route Chestnut, (b)(6), (b)(7)(C) overheard (b)(6), (b)(7)(C) call in via radio that twenty-four (24) people were killed, including women and children that were killed due to collateral damage. (b)(6), (b)(7)(C) explained the call was likely made to Kilo Company's COC because platoons normally report directly to the Company COC. Subsequently, (b)(6), (b)(7)(C) and his squad transported the detainees to the Firmbase.

e. 2nd RETURN TO IED SITE: (b)(6), (b)(7)(C) stated he and his squad convoyed to the IED site again around 2000 to load the bodies in the HMMVVs. (b)(6), (b)(7)(C) posted security on Route Zebra while the bodies from two (2) homes were removed and loaded into the HMMVVs. After about two (2) hours on post, (b)(6), (b)(7)(C) walked from his position to Route Chestnut and talked to (b)(6), (b)(7)(C)

f. (b)(6), (b)(7)(C) asked (b)(6), (b)(7)(C) what happened and (b)(6), (b)(7)(C) responded, "We killed them." According to (b)(6), (b)(7)(C) said men, women, and children were killed and noted he was involved. (b)(6), (b)(7)(C) asked (b)(6), (b)(7)(C) if the Iraqis shot back and (b)(6), (b)(7)(C) said, "No, we just killed them." (b)(6), (b)(7)(C) informed (b)(6), (b)(7)(C) he had removed his 240G from the turret and used it to shoot a locked door. When asked if he used his M249 weapon, (b)(6), (b)(7)(C) related, "No, I just used the pistol." (b)(6), (b)(7)(C) further advised he utilized all his magazines, borrowed another magazine from (b)(6), (b)(7)(C) and shot one (1) Iraqi male in the head at "point blank range" while the male was standing in a house, north of Route Chestnut. (b)(6), (b)(7)(C) also told (b)(6), (b)(7)(C) about a "story" that (b)(6), (b)(7)(C) devised. Specifically, (b)(6), (b)(7)(C) said that he and (b)(6), (b)(7)(C) said they saw an

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AK-47 muzzle pointed at them through a doorway, but (b)(6), (b)(7)(C) M249 jammed when he tried to shoot so he used the pistol. This was the story (b)(6), (b)(7)(C) devised to explain the shooting of the male shot at point blank range.

g. (b)(6), (b)(7)(C) According to (b)(6), (b)(7)(C) also claimed (b)(6), (b)(7)(C) had entered the houses 1st Squad had cleared and was "real cool about it." (b)(6), (b)(7)(C) further claimed (b)(6), (b)(7)(C) had planted a grenade on one of the Iraqi males in a house or made it look like an Iraqi male had thrown a grenade.

h. TAXI SHOOTING: (b)(6), (b)(7)(C) reported (b)(6), (b)(7)(C) also told him about the taxi shooting. (b)(6), (b)(7)(C) said (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) stopped the white taxi and told the Iraqi males to get out of the taxi. (b)(6), (b)(7)(C) related (b)(6), (b)(7)(C) "muzzle thumped" the driver of the taxi in the chest and shot him. (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) put one of the Iraqi males from the white taxi on his knees and shot him at a point blank range in the back of the head. Additionally, (b)(6), (b)(7)(C) said (b)(6), (b)(7)(C) is a "real killer." (b)(6), (b)(7)(C) estimated he and (b)(6), (b)(7)(C) spoke for about ten (10) minutes about what had happened. (b)(6), (b)(7)(C) noted (b)(6), (b)(7)(C) was standing within five (5) feet of he and (b)(6), (b)(7)(C) while they discussed the above.

i. PHOTOGRAPHS: On 20Nov05, (b)(6), (b)(7)(C) looked through the photographs of the deceased on (b)(6), (b)(7)(C) (b)(7)(C) camera. (b)(6), (b)(7)(C) reported (b)(6), (b)(7)(C) reviewed the photographs with him. While they looked at a photograph of children on a bed, (b)(6), (b)(7)(C) said, "We did that." (b)(6), (b)(7)(C) asked (b)(6), (b)(7)(C) how it was done, and (b)(6), (b)(7)(C) explained they (b)(6), (b)(7)(C) squad) shot the children while they were lying on the bed. While they looked at a photograph of a burned body, (b)(6), (b)(7)(C) noted it must have been the grenade.

j. STORY: Approximately a week after 19Nov05, (b)(6), (b)(7)(C) had a conversation with (b)(6), (b)(7)(C) while on Rest and Relaxation (R&R) at the Haditha Dam. (b)(6), (b)(7)(C) asked (b)(6), (b)(7)(C) if he thought the events of 19Nov05 were going to be a "big deal." (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) that 1st Squad had its "story" if it does become a big deal. According to (b)(6), (b)(7)(C) he understood (b)(6), (b)(7)(C) to mean 1st Squad had collaborated on a story. Exhibit (503) pertains.

13. On 18Oct06, (b)(6), (b)(7)(C), USMC, a member of the QRF that first arrived on scene, was re-interviewed regarding what he observed on 19Nov05 in Haditha, Iraq. (b)(6), (b)(7)(C) reiterated the information he provided when NCIS interviewed him on two (2) previous occasions, but provided a few additional details. During his interview, (b)(6), (b)(7)(C) provided notations on a sketch of the death scene area(s).

a. SAF: (b)(6), (b)(7)(C) reported hearing 7.62-gunfire as the QRF departed the Firmbase for the IED blast site. (b)(6), (b)(7)(C) estimated SAF was going "back and forth" for approximately three (3) seconds. (b)(6), (b)(7)(C) did not hear any SAF when they arrived on scene. While on site, (b)(6), (b)(7)(C) exited his vehicle and posted security near an Iraqi soldier because (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) he did not trust the soldier. While in this position, (b)(6), (b)(7)(C) recalled hearing (b)(6), (b)(7)(C) saying, (b)(6), (b)(7)(C) wake

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up, wake up." (b)(6), (b)(7)(C) changed his security position when he heard for a call for security at the intersection of Chestnut and Zebra. While on this post, (b)(6), (b)(7)(C) saw bodies near the parked white car, and recalled seeing both (b)(6), (b)(7)(C) in the area. (b)(6), (b)(7)(C) stated he overheard (b)(6), (b)(7)(C) ask (b)(6), (b)(7)(C) what happened and (b)(6), (b)(7)(C) explained the Iraqis had tried to run so they (1st Squad) shot them. (b)(6), (b)(7)(C) confirmed they were not taking any gunfire while he and the QRF members were at the IED site.

b. M203 ROUNDS: Although (b)(6), (b)(7)(C) did not hear or see any incoming SAF, he saw (b)(6), (b)(7)(C) shooting in the direction of a house to the south of Chestnut as he and the QRF departed the area. (b)(6), (b)(7)(C) also saw (b)(6), (b)(7)(C) reloading his M203 grenade launcher. (b)(6), (b)(7)(C) stated he did not understand why (b)(6), (b)(7)(C) was shooting toward the house. Additionally, (b)(6), (b)(7)(C) observed other Marines running up an embankment toward the house. At one point, (b)(6), (b)(7)(C) saw an unknown Marine holding a 240G at the door of a house, attempting to gain entry. (b)(6), (b)(7)(C) then heard a four-second burst of 240G gunfire, but the door did not open. (b)(6), (b)(7)(C) could not see what happened after this because the scene was out of his range of view as they drove away toward the LZ.

c. (b)(6), (b)(7)(C) In February or March 2006, (b)(6), (b)(7)(C) spoke to (b)(6), (b)(7)(C) about the ongoing investigations. (b)(6), (b)(7)(C) informed (b)(6), (b)(7)(C) that they (b)(6), (b)(7)(C) and his squad members) entered a house and went in different directions while inside the house. (b)(6), (b)(7)(C) explained he encountered two (2) people and was told to "kill them." (b)(6), (b)(7)(C) said he did as he was told and shot the people. (b)(6), (b)(7)(C) also told (b)(6), (b)(7)(C) he had shot someone who later caught on fire. Exhibits (504)-(505) pertain.

14. On 18Oct06, (b)(6), (b)(7)(C) USN, was re-interviewed regarding his knowledge of what occurred on 19Nov05. The details of his interview follow:

a. IED blast site: (b)(6), (b)(7)(C) confirmed he responded with the first QRF to the IED blast site on the morning of 19Nov05. Upon his arrival to the site, (b)(6), (b)(7)(C) observed Marines taking cover behind buildings and HMMWVs. (b)(6), (b)(7)(C) recalled Marines firing to the south and hearing the firing of M203 rounds. (b)(6), (b)(7)(C) asserted after he exited his HMMWV, he ran to the IED blast site and saw SAF impact the ground to his right, slightly in front of him. (b)(6), (b)(7)(C) advised he could not see who was firing or what direction the SAF was coming from. (b)(6), (b)(7)(C) could not decipher what type of gunfire he saw and heard. (b)(6), (b)(7)(C) noted he fired one (1) round to the south, but could not see what he was shooting.

b. 1st RETURN TO IED SITE: (b)(6), (b)(7)(C) advised he returned to the IED site to pick-up detainees. While on site, (b)(6), (b)(7)(C) did not recall seeing any smoke in the area while dealing with the detainees. (b)(6), (b)(7)(C) stated he saw (b)(6), (b)(7)(C) in the area at this time and spoke to him regarding the status of the Marines that were injured in the explosion. Shortly thereafter, (b)(6), (b)(7)(C) returned to the Firmbase.

c. 2nd RETURN TO IED SITE: Later that day, (b)(6), (b)(7)(C) returned to the IED

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site again to pick up and transport dead bodies. (b)(6), reported he entered houses #1-#2, and recalled seeing (b)(6), (b)(7)(C) taking photographs of the deceased while (b)(6), (b)(7)(C) obtained GPS coordinates. (b)(6), noted (b)(6), assisted him in removing the bodies from the houses. (b)(7)(C). According to (b)(6), (b)(7)(C) had (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) assist in removing the bodies as well.

d. HOUSE #1: (b)(6), (b)(7)(C) observed a burned body on the floor of a room in house #1. Specifically, (b)(6), (b)(7)(C) saw embers glowing in the chest cavity of the body and noted the entire room where the body was located had burned. (b)(6), (b)(7)(C) did not see any other fires or embers in house #1.

e. TAXI: (b)(6), (b)(7)(C) reported he assisted with the five (5) bodies near the white taxi after they finished removing the bodies from houses #1 and #2. (b)(6), (b)(7)(C) stated he did not see any weapons in or near the taxi, nor did he see chest rigs or holsters on the deceased. (b)(6), (b)(7)(C) did not see any holes or damage to the white taxi.

f. THREATS: (b)(6), (b)(7)(C) advised he has never been threatened to remain quiet or not speak with investigators, but knew (b)(6), (b)(7)(C) had been threatened. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) that someone had called him (b)(6), (b)(7)(C) and threatened him to not talk. During the interview, (b)(6), (b)(7)(C) requested a break to consult his attorney. When (b)(6), (b)(7)(C) returned from his break, he declined to answer additional questions and terminated the interview. Exhibit (506) pertains.

15. On 19Oct06, (b)(6), (b)(7)(C), USMC, was re-interviewed regarding clarification of a statement he provided to NCIS on 16May06. (b)(6), (b)(7)(C) confirmed he was a member of the QRF that first arrived on scene and drove the first HMMWV in the QRF's convoy. (b)(6), (b)(7)(C) confirmed his previous statement and asserted he did not hear any SAF while he was at the IED blast site on 19Nov05. (b)(6), (b)(7)(C) clarified he saw (b)(6), (b)(7)(C) fire a M203 grenade launcher at a house on the north side of Route Chestnut and did not hear or see any opposing gunfire. In other words, after the M203 rounds were fired, no gunfire was received in return. (b)(6), (b)(7)(C) advised he was having a hard time remembering the details of everything that happened on 19Nov05. (b)(6), (b)(7)(C) insisted he has not discussed what happened on 19Nov05 with other platoon members because he had made a conscious effort to not become involved in such conversations. Exhibit (507) pertains.

16. On 19Oct06, (b)(6), (b)(7)(C) USMC, a member of QRF that first arrived on scene 19Nov05 with 3rd Squad, 3rd Platoon, was re-interviewed regarding his observations of that day and to clarify the statement he provided to NCIS on 15May06. The details of his re-interview follow:

a. IED BLAST SITE: (b)(6), (b)(7)(C) reported on the morning of 19Nov05 he heard the explosion followed by SAF while he was at the Firmbase. Although he was assigned to Weapons Platoon at the time, (b)(6), (b)(7)(C) departed the Firmbase at one point with (b)(6), (b)(7)(C) squad (3rd Squad, 3rd Platoon), to assist them with posting security. (b)(6), (b)(7)(C) recalled seeing both (b)(6), (b)(7)(C) as (b)(6), (b)(7)(C) arrived on-scene.

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SUBJ: (b)(6), (b)(7)(C)

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b. (b)(6), (b)(7)(C) recalled hearing (b)(6), (b)(7)(C) talk about what happened after the IED exploded. According to (b)(6), (b)(7)(C) said his squad "fired on this guy" and then they "cleared houses." (b)(6), (b)(7)(C) continued to talk about how he cleared houses with a 240G. (b)(6), (b)(7)(C) believed (b)(6), (b)(7)(C) used the 240G on house #2. (b)(6), (b)(7)(C) based this opinion on what he saw when he entered house #2 later in the evening to recover bodies. While at a house on or near Route Chestnut, (b)(6), (b)(7)(C) saw what appeared to damage on the outside of the house caused by a 240G. (b)(6), (b)(7)(C) noted he did not enter this house because the bodies had already been removed and placed outside for loading. (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) was "bragging" about how he "cleared this house from the hip" with a 240G. (b)(6), (b)(7)(C) informed (b)(6), (b)(7)(C) that someone else had thrown grenades in the house #2. Moreover, (b)(6), (b)(7)(C) spoke about how (b)(6), (b)(7)(C) had "dropped to his knee and popped a guy" when one of the Iraqi males got out of the taxi on Route Chestnut. (b)(6), (b)(7)(C) also advised (b)(6), (b)(7)(C) that the Iraqis in the taxi had weapons. (b)(6), (b)(7)(C) opined this information did not make sense to him as he did not see any weapons on or near the Iraqi males from the taxi while assisting in the removal of their bodies. After a break in their conversation, (b)(6), (b)(7)(C) approached (b)(6), (b)(7)(C) regarding C-4. (b)(6), (b)(7)(C) recalled (b)(6), (b)(7)(C) asked about using C-4 to blow up a house and indicated they might need (b)(6), (b)(7)(C) to do this. (b)(6), (b)(7)(C) explained he could do this if ordered to blow-up a house; however, (b)(6), (b)(7)(C) stated nothing came of the discussion.

c. RECOVERY OF AK-47s: (b)(6), (b)(7)(C) reiterated he was at either house #1 or #2 when two (2) AK-47s were turned over to him. (b)(6), (b)(7)(C) could not recall who gave him the AK-47s and did not know how the AK-47s were obtained before they came into his possession. (b)(6), (b)(7)(C) noted later that evening he was at the Firmbase when (b)(6), (b)(7)(C) referred to (b)(6), (b)(7)(C) "planting some weapons" (AK-47s) to cover-up what happened that day. (b)(6), (b)(7)(C) acknowledged he did not inform NCIS of this in his prior interview. (b)(6), (b)(7)(C) explained he was hesitant to divulge (b)(6), (b)(7)(C) allegation about an officer's wrongful action because he is enlisted and he had not witnessed (b)(6), (b)(7)(C) do this. Additionally, (b)(6), (b)(7)(C) recalled overhearing a conversation at the Firmbase smoke pit wherein Marines talked about (b)(6), (b)(7)(C) "planting" weapons. (b)(6), (b)(7)(C) did not know who stated this because he had his back to the Marines talking at the smoke pit. Exhibit (508) pertains.

17. On 20Oct06, (b)(6), (b)(7)(C) USN, was re-interviewed regarding his knowledge of the events that occurred on 19Nov05 in Haditha.

(b)(6), (b)(7)(C) advised he is a corpsman and was assigned to 1st Squad, 3rd Platoon, while deployed in Iraq.

a. CORSPMEN: On the morning of 19Nov05, (b)(6), (b)(7)(C) recalled (b)(6), (b)(7)(C) woke him up and instructed (b)(6), (b)(7)(C) to man the Battalion Aid Station because Marines had been injured in an explosion. Later, (b)(6), (b)(7)(C) saw fellow corpsmen, (b)(6), (b)(7)(C) upon their return from medically treating and evacuating injured Marines. (b)(6), (b)(7)(C) noted they appeared to be overwhelmed and informed him of TERRAZAS' death.

b. (b)(6), (b)(7)(C) CONVERSATION: Later that evening, (b)(6), (b)(7)(C) was at the Firmbase's smokepit when he overheard (b)(6), (b)(7)(C)

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SUBJ: (b)(6), (b)(7)(C)

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discussing how it was a bad day because they had lost someone, but a good day because they "got the person who did it." (b)(6), (b)(7)(C) heard (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) discussing the tactics they used in entering the houses and how they could have entered better or differently.

c. X/(b)(6), (b)(7)(C) On 20Nov05, (b)(6), (b)(7)(C) saw (b)(6), (b)(7)(C) in the chow line and asked him about the prior day's events. (b)(6), (b)(7)(C) said when they made entry into one of the buildings, a male came out of nowhere and "boom," they shot him. (b)(6), (b)(7)(C) also informed (b)(6), (b)(7)(C) they cleared houses with flash bangs and grenades. (b)(6), (b)(7)(C) (b)(7)(C) advised they heard someone behind a door and assumed it was an insurgent so they kicked in the door, "fragged" the room, and shot inside without looking to see who was in the room. (b)(6), (b)(7)(C) did not mention whether any of the occupants were armed, but told (b)(6), (b)(7)(C) they had found some AK-47s. (b)(6), (b)(7)(C) noted he thought they got the guys that were out on a BOLO (Be On the Look Out). (b)(6), (b)(7)(C) mentioned they saw a white vehicle and told it to stop; however, the vehicle "kicked into reverse" and they shot at it and the vehicle stopped. (b)(6), (b)(7)(C) advised the people in the vehicle were armed and they "lit the car up" (meaning they shot multiple times) in self defense. (b)(6), (b)(7)(C) related he used a 9mm pistol because his SAW jammed. (b)(6), (b)(7)(C) related (b)(6), (b)(7)(C) did not state when he used his pistol or how he obtained the pistol.

d. (b)(6), (b)(7)(C) noted he also talked to (b)(6), (b)(7)(C) about the events of 19Nov05. (b)(6), (b)(7)(C) opined (b)(6), (b)(7)(C) knew and talked to the squad members that conducted the entries of houses on 19Nov05. (b)(6), (b)(7)(C) concluded after he spoke to (b)(6), (b)(7)(C) that the involved Marines were vengeful in their actions. (b)(6), (b)(7)(C) also told (b)(6), (b)(7)(C) the white vehicle was stopped, but then backed up. (b)(6), (b)(7)(C) informed (b)(6), (b)(7)(C) that (b)(6), (b)(7)(C) squad shot the occupants of the white vehicle.

e. PRIOR TO 19NOV05: (b)(6), (b)(7)(C) advised before 3/1 deployed, COL (b)(6), (b)(7)(C) advised them there was going to be another "Fallujah." Consequently, (b)(6), (b)(7)(C) explained he and fellow Marines believed "hell was going to be all over the place." However, 3/1 got to the Haditha Dam in October 2005, conducted Operation Rivergate, and secured Haditha in twenty-four (24) hours. (b)(6), (b)(7)(C) indicated nothing happened for a long time after Haditha was secured. (b)(6), (b)(7)(C) noted they just conducted patrols and found weapons/ammunition caches. According to (b)(6), (b)(7)(C) nothing happened to them in Haditha during the two (2) months preceding 19Nov05. (b)(6), (b)(7)(C) opined, "We had a lot of energy built up." (b)(6), (b)(7)(C) further noted they were "constantly having classes on ROE" (Rules of Engagement). LOPEZ recalled they were advised deadly force was authorized in the case of IED initiation or assault. Thus, (b)(6), (b)(7)(C) believed they were waiting for something like that (an IED attack) to happen and release the built up energy. Exhibit (509) pertains.

WEAPONS PLATOON

18. On 19Oct06 (b)(6), (b)(7)(C), USMC, a member of Weapons Platoon at the time of the incident, was re-interviewed regarding clarification of a statement he provided to NCIS on 01Jun06. During his interview on 01Jun06, (b)(6), (b)(7)(C) reported he received a radio report/transmission from (b)(6), (b)(7)(C) on 19Nov05. When asked to

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SUBJ: (b)(6), (b)(7)(C)

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further describe the transmission, (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) reported an IED had hit his squad. (b)(6), (b)(7)(C) claimed he was the only Marine near the radio at the time of (b)(6), (b)(7)(C) transmission. Immediately thereafter, (b)(6), (b)(7)(C) called his Platoon Commander, (b)(6), (b)(7)(C) noted he heard AK-47 and M-16 gunfire during (b)(6), (b)(7)(C) radio transmissions. Specifically, (b)(6), (b)(7)(C) heard a few pop shots of AK-47 gunfire and several bursts of M-16 gunfire. (b)(6), (b)(7)(C) approximated that within five (5) minutes of (b)(6), (b)(7)(C) radio transmission, (b)(6), (b)(7)(C) overheard an unknown Marine report on the radio that a vehicle had approached their location, so they engaged the vehicle. (b)(6), (b)(7)(C) then heard an unknown Marine report it was a white car. (b)(6), (b)(7)(C) could not provide any additional details regarding the events of 19Nov05 as he was flown to Al Asad, Iraq on 19Nov05. (b)(6), (b)(7)(C) was medically treated at the hospital in Al Asad due to injuries (b)(6), (b)(7)(C) suffered during an insurgent attack. Exhibit (510) pertains.

H&S COMPANY

19. On 20Oct06, (b)(6), (b)(7)(C), USMC, was re-interviewed to clarify information he provided to NCIS during interviews on 08May06 and 05Jun06. (b)(6), (b)(7)(C) reiterated he was attached to 3/1 as their (b)(6), (b)(7)(C) representative while deployed in Iraq. (b)(6), (b)(7)(C) advised it was his job to conduct patrol briefs with Marines to gather intelligence and forward the information to the Battalion. (b)(6), (b)(7)(C) advised his previous statements to NCIS were accurate and provided the following additional details:

a. COC: (b)(6), (b)(7)(C) reported he entered the COC sometime between 0730 and 0745 on 19Nov05. (b)(6), (b)(7)(C) understood his primary responsibility in the COC was to establish Scan Eagle (the unmanned aerial vehicle - UAV) support and coordinate movement of the Scan Eagle aircraft.

(b)(6), (b)(7)(C) explained Kilo Company had priority for Scan Eagle support because they had reported troops in contact (TIC). While (b)(6), (b)(7)(C) maintained Scan Eagle support, he noted other Marines in the COC, such as LT (b)(6), (b)(7)(C) were focused on providing incoming information to the Battalion.

b. PATROL DEBRIEF WITH (b)(6), (b)(7)(C) reported he started conducting patrol debriefs once patrols returned to the Firmbase.

(b)(6), (b)(7)(C) recalled the first debrief he conducted was with (b)(6), (b)(7)(C) around 1500 or 1600. (b)(6), (b)(7)(C) asked (b)(6), (b)(7)(C) to tell him what happened and (b)(6), (b)(7)(C) related an IED had hit his convoy and TERRAZAS was killed. (b)(6), (b)(7)(C) advised after the IED exploded, his squad received SAF from a house to the north of their position. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) his squad returned fire and established a security cordon. (b)(6), (b)(7)(C) recalled asking (b)(6), (b)(7)(C) about the engagement, but (b)(6), (b)(7)(C) responded to several questions with, "I don't know." (b)(6), (b)(7)(C) responded to some questions by referring

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

c. PATROL DEBRIEF WITH (b)(6), (b)(7)(C) related he also conducted a patrol debrief with (b)(6), (b)(7)(C) on 19Nov05. (b)(6), (b)(7)(C) could not recall the specific questions he asked (b)(6), (b)(7)(C) but indicated (b)(6), (b)(7)(C) provided information that was similar to (b)(6), (b)(7)(C) responses. (b)(6), (b)(7)(C)

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SUBJ: (b)(6), (b)(7)(C)

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noted he did not focus on asking about those killed in action because he was more concerned with enemy tactics. (b)(6), (b)(7)(C) stated he did not recall either (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C) mentioning the recovery of weapons. Exhibit (511) pertains.

20. On 25Oct06, (b)(6), (b)(7)(C) USN, was interviewed regarding his knowledge of the events that occurred on 19Nov05 in Haditha, Iraq. (b)(6), (b)(7)(C) advised he was assigned to H&S Company, 3/1 during his tour in Iraq during the Fall of 2005 to the Spring of 2006. (b)(6), (b)(7)(C) noted he was assigned to the Battalion Aid Station located at the Haditha Dam. (b)(6), (b)(7)(C) related he learned of LCPL TERRAZAS' death on 19Nov05, but was unaware of the Iraqi civilians' deaths until he returned to the U.S. from deployment. (b)(6), (b)(7)(C) stated he did not have any direct knowledge of what happened on 19Nov05, but did have conversations with other corpsmen such as (b)(6), (b)(7)(C) about how they were coping with experiences and feelings. According to (b)(6), (b)(7)(C) they discussed how (b)(6), (b)(7)(C) felt about examining TERRAZAS' remains. (b)(6), (b)(7)(C) opined (b)(6), (b)(7)(C) was dealing with post-traumatic stress disorder (PTSD). (b)(6), (b)(7)(C) further advised he spoke to (b)(6), (b)(7)(C) regarding the medical treatment (b)(6), (b)(7)(C) conducted on 19Nov05, but other details were not discussed. When asked if he could recall any other conversations with Marines regarding the incident, (b)(6), (b)(7)(C) asserted he could not recall any such conversation and noted he did not know any of the Marines involved in the incident. Exhibit (512) pertains.

OTHER MISCELLANEOUS INTERVIEWS OF MARINES

21. On 17Oct06, (b)(6), (b)(7)(C) USMC, was interviewed regarding his knowledge of (b)(6), (b)(7)(C) and the events that occurred in Haditha on 19Nov05. (b)(6), (b)(7)(C) reported he was deployed to Al Fallujah, Al Anbar Province Iraq as an Intelligence Specialist with the HET team from February to October of 2004. (b)(6), (b)(7)(C) was initially assigned to Headquarters Company, 1st Battalion, 5th Marines, 1st Marine Division. However, toward the end of this deployment (September/October 2004), he was assigned to work with other units such as Headquarters Company, 3/1. (b)(6), (b)(7)(C) stated it was during this time he became familiar with (b)(6), (b)(7)(C) clarified he was not personally familiar with (b)(6), (b)(7)(C) but had brief contact with him. (b)(6), (b)(7)(C) advised he was unaware of (b)(6), (b)(7)(C) being directly involved in any shooting of an Iraqi citizen, but related he was aware of a shooting of an Iraq individual(s) that apparently occurred while (b)(6), (b)(7)(C) was in command. (b)(6), (b)(7)(C) believed the incident occurred in September 2004. (b)(6), (b)(7)(C) indicated he did not have direct knowledge of the incident, but had learned about it through rumors. According to (b)(6), (b)(7)(C) he heard a 60 year old Iraq male was shot when he was thought to possess a weapon, but no weapon was found. (b)(6), (b)(7)(C) believed there was a command investigation and solatia payments were made to the victim's family. (b)(6), (b)(7)(C) denied any knowledge concerning the shootings and deaths of Iraqi civilians in Haditha on 19Nov05. Exhibit (513) pertains.

22. On 18Oct06, (b)(6), (b)(7)(C) USMC, was re-interviewed regarding clarification of the statement he provided on 12May06; however, (b)(6), (b)(7)(C) advised he could not provide any additional details. Exhibit

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SUBJ: (b)(6), (b)(7)(C)

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(514) pertains.

23. On 18Oct06 (b)(6), (b)(7)(C) USMC, was re-interviewed regarding clarification of the statement he provided on 23May06; however, (b)(6), (b)(7)(C) was unable to provide any additional significant details. Exhibit (515) pertains.

24. Currently, a few administrative matters remain pending; however, all significant investigative activity has been completed. Efforts to obtain permission for exhumation of the victims' remains are being led by MNF-I and are ongoing. This investigation is pending review for prosecutorial merit and potential adjudication. Command has been fully briefed regarding the status of this investigation.

PARTICIPANTS

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REPORT OF INVESTIGATION (ACTION)

02NOV06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA/T

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

V/ALI, ABDUL HAMEED HUSIN/CIV
M/W/FNIZ/N//01JUL29/HADITHA, AL ANBAR PROVINCE, IRAQ
V/ALI, KHAMISA TUEMA/CIV
F/W/FNIZ/N//01JAN39/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, WALEED ABDALHAMID/CIV
M/W/FNIZ/N//01JAN68/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HAMEED, ABDULLAH WALEED ABDUL /CIV
M/W/FNIZ/N//06AUG01/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, GUHID ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, RASHEED ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, ASMAA SALMAN/CIV
F/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, YUNIS SALAM/CIV
M/W/FNIZ/N//01JAN62/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, AIDA YASIN/CIV
F/W/FNIZ/N//01MAR65/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, MOHMED YUNIS/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, NOOR SALIM/CIV
F/W/FNIZ/N//01JAN92/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, SEBEA YUNIS/CIV
F/W/FNIZ/N//03APR95/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, ZAINAB UNES/CIV
F/W/FNIZ/N//17JUN00/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, AISHA UNES/CIV
F/W/FNIZ/N//19MAR02/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, HUDA YASIN/CIV
F/W/FNIZ/N//01JAN66/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, JAMAL AIAD/CIV
M/W/FNIZ/N//16JUL66/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, JASIB AIAD/CIV
M/W/FNIZ/N//01JAN77/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, MARWAN AIAD/CIV
M/W/FNIZ/N//01JAN78/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, KAHTAN AIAD/CIV

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02NOV06

SUBJ: (b)(6), (b)(7)(C)

M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ
V/ALZAWI, KALED AIDA/CIV

M/W/FNIZ/N//01JAN85/HADITHA, AL ANBAR PROVINCE, IRAQ
V/ALZAWI, WAGDI AIDA/CIV

M/W/FNIZ/N//01JAN79/HADITHA, AL ANBAR PROVINCE, IRAQ
V/FLAEH, AKRAM HAMID/CIV

M/W/FNIZ/S///HADITHA, AN ALBAR PROVINCE, IRAQ
V/AHMED, MOHMED TABAL/CIV

M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ
V/MUSLEH, AHMED KHUTAR/CIV

M/W/FNIZ/N//01JAN76/HADITHA, AL ANBAR PROVINCE, IRAQ

COMMAND/I MEF/11931

MADE AT/0023/WASHINGTON DC/(b)(6), (b)(7)(C) SPECIAL AGENT

NARRATIVE

1. At the request of NCISHQ, 24B2 administered polygraph examinations to (b)(6), (b)(7)(C). The polygraph examinations were conducted in Mar/Apr06. The polygraph examinations of the above-mentioned individuals were conducted without a formal written request. This document is being generated to fulfill administrative requirements.

ACTION

24B2: Request authority to administer polygraphs to (b)(6), (b)(7)(C)

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NCISHQ: 0023B

ACTION: 0024B2

INFO: MWPE

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PAGE 2 LAST V2 LNY
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REPORT OF INVESTIGATION (ACTION)

30OCT06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA

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

COMMAND/I MEF/11931

MADE AT/MWTN/TWENTYNINE PALMS CA (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S)

(A) NCISFO CAMP PENDLETON CA ROI (ACTION) /24OCT06

EXHIBIT(S)

- (1) IA: Contact with [redacted] 30OCT06... (MWPE only)
- (2) Signed Evidence Custody Document, 30OCT06... (MWPE only)

NARRATIVE

1. Pursuant to Reference(A), [redacted] laptop computer was returned to him on 30OCT06 at NCISRA Twentynine Palms CA. Exhibit (1) pertains. The Evidence Custody Document, ECD, with signature was obtained as proof of receipt. Exhibit (2) pertains.

2. Lead tasking is complete

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 INFO: MWPE(M) /24D/24D5

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REPORT OF INVESTIGATION (ACTION)

24OCT06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA/T

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

V/ALI, ABDUL HAMEED HUSIN/CIV
M/W/FNIZ/N//01JUL29/HADITHA, AL ANBAR PROVINCE, IRAQ
V/ALI, KHAMISA TUEMA/CIV
F/W/FNIZ/N//01JAN39/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, WALEED ABDALHAMID/CIV
M/W/FNIZ/N//01JAN68/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HAMEED, ABDULLAH WALEED ABDUL/CIV
M/W/FNIZ/N//06AUG01/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, GUHID ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, RASHEED ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, ASMAA SALMAN/CIV
F/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, YUNIS SALIM/CIV
M/W/FNIZ/N//01JAN62/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, AIDA YASIN/CIV
F/W/FNIZ/N//01MAR65/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, MOHMED YUNIS/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, NOOR SALIM/CIV
F/W/FNIZ/N//01JAN92/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, SEBEA YUNIS/CIV
F/W/FNIZ/N//03APR95/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, ZAINAB UNES/CIV
F/W/FNIZ/N//17JUN00/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, AISHA UNES/CIV
F/W/FNIZ/N//19MAR02/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, HUDA YASIN/CIV
F/W/FNIZ/N//01JAN66/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, JAMAL AIAD/CIV
M/W/FNIZ/N//16JUL66/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, JASIB AIAD/CIV
M/W/FNIZ/N//01JAN77/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, MARWAN AIAD/CIV
M/W/FNIZ/N//01JAN78/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, KAHTAN AIAD/CIV

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13MAR06-MEJ-0164-7HMA/T

24OCT06

SUBJ: (b)(6), (b)(7)(C)

M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/ALZAWI, KALED AIDA/CIV
 M/W/FNIZ/N//01JAN85/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/ALZAWI, WAGDI AIDA/CIV
 M/W/FNIZ/N//01JAN79/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/FLAEH, AKRAM HAMID/CIV
 M/W/FNIZ/S///HADITHA, AL ANBAR PROVINCE, IRAQ
 V/AHMED, MOHMED TABAL/CIV
 M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/MUSLEH, AHMED KHUTAR/CIV
 M/W/FNIZ/N//01JAN76/HADITHA, AL ANBAR PROVINCE, IRAQ

COMMAND/I MEF, CAMP PENDLETON, CA/11931

MADE AT/0023/CAMP PENDLETON CA (b)(6), (b)(7)(C) SPECIAL AGENT

NARRATIVE

1. On 19Nov05 at approximately 0715, members of 1st Squad, 3rd Platoon, Kilo Company, 3rd Battalion, 1st Marines, 1st Marine Division, came under attack by insurgents who detonated an Improvised Explosive Device (IED) on their convoy in Haditha, Iraq. The convoy consisted of (b)(7)(F) vehicles, of which the fourth vehicle was hit. As a result of the IED, the driver was killed, and the other (b)(7)(F) occupants were injured. Following the attack on the convoy, members of 1st Squad reported that they came under small arms fire (SAF) from the south and north of the IED site. Just ahead of the Marine convoy was a white car with five Iraqi civilian occupants. All of these occupants exited the car, unarmed, and were reportedly shot by (b)(6), (b)(7)(C). After the engagement with the white car, two small maneuver elements (teams) were formed, consisting of members of 1st Squad. The two teams began searching houses for insurgents involved in the coordinated attack. During the searches, (b)(6), (b)(7)(C), (b)(6), (b)(7)(C), (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) were involved in the shooting deaths of an additional eighteen (18) Iraqi civilians. Another Iraq civilian was also shot and killed after he was engaged from a rooftop observation post (OP) occupied by the same members. At the end of the day, twenty-four (24) Iraqi civilians were killed by Marines from 1st Squad, including four women and six children.

2. On 06Jun06, (b)(6), (b)(7)(C) USMC, provided NCIS agents a Permissive Authorization for Search and Seizure for review of his Sony Model PCG-951L VAIO laptop computer for any electronic files or photographs pertaining to the events of 19Nov05 in Haditha, Iraq. This computer was subsequently entered into the NCISFO Marine Corps West Evidence Repository System under log number 323-06. After forensic review of his computer by the Regional Computer Forensic Lab (RCFL), San Diego, CA, it was determined there were pertinent files

relating to this investigation located on the computer. The hard drive (HD) for this computer was removed and copied. The copy of the original HD was placed back into the laptop with the pertinent images redacted. The original HD is currently being held and will remain in

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PAGE 2

13MAR06-MEBJ-0164-7HMA/T

24OCT06

SUBJ: (b)(6), (b)(7)(C)

evidence at Camp Pendleton, CA.

ACTION

R.MWTN: Please receive (b)(6), (b)(7)(C) computer from MWPE and return it to him. (b)(6), (b)(7)(C) can be reached at (b)(6), (b)(7)(C) Any questions can be directed to SA (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

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ACTION: MWTN
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REPORT OF INVESTIGATION (ACTION)

23OCT06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA/T

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

V/ALI, ABDUL HAMEED HUSIN/CIV
M/W/FNIZ/N//01JUL29/HADITHA, AL ANBAR PROVINCE, IRAQ
V/ALI, KHAMISA TUEMA/CIV
F/W/FNIZ/N//01JAN39/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, WALEED ABDALHAMID/CIV
M/W/FNIZ/N//01JAN68/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HAMEED, ABDULLAH WALEED ABDUL/CIV
M/W/FNIZ/N//06AUG01/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, GUHID ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, RASHEED ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, ASMAA SALMAN/CIV
F/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, YUNIS SALIM/CIV
M/W/FNIZ/N//01JAN62/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, AIDA YASIN/CIV
F/W/FNIZ/N//01MAR65/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, MOHMED YUNIS/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, NOOR SALIM/CIV
F/W/FNIZ/N//01JAN92/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, SEBEA YUNIS/CIV
F/W/FNIZ/N//03APR95/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, ZAINAB UNES/CIV
F/W/FNIZ/N//17JUN00/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, AISHA UNES/CIV
F/W/FNIZ/N//19MAR02/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, HUDA YASIN/CIV
F/W/FNIZ/N//01JAN66/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, JAMAL AIAD/CIV
M/W/FNIZ/N//16JUL66/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, JASIB AIAD/CIV
M/W/FNIZ/N//01JAN77/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, MARWAN AIAD/CIV
M/W/FNIZ/N//01JAN78/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, KAHTAN AIAD/CIV

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13MAR06-MEJ-0164-7HMA/T

23OCT06

SUBJ: (b)(6), (b)(7)(C)

M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/ALZAWI, KALED AIDA/CIV
 M/W/FNIZ/N//01JAN85/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/ALZAWI, WAGDI AIDA/CIV
 M/W/FNIZ/N//01JAN79/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/FLAEH, AKRAM HAMID/CIV
 M/W/FNIZ/S///HADITHA, AL ANBAR PROVINCE, IRAQ
 V/AHMED, MOHMED TABAL/CIV
 M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/MUSLEH, AHMED KHUTAR/CIV
 M/W/FNIZ/N//01JAN76/HADITHA, AL ANBAR PROVINCE, IRAQ

COMMAND/I MEF, CAMP PENDLETON, CA/11931

MADE AT/MWPE/NCISFO MARINE CORPS WEST/(b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S)

- (A) NCISHQ Washington DC ROI (ACTION)/22Sep06
 (B) NCISFO Marine Corps West ROI (ACTION)/20Jun06

EXHIBIT(S)

- (1) IA: Results of Interview of (b)(6), (b)(7)(C) 18Oct06... (Copy 0023)
 (2) Statement of (b)(6), (b)(7)(C) 18Oct06... (Copy 0023)
 (3) IA: Sketch of (b)(6), (b)(7)(C) 18Oct06... (Copy 0023)
 (4) Statement of (b)(6), (b)(7)(C) 18Oct06... (Copy 0023)
 (5) IA: Sketch of (b)(6), (b)(7)(C) 18Oct06... (Copy 0023)
 (6) IA: Results of Interview of (b)(6), (b)(7)(C) 18Oct06... (Copy 0023)
 (7) IA: Results of Interview of (b)(6), (b)(7)(C) 18Oct06... (Copy 0023)
 (8) IA: Results of Interview of (b)(6), (b)(7)(C) 18Oct06... (Copy 0023)
 (9) IA: Results of Interview of (b)(6), (b)(7)(C) 19Oct06... (Copy 0023)
 (10) Statement of (b)(6), (b)(7)(C) 19Oct06... (Copy 0023)
 (11) Statement of (b)(6), (b)(7)(C) 19Oct06... (Copy 0023)
 (12) Statement of (b)(6), (b)(7)(C) 19Oct06... (Copy 0023)
 (13) IA: Results of Interview of (b)(6), (b)(7)(C) 20Oct06... (Copy 0023)
 (14) IA: Results of Attempt to Re-Interview (b)(6), (b)(7)(C) 20Oct06... (Copy 0023)
 (15) Statement of (b)(6), (b)(7)(C) 25Oct06... (Copy 0023)
 (16) IA: Results of Interview of (b)(6), (b)(7)(C) 25Oct06... (Copy 0023)

NARRATIVE

1. Reference (A) was received on 25Sep06, requesting an ROI (ACTION) reporting statements and IAs completed since the submission of reference (B). Between 18 and 25Oct06, at the request of trial counsel, re-interviews were conducted of Marines and Sailors assigned to 3rd Battalion, 1st Marine Regiment (3/1). Exhibits (1) through (16) provide details of those actions. Investigative lead tasking requested in Reference (A) is complete.

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REPORT OF INVESTIGATION (ACTION)

18OCT06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA/T

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

COMMAND/I MEF, CAMP PENDLETON, CA/11931

MADE AT/CALE/CAMP LEJEUNE NC/(b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S)

(A) NCISHQ WASHINGTON DC ROI/21SEP06

EXHIBIT(S)

- (1) IA: Interview of (b)(6), (b)(7)(C) 17Oct06... (Copy all)
 (2) Original case notes/17Oct06... (Orig 0023B Only)

NARRATIVE

1. On 17Oct06, (b)(6), (b)(7)(C) USMC, was interviewed regarding his knowledge of (b)(6), (b)(7)(C) USMC, as requested via Reference (A). (b)(6), (b)(7)(C) advised he was not personally familiar with (b)(6), (b)(7)(C) or of his having been directly involved in any shooting of Iraqi citizens, but provided information regarding an incident involving Marines under (b)(6), (b)(7)(C) command having apparently fired on and killed an Iraqi male under circumstances that would have been the subject of a preliminary investigation by his Command, and for which Solatium payments were apparently made. (b)(6), (b)(7)(C) denied any knowledge concerning Subject, Co-Subjects, or the events under investigation in this inquiry. Details are contained in Exhibit (1).

2. The original case notes are appended as Exhibit (2) for retention with the case file. Requested lead tasking complete.

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REPORT OF INVESTIGATION (ACTION)

14OCT06

DEATH (II)

CONTROL: 13MAR06-MEJ-0164-7HMA/T

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

V/ALI, ABDUL HAMEED HUSIN/CIV
F/W/FNIZ/N//01JUL29/HADITHA AL ANBAR CITY, IRAQ
V/ALI, KHAMISA TUEMA/CIV
F/W/FNIZ/N//01JAN39/HADITHA AL ANBAR CITY, IRAQ
V/HASAN, WALEED ABDALHAMID/CIV
M/W/FNIZ/N//01JAN68/HADITHA AL ANBAR CITY, IRAQ
V/HAMEED, ABDULLAH WALEED ABDUL/CIV
M/W/FNIZ/N//06AUG01/HADITHA AL ANBAR CITY, IRAQ
V/HASAN, GUHID ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA AL ANBAR CITY, IRAQ
V/HASAN, RASHEED ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA AL ANBAR CITY, IRAQ
V/RASIF, ASMAA SALMAN/CIV
F/W/FNIZ/N///HADITHA AL ANBAR CITY, IRAQ
V/RASIF, YUNIS SALIM/CIV
M/W/FNIZ/N//01JAN62/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, AIDA YASIN/CIV
F/W/FNIZ/N//01MAR65/HADITHA AL ANBAR CITY, IRAQ
V/SALIM, MOHMED YUNIS/CIV
M/W/FNIZ/N///HADITHA AL ANBAR CITY, IRAQ
V/RASIF, NOOR SALIM/CIV
F/W/FNIZ/N//01JAN92/HADITHA AL ANBAR CITY, IRAQ
V/SALIM, SEBEA YUNIS/CIV
F/W/FNIZ/N//03APR95/HADITHA AL ANBAR CITY, IRAQ
V/SALIM, ZAINAB UNES/CIV
F/W/FNIZ/N//17JUN00/HADITHA AL ANBAR CITY, IRAQ
V/SALIM, AISHA UNES/CIV
F/W/FNIZ/N//19MAR02/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, HUDA YASIN/CIV
F/W/FNIZ/N//01JAN66/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, JAMAL AIAD/CIV
M/W/FNIZ/N//16JUL66/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, JASIB AIAD/CIV
M/W/FNIZ/N//01JAN77/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, MARWAN AIAD/CIV
M/W/FNIZ/N//01JAN78/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, KAHTAN AIAD/CIV

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14OCT06

SUBJ: (b)(6), (b)(7)(C)

M/W/FNIZ/N//01JAN84/HADITHA AL ANBAR CITY, IRAQ
 V/ALZAWI, KALED AIDA/CIV
 M/W/FNIZ/N//01JAN85/HADITHA AL ANBAR CITY, IRAQ
 V/ALZAWI, WAGDI AIDA/CIV
 M/W/FNIZ/N//01JAN79/HADITHA AL ANBAR CITY, IRAQ
 V/FLAEH, AKRAM HAMID/CIV
 M/W/FNIZ/S///HADITHA AL ALBAR CITY, IRAQ
 V/AHMED, MOHMED TABAL/CIV
 M/W/FNIZ/N//01JAN84/HADITHA AL ANBAR CITY, IRAQ
 V/MUSLEH, AHMED KHUTAR/CIV
 M/W/FNIZ/N//01JAN76/HADITHA AL ANBAR CITY, IRAQ

COMMAND/I MEF/11931

MADE AT/MWPE/CAMP PENDLETON CA (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S)

- (A) NCISHQ WASHINGTON DC ROI (ACTION)/22Sep06
- (B) 24D5 ROI (ACTION)/30Jun06
- (C) NCISFO MARINE CORPS WEST Case File/I/MARCENT, TAMPA, FL/SUSPECTED FALSE REPORTING AND POTENTIAL COVERUP REGARDING LAW OF ARMED CONFLICT VIOLATIONS IN HADITHA, IRAQ/CCN: 01AUG06-MWPE-0185-7XMA
- (D) 24D4 ROI (ACTION)/07Jun06
- (E) NCISFO MARINE CORPS WEST ROI (ACTION)/06Oct06
- (F) NCISFO MARINE CORPS WEST ROI (ACTION)/28Sep06
- (G) NCISFO MARINE CORPS WEST ROI (ACTION)/10Oct06
- (H) NCISFO MARINE CORPS WEST ROI (ACTION)/13Oct06
- (I) NCISFO MARINE CORPS WEST ROI (ACTION)/12Oct06
- (J) NCISFO MARINE CORPS WEST ROI (ACTION)/11Oct06

EXHIBIT(S)

- (1) IA: Review of RCFL's Examination of E-Mail & Internet Data for (b)(6), (b)(7)(C) Computer/12Jun06... (Copy 0023)
- (2) IA: Seizure of Weapons Issued to (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) 17May06... (Copy 0023)
- (3) IA: CO Consent Provided to Search Govt Equipment/17May06... (Copy 0023)
- (4) IA: Results of Permissive Authorization of Search and Seizure for (b)(6), (b)(7)(C) USMC/18May06... (Copy 0023)
- (5) IA: Results of Contact with Capt (b)(6), (b)(7)(C) USMC, Regarding Government Email Accounts for 3/1 During Deployment/22May06... (Copy 0023)
- (6) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Laptop, Mini DV Camera, Media Card and Mini DV Tape/27Jun06... (Copy 0023)
- (7) IA: Review of (b)(6), (b)(7)(C) MySpace.com Data/02Jun06... (Copy 0023)
- (8) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Digital

4. Paragraph (3) requested the final copy of the IA of CO Consent Provided to Search Government Equipment reported 17May06. Final copy of this document is incorporated as Exhibit (3).

5. Paragraph (4) requested the final copy of the IA of the Results of Permissive Authorization of Search and Seizure for (b)(6), (b)(7)(C) USMC reported 18May06. Final copy of this document is incorporated as Exhibit (4).

6. Paragraph (5) requested the final copy of the IA of the Results

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14OCT06

SUBJ: (b)(6), (b)(7)(C)

of Contact with Capt (b)(6), (b)(7)(C) USMC, Regarding Government Email Accounts for 3/1 During Deployment reported 22May06. This report was previously provided to 0023 via Reference (B), however, a final copy of this document is incorporated as Exhibit (5).

7. Paragraph (6) requested the final copy of the IA of the Results of RCFL Review of (b)(6), (b)(7)(C) Laptop, Mini DV Camera, Media Card and Mini DV Tape reported on 27Jun06. Final copy of this document is incorporated as Exhibit (6).

8. Paragraph (7) requested the final copy of the IA of the Review of (b)(6), (b)(7)(C) MySpace.com Data reported 02Jun06. This report was previously provided to 0023 via Reference (B), however, a final copy of this document is incorporated as Exhibit (7).

9. Paragraph (8) requested the final copy of the IA of the Results of RCFL Review of (b)(6), (b)(7)(C) Digital Media reported 20Jul06. This report was previously provided to 0023 via Reference (B), however, a final copy of this document is incorporated as Exhibit (8).

10. Paragraph (9) requested the final copy of the IA of the Confirmation of NIPRnet Accounts from Iraq Deployment for Marines Assigned to 3/1 reported on 23May06. This report was previously provided to 0023 via Reference (B), however, a final copy of this document is incorporated as Exhibit (9).

11. Paragraph (10) requested the final copy of the IA of the Confirmation of CONUS SIPRnet and NIPRnet Accounts for Marines Assigned to 3/1 reported on 24May06. This report was previously provided to 0023 via Reference (B), however, a final copy of this document is incorporated as Exhibit (10).

12. Paragraph (11) requested the final copy of the IA of the Receipt of Recall Roster Detailing Contact Information and Personal Email

Accounts for the Wives of Marines Assigned to 3/1 reported 23May06. This report was previously provided to 0023 via Reference (B), however, a final copy of this document is incorporated as Exhibit (11).

13. Paragraphs (12), (22) through (24) and (26) through (34) requested final copies of IAs conducted during the course of this investigation. These actions were completed under the cover of this investigation; however, they are more appropriately documented solely under the parallel 7X investigation in Reference (C).

14. Paragraph (13) requested the final copy of the IA of the Data Captured from CW's Computer for the Weeks of (b)(7)(D) and (b)(7)(D) reported 15Jun06. Final copy of this document is incorporated as Exhibit (12).

15. Paragraph (14) requested the final copy of the IA of the Receipt of Roster Listing 3/1 NIPRnet/SIPRnet Accounts During Iraq Deployment

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13MAR06-MEJ-0164-7HMA/T

14OCT06

SUBJ: (b)(6), (b)(7)(C)

and Confirmation of Preservation reported 26May06. This report was previously provided to 0023 via Reference (B), however, a final copy of this document is incorporated as Exhibit (13).

16. Paragraph (15) requested the final copy of the IA of the Results of Support to NCIS Investigative Task Force Iraq reported 26May06. NCISFO Marine Corps West did not complete this investigative effort. This action was reported by 24D4, Colts Neck, NJ by Special Agent (b)(6), (b)(7)(C) under Reference (D).

17. Paragraph (16) requested the final copy of the IA of the Receipt of MSN Hotmail Records for (b)(6), (b)(7)(C) USMC reported 19Jun06. This report was previously provided to 0023 via Reference (B), however, a final copy of this document is incorporated as Exhibit (14).

18. Paragraph (17) requested the final copy of the IA of the Receipt of MySpace Records for (b)(6), (b)(7)(C) USMC reported 01Jun06. This report was previously provided to 0023 via Reference (B), however, a final copy of this document is incorporated as Exhibit (15).

19. Paragraph (18) requested the final copy of the IA of the Seizure of Evidence from (b)(6), (b)(7)(C) USMC reported 05Jun06. Final copy of this document is incorporated as Exhibit (16).

20. Paragraph (19) requested the final copy of the IA of the Seizure/Preservation of NIPRnet and SIPRnet Email Accounts from Iraq

for Marines Assigned to 3/1 reported 07Jun06. This report was previously provided to 0023 via Reference (B), however, a final copy of this document is incorporated as Exhibit (17).

21. Paragraph (20) requested the final copy of the IA of the Seizure/Preservation of CONUS SIPRnet Email Accounts for Marines Assigned to 3/1 reported 06Jun06. This report was previously provided to 0023 via Reference (B), however, a final copy of this document is incorporated as Exhibit (18).

22. Paragraphs (21) and (37) requested a final copy of the IAs documenting the Results of Review of a Personal Laptop for (b)(6), reported on 09Jun06 and the Receipt of Flash Drive from (b)(6), (b)(7)(C) reported on 28Jun06. These reports were previously attached to Reference (E) as Exhibit (6) and Exhibit (9), respectively.

23. Paragraph (25) requested the final copy of the IA of the Recovery of Computer from (b)(6), (b)(7)(C) reported 09Jun06. Final copy of this document is incorporated as Exhibit (19).

24. Paragraph (35) requested the final copy of the IA of the Results of Document and Compact Disc Review reported 23Jun06. NCISFO Marine Corps West did not complete this investigative effort. This action was reported by NCISFO Middle East.

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14OCT06

SUBJ: (b)(6), (b)(7)(C)

25. Paragraph (36) requested the final copy of the IA of the Receipt of Medical Records from Naval Health Research Center reported 29Jun06. Final copy of this document is incorporated as Exhibit (20).

26. Paragraph (38) requested the final copy of the IA of the Results of Interview of (b)(6), reported 12Jun06. NCISFO Marine Corps West did not complete this investigative effort. This action was reported by NCISFO Northeast Newport, RI.

27. This report completes Investigative Lead Tasking Section (E) of Reference (A). References (F) through (J) contain all remaining investigative lead tasks for Reference (A). Lead tasking at MWPE is complete.

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REPORT OF INVESTIGATION (ACTION)

13OCT06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA/T

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

COMMAND/1 MEF/11931

MADE AT/24D5/PACIFIC CYBER DIVISION (b)(6), (b)(7)(C)

SPECIAL AGENT

REFERENCE(S)

- (A) NCISHQ ROI (ACTION)/20JUN06
- (B) NCISHQ 0023B ROI (ACTION)/05JUL06
- (C) NCIS PACIFIC CYBER DIVISION SAN DIEGO ROI (ACTION)/30JUN06
... (Containing Exhibits 1-27)
- (D) NCIS PACIFIC CYBER DIVISION SAN DIEGO ROI (ACTION)/25JUL06
... (Containing Exhibits 28-36)
- (E) NCIS PACIFIC CYBER DIVISION SAN DIEGO ROI (ACTION)/29AUG06
... (Containing Exhibits 37-39)

EXHIBIT(S)

- (40) IA: Forensic Review of 12 laptops/11OCT06... (Copy All)

NARRATIVE

1. References (A) and (B) requested that Pacific Cyber Division assist in the review of case materials to determine if original personal laptop computers and/or other electronic media devices in evidence can be returned to their owners as they are requested.

Special Agent, Pacific Cyber Division, Regional Computer Forensic Laboratory, identified files that should not be returned to the owners. the Forensic Investigator (FI), received six hard disc drives (HDDs) from that require secure deletion of selected files and free space wiping and clearing of the slack space before returning them to the original owners. Exhibit (40) contains amplifying details. The following is information concerning those HDDs:

- shiba 40.00GB HDD S/N 56L82592T
- shiba 80.00GB HDD S/N 260L8704Y
- ba 80.00GB HDD S/N 260L8702T
- tsu 60.00GB HDD S/N NT63T61250Y
- Toshiba 100.00GB HDD S/N Y56P6755S
- ujitsu 100.00GB HDD S/N NT01T5625KAJ

2. provided all processed systems back to the NCIS Camp Pendleton Evidence Facility for subsequent return to the owners by the Case Agent (CA).

3. Lead tasking complete.

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13OCT06

SUBJ: (b)(6), (b)(7)(C)

INFO: MWPE/24D/24D5

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REPORT OF INVESTIGATION (ACTION)

13OCT06

DEATH (II)

CONTROL: 13MAR06-MEJB-0164-7HMA/T

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

V/ALI, ABDUL HAMEED HUSIN/CIV
M/W/FNIZ/N//01JUL29/HADITHA, AL ANBAR PROVINCE, IRAQ
V/ALI, KHAMISA TUEMA/CIV
F/W/FNIZ/N//01JAN39/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, WALEED ABDALHAMID/CIV
M/W/FNIZ/N//01JAN68/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HAMEED, ABDULLAH WALEED ABDUL/CIV
M/W/FNIZ/N//06AUG01/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, GUHID ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, RASHEED ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, ASMAA SALMAN/CIV
F/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, YUNIS SALIM/CIV
M/W/FNIZ/N//01JAN62/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, AIDA YASIN/CIV
F/W/FNIZ/N//01MAR65/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, MOHMED YUNIS/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, NOOR SALIM/CIV
F/W/FNIZ/N//01JAN92/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, SEBEA YUNIS/CIV
F/W/FNIZ/N//03APR95/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, ZAINAB UNES/CIV
F/W/FNIZ/N//17JUN00/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, AISHA UNES/CIV
F/W/FNIZ/N//19MAR02/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, HUDA YASIN/CIV
F/W/FNIZ/N//01JAN66/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, JAMAL AIAD/CIV
M/W/FNIZ/N//16JUL66/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, JASIB AIAD/CIV
M/W/FNIZ/N//01JAN77/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, MARWAN AIAD/CIV
M/W/FNIZ/N//01JAN78/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, KAHTAN AIAD/CIV

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PAGE 1

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13OCT06

SUBJ: (b)(6), (b)(7)(C)

M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/ALZAWI, KALED AIDA/CIV
 M/W/FNIZ/N//01JAN85/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/ALZAWI, WAGDI AIDA/CIV
 M/W/FNIZ/N//01JAN79/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/FLAEH, AKRAM HAMID/CIV
 M/W/FNIZ/S///HADITHA, AL ANBAR PROVINCE, IRAQ
 V/AHMED, MOHMED TABAL/CIV
 M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/MUSLEH, AHMED KHUTAR/CIV
 M/W/FNIZ/N//01JAN76/HADITHA, AL ANBAR PROVINCE, IRAQ

COMMAND/I MEF, CAMP PENDLETON, CA/11931

MADE AT/MWPE/NCISFO MARINE CORPS WEST (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S)

- (A) NCISHQ Washington DC ROI (ACTION)/22Sep06
- (B) 24D5 ROI (ACTION)/26Jul06
- (C) NCISFO Marine Corps West ROI (ACTION)/28Sep06
- (D) NCISFO Marine Corps West Case File/I/MARCENT, TAMPA, FL/
 SUSPECTED FALSE REPORTING AND POTENTIAL COVERUP REGARDING
 LAW OF ARMED CONFLICT VIOLATIONS IN HADITHA, IRAQ/
 CCN: 02Aug06-MWPE-0185-7XMA

EXHIBIT(S)

- (1) IA: Results of RCFL Review of Civilian, (b)(6), (b)(7)(C) Thumb
 Drives/11Oct06...(Copy 0023)
- (2) IA: Results of RCFL Review of Civilian, (b)(6), (b)(7)(C)
 Imaged Hard Drive/12Oct06...(Copy 0023)
- (3) IA: Results of RCFL E-mail String and Keyword Search of (b)(6),
 (b)(7)(C) Imaged Hard Drive/13Oct06...(Copy 0023)
- (4) IA: Seizure of (b)(6), (b)(7)(C) Computer, Digital Video
 Camera and Memory Card/15May06...(Copy 0023)
- (5) IA: Seizure of (b)(6), (b)(7)(C) Digital Camera and Memory
 Card/12May06...(Copy 0023)
- (6) IA: Permissive Search of (b)(6), (b)(7)(C) Residence and Personal
 Vehicle/10Aug06...(Copy 0023)
- (7) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Fujifilm XD 256MB
 Picture Card/11Oct06...(Copy 0023)

NARRATIVE

1. Reference (A) tasked MWPE with identifying and correcting administrative errors in the above Investigative Actions (IA) and documenting the transmission of completed documents to 0023 via an ROI (ACTION).
2. Reference (A), Tasking Section (C), Item (1), requests IAs for

four RCFL reports dated 08May06 and 18May06, which report the analysis of (b)(6), (b)(7)(C) thumb drives. The RCFL report #06-0158-A01, listed as Exhibit (1) of Reference (B), dated 08May06 details the Forensic Imaging Request from 24D2, SA (b)(6), (b)(7)(C) to RCFL,

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13OCT06

SUBJ: (b)(6), (b)(7)(C)

SA (b)(6), (b)(7)(C), requesting a mirror image of Civilian (b)(6), (b)(7)(C) computer. This report did not produce any investigative product that was reviewed by MWPE. The RCFL report #06-0158-A04, listed as Exhibit (2) of Reference (B), dated 17May06 details a request from MWPE, SA (b)(6), (b)(7)(C) to RCFL, SA Pat LIM, requesting a duplicate copy of image files from (b)(6), (b)(7)(C) computer. This report did not produce any investigative product that was reviewed by MWPE. The RCFL report #06-0158-A05, listed as Exhibit (3) of Reference (B), dated 18May06 details the results of the forensic examination of (b)(6), (b)(7)(C) (2) thumb drives. The RCFL report #06-0158-A03, listed as Exhibit (4) of Reference (B), dated 19May06 details the results of forensic examination of (b)(6), (b)(7)(C) computer. The RCFL report #06-0158-A06, dated 31Jun06 details the results of further forensic examination of (b)(6), (b)(7)(C) computer. Exhibits (1) through (3) are the Investigative Actions (IA) requested in Reference (A) Tasking Section (C), numbers (1) and (4) and detail the results of reviews of RCFL Reports #06-0158-A05, #06-0158-A03 and #06-0158-A06.

3. Exhibit (4) provides the requested IA for the seizure of (b)(6), (b)(7)(C) computer and other electronic media.

4. Exhibit (5) provides the requested IA for the seizure of (b)(6), (b)(7)(C) digital camera and picture card. Please note, (b)(6), (b)(7)(C) declined to provide a Permissive Authorization for the search of his camera; therefore, prior to conducting any examinations of the camera, SA (b)(6), (b)(7)(C) 24D5, obtained a Search Warrant to conduct the exams from the Commanding Officer of 3/1, LTCOL (b)(6), (b)(7)(C). The results of those exams were reported under separate cover.

5. Exhibit (6) provides the requested IA for the seizure of (b)(6), (b)(7)(C) computer, camera and other electronic media.

6. Exhibit (7) provides the requested IA for the review of the RCFL report dated 08Jun06, regarding (b)(6), (b)(7)(C) picture card.

7. Reference (A), Tasking Section (C), Item (7), requested an IA covering the review of the RCFL report dated 22Jun06, detailing Scan Eagle UAV footage. This request was fulfilled in Reference (C) as Exhibit (86).

8. Reference (A), Tasking Section (C), Items (8) through (10)

requested IAs on several RCFL reports dated 29Jun06, 08Jul06 and 13Jul06, as well as applicable IA's for results of evidence seizures. While these items were collected during the conduct of this investigation, they have been deemed more appropriately reported solely under the parallel 7X investigation reflected in Reference (D). Investigative lead tasking in Tasking Section (C) of Reference (A) is complete.

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REPORT OF INVESTIGATION (ACTION)

12OCT06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA/T

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

V/ALI, ABDUL HAMEED HUSIN/CIV
F/W/FNIZ/N//01JUL29/HADITHA AL ANBAR CITY, IRAQ
V/ALI, KHAMISA TUEMA/CIV
F/W/FNIZ/N//01JAN39/HADITHA AL ANBAR CITY, IRAQ
V/HASAN, WALEED ABDALHAMID/CIV
M/W/FNIZ/N//01JAN68/HADITHA AL ANBAR CITY, IRAQ
V/HAMEED, ABDULLAH WALEED ABDUL/CIV
M/W/FNIZ/N//06AUG01/HADITHA AL ANBAR CITY, IRAQ
V/HASAN, GUHID ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA AL ANBAR CITY, IRAQ
V/HASAN, RASHEED ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA AL ANBAR CITY, IRAQ
V/RASIF, ASMAA SALMAN/CIV
F/W/FNIZ/N///HADITHA AL ANBAR CITY, IRAQ
V/RASIF, YUNIS SALIM/CIV
M/W/FNIZ/N//01JAN62/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, AIDA YASIN/CIV
F/W/FNIZ/N//01MAR65/HADITHA AL ANBAR CITY, IRAQ
V/SALIM, MOHMED YUNIS/CIV
M/W/FNIZ/N///HADITHA AL ANBAR CITY, IRAQ
V/RASIF, NOOR SALIM/CIV
F/W/FNIZ/N//01JAN92/HADITHA AL ANBAR CITY, IRAQ
V/SALIM, SEBEA YUNIS/CIV
F/W/FNIZ/N//03APR95/HADITHA AL ANBAR CITY, IRAQ
V/SALIM, ZAINAB UNES/CIV
F/W/FNIZ/N//17JUN00/HADITHA AL ANBAR CITY, IRAQ
V/SALIM, AISHA UNES/CIV
F/W/FNIZ/N//19MAR02/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, HUDA YASIN/CIV
F/W/FNIZ/N//01JAN66/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, JAMAL AIAD/CIV
M/W/FNIZ/N//16JUL66/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, JASIB AIAD/CIV
M/W/FNIZ/N//01JAN77/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, MARWAN AIAD/CIV
M/W/FNIZ/N//01JAN78/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, KAHTAN AIAD/CIV

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13MAR06-MEJB-0164-7HMA/T

12OCT06

SUBJ: (b)(6), (b)(7)(C)

M/W/FNIZ/N//01JAN84/HADITHA AL ANBAR CITY, IRAQ
 V/ALZAWI, KALED AIDA/CIV
 M/W/FNIZ/N//01JAN85/HADITHA AL ANBAR CITY, IRAQ
 V/ALZAWI, WAGDI AIDA/CIV
 M/W/FNIZ/N//01JAN79/HADITHA AL ANBAR CITY, IRAQ
 V/FLAEH, AKRAM HAMID/CIV
 M/W/FNIZ/S//HADITHA AL ALBAR CITY, IRAQ
 V/AHMED, MOHMED TABAL/CIV
 M/W/FNIZ/N//01JAN84/HADITHA AL ANBAR CITY, IRAQ
 V/MUSLEH, AHMED KHUTAR/CIV
 M/W/FNIZ/N//01JAN76/HADITHA AL ANBAR CITY, IRAQ

COMMAND/I MEF/11931

MADE AT/MWPE/CAMP PENDLETON CA (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S)

(A) 0023 ROI (ACTION)/22Sep06
 (B) NWBR ROI (ACTION)/12May06
 (C) 024C ROI (ACTION)/21Jun06

NARRATIVE

1. Reference (A) tasked MWPE with clarifying the generic titling of documents reporting investigative activity conducted and forwarding the corrected final documents to 0023 via an ROI (Action). This reporting addresses Paragraphs (1) through (4) of Tasking Section (D) in Reference (A). As detailed below, MWPE did not produce any of the investigative actions in question and is therefore, unable to make the requested corrections.
2. Paragraph (1) identifies an Investigative Action (IA) which was generated as a result of obtaining a Permissive Authorization for Search and Seizure (PASS) from (b)(6), (b)(7)(C) /CIV on 02May06 by the NCIS Resident Agency, Monterey (SWMY).
3. Paragraph (2) identifies an IA documenting the seizure of (b)(6), (b)(7)(C) computer on 11May06 by the NCIS Resident Agency, Bremerton (NWBR). This activity was conducted by NWBR and was attached as Exhibit (2) to NWBR ROI (Action) dated 12May06. Reference (B).
4. Paragraphs (3) and (4) identify the seizure of evidence from on 05Jun06 and on 06Jun06 by the NCIS Contingency Response Field Office, Glynco (CRFO). This activity was conducted by CRFO and was attached as Exhibits (6) and (7) to 024C ROI (Action) dated 21Jun06. Reference (C).
5. Investigative Lead Tasking Section (D) of Reference (A) is

complete.

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REPORT OF INVESTIGATION (ACTION)

11OCT06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA/T

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

V/ALI, ABDUL HAMEED HUSIN/CIV
F/W/FNIZ/N//01JUL29/HADITHA AL ANBAR CITY, IRAQ
V/ALI, KHAMISA TUEMA/CIV
F/W/FNIZ/N//01JAN39/HADITHA AL ANBAR CITY, IRAQ
V/HASAN, WALEED ABDALHAMID/CIV
M/W/FNIZ/N//01JAN68/HADITHA AL ANBAR CITY, IRAQ
V/HAMEED, ABDULLAH WALEED ABDUL/CIV
M/W/FNIZ/N//06AUG01/HADITHA AL ANBAR CITY, IRAQ
V/HASAN, GUHID ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA AL ANBAR CITY, IRAQ
V/HASAN, RASHEED ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA AL ANBAR CITY, IRAQ
V/RASIF, ASMAA SALMAN/CIV
F/W/FNIZ/N///HADITHA AL ANBAR CITY, IRAQ
V/RASIF, YUNIS SALIM/CIV
M/W/FNIZ/N//01JAN62/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, AIDA YASIN/CIV
F/W/FNIZ/N//01MAR65/HADITHA AL ANBAR CITY, IRAQ
V/SALIM, MOHMED YUNIS/CIV
M/W/FNIZ/N///HADITHA AL ANBAR CITY, IRAQ
V/RASIF, NOOR SALIM/CIV
F/W/FNIZ/N//01JAN92/HADITHA AL ANBAR CITY, IRAQ
V/SALIM, SEBEA YUNIS/CIV
F/W/FNIZ/N//03APR95/HADITHA AL ANBAR CITY, IRAQ
V/SALIM, ZAINAB UNES/CIV
F/W/FNIZ/N//17JUN00/HADITHA AL ANBAR CITY, IRAQ
V/SALIM, AISHA UNES/CIV
F/W/FNIZ/N//19MAR02/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, HUDA YASIN/CIV
F/W/FNIZ/N//01JAN66/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, JAMAL AIAD/CIV
M/W/FNIZ/N//16JUL66/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, JASIB AIAD/CIV
M/W/FNIZ/N//01JAN77/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, MARWAN AIAD/CIV
M/W/FNIZ/N//01JAN78/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, KAHTAN AIAD/CIV

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11OCT06

SUBJ: (b)(6), (b)(7)(C)

M/W/FNIZ/N//01JAN84/HADITHA AL ANBAR CITY, IRAQ
 V/ALZAWI, KALED AIDA/CIV
 M/W/FNIZ/N//01JAN85/HADITHA AL ANBAR CITY, IRAQ
 V/ALZAWI, WAGDI AIDA/CIV
 M/W/FNIZ/N//01JAN79/HADITHA AL ANBAR CITY, IRAQ
 V/FLAEH, AKRAM HAMID/CIV
 M/W/FNIZ/S///HADITHA AL ALBAR CITY, IRAQ
 V/AHMED, MOHMED TABAL/CIV
 M/W/FNIZ/N//01JAN84/HADITHA AL ANBAR CITY, IRAQ
 V/MUSLEH, AHMED KHUTAR/CIV
 M/W/FNIZ/N//01JAN76/HADITHA AL ANBAR CITY, IRAQ

COMMAND/I MEF/11931

MADE AT/MWPE/CAMP PENDLETON CA (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S)

- (A) NCISHQ WASHINGTON DC ROI (ACTION)/03Oct06
- (B) NCISFO MARINE CORPS WEST ROI (ACTION)/06Oct06
- (C) NCISFO MARINE CORPS WEST ROI (ACTION)/22Aug06
- (D) NCISFO MARINE CORPS WEST Case File/I/MARCENT, TAMPA, FL/SUSPECTED FALSE REPORTING AND POTENTIAL COVERUP REGARDING LAW OF ARMED CONFLICT VIOLATIONS IN HADITHA, IRAQ/CCN: 01AUG06-MWPE-0185-7XMA

EXHIBIT(S)

- (1) IA: Submission of Preservation Letters for Co-Subjects' Email Accounts/22Aug06...(Copy 0023)
- (2) IA: Submission of Preservation Letters for Various Email Accounts/22Aug06...(Copy 0023)
- (3) IA: Data Captured from CW's Computer for the weeks of : /06Jul06...(Copy 0023)
- (4) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Lexmark 128 Flash Drive/31Aug06...(Copy 0023)
- (5) IA: Results of Telephonic Interview with (b)(6), (b)(7)(C) '20Jul06...(Copy 0023)

NARRATIVE

1. Reference (A) tasked MWPE with providing a final copy and transmission of completed documents to 0023, as they had not been received by 0023 as of this date. This reporting documents exhibits addressed in Paragraphs (1) through (10) of Tasking Section (F) in Reference (A) only.

2. Paragraphs (1) and (2) requested final copies for the documentation of Submission of Preservation Letters for Co-Subjects and various e-mail accounts dated 22Aug06 via Investigative Actions (IA). These reports were previously provided to 0023 via Reference

(C), however, final copies of both documents are incorporated as Exhibits (1) and (2).

3. Paragraphs (3), (6), (7) and (8) requested final copies of IAs,

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11OCT06

SUBJ: (b)(6), (b)(7)(C)

which provide details on Contact with (b)(6), (b)(7)(C) reported 23May06, Review of Classified S2 Intelligence Thumb Drives reported 05Jun06, Seizure of Additional Computer Media reported 05Jun06 and Receipt of NIPRNET/SIPRNET Banner for Systems Utilized in Theater During Iraq Deployment reported 15Jun06. These actions were completed under the cover of this investigation; however, they are more appropriately documented solely under the parallel 7X investigation in Reference (D).

4. Paragraph (4), (9) and (10) requested final copies for IAs, which document Data Captured from CW's Computer for the weeks of (b)(7)(D) (b)(7)(D) reported 06Jul06, Results of RCFL Review of (b)(6), (b)(7)(C) 128 Lexmark Flash Drive reported 31Aug06 and Results of Telephonic Interview with (b)(6), (b)(7)(C) reported 20Jun06. Final copies of these documents are incorporated as Exhibits (3) through (5).

5. Paragraph (5) requested a final copy of the IA documenting the Review of the Personal Laptop of (b)(6), (b)(7)(C) reported 05Jun06. This report was previously attached to Reference (B) as Exhibit (6). Investigative Lead Tasking Section (F) of Reference (A) is complete.

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REPORT OF INVESTIGATION (ACTION)

10OCT06

DEATH (II)

CONTROL: 13MAR06-MEJ-0164-7HMA/T

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

V/ALI, ABDUL HAMEED HUSIN/CIV
F/W/FNIZ/N//01JUL29/HADITHA AL ANBAR CITY, IRAQ
V/ALI, KHAMISA TUEMA/CIV
F/W/FNIZ/N//01JAN39/HADITHA AL ANBAR CITY, IRAQ
V/HASAN, WALEED ABDALHAMID/CIV
M/W/FNIZ/N//01JAN68/HADITHA AL ANBAR CITY, IRAQ
V/HAMEED, ABDULLAH WALEED ABDUL/CIV
M/W/FNIZ/N//06AUG01/HADITHA AL ANBAR CITY, IRAQ
V/HASAN, GUHID ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA AL ANBAR CITY, IRAQ
V/HASAN, RASHEED ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA AL ANBAR CITY, IRAQ
V/RASIF, ASMAA SALMAN/CIV
F/W/FNIZ/N///HADITHA AL ANBAR CITY, IRAQ
V/RASIF, YUNIS SALIM/CIV
M/W/FNIZ/N//01JAN62/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, AIDA YASIN/CIV
F/W/FNIZ/N//01MAR65/HADITHA AL ANBAR CITY, IRAQ
V/SALIM, MOHMED YUNIS/CIV
M/W/FNIZ/N///HADITHA AL ANBAR CITY, IRAQ
V/RASIF, NOOR SALIM/CIV
F/W/FNIZ/N//01JAN92/HADITHA AL ANBAR CITY, IRAQ
V/SALIM, SEBEA YUNIS/CIV
F/W/FNIZ/N//03APR95/HADITHA AL ANBAR CITY, IRAQ
V/SALIM, ZAINAB UNES/CIV
F/W/FNIZ/N//17JUN00/HADITHA AL ANBAR CITY, IRAQ
V/SALIM, AISHA UNES/CIV
F/W/FNIZ/N//19MAR02/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, HUDA YASIN/CIV
F/W/FNIZ/N//01JAN66/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, JAMAL AIAD/CIV
M/W/FNIZ/N//16JUL66/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, JASIB AIAD/CIV
M/W/FNIZ/N//01JAN77/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, MARWAN AIAD/CIV
M/W/FNIZ/N//01JAN78/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, KAHTAN AIAD/CIV

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10OCT06

SUBJ: (b)(6), (b)(7)(C)

M/W/FNIZ/N//01JAN84/HADITHA AL ANBAR CITY, IRAQ
 V/ALZAWI, KALED AIDA/CIV
 M/W/FNIZ/N//01JAN85/HADITHA AL ANBAR CITY, IRAQ
 V/ALZAWI, WAGDI AIDA/CIV
 M/W/FNIZ/N//01JAN79/HADITHA AL ANBAR CITY, IRAQ
 V/FLAEH, AKRAM HAMID/CIV
 M/W/FNIZ/S///HADITHA AL ALBAR CITY, IRAQ
 V/AHMED, MOHMED TABAL/CIV
 M/W/FNIZ/N//01JAN84/HADITHA AL ANBAR CITY, IRAQ
 V/MUSLEH, AHMED KHUTAR/CIV
 M/W/FNIZ/N//01JAN76/HADITHA AL ANBAR CITY, IRAQ

COMMAND/I MEF/11931

MADE AT/MWPE/CAMP PENDLETON CA (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S)

- (A) NCISHQ WASHINGTON DC ROI (ACTION)/03Oct06
- (B) NCISFO MARINE CORPS WEST ROI (ACTION)/06Oct06
- (C) NCISFO MARINE CORPS WEST ROI (ACTION)/20Jun06

EXHIBIT(S)

- (1) Statement of (b)(6), (b)(7)(C) /06Jun06... (Copy 0023)
- (2) IA: Results of Screening Interview of (b)(6), (b)(7)(C) /06Jun06... (Copy 0023)
- (3) Statement of : 31May06... (Copy 0023)
- (4) IA: Attempted Interrogation of '24May06... (Copy 0023)
- (5) IA: Results of Telephonic Contact with /13Jun06... (Copy 0023)
- (6) IA: Results of Telephonic Contact with /12Jun06... (Copy 0023)
- (7) IA: Screening Interview of /08Jun06... (Copy 0023)
- (8) IA: Results of Screening Interview of /09Jun06... (Copy 0023)
- (9) Statement of 14Jun06... (Copy 0023)
- (10) IA: Contact with /13Jun06... (Copy 0023)
- (11) IA: Command Screening interviews for 26May06/26May06... (Copy 0023)
- (12) IA: Command Screening Interviews Conducted 30-31May06/01Jun06... (Copy 0023)
- (13) IA: Screening Interviews of EODMU-6 Personnel/02Jun06... (Copy 0023)
- (14) IA: Results of Screening Interviews Conducted on 05Jun06/06Jun06... (Copy 0023)

NARRATIVE

1. Reference (A) tasked MWPE with identifying administrative errors in the above documents which were previously reported on Reference (C) and documenting the correction and retransmission of completed documents to 0023 via an ROI (Action). This reporting

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10OCT06

SUBJ: (b)(6), (b)(7)(C)

documents the clarification of exhibits addressed in Paragraphs (1) through (14) of Tasking Section (B) in Reference (A) only.

2. Paragraph (1) requested documentation for the Permissive Authorization for Search and Seizure (PASS) signed by (b)(6), (b)(7)(C) dated 11May06 via an Investigative Action (IA). Requested clarification was provided in the form of a corrected IA that included the PASS and a copy of a receipt as enclosures. That IA was forwarded to NCISHQ Code 0023 via Exhibit (1) of Reference (B).

3. Paragraphs (2) and (3) requested documentation for an Authorization to Release Account Information Voluntary Consent and Declaration and the Consent to Search (RELEASES) forms executed by (b)(6), (b)(7)(C) on 25May06 granting NCIS access to his MSN Hotmail and Yahoo! e-mail accounts. These RELEASES were obtained in the event that relevant information was developed which would require review of (b)(6), (b)(7)(C) electronic correspondence. These RELEASES were not provided to the service providers nor was any information ever extracted from (b)(6), (b)(7)(C) accounts. These RELEASES were inadvertently attached as exhibits to Reference (C) and should not be included in future reporting.

4. Paragraph (4) identifies Exhibits (49) and (170) to Reference (C) as Statement of (b)(6), (b)(7)(C) 06Jun06. This is an administrative error. On 06Jun06, a statement of (b)(6), (b)(7)(C) was taken and should be listed as Exhibit (49). On 06Jun06, a screening IA of (b)(6), (b)(7)(C) was documented and should be reflected on Reference (C) as Exhibit (170). Final copies of both documents are incorporated as Exhibits (1) and (2).

5. Paragraph (5) identifies an administrative error with regard to a written statement provided by (b)(6), (b)(7)(C) In Reference (C), (b)(6), (b)(7)(C)'s statement was documented as Exhibits (72) and (139) taken on 26May06. This was a duplication error and the statement should only have been listed once. Further, the date reflected for the statement is incorrect, (b)(6), (b)(7)(C) statement was executed on 31May06. A correct final copy of (b)(6), (b)(7)(C) signed statement is attached as Exhibit (3).

6. Paragraph (6) reports the statement of (b)(6), (b)(7)(C) 31May06 was documented as Exhibits (73) and (138) in Reference (C). This is a duplicative documentation, there was only one statement provided by

(b)(6), (b)(7)(C) on 31May06.

7. Paragraph (7) requests clarification of the documentation forwarded to Code 0023 as Exhibit (109) to Reference (C) regarding an attempted re-interview of (b)(6), (b)(7)(C) on 24May06. Exhibit (4) is the finalized IA documenting the attempted interrogation of []

8. Paragraphs (8) and (9) request final copies of IAs documenting telephonic interviews of [] conducted on 13Jun06 and [] conducted on 06Jun06. Final copies of the []

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10OCT06

SUBJ: (b)(6), (b)(7)(C)

IA's documenting these interviews are incorporated as Exhibits (5) and (6).

9. Paragraphs (10) through (12) request copies of statements provided by: [] '08Jun06; [] /09Jun06; and [] /13Jun06 which were reported on Reference (C) as Exhibits (177), (181) and (191) respectively. The screening interviews of [] were conducted on 08-09Jun06 and were inadvertently reported as statements vice investigative actions. The statement of [] was actually taken on 14Jun06. The above have been attached as IA: Screening Interview of [] /08Jun06 (Exhibit (7)); IA: Results of Screening Interview of [] '09Jun06 (Exhibit (8)); and Statement of [] /14Jun06 (Exhibit (9)).

10. Paragraph (13) requests clarification of the IA reporting contact with [] on 12Jun06 and forwarded to Code 0023 as Exhibit (194) to Reference (C). The correct IA is titled: Contact with [] /13Jun06 and is attached hereto as Exhibit (10).

11. Paragraph (14) requests final copies of the IA's documenting numerous screening interviews conducted from 26May-05Jun06 and incorporated into Reference (C) as Exhibits (203) through (206) be transmitted. Exhibits (11) through (14) provide copies of those IA's. Investigative Lead Tasking Section (B) of Reference (A) is complete.

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REPORT OF INVESTIGATION (ACTION)

06OCT06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA/T

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

V/ALI, ABDUL HAMEED HUSIN/CIV
F/W/FNIZ/N//01JUL29/HADITHA AL ANBAR CITY, IRAQ
V/ALI, KHAMISA TUEMA/CIV
F/W/FNIZ/N//01JAN39/HADITHA AL ANBAR CITY, IRAQ
V/HASAN, WALEED ABDALHAMID/CIV
M/W/FNIZ/N//01JAN68/HADITHA AL ANBAR CITY, IRAQ
V/HAMEED, ABDULLAH WALEED ABDUL/CIV
M/W/FNIZ/N//06AUG01/HADITHA AL ANBAR CITY, IRAQ
V/HASAN, GUHID ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA AL ANBAR CITY, IRAQ
V/HASAN, RASHEED ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA AL ANBAR CITY, IRAQ
V/RASIF, ASMAA SALMAN/CIV
F/W/FNIZ/N///HADITHA AL ANBAR CITY, IRAQ
V/RASIF, YUNIS SALIM/CIV
M/W/FNIZ/N//01JAN62/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, AIDA YASIN/CIV
F/W/FNIZ/N//01MAR65/HADITHA AL ANBAR CITY, IRAQ
V/SALIM, MOHMED YUNIS/CIV
M/W/FNIZ/N///HADITHA AL ANBAR CITY, IRAQ
V/RASIF, NOOR SALIM/CIV
F/W/FNIZ/N//01JAN92/HADITHA AL ANBAR CITY, IRAQ
V/SALIM, SEBEA YUNIS/CIV
F/W/FNIZ/N//03APR95/HADITHA AL ANBAR CITY, IRAQ
V/SALIM, ZAINAB UNES/CIV
F/W/FNIZ/N//17JUN00/HADITHA AL ANBAR CITY, IRAQ
V/SALIM, AISHA UNES/CIV
F/W/FNIZ/N//19MAR02/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, HUDA YASIN/CIV
F/W/FNIZ/N//01JAN66/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, JAMAL AIAD/CIV
M/W/FNIZ/N//16JUL66/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, JASIB AIAD/CIV
M/W/FNIZ/N//01JAN77/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, MARWAN AIAD/CIV
M/W/FNIZ/N//01JAN78/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, KAHTAN AIAD/CIV

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06OCT06

SUBJ: (b)(6), (b)(7)(C)

M/W/FNIZ/N//01JAN84/HADITHA AL ANBAR CITY, IRAQ
V/ALZAWI, KALED AIDA/CIV

M/W/FNIZ/N//01JAN85/HADITHA AL ANBAR CITY, IRAQ
V/ALZAWI, WAGDI AIDA/CIV

M/W/FNIZ/N//01JAN79/HADITHA AL ANBAR CITY, IRAQ
V/FLAEH, AKRAM HAMID/CIV

M/W/FNIZ/S///HADITHA AL ALBAR CITY, IRAQ
V/AHMED, MOHMED TABAL/CIV

M/W/FNIZ/N//01JAN84/HADITHA AL ANBAR CITY, IRAQ
V/MUSLEH, AHMED KHUTAR/CIV

M/W/FNIZ/N//01JAN76/HADITHA AL ANBAR CITY, IRAQ

COMMAND/I MEF/11931

MADE AT/MWPE/CAMP PENDLETON CA (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S)

- (A) NCISHQ WASHINGTON DC ROI (ACTION)/03Oct06
- (B) 24D5 PACIFIC CYBER DIVISION, SAN DIEGO CA ROI (ACTION)/30Jun06
- (C) NCISFO MARINE CORPS WEST Case File/I/MARCENT, TAMPA, FL/SUSPECTED FALSE REPORTING AND POTENTIAL COVERUP REGARDING LAW OF ARMED CONFLICT VIOLATIONS IN HADITHA, IRAQ/CCN: 01AUG06-MWPE-0185-7XMA

EXHIBIT(S)

- (1) IA: Results of Computer Examination (b)(6), (b)(7)(C) /19May06... (Copy 0023)
- (2) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Sony PSP and Sandisk Memory Stick/19May06... (Copy 0023)
- (3) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Imaged Hard Drive/12Jun06... (Copy 0023)
- (4) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Computer and other Electronic Media/12Jun06... (Copy 0023)
- (5) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Laptop Computer/12Jun06... (Copy 0023)
- (6) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Personal Laptop Computer/19Jun06... (Copy 0023)
- (7) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Desktop and External Hard Drive/15Jun06... (Copy 0023)
- (8) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Digital Media/20Jun06... (Copy 0023)
- (9) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Lexmark 128 Flash Drive/31Aug06... (Copy 0023)
- (10) IA: Seizure of Evidence from (b)(6), (b)(7)(C) USN/12Jun06... (Copy 0023)
- (11) IA: Seizure of Laptop Computer from (b)(6), (b)(7)(C) USMC/06Jun06... (Copy 0023)
- (12) RCFL Report Number 06-158-I02/25May06... (Copy 0023)

NARRATIVE

1. Reference (A) tasked MWPE with identifying and correcting administrative errors in the above Investigative Actions (IA) and documenting the transmission of completed documents to 0023 via an

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06OCT06

SUBJ: (b)(6), (b)(7)(C)

ROI (ACTION).

2. Exhibit (1) referenced a Permissive Authorization for Search and Seizure (PASS) and a Sales Receipt for (b)(6), (b)(7)(C) which were not included as enclosures to the original IA. All pertinent documents have been attached to Exhibit (1) as Enclosures (A) and (B).

3. Reference (A) requested clarification of the Report numbers cited in the IA's documenting the results of the imaging reviews. Regional Computer Forensic Laboratory (RCFL) assigns a unique number to each request for forensic review. The first item submitted in a case establishes the numbering and begins the 'Alpha' series. Subsequent items submitted from additional involved parties are assigned a consecutive 'Alpha' number. For example, items submitted which were seized from (b)(6), (b)(7)(C) would be identified as RCFL Request Number 06-158-X01 and the actual RCFL Report is numbered sequentially as 06-158-X02. Exhibits (2) through (9) inadvertently referenced the initial RCFL Request Number for each submission and not the final Report Examination Number. Each IA has been updated to reflect the corresponding RCFL Report Examination Number.

4. Exhibit (10) incorporates clarifying information with regard to the status of (b)(6), (b)(7)(C) digital camera. (b)(6), (b)(7)(C) camera was not collected. The camera (b)(6), (b)(7)(C) utilized to take the photographs that were downloaded to his computer was discarded in Iraq prior to the initiation of this investigation.

5. Exhibit (11) is the finalized IA documenting seizure of a laptop from (b)(6), (b)(7)(C)

6. Exhibit (12) is a complete copy of Enclosure (A) to the Investigative Action dated 19Jul06 documenting review of (b)(6), (b)(7)(C) digital camera and picture card.

7. Reference (A) requested clarification of multiple IAs and their correlating RCFL Report numbers with regard to the forensic review of computer and media seized from (b)(6), (b)(7)(C) MWPE reviewed and reported on RCFL Report Number 06-0158-F02 under IA: RCFL Review of (b)(6), (b)(7)(C) Laptop Computer only. The RCFL Report 06-0158-F03 was documented in Reference (B) as Exhibits (24) RCFL Examination Report 06-0158-F03 Process email internet history from (b)(6), (b)(7)(C) Computer/29May06 and (25) IA: Review of RCFL Examination Report 06-

0158-F03 E-mail internet history from Computer/12Jun06.

8. Reference (A) also requested a clarification of IA: SIPRNET E-mail Extraction/09Jun06. This action was completed under the cover of this investigation; however, it is more appropriately documented solely under the parallel 7X investigation in Reference (C). Investigative Lead tasking in Reference (A) is complete.

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REPORT OF INVESTIGATION (ACTION)

03OCT06

DEATH (II)

CONTROL: 13MAR06-MEJ-0164-7HMA/T

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

V/ALI, ABDUL HAMEED HUSIN/CIV
M/W/FNIZ/N//01JUL29/HADITHA, AL ANBAR PROVINCE, IRAQ
V/ALI, KHAMISA TUEMA/CIV
F/W/FNIZ/N//01JAN39/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, WALEED ABDALHAMID/CIV
M/W/FNIZ/N//01JAN68/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HAMEED, ABDULLAH WALEED ABDUL/CIV
M/W/FNIZ/N//06AUG01/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, GUHID ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, RASHEED ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, ASMAA SALMAN/CIV
F/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, YUNIS SALIM/CIV
M/W/FNIZ/N//01JAN62/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, AIDA YASIN/CIV
F/W/FNIZ/N//01MAR65/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, MOHMED YUNIS/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, NOOR SALIM/CIV
F/W/FNIZ/N//01JAN92/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, SEBEA YUNIS/CIV
F/W/FNIZ/N//03APR95/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, ZAINAB UNES/CIV
F/W/FNIZ/N//17JUN00/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, AISHA UNES/CIV
F/W/FNIZ/N//19MAR02/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, HUDA YASIN/CIV
F/W/FNIZ/N//01JAN66/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, JAMAL AIAD/CIV
M/W/FNIZ/N//16JUL66/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, JASIB AIAD/CIV
M/W/FNIZ/N//01JAN77/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, MARWAN AIAD/CIV
M/W/FNIZ/N//01JAN78/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, KAHTAN AIAD/CIV

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03OCT06

SUBJ: (b)(6), (b)(7)(C)

M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/ALZAWI, KALED AIDA/CIV
 M/W/FNIZ/N//01JAN85/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/ALZAWI, WAGDI AIDA/CIV
 M/W/FNIZ/N//01JAN79/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/FLAEH, AKRAM HAMID/CIV
 M/W/FNIZ/S///HADITHA, AL ANBAR PROVINCE, IRAQ
 V/AHMED, MOHMED TABAL/CIV
 M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/MUSLEH, AHMED KHUTAR/CIV
 M/W/FNIZ/N//01JAN76/HADITHA, AL ANBAR PROVINCE, IRAQ

COMMAND/I MEF, CAMP PENDLETON, CA/11931

MADE AT/0023/NCISHQ WASHINGTON DC (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE

(A) NCISHQ Washington DC ROI (ACTION)/22Sep06

NARRATIVE

1. On 19Nov05 at approximately 0716, members of 1st Squad, 3rd Platoon, Kilo Company, 3rd Battalion, 1st Marine Division (3/1), came under attack when an Improvised Explosive Device (IED) detonated and hit the fourth vehicle of their [redacted] vehicle convoy in Haditha, Iraq. As a result of the IED, the driver was killed, and the other [redacted] Marine occupants were injured. Following the attack on the convoy, members of 1st Squad reported they received small arms fire (SAF) from north and south of the IED blast site. Shortly before the convoy was struck by the IED, an oncoming white vehicle (taxi) was directed to pull off the roadway by Marines in the first vehicle. The white vehicle complied and the five (5) occupants from the vehicle exited the vehicle and were unarmed. Both (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) reportedly shot the five (5) male Iraqi occupants of the white vehicle. After the occupants of the white vehicle were shot, two (2) maneuver elements (fire teams) were formed consisting of members of 1st Squad. The teams searched and cleared houses for insurgents. During the searches and house clearings, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) were involved in the shooting and deaths of eighteen (18) additional Iraqi civilians. Another Iraqi civilian was shot and killed after he was engaged from a rooftop observation post (OP) occupied by the same members. When totaled, the titled subject and co-subjects killed twenty-four (24) Iraqi civilians, including women and children.

2. This case control office requests the following leads be conducted by NCISFO Marine Corps West:

ACTION:

A manual review of the following items received from MWPE reveal what appear to be errors in body of the Investigative Action regarding enclosures and/or list enclosures that do not correlate with the enclosure submitted. For example, an IA lists Enclosure (A) as "RCFL

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03OCT06

SUBJ: (b)(6), (b)(7)(C)

Report #06-158-01, when a review of the RCFL report shows a report number of #06-158-09. Therefore, these items are easily confused for several other items submitted and should be clarified for future readers/recipients of investigative reports (e.g., trial/defense counsel, Congressional Inquiries, FOIA requests, etc.). Please change the listed Enclosures so they correlate with the described RCFL report. Please note, an Interim report has been written and documented the items below, but cannot be transmitted and disseminated until the foregoing investigative action is completed and submitted in a corrected and "final draft" format:

1.) IA: Results of Computer Examination (b)(6), (b)(7)(C) 11May06

Within the body of this IA, Enclosure "A" is referred to, however, it is not listed at the end of the IA and an Enclosure was not received with the mailed copy of the IA. As noted in Reference (A), this IA was mailed to 0023 without a correlating ROI (Action).

2.) IA: RCFL Review of (b)(6), (b)(7)(C) Sony PSP and Sandisk Memory Stick/19May06

This IA describes and lists Enclosure (A) RCFL Report Number 06-0158-B03/17May06. However, the date of the Enclosure is 18May06. Additionally, another RCFL report was mailed to 0023 regarding a review of (b)(6), (b)(7)(C) electronic media and is numbered RCFL report #:06-0158-B08. An IA is needed to document the foregoing RCFL report.

3.) IA: RCFL Review of (b)(6), (b)(7)(C) Laptop Computer/18May06

Although this IA lists and describes RCFL report #:06-0158-F02, it does not list or describe RCFL report #:06-0158-F03 which is referred to but not enclosed in "IA: Review of RCFL's Examination of E-mail & Internet Data for (b)(6), (b)(7)(C) Computer/12Jun06." Therefore, it appears that RCFL report #:06-0158-F03 exists, but an IA has not been received that documents the RCFL results found in #06-0158-F03.

4.) IA: RCFL Review of (b)(6), (b)(7)(C) Digital Camera and Picture Card/19Jul06

The listed Enclosure on this IA, (A) RCFL Report #:06-158-I02/25May06, is missing page #2. Only page 1 of 2 was received from

MWPE. Please send a completed copy of this Enclosure.

5.) IA: RCFL Review of (b)(6), (b)(7)(C) Imaged Hard Drive/09Jun06

In the first paragraph of this IA, it states that the RCFL case number for the review described is #06-0158-001; however, the listed enclosure refers to case #06-0158-o02/11Jun06. Please advise if #06-0158-001 and #06-0158-o02 are the same report or whether they are two (2) different reports, which would require another IA or both listed as enclosures and described in one IA.

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03OCT06

SUBJ: (b)(6), (b)(7)(C)

6.) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Computer and Other Electronic media/07Jun06

In the last paragraph of this IA it states, "Details of the forensic examination are contained in Enclosure (A) RCFL Report Number 06-158-L01" and the listed Enclosure also lists refers to the RCFL number, 06-0158-L01/16Jun06; however, the attachment MWPE sent is designated as RCFL #06-0158-L02. Please clarify, re-write, and forward correlating IAS for both RCFL reports #06-0158-L01 and 06-158-L02.

7.) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Laptop Computer/09Jun06

In the last paragraph of this IA it states, "Details of the forensic examination are contained in enclosure (A), RCFL Report Number 06-158-S02." However, the IA lists as the attached enclosure RCFL Report Number 06-158-S01/13Jun06. Therefore, the numbers within the IA do not correlate. Please clarify, re-write and forward correlating IAS for both RCFL reports #06-158-S01 and #06-158-S02.

8.) IA: SIPRNET E-mail Extraction/09Jun06

The enclosure listed as, "(A) screen captures containing server information," on this IA was not sent to 0023. Please forward or advise if this will be reported solely in the parallel 7X investigation.

9.) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Personal Laptop Computer/09Jun06

In the last paragraph of this IA it states, "Details of the forensic examination are contained in enclosure (A), RCFL Report Number 06-158-R01" and the listed Enclosure also refers to the RCFL number, 06-158-R01/13Jun06; however, the attachment MWPE sent is designated as RCFL Report Number 06-158-R02. Therefore, the report number within

the IA does not correlate. Please clarify, re-write and forward correlating IAs for both RCFL reports #06-158-R01 and #06-158-R02.

10.) IA: Seizure of Laptop Computer From (b)(6), (b)(7)(C) USMC/06Jun06.

This IA was sent with listed Enclosure (A) Pass form signed by (b)(6), (b)(7)(C) but it is a "Preview Copy" and not a final draft. Please review, transmit, and forward a final draft.

11.) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Desktop and External Hard Drive/13Jun06

In the last paragraph of this IA it states, "Details of the forensic examination are contained in Enclosure (A) RCFL Report Number 06-158-X01" and the listed Enclosure also refers to the RCFL number, 06-0158-X01/15Jun06; however, the attachment MWPE sent is designated as RCFL #06-0158-X02. Therefore, the report number within the IA does

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PAGE 4

13MAR06-MEBJ-0164-7HMA/T

03OCT06

SUBJ: (b)(6), (b)(7)(C)

not correlate. Please clarify, re-write, and forward correlating IAs for both RCFL reports #06-0158-X01 and 06-158-X02.

12.) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Digital Media/20Jul06

In the last paragraph of this IA it states, "Details of the forensic examination are contained in enclosure (A), RCFL Report Number 06-158-B04." However, the IA lists as the attached enclosure RCFL Report Number 06-158-B01/13Jun06. Therefore, the numbers within the IA do not correlate. Please clarify, re-write and forward correlating IAs for both RCFL reports #06-158-B04 and #06-158-B01.

13.) IA: Seizure of Evidence From (b)(6), (b)(7)(C) USN/12Jun06

The IA reports admitted taking photographs with his digital camera and downloading them to his computer. The IA further reports voluntarily provided his computer, but does not state whether provided his digital camera. Please advise whether camera was collected or not, and address this issue in the IA.

14.) IA: Results of RCFL Review of Lexmark 128 Flash Drive/30Aug06

In the last and third paragraph of this IA it states, "Details of the forensic examination are contained in Enclosure (A), RCFL Report Number 06-158-A02" and the listed Enclosure also refers to the RCFL number, 06-0158-A02/03Aug06; however, the attachment MWPE sent and

described in the IA is designated as RCFL #06-0158-T03 and #06-0158-T04. Therefore, the report number within the IA does not correlate. Please clarify, re-write, and forward correlating IAs for both RCFL reports #06-0158-T03 and 06-158-T04. As advised in Reference (A), a "preview copy" of this IA was received via mail. Therefore, please review, correct, transmit, and forward the final draft.

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NCISHQ (DSI): 0023
ACTION: MWPE

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PAGE 5 LAST V2 LNY
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REPORT OF INVESTIGATION (ACTION)

03OCT06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA

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

COMMAND/I MEF/11931

MADE AT/SDTC/SAN DIEGO CA (b)(6), (b)(7)(C) TECH ENFORCEMENT OFFICER

REFERENCE(S)

(A) NCISTSD San Diego, CA ROI (ACTION)/16AUG06

NARRATIVE

1. Since submission of Reference (A), no additional technical investigative support has been provided in captioned investigation. Pending oral/wire intercept authority, final installation has been held in abeyance to safeguard and preclude unauthorized use of equipment. SAC, NCISFO Marine Corps West, Camp Pendleton, CA has been apprized.

ACTION

0023B: Provided for status. Lead tasking remains pending oral/wire intercept authority for completion of installation and operational turnover to MWPE for monitoring.

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ACTION: 0023B

INFO: MEBJ/MWPE/24B1

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REPORT OF INVESTIGATION (ACTION)

28SEP06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA/T

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

V/ALI, ABDUL HAMEED HUSIN/CIV
M/W/FNIZ/N//01JUL29/HADITHA, AL ANBAR PROVINCE, IRAQ
V/ALI, KHAMISA TUEMA/CIV
F/W/FNIZ/N//01JAN39/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, WALEED ABDALHAMID/CIV
M/W/FNIZ/N//01JAN68/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HAMEED, ABDULLAH WALEED ABDUL/CIV
M/W/FNIZ/N//06AUG01/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, GUHID ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, RASHEED ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, ASMAA SALMAN/CIV
F/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, YUNIS SALIM/CIV
M/W/FNIZ/N//01JAN62/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, AIDA YASIN/CIV
F/W/FNIZ/N//01MAR65/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, MOHMED YUNIS/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, NOOR SALIM/CIV
F/W/FNIZ/N//01JAN92/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, SEBEA YUNIS/CIV
F/W/FNIZ/N//03APR95/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, ZAINAB UNES/CIV
F/W/FNIZ/N//17JUN00/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, AISHA UNES/CIV
F/W/FNIZ/N//19MAR02/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, HUDA YASIN/CIV
F/W/FNIZ/N//01JAN66/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, JAMAL AIAD/CIV
M/W/FNIZ/N//16JUL66/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, JASIB AIAD/CIV
M/W/FNIZ/N//01JAN77/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, MARWAN AIAD/CIV
M/W/FNIZ/N//01JAN78/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, KAHTAN AIAD/CIV

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SUBJ: (b)(6), (b)(7)(C)

M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/ALZAWI, KALED AIDA/CIV
 M/W/FNIZ/N//01JAN85/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/ALZAWI, WAGDI AIDA/CIV
 M/W/FNIZ/N//01JAN79/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/FLAEH, AKRAM HAMID/CIV
 M/W/FNIZ/S///HADITHA, AL ANBAR PROVINCE, IRAQ
 V/AHMED, MOHMED TABAL/CIV
 M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/MUSLEH, AHMED KHUTAR/CIV
 M/W/FNIZ/N//01JAN76/HADITHA, AL ANBAR PROVINCE, IRAQ

COMMAND/I MEF, CAMP PENDLETON, CA/11931

MADE AT/MWPE/NCISFO MARINE CORPS WEST (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S)

- (A) NCISHQ Washington DC ROI (ACTION)/22Sep06
- (B) NCISFO Marine Corps West ROI (ACTION)/20Jun06
- (C) NCISFO Marine Corps West Case File/I/MARCENT, TAMPA, FL/SUSPECTED FALSE REPORTING AND POTENTIAL COVERUP REGARDING LAW OF ARMED CONFLICT VIOLATIONS IN HADITHA, IRAQ/
CCN: 02Aug06-MWPE-0185-7XMA

EXHIBIT(S)

- (1) Rights Waiver and Statement of (b)(6), (b)(7)(C) 09May06... (Copy 0023)
- (2) IA: Results of Attempt to Re-Interview (b)(6), (b)(7)(C) 09May06... (Copy 0023)
- (3) Statement of (b)(6), (b)(7)(C) 11May06... (Copy 0023)
- (4) IA: Re-Contact With Command Personnel/26May06... (Copy 0023)
- (5) IA: Results of Screening Interview of (b)(6), (b)(7)(C) USMC/06Jun06... (Copy 0023)
- (6) IA: Screening Interview of (b)(6), (b)(7)(C) USMC/08Jun06... (Copy 0023)
- (7) IA: Results of Screening Interview of (b)(6), (b)(7)(C) USMC/09Jun06... (Copy 0023)
- (8) Statement of (b)(6), (b)(7)(C) 06... (Copy 0023)
- (9) Statement of (b)(6), (b)(7)(C) 15Jun06... (Copy 0023)
- (10) Statement of (b)(6), (b)(7)(C) n06... (Copy 0023)
- (11) Statement of (b)(6), (b)(7)(C) 07Jun06... (Copy 0023)
- (12) Statement of (b)(6), (b)(7)(C) un06... (Copy 0023)
- (13) Statement of (b)(6), (b)(7)(C) 06... (Copy 0023)
- (14) Statement of (b)(6), (b)(7)(C) n06... (Copy 0023)
- (15) Statement of (b)(6), (b)(7)(C) 06... (Copy 0023)
- (16) Statement of (b)(6), (b)(7)(C) 6... (Copy 0023)
- (17) Statement of (b)(6), (b)(7)(C) n06... (Copy 0023)
- (18) Statement of (b)(6), (b)(7)(C) 6... (Copy 0023)
- (19) Statement of (b)(6), (b)(7)(C) un06... (Copy 0023)
- (20) Statement of (b)(6), (b)(7)(C) n06... (Copy 0023)
- (21) Statement of (b)(6), (b)(7)(C) 16Jun06... (Copy 0023)

(22) Statement of (b)(6), (b)(7)(C) n06... (Copy 0023)
 (23) Statement of (b)(6), (b)(7)(C) n06... (Copy 0023)
 (24) Statement of (b)(6), (b)(7)(C) /21Jun06... (Copy 0023)
 (25) Statement of (b)(6), (b)(7)(C) 12July06... (Copy 0023)

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SUBJ: (b)(6), (b)(7)(C)

(26) Statement of (b)(6), (b)(7)(C) 8Jul06... (Copy 0023)
 (27) Statement of (b)(6), (b)(7)(C) /15Jun06... (Copy 0023)
 (28) Statement of (b)(6), (b)(7)(C) n06... (Copy 0023)
 (29) IA: Results of Interview of (b)(6), (b)(7)(C) /13Jul06... (Copy 0023)
 (30) Statement of (b)(6), (b)(7)(C) /14Jul06... (Copy 0023)
 (31) Statement of (b)(6), (b)(7)(C) 106... (Copy 0023)
 (32) Statement of (b)(6), (b)(7)(C) 5Jul06... (Copy 0023)
 (33) Statement of (b)(6), (b)(7)(C) 106... (Copy 0023)
 (34) Statement of (b)(6), (b)(7)(C) ul06... (Copy 0023)
 (32) Statement of (b)(6), (b)(7)(C) Jun06... (Copy 0023)
 (33) Statement of (b)(6), (b)(7)(C) 4Jun06... (Copy 0023)
 (34) IA: Results of Interview with (b)(6), (b)(7)(C)
 USMC/14Jun06... (Copy 0023)
 (35) Statement of (b)(6), (b)(7)(C) Jun06... (Copy 0023)
 (36) Statement of (b)(6), (b)(7)(C) /29Jun06... (Copy 0023)
 (37) IA: Results of Screening Interview of (b)(6), (b)(7)(C)
 USN/14Jun06... (Copy 0023)
 (38) Statement of (b)(6), (b)(7)(C) 16May06... (Copy 0023)
 (39) Statement of (b)(6), (b)(7)(C) n06... (Copy 0023)
 (40) IA: Results of Telephonic Interview with (b)(6), (b)(7)(C) /20Jul06... (Copy
 0023)
 (41) IA: Data Captured From CW for the Weeks of (b)(7)(D)
 and (b)(7)(D) .. (Copy 0023)
 (42) IA: Data Captured From CW for the Weeks of (b)(7)(D)
 (b)(7)(D) .. (Copy 0023)
 (43) IA: Results of Computer Examination (b)(6), (b)(7)(C) /11May06... (Copy 0023)
 (44) IA: RCFL Review of (b)(6), (b)(7)(C) Sony PSP and Sandisk Memory
 Stick/19May06... (Copy 0023)
 (45) IA: RCFL Review of (b)(6), (b)(7)(C) Laptop Computer/18May06... (Copy 0023)
 (46) IA: Results of Evidence Seizure (b)(6), (b)(7)(C) 16May06... (Copy 0023)
 (47) IA: CO Consent Provided to Search Government Equipment/17May06... (Copy
 0023)
 (48) IA: RCFL Review of (b)(6), (b)(7)(C) Laptop Computer and Other
 media/23May and 19Jul06... (Copy 0023)
 (49) IA: Results of RCFL Review of (b)(6), (b)(7)(C) s Laptop, Mini
 DV Camera, Media Card, and Mini DV Tape/18May-22Jun06... (Copy 0023)
 (50) IA: Seizure of Evidence from (b)(6), (b)(7)(C) USMC/19May06... (Copy
 0023)
 (51) IA: RCFL Review of (b)(6), (b)(7)(C) Laptop Computer/21May06... (Copy 0023)
 (52) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Digital Media/20May
 & 20Jul06... (Copy 0023)

- (53) IA: RCFL Review of (b)(6), (b)(7)(C) Digital Camera and Media Card/20May06... (Copy 0023)
- (54) IA: RCFL Review of (b)(6), (b)(7)(C) Digital Camera and Picture Card/25May06... (Copy 0023)
- (55) IA: RCFL Review of (b)(6), (b)(7)(C) Imaged Hard Drive/01Jun06... (Copy 0023)
- (56) IA: Seizure of Evidence from (b)(6), (b)(7)(C) USMC/02Jun06... (Copy 0023)
- (57) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Computer and Other Electronic Media/07Jun06... (Copy 0023)
- (58) IA: Seizure of Evidence from (b)(6), (b)(7)(C) USMC/02Jun06... (Copy 0023)
- (59) IA: RCFL Review of (b)(6), (b)(7)(C) Imaged Hard Drive and Media Card/07Jun06... (Copy 0023)
- (60) IA: RCFL Review of CIV (b)(6), (b)(7)(C) Digital Media/07Jun06... (Copy 0023)
- (61) IA: Seizure of Evidence from (b)(6), (b)(7)(C) /05Jun06... (Copy 0023)

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28SEP06

SUBJ: (b)(6), (b)(7)(C)

- (62) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Laptop Computer/09Jun06... (Copy 0023)
- (63) IA: Seizure of Evidence from (b)(6), (b)(7)(C) USMC/05Jun06... (Copy 0023)
- (64) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Laptop Computer/09Jun06... (Copy 0023)
- (65) IA: Review Personal Laptop Computer from (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) 05Jun06... (Copy 0023)
- (66) IA: Seizure of Evidence from (b)(6), (b)(7)(C) USMC/05Jun06... (Copy 0023)
- (67) IA: RCFL Review of (b)(6), (b)(7)(C) Imaged Hard Drive/09Jun06... (Copy 0023)
- (68) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Laptop Computer/20Jun06... (Copy 0023)
- (69) IA: Seizure of Evidence from (b)(6), (b)(7)(C) USMC/05Jun06... (Copy 0023)
- (70) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Laptop Computer/21Jun06... (Copy 0023)
- (71) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Digital Camera and Media Card/27Jun06... (Copy 0023)
- (72) IA: Seizure of Evidence from (b)(6), (b)(7)(C) USMC/06Jun06... (Copy 0023)
- (73) IA: RCFL Review of (b)(6), (b)(7)(C) Imaged Hard Drive/08-19Jun06... (Copy 0023)
- (74) IA: Recovery of Computer from (b)(6), (b)(7)(C) /06Jun06... (Copy 0023)
- (75) IA: RCFL Review of (b)(6), (b)(7)(C) Imaged Hard Drive and Thumbdrive/13Jun06... (Copy 0023)
- (76) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Laptop Computer

- and Flashcard/08Jun06... (Copy 0023)
- (77) IA: Seizure of Evidence from (b)(6), (b)(7)(C) USMC/09Jun06...
(Copy 0023)
- (78) IA: Results of RCFL Review of (b)(6), Desktop and External Hard
Drive/13Jun06... (Copy 0023) (b)(7)(C)
- (79) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Digital
Camera/12Jun06... (Copy 0023)
- (80) IA: Seizure of Evidence from (b)(6), (b)(7)(C) USN/12Jun06... (Copy
0023)
- (81) IA: RCFL Review of (b)(6), (b)(7)(C) Laptop Computer/14Jun06... (Copy 0023)
- (82) IA: Seizure of Evidence from (b)(6), (b)(7)(C)
USMC/13Jun06... (Copy 0023)
- (83) IA: RCFL Review of (b)(6), (b)(7)(C) Digital Camera and Media
Card/13Jun06... (Copy 0023)
- (84) IA: Receipt of (b)(6), (b)(7)(C) Lexmark 128 Flash Drive/28Jul06... (Copy
0023)
- (85) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Lexmark 128 Flash
Drive/03Aug06... (Copy 0023)
- (86) IA: Results of RCFL Review of Scan Eagle Footage of 19Nov05/03Oct06...
(Copy 0023)

NARRATIVE

1. Reference (A) was received on 25Sep06, requesting an ROI (ACTION) reporting statements and IAs completed since the submission of reference (B) and any previously un-reported exhibits prior to that submission. Items 3, 6 through 8, 12, 43, 44 and 45, of Tasking Section (A), Reference (A), were found to have been previously reported in Reference (B) as exhibits (3), (139), (109), (121), (191), (205), (206) and (170), respectively. Additionally, it was

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13MAR06-MEBJ-0164-7HMA/T

28SEP06

SUBJ: (b)(6), (b)(7)(C)

determined that items 59, 80, 95 through 97 and 100 of Tasking Section (A), Reference (A), were completed during the course of this investigation; however, would be more appropriately reported solely under the parallel 7X investigation reflected in Reference (C).

2. In response to lead tasking in Reference (A), between 27Sep06 and 03Oct06, a review of all interviews completed prior to the submission of Reference (B) was conducted which resulted in the determination that several interviews conducted had not been previously reported via ROI (ACTION) to 0023. Exhibits (1) through (8) provide details of those actions.

3. Since the submission of Reference (B) and prior to the receipt of Reference (A), numerous interviews and re-interviews were conducted of Marines and Sailors assigned to 3rd Battalion, 1st Marine Regiment (3/1). Exhibits (9) through (40) provide details of those actions.

4. During May-June 2006, CW (b)(7)(E) provided consent to have (b)(7)(D)

(b)(7)(D) which could provide evidence pertinent to this investigation. This captured data was reviewed and the results provided in exhibits (41) and (42).

5. Between 11May06 and 03Aug06, numerous items of electronic media were seized from several individuals after interviews disclosed they possibly had pictures depicting the victims in this investigation on various forms of electronic media such as cameras, computers and flash drives. The Regional Computer Forensic Laboratory (RCFL), San Diego, CA, processed those items in order to retrieve any existing and/or deleted images pertinent to this investigation. After processing into a viewable format, the items were reviewed to determine their evidentiary value to this investigation. Details of those seizures and the RCFL reviews are contained in exhibits (43) through (85).

6. On 03Oct06, a review of Scan Eagle footage from 19Nov05 was conducted. The results of this review are provided in exhibit (86). Investigative lead tasking requested in section (A) of Reference (A) is complete. Completion of lead tasking in Reference (A), Sections (B) through (F) is ongoing.

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INFO: MWPE

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REPORT OF INVESTIGATION (ACTION)

25SEP06

DEATH (II)

CONTROL: 13MAR06-MEJ-0164-7HMA

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

COMMAND/I MEF/11931

MADE AT/MWTN/TWENTYNINE PALMS CA (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S)

(A) NCISFO CAMP PENDLETON CA ROI(ACTION)/15SEP06

EXHIBIT(S)

(1) Signed Evidence Custody Document (b)(6), (b)(7)(C) 14SEP06... (MWPE only)

NARRATIVE

1. Pursuant to Reference (A), (b)(6), (b)(7)(C) laptop computer was returned to him and a receipt with his signature was obtained. Exhibit (1) pertains. Lead tasking complete.

PARTICIPANT(S)

(b)(6), (b)(7)(C) Investigative Assistant, NCISRA Twentynine Palms, CA

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INFO: MWPE(M)/24D/24D5

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REPORT OF INVESTIGATION (ACTION)

22SEP06

DEATH (II)

CONTROL: 13MAR06-MEJ-0164-7HMA/T

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

V/ALI, ABDUL HAMEED HUSIN/CIV
M/W/FNIZ/N//01JUL29/HADITHA, AL ANBAR PROVINCE, IRAQ
V/ALI, KHAMISA TUEMA/CIV
F/W/FNIZ/N//01JAN39/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, WALEED ABDALHAMID/CIV
M/W/FNIZ/N//01JAN68/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HAMEED, ABDULLAH WALEED ABDUL/CIV
M/W/FNIZ/N//06AUG01/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, GUHID ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, RASHEED ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, ASMAA SALMAN/CIV
F/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, YUNIS SALIM/CIV
M/W/FNIZ/N//01JAN62/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, AIDA YASIN/CIV
F/W/FNIZ/N//01MAR65/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, MOHMED YUNIS/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, NOOR SALIM/CIV
F/W/FNIZ/N//01JAN92/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, SEBEA YUNIS/CIV
F/W/FNIZ/N//03APR95/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, ZAINAB UNES/CIV
F/W/FNIZ/N//17JUN00/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, AISHA UNES/CIV
F/W/FNIZ/N//19MAR02/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, HUDA YASIN/CIV
F/W/FNIZ/N//01JAN66/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, JAMAL AIAD/CIV
M/W/FNIZ/N//16JUL66/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, JASIB AIAD/CIV
M/W/FNIZ/N//01JAN77/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, MARWAN AIAD/CIV
M/W/FNIZ/N//01JAN78/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, KAHTAN AIAD/CIV

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22SEP06

SUBJ: (b)(6), (b)(7)(C)

M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/ALZAWI, KALED AIDA/CIV
 M/W/FNIZ/N//01JAN85/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/ALZAWI, WAGDI AIDA/CIV
 M/W/FNIZ/N//01JAN79/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/FLAEH, AKRAM HAMID/CIV
 M/W/FNIZ/S///HADITHA, AL ANBAR PROVINCE, IRAQ
 V/AHMED, MOHMED TABAL/CIV
 M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ
 V/MUSLEH, AHMED KHUTAR/CIV
 M/W/FNIZ/N//01JAN76/HADITHA, AL ANBAR PROVINCE, IRAQ

COMMAND/I MEF, CAMP PENDLETON, CA/11931

MADE AT/0023/NCISHQ WASHINGTON DC (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCES

- (A) NCISHQ Washington DC ROI (ACTION)/17Apr06
- (B) NCISHQ Washington DC ROI (ACTION)/25Apr06
- (C) NCISHQ Washington DC ROI (ACTION)/24May06
- (D) NCISHQ Washington DC ROI (ACTION)/29May06
- (E) NCISHQ Washington DC ROI (ACTION)/31May06
- (F) NCISHQ Washington DC ROI (ACTION)/06Jun06
- (G) NCISHQ Washington DC ROI (ACTION)/07Jun06
- (H) NCISFO Marine Corps West ROI (ACTION)/20Jun06
- (J) 24D5 ROI (ACTION)/26Jul06

NARRATIVE

1. On 19Nov05 at approximately 0716, members of 1st Squad, 3rd Platoon, Kilo Company, 3rd Battalion, 1st Marine Division, came under attack when an Improvised Explosive Device (IED) detonated and hit the fourth vehicle of their [redacted]-vehicle convoy in Haditha, Iraq. As a result of the IED, the driver was killed, and the other (b)(7)(F) Marine occupants were injured. Following the attack on the convoy, members of 1st Squad reported they received small arms fire (SAF) from north and south of the IED blast site. Shortly before the convoy was struck by the IED, an oncoming white vehicle (taxi) was directed to pull off the roadway by Marines in the first vehicle. The white vehicle complied and the five (5) occupants from the vehicle exited the vehicle and were unarmed. Both (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) reportedly shot the five (5) male Iraqi occupants of the white vehicle. After the occupants of the white vehicle were shot, two (2) maneuver elements (fire teams) were formed consisting of members of 1st Squad. The teams searched and cleared houses for insurgents. During the searches and house clearings, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) were involved in the shooting and deaths of eighteen (18) additional Iraqi civilians. Another Iraqi civilian was shot and killed after he was engaged from

a rooftop observation post (OP) occupied by the same members. When totaled, the titled subject and co-subjects killed twenty-four (24) Iraqi civilians, including women and children.

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SUBJ: (b)(6), (b)(7)(C)

2. This case control office requests the following leads be conducted by NCISFO Marine Corps West:

ACTION
R.MWPE:

TASKING SECTION (A):

References (A)-(G) requested investigative actions be conducted by MWPE. During the course of the investigation, one (1) report was received that responded to a majority of such investigative actions. Specifically, Reference (H) was received and provided a listing of 206 exhibits that had been conducted in response to References (A)-(G). From May06 to present, additional statements and Investigative Actions (IA)s have been sent to 0023 via fax and/or mail which have not been accompanied by a ROI (Action). Therefore, provide a ROI (Action) for the statements and IAs listed below as they have been sent to 0023 from MWPE without a ROI (Action) and are not included/listed in Reference (H). Additionally, confirm the below listed statements and IAs are the only items that have been sent without a correlating ROI (Action). Such action will comply with NCIS reporting guidelines and officially document all investigative actions.

- 1.) Military Suspect's Acknowledgement and Waiver of Rights, (b)(6), (b)(7)(C) /09May06
- 2.) Statement of /09May06
- 3.) Military Suspect's Acknowledgement and Waiver of Rights, 09May06
- 4.) IA: Results of Attempt to Re-Interview, (b)(6), (b)(7)(C) 09May06
- 5.) Statement of 11May06
- 6.) Statement of 6May06
- 7.) IA: Attempted Interrogation of '24May06
- 8.) Military Suspect's Acknowledgement and Cleansing Waiver of Rights, '30May06

9.) IA: Re-Contact With Command Personnel/26May06

10.) Statement of (b)(6), (b)(7)(C) y06

11.) Statement of /15Jun06

12.) Statement of 14Jun06

13.) Statement of in06

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SUBJ: (b)(6), (b)(7)(C)

14.) Statement of (b)(6), (b)(7)(C) 07Jun06

15.) Statement of in06

16.) Statement of 06

17.) Statement of h06

18.) Statement of 06

19.) Statement of 5

20.) Statement of h06

21.) Statement of 5

22.) Statement of in06

23.) Statement of h06

24.) Statement of 16Jun06

25.) Statement of h06

26.) Statement of h06

27.) Statement of /21Jun06

28.) Statement of 12July06

29.) Statement of h106

30.) Statement of 5Jun06

31.) Statement of 5

- 32.) IA: Results of Interview of (b)(6), (b)(7)(C) /13Jul06
- 33.) Statement of (b)(6), (b)(7)(C) N/14Jul06
- 34.) Statement of (b)(6), (b)(7)(C) ul06
- 35.) Statement of (b)(6), (b)(7)(C) 05Jul06
- 36.) Statement of (b)(6), (b)(7)(C) ul06
- 37.) Statement of (b)(6), (b)(7)(C) Jul06
- 38.) Statement of (b)(6), (b)(7)(C) 4Jun06
- 39.) Statement of (b)(6), (b)(7)(C) 14Jun06
- 40.) IA: Results of Interview with (b)(6), (b)(7)(C) USMC/14Jun06

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SUBJ: (b)(6), (b)(7)(C)

- 41.) Statement of (b)(6), (b)(7)(C) un06
- 42.) Statement of (b)(6), (b)(7)(C) 29Jun06
- 43.) IA: Results of Screening Interviews of EODMU-6 Personnel/01Jun06
- 44.) IA: Results of Screening Interviews Conducted on 05Jun06/05Jun06
- 45.) IA: Results of Screening Interview of (b)(6), (b)(7)(C) USMC/06Jun06
- 46.) IA: Results of Screening Interview of (b)(6), (b)(7)(C) USMC/06Jun06
- 47.) IA: Screening Interview of (b)(6), (b)(7)(C) USMC/08Jun06
- 48.) IA: Results of Screening Interview of (b)(6), (b)(7)(C) USMC/09Jun06
- 49.) IA: Results of Screening Interview of (b)(6), (b)(7)(C) USN/14Jun06
- 50.) IA: Results of Computer Examination (b)(6), (b)(7)(C) /11May06
- 51.) IA: RCFL Review of (b)(6), (b)(7)(C) Sony PSP and Sandisk Memory Stick/19May06

- 52.) IA: RCFL Review of (b)(6), (b)(7)(C) Laptop Computer/18May06
- 53.) IA: Results of Evidence Seizure (b)(6), (b)(7)(C) /16May06
- 54.) IA: CO Consent Provided to Search Government Equipment/17May06
- 55.) IA: RCFL Review of (b)(6), (b)(7)(C) Laptop Computer and Other Media/23May and 19Jul06
- 56.) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Laptop, Mini DV Camera, Media Card, and Mini DV Tape/18May-22Jun06
- 57.) IA: Seizure of Evidence from (b)(6), (b)(7)(C) USMC/19May06
- 58.) IA: RCFL Review of (b)(6), (b)(7)(C) Laptop Computer/21May06
- 59.) IA: Review of S-2 Classified Computer/19-25May06
- 60.) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Digital Media/20May & 20Jul06
- 61.) IA: RCFL Review of (b)(6), (b)(7)(C) Digital Camera and Media Card/20May06
- 62.) IA: RCFL Review of (b)(6), (b)(7)(C) Digital Camera and Picture

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SUBJ: (b)(6), (b)(7)(C)

Card/25May06

63.) IA: Data Captured From CW in NW for the Week of (b)(7)(F) and (b)(7)(F)

64.) IA: Data Captured From CW's Computer for the Weeks of (b)(7)(D) (b)(7)(D) /12-24Jun06

65.) IA: RCFL Review of (b)(6), (b)(7)(C) Imaged Hard Drive/(9-1Jun06

66.) IA: Seizure of Evidence from (b)(6), (b)(7)(C) USMC/02Jun06

67.) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Computer and Other Electronic Media/07Jun06

68.) IA: Seizure of Evidence from (b)(6), (b)(7)(C) USMC/02Jun06

69.) IA: RCFL Review of (b)(6), (b)(7)(C) Imaged Hard Drive and Media

Card/07Jun06

- 70.) IA: RCFL Review of CIV (b)(6), (b)(7)(C) Digital Media/07Jun06
- 71.) IA: Seizure of Evidence from (b)(6), (b)(7)(C) 05Jun06
- 72.) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Laptop
Computer/09Jun06
- 73.) IA: Seizure of Evidence from (b)(6), (b)(7)(C)
USMC/05Jun06
- 74.) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Laptop
Computer/09Jun06
- 75.) IA: Review Personal Laptop Computer from (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) /05Jun06
- 76.) IA: Seizure of Evidence from (b)(6), (b)(7)(C)
USMC/05Jun06
- 77.) IA: RCFL Review of (b)(6), (b)(7)(C) Imaged Hard Drive/09Jun06
- 78.) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Laptop
Computer/20Jun06
- 79.) IA: Seizure of Evidence from (b)(6), (b)(7)(C)
USMC/05Jun06
- 80.) IA: Review of Classified S2 (Intelligence) Thumb Drives From
3/1/05Jun06

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SUBJ: (b)(6), (b)(7)(C)

- 81.) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Laptop
Computer/21Jun06
- 82.) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Digital Camera and
Media Card/27Jun06
- 83.) IA: Seizure of Evidence from (b)(6), (b)(7)(C) USMC/06Jun06
- 84.) IA: RCFL Review of (b)(6), (b)(7)(C) Imaged Hard Drive/08-19Jun06
- 85.) IA: Recovery of Computer from (b)(6), (b)(7)(C) 06Jun06
- 86.) IA: RCFL Review of (b)(6), (b)(7)(C) Imaged Hard Drive and
Thumbdrive/13Jun06

- 87.) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Laptop Computer and Flashcard/08Jun06
- 88.) IA: Seizure of Evidence from (b)(6), (b)(7)(C) USMC/09Jun06
- 89.) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Desktop and External Hard Drive/13Jun06
- 90.) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Digital Camera/12Jun06
- 91.) IA: Seizure of Evidence from (b)(6), (b)(7)(C) USN/12Jun06
- 92.) IA: RCFL Review of (b)(6), (b)(7)(C) Laptop Computer/14Jun06
- 93.) IA: Seizure of Evidence from (b)(6), (b)(7)(C) USMC/13Jun06
- 94.) IA: RCFL Review of (b)(6), (b)(7)(C) Digital Camera and Media Card/13Jun06
- 95.) IA: Review of SIPRNET and NIPRNET E-mail Traffic (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) 20Jun06
- 96.) IA: Review of SIPRNET E-mail Traffic - 3/1 Fires/20Jun06
- 97.) IA: Review SIPRNET E-mail Traffic - 3/1 ISC/20Jun06
- 98.) IA: Receipt of Flashdrive/28Jul06
- 99.) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Lexmark 128 Flash Drive/03Aug06
- 100.) IA: Search of 3/1 Hard Drive Circa Dec05-Jan06/15Aug06
- 101.) Statement of (b)(6), (b)(7)(C) /16May06
- 102.) Statement of (b)(6), (b)(7)(C) un06

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SUBJ: (b)(6), (b)(7)(C)

103.) IA: Results of Telephonic Interview with (b)(6), (b)(7)(C) 20Jul06

TASKING SECTION (B):

Review of Reference (H) determined Exhibits listed below require clarification and specificity. Please address the following issues:

1.) Exhibit (17), listed as "Permissive Authorization for Search & Seizure (b)(6), (b)(7)(C) 11May06," requires a correlating IA. Such an IA was not received by 0023, nor was a clean copy of the Exhibit (the PASS) sent with Reference (H). In regards to the IA, please review, approve and officially transmit to Code 0023 and it will be received in the "Print Final" format (vice "Preview" format, which is not appropriate as an Exhibit to an ROI (INTERIM)). Additionally, mail clean copy of PASS to 0023. (Note: The PASS was faxed to Code 0023; however, the format is not appropriate as an Enclosure to said Exhibit.)

2.) Exhibit (38), listed as "Authorization to Release Account Information Voluntary Consent Form & Declaration (b)(6), (b)(7)(C) 25May06," requires a correlating IA. Such an IA has not been received by 0023, nor was the Exhibit (the Authorization) sent with Reference (H). Please review, approve and officially transmit IA and mail clean copy of Authorization.

3.) Exhibit (39), listed as "Consent to Search Form (b)(6), (b)(7)(C) 25May06," requires a correlating IA. Such an IA has not been received, nor was the Exhibit sent with Reference (H). Please transmit the IA and mail clean copy of Consent.

4.) Exhibit (49) is listed as "Statement of (b)(6), (b)(7)(C) 06Jun06" and Exhibit (170) is also listed as "Statement of (b)(6), (b)(7)(C) 06Jun06." Please confirm whether two (2) statements were taken from (b)(6), (b)(7)(C) on 06Jun06 or if this is a duplication error.

5.) Exhibit (72) is listed as "Statement of (b)(6), (b)(7)(C) 31May06" and Exhibit (139) is also listed as "Statement of (b)(6), (b)(7)(C) 31May06." Please confirm whether two (2) statements were taken from (b)(6), (b)(7)(C) on 31May06 or if this is a duplication error. Please note the statement for (b)(6), (b)(7)(C) received from MWPE is dated 26May06. Therefore, please further advise if a statement from (b)(6), (b)(7)(C) was also taken on 31May06. If so, it has not been received by 0023 and will need to be sent to 0023 for reporting purposes.

6.) Exhibit (73) is listed as "Statement of (b)(6), (b)(7)(C) 31May06" and Exhibit (138) is listed as "Statement of (b)(6), (b)(7)(C) 31May06." Please confirm whether two (2) statements were taken from (b)(6), (b)(7)(C) on 31May06 or if this is a duplication error.

7.) Exhibit (109) is listed as "IA: Attempted Re-Interview of (b)(6), (b)(7)(C) 24May06." An Exhibit with this title has not been received, nor was this Exhibit sent with Reference (H). Please provide a copy

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SUBJ: (b)(6), (b)(7)(C)

of the final draft of this IA so that it can be documented in a ROI (Interim).

8.) Exhibit (168) is listed as "IA: Results of Interview (b)(6), (b)(7)(C) 06Jun06." An Exhibit with this title has not been received, nor was this Exhibit sent with Reference (H). Please provide a copy of the final draft of this IA so that it can be documented in a ROI (Interim).

9.) Exhibit (169) is listed as "IA Results of Interview (b)(6), (b)(7)(C) 06Jun06." An Exhibit with this title has not been received, nor was this Exhibit sent with Reference (H). Please provide a copy of the final draft of this IA so that it can be documented in a ROI (Interim).

10.) Exhibit (177) is listed as "Statement of (b)(6), (b)(7)(C) /08Jun06." An Exhibit with this title has not been received, nor was this Exhibit sent with Reference (H). Please provide a copy of this statement so that it can be documented in a ROI (Interim).

11.) Exhibit (181) is listed as "Statement of (b)(6), (b)(7)(C) /09Jun06." An Exhibit with this title has not been received, nor was this Exhibit sent with Reference (H). Please provide a copy of this statement so that it can be documented in a ROI (Interim).

12.) Exhibit (191) is listed as "Statement of (b)(6), (b)(7)(C) 13Jun06." An Exhibit with this title has not been received, nor was this Exhibit sent with Reference (H). Please provide a copy of this statement so that it can be documented in a ROI (Interim).

13.) Exhibit (194) is listed as "IA: Contact with (b)(6), (b)(7)(C) 13Jun06." An IA with this title was not received; however, an IA with the title "IA: Attempted Interview of (b)(6), (b)(7)(C) USMC/13Jun06" was received without a correlating ROI (Action). Please advise if these IAs document the same investigative activity, but were changed when the final draft was submitted or if there is another IA matching the title listed in Exhibit (194) under Reference (H). In the event another IA exists with such a title, please review, approve, transmit, and provide a copy.

14.) Exhibits (203)-(206) are listed as "IA: Command Screening Interviews" (dates 26May-05Jun06). The foregoing Exhibits have not been received, nor were they sent with Reference (H). Please provide/transmit copies of these IAs so they can be documented in a ROI (Interim).

TASKING SECTION (C):

A manual review of what has been mailed by MWPE, but not reported to 0023 via a ROI (ACTION), revealed the items listed below have not been received by 0023 to date. Please provide a finalized, approved, and transmitted report of the following in an expeditious manner (for inclusion in the next ROI (Interim)):

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SUBJ: (b)(6), (b)(7)(C)

1.) An Investigative Action (IA) is needed for the four (4) Regional Computer Forensic Lab (RCFL) reports dated 08May06 and 18May06, which report the analysis of (b)(6), (b)(7)(C) (2) thumb drives. Although Reference (J) listed 4 RCFL reports as completed regarding (b)(6), (b)(7)(C) electronic media, an accompanying IA has not been received or listed in any ROI (Action) as an exhibit.

2.) An IA is needed for the seizure of (b)(6), (b)(7)(C) computer and other electronic media seized on 11May06. Although an undated PASS for (b)(6), (b)(7)(C) camera and memory card was received via fax, this will not suffice as an exhibit or an enclosure. Please send the dated copy of the PASS attached as an enclosure to an IA. (Note: An IA was submitted for the four (4) RCFL reports conducted on (b)(6), (b)(7)(C) computer, but not for the seizure.)

3.) An IA is needed for the seizure of (b)(6), (b)(7)(C) digital camera on 05Jun06. An IA for the seizure of evidence from (b)(6), (b)(7)(C) is listed as Exhibit 104 on Reference (J); however, a copy of the exhibit was not received. To date, an IA was submitted for the RCFL report conducted on (b)(6), (b)(7)(C) computer, but not received for the seizure. If a PASS or Command Authorization for Search and Seizure Warrant was utilized in the seizure of (b)(6), (b)(7)(C) digital camera, please include as enclosure to IA.

4.) An IA is needed for the RCFL reports dated 18May06 and 31Jun06, which reported the analysis of (b)(6), (b)(7)(C) computer. To date, such an IA has not been listed in any ROI (Action) as an exhibit.

5.) An IA is needed for the seizure of (b)(6), (b)(7)(C) laptop computer, digital camera, and other electronic media. To date, an IA has not been listed in any ROI (Action) as an exhibit. If a PASS or Command Authorization for Search and Seizure warrant was utilized in the seizure of (b)(6), (b)(7)(C) computer, camera and electronic media, please include as an enclosure to the IA.

6.) An IA is needed for the RCFL report dated 08Jun06, regarding (b)(6), (b)(7)(C) picture card. Please note, an IA was received for the seizure of (b)(6), (b)(7)(C) picture card and is titled, IA: Seizure of Evidence from (b)(6), (b)(7)(C) USMC, dated 05Jun06. Please do not confuse this request with the flash drive seized from (b)(6), (b)(7)(C) on 28Jul06, as the IAs for both the seizure and correlating RCFL report have been received.

7.) An IA is needed for the RCFL report dated 22Jun06, regarding the Scan Eagle UAV footage seized on 26May06. An IA was received for the seizure of the footage, but not for the RCFL report.

8.) An IA is needed for the RCFL report dated 29Jun06, regarding a CD-R seized from (b)(6), (b)(7)(C). To date, no ROI (Action) identifies (b)(6), (b)(7)(C) as a witness or explains what role he has within this investigation. Please submit both an applicable seizure IA and an IA regarding the RCFL report for the CD-R seized from (b)(6), (b)(7)(C).

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SUBJ: (b)(6), (b)(7)(C)

9.) An IA is needed for the RCFL report dated 08Jul06, regarding a hard drive seized from (b)(6), (b)(7)(C). Please note an IA was submitted for the seizure of evidence from (b)(6), (b)(7)(C).

10.) An IA is needed for the RCFL report dated 13Jul06, regarding a DVD-R labeled "RCT-2 Files" and seized from (b)(6), (b)(7)(C). Please note an IA was submitted for the seizure of evidence from

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

TASKING SECTION (D):

A manual review of the following items received from MWPE reveal titles that are non-specific and generic. Therefore, these items are easily confused for several other items submitted and should be clarified for future readers/recipients of investigative reports (e.g., trial/defense counsel, Congressional Inquiries, FOIA requests, etc.). Please change the titles of the following IAs for clarity and specificity (the date of the action is shown, not the date of the Exhibit as that is how reporting in the Interim will be conducted). Please note, an Interim report has been written and documented the items below, but cannot be transmitted until the foregoing investigative action is completed:

1.) Results of Permissive Authorization for Search and Seizure/02May06

Note: This IA is regarding (b)(6), (b)(7)(C) providing a PASS.

2.) Results of Computer Seizure/11May06

Note: This IA is regarding seizure of (b)(6), (b)(7)(C) computer.

3.) Acquisition/Disposition of Evidence/05Jun06

Note: This IA is regarding seizure of (b)(6), (b)(7)(C) electronic media.

4.) Acquisition/Disposition of Evidence/06Jun06

Note: This IA is regarding evidence seized from (b)(6), (b)(7)(C)

TASKING SECTION (E):

A manual review of the following items received from MWPE revealed only previewed drafts and/or non-transmitted items were received (i.e., only copies with SSD "preview" and numerals printed at the top of report pages have been submitted thus far). Please review, approve, transmit, and provide a final copy via mail in an expeditious manner of the following items. Please note, an Interim report has been written and documented the items below, but cannot be

transmitted until the foregoing investigative action is completed. As there will be various future readers/recipients of investigative reports the below items must be in the "final copy" format and transmitted in SSD:

1.) IA: Review of RCFL Examination of E-Mail and Internet Data (b)(6), (b)(7)(C) Computer/12Jun06

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SUBJ: (b)(6), (b)(7)(C)

2.) IA: Results of Evidence Seizure/16May06
(Note: As it reads, this IA is about weapons collected on 16May06 from (b)(6), (b)(7)(C) a Marine assigned to the 3/1 Armory. However, the IA does not state whom the weapons were issued to or why we collected the weapons. Therefore, please document the foregoing information in the IA and any additional relevant investigative information.)

3.) IA: CO Consent Provided to Search Gov't Equipment/17May06

4.) IA: Results of Permissive Authorization of Search and Seizure (b)(6), (b)(7)(C) /18May06

5.) IA: Results of Contact Regarding Gov't E-Mail Accounts for 3/1 During Deployment/19May06

6.) IA: Results of RCFL Review (b)(6), (b)(7)(C) Laptop, Mimi DV Camera, Media Card, Mini DV Tape/22JUN06

7.) IA: Review of Myspace (b)(6), (b)(7)(C) 02Jun06

8.) IA: Results of Review of Digital Camera (b)(6), (b)(7)(C) /20Jul06

9.) IA: Confirmation of NIPRNET Accounts from Iraq Deployments for Marines Assigned to 3/1/23May06

10.) IA: Confirmation of CONUS SIPRNET and NIPRNET Accounts for Marines Assigned to 3/1/23May06

11.) IA: Receipt of Recall Roster Detailing Contact Information and Personal E-Mail Accounts for Wives/23May06

12.) IA: Results of Contact (b)(6), (b)(7)(C) /23May06

13.) IA: Data Captured from CW's Computer for weeks of (b)(7)(D)
(b)(7)(D)

14.) IA: Receipt of Roster Listing 3/1 NIPRNET/SIPRNET Accounts

During Iraq Deployment and Confirmation of Preservation/26May06

- 15.) IA: Results of Support to NCIS Investigative Task Force-Iraq/26May06
- 16.) IA: Receipt of MSN Hotmail Records (b)(6), (b)(7)(C) /01Jun06
- 17.) IA: Receipt of Myspace (b)(6), (b)(7)(C) /01Jun06
- 18.) IA: Seizure of Evidence (b)(6), (b)(7)(C) /05Jun06
- 19.) IA: Seizure/Preservation of NIPRNET/SIPRNET E-Mail Accounts from Iraq for Marines Assigned to 3/1/01Jun06

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SUBJ: (b)(6), (b)(7)(C)

- 20.) IA: Seizure/Preservation of CONUS SIPRNET E-Mail Accounts for Marines Assigned to 3/1/25May06
- 21.) IA: Results of Review/Laptop Computer (b)(6), (b)(7)(C) /09Jun06
- 22.) IA: Receipt of RCT-2 Files and RCT-2 Watch Logs from Al Asad, Iraq/06Jun06
- 23.) IA: Receipt of CONUS NIPRNET/SIPRNET Banners from G-6, 1MARDIV, CPC/06Jun06
- 24.) IA: Results of Interview (b)(6), (b)(7)(C) /NIPRNET/SIPRNET Set-up and Maintenance Procedures/06Jun06
- 25.) IA: Recovery of Computer (b)(6), (b)(7)(C) /06Jun06
- 26.) IA: (b)(6), (b)(7)(C) rovided DD Form 2875 SAAR/08Jun06
- 27.) IA: SJA's Legal Opinion for NCIS to Proceed W/ Review of Classified E-Mail and other Classified Data SIPRNET E-Mail Extraction/09Jun06
- 28.) IA: Receipt of Information Assurance Training for 3/1 While on Deployment/12Jun06
- 29.) IA: Receipt of MIRC Logs and JENS for 3/1 During Iraq Deployment 14Jun06
- 30.) IA: JEN Logs Extraction/19Jun06
- 31.) IA: MIRC Chat Log Extraction/19Jun06

- 32.) IA: Review of SIPRNET E-Mail Traffic (b)(6), (b)(7)(C) /20Jun06
- 33.) IA: Review of SIPRNET E-Mail Traffic-3/1 ISC/20Jun06
- 34.) IA: Review of SIPRNET E-Mail Traffic-3/1 Fires/20Jun06
- 35.) IA: Results of Document and Compact Disc Review/23Jun06
- 36.) IA: Receipt of Medical Records from Naval Health Research Center
29Jun06
- 37.) IA: Receipt of Flashdrive/28Jun06
Note: This is regarding seizure of (b)(6), (b)(7)(C) flashdrive
- 38.) IA: Results of Interview (b)(6), (b)(7)(C) /12Jun06

TASKING SECTION (F):

A manual review of the following items received from MWPE revealed the enclosures listed on the IA have not been mailed or received in any manner. Please review, approve and provide a copy of all

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22SEP06

SUBJ: (b)(6), (b)(7)(C)

enclosures via mail in an expeditious manner of the following items. Please note, an Interim report has been written and documented the items below, but cannot be transmitted until the foregoing investigative action is completed. Please provide all IAs in a final format and not in a preview draft format:

- 1.) IA: Submission of Preservation Letters for Co-Subjects' E-Mail Accounts/12May06
- 2.) IA: Submission of Preservation Letters for Various E-Mail Accounts/12May06
- 3.) IA: Results of Contact with (b)(6), (b)(7)(C) 23May06
- 4.) IA: Data Captured from CW's Computer for weeks of (b)(7)(D)
- 5.) IA: Review of Personal Laptop (b)(6), (b)(7)(C) 05Jun06
- 6.) IA: Review of Classified S2 (Intelligence) Thumb Drives/05Jun06
- 7.) IA: Seizure of Additional 3/3 Computer Media/05Jun06
- 8.) IA: Receipt of NIPRNET/SIPRNET Banner for Systems Utilized in Theater During Iraq Deployment/15Jun06

9.) IA: Results of RCFL Review/128 Flashdrive/30Aug06

10.) IA: Results of Telephonic Interview 20Jul06

DISTRIBUTION:
NCISHQ (SI): 0023B
ACTION: MWPE

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REPORT OF INVESTIGATION (ACTION)

21SEP06

DEATH (II)

CONTROL: 13MAR06-MEJB-0164-7HMA/T

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

V/ALI, ABDUL HAMEED HUSIN/CIV
M/W/FNIZ/N//01JUL29/HADITHA, AL ANBAR PROVINCE, IRAQ
V/ALI, KHAMISA TUEMA/CIV
F/W/FNIZ/N//01JAN39/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, WALEED ABDALHAMID/CIV
M/W/FNIZ/N//01JAN68/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HAMEED, ABDULLAH WALEED ABDUL/CIV
M/W/FNIZ/N//06AUG01/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, GUHID ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, RASHEED ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, ASMAA SALMAN/CIV
F/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, YUNIS SALIM/CIV
M/W/FNIZ/N//01JAN62/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, AIDA YASIN/CIV
F/W/FNIZ/N//01MAR65/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, MOHMED YUNIS/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, NOOR SALIM/CIV
F/W/FNIZ/N//01JAN92/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, SEBEA YUNIS/CIV
F/W/FNIZ/N//03APR95/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, ZAINAB UNES/CIV
F/W/FNIZ/N//17JUN00/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, AISHA UNES/CIV
F/W/FNIZ/N//19MAR02/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, HUDA YASIN/CIV
F/W/FNIZ/N//01JAN66/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, JAMAL AIAD/CIV
M/W/FNIZ/N//16JUL66/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, JASIB AIAD/CIV
M/W/FNIZ/N//01JAN77/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, MARWAN AIAD/CIV
M/W/FNIZ/N//01JAN78/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, KAHTAN AIAD/CIV

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21SEP06

SUBJ: (b)(6), (b)(7)(C)

M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ
V/ALZAWI, KALED AIDA/CIV

M/W/FNIZ/N//01JAN85/HADITHA, AL ANBAR PROVINCE, IRAQ
V/ALZAWI, WAGDI AIDA/CIV

M/W/FNIZ/N//01JAN79/HADITHA, AL ANBAR PROVINCE, IRAQ
V/FLAEH, AKRAM HAMID/CIV

M/W/FNIZ/S///HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, MOHMED TABAL/CIV

M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ
V/MUSLEH, AHMED KHUTAR/CIV

M/W/FNIZ/N//01JAN76/HADITHA, AL ANBAR PROVINCE, IRAQ

COMMAND/I MEF, CAMP PENDLETON, CA/11931

MADE AT/0023/NCISHQ WASHINGTON DC (b)(6), (b)(7)(C) SPECIAL AGENT

NARRATIVE

1. On 19Nov05 at approximately 0716, members of 1st Squad, 3rd Platoon, Kilo Company, 3rd Battalion, 1st Marine Division (3/1), came under attack when an Improvised Explosive Device (IED) detonated and hit the fourth vehicle of their [redacted] vehicle convoy in Haditha, Iraq. As a result of the IED, the driver was killed, and the other (b)(7)(F) Marine occupants were injured. Following the attack on the convoy, members of 1st Squad reported they received small arms fire (SAF) from north and south of the IED blast site. Shortly before the convoy was struck by the IED, an oncoming white vehicle (taxi) was directed to pull off the roadway by Marines in the first vehicle. The white vehicle complied and the five (5) occupants from the vehicle exited the vehicle and were unarmed. Both (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) reportedly shot the five (5) male Iraqi occupants of the white vehicle. After the occupants of the white vehicle were shot, two (2) maneuver elements (fire teams) were formed consisting of members of 1st Squad. The teams searched and cleared houses for insurgents. During the searches and house clearings, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) were involved in the shooting and deaths of eighteen (18) additional Iraqi civilians. Another Iraqi civilian was shot and killed after he was engaged from a rooftop observation post (OP) occupied by the same members. When totaled, the titled subject and co-subjects killed twenty-four (24) Iraqi civilians, including women and children.

2. This case control office requests the following leads be conducted by NCISFO Carolinas:

ACTION

R.CALE: Locate and interview (b)(6), (b)(7)(C) USMC, SS# [redacted]
----- regarding his knowledge of USMC, 3/1.
Specifically, ----- has been identified as a potential witness

because he was a HET member deployed in Fallujah, Iraq with (b)(6), (b)(7)(C) prior to the deaths of those involved in this investigation. During their deployment in Fallujah, there was reportedly a Command investigation, (unknown if it was conducted by the Marine Corps or

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PAGE 2

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21SEP06

SUBJ: (b)(6), (b)(7)(C)

U.S. Army), wherein (b)(6), (b)(7)(C) was allegedly investigated for possibly wrongfully shooting/killing an Iraqi civilian. Therefore, interview (b)(6), (b)(7)(C) about the foregoing allegation and his knowledge, if any, regarding the events that occurred in Haditha, Iraq on 19Nov05. (b)(6), (b)(7)(C) home address is Barracks #1340, Room [] Camp Lejeune, NC, 28542. cellular telephone number is [] Report all results and conduct any logical follow-on investigative actions.

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ACTION: CALE

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REPORT OF INVESTIGATION (ACTION)

15SEP06

DEATH (II)

CONTROL: 13MAR06-MEJ-0164-7HMA

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

V/ALI, ABDUL HAMEED HUSIN/CIV
F/W/FNIZ/N//01JUL29/HADITHA AL ANBAR CITY, IRAQ
V/ALI, KHAMISA TUEMA/CIV
F/W/FNIZ/N//01JAN39/HADITHA AL ANBAR CITY, IRAQ
V/HASAN, WALEED ABDALHAMID/CIV
M/W/FNIZ/N//01JAN68/HADITHA AL ANBAR CITY, IRAQ
V/HAMEED, ABDULLAH WALEED ABDUL /CIV
M/W/FNIZ/N//06AUG01/HADITHA AL ANBAR CITY, IRAQ
V/HASAN, GUHID ABDALHAMID/CIV
M/W/FNIZ/N//HADITHA AL ANBAR CITY, IRAQ
V/HASAN, RASHEED ABDALHAMID/CIV
M/W/FNIZ/N//HADITHA AL ANBAR CITY, IRAQ
V/RASIF, ASMAA SALMAN/CIV
F/W/FNIZ/N//HADITHA AL ANBAR CITY, IRAQ
V/RASIF, YUNIS SALAM/CIV
M/W/FNIZ/N//01JAN62/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, AIDA YASIN/CIV
F/W/FNIZ/N//01MAR65/HADITHA AL ANBAR CITY, IRAQ
V/SALIM, MOHMED YUNIS/CIV
M/W/FNIZ/N//HADITHA AL ANBAR CITY, IRAQ
V/RASIF, NOOR SALIM/CIV
F/W/FNIZ/N//01JAN92/HADITHA AL ANBAR CITY, IRAQ
V/SALIM, SEBEA YUNIS/CIV
F/W/FNIZ/N//03APR95/HADITHA AL ANBAR CITY, IRAQ
V/SALIM, ZAINAB UNES/CIV
F/W/FNIZ/N//17JUN00/HADITHA AL ANBAR CITY, IRAQ
V/SALIM, AISHA UNES/CIV
F/W/FNIZ/N//19MAR02/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, HUDA YASIN/CIV
F/W/FNIZ/N//01JAN66/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, JAMAL AIAD/CIV
M/W/FNIZ/N//16JUL66/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, JASIB AIAD/CIV
M/W/FNIZ/N//01JAN77/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, MARWAN AIAD/CIV
M/W/FNIZ/N//01JAN78/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, KAHTAN AIAD/CIV

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13MAR06-MEBJ-0164-7HMA

15SEP06

SUBJ: (b)(6), (b)(7)(C)

M/W/FNIZ/N//01JAN84/HADITHA AL ANBAR CITY, IRAQ
 V/ALZAWI, KALED AIDA/CIV
 M/W/FNIZ/N//01JAN85/HADITHA AL ANBAR CITY, IRAQ
 V/ALZAWI, WAGDI AIDA/CIV
 M/W/FNIZ/N//01JAN79/HADITHA AL ANBAR CITY, IRAQ
 V/FLAEH, AKRAM HAMID/CIV
 M/W/FNIZ/S///HADITHA AN ALBAR CITY, IRAQ
 V/AHMED, MOHMED TABAL/CIV
 M/W/FNIZ/N//01JAN84/HADITHA AL ANBAR CITY, IRAQ
 V/MUSLEH, AHMED KHUTAR/CIV
 M/W/FNIZ/N//01JAN76/HADITHA AL ANBAR CITY, IRAQ

COMMAND/I MEF/11931

MADE AT/MWPE/CAMP PENDLETON CA (b)(6), (b)(7)(C) SPECIAL AGENT

NARRATIVE

1. On 19Nov05, at approximately 0715, members of 1st Squad, 3rd Platoon, Kilo Company, 3rd Battalion, 1st Marines, 1st Marine Division, came under attack by insurgents, who detonated an Improvised Explosive Device (IED) on their convoy in Haditha, Iraq. The convoy consisted of [redacted] vehicles, of which the fourth vehicle was hit. As a result of the IED, the driver was killed, and the other [redacted] occupants were injured. Following the attack on the convoy, members of 1st Squad reported that they came under small arms fire (SAF) from the south and north of the IED site. Just ahead of the Marine convoy was a white car with five Iraqi civilian occupants. All of these occupants exited the car, unarmed, and were reportedly shot by (b)(6), (b)(7)(C) After the engagement with the white car, two small maneuver elements (teams) were formed, consisting of members of 1st Squad. The two teams began searching houses for insurgents involved in the coordinated attack. During the searches, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) were involved in the shooting deaths of an additional eighteen (18) Iraqi civilians. Another Iraq civilian was also shot and killed after he was engaged from a rooftop observation post (OP) occupied by the same members. At the end of the day, twenty-four (24) Iraqi civilians were killed by Marines from 1st Squad, including four women and six children.

2. On 05Jun06, (b)(6), (b)(7)(C) USMC, provided NCIS agents a Permissive Authorization for Search and Seizure for review of his HP Pavilion ZE2000 laptop computer for any electronic files or photographs pertaining to the events of 19Nov05 in Haditha, Iraq. This computer was subsequently transferred from NCISFO Camp Lejeune, N.C., to NCISFO Marine Corps West and entered into the NCISFO Marine Corps West Evidence Repository System, under log number 377-06. After forensic review of his computer by the Regional Computer

Forensic Lab (RCFL), San Diego, CA., it was determined there were pertinent files relating to this investigation located on the computer. The hard drive (HD) for this computer was removed and copied. The copy of the original HD was placed back into the laptop

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PAGE 2

13MAR06-MEBJ-0164-7HMA

15SEP06

SUBJ: (b)(6), (b)(7)(C)

with the pertinent images redacted. The original HD is currently being held and will remain in evidence at Camp Pendleton, CA.

3. On 06Jun06, (b)(6), (b)(7)(C) USMC, provided NCIS agents a Permissive Authorization for Search and Seizure for review of his Compaq Presario V2000 laptop computer, and a Hama thumb drive for any electronic files or photographs pertaining to the events of 19Nov05 in Haditha, Iraq. This computer was subsequently transferred from NCISRA Twenty-nine Palms to NCSFO Marine Corps West and entered into the NCISFO Marine Corps West Evidence Repository System, under log number 336-06. After forensic review of his computer by RCFL, it was determined there were pertinent files relating to this investigation located on the computer. The hard drive (HD) for this computer was removed and copied. The copy of the original HD was placed back into the laptop with the pertinent images redacted. The original HD is currently being held and will remain in evidence at Camp Pendleton, CA. There were no pertinent files located on the thumb drive.

ACTION

R.CALE: Please receive (b)(6), (b)(7)(C) computer from MWPE and provide it to (b)(6), (b)(7)(C) USMC, at New River, N.C., for return to (b)(6), (b)(7)(C). Obtain a signed receipt for the return of the computer.

R.MWTN: Please receive (b)(6), (b)(7)(C) computer and thumb drive from MWPE and return it to him. (b)(6), (b)(7)(C) can be reached at (b)(6), (b)(7)(C). Any questions can be directed to SA (b)(6), (b)(7)(C). Obtain a signed receipt for the returned computer.

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ACTION: CALE/MWTN
INFO: MWPE/24D/24D5

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REPORT OF INVESTIGATION (ACTION)

15SEP06

DEATH (II)

CONTROL: 13MAR06-MEJ-0164-7HMA

(b)(6). (b)(7)(C)

V/ALI, ABDUL HAMEED HUSIN/CIV
F/W/FNIZ/N//01JUL29/HADITHA AL ANBAR CITY, IRAQ
V/ALI, KHAMISA TUEMA/CIV
F/W/FNIZ/N//01JAN39/HADITHA AL ANBAR CITY, IRAQ
V/HASAN, WALEED ABDALHAMID/CIV
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V/HAMEED, ABDULLAH WALEED ABDUL /CIV
M/W/FNIZ/N//06AUG01/HADITHA AL ANBAR CITY, IRAQ
V/HASAN, GUHID ABDALHAMID/CIV
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V/RASIF, ASMAA SALMAN/CIV
F/W/FNIZ/N///HADITHA AL ANBAR CITY, IRAQ
V/RASIF, YUNIS SALAM/CIV
M/W/FNIZ/N//01JAN62/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, AIDA YASIN/CIV
F/W/FNIZ/N//01MAR65/HADITHA AL ANBAR CITY, IRAQ
V/SALIM, MOHMED YUNIS/CIV
M/W/FNIZ/N///HADITHA AL ANBAR CITY, IRAQ
V/RASIF, NOOR SALIM/CIV
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V/SALIM, SEBEA YUNIS/CIV
F/W/FNIZ/N//03APR95/HADITHA AL ANBAR CITY, IRAQ
V/SALIM, ZAINAB UNES/CIV
F/W/FNIZ/N//17JUN00/HADITHA AL ANBAR CITY, IRAQ
V/SALIM, AISHA UNES/CIV
F/W/FNIZ/N//19MAR02/HADITHA AL ANBAR CITY, IRAQ
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V/AHMED, JAMAL AIAD/CIV
M/W/FNIZ/N//16JUL66/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, JASIB AIAD/CIV
M/W/FNIZ/N//01JAN77/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, MARWAN AIAD/CIV
M/W/FNIZ/N//01JAN78/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, KAHTAN AIAD/CIV

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15SEP06

SUBJ: (b)(6), (b)(7)(C)

M/W/FNIZ/N//01JAN84/HADITHA AL ANBAR CITY, IRAQ
 V/ALZAWI, KALED AIDA/CIV
 M/W/FNIZ/N//01JAN85/HADITHA AL ANBAR CITY, IRAQ
 V/ALZAWI, WAGDI AIDA/CIV
 M/W/FNIZ/N//01JAN79/HADITHA AL ANBAR CITY, IRAQ
 V/FLAEH, AKRAM HAMID/CIV
 M/W/FNIZ/S//HADITHA AN ALBAR CITY, IRAQ
 V/AHMED, MOHMED TABAL/CIV
 M/W/FNIZ/N//01JAN84/HADITHA AL ANBAR CITY, IRAQ
 V/MUSLEH, AHMED KHUTAR/CIV
 M/W/FNIZ/N//01JAN76/HADITHA AL ANBAR CITY, IRAQ

COMMAND/I MEF/11931

MADE AT/MWPE/CAMP PENDLETON CA (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S)

- (A) NCISHQ ROI (ACTION)/20Jun06
- (B) 24D5 ROI (ACTION)/30Jun06...(Contains Exhibits 1-27)
- (C) 24D5 ROI (ACTION)/25Jul06...(Contains Exhibits 28-36)
- (D) 24D5 ROI (ACTION)/29Aug06...(Contains Exhibits 37-39)

EXHIBIT(S)

- (40) Attempts to Obtain User Agreements for NIPRnet/SIPRnet Email Accounts Utilized by Marines Assigned to 3rd Battalion, 1st Marine Regiment/11Sep06...(Copy All)
- (41) IA: Receipt of External Hard Drive Containing SIPRnet Email Accounts for 3/1 Watch Officer and 3/1 Watch Chief from Iraq Deployment/05Jul06...(Copy All)

NARRATIVE

1. Subsequent to the lead tasking set forth in Reference (A), Special Agents (SAs) (b)(6), (b)(7)(C) reported the results of numerous leads in References (B), (C), and (D). Subsequent to the reporting of References (B) through (D), additional investigative effort has been completed.
2. On 08Jun06, CPL (b)(6), (b)(7)(C) USMC, Data Chief, S-6, 3rd Battalion, 1st Marine Regiment (3/1), reported he had maintained user agreements for NIPRnet and SIPRnet accounts for Marines assigned to 3/1. Numerous attempts were made with CPL (b)(6), (b)(7)(C) and MSGT (b)(6), (b)(7)(C) USMC, Communications Chief, S-6, 3/1, to obtain these signed user agreements. However, according to MSGT (b)(6), (b)(7)(C) on 07Sep06, they have not been able to locate these documents; Exhibit (40) pertains.
3. On 05Jul06, a 4 gigabyte hard drive was received, which contained the SIPRnet email accounts for the 3/1 Watch Officer and the 3/1

Watch Chief. These email accounts were requested a second time due to the original copy of these email accounts, which were received on 06Jun06, were corrupt and unreadable; Exhibit (41) pertains. Lead tasking is complete.

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15SEP06

SUBJ: (b)(6), (b)(7)(C)

PARTICIPANT(S)

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

Retired Special Agent Pac Cyber Division, San Diego, CA
Special Agent Pac Cyber Division, RCFL San Diego, CA
Special Agent Pac Cyber Division, San Diego, CA

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INFO: MWFO/24D/24D5

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

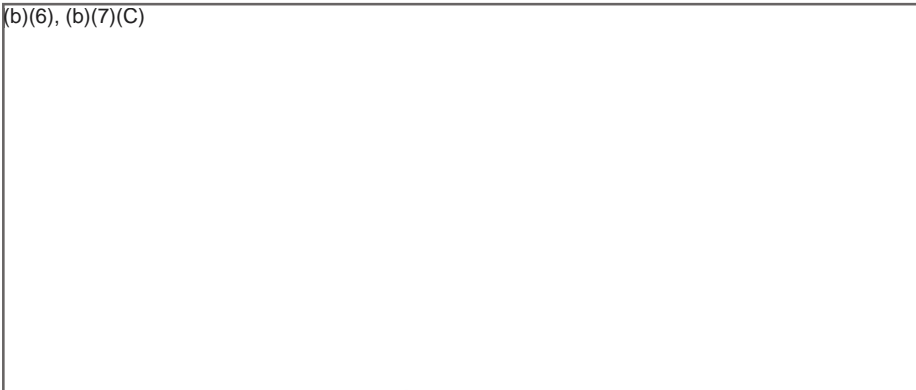
REPORT OF INVESTIGATION (INTERIM)

12SEP06

DEATH (II)

CONTROL: 13MAR06-MEJ-0164-7HMA/T

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



V/ALI, ABDUL HAMEED HUSIN/CIV
M/W/FNIZ/N//01JUL29/HADITHA, AL ANBAR PROVINCE, IRAQ
V/ALI, KHAMISA TUEMA/CIV
F/W/FNIZ/N//01JAN39/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, WALEED ABDALHAMID/CIV
M/W/FNIZ/N//01JAN68/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HAMEED, ABDULLAH WALEED ABDUL/CIV
M/W/FNIZ/N//06AUG01/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, GUHID ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, RASHEED ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, ASMAA SALMAN/CIV
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V/RASIF, YUNIS SALIM/CIV
M/W/FNIZ/N//01JAN62/HADITHA, AL ANBAR PROVINCE, IRAQ
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F/W/FNIZ/N//01MAR65/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, MOHMED YUNIS/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, NOOR SALIM/CIV
F/W/FNIZ/N//01JAN92/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, SEBEA YUNIS/CIV
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V/SALIM, ZAINAB UNES/CIV
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V/SALIM, AISHA UNES/CIV
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V/AHMED, HUDA YASIN/CIV
F/W/FNIZ/N//01JAN66/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, JAMAL AIAD/CIV
M/W/FNIZ/N//16JUL66/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, JASIB AIAD/CIV
M/W/FNIZ/N//01JAN77/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, MARWAN AIAD/CIV
M/W/FNIZ/N//01JAN78/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, KAHTAN AIAD/CIV

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICEM/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ
V/ALZAWI, KALED AIDA/CIVM/W/FNIZ/N//01JAN85/HADITHA, AL ANBAR PROVINCE, IRAQ
V/ALZAWI, WAGDI AIDA/CIVM/W/FNIZ/N//01JAN79/HADITHA, AL ANBAR PROVINCE, IRAQ
V/FLAEH, AKRAM HAMID/CIVM/W/FNIZ/S///HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, MOHMED TABAL/CIVM/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ
V/MUSLEH, AHMED KHUTAR/CIV

M/W/FNIZ/N//01JAN76/HADITHA, AL ANBAR PROVINCE, IRAQ

COMMAND/I MEF, CAMP PENDLETON, CA/11931

MADE AT/0023/NCISHQ WASHINGTON DC (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCES

- (A) NCISHQ Washington DC ROI (INTERIM)/12Apr06 (Contains Exhibits 1-57)
- (B) NCISHQ Washington DC ROI (INTERIM)/05Jun06 (Contains Exhibits 58-107)
- (C) NCISHQ Washington DC ROI (INTERIM)/20Jun06 (Contains Exhibits 108-227)
- (D) NCISHQ Washington DC ROI (INTERIM)/03Aug06 (Contains Exhibits 228-380)
- (E) NCISFO Marine Corps West CASE FILE: I/MARCENT/TAMPA, FALSE REPORTING AND POTENTIAL COVERUP REGARDING LAW OF ARMED CONFLICT VIOLATIONS IN HADITHA, IRAQ/CCN: 02AUG06-MWPE-0185-7XMA

EXHIBITS

- (381) IA: Results of Review of Photographs and Video Provided by (b)(6), (b)(7)(C) 30Mar06... (Orig 0023/Copy MWPE)
- (382) IA: Results of Permissive Authorization for Search and Seizure (b)(6), (b)(7)(C) /02May06... (Orig 0023/Copy MWPE)
- (383) IA: Details of Voicemail Message Left by (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) 03May06... (Orig 0023/Copy MWPE)
- (384) Statement of (b)(6), (b)(7)(C) /CIV/18May06... (Orig 0023/Copy MWPE)
- (385) IA: Results of Computer Examination (b)(6), (b)(7)(C) 11May06... (Orig 0023/Copy MWPE)
- (386) IA: RCFL Review of (b)(6), (b)(7)(C) Sony PSP and Sandisk Memory Stick/19May06... (Orig 0023/Copy MWPE)
- (387) IA: Results of Computer Seizure (b)(6), (b)(7)(C) 11May06... (Orig 0023/Copy MWPE)
- (388) IA: RCFL Review of (b)(6), (b)(7)(C) Laptop Computer/18May06... (Orig 0023/Copy MWPE)
- (389) IA: Review of RCFL's Examination of E-mail & Internet Data for (b)(6), (b)(7)(C) Computer/12Jun06... (Orig 0023/Copy MWPE)
- (390) IA: Submission of Preservation Letters For Co-Subjects' E-mail Accounts/12May06... (Orig 0023/Copy MWPE)
- (391) IA: Submission of Preservation Letters for Various E-mails Accounts/12May-13Jun06... (Orig 0023/Copy MWPE)
- (392) IA: Results of Evidence Seizure (b)(6), (b)(7)(C) /16May06... (Orig

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- (393) IA: CO Consent Provided to Search Government Equipment/17May06... (Orig 0023/Copy MWPE)
- (394) Statement of (b)(6), (b)(7)(C) 18May06... (Orig 0023/Copy MWPE)
- (395) IA: Contact with (b)(6), (b)(7)(C) 19May06... (Orig 0023/Copy MWPE)
- (396) IA: Results of Permissive Authorization of Search and Seizure for (b)(6), (b)(7)(C) 18May06... (Orig 0023/Copy MWPE)
- (397) IA: RCFL Review of (b)(6), (b)(7)(C) Laptop Computer and Other Media/23May and 19Jul06... (Orig 0023/Copy MWPE)
- (398) IA: Results of Contact with (b)(6), (b)(7)(C) USMC, Regarding Government E-mail Accounts for 3/1 During Deployment/19May06... (Orig 0023/Copy MWPE)
- (399) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Laptop, Mini DV Camera, Media Card, and Mini DV Tape/18May-22Jun06... (Orig 0023/Copy MWPE)
- (400) IA: Results of a Cyber Profile (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) 19May06... (Orig 0023/Copy MWPE)
- (401) IA: Receipt of MYSPACE Records for (b)(6), (b)(7)(C) USMC/01Jun06... (Orig 0023/Copy MWPE)
- (402) IA: Review of (b)(6), (b)(7)(C) MYSPACE.COM DATA/02Jun06... (Orig 0023/Copy MWPE)
- (403) IA: Results of a Cyber Profile (b)(6), (b)(7)(C) USMC; (b)(6), (b)(7)(C) USMC/19May06... (Orig 0023/Copy MWPE)
- (404) IA: Results of a Cyber Profile (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) USMC/19May06... (Orig 0023/Copy MWPE)
- (405) IA: Results of Cyber Profile (b)(6), (b)(7)(C) USMC/26May06... (Orig 0023/Copy MWPE)
- (406) IA: Results of Cyber Profile (b)(6), (b)(7)(C) USMC/05Jun06... (Orig 0023/Copy MWPE)
- (407) IA: Results of Cyber Profile (b)(6), (b)(7)(C) USMC/05Jun06... (Orig 0023/Copy MWPE)
- (408) IA: Results of Cyber Profiles on Selected I MEF Marines/05-07Jun06... (Orig 0023/Copy MWPE)
- (409) IA: Seizure of Evidence from (b)(6), (b)(7)(C) USMC/19May06... (Orig 0023/Copy MWPE)
- (410) IA: RCFL Review of (b)(6), (b)(7)(C) Laptop Computer/21May06... (Orig 0023/Copy MWPE)
- (411) IA: Seizure of Stored NMCI E-Mail/Data Files/18-19May06... (Orig 0023/Copy MWPE)
- (412) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Digital Media/20May & 20Jul06... (Orig 0023/Copy MWPE)
- (413) IA: RCFL Review of (b)(6), (b)(7)(C) Digital Camera and Media Card/20May06... (Orig 0023/Copy MWPE)
- (414) IA: Confirmation of NIPRNET Accounts From Iraq Deployment For Marines Assigned to 3/1/23May06... (Orig 0023/Copy MWPE)
- (415) Statement of (b)(6), (b)(7)(C) 08Jun06... (Orig 0023/Copy MWPE)
- (416) IA: Confirmation of CONUS SIPRNET and NIPRNET Accounts for Marines Assigned to 3/1/23May06... (Orig 0023/Copy MWPE)
- (417) IA: Receipt of Recall Roster Detailing Contact Information and Personal E-mail Accounts for the Wives of Marines Assigned to 3/1/23May06... (Orig 0023/Copy MWPE)

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- (418) IA: Seizure of Evidence from (b)(6), (b)(7)(C)
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- (419) IA: RCFL Review of (b)(6), (b)(7)(C) Digital Camera and Picture
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- (420) IA: Results of Oral Wire Intercept/25May06... (Orig 0023/Copy
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- (421) IA: Data Captured From CW in NW for the Week of (b)(7)(D)
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- (422) IA: Data Captured From CW's Computer for the Weeks of (b)(7)(D)
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- (423) IA: Obtaining a Permissive Search for (b)(6), (b)(7)(C) Computer
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- (424) IA: RCFL Review of (b)(6), (b)(7)(C) Imaged Hard Drive/(9-
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- (425) IA: Liaison with VMU-1/15May06... (Orig 0023/Copy MWPE)
- (426) IA: Contact with (b)(6), (b)(7)(C) 24May06... (Orig 0023/Copy MWPE)
- (427) IA: Recovery of Scan Eagle Video Footage From VMU-
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- (428) IA: Receipt of Roster Listing 3/1 NIPRNET/SIPRNET Accounts
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- (429) IA: Results of Support to NCIS Investigative Task Force-
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- (430) IA: Results of Oral Wire Intercept/31May06... (Orig 0023/Copy
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- (431) IA: Results of Consensual Wire Intercepts/03Jun06... (Orig
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- (432) IA: Receipt of MSN Hotmail Records for (b)(6), (b)(7)(C)
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- (433) IA: Seizure/Preservation of NIPRNET E-mail and SIPRNET Accounts
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- (434) IA: Seizure/Preservation of CONUS NIPRNET E-mail Accounts for
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- (435) IA: Seizure/Preservation of CONUS SIPRNET E-mail Accounts for
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- (436) IA: Seizure of Evidence from (b)(6), (b)(7)(C)
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- (437) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Computer and Other
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- (438) IA: Seizure of Evidence from (b)(6), (b)(7)(C)
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- (439) IA: RCFL Review of (b)(6), (b)(7)(C) Imaged Hard Drive and Media
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- (440) IA: Seizure of Evidence From (b)(6), (b)(7)(C) CIV/05Jun06... (Orig
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- (441) IA: RCFL Review of CIV (b)(6), (b)(7)(C) Digital
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- (442) Statement of (b)(6), (b)(7)(C) 05Jun06... (Orig 0023/Copy MWPE)
- (443) IA: Seizure of Evidence from (b)(6), (b)(7)(C) /05Jun06... (Orig
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- (444) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Laptop
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- (445) IA: Seizure of Evidence from (b)(6), (b)(7)(C)
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- (446) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Laptop
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- (447) Statement of (b)(6), (b)(7)(C) 05Jun06... (Orig 0023/Copy MWPE)
- (448) IA: Seizure of Evidence from (b)(6), (b)(7)(C)
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- (449) IA: RCFL Review of (b)(6), (b)(7)(C) Imaged Hard
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- (450) IA: Acquisition/Disposition of Evidence (b)(6), (b)(7)(C) 05Jun06... (Orig
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- (451) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Laptop
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- (452) IA: Seizure of Evidence from (b)(6), (b)(7)(C)
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- (453) IA: Acquisition/Disposition of
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- (454) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Laptop
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- (455) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Digital Camera and
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- (456) IA: Seizure of Evidence from (b)(6), (b)(7)(C)
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- (457) IA: RCFL Review of (b)(6), (b)(7)(C) Imaged Hard Drive/08-
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- (458) IA: Recovery of Computer from (b)(6), (b)(7)(C)
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- (459) IA: RCFL Review of (b)(6), (b)(7)(C) Imaged Hard Drive and
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- (460) IA: Seizure of Laptop Computer from (b)(6), (b)(7)(C)
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- (461) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Laptop
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- (462) IA: Seizure of Evidence from (b)(6), (b)(7)(C)
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- (463) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Desktop and External Hard
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- (464) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Digital
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- (465) IA: Seizure of Evidence from (b)(6), (b)(7)(C)
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- (466) IA: RCFL Review of (b)(6), (b)(7)(C) Laptop Computer/14Jun06... (Orig
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- (467) IA: Seizure of Evidence from (b)(6), (b)(7)(C)
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- (468) IA: RCFL Review of (b)(6), (b)(7)(C) Digital Camera and Media
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- (469) IA: Results of Document and Compact Disc Review/23Jun06... (Orig
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- (470) IA: Receipt of Medical Records From Naval Health Research
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- (471) IA: Receipt of Flashdrive/28Jul06... (Orig 0023/Copy MWPE)
- (472) IA: Results of RCFL Review of (b)(6), (b)(7)(C) Lexmark 128 Flash

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- Drive/ 03Aug06... (Orig 0023/Copy MWPE)
- (473) IA: Receipt of Information from Yahoo! and Photobucket/02Aug06... (Orig 0023/Copy MWPE)
- (474) Statement of (b)(6), (b)(7)(C) 5May06... (Orig 0023/Copy MWPE)
- (475) Statement of (b)(6), (b)(7)(C) 2JUN06... (Orig 0023/Copy MWPE)
- (476) Statement of (b)(6), (b)(7)(C) 7/03Jun06... (Orig 0023/Copy MWPE)
- (477) Statement of (b)(6), (b)(7)(C) 5Jun06... (Orig 0023/Copy MWPE)
- (478) Statement of (b)(6), (b)(7)(C) 5Jun06... (Orig 0023/Copy MWPE)
- (479) Statement of (b)(6), (b)(7)(C) Jun06... (Orig 0023/Copy MWPE)
- (480) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
- (481) Statement of (b)(6), (b)(7)(C) Jun06... (Orig 0023/Copy MWPE)
- (482) Statement of (b)(6), (b)(7)(C) 8Jun06... (Orig 0023/Copy MWPE)
- (483) Statement of (b)(6), (b)(7)(C) /09Jun06... (Orig 0023/Copy MWPE)
- (484) IA: Results of Interview with (b)(6), (b)(7)(C) USMC/12Jun06... (Orig 0023/Copy MWPE)
- (485) Statement of (b)(6), (b)(7)(C) /13Jun06... (Orig 0023/Copy MWPE)
- (486) IA: Results of Contact with ATK Ammunition Supplier/23-26Jun06... (Orig 0023/Copy MWPE)
- (487) IA: Results of Attempts to Interview (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) 10Jul06... (Orig 0023/Copy MWPE)
- (488) IA: Results of Telephonic Interview with (b)(6), (b)(7)(C) /20Jul06... (Orig 0023/Copy MWPE)
- (489) IA: Results of Interview of USMC/20Jul06... (Orig 0023/Copy MWPE)
- (490) IA: Results of Exhumation Meeting at FOB Prosperity/25Aug06... (Orig 0023/Copy MWPE)
- (491) IA: Victim Photographs/07Sep06... (Orig 0023/Copy MWPE)

EXECUTIVE SUMMARY

1. On 19Nov05 at approximately 0716, 1st Squad, 3rd Platoon, Kilo Company, 3rd Battalion (3DBN), 1st Marine Division (MARDIV), I Marine Expeditionary Force (MEF) (3/1), and (b)(7)(D) Iraqi Security Forces (ISF) members were traveling in a convoy on Route "Chestnut" in Haditha, Al Anbar Province, Iraq, when they received a complex attack (i.e., an attack wherein the enemy strikes in more than one manner). Specifically, the fourth High Mobility Multi-Wheel Vehicle (HMMWV) was struck by an improvised explosive device (IED) reportedly followed by small arms fire (SAF) from the south. The complex attack resulted in one (1) friendly killed in action (FKIA) and friendlies wounded in action (FWIA). The Marines in the convoy immediately responded to the explosion by dismounting their vehicles, attending to the injured, and securing the perimeter. According to the Marines involved, they received SAF after the explosion. Consequently, they broke into fire teams, searched/cleared homes in the area, and identified detainees. Over a period of several hours, (b)(6), (b)(7)(C) and co-subjects' actions resulted in the deaths of twenty-four (24) Iraqi civilians and two (2) injured Iraqi children. In the evening hours of 19Nov05, Marines from 3/1 conducted a battle damage assessment (BDA) and transported the dead to the Haditha hospital morgue.

2. On 20Nov05, the 2d Marine Division issued a press release that reported the attack on 19Nov05 as resulting in the deaths of one (1) Marine, fifteen (15) Iraqi civilians, and eight (8) insurgents. On

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10Feb06, a TIME magazine reporter contacted the Multi-National Corps-Iraq (MNC-I) regarding information he received from a Sunni-based group that alleged Marines from 3/1 wrongfully killed twenty-four (24) Iraqi civilians on 19Nov05. The Sunni group supported the allegation with video footage that contained images of the dead at the Haditha hospital morgue before the bodies were released to family members on 20Nov05.

3. On 14Feb06, Lieutenant General (b)(6), (b)(7)(C) USA, MNC-I directed a U.S. Army administrative inquiry (AR 15-6) and appointed COL (b)(6), (b)(7)(C) USA, as the Investigating Officer (IO). On 03Mar06, COL (b)(6), (b)(7)(C) submitted the results of the investigation, revealing that as a result of the 19NOV05 incident, Iraqi civilians (men, women, and children) were killed. MNC-I in turn recommended further investigation by the Army's Criminal Investigation Division (CID) or the Naval Criminal Investigative Service (NCIS).

4. On 12Mar06, Major General (b)(6), (b)(7)(C) USMC, Commanding General, I MEF (Forward) and MNF-W, requested NCIS conduct a criminal investigation regarding the Iraqi civilians killed by Kilo Company Marines of 3/1 on 19Nov05. On 13Mar06, NCIS initiated the investigation and a team of agents traveled to the Forward Operating Base (FOB) Haditha Dam, Iraq.

5. On 17Mar06, Multi-National Force-Iraq (MNF-I) issued a press release announcing there would be a second AR 15-6 investigation regarding potential misconduct by the Marines after the IED attack in Haditha. On 19Mar06, Lieutenant General (b)(6), (b)(7)(C) appointed Major General (b)(6), (b)(7)(C) USA, as the IO for the second AR 15-6 investigation. Emphasis was to be on the training and preparation of the Marines prior to engagement and the reporting of information concerning 19Nov05 at all levels of the chain-of-command from patrol through MNF-W and MNC-I.

6. As reported under References (A)-(D), initial investigative efforts included a preliminary death scene examination; interviews, interrogations, re-interrogations of several 3/1 Marines; and interviews of numerous Iraqi witnesses. The results of the foregoing investigative efforts are as follows:

a. IED BLAST: On 19Nov05 between 0700 and 0716, a []-vehicle convoy of Kilo Company, 3/1, was ambushed in Haditha, Iraq, in a coordinated attack involving an IED and reported SAF while traveling with ISF personnel, killing one (1) Marine and wounding (b)(7)(F)

b. TAXI (5 killed): Moments before the attack, the lead vehicle in the convoy motioned an approaching taxi to the side of the road. When the IED detonated soon thereafter, the Marines dismounted, prepared a defensive position, and began to render aid to the wounded. The taxi's five (5) occupants exited the vehicle and according to U.S. and Iraqi witnesses, were shot by (b)(6), (b)(7)(C) as they stood, unarmed, next to the vehicle approximately ten (10) feet in front of him. (b)(6), (b)(7)(C) later told (b)(6), (b)(7)(C) who witnessed the shooting, to say, if questioned, that the Iraqis had attempted to

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flee and were shot by ISF personnel. (b)(6), (b)(7)(C) admits to shooting the five (5) bodies on the ground after (b)(6), (b)(7)(C) initially shot them. (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) also walked over to the bodies and shot the five (5) Iraqi males again, while standing within a foot of them.

c. HOUSE #1 (6 killed): A quick reaction force (QRF), led by (b)(6), (b)(7)(C) USMC, arrived at the IED blast site within fifteen (15) minutes (between approximately 0715 - 0730). The QRF attended to the casualties and prepared to remove them from the scene. After receiving a report from (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) that SAF was observed coming from the vicinity of a nearby home (house #1), (b)(6), (b)(7)(C) instructed a fire team to "take the house." First, (b)(6), (b)(7)(C) fired rounds with a M203 grenade launcher toward house #1. Then a fire team consisting of (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) conducted a forced entry into house #1. All members of the fire team reported they were not receiving SAF upon their approach to house #1. (b)(6), (b)(7)(C) conducted a forced entry into house #1 and shot and killed an unarmed Iraqi adult female in the hallway. Certain members of the fire team reported hearing the sound of an AK-47 "racking" and two (2) fragmentation grenades were thrown into a room on the left, but only one (1) exploded. (b)(6), (b)(7)(C) then cleared a room on the right of the hallway, killing an unarmed Iraqi male adult. At that time, an unidentified Marine reportedly yelled that there was someone running from the house. This caused the fire team to cease the clearing operation and immediately exit house #1 toward house #2. (b)(6), (b)(7)(C) recalled the fire team later returned to house #1 with (b)(6), (b)(7)(C) who reportedly cleared a room by firing his 9mm pistol into it. Additionally, (b)(6), (b)(7)(C) advised he entered a room after (b)(6), (b)(7)(C) Shortly thereafter, both he and (b)(6), (b)(7)(C) shot approximately four (4) people, none of which were standing. (b)(6), (b)(7)(C) explained he shot these individuals because (b)(6), (b)(7)(C) shot them first and believed the entire house was "hostile." The re-entry of house #1 reported by (b)(6), (b)(7)(C) is consistent with the accounts of both (b)(6), (b)(7)(C) and an Iraqi woman (b)(6), (b)(7)(C) who survived the clearing/attack of house #1. (b)(6), (b)(7)(C) stated she fled the house in the brief period when the Marines initially departed toward house #2. A total of six (6) Iraqis were killed in house #1, including two (2) women and one (1) child. No weapons were found.

d. HOUSE #2 (8 killed): Prior to entering house #2, an unarmed Iraqi adult male was observed standing inside the front door of the house facing out. This individual was shot and killed by (b)(6), (b)(7)(C) who was reportedly told by (b)(6), (b)(7)(C) to treat the house as "hostile." Upon entering the house, the fire team used three (3) fragmentation grenades in two (2) unoccupied rooms but according to statements, only two (2) of those exploded. (b)(6), (b)(7)(C) reported hearing (b)(6), (b)(7)(C) firing into a room and responded by joining him. Upon entering the room, (b)(6), (b)(7)(C) stated he observed a body in the doorway, and then positively identified an unarmed woman and children on or around the bed before shooting. Similar to house #1, (b)(6), (b)(7)(C) stated he began shooting because (b)(6), (b)(7)(C) had already engaged the individuals with gunfire and he felt this meant there was a threat. A total of eight (8) Iraqi civilians, including five (5) children, were killed. No

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weapons were recovered in house #2.

e. OBSERVATION POST (1 killed): After houses #1 and #2 were cleared, the fire team cleared two (2) additional unoccupied homes in the area before moving to the observation post (OP) site. The OP was established around 0830. Some members of the fire team posted themselves on the rooftop of the OP. At approximately 0845, Marines manning the OP reportedly observed an unarmed Iraqi male running on a ridgeline in the vicinity of house #1. (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) fired shot(s), killing the individual (later identified as a household member of house #1). Some time later, the OP observed one (1) or two (2) unidentified Iraqi males looking at them from another nearby house, hereafter referred to as house #4. At approximately 0945, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) decided to approach the house and investigate.

f. HOUSE #3 (0 killed): The events surrounding houses #3 and #4 are less clear as witness and survivor statements differ significantly from those provided by the Marines. According to Marine accounts, they approached houses #3 and #4 because they observed male(s) outside of houses #3 and/or #4 watching them while the Marines were at the OP. Prior to arriving at house #4, the Marines passed by house #3 where the Marines reportedly encountered women and children. The Marines stated they asked the women where the men were and the women directed the Marines next door to house #4. Subsequently, (b)(6), (b)(7)(C) remained at house #3 with the women while (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) proceeded to house #4. In contrast, Iraqi witness statements indicate that only a man, woman, and their fourteen year-old son occupied house #3. The Marines questioned the three (3) family members of house #3 about the IED and about the occupants of house #4. The three (3) Marines then reportedly removed the three (3) family members and escorted them to the adjacent home, house #4. According to Iraqi witnesses, an AK-47 was voluntarily retrieved from house #3 after the Marines questioned them while standing in front of house #4. No one was killed in house #3. According to Marines, no weapons were recovered from house #3. However, the Iraqi witnesses related one (1) AK-47 from house #3 was handed over to the Marines.

g. HOUSE #4 (4 killed): (b)(6), (b)(7)(C) reported entering house #4 and encountering four (4) Iraqi males, at least one of which was armed with an AK-47. (b)(6), (b)(7)(C) killed the armed Iraqi male when he allegedly raised the weapon in the direction of (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C). Additionally, (b)(6), (b)(7)(C) reportedly shot and killed the three (3) other men with his 9mm pistol in the clearing operation. (b)(6), (b)(7)(C) subsequently shot into the four (4) bodies with his M-16 rifle. Iraqi witnesses/surviving family members from house #3 and #4 provide different accounts. The key difference surrounds the Marines' approach to house #3 and interaction with the occupants of house #4. Iraqi witnesses indicate the three (3) family members from house #3 (one (1) adult male, one (1) adult female, and one (1) teenage male) were escorted to an area in front of house #4. Shortly thereafter, the occupants of house #4 (four (4) adult males, three (3) adult females, and one (1) infant) were brought out of the house to the same area in front of house #4. The Marines reportedly

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separated four (4) of the adult males from the group of family members and directed them into house #4. The remaining family members were directed into house #3. Subsequently, the family members in house #3 reported hearing shots fired in house #4 and observed the Marines leaving the area. After the Marines departed, family members reported finding the four (4) adult males dead in house #4. Marine reports regarding the number of weapons recovered from house #4 vary, ranging from one (1) to three (3) AK-47s. Iraqi witness statements indicate that there was one (1) AK-47 in house #4 but said it was surrendered to the Marines after they questioned the family members in front of house #4 (at or about the same time the AK-47 from house #3 was provided to the Marines).

h. At approximately 1245, SGT (b)(6), (b)(7)(C) USMC, Human Intelligence Exploitation Team (HET) arrived at the scene with the 2nd QRF and began to collect potential intelligence, take photographs of the deceased, and interview detainees.

i. During the late afternoon, Marines were directed to document the scene and conduct what has been characterized as a BDA. LCPLs (b)(6), (b)(7)(C) USMC were instructed to mark/count and take photographs of the deceased. These photographs were later provided to Kilo Company's Combat Operations Center (COC) where an unidentified Marine reportedly downloaded them.

j. In the late evening hours, Marines removed the deceased from the five (5) different locations (Route Chestnut, house #1, ridgeline, house #2, and house #4) and loaded them into HMMWVs for transportation to the Firmbase located within Haditha, and later to the Haditha hospital morgue.

7. Since the submission of References (A)-(D), investigative efforts have included interviews and re-interviews of 3/1 Marines, interviews and re-interviews of Iraqi witnesses, and acquisition of various electronic media that contained photographs pertaining to the events that occurred on 19Nov05 in Haditha, Iraq.

NARRATIVE

1. This investigation pertains to potential violations of Article 118 (Murder) and Article 81 (Conspiracy) of the Uniform Code of Military Justice (UCMJ). The remainder of this report is presented in two (2) sections that are organized in the following manner: The first section addresses several electronic media items that were seized and reviewed for potential evidentiary value (e.g., computers, discs, media chips, and flash drives). The first section also outlines e-mail account information for 3/1 members that participated in or had knowledge of the events that occurred on 19Nov05 and/or 20Nov05. The second section outlines several interview results of various witnesses including 3/1 members, non-military members, and an interpreter. The second section also documents efforts to obtain permission for exhumation of the deceased and how photographs of some of the victims were obtained for identification purposes.

2. In August 2006, a separate investigation, Reference (E) was

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initiated to address suspected false reporting of the violations being addressed in the death investigation at hand. As a result, it has been determined that the acquisition and reviews of numerous command e-mails and other classified media would be more appropriately reported under the investigation listed under Reference (E), as such data pertains directly to the reporting of the incident rather than the death investigation. While all of the electronic media, including e-mails and other relevant documents, were requested under this investigation, the results of those investigative efforts will be reported under the investigation listed under Reference (E). Seizure and review of electronic media that contains photographs of the victims in this matter are detailed in this report.

SECTION I: ELECTRONIC MEDIA SEIZURE & REVIEW

3. On 30Mar06, (b)(6), (b)(7)(C) an Iraqi civilian attorney and representative to the surviving family members of the deceased, provided NCIS with two (2) discs. A review of the discs found four (4) video clips and eighty-nine (89) digital photographs. The photographs depict images of what appears to be bloodstains and damage inside houses #1 and #2. Exhibit (381) pertains.

4. On 02May06, (b)(6), (b)(7)(C) civilian, provided a Permissive Authorization for Search and Seizure (PASS) to search his residence. During the search, two (2) thumb drives were seized for analysis and evidentiary purposes. The thumb drives reportedly contained photographic images of the deceased from 19Nov05 that (b)(6), (b)(7)(C) had received from (b)(6), (b)(7)(C) USMC. Exhibit () pertains. On 03May06, (b)(6), (b)(7)(C) left a voicemail message with the NCIS office in Monterey, California wherein he advised he recalled (b)(6), (b)(7)(C) e-mailing him the photographs of the deceased. This was not a fact reported by (b)(6), (b)(7)(C) during his interview on 02May06. On 18May06, (b)(6), (b)(7)(C) provided a statement with amplifying details and asserted that (b)(6), (b)(7)(C) sent him three (3) photographs of dead bodies via e-mail some time after (b)(6), (b)(7)(C) had returned from his second deployment to Iraq. Exhibits (382)-(384) pertain.

5. On 11May06, (b)(6), (b)(7)(C) USMC, was interviewed and reported he owned a computer while deployed in Haditha, Iraq but no longer possessed the computer because he threw it in the "burn pit" while in Haditha. (b)(6), (b)(7)(C) advised he disposed of the computer because it no longer functioned. (b)(6), (b)(7)(C) related he purchased a new computer after he returned to the U.S., but noted he did not have any photographs pertaining to the investigation. (b)(6), (b)(7)(C) provided a PASS for the search of his computer. A review of the computer was conducted and no relevant information was found. In addition, on 19May06, a forensic review of (b)(6), (b)(7)(C) Portable Sony Playstation (PSP) and memory stick, which were seized during an initial interview, was completed and resulted in the recovery of thirty-one (31) deleted photographic images from the memory stick. The images depicted the twenty-four (24) deceased from 19Nov05. Exhibits (385)-(386) pertain.

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6. On 11May06, (b)(6), (b)(7)(C) USMC, was interviewed and advised he had a personal laptop while deployed in Iraq. Sometime in late December 2005, his laptop was mailed to him in the U.S., where he was recovering from injuries sustained during the IED explosion. Upon receipt of his computer, (b)(6), (b)(7)(C) reviewed files and discovered photographs of deceased Iraqis taken on 19Nov05. At the time, (b)(6), (b)(7)(C) did not know how the photographic images were placed on his computer. Subsequently, (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) the photographs were "from that day," 19Nov05. (b)(6), (b)(7)(C) executed a PASS and provided his computer to NCIS for forensic analysis. On 18May06, a forensic analysis of (b)(6), (b)(7)(C) computer was completed and found forty-three (43) photographic images of the deceased from 19Nov05. On 12Jun06, a review of (b)(6), (b)(7)(C) computer was conducted and revealed several usernames to include (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) Exhibits (387)-(389) pertain.

7. On 12May06, preservation letters were submitted to Internet Service Providers (ISP) associated with e-mail accounts provided by (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) Moreover, from 12May-13Jun06, several preservation letters were submitted to ISPs for the e-mail accounts of twenty-two (22) additional Marines that were identified as witnesses or possessed photographs relevant to the events of 19Nov05. All letters were sent to capture any potential e-mail traffic regarding the events of 19Nov05 in Haditha. However, during the course of this investigation, no additional information was developed that indicated the foregoing Marines' accounts were utilized to transfer relevant messages, photographs, or discussions. Therefore, information from their respective e-mail accounts was not further pursued. Exhibits (390)-(391) pertain.

8. On 16May06, CPL (b)(6), (b)(7)(C) USMC, 3/1 Marine Regiment armory, released two (2) M-16 rifles to NCIS for seizure and forensic analysis. Exhibit (392) pertains.

9. On 17May06, LTCOL (b)(6), (b)(7)(C) USMC, Battalion Commander, 3/1, granted authorization for NCIS to search Marine Corps owned electronic media that reportedly contained relevant investigative information. Items searched included a government issued digital camera and government computer hard drive. Exhibit (393) pertains.

10. On 18May06, (b)(6), (b)(7)(C) USMC was re-interviewed regarding the possession of photographs taken on 19Nov05 in Haditha. (b)(6), (b)(7)(C) stated the statement he submitted to NCIS on 11May06 was true, in that he did not have any photographs. However, (b)(6), (b)(7)(C) acknowledged he permitted many individuals to use his laptop computer while deployed in Iraq. Therefore, (b)(6), (b)(7)(C) conceded it was possible that someone could have downloaded photographs to his computer without his knowledge. (b)(6), (b)(7)(C) provided his computer and other electronic media to NCIS for review and voluntarily signed a Permissive Authorization for Search and Seizure (PASS) for his barracks room and vehicle. On 19May06, (b)(6), (b)(7)(C) was re-contacted for clarifying information regarding his laptop computer; however, (b)(6), (b)(7)(C) stated he would no longer answer question without speaking to an attorney. On 23May06, the forensic analysis of (b)(6), (b)(7)(C) computer and media was completed. The analysis

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found one (1) digital photograph which depicted two (2) of the deceased from 19Nov05, an adult female and child kneeling in a corner of a room within house #1. Exhibits (394)-(397) pertain.

11. On 19May06, (b)(6), (b)(7)(C) USMC, was contacted regarding his knowledge of Marines from 3/1 who had e-mail accounts issued to them while deployed in Iraq during November 2005.

(b)(6), (b)(7)(C) stated he was the [] officer during 3/1's deployment in Haditha and advised such records were maintained while they were in theater. [] noted the e-mail accounts/records could still be kept by 3/1 and referred NCIS to MSGT [] USMC, the current [] for 3/1. [] further advised NCIS should contact the S-2 shop regarding computers that could contain information on their deployment. Exhibit (398) pertains.

12. On 18May06, a forensic analysis of [] USMC, computer was completed and found no relevant information. On 31May06, the forensic analysis of [] video camera, digital videotape, and flash card was completed. The analysis revealed video clips that depicted the shooting of the "ridgeline victim," V/HASAN/RASHEED, ABDALHAMID, and images of body parts that appear to be from the deceased of 19Nov05. Exhibit (399) pertains.

13. On 19May-05Jun06, the Analysis Division of NCIS Headquarters Cyber Department conducted cyber profiles on the following individuals: [] civilian,

(b)(6), (b)(7)(C) and several other 3/1 Marines. No information pertaining to the investigation was found on their respective web pages. Profile searches were also conducted on (b)(6), (b)(7)(C) These searches found a link from [] web page to his fiance's web page wherein a reference to the NCIS investigation is posted. Additionally, 203 photographs of (b)(6), (b)(7)(C) deployment in Iraq, including photographs of the FOB Haditha Dam, were found on his web page. Exhibits (400)-(408) pertain.

14. On 19May06, [] USMC provided his personal laptop computer to NCIS for seizure and analysis. [] also provided his personal e-mail accounts and signed waivers that allowed NCIS to access and review activity on his e-mail accounts. On 21May06, the forensic analysis of [] computer was completed and surfaced no relevant information. Exhibits (409)-(410) pertain.

15. On 18-19May06, NCIS contacted the Information Assurance Branch Head, Headquarters Marine Corps, Arlington, Virginia, and requested the electronic data of fifteen (15) Navy Marine Corps Intranet (NMCI) accounts be retrieved for investigative purposes. In turn, the Information Assurance Branch provided a compact disc-recordable (CD-R) containing the requested e-mail accounts. Exhibit (411) pertains.

16. On 20May06, a forensic analysis of [] USMC, computer was completed and concluded that [] computer contained thirty-one (31) photographic images that depicted the twenty-four

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(24) deceased from 19Nov05. (b)(6), (b)(7)(C) camera media card was also reviewed and contained thirty (30) photographic images that appear to be duplicates of those found on his computer. Exhibit (412) pertains.

17. On 20May06, a forensic analysis of (b)(6), (b)(7)(C) digital camera and media card was conducted. The analysis concluded (b)(6), (b)(7)(C) camera did not contain any digital media relevant to the investigation; however, seven (7) digital photographs were found on (b)(6), (b)(7)(C) media card. The photographs depicted the IED blast site, the HMMWV wreckage, and a fire inside of house #1. Exhibit (413) pertains.

18. On 23May06, MSGT (b)(6), (b)(7)(C) USMC, Communications Chief, 3/1, provided a spreadsheet listing the e-mail accounts for 3/1 Marines that were issued NIPRnet. On 08Jun06, (b)(6), (b)(7)(C) was interviewed and provided a detailed statement on the procedures of setting up unclassified and classified network/e-mail accounts. (b)(6), (b)(7)(C) also explained user agreement must be signed and dated before an account is made available to a potential user. (b)(6), (b)(7)(C) advised user agreements inform users that there is no expectation of privacy on the government network system. Exhibits (414)-(415) pertain.

19. On 23May06, (b)(6), (b)(7)(C) a civilian and site manager for Information Systems Management, Camp Pendleton, CA was contacted and provided NCIS with a listing of e-mail accounts for 3/1 Marines. Exhibit (416) pertains.

20. On 23May06, 1ST SGT (b)(6), (b)(7)(C) USMC, provided a roster listing the contact information for married 3/1 Marines and the addresses of their respective spouses. Exhibit (417) pertains.

21. On 24May06, (b)(6), (b)(7)(C) USMC, advised he did not utilize his personal camera on 19Nov05, but released his camera and media cards to NCIS for forensic examination. On 25May06, the forensic analysis of (b)(6), (b)(7)(C) camera was completed and concluded there was no digital media pertaining to the investigation. Exhibits (418)-(419) pertain.

22. On 25May06, an oral wire intercept was conducted during which (b)(6), (b)(7)(C) were contacted via telephone. No significant information relevant to the investigation was obtained. Exhibit (420) pertains.

23. On 26May06, a government computer was provided to cooperating witness (CW), (b)(7)(D), (b)(7)(E) Subsequently, the computer was imaged and all data was analyzed. The review of the data revealed (b)(7)(D), (b)(7)(E)

(b)(7)(D), (b)(7)(E)

(b)(7)(E), (b)(7)(D) Exhibits (421)-(422) pertain.

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24. On 25May06, (b)(6), (b)(7)(C) USMC, provided his personal laptop computer and executed a PASS for seizure and the imaging of his hard drive. On 09Jun06, a forensic analysis of (b)(6), (b)(7)(C) computer was completed and found forty-four (44) digital photographic images that depict the areas around Route Chestnut, the IED blast site, the damaged interior of houses #1 and #2, and of a meeting between (b)(6), (b)(7)(C) and a family representative of houses #1 and #2. Exhibits (423)-(424) pertain.

25. On 15May06 and 24May06, NCIS contacted SSGT (b)(6), (b)(7)(C) USMC, Intelligence Chief, VMU-1, Twentynine Palms, CA, regarding the Unmanned Aerial Vehicle (UAV) footage that was recorded on 19Nov05 in Haditha. (b)(6), (b)(7)(C) advised the footage remained in Al Asad, Iraq and would be provided to the NCIS office in Al Asad. On 26May06, SGT (b)(6), (b)(7)(C) USMC, VMU-2, Al Asad, Iraq, provided a copy of the UAV footage recorded on 19Nov05. Exhibits (425)-(427)

26. On 26May06, LT (b)(6), (b)(7)(C) provided a listing of NIPRnet and SIPRnet accounts held by 3/1 Marines that were maintained on the server at the FOB Haditha Dam, Iraq. (b)(6), (b)(7)(C) also provided copies of user agreements that are completed by Marines in setting up NIPRnet or SIPRnet accounts. Exhibit (428) pertains.

27. On 31May06, NCIS Cyber agents conducted surveillance and remained on standby for cyber assistance in relation to an anticipated interview of (b)(6), (b)(7)(C) a photojournalist that was embedded with 3/1 in November 2005. No relevant information was obtained. Exhibit (429) pertain.

28. On 31May06, an oral wire intercept was executed during which (b)(6), (b)(7)(C) was contacted via telephone. When asked about the investigation, (b)(6), (b)(7)(C) said, "They are trying to pin everything on (b)(6), (b)(7)(C) (b)(7)(C) also stated, "They are going all the way back to OEF I, anything one of them NARCS told them." When asked if he knew who placed photographs of women and children on (b)(6), (b)(7)(C) computer, (b)(6), (b)(7)(C) responded, "No. I did not know who did that," and "The only people who had the computer were (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) also provided a brief description of what occurred after the IED explosion. On 03Jun06, oral wire intercepts were conducted when (b)(6), (b)(7)(C) were contacted. When questioned about the events following the IED blast on 19Nov05, (b)(6), (b)(7)(C) stated, he pushed south and secured a house away from the activity, and has no real knowledge of the attack. (b)(6), (b)(7)(C) also stated his opinion that the squad leader probably lost control and should not be charged with murder. When (b)(6), (b)(7)(C) was contacted and asked about the incident he related his telephone was probably tapped by NCIS, and he could not discuss it over the telephone. Exhibits (430)-(431) pertain.

29. On 01Jun06, (b)(6), (b)(7)(C) USMC, executed a PASS for NCIS to obtain access and review his personal e-mail accounts at MSN Hotmail. Exhibit (432) pertain.

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30. On 01-02Jun06, NCIS ensured the preservation of e-mail accounts for 3/1 Marines by seizing several CD-Rs and placing them in evidence. Exhibits (433)-(435) pertain

31. On 02Jun06, (b)(6), (b)(7)(C) USMC, executed several PASS forms for the search of his barracks room, the search/seizure of his computer and other related electronic media, and access to his personal e-mail accounts. On 07Jun06, the forensic analysis of (b)(6), (b)(7)(C) electronic media was completed and no relevant information was found. Exhibits (436)-(437) pertain.

32. On 02Jun06, (b)(6), (b)(7)(C) USMC, executed several PASS forms for the search/seizure of his laptop computer and access to his personal e-mail accounts. On 07Jun06, the forensic analysis of (b)(6), (b)(7)(C) computer was completed and no relevant information was found. Exhibits (438)-(439) pertain.

33. On 05Jun06, (b)(6), (b)(7)(C) a civilian photojournalist that was embedded with 3/1 while deployed in Iraq, downloaded several photographs and files to a compact disc from his personal computer, provided the disc to NCIS, and executed a PASS for the search/seizure of the disc. On 07Jun06, a forensic analysis of (b)(6), (b)(7)(C) disc was completed and concluded that the disc contained twenty-seven (27) digital photographic images which reportedly depicted the shrouded deceased from 19Nov05. Exhibits (440)-(441) pertain.

34. On 05Jun06, (b)(6), (b)(7)(C) USMC, was interviewed and reported he had not participated in the events that occurred in Haditha on 19Nov05. However, (b)(6), (b)(7)(C) advised he had used (b)(6), (b)(7)(C) thumb drive to load photographs of dead Iraqi civilians from 19Nov05 onto both his and (b)(6), (b)(7)(C) computers. (b)(6), (b)(7)(C) also provided (b)(6), (b)(7)(C) thumb drive to (b)(6), (b)(7)(C) so he could download the photographs of the deceased as well. (b)(6), (b)(7)(C) executed PASS forms for the search of his barracks room, the search/seizure of his personal laptop computer and digital camera, and access to his personal e-mail accounts. On 09Jun06, a forensic analysis of (b)(6), (b)(7)(C) computer was conducted and found no relevant information. Exhibits (442)-(444) pertain.

35. On 05Jun06, (b)(6), (b)(7)(C) USMC, executed PASS forms for the search of his barracks room, the search/seizure of his laptop computer, and access to his personal e-mail accounts. On 09Jun06, A forensic review of (b)(6), (b)(7)(C) computer was completed and found no relevant information. Exhibits (445)-(446) pertain.

36. On 05Jun06, (b)(6), (b)(7)(C) USMC, was interviewed and advised he was assigned to Security Platoon while deployed with 3/1 in Haditha, Iraq. (b)(6), (b)(7)(C) reported he was standing post at the Firmbase's Entry Control Point (ECP) on the morning of 19Nov05 when he learned of the IED blast over the radio. A few hours later, (b)(6), (b)(7)(C) saw the wrecked HMMWV come through the ECP on a flatbed vehicle. While on post, (b)(6), (b)(7)(C) observed an Iraqi male acting suspiciously with something in the road near the Firmbase. (b)(6), (b)(7)(C) reported the Iraqi male's suspicious actions via radio to the Command Operations Center (COC) and was cleared to fire at the

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Iraqi male. (b)(6), (b)(7)(C) stated he shot two (2) rounds at the Iraqi male and he ran away from the area. (b)(6), (b)(7)(C) estimated he was relieved of his post around 1230 and then went to sleep. Later that evening, (b)(6), (b)(7)(C) said he viewed digital photographs the QRF team members had taken earlier of dead Iraqi men, women, and children.

(b)(6), (b)(7)(C) further advised an unknown Marine provided him with a thumb drive that contained photographs of the deceased. (b)(6), (b)(7)(C) confirmed he downloaded the photographs onto his computer, but later deleted them. Upon completion of his interview, (b)(6), (b)(7)(C) executed PASS forms for the search of his barracks room and the search/seizure of his laptop computer. On 09Jun06, a review of (b)(6), (b)(7)(C) computer was conducted and found thirty (30) thumbnail photographs of the deceased from 19Nov05 and seven (7) photographs of the Route Chestnut area taken on 19Nov05. Exhibits (447)-(449) pertain.

37. On 05Jun06, (b)(6), (b)(7)(C) USMC, executed a PASS form for the search/seizure of his personal computer. On 20Jun06, a forensic analysis of (b)(6), (b)(7)(C) computer was completed and found eleven (11) photographic images that were relevant to the investigation. The images found were of the IED blast site, the HMMWV wreckage, and of the five (5) deceased positioned near the white taxi on the roadside of Route Chestnut. Exhibits (450)-(451) pertain.

38. On 05Jun06, (b)(6), (b)(7)(C) USMC executed a PASS form for the search/seizure of his picture card for analysis. Exhibit (452) pertains.

39. On 06Jun06, (b)(6), (b)(7)(C) USMC, executed a PASS and provided his laptop computer to NCIS for review. On 21Jun06, a forensic analysis was conducted on (b)(6), (b)(7)(C) laptop computer. The results of the analysis did not surface any relevant information. On 27Jun06, a forensic analysis of the government digital camera utilized by (b)(6), (b)(7)(C) on 19Nov05 was completed and found seventy-two (72) photographic images. The images found were of the twenty-four (24) deceased, the white taxi, and various detainees. Exhibits (453)-(455) pertain.

40. On 06Jun06, (b)(6), (b)(7)(C) USMC, executed PASS forms for the search of his barracks room, the search/seizure of his laptop computer, and access to his personal e-mail account. On 08-20Jun06, the forensic analysis of (b)(6), (b)(7)(C) computer was conducted and found seven (7) digital photographic images of the IED blast site and other USMC activities in the Haditha area. Exhibits (456)-(457) pertain.

41. On 06Jun06, (b)(6), (b)(7)(C) USMC, executed PASS forms for the search/seizure of his laptop computer and for access to his personal e-mail accounts. On 13-20Jun06, the forensic examination of (b)(6), (b)(7)(C) computer was conducted and obtained five (5) photographic images of USMC activities in the Haditha area, but no items of evidentiary value were found. Exhibits (458)-(459) pertain.

42. On 06Jun06, (b)(6), (b)(7)(C) USMC, executed a PASS form for the search/seizure of his laptop computer and memory card. On 08Jun06, a forensic examination was conducted of (b)(6), (b)(7)(C) laptop and memory card. The examination surfaced one (1) image of the HMMWV wreckage

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on 19Nov05. Exhibits (460)-(461) pertain.

3. On 09Jun06, (b)(6), (b)(7)(C) USMC, executed PASS forms for the search of his barracks room, his computer hard drive, and various related electronic media. On 13Jun06, the forensic analysis of (b)(6), (b)(7)(C) computer was completed and did not surface any relevant information. Exhibits (462)-(463) pertain.

44. On 12Jun06, the forensic examination of (b)(6), (b)(7)(C) camera and picture card was completed and found no relevant digital media/information. Exhibit (464) pertains.

45. On 12Jun06, (b)(6), (b)(7)(C) USN, advised during his interview that he had taken several photographs of the post-blast scene on 19Nov05 and downloaded the photographs to his laptop computer. (b)(6), (b)(7)(C) provided his computer to NCIS and executed a PASS for the search and forensic analysis of his computer. On 14Jun06, a forensic analysis of (b)(6), (b)(7)(C) computer was completed and found thirty-six (36) photographic images depicting detainees, the IED blast site, the white taxi, the deceased from the white taxi, and the HMMWV wreckage. Exhibits (465)-(466) pertain.

46. On 13Jun06, (b)(6), (b)(7)(C) USMC, advised during his interview that he had taken several photographs of the post-blast scene on 19Nov05 with his personal digital camera, but had subsequently deleted the photographs. (b)(6), (b)(7)(C) provided his digital camera and media card to NCIS. (b)(6), (b)(7)(C) also executed a PASS for the search and forensic analysis of his camera and card. On 13Jun06, the forensic analysis of (b)(6), (b)(7)(C) electronic items concluded that there was no digital media relevant to the investigation. Exhibits (467)-(468) pertain.

47. On 23Jun06, NCIS reviewed documents and a compact disc (b)(6), (b)(7)(C) Chief, Operational Law Unit, MNF-I, had obtained from Ms. (b)(6), (b)(7)(C) the Iraqi Minister of Human Rights. The disc contained a file titled "Haditha Massacre" (translated from Arabic) which is twenty-two (22) minutes and eleven (11) seconds in length. The file shows the location of covered bodies and the interior of homes. Exhibit (469) pertains.

48. On 29Jun06, NCIS obtained the medical records pertaining to the treatment of survivors from house #1, (b)(6), (b)(7)(C). Medical records were also obtained for Mandah Amid HAMAD, an enemy prisoner of war (EPW) and referred to as "patient #8" in the Al Asad Base hospital patient log from 19Nov05. The foregoing records were obtained from the Naval Health Research Center in San Diego, CA. Exhibit (470) pertains.

49. On 28Jul06, (b)(6), (b)(7)(C) USMC, provided his flash drive to NCIS for seizure. On 03Aug06, a forensic review of (b)(6), (b)(7)(C) flash drive was completed and revealed four (4) relevant photographic images. The images appear to be of the white vehicle with the five (5) dead Iraqi male bodies positioned on the ground near the vehicle. Exhibits (471)-(472) pertain.

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50. On 02Aug06, NCIS received compact discs from Yahoo! and Photobucket pursuant to the submission of a search warrant application against (b)(6), (b)(7)(C) user accounts. The discs contained e-mail snapshots and account contents of (b)(6), (b)(7)(C) Photobucket account. Exhibit (473) pertains.

SECTION II: INTERVIEW RESULTS OF VARIOUS WITNESSES & OTHER INVESTIGATIVE ACTIONS

51. On 16May06, (b)(6), (b)(7)(C) USMC, was interviewed regarding his knowledge of the events that occurred on 19Nov05 in Haditha, Iraq. (b)(6), (b)(7)(C) reported he was assigned to 3rd Squad, 3rd Platoon, Kilo Company, 3/1 while deployed in Iraq. On 19Nov05, (b)(6), (b)(7)(C) was one of the Quick Reaction Force (QRF) members sent in to recover and transport the casualties within minutes of the IED explosion occurring on Route Chestnut. (b)(6), (b)(7)(C) advised he was the driver of the first vehicle in the QRF's (b)(6), (b)(7)(C) vehicle convoy. While en-route to the scene, (b)(6), (b)(7)(C) did not see civilians on the street or hear any gunfire. The details of his interview follow:

a. IED SITE: (b)(6), (b)(7)(C) stated upon his approach to the scene, he saw a white vehicle parked off of and on the south side of Route Chestnut. (b)(6), (b)(7)(C) observed the vehicle doors were open and two (2) Iraqi soldiers were searching the vehicle. (b)(6), (b)(7)(C) also noticed a group of about four (4) Iraqis standing past the white vehicle and facing away from the vehicle. According to (b)(6), (b)(7)(C) the four (4) Iraqis were positioned between an old piece of abandoned farm machinery and the road. (b)(6), (b)(7)(C) believed the Iraqis were handcuffed because he noted they had their hands behind their backs. (b)(6), (b)(7)(C) also saw an unknown Marine standing between the white vehicle and one of 1st Squad's HMMWVs that was pulled off the road. (b)(6), (b)(7)(C) observed the foregoing as he passed by and drove toward the wreckage of the HMMWV that was hit by the IED. Once he reached the wreckage, (b)(6), (b)(7)(C) stopped his HMMWV on the east side of the wrecked HMMWV to block any incoming traffic. (b)(6), (b)(7)(C) then exited his HMMWV and looked around him but did not see any insurgents or hear any gunfire. Shortly thereafter, (b)(6), (b)(7)(C) saw an oncoming white vehicle with two (2) passengers, waved them off to continue driving on River Road, and prevented them from driving onto Route Chestnut. (b)(6), (b)(7)(C) noted he did not engage the vehicle or its occupants because he did not feel threatened by them.

b. (b)(6), (b)(7)(C) While on site, (b)(6), (b)(7)(C) saw (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) taking cover behind the QRF's HMMWVs and making gestures toward a house south of Route Chestnut. (b)(6), (b)(7)(C) heard (b)(6), (b)(7)(C) state, "That's the house," or words to that effect. (b)(6), (b)(7)(C) then observed (b)(6), (b)(7)(C) shoot his M203 grenade launcher toward the house. (b)(6), (b)(7)(C) noted the rounds kicked up smoke, but did not penetrate the wall. (b)(6), (b)(7)(C) opined that this action did not "make a lot of sense" to him because they were initiating an attack with a M203 grenade launcher and no one fired to suppress the incoming fire. (b)(6), (b)(7)(C) indicated no one fired after the M203 grenade launcher was used. (b)(6), (b)(7)(C) noted (b)(6), (b)(7)(C) may have also fired his M203 grenade launcher, but he was not sure. (b)(6), (b)(7)(C) saw (b)(6), (b)(7)(C) and other

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Marines head to the house. At this point, (b)(6), (b)(7)(C) was advised the QRF needed to leave.

c. DEPARTURE FROM THE IED SITE: While driving away from the IED site, (b)(6), (b)(7)(C) noticed the Iraqi males he had seen earlier were being moved in a single file across the dirt road towards a group of three shops that faced the road. (b)(6), (b)(7)(C) indicated the same Marine appeared to be covering the detained Iraqis. After the QRF departed the scene on Route Chestnut, they took the injured to the Landing Zone (LZ) for medical evacuation, and later returned to the Firmbase.

d. RETURN TO IED SITE: (b)(6), (b)(7)(C) estimated he and other QRF members were called to return to the IED site around 1945. (b)(6), (b)(7)(C) noted (b)(6), (b)(7)(C) also accompanied the QRF. (b)(6), (b)(7)(C) and team members provided security and some assisted with the loading of bodies into HMMWVs for transport. While he waited on scene, (b)(6), (b)(7)(C) were tasked to take photographs of the deceased. At one point, (b)(6), (b)(7)(C) informed (b)(6), (b)(7)(C) he was helping (b)(6), (b)(7)(C) take photographs and was writing numbers on the bodies. Before they returned to the Firmbase with the bodies, (b)(6), (b)(7)(C) showed (b)(6), (b)(7)(C) some of the photographs of the deceased on (b)(6), (b)(7)(C) digital camera. (b)(6), (b)(7)(C) recalled a photograph of a woman and another of a man. Subsequently, a few detainees and the deceased were transported back to the Firmbase. (b)(6), (b)(7)(C) estimated they departed for the Firmbase around 2245.

e. DEBRIEF: A few days after 19Nov05, (b)(6), (b)(7)(C) recalled attending a debrief wherein (b)(6), (b)(7)(C) told them not to be hard on themselves because of the events of 19Nov05. According to (b)(6), (b)(7)(C) also said he gave the word to clear the houses and that we did the right thing. (b)(6), (b)(7)(C) advised the Marines to not go on-line, e-mail, or talk about the events of 19Nov05 on the telephone. (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) came into his platoon's room before the debrief with (b)(6), (b)(7)(C) and instructed them to not talk about the incident anymore. (b)(6), (b)(7)(C) told them to keep it in the platoon and to see him or (b)(6), (b)(7)(C) if they wanted to talk to someone about the incident. Exhibit (474) pertains.

52. On 02Jun06, (b)(6), (b)(7)(C) USMC, was interviewed and advised he was assigned to the Freelance Platoon that was responsible for providing security to the Explosives Ordinance Disposal (EOD) team. On the morning of 19Nov05, (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) told him that there was a post blast situation and a Marine was hit in Haditha. (b)(6), (b)(7)(C) recalled EOD was going out to assess the situation and the security platoon headed out from the Dam and headed toward Firmbase. (b)(6), (b)(7)(C) stated they received SAF from the palm trees located on the east side of the river prior to their arrival at Firmbase. (b)(6), (b)(7)(C) advised, while at Firmbase, EOD was notified about an IED just outside the ECP and security platoon was deployed to provide security for EOD. (b)(6), (b)(7)(C) stated, after EOD cleared the IED site they proceeded to the initial IED blast site on Route Chestnut. (b)(6), (b)(7)(C) further stated he saw Marines patrolling the area, a sheet draped over the FKIA, several Iraqi's flex cuffed, and a house that was engulfed in thick black smoke. According to (b)(6), (b)(7)(C) after EOD

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finished at the blast site, his platoon moved down to the white car to provide security to EOD. (b)(6), (b)(7)(C) advised he saw approximately five (5) to six (6) dead Iraqi males who were clean shaven and sharply dressed. (b)(6), (b)(7)(C) noted he did not see any weapons, or chest rigs. (b)(6), (b)(7)(C) stated that after EOD finished processing the car his platoon headed to the Firmbase and then on to the FOB Haditha Dam. According to (b)(6), (b)(7)(C) a couple of days later he saw approximately twenty-four (24) pictures on a computer at the Dam. The pictures included dead women and children shot in a bed, as well as the IED blast site. (b)(6), (b)(7)(C) advised the computer belonged to (b)(6), (b)(7)(C) who was assigned to the S-2 but allowed various Marines to download the pictures onto their personal computers or thumb drives. (b)(6), (b)(7)(C) stated he downloaded pictures to his laptop but deleted the pictures after being ordered by (b)(6), (b)(7)(C). Approximately one (1) week later, (b)(6), (b)(7)(C) advised he read about the incident in the military paper and thought the story was untrue and it seemed that there was some type of cover-up. Exhibit (475) pertains.

53. On 03Jun06, (b)(6), (b)(7)(C) a civilian interpreter employed with Titan Corporation, was interviewed regarding his knowledge of the events that occurred in Haditha on 19Nov05. (b)(6), (b)(7)(C) advised Marines utilized his interpreting skills on 19Nov05. The details of his interview follow:

a. A FEMALE DETAINEE & PASSPORTS: (b)(6), (b)(7)(C) advised he was located at the Firmbase on 19Nov05 and did not become involved in the events of 19Nov05 until around 3:00 or 4:00 p.m. At that time, (b)(6), (b)(7)(C) learned Marines had been attacked. (b)(6), (b)(7)(C) was also informed several people had been killed and there was a female detainee. (b)(6), (b)(7)(C) reported (b)(6), (b)(7)(C) of Haditha, came by around 6:00 or 7:00 p.m. and asked about the female detainee. (b)(6), (b)(7)(C) advised Jordanian passports had been found in the house the female detainee occupied, so it was believed she might have information about the insurgency. However, the mayor explained the female detainee's family would kill her if she spent the night at the Firmbase. (b)(6), (b)(7)(C) offered to look at the passports; however, the HET team's interpreter told (b)(6), (b)(7)(C) that most of the passports were for the children from the same family and were legitimate. (b)(6), (b)(7)(C) was not sure, but estimated there were approximately five (5) to six (6) passports.

b. TRANSPORTATION OF BODIES: (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) approached him around 9:00 or 10:00 p.m. and told (b)(6), (b)(7)(C) that several people had been killed and needed to be transported to the hospital. Subsequently, around 1:00 or 2:00 a.m., (b)(6), (b)(7)(C) accompanied the Marines that took the bodies from the Firmbase to the hospital. When they reached the hospital, (b)(6), (b)(7)(C) spoke with the hospital guards and a nurse. (b)(6), (b)(7)(C) told them about the bodies and asked if the bodies could be stored at the hospital until the family members came for them. According to (b)(6), (b)(7)(C) told him one of the HMMWVs had bodies of insurgents in it and another HMMWV contained the bodies of innocent people. (b)(6), (b)(7)(C) passed this information onto the hospital guards. (b)(6), (b)(7)(C) also instructed the guards to inform family members of innocent victims to submit a claim for compensation at the Firmbase's CAG office. (b)(6), (b)(7)(C) observed many of the bodies were of women and children.

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c. HADITHA CITY COUNCIL & SHEIKS: (b)(6), (b)(7)(C) stated the next day, 0Nov05, Haditha city council members and sheiks came to the CAG office and asked what had happened. One of the city council members said the Marines shot innocent people and a full investigation was needed. (b)(6), (b)(7)(C) advised he went with (b)(6), (b)(7)(C) and others to the houses that same day. (b)(6), (b)(7)(C) noted within the week of 19Nov05, the Haditha City Council and local sheiks held a meeting. (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) attended the meeting. During the meeting, the council and sheiks made several requests including but not limited to a full investigation, allowing the media in, fewer patrols in the street, fewer checkpoints, the re-opening of school, and to fix the bridge. (b)(6), (b)(7)(C) did not advise if any of the requests were met.

d. REVIEW OF DAMAGED HOUSES: On 20Nov05, (b)(6), (b)(7)(C) went with (b)(6), (b)(7)(C) and other Marines to see the damaged houses. At the first house they entered, (b)(6), (b)(7)(C) observed the kitchen was burned and blood was "all over the house." (b)(6), (b)(7)(C) recalled a few individuals from the family approached them and claimed the Marines had come to the house and shot women and children. (b)(6), (b)(7)(C) translated their claims to (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) responded, "No, that did not happen." (b)(6), (b)(7)(C) told them the Marines were attacked and the victims were caught in the middle.

According to (b)(6), (b)(7)(C) each side was trying to convince the other they were correct. (b)(6), (b)(7)(C) subsequently, (b)(6), (b)(7)(C) and other Marines went to the next house and saw the same thing, blood and holes in the walls.

(b)(6), (b)(7)(C) said Marines advised him the house was an insurgent house and if he could find propaganda or information, it would be helpful.

(b)(6), (b)(7)(C) asserted he could not find anything that had to do with insurgents and did not find any weapons. (b)(6), (b)(7)(C) believed everything was still in place inside the houses and noted (b)(6), (b)(7)(C) took photographs. (b)(6), (b)(7)(C) reported he went to the houses a couple of times with (b)(6), (b)(7)(C) recalled on one occasion, he accompanied both (b)(6), (b)(7)(C) and EOD so they could detonate a grenade that was found inside one of the houses. At that point, (b)(6), (b)(7)(C) noted some of the mess had been cleaned up.

e. HOUSE #4 (b)(6), (b)(7)(C) stated he could not recall whether they went to house #4 on the same day as they went to the other houses, but he did remember going to house #4. (b)(6), (b)(7)(C) noted the locals told him four (4) brothers were killed in house #4. One of the Marines stated they found an insurgent meeting at the house and they wanted to interrogate everyone. (b)(6), (b)(7)(C) advised one man in the house said his sons had been killed. The Marines asked him how many rifle magazines were in the house. They replied there was one (1) magazine, but the Marines found four (4). When they confronted the man with this, he said his sons were just killed and he did not know how many magazines were in the house. The Marines then called the Firmbase to report the suspected insurgent meeting. (b)(6), (b)(7)(C) stated he did not see any weapons inside the house. There were two (2) women there and one (1) advised (b)(6), (b)(7)(C) that innocent people had been killed.

f. IRAQI ARMY SOLDIERS: (b)(6), (b)(7)(C) reported he spoke to several of the Iraqi Army soldiers and they stated they saw the Marines shoot four (4) Iraqi males in the head after the IED explosion. The Iraqi soldiers also said they did not shoot and were afraid of the Marines

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because they appeared to be angry. The Iraqi soldiers told (b)(6), (b)(7)(C) they definitely saw the Marines order the Iraqi males out of the vehicle and shoot them in the head. (b)(6), (b)(7)(C) noted the Iraqi soldiers informed him of a video taken on 19Nov05 that reportedly shows the Marines killing the males by the vehicle. Although they had not seen the video, the Iraqi soldiers believed the insurgents filmed the incident because they had heard such a video was out on the street and being sold in Baghdad. Exhibit (476) pertains.

54. On 05Jun06, (b)(6), (b)(7)(C) USMC, was interviewed and advised he was a member of Security Platoon while deployed in Haditha, Iraq. (b)(6), (b)(7)(C) reported after the IED blast occurred on 19Nov05, his security team was called in to provide security for the Explosive Ordnance Disposal (EOD) team and they traveled to the IED blast site in a five vehicle convoy. While en-route, the convoy received SAF near a palm grove and then headed to the Firmbase where they learned of another IED. EOD responded to and detonated the suspected IED while (b)(6), (b)(7)(C) and his platoon members provided security. Subsequently, the EOD/Security Platoon convoy reached the IED blast site on Route Chestnut. (b)(6), (b)(7)(C) stated he saw smoke coming from a house off of Chestnut and a white vehicle near the roadside, but did not notice any bodies as his view was blocked. (b)(6), (b)(7)(C) noted EOD conducted their post-blast analysis and he assisted (b)(6), (b)(7)(C) in recovering the remains of the Marine killed in the blast. (b)(6), (b)(7)(C) recalled after Motor Transportation Unit (MTU) arrived to Chestnut, the EOD convoy departed and responded to another suspected IED. (b)(6), (b)(7)(C) stated after they addressed the reported IED, the convoy returned to the FOB Haditha Dam. Exhibit (477) pertains.

55. On 05Jun06, (b)(6), (b)(7)(C) USMC, was interviewed and related he was a member of the EOD security team that responded with EOD to a post-blast call on 19Nov05. (b)(6), (b)(7)(C) advised the EOD convoy received gunfire while traveling to the IED blast site. The convoy then went to the Firmbase for a few minutes before reaching the IED site on Route Chestnut. While on site, (b)(6), (b)(7)(C) saw other Marines on security, noted there was no incoming fire, and performed radio checks. From where (b)(6), (b)(7)(C) stood security, he could see a white vehicle, but did not see any dead bodies. (b)(6), (b)(7)(C) reported EOD and the security team went to another location for a suspected IED before they returned to the Haditha Dam that day. (b)(6), (b)(7)(C) advised he did not take or possess any photographs of the deceased from 19Nov05, but at one time he had videos that included images of dead bodies on his computer. (b)(6), (b)(7)(C) noted he received the video from (b)(6), (b)(7)(C) and later deleted it per (b)(6), (b)(7)(C) instruction. Exhibit (478) pertains.

56. On 08Jun06, (b)(6), (b)(7)(C) USN, the medical supply petty officer for the battalion was interviewed regarding his knowledge of the events that occurred in Haditha, Iraq on 19Nov05. (b)(6), (b)(7)(C) reported on 19Nov05 he departed the FOB Haditha Dam with members of the EOD in a (b)(7)(F) vehicle convoy to respond to the IED blast site. (b)(6), (b)(7)(C) advised the convoy received a call regarding a found IED and were re-directed to the IED location. While they attempted to respond, (b)(6), (b)(7)(C) indicated the convoy came under SAF near the palm

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groves on River Road, but the convoy pushed through the ambush and returned to the Firmbase. (b)(6), (b)(7)(C) recalled EOD subsequently received another call about a found IED. (b)(6), (b)(7)(C) explained EOD detonated both IEDs before they finally reached the IED site. While on site, (b)(6), (b)(7)(C) observed a building on the south side of the road had smoke coming from it. An unknown Marine informed (b)(6), (b)(7)(C) that the squad had taken gunfire from the house that was on fire and had chased "a guy who ran away." (b)(6), (b)(7)(C) also saw detainees in the area positioned on the ground. (b)(6), (b)(7)(C) noted EOD members searched the crater caused by the IED and photographed the area. As they headed west on Chestnut, (b)(6), (b)(7)(C) saw a white vehicle on the south side of the road. (b)(6), (b)(7)(C) noticed the doors were open and two (2) to three (3) bodies on the ground near the vehicle. (b)(6), (b)(7)(C) asserted these were the only bodies he saw on 19Nov05 as he did not enter any of houses. Exhibit (479) pertains.

57. On 08Jun06, (b)(6), (b)(7)(C) USMC, was interviewed and reported he was assigned to the EOD security team while deployed in Haditha, Iraq. (b)(6), (b)(7)(C) reported he was with other EOD team members at the FOB Haditha Dam on the morning of 19Nov05 when advised of the IED blast. Shortly thereafter, EOD and the EOD security team departed for the IED blast site. (b)(6), (b)(7)(C) stated they received gunfire near a palm grove while they attempted to reach the blast-site. (b)(6), (b)(7)(C) recalled they subsequently reached the IED site and provided security to the EOD team while they conducted their assessment of the area. While on security, (b)(6), (b)(7)(C) observed the damaged HMMWV, a house that was "filled with smoke," and Cobras firing at something in the distance. (b)(6), (b)(7)(C) noted there was no gunfire in the area he was covering to the northeast. (b)(6), (b)(7)(C) estimated he provided security for about an hour when they received word to return to the Haditha Dam. As they drove away from the IED site, (b)(6), (b)(7)(C) saw detainees and four (4) bodies on the ground off the roadway. (b)(6), (b)(7)(C) advised they received a debrief regarding their EOD mission upon return to the Haditha Dam. Although (b)(6), (b)(7)(C) advised he did not possess any photographs of the deceased, he said he saw photographs of dead bodies in a video (b)(6), (b)(7)(C) showed him sometime toward the end of their deployment. Exhibit (480) pertains.

58. On 08Jun06, (b)(6), (b)(7)(C) USMC, was interviewed and related he was assigned to the Motor Transportation Unit (MTU) while deployed in Iraq. (b)(6), (b)(7)(C) indicated he did not participate in any of the events that occurred on 19Nov05 because he remained at the Haditha Dam as he was assigned to the guard that week. (b)(6), (b)(7)(C) stated he did not have any knowledge of the events that occurred on 19Nov05 in the city of Haditha. Exhibit (481) pertains.

59. On 08Jun06, (b)(6), (b)(7)(C) USN, was re-interviewed regarding his knowledge of the events that occurred in Haditha on 19Nov05. (b)(6), (b)(7)(C) was assigned to Weapons Platoon, 3/1/, while deployed in Haditha, Iraq.

a. RESPONSE TO IED BLAST-SITE: (b)(6), (b)(7)(C) affirmed he was out on a foot patrol with 1st Squad, 1st Platoon when he heard the IED explode on the morning of 19Nov05. (b)(6), (b)(7)(C) advised they ordered to head

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south on River Road toward Route Chestnut and provide support to the squad that had been attacked. While en-route, they found an IED and waited until EOD arrived and detonated the IED before proceeding to Route Chestnut. (b)(6), (b)(7)(C) reported he and his team provided security once they arrived to Route Chestnut while they occupied a house on the northeast corner of River Road and Route Chestnut. (b)(6), (b)(7)(C) stated members of his squad fired at an individual that was reportedly running, but (b)(6), (b)(7)(C) explained he did not see the shooting. (b)(6), (b)(7)(C) estimated he remained on watch for three (3) to four (4) hours before he returned to the Firmbase.

b. REMOVAL OF BODIES: (b)(6), (b)(7)(C) reported he returned to the Route Chestnut area in a five (5) vehicle convoy around 1600-1700. (b)(6), (b)(7)(C) indicated the vehicle he rode in was used to transport bodies, but advised he did not remove any of the bodies from houses. After the deceased were taken to the Firmbase, (b)(6), (b)(7)(C) observed some of the bodies as they were being sorted and believed the injuries he saw were caused by gunfire. Subsequently, (b)(6), (b)(7)(C) participated in the transport of the bodies to the Haditha morgue and the subsequent cleaning of the HMMWVs at the Haditha Dam.

c. (b)(6), (b)(7)(C) advised he spoke to (b)(6), (b)(7)(C) while he was at the Firmbase and waited to transport the bodies to the morgue. According to (b)(6), (b)(7)(C) said he had shot someone and believed he caused a fire when he shot an individual with a tracer round.

d. (b)(6), (b)(7)(C) recalled he spoke with (b)(6), (b)(7)(C) a few days after 19Nov05 because (b)(6), (b)(7)(C) was having trouble sleeping and kept thinking about the dead women and children he helped recover on 19Nov05. (b)(6), (b)(7)(C) noted (b)(6), (b)(7)(C) asked for medication to help him sleep because he "could not get the images out of his head." (b)(6), (b)(7)(C) also requested to speak with a doctor about his emotional problems. (b)(6), (b)(7)(C) indicated he assisted (b)(6), (b)(7)(C) but could not get him an appointment with a doctor until their return to the U.S. Exhibit (482) pertains.

60. On 09Jun06, (b)(6), (b)(7)(C) for 1st Platoon, Kilo Company, was re-interviewed. (b)(6), (b)(7)(C) advised the statement he provided on 02May06 was accurate; however, he had recalled additional clarifying details. (b)(6), (b)(7)(C) related he took photographs while he participated in the removal and loading of bodies on 19Nov05. Specifically, (b)(6), (b)(7)(C) reported he took at least two (2) photographs of the white vehicle that had dead bodies near it and was located at the roadside of Route Chestnut with a disposable camera. (b)(6), (b)(7)(C) said he also took a photograph of a burning body in house #1 and possibly took more photographs in another home where dead bodies were located. (b)(6), (b)(7)(C) explained he took the photographs for memories and as souvenirs, but did not initially advise NCIS of the photographs because he had destroyed the camera on 19Nov05. (b)(6), (b)(7)(C) admitted to making a comment about one of the dead female's underwear, but denied doing anything inappropriate to the dead bodies. Exhibit (483) pertains.

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61. On 12Jun06, (b)(6), (b)(7)(C) USMC, was interviewed about the events that occurred in Haditha on 19Nov5 and affirmed he was assigned to Weapons Platoon while deployed in Haditha. (b)(6), (b)(7)(C) advised he was at the Combat Outpost (COP) on the morning of 19Nov05 when he heard the IED blast and an exchange of gunfire. (b)(6), (b)(7)(C) also recalled hearing launched "hellfire" missiles. (b)(6), (b)(7)(C) reported his platoon came under fire that day and suffered nine (9) casualties. (b)(6), (b)(7)(C) did not participate in any of the events that occurred on Route Chestnut or in houses #1-#4. However, (b)(6), (b)(7)(C) noted he escorted a CAG officer a few days after 19Nov05 to Route Chestnut for the damage assessment of cleared houses. (b)(6), (b)(7)(C) stated one house was "burned up." Exhibit (484) pertains.

62. On 13Jun06, (b)(6), (b)(7)(C) a former Marine, was interviewed about his knowledge of the events that occurred on 19Nov05 in Haditha and the details of an interview he participated in with a news reporter regarding the Haditha incident. (b)(6), (b)(7)(C) reported he was assigned to the Civil Affairs Group (CAG) while deployed in Iraq. The details of his interview follow:

a. TRANSPORTATION OF BODIES & TOUR OF HOUSES: (b)(6), (b)(7)(C) stated he remained at the Firmbase the entire day of 19Nov05. (b)(6), (b)(7)(C) recalled hearing gunfire on the morning of 19Nov05 and learning of a 500-pound bomb dropped via the radio, but asserted he did not participate in any of the events that occurred that day. However, (b)(6), (b)(7)(C) indicated he assisted in the transportation of the deceased to the Haditha hospital morgue in the early morning hours on 20Nov05. (b)(6), (b)(7)(C) advised he drove MAJ (b)(6), (b)(7)(C) to the hospital, but did not actually transport any of the bodies in the HMMWV he drove. According to (b)(6), (b)(7)(C) CAPT (b)(6), (b)(7)(C) was in charge of the movement and not MAJ (b)(6), (b)(7)(C). A few days later, (b)(6), (b)(7)(C) escorted MAJ (b)(6), (b)(7)(C) and other Marines to two (2) houses in Haditha. In the first house, (b)(6), (b)(7)(C) observed what he believed to be fire damage, fragmentation damage, and blood. In the second house, (b)(6), (b)(7)(C) saw what he thought were bloodstains, blood spatter, and brain matter on the walls. (b)(6), (b)(7)(C) recalled a grenade was found while they were inside the second house. At a much later time, (b)(6), (b)(7)(C) recalled being present when an Iraqi lawyer was provided \$2,500.00 for a damage claim.

b. INTERVIEW WITH NEWS REPORTER: On or around 02Jun06, a news reporter that identified himself as (b)(6), (b)(7)(C) approached (b)(6), (b)(7)(C) for an interview on what occurred in Haditha. The reporter claimed he had obtained (b)(6), (b)(7)(C) identity and contact information on the Internet. (b)(6), (b)(7)(C) explained he agreed to speak with (b)(6), (b)(7)(C) because (b)(6), (b)(7)(C) believed the Marines from Kilo Company were professional and the situation had been "blown out of proportion by the media." (b)(6), (b)(7)(C) noted the information was later printed in a news article, but was not consistent with what he told the news reporter. Exhibit (485) pertains.

63. On 23Jun06, ATK, the largest producer of conventional munitions in the U.S., was contacted regarding the appearance of the impact damage caused by a high explosive dual purpose (HEDP) round fired from a M203 grenade launcher. (b)(6), (b)(7)(C) a civilian representative

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of ATK advised the blast mark of a HEDP round fired from a M203 grenade launcher resembles a flower, and the energy of the round is focused into a shape charge. (b)(6), (b)(7)(C) noted the shaped charge is a fluted copper cone that produces a jet of molten metal, and was designed to penetrate armor. Upon impact, one would expect to see a golf ball or baseball sized hole with a second, smaller hole in its center. (b)(6), (b)(7)(C) further noted the second hole is roughly the diameter of a pencil, and should contain copper. (b)(6), (b)(7)(C) opined that analyzing the damage to a wall like that found in Iraq would be difficult because the wall(s) would behave like sand. In addition to finding copper in the hole, one would expect to see liquid copper spray that looks like molten metal, which has cooled. Exhibit (486) pertains.

64. On 10Jul06, attempts were made to contact (b)(6), (b)(7)(C) civilian regarding his knowledge or possible participation in the events that occurred in Haditha, Iraq on 19Nov05. (b)(6), (b)(7)(C) was identified as a linguist that was deployed in Iraq and employed with the Titan Corporation. Titan Corporation was contacted and advised (b)(6), (b)(7)(C) is not deployed, but is currently in a "leave" status and did not know when he would return. Exhibit (487) pertains.

65. On 20Jul06, (b)(6), (b)(7)(C) USMCR, was contacted and re-interviewed telephonically regarding his knowledge of the authorized payments made to the Iraqi surviving family members of the deceased that died on 19Nov05. While deployed in Iraq, (b)(6), (b)(7)(C) was augmented to the 6th CAG base in Al Asad. During the interview, (b)(6), (b)(7)(C) was referred to an e-mail message dated 25Jan06. In the e-mail, CAPT (b)(6), (b)(7)(C), 6th CAG requested MAJ (b)(6), (b)(7)(C) assistance in obtaining a 3/1 Memorandum for the Record of a \$38,000 payment 3/1 had paid to the families of fifteen (15) neutrals killed on 19Nov05. The e-mail indicated LTCOL (b)(6), (b)(7)(C) explanation/justification for payment and signature on a memorandum would be needed. (b)(6), (b)(7)(C) indicated circumstances of the e-mail message were unusual because the justification memorandum is being asked for a month after the payments had been distributed to the Iraqi families. (b)(6), (b)(7)(C) asserted such a memorandum should have been completed before the payments were authorized. Additionally, (b)(6), (b)(7)(C) reported he was aware of \$50,000 bulk payment authorization "plus up" for (b)(6), (b)(7)(C) to cover the \$38,000 payment. (b)(6), (b)(7)(C) explained the normal authorization for a Project Purchasing Officer (PPO) like (b)(6), (b)(7)(C) was around \$15,000-\$20,000. Exhibit (488) pertains.

66. On 20Jul06, (b)(6), (b)(7)(C) USMC, was interviewed in the presence of his attorneys (b)(6), (b)(7)(C) reported he was the (b)(6), (b)(7)(C) for 2nd Squad, 3rd Platoon, 3/1, while he was deployed in Haditha. The details of his interview follow:

a. RESPONSE TO IED BLAST SITE: (b)(6), (b)(7)(C) reported that on the morning of 19Nov05 he was in his rack at the Firmbase when he heard the IED explosion. Shortly thereafter, the first Quick Reaction Force (QRF) led by CPL (b)(6), (b)(7)(C) was launched for the medical evacuation of the injured. (b)(6), (b)(7)(C) approximated he and his squad were ordered to respond to the IED site via foot patrol about fourteen (14) to fifteen (15)

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SUBJ: (b)(6), (b)(7)(C)

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minutes after the IED blast. (b)(6), (b)(7)(C) noted that CAPT (b)(6), (b)(7)(C), the Kilo Company Commanding Officer, requested to join his squad.

According to (b)(6), (b)(7)(C) it was common for (b)(6), (b)(7)(C) to accompany them on patrols. (b)(6), (b)(7)(C) advised SGT and his interpreter also joined their patrol that day. While en route to the IED site, squad ran into squad and advised to "stay west."

noted he followed instruction. At one point, related he and his squad heard SAF so they divided into teams and cleared homes before taking cover within the homes. explained they also utilized the houses they cleared as over-watch positions.

b. SHOOTING: While his teams were located in two (2) houses, stated he heard cracking that indicated shots were coming toward their location. Around the same time, explained he learned via the radio that 1st Squad was taking fire. called into his superiors and requested 1st Squad's location. Shortly thereafter, he heard more fire in his squad's direction. A few minutes later, saw two (2) Iraqi males running and one appeared to be carrying a black object that resembled a "dragon-off" sniper rifle. opined the two (2) Iraqis moved tactically and he believed they were insurgents, one of them armed, so he shot at them. stated a member of his team, CPL also shot at the Iraqis. noted he called into "higher" before firing upon the Iraqis and was advised to shoot if he felt threatened. After they shot the Iraqis, radioed who was located at another house with other members of his squad, to inform him of the shooting.

c. LOCATING & EVACUATING THE INJURED: After they shot the two (2) Iraqi males, said he observed an Iraqi family come out of their house and pick-up one of the shot Iraqi males. squad then went to the location where they had seen the Iraqi hit. noted when they reached the location they found a pool of blood. further noted he and searched the area nearby and found a black cane about fifteen (15) meters from the pool of blood. indicated his first thought was "Oh shit" because the black object he had observed the Iraqi carrying before might not have been a sniper rifle. (According to only he and know about finding the cane.) Eventually, the family that had grabbed the injured Iraqi got attention and directed him to their home. reported when he went inside the family's home, he saw the Iraqi he had shot at had a head injury and ordered LCPL a medic, to treat him. advised decided to have the injured Iraqi male medically evacuated and an on-site landing zone (LZ) was requested. recalled that LT arrived at the LZ with two (2) injured Iraqi children and they were sent on the medical evacuation helicopter with the injured male Iraqi and injured Marines.

d. IED BLAST SITE: While waiting for the medical evacuation, heard over the radio that their support was needed at a house where there had been an attack by possibly ten (10) insurgents. advised, "Air was called in on the house." However, before they responded to this position, recalled wanted to talk to 1st Squad and "link up with SGT first. Consequently, they went to Route Chestnut after the injured were evacuated and

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squad provided security to 1st Squad. (b)(6), (b)(7)(C) said he did not recall seeing (b)(6), (b)(7)(C) speak with (b)(6), (b)(7)(C) while they were on site. While on Chestnut, (b)(6), (b)(7)(C) observed a white vehicle with bodies near it, but did not get a close view of the bodies. (b)(6), (b)(7)(C) also saw other Marines loading the HMMWV wreckage.

e. CLEARING HOMES WITH WEAPONS PLATOON: After they had provided security on Chestnut, (b)(6), (b)(7)(C) ordered (b)(6), (b)(7)(C) and his squad to head toward River Road and support Weapons Platoon in checking out a house where two (2) insurgents were possibly located. (b)(6), (b)(7)(C) indicated when they reached Weapons Platoon's location, his squad divided into teams and he ended up with (b)(6), (b)(7)(C) noted LT (b)(6), (b)(7)(C) was also there participating. During this movement, (b)(6), (b)(7)(C) advised they had two (2) tanks and four (4) Iraqi soldiers with them. (b)(6), (b)(7)(C) explained before they went into any houses, they met with Weapons Platoon members at the Combat Operations Post (COP) and talked about how to proceed. (b)(6), (b)(7)(C) indicated it was during this meeting that he and (b)(6), (b)(7)(C) had a "difference of opinion" on the best strategy for clearing homes. (b)(6), (b)(7)(C) advised he wanted to send tank rounds in the house after insurgents were verbally called out and failed to come out of the house. According to (b)(6), (b)(7)(C) disagreed with him.

(b)(6), (b)(7)(C) explained he wanted to take a different approach because there might be woman and children inside the house. (b)(6), (b)(7)(C) emphasized he disagreed with (b)(6), (b)(7)(C) because he did not want to send Marines in when they believed insurgents were inside the house. (b)(6), (b)(7)(C) reported they ultimately decided to send the Iraqi Army soldiers in before a team of Marines entered the houses they cleared. After the briefing at the COP was completed, (b)(6), (b)(7)(C) and his squad cleared approximately four (4) homes and in some instances found Iraqi families inside.

(b)(6), (b)(7)(C) stated no shots were fired during the clearing of the houses because no insurgents were found. (b)(6), (b)(7)(C) advised they removed occupants from homes and asked them if they owned weapons when they cleared the houses. (b)(6), (b)(7)(C) recalled at least one (1) AK-47 being shown/handed over to his team.

f. (b)(6), (b)(7)(C) When asked if he spoke to (b)(6), (b)(7)(C) related he spoke to (b)(6), (b)(7)(C) on 19Nov05 while on Route Chestnut. (b)(6), (b)(7)(C) could not recall the exact words (b)(6), (b)(7)(C) used, but (b)(6), (b)(7)(C) advised gunfire came from the houses his squad had cleared. (b)(6), (b)(7)(C) noted the conversation he and (b)(6), (b)(7)(C) had on 19Nov05 was "all business." A day or two after 19Nov05, (b)(6), (b)(7)(C) noted he spoke with (b)(6), (b)(7)(C) again wherein (b)(6), (b)(7)(C) said his squad had cleared homes where insurgents had used people as shields. Again, (b)(6), (b)(7)(C) indicated he could not recall (b)(6), (b)(7)(C) exact words but this is what (b)(6), (b)(7)(C) understood (b)(6), (b)(7)(C) to mean. (b)(6), (b)(7)(C) also told (b)(6), (b)(7)(C) they had found multiple weapons on 19Nov05.

g. (b)(6), (b)(7)(C) reported he also spoke briefly to (b)(6), (b)(7)(C) some time after 19Nov05, when (b)(6), (b)(7)(C) asked (b)(6), (b)(7)(C) what had happened on 19Nov05. According to (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) said there was an ambush, first the IED blast and then SAF. (b)(6), (b)(7)(C) also said they (his squad) were received fire from multiple homes and responded by following the Standard Operating Procedure (SOP).

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SUBJ: (b)(6), (b)(7)(C)

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h. (b)(6), (b)(7)(C) noted he spoke to (b)(6), (b)(7)(C) on 19Nov05 to make sure he was okay. (b)(6), (b)(7)(C) advised his squad assessed the casualties and then returned fire on the houses they had received SAF from. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) that he dismounted his 240G-machine gun to gain fire superiority. (b)(6), (b)(7)(C) opined this was a brilliant move by (b)(6), (b)(7)(C) also told (b)(6), (b)(7)(C) he had to use his 9mm pistol at one point because he ran out of rounds. (b)(6), (b)(7)(C) advised both (b)(6), (b)(7)(C) told him they had found weapons on 19Nov05. (b)(6), (b)(7)(C) noted he was unsure about the number, but said the number eight (8) "stuck out" in his head.

i. A FOUND GRENADE: A day or two after 19Nov05, (b)(6), (b)(7)(C) related he and his squad were out on patrol in Haditha when an Iraqi male approached them and asked for assistance with a grenade that had been found.

(b)(6), (b)(7)(C) noted they found two (2) grenades after they cleared the homes they entered that day. In the first house, (b)(6), (b)(7)(C) recalled finding a grenade in the bathroom and detonated it with C-4. The second grenade was located in another house where (b)(6), (b)(7)(C) observed fire damage, what appeared to be bloodstains and bloodied drag marks, and bullet holes. (b)(6), (b)(7)(C) indicated when the second grenade was found, he called it into the Kilo Company COC. (b)(6), (b)(7)(C) believed MAJ (b)(6), (b)(7)(C) had already been out to these homes before.

j. PHOTOGRAPHS: (b)(6), (b)(7)(C) stated he had seen two (2) photographs of what he believed were images of the deceased from 19Nov05. (b)(6), (b)(7)(C) could not recall the date, but one day while he was at the Firmbase's COC, he used CPL (b)(6), (b)(7)(C) ; classified computer. While utilizing (b)(6), (b)(7)(C) computer, (b)(6), (b)(7)(C) accidentally opened a power point with the headline of (b)(6), (b)(7)(C) 19Nov05 and saw a photograph. (b)(6), (b)(7)(C) explained he did not view the photograph for very long because LT (b)(6), (b)(7)(C) saw him open this up and "freaked out." (b)(6), (b)(7)(C) ; ordered (b)(6), (b)(7)(C) to close the item immediately.

(b)(6), (b)(7)(C) could not provide details of the photograph, but concluded the photograph was of a dead person from 19Nov05 based upon (b)(6), (b)(7)(C) reaction. (b)(6), (b)(7)(C) reported he also saw a photograph of a dead woman from 19Nov05 on a video clip that was shown to him on an unknown Marine's laptop. (b)(6), (b)(7)(C) believed the Marine that possessed the video clip might have been with Security Platoon. In turn, (b)(6), (b)(7)(C) advised LT (b)(6), (b)(7)(C) of the photograph and (b)(6), (b)(7)(C) informed (b)(6), (b)(7)(C) According to (b)(6), (b)(7)(C) this led to everyone's camera getting looked at because the Marines were supposed to get rid of such photographs. (b)(6), (b)(7)(C) estimated this occurred sometime in March 2006. Exhibit (489) pertains.

67. On 25Aug06, several NCIS representatives attended a meeting held at the FOB Prosperity regarding the exhumations of the twenty-four (24) victims' remains. The Multi National Forces-Iraq (MNF-I) Staff Judge Advocate's Office held the meeting wherein COL (b)(6), (b)(7)(C) led the discussion on various courses of action that could be taken regarding exhumations. (b)(6), (b)(7)(C) advised the surviving family members have stated they would not grant the U.S. government permission for the exhumation of the deceased, but have indicated they may allow an independent non-governmental organization (NGO) such as the Physicians of Human Rights (PHR) to conduct the exhumations and autopsies. COI (b)(6), (b)(7)(C) an attendee of the meeting, reported he had contacted PHR and PHR indicated they would become involved at the request of the Iraqi government. (b)(6), (b)(7)(C) advised he would contact (b)(6), (b)(7)(C)

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the Minister of Human Rights for Iraq in an attempt to meet PHR's request. Exhibit (490) pertains.

68. On 07Sep06, NCIS obtained photographs for nineteen (19) of the twenty-four (24) deceased victims. A representative of the surviving family members, (b)(6), (b)(7)(C) an Iraqi civilian lawyer, provided the photographs to MAJ (b)(6), (b)(7)(C) 3rd Civil Affairs Group. The photographs have the name, ages, and birth date or approximate birth date listed on the back of each photograph for nineteen (19) of the victims. (b)(6), (b)(7)(C) was unable to provide photographs for the following victims: V/AHMED, AIDA YASIN, V/SALIM, SEBEA YUNIS, V/SALIM AISHA UNES, V/AHMED, HUDA YASIN, and V/AHMED, MOHMED TABAL. For clarification, because several linguists were utilized during the course of this investigation there are variations in translation; therefore, the names on the back of each photograph vary in spelling from the victims listed in the title block of this report. Exhibit (491) pertains.

69. Currently, a few administrative matters remain pending; however, all significant investigative activity has been completed. Efforts to obtain permission for exhumation of the victims' remains are being led by MNF-I and are ongoing. This investigation remains pending review for prosecutorial merit and potential adjudication. Command has been fully briefed regarding the status of this investigation.

PARTICIPANTS

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

- ent, NCIS Fallujah, Iraq
- al Agent, NCIS Al Asad, Iraq
- cial Agent, NCIS CRFO, Brunswick, GA
- pecial Agent, NCIS CRFO, Brunswick, GA
- al Agent, NCIS CRFO, Brunswick, GA
- al Agent, NCIS CRFO, Brunswick, CA
- ent, NCISFO Camp Pendleton, CA
- al Agent, NCISFO Camp Pendleton, CA
- or, NCISFO Camp Pendleton, CA
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- gent, NCISFO Camp Pendleton, CA
- Agent, NCISFO Camp Pendleton, CA
- Agent, NCISFO San Diego, CA
- Special Agent, NCISFO San Diego, CA
- Special Agent, NCISFO San Diego, CA
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REPORT OF INVESTIGATION (ACTION)

07SEP06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA/T

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

COMMAND/I MEF/11931

MADE AT/MEIZ/NCIS AL ASAD IZ (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S)

(A) NCISHQ Code 23B ROI (ACTION) /09Aug06

EXHIBIT(S)

(1) IA: Victim Photographs/07Sep06

NARRATIVE

1. Subsequent to Reference (A), nineteen of the twenty-four victims photographs were obtained by Major (b)(6), (b)(7)(C) USMC, 3rd Civil Affairs Group, by his contact with the Iraqi lawyer, (b)(6), (b)(7)(C) who obtained them directly from family representatives. The photos are appended in exhibit (1).

2. The original photographs will be sent via FedEx, attention SA (b)(6), (b)(7)(C) reference number 8485 5851 0629. A scanned copy of the photographs will be held until receipt of the photographs by Code 23B. Lead action considered complete.

PARTICIPANT(S)

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

Civil Affairs Group, USMC
SJA, RCT-7 3/3, USMC

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

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

07SEP06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA/T

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

COMMAND/I MEF/11931

MADE AT/MEIZ/NCIS AL ASAD IZ (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S) (S)

(A) NCISHQ Code 23B ROI(ACTION)/09Aug06

EXHIBIT(S)

(1) IA: Victim Photographs/07Sep06

NARRATIVE

1. Subsequent to Reference (A), nineteen of the twenty-four victims photographs were obtained by Major USMC, 3rd Civil Affairs Group, by his contact with the Iraqi lawyer, (b)(6), (b)(7)(C) who obtained them directly from family representatives. The photos are appended in exhibit (1).

2. The original photographs will be sent via FedEx, attention SA (b)(6), (b)(7)(C) reference number 8485 5851 0629. A scanned copy of the photographs will be held until receipt of the photographs by Code 23B. Lead action considered complete.

PARTICIPANT(S)

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

Civil Affairs Group, USMC
SJA, RCT-7 3/3, USMC

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

29AUG06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA/T

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

COMMAND/I MEF/11931

MADE AT/MEIZ/BAGHDAD I (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S) (S)

(A) NCISHQ CODE 23B ROI(ACTION)/03AUG06

(B) NCISHQ CODE 23B ROI(ACTION)/09AUG06

EXHIBIT(S)

- (1) IA: Results of Exhumation Meeting at FOB Prosperity /27Aug06... (Copy all/Less MEBJ)

NARRATIVE

1. Pursuant to lead tasking set forth in References (A) and (B), efforts remain underway to facilitate the exhumation of the victims' bodies and to locate and interview (b)(6), (b)(7)(C) regarding his knowledge of the events that took place on 19Nov05.

2. On 24Aug06, Reporting Agent (RA) assumed lead tasking assignments from Assistant Special Agent in Charge (b)(6), (b)(7)(C) NCIS Baghdad, Iraq. On 25Aug06, RA attended a meeting held at Forward Operating Base (FOB) Prosperity regarding legal issues pertaining to the exhumation of the victims' remains. The meeting was attended by several representatives from NCIS, and the Multi-National Forces Iraq (MNFI) Staff Judge Advocates Office. The results of which are appended as Exhibit (1). Completion of lead tasking continues.

3. Efforts to locate and interview (b)(6), (b)(7)(C) will continue.

PARTICIPANTS

(b)(6), (b)(7)(C) Special Agent in Charge, NCIS - MNFI/SCID Baghdad
 Col, AFOSI - MNFI/SCID Baghdad
 Assistant Special Agent in Charge, NCIS - MNFI/SCID Baghdad

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REPORT OF INVESTIGATION (ACTION)

29AUG06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA/T

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

COMMAND/1 MEF/11931

MADE AT/24D5/PAC CYBER DIV SAN DIEGO CA (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S) (S)

- (A) NCISHQ ROI (ACTION)/20JUN06
- (B) PACIFIC CYBER DIVISION SAN DIEGO ROI (ACTION)/30JUN06
... (Containing Exhibits 1-27)
- (C) PACIFIC CYBER DIVISION SAN DIEGO ROI (ACTION)/25JUL06
... (Containing Exhibits 28-36)

EXHIBIT(S)

- (37) IA: Receipt of information from Yahoo! and Photobucket/25AUG06... (copy all)
- (38) RCFL Examination Report 06-0218-G01/G02 for (b)(6), (b)(7)(C) account information from Yahoo!/04AUG06... (Copy all)
- (39) RCFL Examination Report 06-0218-H01/H02 for (b)(6), (b)(7)(C) account information from /04AUG06... (Copy all)

NARRATIVE

1. Subsequent to the lead tasking set forth in Reference (A), Special Agent (b)(6), (b)(7)(C) reported the results of numerous leads in references (B) and (C). Subsequent to the reporting of References (B) and (C), additional investigative effort by Reporting Agent (RA) for lead tasking set forth in Reference (A) has been completed and is summarized below.

2. RA received several compact disks and reports from Yahoo! Inc. and Photobucket via Federal Express, Exhibit (37) pertains. All information was entered into NCISFO CAMP PENDLETON (MWPE) Evidence Facility and transferred to Participating Agent (PA) (b)(6), (b)(7)(C) RCFL, for examination.

3. PA (b)(6), (b)(7)(C) extracted all email, reviewed digital photos, and created working copies for Case Agent to review of the evidence provided by Yahoo! Inc. This evidence was presented in a readable format and provided to Case Agent, Exhibit (38) pertains.

4. PA (b)(6), (b)(7)(C) created working copies of the evidence provided for (b)(6), (b)(7)(C) account, located at Photobucket.com. PA (b)(6), (b)(7)(C) did not note any photos of evidence related to the current investigation, Exhibit (39) pertains.

5. In response to lead tasking set forth in reference (A), to prepare CPL (b)(6), (b)(7)(C), USMC, (b)(6), (b)(7)(C) USMC, and SSGT (b)(6), (b)(7)(C) computers for return; (b)(6), (b)(7)(C) computer was shipped to him via Federal Express, tracking number 856526135510, on 28JUN06; (b)(6), (b)(7)(C) computer was returned to him on 28JUN06; and

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL: 13MAR06-MEBJ-0164-7HMA/T

29Aug06

computer was returned to him on 27JUN06.

PARTICIPANT(S)

Retired Special Agent Pacific Cyber Division San Diego,
CA

Special Agent Pacific Cyber Division, RCFL San Diego, CA

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INFO: 24D (M)MWPE (HC)/24D5

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

22AUG06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA

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

V/ALI, ABDUL HAMEED HUSIN/CIV
F/W/FNIZ/N//01JUL29/HADITHA AL ANBAR CITY, IRAQ
V/ALI, KHAMISA TUEMA/CIV
F/W/FNIZ/N//01JAN39/HADITHA AL ANBAR CITY, IRAQ
V/HASAN, WALEED ABDALHAMID/CIV
M/W/FNIZ/N//01JAN68/HADITHA AL ANBAR CITY, IRAQ
V/HAMEED, ABDULLAH WALEED ABDUL/CIV
M/W/FNIZ/N//06AUG01/HADITHA AL ANBAR CITY, IRAQ
V/HASAN, GUHID ABDALHAMID/CIV
M/W/FNIZ/N//HADITHA AL ANBAR CITY, IRAQ
V/HASAN, RASHEED ABDALHAMID/CIV
M/W/FNIZ/N//HADITHA AL ANBAR CITY, IRAQ
V/RASIF, ASMAA SALMAN/CIV
F/W/FNIZ/N//HADITHA AL ANBAR CITY, IRAQ
V/RASIF, YUNIS SALAM/CIV
M/W/FNIZ/N//01JAN62/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, AIDA YASIN/CIV
F/W/FNIZ/N//01MAR65/HADITHA AL ANBAR CITY, IRAQ
V/SALIM, MOHMED YUNIS/CIV
M/W/FNIZ/N//HADITHA AL ANBAR CITY, IRAQ
V/RASIF, NOOR SALIM/CIV
F/W/FNIZ/N//01JAN92/HADITHA AL ANBAR CITY, IRAQ
V/SALIM, SEBEA YUNIS/CIV
F/W/FNIZ/N//03APR95/HADITHA AL ANBAR CITY, IRAQ
V/SALIM, ZAINAB UNES/CIV
F/W/FNIZ/N//17JUN00/HADITHA AL ANBAR CITY, IRAQ
V/SALIM, AISHA UNES/CIV
F/W/FNIZ/N//19MAR02/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, HUDA YASIN/CIV
F/W/FNIZ/N//01JAN66/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, JAMAL AIAD/CIV
M/W/FNIZ/N//16JUL66/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, JASIB AIAD/CIV
M/W/FNIZ/N//01JAN77/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, MARWAN AIAD/CIV
M/W/FNIZ/N//01JAN78/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, KAHTAN AIAD/CIV
M/W/FNIZ/N//01JAN84/HADITHA AL ANBAR CITY, IRAQ
V/ALZAWI, KALED AIDA/CIV

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CONTROL: 13MAR06-MEBJ-0164-7HMA

22Aug06

FOR OFFICIAL USE ONLY M/W/FNIZ/N//01JAN85/HADITHA AL ANBAR CITY, IRAQ

V/ALZAWI, WAGDI AIDA/CIV
M/W/FNIZ/N//01JAN79/HADITHA AL ANBAR CITY, IRAQ
V/FLAEH, AKRAM HAMID/CIV
M/W/FNIZ/S//HADITHA AN ALBAR CITY, IRAQ
V/AHMED, MOHMED TABAL/CIV
M/W/FNIZ/N//01JAN84/HADITHA AL ANBAR CITY, IRAQ
V/MUSLEH, AHMED KHUTAR/CIV
M/W/FNIZ/N//01JAN76/HADITHA AL ANBAR CITY, IRAQ

COMMAND/I MEF/11931

MADE AT/MWPE/CAMP PENDLETON CA (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S) (S)

(A) NCISHQ 0023 ROI (ACTION)/09May06

EXHIBIT(S)

- (1) IA: Submission of Preservation Letters for Co-Subjects' Email Accounts/22Aug06...(Copy all/Less MWFO)
- (2) IA: Submission of Preservation Letters for Various Email Accounts/22Aug06...(Copy all/Less MWFO)

NARRATIVE

1. Lead tasking set forth in Reference (A), requested MWPE to submit preservation letters to the Internet Service Providers (ISP) for the email accounts provided by (b)(6), (b)(7)(C). Additionally, lead tasking requested MWPE to attain subpoenas for these respective accounts. On 12May06, preservation letters were sent for the email accounts. However, it was determined a subpoena would provide subscriber information only, and a search warrant or a permissive authorization for search and seizure would be necessary in order to obtain actual email content transmitted from the account. Throughout the course of this investigation, no additional information was developed to indicate these accounts were utilized to transmit information pertinent to this investigation. Therefore, additional content information from all of the accounts was not further pursued; Exhibit (1) pertains.

2. Throughout the course of this investigation, it was determined several individuals possessed photographs, video and/or information relating to this investigation. Preservation letters were issued to the ISPs for these individuals to capture email traffic, which was related to the events of 19Nov05 in Haditha, Iraq; Exhibit (2) provides additional details regarding those preservation letters and actions. Lead tasking to MWPE is complete.

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL: 13MAR06-MEBJ-0164-7HMA

22Aug06

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

16AUG06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA

(ET AL)

COMMAND/I MEF/11931

MADE AT/SDTC/SAN DIEGO CA TECH ENFORCEMENT OFFICER

REFERENCE(S) (S)

(A) NCISTSD San Diego, CA ROI (ACTION)/11JUL06

NARRATIVE

1. Since submission of Reference (A), no additional technical investigative support has been provided in the captioned investigation. Pending case progress and oral/wire intercept authority, final installation remains in abeyance to safeguard and preclude unauthorized use of equipment.

ACTION

0023B: Provided for status. Lead tasking remains pending oral/wire intercept authority for completion of installation and operational turnover to MWPE for monitoring.

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ACTION: 0023B

INFO: 24B1/MEBJ

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

15AUG06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA/T

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

COMMAND/I MEF/11931

MADE AT/MEIZ/AL ASAD IZ (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S) (S)

(A) NCISHQ ROI (ACTION)/03Aug06

(B) MEIZ ROI (ACTION)/15Aug06

EXHIBIT(S)

(1) IA: Information Received from General Dynamics Technician []
/15Aug06...(Copy 23B/MWPE only)

NARRATIVE

1. Reference (A) requested to locate a hard drive used by USMC, that was turned over for repair by SSgt USMC, Intelligence Chief, S-2, 3rd Battalion, 1st Marines (3/1). Reference (B), exhibit (2), were inquiries conducted to locate the classified hard drive. Subsequent to Reference (B), Mr. General Dynamics. provided Reporting Agent with a copy of an email between USMC, Regimental Combat Team - 2 (RCT-2), S-2 and S-2, and on 18Jan06. Exhibit (1) provides that worked on the laptop, not the hard drive, and the hard drive was turned in by to stated the hard drive was either turned back over to or remained in RCT-2's possession.

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

15AUG06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA/T

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

COMMAND/I MEF/11931

MADE AT/MEIZ/AL ASAD IZ (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S) (S)

- (A) NCISHQ ROI (ACTION)/25Apr06
- (B) NCISHQ ROI (ACTION)/03Aug06
- (C) NCISHQ ROI (ACTION)/09Aug06

EXHIBIT(S)

- (1) IA: Search for Computerized Patients Logs Aboard Al Asad Airbase, Iraq/15Aug06... (Copy 23B/MWPE only)
- (2) IA: Search for 3/1 Hard Drive Circa Dec05-Jan06/15Aug06... (Copy 23B/MWPE only)

NARRATIVE

1. Reference (A) requests computerized patient logs for Al Asad Airbase, Iraq. All patient files are sent to Al Taqaddum, Iraq, and then sent to the Naval Health Research Center in San Diego, CA, exhibit (1) pertains.

2. Reference (B) requests the location and interview of (b)(6), (b)(7)(C) (b)(6), (b)(7)(C). Captain (b)(6), (b)(7)(C) 3rd Battalion, 3rd Marines (3/3) Judge Advocate General, was contacted to assist in locating (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) stated he contacted 3/3 G-5 Major (b)(6), (b)(7)(C) who would actively assist in trying to locate

3. Reference (B) also requests to locate a hard drive turned in to the 3rd Battalion, 1st Marines S-2 shop. (b)(6), (b)(7)(C) was requested to help locate any logbooks or records of classified hard drives that would have been sent for repairs circa Dec05-Jan06. (b)(6), (b)(7)(C) stated 3/3 does not have any logbooks, records, or work orders for 3/1. Contact was made with the General Dynamics supervisor for Al Anbar Province, Iraq, Mr. (b)(6), (b)(7)(C) who stated he contacted all of his satellite offices that would have covered FOB Haditha circa Dec05-Jan06, with no records or work orders found for 3/1.

4. Reference (C) requests family photos with identifying information from family representatives of the victims in this investigation.

(b)(6), (b)(7)(C) stated 3/3 G-5 has been notified to set up an appointment with family representatives and NCIS to obtain the photographs and identifying information.

PARTICIPANT(S)

Special Agent, NCIS Det Al Taqaddum, Iraq
Special Agent, NCISHQ Code 23B

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15Aug06

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

15AUG06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA/T

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

V/ALI, ABDUL HAMEED HUSIN/CIV
M/W/FNIZ/N//01JUL29/HADITHA, AL ANBAR PROVINCE, IRAQ
V/ALI, KHAMISA TUEMA/CIV
F/W/FNIZ/N//01JAN39/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, WALEED ABDALHAMID/CIV
M/W/FNIZ/N//01JAN68/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HAMEED, ABDULLAH WALEED ABDUL/CIV
M/W/FNIZ/N//06AUG01/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, GUHID ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, RASHEED ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, ASMAA SALMAN/CIV
F/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, YUNIS SALAM/CIV
M/W/FNIZ/N//01JAN62/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, AIDA YASIN/CIV
F/W/FNIZ/N//01MAR65/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, MOHMED YUNIS/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, NOOR SALIM/CIV
F/W/FNIZ/N//01JAN92/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, SEBEA YUNIS/CIV
F/W/FNIZ/N//03APR95/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, ZAINAB UNES/CIV
F/W/FNIZ/N//17JUN00/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, AISHA UNES/CIV
F/W/FNIZ/N//19MAR02/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, HUDA YASIN/CIV
F/W/FNIZ/N//01JAN66/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, JAMAL AIAD/CIV
M/W/FNIZ/N//16JUL66/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, JASIB AIAD/CIV
M/W/FNIZ/N//01JAN77/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, MARWAN AIAD/CIV
M/W/FNIZ/N//01JAN78/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, KAHTAN AIAD/CIV

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15Aug06

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V/ALZAWI, KALED AIDA/CIV
M/W/FNIZ/N//01JAN85/HADITHA, AL ANBAR PROVINCE, IRAQ
V/ALZAWI, WAGDI AIDA/CIV
M/W/FNIZ/N//01JAN79/HADITHA, AL ANBAR PROVINCE, IRAQ
V/FLAEH, AKRAM HAMID/CIV
M/W/FNIZ/S//HADITHA, AN ALBAR PROVINCE, IRAQ
V/AHMED, MOHMED TABAL/CIV
M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ
V/MUSLEH, AHMED KHUTAR/CIV
M/W/FNIZ/N//01JAN76/HADITHA, AL ANBAR PROVINCE, IRAQ

COMMAND/I MEF/11931

MADE AT/CALE/CAMP LEJEUNE NC (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S) (S)

- (A) NCISRA DCWA ROI (ACTION)/28Jun06
- (B) NCISRA CALE ROI (ACTION)/12Jul06

EXHIBIT(S)

- (1) IA: Results of Attempts to Locate (b)(6), (b)(7)(C) 15Aug06... (Copy All)

NARRATIVE

1. Subsequent to the receipt of lead tasking set forth within Reference (A), and subsequent to the submission of Reference (B), attempts have been made to locate (b)(6), (b)(7)(C) in order to interview him in reference to his knowledge of the events that occurred in Haditha, Iraq on 19Nov05. Previous records indicated (b)(6), (b)(7)(C) was employed as a linguist by Titan Group, L-3 Communications, and may have been in Haditha on 19Nov06. Liaison with Titan listed (b)(6), (b)(7)(C) last known residence as (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) however, attempts to locate (b)(6), (b)(7)(C) at that residence revealed he had been evicted on 06Jul06 and no forwarding information was provided.
2. Subsequent to initial efforts to locate (b)(6), (b)(7)(C) additional efforts were made utilizing various Internet databases and employment inquiries via telephone number (b)(6), (b)(7)(C). The Internet inquiries did not disclose any additional information and liaison with (b)(6), (b)(7)(C) Human Resources Specialist, Titan Group, revealed (b)(6), (b)(7)(C) has not provided Titan with his new address or telephone number. Exhibit (1) pertains.
3. All known resources have been utilized to locate and interview (b)(6), (b)(7)(C) and all investigative leads have been exhausted; therefore, lead tasking is complete.

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CONTROL: 13MAR06-MEBJ-0164-7HMA/T

15Aug06

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

14AUG06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA/T

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

COMMAND/I MEF/11931

MADE AT/SWND/SAN DIEGO CA (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S) (S)

- (A) NCISHQ 0023 ROI (ACTION)/26JUN06
- (B) SWND ROI (ACTION)/14JUL06
- (C) SWND ROI (ACTION)/31JUL06

EXHIBIT(S)

- (1) IA: Results of Efforts to Obtain Medical Records From NHRC/14Aug06... (Copy 23B/MWPE)

NARRATIVE

1. Reference (A) tasked SWND to located and obtain medical records from the Combat Trauma Registry at the Naval Health Research Center (NHRC), San Diego, CA with regards to the subject and co-subjects of this investigation. References (B) and (C) documented investigative efforts to obtain these records. Extensive research by the staff and Principal Investigator at the Combat Trauma Registry resulted in no records for the six individuals in question, exhibit (1) pertains. Lead tasking is complete.

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

09AUG06

DEATH (II)

CONTROL: 13MAR06-MEJ-0164-7HMA/T

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

V/ALI, ABDUL HAMEED HUSIN/CIV
M/W/FNIZ/N//01JUL29/HADITHA, AL ANBAR PROVINCE, IRAQ
V/ALI, KHAMISA TUEMA/CIV
F/W/FNIZ/N//01JAN39/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, WALEED ABDALHAMID/CIV
M/W/FNIZ/N//01JAN68/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HAMEED, ABDULLAH WALEED ABDUL/CIV
M/W/FNIZ/N//06AUG01/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, GUHID ABDALHAMID/CIV
M/W/FNIZ/N//HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, RASHEED ABDALHAMID/CIV
M/W/FNIZ/N//HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, ASMAA SALMAN/CIV
F/W/FNIZ/N//HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, YUNIS SALAM/CIV
M/W/FNIZ/N//01JAN62/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, AIDA YASIN/CIV
F/W/FNIZ/N//01MAR65/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, MOHMED YUNIS/CIV
M/W/FNIZ/N//HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, NOOR SALIM/CIV
F/W/FNIZ/N//01JAN92/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, SEBEA YUNIS/CIV
F/W/FNIZ/N//03APR95/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, ZAINAB UNES/CIV
F/W/FNIZ/N//17JUN00/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, AISHA UNES/CIV
F/W/FNIZ/N//19MAR02/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, HUDA YASIN/CIV
F/W/FNIZ/N//01JAN66/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, JAMAL AIAD/CIV
M/W/FNIZ/N//16JUL66/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, JASIB AIAD/CIV
M/W/FNIZ/N//01JAN77/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, MARWAN AIAD/CIV
M/W/FNIZ/N//01JAN78/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, KAHTAN AIAD/CIV

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Page 1 of 4

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL: 13MAR06-MEBJ-0164-7HMA/T

09Aug06

FOR OFFICIAL USE ONLY M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ

V/ALZAWI, KALED AIDA/CIV
M/W/FNIZ/N//01JAN85/HADITHA, AL ANBAR PROVINCE, IRAQ
V/ALZAWI, WAGDI AIDA/CIV
M/W/FNIZ/N//01JAN79/HADITHA, AL ANBAR PROVINCE, IRAQ
V/FLAEH, AKRAM HAMID/CIV
M/W/FNIZ/S//HADITHA, AN ALBAR PROVINCE, IRAQ
V/AHMED, MOHMED TABAL/CIV
M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ
V/MUSLEH, AHMED KHUTAR/CIV
M/W/FNIZ/N//01JAN76/HADITHA, AL ANBAR PROVINCE, IRAQ

COMMAND/I MEF/11931

MADE AT/0023/WASHINGTON DC (b)(6), (b)(7)(C) SPECIAL AGENT

NARRATIVE

1. On 19Nov05 at approximately 0715, members of 1st Squad, 3rd Platoon, Kilo Company, 3 Battalion, 1st Marines, 1st Marine Division, came under attack by insurgents who detonated an Improvised Explosive Device (IED) on their convoy in Haditha, Iraq. The convoy consisted of [redacted] vehicles, of which the fourth vehicle was hit. As a result of the IED, the driver was killed, and the other [redacted] occupants were injured. Following the attack on the convoy, members of 1st Squad reported that they came under small arms fire (SAF) from the south and north of the IED site. Just ahead of the Marine convoy was a white car with five unarmed Iraqi civilian occupants. All of these occupants exited the car and were reportedly shot by (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C). After this engagement, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) formed together into a team and began searching houses for insurgents involved in the coordinated attack. During the searches, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) were involved in the shooting death of an additional eighteen (18) Iraqi civilians. Another unarmed Iraqi civilian was also fatally shot, after he was observed from a roof top observation post (OP), by (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) as well as other Kilo Company Marines. At the end of the day, twenty-four (24) Iraqi civilians were killed by Marines from 1st Squad, including four women and six children.

2. During the course of this investigation numerous post mortem photographs were obtained from various sites associated with the 19Nov05 deaths of 24 Iraqi civilians in Haditha. NCIS forensic consultants utilized those photographs to reconstruct certain events that transpired on 19Nov05. The photographs could be used to establish that deaths had occurred and the identification of the victims was established in previous witness interviews and review of Haditha hospital records. A nexus needs to be made between the 24 named victims and the death scene photographs NCIS has obtained. To accomplish this it is requested that the family representatives identified herein be contacted to obtain the most recent photograph available of the deceased and a comprehensive description.

3. On 30Mar06, Reporting Agent (RA) convened a three-hour meeting at

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL: 13MAR06-MEBJ-0164-7HMA/T

09Aug06

the Haditha Hospital, Haditha, Iraq, with designated individuals of those who had family members killed by Marines from Kilo Company, 3RBN, 1st Marines on Route Chestnut, Haditha, on 19Nov05. The family representatives will be identified by their names and the family names associated with this investigation. Their relationships will be further associated through a description of the physical sites, as delineated in this investigation, where the deaths occurred and the names of those who died:

White Taxi

- a. (b)(6), (b)(7)(C) of V/MUSLEH, Ahmed Khuter (29 YOA/male) was the taxicab operator / owner.
- b. (b)(6), (b)(7)(C) of V/ALZAWI, Kaled Aida (21 YOA/male), who was a student, and V/ALZAWI, Wagdi Aida who was employed with the City of Haditha, Public Works.
- c. (b)(6), (b)(7)(C) of V/FLAEH, Akram Hamid (unk YOA/male) who was a student.
- d. (b)(6), (b)(7)(C) of V/AHMED, Mohmed Tabal (21 YOA/male) who was a student.

House No. 1

- a. (b)(6), (b)(7)(C) of the elder and male who died in House No. 1.
- b. (b)(6), (b)(7)(C) of V/RASIF, Asmaa Salman and is an Attorney in Haditha and a member of the Haditha City Counsel. He spoke on behalf of (b)(6), (b)(7)(C) and another family representative from House No. 2 (b)(6), (b)(7)(C)
- c. The following victims are believed to have perished in House No.1 or shot by Marines from the OP: V/ALI, Abdul Husin (76 YOA/male), V/ALI, Khamisa Tuema (66 YOA/female), V/Hasan, Waleed Abalhamid (37 YOA/male), V/HAMEED, Abdullah Waleed Abdul (4 YOA/male), V/HASAN, Guhid Abdalhamid (unk. YOA/male), V/HASAN, Rasheed Addalhamid (unk YOA/male, suspected ridgeline shooting victim) and V/RASIF, Asmaa Salman (unk YOA/female).

House No. 2

- a. (b)(6), (b)(7)(C) of V/RASIF, Yunis Salim who was the owner of the house.
- b. (b)(6), (b)(7)(C) of V/RASIF, Yunis Salim and is an Attorney in Haditha and a member of the Haditha City Counsel. He spoke on behalf of (b)(6), (b)(7)(C) and the family representative from House No. 1 (b)(6), (b)(7)(C)
- c. The following victims are believed to have perished in House No. 2: V/RASIF, Yunis Salem (43 YOA/male), V/AHMED, Aida Yasin (40 YOA/female), V/SALIM, Mohmed Yunis (unk YOA/male child), V/RASIF, Noor Salim (13 YOA/female), V/SALIM, Sebea Yunis (10 YOA/female), V/SALIM, Zainab Unes (5 YOA/male), V/SALIM, Aisha Unes (3 YOA/female) and V/AHMED, Huda Yasin (39 YOA/female)

House No. 4

- a. (b)(6), (b)(7)(C) of V/AHMED, Jamal Aiad (39 YOA/male), V/AHMED, Jasib Aiad (28 YOA/male), V/AHMED, Marwan Aiad (27 YOA/male) and V/AHMED, Kahtan Aiad (21 YOA/male).

ACTION

R.MEIZ: Contact LtCol (b)(6), (b)(7)(C) Civil Military Operations Center,

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09Aug06

FOB Haditha, to coordinate a meeting(s) with the designated victim family representatives, cited in para (3), to request the most recent photograph(s) of the their relatives who were killed on 19Nov05 and a comprehensive description of the victim. When photographs are obtained, annotate the name and victim's age on the back of the item. Send all results of lead tasking to 0023, Attn: SA (b)(6).

DISTRIBUTION

NCISHQ (SI): 023B

ACTION: MEIZ

INFO: MEBJ/MWPE

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

V2 LNN

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

03AUG06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA/T

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

V/ALI, ABDUL HAMEED HUSIN/CIV
M/W/FNIZ/N//01JUL29/HADITHA, AL ANBAR PROVINCE, IRAQ
V/ALI, KHAMISA TUEMA/CIV
F/W/FNIZ/N//01JAN39/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, WALEED ABDALHAMID/CIV
M/W/FNIZ/N//01JAN68/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HAMEED, ABDULLAH WALEED ABDUL/CIV
M/W/FNIZ/N//06AUG01/HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, GUHID ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/HASAN, RASHEED ABDALHAMID/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, ASMAA SALMAN/CIV
F/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, YUNIS SALIM/CIV
M/W/FNIZ/N//01JAN62/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, AIDA YASIN/CIV
F/W/FNIZ/N//01MAR65/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, MOHMED YUNIS/CIV
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ
V/RASIF, NOOR SALIM/CIV
F/W/FNIZ/N//01JAN92/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, SEBEA YUNIS/CIV
F/W/FNIZ/N//03APR95/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, ZAINAB UNES/CIV
F/W/FNIZ/N//17JUN00/HADITHA, AL ANBAR PROVINCE, IRAQ
V/SALIM, AISHA UNES/CIV
F/W/FNIZ/N//19MAR02/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, HUDA YASIN/CIV
F/W/FNIZ/N//01JAN66/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, JAMAL AIAD/CIV
M/W/FNIZ/N//16JUL66/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, JASIB AIAD/CIV
M/W/FNIZ/N//01JAN77/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, MARWAN AIAD/CIV
M/W/FNIZ/N//01JAN78/HADITHA, AL ANBAR PROVINCE, IRAQ
V/AHMED, KAHTAN AIAD/CIV

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SUBJ: (b)(6), (b)(7)(C)

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

- M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ
- V/ALZAWI, KALED AIDA/CIV
- M/W/FNIZ/N//01JAN85/HADITHA, AL ANBAR PROVINCE, IRAQ
- V/ALZAWI, WAGDI AIDA/CIV
- M/W/FNIZ/N//01JAN79/HADITHA, AL ANBAR PROVINCE, IRAQ
- V/FLAEH, AKRAM HAMID/CIV
- M/W/FNIZ/S//HADITHA, AL ANBAR PROVINCE, IRAQ
- V/AHMED, MOHMED TABAL/CIV
- M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ
- V/MUSLEH, AHMED KHUTAR/CIV
- M/W/FNIZ/N//01JAN76/HADITHA, AL ANBAR PROVINCE, IRAQ

COMMAND/I MEF, CAMP PENDLETON, CA/11931

MADE AT/0023/NCISHQ WASHINGTON DC (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCES

- (A) NCISHQ Washington DC ROI (INTERIM)/12Apr06 (Contains Exhibits 1-57)
- (B) NCISHQ Washington DC ROI (INTERIM)/05Jun06 (Contains Exhibits 58-107)
- (C) NCISHQ Washington DC ROI (INTERIM)/20Jun06 (Contains Exhibits 108-227)

EXHIBITS

- (228) IA: Results of Telephonic Contact with (b)(6), (b)(7)(C) /31May06... (Orig 0023/Copy MWPE)
- (229) IA: Results of Telephonic Contact with (b)(6), (b)(7)(C) /31May06... (Orig 0023/Copy MWPE)
- (230) Statement of 5... (Orig 0023/Copy MWPE)
- (231) Statement of 15Jun06... (Orig 0023/Copy MWPE)
- (232) Statement of 13Jun06... (Orig 0023/Copy MWPE)
- (233) Statement of 4Jun06... (Orig 0023/Copy MWPE)
- (234) Statement of 1n06... (Orig 0023/Copy MWPE)
- (235) Statement of 06... (Orig 0023/Copy MWPE)
- (236) Statement of 106... (Orig 0023/Copy MWPE)
- (237) Statement of Jun06... (Orig 0023/Copy MWPE)
- (238) Statement of 06... (Orig 0023/Copy MWPE)
- (239) Statement of 106... (Orig 0023/Copy MWPE)
- (240) Statement of Jun06... (Orig 0023/Copy MWPE)
- (241) Statement of 07Jun06... (Orig 0023/Copy MWPE)
- (242) Statement of 1n06... (Orig 0023/Copy MWPE)
- (243) Statement of 07Jun06... (Orig 0023/Copy MWPE)
- (244) Statement of 06... (Orig 0023/Copy MWPE)
- (245) Statement of Jun06... (Orig 0023/Copy MWPE)
- (246) Statement of 06... (Orig 0023/Copy MWPE)
- (247) Statement of Jun06... (Orig 0023/Copy MWPE)
- (248) Statement of 106... (Orig 0023/Copy MWPE)
- (249) Statement of 1n06... (Orig 0023/Copy MWPE)
- (250) Statement of Jun06... (Orig 0023/Copy MWPE)
- (251) Statement of 06... (Orig 0023/Copy MWPE)
- (252) Statement of 1n06... (Orig 0023/Copy MWPE)
- (253) Statement of /12Jun06... (Orig 0023/Copy MWPE)

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SUBJ: (b)(6), (b)(7)(C)

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

- (254) Statement of (b)(6), (b)(7)(C) May06... (Orig 0023/Copy MWPE)
- (255) Statement of (b)(6), (b)(7)(C) un06... (Orig 0023/Copy MWPE)
- (256) Statement of (b)(6), (b)(7)(C) 6... (Orig 0023/Copy MWPE)
- (257) Statement of (b)(6), (b)(7)(C) un06... (Orig 0023/Copy MWPE)
- (258) Statement of (b)(6), (b)(7)(C) 6... (Orig 0023/Copy MWPE)
- (259) Statement of (b)(6), (b)(7)(C) ... (Orig 0023/Copy MWPE)
- (260) Statement of (b)(6), (b)(7)(C) n06... (Orig 0023/Copy MWPE)
- (261) Statement of (b)(6), (b)(7)(C) 6... (Orig 0023/Copy MWPE)
- (262) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
- (263) Statement of (b)(6), (b)(7)(C) 6... (Orig 0023/Copy MWPE)
- (264) Statement of (b)(6), (b)(7)(C) ... (Orig 0023/Copy MWPE)
- (265) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
- (266) Statement of (b)(6), (b)(7)(C) ... (Orig 0023/Copy MWPE)
- (267) Statement of (b)(6), (b)(7)(C) n06... (Orig 0023/Copy MWPE)
- (268) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
- (269) Statement of (b)(6), (b)(7)(C) 6Jun06... (Orig 0023/Copy MWPE)
- (270) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
- (271) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
- (272) Statement of (b)(6), (b)(7)(C) 21Jun06... (Orig 0023/Copy MWPE)
- (273) Statement of (b)(6), (b)(7)(C) un06... (Orig 0023/Copy MWPE)
- (274) Statement of (b)(6), (b)(7)(C) 1Jun06... (Orig 0023/Copy MWPE)
- (275) Statement of (b)(6), (b)(7)(C) n06... (Orig 0023/Copy MWPE)
- (276) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
- (277) Statement of (b)(6), (b)(7)(C) 6... (Orig 0023/Copy MWPE)
- (278) Statement of (b)(6), (b)(7)(C) 6... (Orig 0023/Copy MWPE)
- (279) Statement of (b)(6), (b)(7)(C) ... (Orig 0023/Copy MWPE)
- (280) Statement of (b)(6), (b)(7)(C) CIV/27Jun06... (Orig 0023/Copy MWPE)
- (281) Statement of (b)(6), (b)(7)(C) CIV/06Jul06... (Orig 0023/Copy MWPE)
- (282) Statement of (b)(6), (b)(7)(C) 08Jul06... (Orig 0023/Copy MWPE)
- (283) Statement of (b)(6), (b)(7)(C) 2July06... (Orig 0023/Copy MWPE)
- (284) Statement of (b)(6), (b)(7)(C) 106... (Orig 0023/Copy MWPE)
- (285) IA: Results of Contact with (b)(6), (b)(7)(C)
- (b)(6), (b)(7)(C) USN/21May06... (Orig 0023/Copy MWPE)
- (286) IA: Results of Contact with (b)(6), (b)(7)(C)
- (b)(6), (b)(7)(C) /USA/25May06... (Orig 0023/Copy MWPE)
- (287) IA: Results of Contact With MSGT (b)(6), (b)(7)(C), USA (Orig 0023/Copy MWPE)
- (288) IA: Results of Interview of (b)(6), (b)(7)(C) /07Jun06... (Orig 0023/Copy MWPE)
- (289) IA: Results of Interview of (b)(6), (b)(7)(C) /16Jun06... (Orig 0023/Copy MWPE)
- (290) Statement of (b)(6), (b)(7)(C) 6... (Orig 0023/Copy MWPE)
- (291) Statement of (b)(6), (b)(7)(C) 6... (Orig 0023/Copy MWPE)
- (292) Statement of (b)(6), (b)(7)(C) 6... (Orig 0023/Copy MWPE)
- (293) Statement of (b)(6), (b)(7)(C) n06... (Orig 0023/Copy MWPE)
- (294) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
- (295) Statement of (b)(6), (b)(7)(C) ... (Orig 0023/Copy MWPE)
- (296) Statement of (b)(6), (b)(7)(C) 09Jun06... (Orig 0023/Copy MWPE)
- (297) Statement of (b)(6), (b)(7)(C) .. (Orig 0023/Copy MWPE)
- (298) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
- (299) Statement of (b)(6), (b)(7)(C) 15Jun06... (Orig 0023/Copy MWPE)

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SUBJ: (b)(6), (b)(7)(C)

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

- (300) Statement of (b)(6), (b)(7)(C) 22Jun06... (Orig 0023/Copy MWPE)
- (301) IA: Results of Interview of (b)(6), (b)(7)(C) 23Jun06... (Orig 0023/Copy MWPE)
- (302) IA: Attempted Interview of (b)(6), (b)(7)(C) USMC/13Jun06... (Orig 0023/Copy MWPE)
- (303) Statement of (b)(6), (b)(7)(C) 10Jul06... (Orig 0023/Copy MWPE)
- (304) IA: Results of Interview (b)(6), (b)(7)(C) USMC/24Jul06... (Orig 0023/Copy MWPE)
- (305) IA: Results of Interview of (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) 13Jul06... (Orig 0023/Copy MWPE)
- (306) Statement of (b)(6), (b)(7)(C) 4Jul06... (Orig 0023/Copy MWPE)
- (307) Statement of (b)(6), (b)(7)(C) 6... (Orig 0023/Copy MWPE)
- (308) Statement of (b)(6), (b)(7)(C) 10Jul06... (Orig 0023/Copy MPWE)
- (309) Statement of (b)(6), (b)(7)(C) 6... (Orig 0023/Copy MWPE)
- (310) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
- (311) Statement of (b)(6), (b)(7)(C) 6... (Orig 0023/Copy MWPE)
- (312) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
- (313) Statement of (b)(6), (b)(7)(C) 01Jun06... (Orig 0023/Copy MWPE)
- (314) Statement of (b)(6), (b)(7)(C) 1Jun06... (Orig 0023/Copy MWPE)
- (315) Statement of (b)(6), (b)(7)(C) ... (Orig 0023/Copy MWPE)
- (316) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
- (317) Statement of (b)(6), (b)(7)(C) 05... (Orig 0023/Copy MWPE)
- (318) IA: Results of Meeting With (b)(6), (b)(7)(C) USMC/07Jun06... (Orig 0023/Copy MWPE)
- (319) IA: Results of Interview of (b)(6), (b)(7)(C) USMC/07Jun06... (Orig 0023/Copy MWPE)
- (320) Statement of (b)(6), (b)(7)(C) 07Jun06... (Orig 0023/Copy MWPE)
- (321) Statement (b)(6), (b)(7)(C) 09Jun06... (Orig 0023/Copy MWPE) 0023/Copy MWPE)
- (322) IA: Results of (b)(6), (b)(7)(C) 09Jun06... (Orig 0023/Copy MWPE)
- (323) IA: Results of Attempted Interview with (b)(6), (b)(7)(C) /09Jun06... (Orig 0023/Copy MWPE)
- (324) Statement of (b)(6), (b)(7)(C) /09Jun06... (Orig 0023/Copy MWPE)
- (325) IA: Results of Contact With (b)(6), (b)(7)(C) CIV/12Jun06... (Orig 0023/Copy MPWE)
- (326) Statement of (b)(6), (b)(7)(C) 13Jun06... (Orig 0023/Copy MWPE)
- (327) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
- (328) Statement of (b)(6), (b)(7)(C) n06... (Orig 0023/Copy MWPE)
- (329) Statement of (b)(6), (b)(7)(C) Jun06... (Orig 0023/Copy MWPE)
- (330) Statement of (b)(6), (b)(7)(C) 4Jun06... (Orig 0023/Copy MWPE)
- (331) IA: Results of Interview with (b)(6), (b)(7)(C) USMC/14Jun06... (Orig 0023/Copy MWPE)
- (332) Statement of (b)(6), (b)(7)(C) /15Jun06... (Orig 0023/Copy MWPE)
- (333) IA: Results of Interview of (b)(6), (b)(7)(C) USMC/28Jun06... (Orig 0023/Copy MWPE)
- (334) Statement of (b)(6), (b)(7)(C) /29Jun06... (Orig 0023/Copy MWPE)
- (335) IA: Results of Interview of (b)(6), (b)(7)(C) USMC/15Jul06... (Orig 0023/Copy MWPE)
- (336) IA: Results of Interview of (b)(6), (b)(7)(C) 18Jul06... (Orig 0023/Copy MWPE)
- (337) IA: Results of Screening Interviews of EODMU-6 Personnel/01Jun06... (Orig 0023/Copy MWPE)

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- (338) IA: Results of Screening Interviews of the Haditha Dam, IZ Cooks/02Jun06... (Orig 0023/Copy MWPE)
- (339) IA: Results of Screening Interviews Conducted on 05Jun06/05Jun06... (Orig 0023/Copy MWPE)
- (340) IA: Results of Screening Interview of (b)(6), (b)(7)(C) USMC/06Jun06... (Orig 0023/Copy MWPE)
- (341) IA: Results of Screening Interview of (b)(6), (b)(7)(C) USMC/06Jun06... (Orig 0023/Copy MWPE)
- (342) IA: Screening Interview of (b)(6), (b)(7)(C) USMC/08Jun06... (Orig 0023/Copy MWPE)
- (343) IA: Results of Screening Interview of (b)(6), (b)(7)(C) USMC/09Jun06... (Orig 0023/Copy MWPE)
- (344) IA: Results of Screening Interview of (b)(6), (b)(7)(C) USN/14Jun06... (Orig 0023/Copy MWPE)
- (345) IA: Results of Interview of (b)(6), (b)(7)(C) 1Jun06... (Orig 0023/Copy MWPE)
- (346) IA: Results of Interview of (b)(6), (b)(7)(C) 01Jun06... (Orig 0023/Copy MWPE)
- (347) IA: Results of Interview with (b)(6), (b)(7)(C) 05Jun06... (Orig 0023/Copy MWPE)
- (348) IA: Results of Interview of (b)(6), (b)(7)(C) 03Jun06... (Orig 0023/Copy MWPE)
- (349) IA: Information Received From Interpreter/08Jun06... (Orig 0023/Copy MWPE)
- (350) IA: Attempts to Locate Interpreters/07Jun06... (Orig 0023/Copy MWPE)
- (351) IA: Results of Contact with L-3 Titan Corporation/15Jun06... (Orig 0023/Copy MWPE)
- (352) Statement of (b)(6), (b)(7)(C) V/01Jul06... (Orig 0023/Copy MWPE)
- (353) Statement of (b)(6), (b)(7)(C) /CIV/02Jul06... (Orig 0023/Copy MWPE)
- (354) IA: Results of Interview of (b)(6), (b)(7)(C) IA/04May06... (Orig 0023/Copy MWPE)
- (355) IA: Results of Interview of (b)(6), (b)(7)(C) 03Jun06... (Orig 0023/Copy MWPE)
- (356) IA: Results of Interview of (b)(6), (b)(7)(C) 03Jun06... (Orig 0023/Copy MWPE)
- (357) IA: Results of Interview of (b)(6), (b)(7)(C) 06Jun06... (Orig 0023/Copy MWPE)
- (358) IA: Results of Interview of (b)(6), (b)(7)(C) 08Jun06... (Orig 0023/Copy MWPE)
- (359) IA: Results of Interview of (b)(6), (b)(7)(C) 08Jun06... (Orig 0023/Copy MWPE)
- (360) IA: Results of Interview of (b)(6), (b)(7)(C) 08Jun06... (Orig 0023/Copy MWPE)
- (361) IA: Results of Interview of (b)(6), (b)(7)(C) 06Jun06... (Orig 0023/Copy MWPE)
- (362) IA: Results of Attempt to Interview (b)(6), (b)(7)(C) 06Jun06... (Orig 0023/Copy MWPE)
- (363) IA: Results of Interview of (b)(6), (b)(7)(C) 08Jun06... (Orig 0023/Copy MWPE)
- (364) IA: Results of Re-Interview of (b)(6), (b)(7)(C) 08Jun06... (Orig 0023/Copy MWPE)
- (365) IA: Results of Interview of (b)(6), (b)(7)(C) 08Jun06... (Orig 0023/Copy MWPE)

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- (366) IA: Results of Attempt to Re-Interview (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) /08Jun06... (Orig 0023/Copy MWPE)
- (367) IA: Results of Interview of (b)(6), (b)(7)(C) /08Jun06... (Orig 0023/Copy MWPE)
- (368) IA: Results of Interview of (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) 08Jun06... (Orig 0023/Copy MWPE)
- (369) IA: Improvised Explosive Device Site Examination/04May06... (Orig 0023/Copy MWPE)
- (370) IA: Results of Death Scene Examination - House 1/20Apr06... (Orig 0023/Copy MWPE)
- (371) IA: Results of Death Scene Examination - House 2/02May06... (Orig 0023/Copy MWPE)
- (372) IA: Results of Death Scene Examination - House 4/18May06... (Orig 0023/Copy MWPE)
- (373) IA: Results of Receipt of 3/1 Captured Weapons Log/01Jun06... (Orig 0023/Copy MWPE)
- (374) IA: Results of Receipt of CERP SOP/01Jun06... (Orig 0023/Copy MWPE)
- (375) IA: Results of Receipt of 3/1 Documents/03Jun06... (Orig 0023/Copy MWPE)
- (376) IA: Seizure of Claims/07Jun06... (Orig 0023/Copy MWPE)
- (377) IA: Translation of Death Certificates by CIFA Personnel/02-07Jun06... (Orig 0023/Copy MWPE)
- (378) IA: Translation of Documents Obtained From Attorney (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) 02-07Jun06... (Orig 0023/Copy MWPE)
- (379) IA: Translation of Incident Summary Report by CIFA Personnel/02Jun06... (Orig 0023/Copy MWPE)
- (380) IA: Translation of Video Footage by CIFA Personnel/06-07Jun06... (Orig 0023/Copy MWPE)

EXECUTIVE SUMMARY

1. On 19Nov05 at approximately 0716, 1st Squad, 3rd Platoon, Kilo Company, 3rd Battalion (3DBN), 1st Marine Division (MARDIV), I Marine Expeditionary Force (MEF) (3/1), and (b)(7)(F) Iraqi Security Forces (ISF) members were traveling in a convoy on Route "Chestnut" in Haditha, Al Anbar Province, Iraq, when they received a complex attack (i.e., an attack wherein the enemy strikes in more than one manner). Specifically, the fourth High Mobility Multi-Wheel Vehicle (HMMWV) was struck by an improvised explosive device (IED) reportedly followed by small arms fire (SAF) from the south. The complex attack resulted in one (1) friendly killed in action (FKIA) and (b)(7)(F) friendlies wounded in action (FWIA). The Marines in the convoy immediately responded to the explosion by dismounting their vehicles, attending to the injured, and securing the perimeter. According to the Marines involved, they received SAF after the explosion. Consequently, they broke into fire teams, searched/cleared homes in the area, and identified detainees. Over a period of several hours, (b)(6), (b)(7)(C) and co-subjects' actions resulted in the deaths of twenty-four (24) Iraqi civilians and two (2) injured Iraqi children. In the evening hours of 19Nov05, Marines from 3/1 conducted a battle damage assessment (BDA) and transported the dead to the Haditha hospital morgue.

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2. On 20Nov05, the 2d Marine Division issued a press release that reported the attack on 19Nov05 as resulting in the deaths of one (1) Marine, fifteen (15) Iraqi civilians, and eight (8) insurgents. On 10Feb06, a TIME magazine reporter contacted the Multi-National Corps-Iraq (MNC-I) regarding information he received from a Sunni-based group that alleged Marines from 3/1 wrongfully killed twenty-four (24) Iraqi civilians on 19Nov05. The Sunni group supported the allegation with video footage that contained images of the dead at the Haditha hospital morgue before the bodies were released to family members on 20Nov05.

3. On 14Feb06, Lieutenant General (b)(6), (b)(7)(C) USA, MNC-I directed a U.S. Army administrative inquiry (AR 15-6) and appointed COL (b)(6), (b)(7)(C) USA, as the Investigating Officer (IO). On 03Mar06, COL [redacted] submitted the results of the investigation, revealing that as a result of the 19NOV05 incident, Iraqi civilians (men, women, and children) were killed. MNC-I in turn recommended further investigation by the Army's Criminal Investigation Division (CID) or the Naval Criminal Investigative Service (NCIS).

4. On 12Mar06, Major General [redacted] USMC, Commanding General, I MEF (Forward) and MNF-W, requested NCIS conduct a criminal investigation regarding the Iraqi civilians killed by Kilo Company Marines of 3/1 on 19Nov05. On 13Mar06, NCIS initiated the investigation and a team of agents traveled to the Forward Operating Base (FOB) Haditha Dam, Iraq.

5. On 17Mar06, Multi-National Force-Iraq (MNF-I) issued a press release announcing there would be a second AR 15-6 investigation regarding potential misconduct by the Marines after the IED attack in Haditha. On 19Mar06, Lieutenant General [redacted] appointed Major General [redacted] USA, as the IO for the second AR 15-6 investigation. Emphasis was to be on the training and preparation of the Marines prior to engagement and the reporting of information concerning 19Nov05 at all levels of the chain-of-command from patrol through MNF-W and MNC-I.

6. As reported under References (A)-(C), initial investigative efforts included a preliminary death scene examination; interviews, interrogations, re-interrogations of several 3/1 Marines; and interviews of numerous Iraqi witnesses. The results of the foregoing investigative efforts are as follows:

a. IED BLAST: On 19Nov05 between 0700 and 0716, a [redacted]-vehicle convoy of Kilo Company, 3/1, was ambushed in Haditha, Iraq, in a coordinated attack involving an IED and reported SAF while traveling with ISF personnel, killing one (1) Marine and wounding

b. TAXI (5 killed): Moments before the attack, the lead vehicle in the convoy motioned an approaching taxi to the side of the road. When the IED detonated soon thereafter, the Marines dismounted, prepared a defensive position, and began to render aid to the wounded. The taxi's five (5) occupants exited the vehicle and according to U.S. and Iraqi witnesses, were shot by (b)(6), (b)(7)(C) as they stood, unarmed, next to the vehicle approximately ten (10) feet

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in front of him. (b)(6), (b)(7)(C) later told (b)(6), (b)(7)(C) who witnessed the shooting, to say, if questioned, that the Iraqis had attempted to flee and were shot by ISF personnel. (b)(6), (b)(7)(C) admits to shooting the five (5) bodies on the ground after (b)(6), (b)(7)(C) initially shot them. (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) also walked over to the bodies and shot the five (5) Iraqi males again, while standing within a foot of them.

c. HOUSE #1 (6 killed): A quick reaction force (QRF), led by (b)(6), (b)(7)(C) USMC, arrived at the IED blast site within fifteen (15) minutes (between approximately 0715 - 0730). The QRF attended to the casualties and prepared to remove them from the scene. After receiving a report from (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) that SAF was observed coming from the vicinity of a nearby home (house #1), instructed a fire team to "take the house." First, (b)(6), (b)(7)(C) fired rounds with a M203 grenade launcher toward house #1. Then a fire team consisting of (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) conducted a forced entry into house #1. All members of the fire team reported they were not receiving SAF upon their approach to house #1. (b)(6), (b)(7)(C) conducted a forced entry into house #1 and shot and killed an unarmed Iraqi adult female in the hallway. Certain members of the fire team reported hearing the sound of an AK-47 "racking" and two (2) fragmentation grenades were thrown into a room on the left, but only one (1) exploded. (b)(6), (b)(7)(C) then cleared a room on the right of the hallway, killing an unarmed Iraqi male adult. At that time, an unidentified Marine reportedly yelled that there was someone running from the house. This caused the fire team to cease the clearing operation and immediately exit house #1 toward house #2. (b)(6), (b)(7)(C) recalled the fire team later returned to house #1 with (b)(6), (b)(7)(C) who reportedly cleared a room by firing his 9mm pistol into it. Additionally, (b)(6), (b)(7)(C) advised he entered a room after (b)(6), (b)(7)(C) shortly thereafter, both he and (b)(6), (b)(7)(C) shot approximately four (4) people, none of which were standing. (b)(6), (b)(7)(C) explained he shot these individuals because (b)(6), (b)(7)(C) shot them first and believed the entire house was "hostile." The re-entry of house #1 reported by (b)(6), (b)(7)(C) is consistent with the accounts of both (b)(6), (b)(7)(C) and an Iraqi woman who survived the clearing/attack of house #1. (b)(6), (b)(7)(C) stated she fled the house in the brief period when the Marines initially departed toward house #2. A total of six (6) Iraqis were killed in house #1, including two (2) women and one (1) child. No weapons were found.

d. HOUSE #2 (8 killed): Prior to entering house #2, an unarmed Iraqi adult male was observed standing inside the front door of the house facing out. This individual was shot and killed by (b)(6), (b)(7)(C) who was reportedly told by (b)(6), (b)(7)(C) to treat the house as "hostile." Upon entering the house, the fire team used three (3) fragmentation grenades in two (2) unoccupied rooms but according to statements, only two (2) of those exploded. (b)(6), (b)(7)(C) reported hearing (b)(6), (b)(7)(C) firing into a room and responded by joining him. Upon entering the room, (b)(6), (b)(7)(C) stated he observed a body in the doorway, and then positively identified an unarmed woman and children on or around the bed before shooting. Similar to house #1, (b)(6), (b)(7)(C) stated he began shooting because (b)(6), (b)(7)(C) had already engaged the individuals with

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gunfire and he felt this meant there was a threat. A total of eight (8) Iraqi civilians, including five (5) children, were killed. No weapons were recovered in house #2.

e. OBSERVATION POST (1 killed): After houses #1 and #2 were cleared, the fire team cleared two (2) additional unoccupied homes in the area before moving to the observation post (OP) site. The OP was established around 0830. Some members of the fire team posted themselves on the rooftop of the OP. At approximately 0845, Marines manning the OP reportedly observed an unarmed Iraqi male running on a ridgeline in the vicinity of house #1. (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) fired shot(s), killing the individual (later identified as a household member of house #1). Some time later, the OP observed one (1) or two (2) unidentified Iraqi males looking at them from another nearby house, hereafter referred to as house #4. At approximately 0945, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) decided to approach the house and investigate.

f. HOUSE #3 (0 killed): The events surrounding houses #3 and #4 are less clear as witness and survivor statements differ significantly from those provided by the Marines. According to Marine accounts, they approached houses #3 and #4 because they observed male(s) outside of houses #3 and/or #4 watching them while the Marines were at the OP. Prior to arriving at house #4, the Marines passed by house #3 where the Marines reportedly encountered women and children. The Marines stated they asked the women where the men were and the women directed the Marines next door to house #4. Subsequently, (b)(6), (b)(7)(C) remained at house #3 with the women while (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) proceeded to house #4. In contrast, Iraqi witness statements indicate that only a man, woman, and their fourteen year-old son occupied house #3. The Marines questioned the three (3) family members of house #3 about the IED and about the occupants of house #4. The three (3) Marines then reportedly removed the three (3) family members and escorted them to the adjacent home, house #4. According to Iraqi witnesses, an AK-47 was voluntarily retrieved from house #3 after the Marines questioned them while standing in front of house #4. No one was killed in house #3. According to Marines, no weapons were recovered from house #3. However, the Iraqi witnesses related one (1) AK-47 from house #3 was handed over to the Marines.

g. HOUSE #4 (4 killed): (b)(6), (b)(7)(C) reported entering house #4 and encountering four (4) Iraqi males, at least one of which was armed with an AK-47. (b)(6), (b)(7)(C) killed the armed Iraqi male when he allegedly raised the weapon in the direction of (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C). Additionally, (b)(6), (b)(7)(C) reportedly shot and killed the three (3) other men with his 9mm pistol in the clearing operation. (b)(6), (b)(7)(C) subsequently shot into the four (4) bodies with his M-16 rifle. Iraqi witnesses/surviving family members from house #3 and #4 provide different accounts. The key difference surrounds the Marines' approach to house #3 and interaction with the occupants of house #4. Iraqi witnesses indicate the three (3) family members from house #3 (one (1) adult male, one (1) adult female, and one (1) teenage male) were escorted to an area in front of house #4. Shortly thereafter, the occupants of house #4 (four (4) adult males, three

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(3) adult females, and one (1) infant) were brought out of the house to the same area in front of house #4. The Marines reportedly separated four (4) of the adult males from the group of family members and directed them into house #4. The remaining family members were directed into house #3. Subsequently, the family members in house #3 reported hearing shots fired in house #4 and observed the Marines leaving the area. After the Marines departed, family members reported finding the four (4) adult males dead in house #4. Marine reports regarding the number of weapons recovered from house #4 vary, ranging from one (1) to three (3) AK-47s. Iraqi witness statements indicate that there was one (1) AK-47 in house #4 but said it was surrendered to the Marines after they questioned the family members in front of house #4 (at or about the same time the AK-47 from house #3 was provided to the Marines).

h. At approximately 1245, SGT (b)(6), (b)(7)(C) USMC, Human Intelligence Exploitation Team (HET) arrived at the scene with the 2nd QRF and began to collect potential intelligence, take photographs of the deceased, and interview detainees.

i. During the late afternoon, Marines were directed to document the scene and conduct what has been characterized as a BDA. LCPLs (b)(6), (b)(7)(C) USMC were instructed to mark/count and take photographs of the deceased. These photographs were later provided to Kilo Company's Combat Operations Center (COC) where an unidentified Marine reportedly downloaded them.

j. In the late evening hours, Marines removed the deceased from the five (5) different locations (Route Chestnut, house #1, ridgeline, house #2, and house #4) and loaded them into HMMWVs for transportation to the Firmbase located within Haditha, and later to the Haditha hospital morgue.

7. Since the submission of References (A) - (C), investigative efforts have included interviews and re-interviews of 3/1 Marines, interviews and re-interviews of Iraqi witnesses, and acquisition of various electronic media that contained photographs pertaining to the events that occurred on 19Nov05 in Haditha, Iraq.

NARRATIVE

1. This investigation pertains to potential violations of Article 118 (Murder) and Article 81 (Conspiracy) of the Uniform Code of Military Justice (UCMJ). The remainder of this report is presented in four (4) sections that are organized in the following manner: The first section addresses several interview results of 3/1 members that participated in or were present for events that occurred on 19Nov05 and/or 20Nov05. These events include but are not limited to the ambush of the Marine convoy on Route Chestnut, recovery of the HMMWV wreckage, handling of detainees, gathering of intelligence, medical evacuation and treatment of the injured, photography of the IED site, and actions conducted by officers. The second section summarizes interviews of non-military members including an embedded photojournalist, friends that corresponded with a corpsman who witnessed relevant events, and interpreters who provided translation

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services in Iraq. The third section outlines Iraqi witness accounts of what occurred in Haditha to them or their family members on 19Nov05. The fourth section discusses the death scenes and evidence recovery.

SECTION I - 3/1 MARINES IN THE AMBUSHED CONVOY

2. On 31May06, (b)(6), (b)(7)(C) was contacted and advised he had told NCIS everything he was able to, and that he "went for a lawyer."

(b)(6), (b)(7)(C) explained he sought legal counsel due to the pressure from the "guys" at his command in that several of them have asked him why he has not obtained an attorney. (b)(6), (b)(7)(C) noted he did not want (b)(6), (b)(7)(C) to know he had been talking to NCIS. Exhibit (228) pertains.

3. On 31May06, (b)(6), (b)(7)(C) was contacted regarding his welfare. (b)(6), (b)(7)(C) stated he was doing well and was not having any additional stress about the investigation. Exhibit (229) pertains.

4. On 09Jun06, (b)(6), (b)(7)(C) USN, was re-interviewed regarding his recollection of what occurred on 19Nov05. (b)(6), (b)(7)(C) was in the third HMMWV of the convoy that was struck by an IED on 19Nov05. (b)(6), (b)(7)(C) advised his prior two (2) statements were accurate but provided the following additional details:

a. IED BLAST: Prior to the IED blast, (b)(6), (b)(7)(C) attention was directed at one of the ISF members that was standing up in the back of HMMWV #2 as the convoy turned onto Route Chestnut. (b)(6), (b)(7)(C) yelled at the ISF member to sit down. At this point, (b)(6), (b)(7)(C) crossed the median that separated the east and west bound lanes on Route Chestnut. (b)(6), (b)(7)(C) noted the other (b)(7)(F) vehicles remained in the right lane. Additionally, (b)(6), (b)(7)(C) noted the fourth HMMWV was closer to their vehicle than normal (they usually attempt to stay 40 meters apart). As (b)(6), (b)(7)(C) turned away from the Marines in the fourth HMMWV, he felt the IED blast and noted (b)(6), (b)(7)(C) drove the vehicle another 20 feet before stopping. (b)(6), (b)(7)(C) jumped out of the HMMWV and overheard (b)(6), (b)(7)(C) having trouble getting out of the vehicle. (b)(6), (b)(7)(C) stated he then ran toward the injured and noticed a white vehicle twenty (20) feet to the left of their HMMWV.

b. TAXI & SAF: (b)(6), (b)(7)(C) noted the white vehicle was parked so that the third HMMWV's front bumper was even with the bumper of the white vehicle. While he ran to the fourth HMMWV, (b)(6), (b)(7)(C) heard M-16 fire behind him. (b)(6), (b)(7)(C) also heard AK-47 fire but noted there was more M-16 fire than AK-47 fire. From the north (b)(6), (b)(7)(C) saw incoming fire that impacted to the left of the third HMMWV and within five (5) to twenty (20) feet from him. (b)(6), (b)(7)(C) returned fire to the two (2) males he identified with weapons to the north. Shortly thereafter, (b)(6), (b)(7)(C) reached LCPL TERRAZAS and determined he was dead. (b)(6), (b)(7)(C) then checked on (b)(6), (b)(7)(C) and attempted to free (b)(6), (b)(7)(C) from underneath the fourth HMMWV. During this time, (b)(6), (b)(7)(C) noted there was no SAF. While he worked on (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) came to the wreckage of the fourth HMMWV and (b)(6), (b)(7)(C) passed the casualty information to them. The QRF arrived subsequently and assisted (b)(6), (b)(7)(C) with the injured. At

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this point, (b)(6), (b)(7)(C) recalled looking west onto Chestnut and saw a fire team heading north off the road. (b)(6), (b)(7)(C) could not identify the Marines in the fire team, but saw the white vehicle with its doors open and Marines congregating around it. (b)(6), (b)(7)(C) started to work on (b)(6), (b)(7)(C) when (b)(6), (b)(7)(C) heard someone fire a M-203 round towards the south. (b)(6), (b)(7)(C) advised the only Marines equipped with M-203 grenade launchers in the area were (b)(6), (b)(7)(C). Moreover, (b)(6), (b)(7)(C) opined the QRF members did not have enough time to assess the tactical situation. Therefore, (b)(6), (b)(7)(C) believed either (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C) fired the M-203 round. As (b)(6), (b)(7)(C) rode away from the blast site with the injured and the QRF, he saw bodies lying around the white vehicle, what appeared to be bloodstains, and a "plume of smoke coming from the south."

c. FIRMBASE: After the injured were medically evacuated, (b)(6), (b)(7)(C) returned to the Firmbase where he remained for the rest of the day. While at the Firmbase, the COC watch officer, SSGT (b)(6), (b)(7)(C) informed (b)(6), (b)(7)(C) that the (b)(6), (b)(7)(C) wanted to speak with him. In turn, (b)(6), (b)(7)(C) met (b)(6), (b)(7)(C) in the COC and answered (b)(6), (b)(7)(C) questions about what had happened. Later that evening around 2100, (b)(6), (b)(7)(C) advised all members of 3rd Platoon, including SSGT (b)(6), (b)(7)(C) and the platoon commander, (b)(6), (b)(7)(C) were called into the briefing room. During the meeting, the commanding officer, (b)(6), (b)(7)(C) talked to the platoon about the loss of TERRAZAS. (b)(6), (b)(7)(C) also commented, "Whatever decision you guys made today, whatever you did today was on me, because I put you there and I made the calls." (b)(6), (b)(7)(C) estimated the meeting lasted about ten (10) to fifteen (15) minutes. Immediately after the meeting, (b)(6), (b)(7)(C) approached (b)(6), (b)(7)(C) and returned (b)(6), (b)(7)(C) 9mm pistol with an empty magazine, (fifteen rounds expended) and the other magazine half full (approximately eight rounds were gone). (b)(6), (b)(7)(C) asked (b)(6), (b)(7)(C) where all the rounds were and (b)(6), (b)(7)(C) said, "Sorry I had to pop your nine-mil's cherry." (b)(6), (b)(7)(C) asked (b)(6), (b)(7)(C) what he meant and (b)(6), (b)(7)(C) said, "The number was nine and most of them were headshots." Shortly after the meeting, the COC sent 3rd Platoon and some members of 2nd Platoon, including (b)(6), (b)(7)(C) to collect the bodies. About two (2) hours later, (b)(6), (b)(7)(C) returned to the Firmbase and spoke to (b)(6), (b)(7)(C) about how he was "shaken up" from moving the bodies. (b)(6), (b)(7)(C) advised that (b)(6), (b)(7)(C) also met with (b)(6), (b)(7)(C)

d. (b)(6), (b)(7)(C) The following morning on 20Nov05, (b)(6), (b)(7)(C) overheard another Marine (possibly CPL (b)(6), (b)(7)(C)) talking about the bodies with (b)(6), (b)(7)(C). When asked about who killed most of the people, (b)(6), (b)(7)(C) related most of the twenty-one (21) bodies were killed by him, (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) noted this was the first time he heard the number of dead besides (b)(6), (b)(7)(C); comment from the night before.

e. (b)(6), (b)(7)(C) On 21Nov05, (b)(6), (b)(7)(C) saw (b)(6), (b)(7)(C) at the Haditha Dam and they asked each other how the other was doing. (b)(6), (b)(7)(C) said he was not doing too well, was "tired of all this shit," and did not feel like doing it anymore. (b)(6), (b)(7)(C) noted he did not want to leave the Firmbase anymore. (b)(6), (b)(7)(C) believed (b)(6), (b)(7)(C) was distraught and told (b)(6), (b)(7)(C) to talk to him any time.

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4. (b)(6), (b)(7)(C) About two (2) weeks after 19Nov05, (b)(6), (b)(7)(C) saw (b)(6), (b)(7)(C) at the dam and talked to him about the platoon. (b)(6), (b)(7)(C) informed (b)(6), (b)(7)(C) he was angry with his platoon members because they had accused him of stealing something he did not steal. (b)(6), (b)(7)(C) advised he had photographs that had been taken on 19Nov05 and sent them back to the U.S. (b)(6), (b)(7)(C) claimed that if the battalion tried to do anything to him, he would instruct the people who have the photographs to release them to the press. According to (b)(6), (b)(7)(C) learned from (b)(6), (b)(7)(C) that 1st Squad had called in a "fake ambush" after the IED blast. (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) he had observed shooters north of the road but did not know about the south. (b)(6), (b)(7)(C) responded, "Nothing had happened south or up the road." Exhibit (230) pertains.

5. On 15Jun06, (b)(6), (b)(7)(C) Kilo Company, 3/1, USMC, was re-interviewed. (b)(6), (b)(7)(C) confirmed his two (2) previous statements were correct and agreed to clarify a few details. (b)(6), (b)(7)(C) reported when he and (b)(6), (b)(7)(C) entered house #1 on 19Nov05, he recalled, "it was very hot and there was smoke coming from one of the rooms." (b)(6), (b)(7)(C) explained he could not see inside the room due to the amount of smoke. (b)(6), (b)(7)(C) indicated he did not see (b)(6), (b)(7)(C) enter the smoky room. When asked, (b)(6), (b)(7)(C) related he did not see any grenade or flare inside the house. (b)(6), (b)(7)(C) also advised he did not know whether (b)(6), (b)(7)(C) knew there were children alive inside house #1 the first time (b)(6), (b)(7)(C) had entered the house. (b)(6), (b)(7)(C) explained when (b)(6), (b)(7)(C) commented that he had forgotten something inside house #1, (b)(6), (b)(7)(C) assumed (b)(6), (b)(7)(C) was referring to a piece of gear. (b)(6), (b)(7)(C) asserted he did not enter any of the other houses on 19Nov05. Exhibit (231) pertains.

EXPLOSIVE ORDNANCE DISPOSAL (EOD) SECURITY TEAM

6. (b)(6), (b)(7)(C) civilian, was interviewed on 13Jun06. (b)(6), (b)(7)(C) stated he was on active duty in the USMC until 28May06. On 19Nov05, (b)(6), (b)(7)(C) was assigned to H&S Company, EOD Security at FOB Haditha Dam. (b)(6), (b)(7)(C) provided the following details of the events of 19Nov05:

a. SAF: (b)(6), (b)(7)(C) stated on 19Nov05, they were called out to respond with EOD. (b)(6), (b)(7)(C) advised he was in the third HMMWV of the convoy. (b)(6), (b)(7)(C) reported while his team was en-route to the post-blast site, they came under attack by SAF. (b)(6), (b)(7)(C) stated he fired upon the males that were shooting at them and saw two (2) of the males fall to the ground. The convoy diverted to the Firmbase for approximately one (1) hour before responding to the IED site.

b. IED AND TAXI SITE: (b)(6), (b)(7)(C) related once they arrived to the IED site, he was instructed to stay in the vehicle, which was facing south, and therefore did not see what was going on at the post-blast site. From his position inside the vehicle, (b)(6), (b)(7)(C) saw a dead male lying along a ridgeline and at least four (4) incidents of AK-47 rounds impacting the ground approximately 25 yards south of the dead male. (b)(6), (b)(7)(C) also saw a house with smoke coming out of it to the east of the dead man. (b)(6), (b)(7)(C) further noticed a Cobra helicopter firing at

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a position south of the dead male. During the debrief (b)(6), (b)(7)(C) attended the next day he was told the fire from the house was caused by grenades that were thrown into the house as a result of Marines being attacked by a sniper at the house. (b)(6), (b)(7)(C) was also told during the debrief that a woman and six (6) children were killed during the assault. (b)(6), (b)(7)(C) advised after ten to fifteen (10-15) minutes of being at the IED site, they left to respond to another IED. As they were leaving, (b)(6), (b)(7)(C) witnessed a white four-door sedan with approximately four (4) dead males lying beside it, but had no further information.

c. PHOTOGRAPHS: (b)(6), (b)(7)(C) advised approximately one (1) month after the incident, he was at the Firmbase when he saw pictures of dead women, children, car passengers and the dead man on the ridgeline. (b)(6), (b)(7)(C) stated the unknown person who had the pictures was in Kilo Company.

(b)(6), (b)(7)(C) denied having any copies or downloads of the photographs. (b)(6), (b)(7)(C) further advised he heard LCPL (b)(6), (b)(7)(C) had composed a video while in Iraq but did not know if the video had any of the pictures he had seen previously because he did not view the video himself. (b)(6), (b)(7)(C) stated LCPL (b)(6), (b)(7)(C) had stated to him that (b)(6), (b)(7)(C) got in trouble for a video he had that depicted dead Iraqis from the 19Nov05 incident and was instructed to delete the video from his computer. Exhibit (232) pertains.

7. On 14Jun06, (b)(6), (b)(7)(C), USMC, H&S Company, was interviewed regarding the events that took place on 19Nov05.

(b)(6), (b)(7)(C) was assigned to the EOD security team while in Iraq.

a. SAF: (b)(6), (b)(7)(C) related on the morning of 19Nov05, EOD was notified an IED exploded resulting in a Marine casualty and EOD's response was needed. (b)(6), (b)(7)(C) stated he was the vehicle commander of the third vehicle in the convoy. (b)(6), (b)(7)(C) reported while en-route to the IED site, they were ambushed with SAF and subsequently detoured to the Firmbase. After leaving the Firmbase, they encountered two (2) possible IEDs, which EOD detonated, before arriving at the post-blast site.

b. IED AND TAXI SITE: (b)(6), (b)(7)(C) reported while EOD conducted their site analysis, he took a few photographs with his digital camera.

(b)(6), (b)(7)(C) advised he witnessed the HMMWV that was destroyed by the IED, the crater in the street, a pair of Marine Corps boots lying on the road, and a white vehicle 300 yards west of his location on the south side of the road. (b)(6), (b)(7)(C) denied seeing any dead bodies that day, but did observe the detainees lying on the ground. (b)(6), (b)(7)(C) advised after EOD completed the analysis of the IED site, they moved their convoy to the white vehicle for EOD to examine but (b)(6), (b)(7)(C) did not remember any details concerning the vehicle.

c. PHOTOGRAPHS: Prior to leaving Iraq, (b)(6), (b)(7)(C) advised they were instructed to destroy any photographs they had that were inappropriate, which he did. (b)(6), (b)(7)(C) denied emailing the photographs to anyone.

d. INTERACTION WITH SUBJECTS: (b)(6), (b)(7)(C) stated he was an instructor at the School of Infantry (SOI) with (b)(6), (b)(7)(C) but denied talking to

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

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him regarding the events of 19Nov05. (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) told him he was being questioned about the incident but requested not to talk about it. (b)(6), (b)(7)(C) added he knows (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) but denied discussing the 19Nov05 incident with them. Exhibit (233) pertains.

FIRMBASE SECURITY

8. On 02Jun06, (b)(6), (b)(7)(C) USMC, H&S Company, was interviewed. While in Haditha, (b)(6), (b)(7)(C) was assigned to provide security for the Firmbase. (b)(6), (b)(7)(C) stated on 19Nov05, he knew an IED had exploded but he remained at the Firmbase and had no direct knowledge of the incident. (b)(6), (b)(7)(C) stated that someone, whom he believed to be LCPL (b)(6), (b)(7)(C) came into his room and informed him there were some bodies in a HMMWV outside but (b)(6), (b)(7)(C) denied going to see them, stating he was not interested. (b)(6), (b)(7)(C) related he also saw pictures of the 19Nov05 incident on someone's computer, which he loaded onto his personal computer. (b)(6), (b)(7)(C) later sold this computer to (b)(6), (b)(7)(C). He bought a new computer while he was in Iraq that he transferred the photographs to. (b)(6), (b)(7)(C) further added he mailed some discs home (to "free up space" on his hard drive) and the discs may have had information from the 19Nov05 Haditha incident. Before they left Iraq, (b)(6), (b)(7)(C) advised they were instructed by their command to delete any photographs or videos that depicted detainees or dead bodies. (b)(6), (b)(7)(C) stated he deleted the photographs as instructed. (b)(6), (b)(7)(C) stated while in Iraq he provided these photographs to other Marines but did not e-mail them to friends or family. (b)(6), (b)(7)(C) admitted he discussed the 19Nov05 incident on either his "MySpace" page or his "hotmail" account but he is "99 percent sure" he did not discuss the Iraqi civilians killed that day. (b)(6), (b)(7)(C) denied discussing the events of 19Nov05 with any of the subjects of this investigation. Exhibit (234) pertains.

9. On 09Jun06, (b)(6), (b)(7)(C) USMC, H&S Company, was interviewed regarding the events that occurred on 19Nov05 in Haditha. (b)(6), (b)(7)(C) was assigned to the Security Platoon at Firmbase Sparta. (b)(6), (b)(7)(C) had no knowledge of the events that took place at the IED site, but stated he was sleeping in his room at the Firmbase when (b)(6), (b)(7)(C) woke him up to say that there were HMMWVs at the Firmbase with bodies in them. (b)(6), (b)(7)(C) denied getting up to go see the bodies. (b)(6), (b)(7)(C) stated he heard rumors about what happened on 19Nov05 but has not spoken with any of the subjects of this investigation. (b)(6), (b)(7)(C) denied seeing any photographs of dead Iraqis. Exhibit (235) pertains.

10. On 14Jun06, (b)(6), (b)(7)(C) USMC, H&S Company, was interviewed. (b)(6), (b)(7)(C) stated on 19Nov05, he was assigned to the Security Platoon at the Firmbase. (b)(6), (b)(7)(C) stated he was a team leader and his duty was to stand post around the perimeter of the Firmbase. (b)(6), (b)(7)(C) provided the following details of the events of 19Nov05:

a. ACTIVITIES ON 19NOV05: (b)(6), (b)(7)(C) stated he arrived at the Entry Control Point (ECP) post for his duty that morning around 0545. Approximately forty-five (45) minutes later he heard a loud explosion and could see smoke coming from the southeast. This was followed by

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SAF. (b)(6), (b)(7)(C) remained at his post and heard over his radio that a patrol (b)(6), (b)(7)(C) had been hit by an IED and three (3) Marines were wounded.

(b)(6), (b)(7)(C) stated approximately 15-20 minutes after the blast, he could hear SAF coming from the north and shortly after that, EOD arrived at ECP2 and confirmed they had been attacked. (b)(6), (b)(7)(C) stated that after 1800, he heard an unknown corpsman talking to the cook in the chow hall about the IED explosion. According to what (b)(6), (b)(7)(C) overheard, the corpsman was a part of the convoy that was hit by the IED and was giving details about TERRAZAS' death and his role in responding to the other Marines in the convoy who were injured. The corpsman relayed there was a lot of SAF, but he stayed with the injured vice responding to the threat with the other Marines.

b. BODIES OF DEAD IRAQIS: (b)(6), (b)(7)(C) stated during his duty on 20Nov05 between 0600 and 1000, he heard bodies of dead Iraqi civilians killed on 19Nov05 had been brought back to the Firmbase but denied ever seeing them. (b)(6), (b)(7)(C) denied ever leaving the Firmbase that day.

c. PHOTOGRAPHS/VIDEOS: On or around 25Nov05, (b)(6), (b)(7)(C) was transferred to Navy EOD Security and saw a video on (b)(6), (b)(7)(C) computer, which depicted photographs of dead Iraqi women, men and children inside their homes. (b)(6), (b)(7)(C) stated in some of the pictures, the women and children were on their knees praying together or lying together on a bed. There were also photos of the IED site and the HMMWV that was destroyed. (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) received the pictures from someone else. (b)(6), (b)(7)(C) reported he had (b)(6), (b)(7)(C) copy the video onto his flash drive. (b)(6), (b)(7)(C) stated circa March 2006, SGT (b)(6), (b)(7)(C) instructed all the men to destroy any photos of dead or detained Iraqis they possessed. (b)(6), (b)(7)(C) opined by looking at the photos, something was wrong because (b)(6), (b)(7)(C) the people depicted did not appear to be a threat to the Marines. (b)(6), (b)(7)(C) further stated several members of the Battalion Commanding Officer's Personal Security Detachment (PSD) saw the pictures and were concerned about the women and children being shot while lying in their beds. (b)(6), (b)(7)(C) believed SGT MAJ (b)(6), (b)(7)(C) and LTCOL (b)(6), (b)(7)(C) visited the house where the dead Iraqi citizens were killed while PSD provided security on the outside. (b)(6), (b)(7)(C) denied e-mailing any photographs or videos depicting dead Iraqis. Exhibit (236) pertains.

MOTOR TRANSPORTATION UNIT (MTU)

11. From 05-12Jun06, fifteen (15) Marines and one (1) Navy corpsman that were attached to the Motor Transportation Unit (MTU) while deployed in Haditha, Iraq were interviewed regarding their knowledge of the events that occurred on 19Nov05. The MTU members interviewed were

The interviewees that participated in the events that day reported the following:

a. FIRST ATTEMPT TO REACH THE IED BLAST SITE: Following the IED blast, MTU was contacted in the early morning of 19Nov05 to recover the damaged HMMWV and the body of TERRAZAS. The MTU departed Haditha

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Dam at approximately 0730-0800 with a five-vehicle convoy. The convoy headed west on South Dam Road and turned onto Route Grizzly, a roadway that was designated for military use only. While on Route Grizzly, the convoy encountered a four-door vehicle with several civilian males in it. Initially, the vehicle did not stop so the lead convoy vehicle utilized the escalation of force to get them to stop. The convoy members did not fire upon the Iraqi passengers and waited for them to exit their vehicle. Shortly thereafter, the Iraqi civilians and vehicle were searched. The search of the vehicle revealed metal shavings, propane tanks, and a hacksaw. Subsequently, the information regarding the vehicle and its passengers was reported to the battalion and the convoy was instructed to transport the detainees and vehicle to Haditha Dam. (b)(6), (b)(7)(C) drove the civilian vehicle to Haditha Dam. MTU members estimated it took about an hour and a half (1 1/2) to two (2) hours to take the detainees and vehicle back to the Haditha Dam.

b. SECOND ATTEMPT TO REACH THE IED BLAST SITE: After transporting the Iraqi civilians and vehicle to the Haditha Dam, the convoy set off again to the IED blast site around 1000. On this second trip, the convoy came upon a suspicious object in the middle of the road, on Route Leopard. The convoy was delayed for several minutes as they assessed the potential threat. The object was eventually deemed a non-threat and the convoy proceeded safely to the IED blast site. When the convoy reached the site around 1045-1100, they recovered TERRAZAS' body and loaded the damaged HMMWV onto their flatbed truck. While on-scene, several of the MTU members observed a white four-door vehicle located on the south side of Route Chestnut with its doors ajar and dead Iraqi males lying on the ground near the vehicle. Several interviewees stated they saw injuries to the head, face, and torso of the deceased by the white vehicle. Other MTU members remained with their assigned vehicles and posted security. (b)(6), (b)(7)(C) advised he assisted a fire team in clearing a mechanics shop near the IED blast site because the fire team informed him the shop was suspected to be an IED factory. (b)(6), (b)(7)(C) related they set off a breaching charge and cleared the building, but found nothing suspicious. (b)(6), (b)(7)(C) advised an unknown Marine asked him for ammunition. The Marine informed (b)(6), (b)(7)(C) that he was from Kilo Company, his squad had "swept the area," and he had used all of his ammunition and emptied his 9mm pistol while clearing a house. According to (b)(6), (b)(7)(C) he did not give this Marine any ammunition. MTU members estimated they were on-scene for about one (1) to two (2) hours and then returned to the Haditha Dam around 1400 for the remainder of the day. (b)(6), (b)(7)(C) noted when they left the IED site, the five (5) bodies near the white vehicle, detainees, and several Kilo Company Marines were still on scene. (b)(6), (b)(7)(C) further noted the HET team was investigating the bodies by the white vehicle.

c. PHOTOGRAPHS: (b)(6), (b)(7)(C) reported taking photographs of the Iraqi males by the white car and the surrounding area. (b)(6), (b)(7)(C) explained he took the photographs because "the scene did not look right." In addition, (b)(6), (b)(7)(C) stated he also took photographs of the IED blast site and HMMWV wreckage with his digital camera. Exhibits (237)-(253) pertain.

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SUBJ: (b)(6), (b)(7)(C)

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HUMAN INTELLIGENCE EXPLOITATION TEAM (HET)

12. On 31May06, (b)(6), (b)(7)(C), USMC, was interviewed regarding his knowledge of the events that occurred on 19Nov05. (b)(6), (b)(7)(C) advised he was assigned to the Human Intelligence Exploitation Team, (HET) and was located at the Haditha Dam with H&S Company. (b)(6), (b)(7)(C) remained at the Haditha Dam HET office throughout the day on 19Nov05 and was not involved in the events surrounding the IED and Kilo Company. However, (b)(6), (b)(7)(C) related two (2) of his HET personnel, SGT (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C), were assigned to Kilo Company and responded to the IED post-blast site. A few days following 19Nov05, (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) was at the Haditha Dam and described to (b)(6), (b)(7)(C) the events of that day. According to (b)(6), (b)(7)(C) related he went to the IED scene as part of a QRF headed by (b)(6), (b)(7)(C) further explained that (b)(6), (b)(7)(C) stated they were being attacked by SAF and had taken cover in a couple of houses en-route to the IED site. (b)(6), (b)(7)(C) also mentioned to (b)(6), (b)(7)(C) that upon arriving at the post-blast site they received a brief from someone on scene, and then were escorted into homes where the firefights had occurred. (b)(6), (b)(7)(C) showed (b)(6), (b)(7)(C) approximately twelve (12) photographs on his digital camera that included pictures of dead Iraqis. (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) did not mention a white car/taxi to him. (b)(6), (b)(7)(C) stated he later read the TIME magazine article on the Haditha incident and showed the article to (b)(6), (b)(7)(C) advised he and (b)(6), (b)(7)(C) discussed how "it just didn't read right and we sensed the complete story wasn't being told." (b)(6), (b)(7)(C) stated the photographs (b)(6), (b)(7)(C) and NCIS showed him were the only ones he viewed from 19Nov05 and denied ever having any discussions with anyone involved in the shooting of Iraqis that day. Exhibit (254) pertains.

13. On 02Jun06, (b)(6), (b)(7)(C), USMC, was interviewed regarding his knowledge of the events occurring in Haditha on 19Nov05. (b)(6), (b)(7)(C) was shown the photographs recovered from the digital camera he used in Iraq, which he stated accurately reflected the images he took on 19Nov05. (b)(6), (b)(7)(C) advised he was one of two (2) HET assets from 2nd CI HUMINT Company and was living with Kilo Company at the Firmbase. On the morning of 19Nov05, (b)(6), (b)(7)(C) was in the COC when he learned an IED hit one of the convoys. (b)(6), (b)(7)(C) advised Marines with "QRF 1" handled the inner cordon around the blast site while those with "QRF 2" were sent to the site via foot patrol. (b)(6), (b)(7)(C) related he decided to go with "QRF 2" to the post-blast scene to gather intelligence. (b)(6), (b)(7)(C) reported (b)(6), (b)(7)(C) was with "QRF 2." The details of his interview follow:

a. INJURED IRAQIS: En-route to the IED scene, (b)(6), (b)(7)(C) stated they started receiving SAF. (b)(6), (b)(7)(C) advised he looked in the direction of the SAF and saw two (2) unarmed men running from the general direction of the IED attack, and (b)(6), (b)(7)(C) responded by firing two (2) shots in their direction. (b)(6), (b)(7)(C) stated other members of his QRF were also firing but they could not tell if the Iraqis were hit. (b)(6), (b)(7)(C) later heard that Marines in an OP on a rooftop had also engaged the running Iraqis.) Shortly after firing the shots, an Iraqi male approached them and stated an injured man was inside his

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home with a head wound. The Iraqi further advised a second man with an abdominal wound had been with the man in his home, but had kept running. (b)(6), (b)(7)(C) related this information to (b)(6), (b)(7)(C), who decided they should go investigate the injured Iraqi inside the home.

(b)(6), (b)(7)(C) was unable to question the injured Iraqi who was incoherent. (b)(6), (b)(7)(C) opined the injured Iraqi was likely not from the community because he had no identification on him and none of the occupants of the house had ever seen him before. (b)(6), (b)(7)(C) noted the injured male Iraqi had (b)(6), (b)(7)(C) that (b)(6), (b)(7)(C) suspected were from prison. Based on the foregoing facts, (b)(6), (b)(7)(C) opined the injured male was an insurgent. While they were waiting for a medical evacuation for the injured Iraqi, (b)(6), (b)(7)(C) arrived with two (2) ISF members, an unknown Marine, and two (2) Iraqi children, a boy and a girl. The girl was crying and stated someone came into her house and threw grenades killing her family. When (b)(6), (b)(7)(C) questioned (b)(6), (b)(7)(C) about what had happened, (b)(6), (b)(7)(C) related the Marines assaulted a couple of houses where they had been receiving fire. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) the Marines reported hearing an AK-47 racking on the other side of the house and they responded by throwing grenades into the room, killing the occupants, with the exception of the two (2) children. (b)(6), (b)(7)(C) estimated they were at the house with the injured male for a total of two (2) hours. (b)(6), (b)(7)(C) stated the injured man and two (2) children were flown out by a helicopter and the other men in the house were detained for further questioning.

b. TAXI: (b)(6), (b)(7)(C) stated upon his arrival to Route Chestnut at approximately 1300, he saw a white car with all four (4) doors opened and the bodies of several men lying just south of the vehicle. After getting a debrief from (b)(6), (b)(7)(C) returned to the white car with (b)(6), (b)(7)(C) and two (2) other unknown Marines as his security detail at approximately 1330. (b)(6), (b)(7)(C) asked the team who had opened the doors to the car and was told EOD had processed the car. Another unknown Marine advised (b)(6), (b)(7)(C) that eight (8) AK-47s were found with the car. No one had any information about the location of the (8) AK-47s. (b)(6), (b)(7)(C) stated a Marine gave him a plastic bag containing some notebooks, one identification card and a couple of cassettes that EOD had gathered from the car. (b)(6), (b)(7)(C) located the vehicle registration, which matched the ID card he found on one of the dead bodies near the car. (b)(6), (b)(7)(C) opined the car appeared to be civilian vice a taxi since there was no placard or painting on the car indicating it was a taxi. (b)(6), (b)(7)(C) sorted through the personal belongings in the trunk and found no weapons. After searching the car, (b)(6), (b)(7)(C) focused on the five (5) bodies lying five (5) to fifteen (15) meters from the car. Body #1 was lying face up with gunshot wounds (GSWs) to his face and upper body. Body #2 was lying face up with a GSW to his upper body. Body #3 was lying face up with a GSW to his back. Body #4 was lying face down with a GSW to his head and body #5 was lying face down with GSWs to his upper body. By reviewing the pictures he took that day, (b)(6), (b)(7)(C) opined one of the bodies was turned over due to the dirt on the back of his head and the blood pool being inconsistent with the positioning of the body. (b)(6), (b)(7)(C) did not recall seeing any shell casings near the body, which was consistent with (b)(6), (b)(7)(C) account of the Marines shooting them from their convoy position. (b)(6), (b)(7)(C) collected five (5)

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identification cards from the five (5) bodies.

c. (b)(6), (b)(7)(C) related at approximately 1300 he received a debrief from (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) the following account: An IED hit their convoy and they had to stop to assess the damage. When they stepped outside of their HMMWVs, they started to receive SAF from the north and south. A white car was heading in the direction opposite of the convoy. After the IED blast, the occupants got out of the car and started running south while his Marines fired upon the occupants. At the same time, they were receiving fire from the south, so a team of Marines went after the threat in the south and reportedly entered a house. In the house, the team heard an AK-47 racking on the other side of the wall, so the Marines threw grenades into that room. The team then followed one of the men into the house next door, where the team saw a man standing in the doorway, holding an AK-47. Meanwhile, another team of Marines moved north to determine where the SAF was originating. The team in the north secured several detainees with passports and money and located a possible trigger house for the IED. (b)(6), (b)(7)(C) also noted to (b)(6), (b)(7)(C) that a team of Marines had fired upon individuals in a house west of Route Viper and north of Route Chestnut. (b)(6), (b)(7)(C) did not know which houses (b)(6), (b)(7)(C) himself entered.

d. HOUSE #1: After searching the white car, (b)(6), (b)(7)(C) proceeded to the first house at approximately 1400. (b)(6), (b)(7)(C) observed the following in house #1: smoke coming from a window on the west wall of the house, in which (b)(6), (b)(7)(C) had told him a grenade caused a fire, a dead female lying on her back in the hallway, a room on the right with a charred body lying in the middle of the room, a room across the hall where there was a dead older male lying near the doorway, another male against the west wall of the room and a female and small boy in the southwest corner of the room, along with an unexploded grenade. (b)(6), (b)(7)(C) located only one (1) identification card on one (1) of the middle aged Iraqi males. (b)(6), (b)(7)(C) opined at least one (1) grenade had exploded in the house because one of the men, the female, and the boy looked like they had shrapnel and fragmentation wounds, vice GSWs.

e. HOUSE #2: (b)(6), (b)(7)(C) arrived at the second house around 1500 and observed the following: a man lying just beyond the threshold of the front door with a GSW to his head and the right shoulder area. This man had two (2) identification cards, one (1) of which was written in English and identified him as being trained as an Iraqi policeman by Coalition Forces. The house did not appear burned and there were many 5.56 and 7.72 cartridge casings lying outside of a room at the end of the hallway. In this room, (b)(6), (b)(7)(C) observed two (2) females, one near the clothes cabinet and the other lying on a bed with three (3) children, all dead, for a total of six (6) bodies. Upon counting the ID cards, he realized he had eight (8) cards for seven (7) individuals so he had another Marine do a body count, where another child was found between the wall and the bed, for a total of seven (7) bodies. (b)(6), (b)(7)(C) stated after reviewing the photographs, he identified an extra child in the bed that he was unaware of and he now knows there were eight (8) people killed in the house. (b)(6), (b)(7)(C)

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was unsure why he did not find an identification card for an extra person but stated the 13 year-old girl who survived the attack may have carried her ID card with her. (b)(6), (b)(7)(C) also found approximately 700,000 Iraqi dinars, which he estimated to be the equivalent of \$500 USD. (b)(6), (b)(7)(C) stated he took the money and the identification cards with him to bring back to the Firmbase.

f. RIDGELINE: After processing the second house, his security team informed (b)(6), (b)(7)(C) there was another body on the ridgeline located northeast of house #2. At approximately 1530 (b)(6), (b)(7)(C) walked over to the ridgeline and observed a young Iraqi male lying on his back in a dark colored tracksuit. The male had a GSW to his head and his upper torso. The man had no identification on him, causing (b)(6), (b)(7)(C) to believe he was an insurgent.

g. HOUSE #4: (b)(6), (b)(7)(C) began his assessment of the third house (house #4) at approximately 1540 and stated a female was at this house, cleaning up and tending to the dead when he arrived. (b)(6), (b)(7)(C) asked her to leave. As (b)(6), (b)(7)(C) entered the house, he observed the following: a body in the doorway of a bedroom, covered with a sheet, and three additional bodies covered in sheets. (b)(6), (b)(7)(C) uncovered the bodies and observed four males, two (2) with GSW to the head and two (2) with GSWs to the torsos. Two of the individuals had identification cards. (b)(6), (b)(7)(C) stated he thought the woman must have covered the bodies with the sheets and he was unsure if he covered them up again when he was finished. (b)(6), (b)(7)(C) did not observe any weapons in the house but was told by someone at the IED site that the third house he entered (house #4) had three (3) AK-47s. (b)(6), (b)(7)(C) further reported that no one gave him any weapons that day, nor did he confiscate or observe any weapons that day. (b)(6), (b)(7)(C) also did not see any chest rigs on 19Nov05.

h. PHOTOGRAPHS: (b)(6), (b)(7)(C) denied instructing anyone to photograph or number any of the bodies and further added that he strongly advised the people working with him not to take any pictures. (b)(6), (b)(7)(C) related he took the pictures only for the purpose of helping him identify the bodies if needed. (b)(6), (b)(7)(C) advised he never downloaded any pictures that he took on 19Nov05. (b)(6), (b)(7)(C) stated he may have shown the pictures to his superiors in his chain of command, but he was not certain that he did. Other than briefing his chain of command, (b)(6), (b)(7)(C) denied discussing the events of 19Nov05 with anyone to include any of the Marines involved in this investigation.

i. DETAINEES: After the assessment of the vehicle, three houses and the Iraqi shot on the ridgeline, (b)(6), (b)(7)(C) advised he had approximately 15-16 identification cards. (b)(6), (b)(7)(C) then went to a house where five (5) or six (6) male detainees, plus one (1) female, were being interviewed for possessing approximately 30 Jordanian passports (not blank), \$1000 U.S. dollars, and one (1) million Iraqi dinar. (b)(6), (b)(7)(C) advised the female was trying to conceal her husband's Jordanian identification card and the money, which prompted (b)(6), (b)(7)(C) to ask (b)(6), (b)(7)(C) to bring all the detainees, including the woman, back to the Firmbase for further questioning.

j. POSSIBLE TRIGGER HOUSE: (b)(6), (b)(7)(C) then visited the house the

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Marines thought was the trigger house, based on the fact that it was under construction and had a blanket in a room with a window that had a direct view of the IED site. The window also had bars on it, which (b)(6), (b)(7)(C) opined could have been used as "aiming stakes." (b)(6), (b)(7)(C) searched and photographed the house (b)(6), (b)(7)(C) advised he subsequently told (b)(6), (b)(7)(C) the body count he had at that time was 23.

k. FIRMBASE: (b)(6), (b)(7)(C) advised he arrived back at the Firmbase at approximately 1715-1730 with one of the two (2) groups of detainees. (b)(6), (b)(7)(C) stated LCPL (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) (an interpreter) assisted him with the interviews of (b)(6), (b)(7)(C) the detainees. (b)(6), (b)(7)(C) also processed the identification cards he confiscated through (b)(6), (b)(7)(C) his databases. (b)(6), (b)(7)(C) advised none of the identification cards matched any names in the stored database so he gave the names on the identification cards to MAJ (b)(6), (b)(7)(C) the Civil Affairs Group (CAG) officer, along with the money he collected from a purse in house #2. (b)(6), (b)(7)(C) advised he sent the ID cards, via a convoy, to the HET office at the Haditha Dam for further analysis, but stated he knows the identification cards never made it and opined they got mixed up as trash and thrown away. (b)(6), (b)(7)(C) advised he did not identify which of the dead Iraq civilians were suspected insurgents and which were innocent civilians. (b)(6), (b)(7)(C) stated he did not make a copy of the names he provided to

l. DETAINEE ABUSE: (b)(6), (b)(7)(C) denied witnessing any detainee abuse at the IED site or at the Firmbase, but did observe some minor injuries consisting of bloodied noses on the detainees and opined the Iraqi Army soldiers (ISF members) were responsible since they had a reputation of mistreating, stealing from, or harassing detainees and local civilians. Exhibit (255) pertains.

14. On 02Jun06, (b)(6), (b)(7)(C) USMC, a HET team member, was interviewed and stated he was assigned to Lima Company, located in Barwanah, Iraq, at Firmbase Horno, which is across the river from Haditha. On 19Nov05, (b)(6), (b)(7)(C) stated he heard the IED and subsequent SAF from across the river, (b)(6), (b)(7)(C) and later heard there was a FKIA. (b)(6), (b)(7)(C) stated he stayed at Firmbase Horno the entire day and had no involvement in responding to the IED. In March 2006, during his last meeting at Haditha Dam, (b)(6), (b)(7)(C) heard there was going to be an investigation concerning Kilo Company. (b)(6), (b)(7)(C) remembered (b)(6), (b)(7)(C) had his camera confiscated by NCIS because he had taken pictures of the events of 19Nov05, but (b)(6), (b)(7)(C) denied ever seeing any of these photographs. (b)(6), (b)(7)(C) denied having any conversations with any of the Marines involved in this investigation. Exhibit (256) pertains.

15. On 03Jun06, (b)(6), (b)(7)(C) USMC, was interviewed regarding his knowledge of events on 19Nov05. (b)(6), (b)(7)(C) stated he was one (1) of two (2) HET members assigned to support Kilo Company out of the Firmbase. On 19Nov05, he heard an IED hit Kilo Company and he sent (b)(6), (b)(7)(C) and an interpreter to respond. (b)(6), (b)(7)(C) stated he spent most of the day in the COC and around 1630 was able to leave with a squad to respond himself to the IED site. (b)(6), (b)(7)(C) denied hearing any

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information while in the COC about weapons being seized. Details follow:

a. IED SITE: When (b)(6), (b)(7)(C) arrived at the IED site, he met up with (b)(6), (b)(7)(C) who briefed that seven (7) insurgents and fifteen (15) civilians had been killed, based on information from the Marines. (b)(6), (b)(7)(C) stated he specifically asked (b)(6), (b)(7)(C) if any weapons had been found on the civilians to which (b)(6), (b)(7)(C) replied in the negative. (b)(6), (b)(7)(C) stated there were ten (10) to twelve (12) detainees on scene when he arrived, and he and (b)(6), (b)(7)(C) began to interview them. (b)(6), (b)(7)(C) denied walking through any of the houses but stated he did see the body on the ridgeline from approximately 150-200 meters away, and he also saw several dead male Iraqis next to a white car. (b)(6), (b)(7)(C) noted one (1) of the males next to the car was missing half of his face, causing him to assume the male was shot in the head.

b. DETAINEES: Upon their return to the Firmbase, he and (b)(6), (b)(7)(C) began to interview the detainees and determined all but approximately five (5) could be released. The others were transported in HMMWVs with the dead Iraqis, but (b)(6), (b)(7)(C) noted the detainees were in separate HMMWVs. After the HMMWVs dropped the bodies off at the morgue, they transported the detainees to Haditha Dam for further questioning, around 2400. (b)(6), (b)(7)(C) stated he only discussed the events of 19Nov05 with (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) showed him the photographs he took on his digital camera. (b)(6), (b)(7)(C) advised he did not observe any detainees being abused, but did see one (1) detainee with a bloody nose that could have been broken. When (b)(6), (b)(7)(C) asked a Marine about the nose, the Marine stated the detainee would not comply with instructions to get on the ground, so a Marine forced him to the ground, injuring the detainee's nose in the process. Exhibit (257) pertains.

16. On 03Jun06, (b)(6), (b)(7)(C) USMC, was interviewed and stated he was a radio operator for HET at the FOB Haditha Dam. On 19Nov05, he and (b)(6), (b)(7)(C) were returning from Haqlanya with a convoy. When he arrived at the FOB, he went directly to sleep until the early afternoon and had no involvement with the response to the IED that day. (b)(6), (b)(7)(C) heard (b)(6), (b)(7)(C) had responded to the IED and took photographs of the dead bodies. (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) later told him that he took photographs of the Iraqis killed and the body count was in "the 20's." (b)(6), (b)(7)(C) stated he has never seen any of the photographs from 19Nov05 and has not had conversations with any of the Marines involved in this investigation. Exhibit (258) pertains.

PERSONAL SECURITY DETACHMENT (PSD)

17. From 23May-08July06, twenty-two (22) Marines, one (1) Navy corpsman, and three (3) former Marines that were attached to the Battalion Personal Security Detachment (PSD) while deployed in Haditha, Iraq were interviewed regarding their knowledge of the events that occurred on 19-20Nov05. PSD Platoon was tasked to escort and protect the Commanding Officer (CO), LTCOL (b)(6), (b)(7)(C) the Executive Officer (XO) MAJ (b)(6), (b)(7)(C) the Operations Officer, MAJ (b)(6), (b)(7)(C)

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(b)(6), (b)(7)(C) and SGT MAJ [] during their deployment in Iraq. The PSD members interviewed were LT

and former
Marines, The
twenty-six (26) interviewees provided similar accounts of the events they participated in on 19-20Nov05. The details of the their accounts are as follows:

a. WEAPONS PLATOON BATTLE SITE: On 19Nov05, PSD members were at the Haditha Dam when they learned of the IED blast. Per LTCOL instructions, PSD members stood by to provide a convoy escort for and the into Haditha city. At approximately 1600-1630, , and several PSD members departed from the Haditha Dam in a vehicle convoy. At approximately 1700-1730, the convoy stopped at the site where Weapons Platoon had been attacked and an Iraqi house was bombed off River Road (south of Route Chestnut and near some palm groves).

, and a few PSD members dismounted their vehicles and surveyed the attack site for one and a half (1 1/2) to two (2) hours. While on site, a few of the PSD members observed a "flipped" sedan with an opened trunk that exposed several weapons (rocket propelled grenades, machine guns, AK-47s, loaded ammunition belts, etc). The "flipped" sedan was then detonated and destroyed by the Marines. Some of the Marines reported observing several 5.56 cartridge casings on the ground. The Platoon Sergeant, SGT advised was on site with a squad. After the battle site was assessed, the convoy traveled to the Firmbase and arrived around 1900-2000.

b. FIRMBASE: Upon arrival to the Firmbase, , the PSD Commander dismounted their parked vehicles and went inside the Firmbase's COC for approximately one (1) to two (2) hours. While inside the Firmbase, observed talk to junior Marines first and then they met with members of the Kilo Company staff behind closed doors. Meanwhile, the PSD members remained outside the Firmbase with the HMMWVs. Some PSD members related they observed Marines remove/load bodies from and into HMMWVs while they waited for the CO to return. Because it was reportedly dark at this point in the day, interviewees explained they could not easily see the deceased but some were able to assess that children were among the dead. Of those interviewed that were attached to PSD, only reported assisting Marines with placing bodies into body bags. Around 2100-2230, the PSD convoy prepared to leave the Firmbase. were observed walking past the HMMWVs loaded with bodies as they left the Firmbase. Some interviewees speculated that likely viewed the bodies. After the PSD convoy left the Firmbase, they returned to the Haditha Dam and remained there until the following morning. The PSD convoy did not travel onto Route Chestnut or survey the IED blast site on 19Nov05.

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c. IED SITE: On 20Nov05, around 0900, PSD Platoon escorted (b)(6), (b)(7)(C) and the H&S Company to the Firmbase. A few interviewees recalled that the Battalion Executive Officer, MAJ [redacted] was also present. [redacted] reported entering the Firmbase with [redacted] where they spoke to Kilo Company Marines. After the Firmbase, the convoy traveled to the IED post-blast site. (Most interviewees reported going to the IED site on 20Nov05, while others believed they went to the IED site several days after 19Nov05.) When PSD escorted [redacted] to the IED post-blast site, the convoy headed south on River Road, where they stopped and staged the vehicles on the corner of Route Chestnut and River Road. Shortly thereafter, [redacted] SGT [redacted] walked to and examined the IED blast site. Both [redacted] were observed surveying and sifting through the blast site area. No one went inside any of the nearby houses/buildings.

d. PHOTOGRAPHS: Several of the interviewees reported viewing photographs of the deceased from 19Nov05 on another Marine's laptop computer (a few recalled [redacted] as the Marine that showed the photos on his laptop). None of the PSD members reported possessing a copy of the photographs. However, a couple of them indicated they took photographs of the IED site. [redacted] who was recently discharged from the Marine Corps, reported taking photographs of the Weapons Platoon attack site on 19Nov05 and of the IED blast site on 20Nov05. [redacted] granted permission to seize and search his laptop computer, digital camera, and memory chips that contained the photographs he took. [redacted] advised he did not possess photographs of the deceased Iraqis from 19Nov05.

e. (b)(6), (b)(7)(C) Most of the PSD members reported not having conversations with (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C). However, (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) told him what happened on 19Nov05. (b)(6), (b)(7)(C) reported he was at the Haditha Dam sometime in March 2006 when (b)(6), (b)(7)(C) and other Marines talked about the TIME Magazine article that reported the 19Nov05 incident. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) squad) were hit by an IED and took SAF from three (3) homes. (b)(6), (b)(7)(C) said the SAF came from the windows and rooftops of houses. (b)(6), (b)(7)(C) noted (b)(6), (b)(7)(C) did not specify which houses they received fire from, but stated they fired back at the houses. (b)(6), (b)(7)(C) further stated they "reacted accordingly" to the gunfire coming from the houses. (b)(6), (b)(7)(C) believed (b)(6), (b)(7)(C) meant they breached the houses, rolled in grenades, and started shooting. (b)(6), (b)(7)(C) also told that he and his squad were "pissed off" when they saw a Marine had died. According to (b)(6), (b)(7)(C) noted the Marine's death made him "extremely mad." Exhibits (259)-(284) pertain.

MEDICAL PERSONNEL

18. On 21May06, [redacted] USN, Combat Logistics Battalion, Al Asad, Iraq was contacted regarding the identification of an Iraqi civilian patient treated at the Al Asad Air Base Hospital on 19Nov05 and listed in a hospital patient log as an enemy prisoner of war

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(EPW). (b)(6), (b)(7)(C) advised LDCR (b)(6), (b)(7)(C) USN treated patient number eight (8) at the Al Asad Hospital Emergency Room on 19Nov05. (b)(6), (b)(7)(C) explained he could not provide any identifying information on the EPW since his identity was not obtained before he was transferred to the Combat Support Hospital South, Baghdad, Iraq. (b)(6), (b)(7)(C) noted the EPW patient had a gunshot wound to the head and abdomen. (b)(6), (b)(7)(C) indicated the patient was alive when transferred to Baghdad. Exhibit (285) pertains.

19. On 25May06, SFC (b)(6), (b)(7)(C) USA, 101st Combat Support Hospital (CSH), was contacted regarding the identification of an Iraqi civilian patient transferred from the Al Asad Air Base Hospital to CSH on 19Nov05. (b)(6), (b)(7)(C) queried records for patients treated during on or about 19Nov05 at CSH and revealed CSH received a patient listed as an unidentified Iraqi citizen. The patient was logged under a pseudo Social Security Number (SSN), (b)(6), (b)(7)(C) and died from a penetrating brain injury. (b)(6), (b)(7)(C) could not provide any information regarding the disposition of the deceased Iraqi's remains, but suggested contacting MSGT (b)(6), (b)(7)(C) USA, who was in charge of processing such patients. Exhibit (286) pertains.

20. On 25May06, MSGT (b)(6), (b)(7)(C) USA, was contacted regarding the identification of an Iraqi civilian patient logged as SSN (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) advised he did not have any records with additional identifying information. (b)(6), (b)(7)(C) indicated the deceased's identity remained unknown because he was not identified by any family members; thus, "John DOE" was listed on the death certificate. Additionally, the death certificate indicated the deceased had arrived at the CSH at approximately 1359 on 19Nov05. (b)(6), (b)(7)(C) advised the remains were released to Medico-Legal Institute, a government morgue in Baghdad for proper burial in accordance with local custom. Exhibit (287) pertains.

21. On 07Jun06, MAJ (b)(6), (b)(7)(C), USA, was interviewed regarding injured Iraqi children he may have treated at the Al Asad Airbase Hospital on 19Nov05. (b)(6), (b)(7)(C) stated he recalled treating both the female Iraqi child, (b)(6), (b)(7)(C) and the male Iraqi child, (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) advised the female child had a (b)(6), (b)(7)(C) and the male child had a more severe injury to (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) stated the male's injury appeared to be either shrapnel or a (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) and then the boy was airlifted to another hospital, possibly located in Baghdad. (b)(6), (b)(7)(C) stated he spoke with the children through the use of an interpreter regarding their medical history but related at no time did the children discuss how they received their injuries. (b)(6), (b)(7)(C) reported he later found out their family had been killed. Exhibit (288) pertains.

22. On 16Jun06, (b)(6), (b)(7)(C) USN was interviewed regarding his knowledge of injuries sustained by an Iraqi male who was reportedly shot by Marines in Haditha on 19Nov05 and flown to the Al Asad Air Base for medical treatment. A patient log of individuals treated on 19Nov05 at the Al Asad Air Base Hospital listed "EPW,

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patient No. 8" as having been treated by (b)(6), (b)(7)(C) affirmed he was stationed at the Al Asad Air Base Hospital, Alsad Iraq in November 2005; however, he could not recall the details surrounding the medical treatment he provided to patient "EPW No. 8." Exhibit (289) pertains.

OFFICERS

23. On 01Jun06, (b)(6), (b)(7)(C) USMC, was interviewed and advised he was assigned as H&S (b)(6), (b)(7)(C) 3/1, while deployed to Haditha, Iraq. (b)(6), (b)(7)(C) explained one of his collateral duties was (b)(6), (b)(7)(C) which made him responsible for the planning and execution of all indirect and aviation-delivered ordnance.

(b)(6), (b)(7)(C) advised because of this, on 19Nov05, he was focused on other insurgent attacks involving battalion personnel. The details of (b)(6), (b)(7)(C) interview follow:

a. MEETING WITH HADITHA DAM EMPLOYEES: (b)(6), (b)(7)(C) explained he was additionally assigned as the (b)(6), (b)(7)(C) for the FOB Haditha Dam and conducted liaison with all foreign nationals working at the FOB. On 20Nov05, (b)(6), (b)(7)(C) met with the Haditha Dam engineers who lived in Haditha and frequently brought up issues from out in town during the meetings. (b)(6), (b)(7)(C) related that (b)(6), (b)(7)(C) (father's name unknown), of the Ministry of Electricity for Power Transmission, told that several of his family members including women and children had been pulled from their homes and shot in the street on 19NOV05. (b)(6), (b)(7)(C) told that Marines did not execute innocent civilians. Another engineer asked why Marines shot four (4) college students traveling in a white car leaving Haditha. (b)(6), (b)(7)(C) told the engineer he would look into the matter.

b. (b)(6), (b)(7)(C) asserted he informed (b)(6), (b)(7)(C) of the rumors he had heard from the engineer. (b)(6), (b)(7)(C) advised both he and (b)(6), (b)(7)(C) discounted the rumors as "outlandish." According to (b)(6), (b)(7)(C) during the following week, (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) that one of the students in the white car had been found wearing a chest rig and carrying an AK-47 and grenades. Based on this conversation with (b)(6), (b)(7)(C) confronted the dam workers about the presence of an insurgent in the white car. According to (b)(6), (b)(7)(C) they did not bring up the matter again. Exhibit (290) pertains.

24. On 01Jun06, (b)(6), (b)(7)(C) USMC, was interviewed and advised he was assigned as the (b)(6), (b)(7)(C) for 3/1 while deployed to Haditha, Iraq. (b)(6), (b)(7)(C) noted on 19NOV05, he was at the Battalion Combat Operations Center (BN COC) assigned as the Watch Officer. (b)(6), (b)(7)(C) related a similar account as others who were present at the BN COC. (b)(6), (b)(7)(C) did not have any direct knowledge of the events of 19Nov05. Exhibit (291) pertains.

25. On 01Jun06, (b)(6), (b)(7)(C) USMCR, was interviewed and advised he came out of retirement and deployed to Haditha in January 2006. (b)(6), (b)(7)(C) explained he was assigned to the CAG as a civil affairs governance officer working to help establish local governments in the area. (b)(6), (b)(7)(C) related he did not have any direct

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knowledge of the events of 19Nov05; however he had three (3) conversations with (b)(6), (b)(7)(C) about the events of 19Nov05. (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) was critical of the Marines' response to the incident; however, (b)(6), (b)(7)(C) was not critical regarding the compensation decisions. Exhibit (292) pertains.

26. On 02Jun06, (b)(6), (b)(7)(C) USMC, was interviewed and advised he was assigned as the (b)(6), (b)(7)(C) 3/1, while deployed to Haditha. (b)(6), (b)(7)(C) explained on 19Nov05, he was in the Battle Update Brief (BUB) when CAPT (b)(6), (b)(7)(C) interrupted the briefing and informed the command members of the IED blast. The details of (b)(6), (b)(7)(C) interview follow:

a. BN COC: (b)(6), (b)(7)(C) related he went to the BN COC and tasked intelligence assets and requested Unmanned Aerial Vehicle (UAV) support for the battalion. (b)(6), (b)(7)(C) learned through Kilo Company personnel of the one (1) Marine KIA and two (2) Marine WIA in the initial IED explosion. (b)(6), (b)(7)(C) recalled that the first video feed from SCAN EAGLE was of the area where the HMMWV had been hit by the IED. (b)(6), (b)(7)(C) advised throughout 19NOV05, he became involved in assessing a "citywide attack" between several insurgent teams working together. (b)(6), (b)(7)(C) added that reporting from Kilo Company indicated the squad on Route Chestnut was properly engaging positively identified insurgents and acting in a manner consistent with the Rules of Engagement (ROE). According to (b)(6), (b)(7)(C) he became aware later that day of the high number of civilian casualties; however, he believed this was the result of insurgents using civilians as shields as Marines cleared houses. (b)(6), (b)(7)(C) stated that later in the evening, he put together a power point presentation of what had occurred utilizing surveillance from the UAV and reports from Kilo Company. (b)(6), (b)(7)(C) explained he and (b)(6), (b)(7)(C) the Operations Officer, utilized three (3) reporting criteria to decide which individuals killed that day were insurgents and which were not. (b)(6), (b)(7)(C) informed the following criteria were used: identification documentation found on the bodies, profiling, and proximity of weapons to the bodies. (b)(6), (b)(7)(C) advised he was not aware of the squad on Route Chestnut firing upon any vehicle on Route Chestnut. (b)(6), (b)(7)(C) advised in his opinion, Regimental Headquarters did not initiate an investigation into the deaths because of a "Troops in Contact" (TIC) caveat, which implied an engagement with clear hostile enemy resistance.

b. PRESS RELEASE: (b)(6), (b)(7)(C) added he and other battalion personnel were aware of the inaccurate press release regarding the activities near Route Chestnut; however, they did not formally protest the inaccuracies because they "were busy and it did not seem important."

c. PHOTOGRAPHS: (b)(6), (b)(7)(C) advised he was aware that (b)(6), (b)(7)(C) had taken photographs on 19Nov05. (b)(6), (b)(7)(C) related he asked (b)(6), (b)(7)(C) about these photographs, and (b)(6), (b)(7)(C) informed (b)(6), (b)(7)(C) that he ordered (b)(6), (b)(7)(C) to delete them because they did not have intelligence value. According to (b)(6), (b)(7)(C), in March 2006, (b)(6), (b)(7)(C) described the content of (b)(6), (b)(7)(C) photographs to him. (b)(6), (b)(7)(C) stated upon hearing (b)(6), (b)(7)(C) description, he realized that he had

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been misinformed as to the seriousness of the allegations regarding the actions of the Marines on 19Nov05 and believed his assumptions about their actions may have been wrong.

d. WEAPONS: (b)(6), (b)(7)(C) advised he was unaware of any weapons being recovered on 19Nov05 and added no weapons were turned in to him. Exhibit (293) pertains.

27. On 02Jun06, (b)(6), (b)(7)(C) USMC, was interviewed and advised he was assigned as the (b)(6), (b)(7)(C) 3/1 while deployed to Haditha, Iraq. (b)(6), (b)(7)(C) recalled on 19Nov05, he was cleared by the COC to direct one of his truck convoys to recover one of Kilo Company's HMMWVs due to an IED explosion. (b)(6), (b)(7)(C) had no direct knowledge of the activities on or near Chestnut, as he was focused on his vehicle recovery responsibilities. Exhibit (294) pertains.

28. On 05Jun06, (b)(6), (b)(7)(C) USMC, was interviewed and reported he was assigned as HET3 (b)(6), (b)(7)(C) 3/1, while deployed to Haditha, Iraq. (b)(6), (b)(7)(C) explained as the HET (b)(6), (b)(7)(C) his focus was to collect intelligence and deal with normal HET issues, and not get involved with the tactical actions of the Marines. (b)(6), (b)(7)(C) advised on 19Nov05, he was informed that Marines were involved in a complex attack. (b)(6), (b)(7)(C) indicated he was not needed at the BN COC and returned to his office to carry on with his normal activities. (b)(6), (b)(7)(C) stated subsequent to the attack, HET became responsible for identifying and locating all persons responsible for the coordinated attack on Kilo Company. According to (b)(6), (b)(7)(C) information gathered about the attack was reported in numerous Draft Intelligence Information Reports (DIIRs) until the end of the deployment. (b)(6), (b)(7)(C) provided a copy of the statement he provided to COL (b)(6), (b)(7)(C) during his AR-15-6 investigation. (b)(6), (b)(7)(C) added he observed photographs of the dead Iraqi civilians taken by his HET team during the time frame of the Army investigation. Exhibit (295) pertains.

29. On 09Jun06, (b)(6), (b)(7)(C) USMC, was interviewed and advised he was assigned as the (b)(6), (b)(7)(C) for 3/1 while deployed to Haditha, Iraq. The details of his interview follow:

a. BN COC: (b)(6), (b)(7)(C) reported on 19NOV05, he heard via radio traffic from Kilo Company that they were subjected to an IED attack. According to (b)(6), (b)(7)(C) as the incident developed, radio operators would transcribe radio and SIPRNET chat traffic onto "yellow canaries" that were passed to the COC Watch Officer for review. Subsequently, yellow canaries would then be passed to a Journal Clerk who would make entries into the electronic log. (b)(6), (b)(7)(C) recalled the first reports coming in from Kilo Company were requesting medical evacuation for two (2) casualties and they were cordoning off the area. During the cordon, they reported coming into visual contact with a suspicious vehicle that was within their cordon. Kilo Company personnel reported they were going to investigate the vehicle as well as homes and buildings within their cordon to look for the possible triggerman responsible for the IED.

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(b)(6), (b)(7)(C) stated he never heard any radio traffic regarding the results from the scene. (b)(6), (b)(7)(C) related the initial report from the unit on-scene with the number of KIA did not break down the number of insurgents vice neutrals who were caught in "crossfire"; however, (b)(6), (b)(7)(C) was aware that women and children were among the dead. (b)(6), (b)(7)(C) related because of this, he knew that a Commanding Officer's Critical Information Requirement (CCIR) would have to be done; however, (b)(6), (b)(7)(C) had no direct knowledge of this.

b. UAV: (b)(6), (b)(7)(C) advised he observed video footage from a UAV which showed Marines lining up bodies on Chestnut, and preparing them for transport to the hospital.

c. COMMANDER'S INTENTION REPORT: This report was created by the night Watch Officer on 19Nov05 after (b)(6), (b)(7)(C) reviewed and included his comments. (b)(6), (b)(7)(C) recalled the report read, "The ensuing blast and the TIC contributed to the number of NKIAs." (b)(6), (b)(7)(C) advised based on what he learned at the COC on 19Nov05, he knew this was incorrect. (b)(6), (b)(7)(C) believed this was the only incident during the deployment where a NKIA was killed and it was not investigated. Exhibit (296) pertains.

30. On 13Jun06, (b)(6), (b)(7)(C) USN, was interviewed regarding the events of 19Nov05. While in Iraq, (b)(6), (b)(7)(C) was assigned to the Battalion Aid Station (BAS) at Haditha Dam and provided medical treatment to anyone attached to the battalion. (b)(6), (b)(7)(C) advised the three (3) Marines that were injured during the IED attack on 19Nov05 were flown straight to Al Asad due to the extent of their injuries. (b)(6), (b)(7)(C) stated no injured personnel from the IED site were brought to the BAS on 19Nov05. (b)(6), (b)(7)(C) stated when TERRAZAS' body arrived at the BAS, he determined the preliminary cause of death. (b)(6), (b)(7)(C) stated a few days after 19Nov05, he had a conversation with (b)(6), (b)(7)(C) but (b)(6), (b)(7)(C) did not provide details about the incident. (b)(6), (b)(7)(C) denied seeing any photographs or having any conversations regarding the 19Nov05 incident. Exhibit (297) pertains.

31. On 13Jun06, (b)(6), (b)(7)(C) USN, was interviewed concerning his knowledge of the events that occurred in Haditha on 19Nov05. (b)(6), (b)(7)(C) stated he was working at the BAS as the (b)(6), (b)(7)(C) on 19Nov05 when TERRAZAS' body arrived to the BAS. (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) and Chief (b)(6), (b)(7)(C) viewed TERRAZAS' body and conducted the preliminary autopsy but (b)(6), (b)(7)(C) had no participation. (b)(6), (b)(7)(C) related a few weeks after 19Nov05, (b)(6), (b)(7)(C) was seen at the BAS for Post Traumatic Stress. (b)(6), (b)(7)(C) stated it was later determined that (b)(6), (b)(7)(C) admitted taking and using narcotics from Kilo Company supply. (b)(6), (b)(7)(C) related a few weeks later, he saw (b)(6), (b)(7)(C) while he was eating lunch and asked him how things were. According to (b)(6), (b)(7)(C) told him that if command tried to get him in trouble for the narcotics, he would start talking about the innocent Iraqi civilians who were killed on 19Nov05. (b)(6), (b)(7)(C) asked (b)(6), (b)(7)(C) if women and children were killed that day to which (b)(6), (b)(7)(C) replied in the affirmative. (b)(6), (b)(7)(C) stated he did not report his conversation with (b)(6), (b)(7)(C) to his chain of command. (b)(6), (b)(7)(C) denied seeing any deceased Iraqis from the 19Nov05 incident and further stated he

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did not have any conversations with any of the subjects of the 19Nov05 investigation. (b)(6), (b)(7)(C) denied seeing any photographs from 19Nov05 and denied ever visiting the IED site. Exhibit (298) pertains.

32. On 15Jun06, (b)(6), (b)(7)(C), USMC, was interviewed regarding his knowledge of the events that took place on 19Nov05. (b)(6), (b)(7)(C) advised he was a Forward Air Controller (FAC) and his role was to interface between the Infantry Battalion and both fixed and rotary wing aircraft that supported the Infantry Battalion. On 19Nov05, around 0700-0730, he was attending the BUB when the COC Watch Officer interrupted and announced an IED had detonated on Kilo Company in South Haditha. (b)(6), (b)(7)(C) stated his responsibility was to coordinate all air support, to include Casualty Evacuation (CASEVAC). (b)(6), (b)(7)(C) advised his role in the Haditha incident involving the IED and Kilo Company was limited to coordinating the CASEVAC for the wounded persons. (b)(6), (b)(7)(C) was in command of the COC, directed operations, and maintained contact with the Kilo Company COC. (b)(6), (b)(7)(C) did not have any direct contact with Kilo Company but stated that (b)(6), (b)(7)(C) appeared frustrated over the lack of information he was receiving from Kilo Company. (b)(6), (b)(7)(C) advised after Kilo's initial report of the IED explosion and his coordination of the CASEVAC, he was not actively involved in any support to the Marines at Route Chestnut for the remainder of the day. The initial reporting (b)(6), (b)(7)(C) heard from Kilo Company indicated the squad had positively identified insurgents before engaging them with gunfire. (b)(6), (b)(7)(C) later heard that there were eight (8) EKIA and 15 NKIA, which surprised him since the numbers were high for what he believed had been a small engagement. (b)(6), (b)(7)(C) stated there was a "hot wash" regarding the engagement at Haditha, but he was not asked to participate in it. (b)(6), (b)(7)(C) discussed the incident with (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) stated neither indicated any of the actions taken by the Marines were wrong. (b)(6), (b)(7)(C) advised he participated in a patrol on either 21Nov05 or 22Nov05, during which he saw the IED blast site, noted debris on the ground, and saw a hole in the pavement. Exhibit (299) pertains.

33. On 22Jun06, (b)(6), (b)(7)(C) USMC, was interviewed regarding the events of 19Nov05. (b)(6), (b)(7)(C) related he was an Information Officer (IO), responsible for maintaining face-to-face contact with the Iraqi people on a daily basis in order to gauge the atmosphere in which 3/1 was operating. (b)(6), (b)(7)(C) worked closely with the CAG officer, (b)(6), (b)(7)(C) stated he was in Albu Hyat with Weapons Company between 19-21Nov05. When he returned to Haditha Dam on 21Nov05, he was briefed by his CO, CAPT (b)(6), (b)(7)(C), that he needed to travel to Haditha regarding an incident that took place, which resulted in the death of Iraqi civilians during a firefight between Marines and insurgents. (b)(6), (b)(7)(C) advised he left with his team, corporals (b)(6), (b)(7)(C) and arrived at the Firmbase on the evening of 21Nov05. (b)(6), (b)(7)(C) provided the following details of what occurred in Haditha after his arrival:

a. DEBRIEF: On 22Nov05, (b)(6), (b)(7)(C) contacted (b)(6), (b)(7)(C) to get a brief on what happened. (b)(6), (b)(7)(C) informed him that a convoy from Kilo Company had

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been hit by an IED, followed by SAF. (b)(6), (b)(7)(C) was further briefed about Iraqi civilians who were killed in the crossfire. (b)(6), (b)(7)(C) stated he was told approximately 15 insurgents and 10 civilians had been killed, but was not aware of the civilians' cause of death. (b)(6), (b)(7)(C) heard some insurgents were throwing grenades from inside a house and Marines responded by throwing grenades back in the house. (b)(6), (b)(7)(C) suspected some of the deceased civilians had been in that house.

b. SCHOOLHOUSE: While in Haditha, (b)(6), (b)(7)(C) visited the city's schoolhouse and market. (b)(6), (b)(7)(C) stated while he and (b)(6), (b)(7)(C) were visiting people, he learned the children were afraid to go to school as a result of the incident but did not learn specific details of what happened on 19Nov05.

c. HOSPITAL: On 24Nov05, (b)(6), (b)(7)(C) visited the Haditha hospital and spoke with a boy who was injured in the 19Nov05 incident; however, they did not ask any questions, nor did the boy volunteer any details, of what took place on 19Nov05. While at the hospital, (b)(6), (b)(7)(C) discovered for the first time that women and children had been killed on 19Nov05. (b)(6), (b)(7)(C) stated there were other adults at the hospital claiming to have been injured from the 19Nov05 incident, but (b)(6), (b)(7)(C) did not believe them and thought they were making false allegations in hopes of obtaining money from (b)(6), (b)(7)(C).

d. PHOTOGRAPHS: (b)(6), (b)(7)(C) stated one of the CAG non-commissioned officers (NCOs) showed him three (3) or four (4) photos, which depicted dead bodies wrapped in blankets or on a stretcher, but (b)(6), (b)(7)(C) could not see faces or determine injuries. (b)(6), (b)(7)(C) stated he was shown the photos because they wanted him to put the pictures on a flyer, but (b)(6), (b)(7)(C) related he was not allowed to use pictures of deceased on his flyers. (b)(6), (b)(7)(C) stated these are the only pictures he has seen depicting bodies of individuals killed on 19Nov05. Exhibit (300) pertains.

34. On 23Jun06, (b)(6), (b)(7)(C) USMC, CAG, was re-contacted and asked about his knowledge of whether schools were open or closed in Haditha, Iraq on 19Nov05. (b)(6), (b)(7)(C) stated he was aware that the schools in Haditha were closed at the time 3/1 arrived in Haditha, October 2005. (b)(6), (b)(7)(C) explained during a conversation with the superintendent of the Haditha schools, he learned that the schools were closed because parents were afraid to send their children to school, and teachers were also afraid to go to school. (b)(6), (b)(7)(C) said he did not know if the schools were open or closed on or around 19Nov05. (b)(6), (b)(7)(C) was also asked if he was aware if residents of Haditha were ever required to obtain permission to come and go in the city. (b)(6), (b)(7)(C) explained to the best of his knowledge, Haditha was "never technically locked down" requiring residents to obtain permission to move through the city. Exhibit (301) pertains.

35. On 12Jun06, an attempt was made to interview (b)(6), (b)(7)(C) USMC, (b)(6), (b)(7)(C) assigned to 3/1 while deployed in Haditha, Iraq, regarding the events of 19Nov05. (b)(6), (b)(7)(C) initially declined an interview request, but noted he could be contacted at a

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later time. On 10July06, (b)(6), (b)(7)(C) was interviewed and related he arrived to Haditha Dam around 26-27Sep05. The details of (b)(6), (b)(7)(C) interview follow:

a. 3/1 INVESTIGATIONS: (b)(6), (b)(7)(C) advised normally a (b)(6), (b)(7)(C) would train, attend briefs, and deploy with the assigned battalion. However, (b)(6), (b)(7)(C) explained this was not the case with his assignment to 3/1 because he was approached to join 3/1 after the battalion had deployed to Iraq. Upon his arrival, (b)(6), (b)(7)(C) immediately assumed two (2) to three (3) ongoing investigations that involved issues such as escalation of force (EOF) and a negligent discharge. (b)(6), (b)(7)(C) estimated he was involved in approximately seventy-five (75) investigations throughout his tour with 3/1. (b)(6), (b)(7)(C) indicated the Battalion Executive Officer, (b)(6), (b)(7)(C) would direct him to conduct an investigation after an order from (b)(6), (b)(7)(C) revealed some of the investigations involved theft, suicide, ROE, EOF, and criminal matters under the UCMJ. (b)(6), (b)(7)(C) related he relied on the chain of command to determine if an investigation would be initiated.

b. JEN REPORT: On 19Nov05, (b)(6), (b)(7)(C) first learned of the incident in Haditha when he read a Journal Entry (JEN) report that stated a Marine and several civilians were killed in a culmination of an IED blast and crossfire between Marines and insurgents. Subsequent JENs provided updates throughout the day. (b)(6), (b)(7)(C) advised the JENs were the only information he received regarding the incident. (b)(6), (b)(7)(C) asserted he was never directed by (b)(6), (b)(7)(C) or anyone else to initiate an investigation. (b)(6), (b)(7)(C) acknowledged the seriousness of the matter and expected (b)(6), (b)(7)(C) or someone higher to initiate an inquiry. (b)(6), (b)(7)(C) remarked, "I also want it to be known that at no time did I have any reason to believe the Marines involved in this incident had done anything wrong."

c. POST INCIDENT: (b)(6), (b)(7)(C) the Regimental Staff Judge Advocate (SJA), contacted (b)(6), (b)(7)(C) in December 2005, and asked that he forward all reports regarding the Haditha incident. Subsequently, (b)(6), (b)(7)(C) forwarded (b)(6), (b)(7)(C) all the JENs via SIPR. (b)(6), (b)(7)(C) reported and (b)(6), (b)(7)(C) did not speak to or consult with him regarding the incident. Additionally, (b)(6), (b)(7)(C) did not attend or was not included in any meetings/briefings. Later, (b)(6), (b)(7)(C) informed about the TIME magazine reporter that was going to visit the battalion. (b)(6), (b)(7)(C) advised them to be truthful and allow the reporter to patrol with Marines. However, the reporter did not visit the battalion. (b)(6), (b)(7)(C) recalled COL (b)(6), (b)(7)(C), USA, came to the Haditha Dam, but noted (b)(6), (b)(7)(C) did not interview him. Additionally, (b)(6), (b)(7)(C) reported that prior to the incident, (b)(6), (b)(7)(C) never consulted with him. However, subsequent to the Haditha incident, (b)(6), (b)(7)(C) communicated with (b)(6), (b)(7)(C) directly. (b)(6), (b)(7)(C) speculated he was not consulted directly about the Haditha incident because the battalion may have perceived him as an "outsider" that came down from the MEF.

d. RE-INTERVIEW ATTEMPT: On 24Jul06, (b)(6), (b)(7)(C) was contacted for a re-interview. After being advised of his Article 31b rights, (b)(6), (b)(7)(C) invoked his right to an attorney and declined to be interviewed. Exhibits (302)-(304) pertain.

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36. On 13Jul06, (b)(6), (b)(7)(C) USMC was re-interrogated after he waived his Article 31b rights. (b)(6), (b)(7)(C) was questioned about his contact with 1st Marine Regiment personnel regarding the 19Nov05 incident. (b)(6), (b)(7)(C) stated he telephonically contacted the Regimental Executive Officer, LTCOL (b)(6), (b)(7)(C) on the morning of 19Nov05 and briefed him. (b)(6), (b)(7)(C) explained he utilized Kilo Company's reports to brief (b)(6), (b)(7)(C). Specifically, he informed (b)(6), (b)(7)(C) there had been an IED attack and ensuing SAF, which resulted in the death of a Marine and injuries to two (2) other Marines. (b)(6), (b)(7)(C) further advised (b)(6), (b)(7)(C) there were eight (8) EKIA and fifteen (15) NKIA. (b)(6), (b)(7)(C) was under the impression the NKIA deaths had been caused by both the IED on a crowded street and resulting crossfire between Marines and the enemy. (b)(6), (b)(7)(C) advised when he learned about the TIME magazine article in Jan06, (b)(6), (b)(7)(C) asked (b)(6), (b)(7)(C) to initiate an investigation, but (b)(6), (b)(7)(C) declined. (b)(6), (b)(7)(C) did not recall whether he briefed (b)(6), (b)(7)(C) about the TIME magazine article. However, (b)(6), (b)(7)(C) knew he did not brief (b)(6), (b)(7)(C) about (b)(6), (b)(7)(C) declining to investigate the incident. (b)(6), (b)(7)(C) indicated he contacted (b)(6), (b)(7)(C) on a regular basis during his deployment in Haditha. (b)(6), (b)(7)(C) reported he did not have contact with anyone else at the Regimental level about the Haditha incident. (b)(6), (b)(7)(C) noted he asked (b)(6), (b)(7)(C) on a daily basis for several days after 19Nov05, if (b)(6), (b)(7)(C) had heard from the two (2) Regimental Judge Advocates. According to (b)(6), (b)(7)(C) reported the Regimental Judge Advocates had not requested an investigation. Finally, (b)(6), (b)(7)(C) advised he was unaware that the Iraqi NKIAs and EKIAs were not killed by the IED or crossfire until Mar06 when NCIS agents informed him. Exhibit (305) pertains.

37. On 14Jul06, (b)(6), (b)(7)(C) USMC, was interviewed regarding his knowledge of the events that occurred on 19Nov05. (b)(6), (b)(7)(C) indicated he was assigned as the 3/1 Air Officer while deployed in Iraq. According to (b)(6), (b)(7)(C), his duties consisted of coordinating air support for the 3/1 missions in the Triad area of Haditha, Barwanah and Haqlaniyah. (b)(6), (b)(7)(C) stated on 17Nov05 or 18Nov05 he deployed to Abu Hyatt to assist the Mobile Assault Company during operation TATANKA and did not return to the Haditha Dam until 20Nov05 or 21Nov05. On the morning of 19Nov05, (b)(6), (b)(7)(C) noted he heard radio traffic coming from Haditha that Kilo Company was in an engagement and had one (1) FKIA. (b)(6), (b)(7)(C) recalled upon his return to the Haditha Dam he learned some specifics of the 19Nov05 event and noted he heard of several NKIA's as a result of the incident. (b)(6), (b)(7)(C) advised at the time he thought the NKIA's were due to collateral damage suffered from the air ordnance being dropped. (b)(6), (b)(7)(C) explained Battle Update Brief's (BUB's) were held every Thursday evening and he recalled attending the BUB following the 19Nov05 incident, which was provided by (b)(6), (b)(7)(C). According to (b)(6), (b)(7)(C) nothing in the power point brief (b)(6), (b)(7)(C) raised any questions that caused concern nor does he recall any noteworthy discussions during the brief. (b)(6), (b)(7)(C) further noted a balcony conversation, sometime in Jan06, attended by (b)(6), (b)(7)(C) and himself wherein (b)(6), (b)(7)(C) appeared nervous about the investigations into the 19Nov05 incident. (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) not to worry and they should use the media to show what actually took place on 19Nov05 was within

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the proper use of ROE. (b)(6), (b)(7)(C) relayed he was surprised by the number of investigations into the same incident because he assumed an investigation was conducted within a week or two (2) of the actual incident since "we investigated everything." (b)(6), (b)(7)(C) added, "We lead the league in investigations." After returning to the United States, (b)(6), (b)(7)(C) recalled a conversation with (b)(6), (b)(7)(C) where (b)(6), (b)(7)(C) stated, "If something happened I have no idea." (b)(6), (b)(7)(C) denied seeing any photographs or videos surrounding the events of 19Nov05. Exhibit (306) pertains.

38. On 20Jul06, (b)(6), (b)(7)(C) USMC, was interviewed regarding his knowledge of the events that occurred on 19Nov05. (b)(6), (b)(7)(C) indicated he was assigned as the 3/1 (b)(6), (b)(7)(C) while deployed in Iraq. According to (b)(6), (b)(7)(C) his duties consisted of managing pay and promotions, awards, fitness reports, other general administrative tasks, and running the legal section until Oct05 at which point CAPT (b)(6), (b)(7)(C) was attached to the battalion. While assigned as the (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) noted he did not have any LOAC investigations or EOF incidents and further noted an EOF investigation would be prompted by any injury or death of civilians. (b)(6), (b)(7)(C) recalled the Commanders Critical Information Requirements (CCIRs) for the Division, Regiment, and Battalion were posted in the BN COC and advised the trigger of any CCIRs such as TIC, and death of a Marine, would prompt an immediate notification to higher. According to (b)(6), (b)(7)(C) JENs were not received by his section and his Marines only dealt with completing casualty reports. On 19Nov05, (b)(6), (b)(7)(C) stated he received word about the battalion taking casualties shortly after 0700 at which time he instructed his Marines to prepare for multiple casualty reports. (b)(6), (b)(7)(C) further stated he was in and out of the BN COC throughout the day to speak with (b)(6), (b)(7)(C) about the casualty reports but did not get any clarification on the day's events until about a week later when he was reviewing Combat Action Ribbon (CAR) write-ups. (b)(6), (b)(7)(C) indicated he spoke with (b)(6), (b)(7)(C) about the CAR write-ups to get clarification on the events of 19Nov05 and received no information about the deaths of any civilians. (b)(6), (b)(7)(C) recalled reviewing a memo dated 02Feb06 with the subject of "Condolence Payment for Events of 19Nov05" in which he believes he made corrections for administrative errors but not content. Exhibit (307) pertains.

INFORMATION OPERATIONS UNIT

39. On 05Jul06, (b)(6), (b)(7)(C) USMC, was interviewed regarding his knowledge of the events that occurred on 19Nov05. (b)(6), (b)(7)(C) indicated he was assigned to Alpha Battery, 1st Battalion, 11th Marines and was augmented to 3/1 Information Operations Unit (IOU) in Sep05. (b)(6), (b)(7)(C) noted (b)(6), (b)(7)(C) joined him at the Haditha Dam and remained there until Operation Rivergate kicked off. (b)(6), (b)(7)(C) stated his duties included going out on patrols with different squads to hand out flyers that requested help in locating IEDs, fixing schools, report suspicious activity, and rules to follow when U.S. military convoys pass through town. According to (b)(6), (b)(7)(C) he, (b)(6), (b)(7)(C) were not at Kilo Company's Firmbase on 19Nov05 because they were in Abu Hyatt conducting an IO campaign for approximately seven (7) to eight (8)

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days. (b)(6), (b)(7)(C) could not specifically recall how he heard about the events of 19Nov05. According to (b)(6), (b)(7)(C) he was either informed via radio transmission while in Abu Hyatt or from (b)(6), (b)(7)(C) during R&R at the Haditha Dam. (b)(6), (b)(7)(C) stated he did not attempt to find out any details about the events but heard that Kilo Company had shot families in a crossfire situation. (b)(6), (b)(7)(C) recalled being told by an unidentified Marine that an IED blew up the last vehicle in the convoy killing TERRAZAS and subsequent SAF followed while a QRF responded to the blast site. (b)(6), (b)(7)(C) further recalled being told that the Marines threw grenades in a house. According to (b)(6), (b)(7)(C) he left the Haditha Dam sometime in Mar06 and met up with his artillery unit in Al-Asad prior to returning home. (b)(6), (b)(7)(C) advised he did not discuss the incident with anybody and did not talk to any Marines from Kilo Company. (b)(6), (b)(7)(C) remembered going out on patrols with the subjects of this investigation but denies discussing the events of 19Nov05. Other than one (1) photograph of the IED crater, which was taken and submitted for an IO flyer, (b)(6), (b)(7)(C) stated he does not have any other photographs nor does he recall seeing any photographs of the 19Nov05 incidents. Exhibit (308) pertains.

40. On 05Jul06, (b)(6), (b)(7)(C) USMC, was interviewed regarding his knowledge of the events that occurred on 19Nov05. (b)(6), (b)(7)(C) indicated he was assigned to Alpha Battery, 1st Battalion, 11th Marines and was augmented to 3/1 IOU in Sep05. (b)(6), (b)(7)(C) noted his duties included passing out leaflets to the local people and that (b)(6), (b)(7)(C) were also attached to 3/1. According to (b)(6), (b)(7)(C) he and (b)(6), (b)(7)(C) were passing out leaflets and assisting with home searches with Weapons Company between 18Nov05 and 20Nov05 in Abu Hyatt. (b)(6), (b)(7)(C) further stated around mid-day on 19Nov05, they received a radio transmission that indicated they were in condition "Rivergate Status" which indicated someone in the command had died. (b)(6), (b)(7)(C) recalled around 24Nov05 or 25Nov05 he, (b)(6), (b)(7)(C) were sent to the Firmbase where they learned TERRAZAS was the Marine who was killed by the IED on 19Nov05. (b)(6), (b)(7)(C) explained that (b)(6), (b)(7)(C) debriefed us and said Kilo company was attacked and returned fire, killing terrorists and some Iraqi civilians. (b)(6), (b)(7)(C) advised he owned a digital camera and a personal computer while in Iraq but denied ever taking any photographs or downloading any photographs of the 19Nov05 incident to his computer. Exhibit (309) pertains.

41. On 14Jul06, (b)(6), (b)(7)(C) USMC, was interviewed regarding his knowledge of the events that occurred on 19Nov05. (b)(6), (b)(7)(C) indicated he was assigned as the 3/1 (b)(6), (b)(7)(C) while deployed in Iraq during the period of 23Aug05 through 28Mar06. (b)(6), (b)(7)(C) noted his duties were to review and assess the operational intelligence gathered from various sources to include; SIGINT, HUMINT, and MASINT. (b)(6), (b)(7)(C) recalled that on 19Nov05 at approximately 0800 he was awakened by an intelligence analyst who related that there had been an IED attack upon Kilo Company in Haditha and there was one (1) Marine killed. According to (b)(6), (b)(7)(C) he reported to the BN COC shortly thereafter, and specifically recalled the following individuals being present; (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) stated all he knew was that an IED had exploded and

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SAF ensued, killing approximately seven (7) to nine (9) insurgents.

(b)(6), (b)(7)(C) explained a morning intelligence meeting is held every morning and is attended by all key battalion staff. (b)(6), (b)(7)(C) stated he was not present for the 20Nov05 intelligence briefing but reviewed the briefing material that discussed the events at Route Chestnut and Viper Road. According to (b)(6), (b)(7)(C) based on procedure, there should have been a preliminary inquiry regarding the incident of 19Nov05 because there were casualties. (b)(6), (b)(7)(C) explained other preliminary investigations were conducted on vehicle accidents, escalation of force, and civilian casualties. Exhibit (310) pertains.

42. On 19Jul06, (b)(6), (b)(7)(C) USMC was interviewed regarding his knowledge of the events that occurred on 19Nov05. (b)(6), (b)(7)(C) indicated he was assigned to H&S Company but mainly worked with the IOU. According to (b)(6), (b)(7)(C) his duties included handing out posters, pamphlets, flyers, and interviewing Iraqi civilians regarding their issues between themselves and the Marines. (b)(6), (b)(7)(C) stated he first heard of the Haditha incident via radio transmission while clearing a village in Abu Hyatt with (b)(6), (b)(7)(C) further stated the next time he heard about the incident was weeks later while in the city of Haditha on patrol and talking with Iraqi civilians. (b)(6), (b)(7)(C) recalled he once again heard about the Haditha incident while a group of Marines were standing around at the FOB Haditha Dam waiting on a convoy to go back to the city when a Lieutenant from Kilo Company came back to the FOB after being medically evacuated out of the area. (b)(6), (b)(7)(C) noted the last time he heard about the events of 19Nov05 is when he returned to the United States and saw a news story on CNN. (b)(6), (b)(7)(C) recalled meeting SSGT (b)(6), (b)(7)(C) (NFI), who told (b)(6), (b)(7)(C) he was being investigated. (b)(6), (b)(7)(C) stated he knew he was talking about 19Nov05 and did not ask any other questions. Exhibit (311) pertains.

ADDITIONAL MILITARY MEMBERS INTERVIEWED

43. On 01Jun06, (b)(6), (b)(7)(C) USMC, was interviewed and stated he was assigned as the (b)(6), (b)(7)(C) for 3/1 at the time of their deployment to Haditha, Iraq. (b)(6), (b)(7)(C) advised on 19Nov05, he was at the BN COC when he was informed of the IED attack. The officers who were present in the BN COC were (b)(6), (b)(7)(C). As the information was received at the BN COC, a clerk entered it into a computer and then the information was shown on a 3' by 5' projection screen for viewing. (b)(6), (b)(7)(C) advised they were informed that when the IED went off, there was a white vehicle with four (4) Iraqi males at the IED blast location, and the Marines shot and killed them because they were identified as the triggermen. (b)(6), (b)(7)(C) recalled they then shifted to video leads, but he did not observe the Chestnut Road area. At about 1500 or 1530, he traveled with (b)(6), (b)(7)(C) and the PSD, to the Palm Grove site along River Road south of Chestnut. According to (b)(6), (b)(7)(C) they left Palm Grove and then went to the Firmbase for approximately one (1) to (two) hours. (b)(6), (b)(7)(C) advised he was not present for any debriefs and was not involved with reporting the incident up the chain of command. (b)(6), (b)(7)(C) asserted he did not see any of the dead bodies. On 20Nov05, he and (b)(6), (b)(7)(C) along with his PSD team traveled in five (5) vehicles to the IED site. (b)(6), (b)(7)(C) advised they did not go into any of the houses. (b)(6), (b)(7)(C) advised they subsequently went to

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the Firmbase. [] related no other substantive information. Exhibit (312) pertains.

44. On 01Jun06, [] USMC was interviewed and stated while in Iraq, he was assigned to 3rd Squad, 2nd Platoon as a team leader. [] had no direct knowledge of the IED attack on Kilo Company on 19Nov05, but he did receive details from his Platoon Sergeant, SSGT [], who noted TERRAZAS died in the attack.

[] denied discussing the events with (b)(6), (b)(7)(C) [] (b)(6), (b)(7)(C) [] or (b)(6), (b)(7)(C) [] and stated he had not seen, transmitted, (b)(7)(C) [] received, or discussed any photos from the incident. [] advised he spoke with (b)(6), (b)(7)(C) [] about the events. The details are as follows:

a. [] stated he and [] transferred to 3-1 together but denied being close to him. Five (5) or six (6) days after the attack, [] discussed the events of 19Nov05 with him, stating they were hit by an IED and subsequent SAF. [] told [] he was trying to help the injured Marines but did not specify which Marines. [] related [] never discussed shooting his weapon, firing upon a car, or clearing houses, nor did he disclose the number of civilians killed during the incident.

b. (b)(6), (b)(7)(C) [] advised (b)(6), (b)(7)(C) [] was a good associate and further related that five (5) or six (6) days after the 19Nov05 incident, he saw (b)(6), (b)(7)(C) [] and asked him what happened on 19Nov05. (b)(6), (b)(7)(C) [] related to [] that they were hit by an IED; they received and returned SAF, and the enemy retreated to houses, where the enemy took cover. [] denied that (b)(6), (b)(7)(C) [] discussed a car, or firing his weapon, but [] assumed (b)(6), (b)(7)(C) [] would have fired, since he was the Squad Automatic Weapon (SAW) gunner. Exhibit (313) pertains.

45. On 01Jun06, [] USMC, was interviewed regarding the events that took place on 19Nov05 in Haditha. [] was assigned to the 3rd Fire Team, 3rd Squad, 2nd Platoon and advised on 19Nov05, his platoon, to include [] was on R&R at the Haditha Dam. [] has no direct knowledge of the events of 19Nov05 but stated when they returned to the Firmbase, either 19Nov05 or 20Nov05, they received a convoy brief from [] advised them a patrol had been attacked by an IED and SAF and TERRAZAS had died as a result. Upon their return to the Firmbase, [] did not see any dead bodies. [] related he spoke to (b)(6), (b)(7)(C) [] about the incident and was informed of the following:

a. (b)(6), (b)(7)(C) [] Annroximately three (3) to seven (7) days after 19Nov05, [] spoke with (b)(6), (b)(7)(C) [] at the smoke pit about the events on 19Nov05 and relayed that (b)(6), (b)(7)(C) [] told him it was a "crazy" situation, bullets were flying everywhere, and he received [] and returned fire. [] stated he could tell (b)(6), (b)(7)(C) [] did not want to discuss the event, so he did not ask him any further questions.

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b. (b)(6), (b)(7)(C) Around the same time (b)(6), (b)(7)(C) spoke with (b)(6), (b)(7)(C) he also saw (b)(6), (b)(7)(C) in a hallway and asked him what had occurred on 19Nov05. (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) also related bullets were flying everywhere but did not provide amplifying details. Exhibit (314) pertains.

46. On 01Jun06, (b)(6), (b)(7)(C), USMC, was interviewed regarding the events of 19Nov05. (b)(6), (b)(7)(C) stated he was assigned to the HET while in Iraq and on 19Nov05 he was at the Firmbase Raider Nation in Haqlaniyah, Iraq, supporting India Company. (b)(6), (b)(7)(C) stated his command was not involved in the engagement that affected Kilo Company on 19Nov05 but the event was discussed at his staff meeting. (b)(6), (b)(7)(C) stated he recalled the meeting mentioned that Kilo Company had one (1) KIA, and there was approximately eight (8) or nine (9) enemy KIA and about 18-19 total KIA. (b)(6), (b)(7)(C) stated during the next week, children were kept out of school and the local civilians spoke about women and children being killed in Haditha. In March 2006, (b)(6), (b)(7)(C) left Firmbase Raider Nation to return to the Haditha Dam. While there, he spoke with (b)(6), (b)(7)(C) who stated he had to speak with NCIS about the Haditha incident and indicated he had taken some pictures of the KIAs. (b)(6), (b)(7)(C) denied seeing any photographs or having any contact with persons in Kilo Company since 19Nov05 regarding what happened that day. Exhibit (315) pertains.

47. On 04Jun06, (b)(6), (b)(7)(C) USMCR, was interviewed and advised he was in Al Asad, assigned to the CAG on 19Nov05. (b)(6), (b)(7)(C) stated a week or two after 19Nov05, he became aware about possible condolence payments for an incident that took place on 19Nov05, which resulted in the deaths of civilians, numbering in the double digits. (b)(6), (b)(7)(C) related he then ensured that (b)(6), (b)(7)(C) had the funding to make the payment of \$38,000. (b)(6), (b)(7)(C) reported COL (b)(6), (b)(7)(C) provided the authority for an increase in funds. (b)(6), (b)(7)(C) had no further details of providing the payment to the Iraqis. (b)(6), (b)(7)(C) advised sometime in late January 2006 or early February 2006, LTCOL (b)(6), (b)(7)(C) the Regimental Effects Officer, asked (b)(6), (b)(7)(C) for any paperwork regarding the events of 19Nov05, which included all recordings concerning the \$38,000 payment, the authorization and the receipt of payment. (b)(6), (b)(7)(C) said he was not told the reason why (b)(6), (b)(7)(C) needed the information but later overheard (b)(6), (b)(7)(C) telling an unknown individual that the media was trying to make the events of 19Nov05 look like the "Melee Massacre" (My Lai Massacre). (b)(6), (b)(7)(C) had no direct knowledge of the attack or anyone associated with Kilo Company, 3/1. Exhibit (316) pertains.

48. On 05Jun06, (b)(6), (b)(7)(C) USMC, H&S Company, was re-interviewed regarding the events that occurred on 19Nov05. (b)(6), (b)(7)(C) confirmed while in Haditha, he was an Intelligence Analyst, assigned to debrief members of Kilo Company upon return from their patrols. (b)(6), (b)(7)(C) stated he did not recall having to brief (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C) on the events of 19Nov05, since they were already receiving briefs throughout the day from others. During his deployment in Iraq, (b)(6), (b)(7)(C) advised he would type information he received at a debrief on his assigned government laptop computer. (b)(6), (b)(7)(C) believed any

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SUBJ: (b)(6), (b)(7)(C) FRANK DAVID/SSGT USMC

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information he received on 19Nov05 was saved on the laptop in a folder titled, "Patrol Debriefs." When asked to provide the computer, (b)(6), (b)(7)(C) indicated his laptop had "crashed" in December 2005 or January 2006 and was sent in for repair. (b)(6), (b)(7)(C) stated he received another computer and did not know the current location of the laptop he used while in Haditha, Iraq on 19Nov05. (b)(6), (b)(7)(C) denied (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C) related any details to him about the deaths that occurred on 19Nov05 to contradict his opinion that the deaths were the "consequential results of receiving enemy fire." Exhibit (317) pertains.

49. On 07Jun06, SGT (b)(6), (b)(7)(C) USMC, CAG, 3/3, was contacted regarding his knowledge of the local sheikhs who could be approached for assistance in negotiating the exhumation of the deceased.

(b)(6), (b)(7)(C) interpreter provided the names of five (5) local sheikhs. Exhibit (318) pertains.

50. On 07Jun06, (b)(6), (b)(7)(C) USMC, (b)(6), (b)(7)(C) of the Transitory Holding Area, FOB Haditha Dam, was interviewed regarding the status of (b)(6), (b)(7)(C) an Iraqi civilian reportedly related to two (2) of the passengers killed near the taxi, V/ALZAWI, Kaled Aida and V/ALZAWI, Wagdi Aida. (b)(6), (b)(7)(C) conducted a search for (b)(6), (b)(7)(C) in a detainee database maintained at the Haditha Dam. The results of the search revealed (b)(6), (b)(7)(C) was not a detainee but was shot by Marines while attempting to place an IED on the side of the road in South Dam Village, Haditha, Iraq. (b)(6), (b)(7)(C) related (b)(6), (b)(7)(C) was flown to the Al Asad Air Base after he was shot. (b)(6), (b)(7)(C) related (b)(6), (b)(7)(C) was now likely confined at the Abu Ghurayb Detention Center. Exhibit (319) pertains.

51. On 07Jun06, (b)(6), (b)(7)(C) USMC, Lima Company, 3/1, was interviewed and reported he was not involved in the events that occurred on 19Nov05 as he remained at the Haditha Dam until 2100-2200, when his platoon went to the Firmbase to drop off items. (b)(6), (b)(7)(C) advised he did not see or hear anything about the incident while at the Firmbase. The following day, (b)(6), (b)(7)(C) and his squad conducted a security patrol in Haditha city and saw the crater on Chestnut where the IED had exploded. (b)(6), (b)(7)(C) denied entering any houses or seeing any photographs of dead bodies. Exhibit (320) pertains.

52. On 09Jun06, (b)(6), (b)(7)(C) USMC, H&S Company, was interviewed regarding the events of 19Nov05. (b)(6), (b)(7)(C) stated he was a cook in the chow hall at the Haditha Dam and vaguely remembered that a Marine came into the chow hall one day talking about an IED exploding and a Marine being killed as a result. (b)(6), (b)(7)(C) had no direct knowledge of 19Nov05 and denied seeing any photographs of deceased Iraqis or discussing the events of 19Nov05 with any of the subjects of this investigation. Exhibit (321) pertains.

53. On 09Jun06, (b)(6), (b)(7)(C) USMC, Kilo Company, 3/1, was interviewed and related he was on R&R on 19Nov05 and was not involved in any of the events that occurred on 19Nov05. Exhibit (322) pertains.

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SUBJ: (b)(6), (b)(7)(C)

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54. On 09Jun06, an attempt to schedule an interview with (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) USMC was made; however, (b)(6), (b)(7)(C) attorney, (b)(6), (b)(7)(C) advised NCIS that (b)(6), (b)(7)(C) declined to be interviewed. Exhibit (323) pertains.

55. On 09Jun06, (b)(6), (b)(7)(C) USMC, was interviewed and related while in Haditha, he was assigned to the Weapons Platoon, 2nd Squad, as a team leader. On the morning of 19Nov05, he heard a loud explosion that he identified as an IED, followed by AK-47 and M-16 fire. A short time later, a Cobra helicopter fired a missile into a building and (b)(6), (b)(7)(C) team was instructed to support 1st Squad while they conducted a BDA. The next day, around 1100 or 1200, (b)(6), (b)(7)(C) squad was sent to support (b)(6), (b)(7)(C) who needed to assess the damage done to local houses by the Marines. (b)(6), (b)(7)(C) heard the area they were going to was the place TERRAZAS was killed the day before. (b)(6), (b)(7)(C) team was responsible for clearing a house before (b)(6), (b)(7)(C) entered, and then providing external security to the house. The first house (b)(6), (b)(7)(C) entered had a broken window and the door appeared to have been kicked in due to the large dent near the handle. (b)(6), (b)(7)(C) noted four (4) bullet holes in the concrete above the door itself. (b)(6), (b)(7)(C) advised the bedroom had possibly caught on fire due to the walls being black and paper in the room that appeared burnt. (b)(6), (b)(7)(C) did not recall seeing any bullet holes or blood on the walls. (b)(6), (b)(7)(C) team then left the house and provided perimeter security. After (b)(6), (b)(7)(C) completed his assessment of the first house, (b)(6), (b)(7)(C) team was told they were going to the house next door, which (b)(6), (b)(7)(C) team needed to clear. (b)(6), (b)(7)(C) stated there was a U.S. grenade in one of the rooms, which they called in to the Firmbase to have detonated. (b)(6), (b)(7)(C) also noticed a blood trail in the central part of the house, the width of approximately two (2) feet, which stretched from the kitchen area to the bathroom area. (b)(6), (b)(7)(C) team then moved outside to provide security while the other team cleared the second floor of the house. (b)(6), (b)(7)(C) stated he did not take any pictures that day, nor did he see anyone taking pictures. Exhibit (324) pertains.

56. On 12Jun06, Mr. (b)(6), (b)(7)(C), civilian, L-3 Communications Site Manager, Ramadi, Iraq was contacted regarding the location of (b)(6), (b)(7)(C) a civilian contract linguist. (b)(6), (b)(7)(C) stated he did not have any record of (b)(6), (b)(7)(C) Exhibit (325) pertains.

57. On 13Jun06, (b)(6), (b)(7)(C) USMC, was interviewed regarding his knowledge of events that occurred on 19Nov05. (b)(6), (b)(7)(C) advised he remained at the Haditha Dam, on guard duty, the entire day. On 20Nov05, he observed a parked tow truck with a damaged HMMVWV attached to it, which he opined was the HMMVWV that was hit by an IED that killed TERRAZAS. The last two months of his deployment, he was transferred to Kilo Company but none of the Marines involved in the investigation discussed the events of 19Nov05 with him. Exhibit (326) pertains.

58. On 13Jun06, (b)(6), (b)(7)(C) USMC, was interviewed and affirmed he was re-assigned to Kilo Company from H&S Company in January 2006. On 19Nov05, (b)(6), (b)(7)(C) was assigned to other duties but was at the FOB Haditha Dam when the convoy that was sent to recover the damaged

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SUBJ: (b)(6), (b)(7)(C)

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HMMWV returned to the FOB. LCPL (b)(6), (b)(7)(C) and possibly LCPL (b)(6), (b)(7)(C) recovered the HMMWV but did not mention to (b)(6), (b)(7)(C) any details about seeing dead bodies at the blast site or any information regarding Iraqi casualties. (b)(6), (b)(7)(C) stated he met (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) after he was transferred to Kilo Company but denied ever discussing the events of 19Nov05. Exhibit (327) pertains.

59. On 13Jun06, (b)(6), (b)(7)(C) USN, was interviewed regarding the events of 19Nov05. (b)(6), (b)(7)(C) advised he was assigned as the medical department representative at the BAS. (b)(6), (b)(7)(C) stated on 19Nov05, once he learned there was a FKIA, he started to make arrangements to send the body back to the U.S. (b)(6), (b)(7)(C) estimated around 1500-1600, TERRAZAS' body arrived and he attended to the body with (b)(6), (b)(7)(C) stated he attended the BUB on either 20Nov05 or 21Nov05 in which the events of 19Nov05 were discussed. (b)(6), (b)(7)(C) did not recall many of the details, but stated the men near the car were discussed, along with clearing operations, and the NKIA. (b)(6), (b)(7)(C) stated he spoke with (b)(6), (b)(7)(C) who were both present at the IED site on 19Nov05. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) he had to move the bodies of dead Iraqi children, which bothered him. (b)(6), (b)(7)(C) related to (b)(6), (b)(7)(C) that he was having nightmares and was given a prescription to reduce anxiety. (b)(6), (b)(7)(C) stated he attended a brief given by (b)(6), (b)(7)(C) after 19Nov05, which focused heavily on PID, but he was unaware if (b)(6), (b)(7)(C) gave these briefs to the Marines prior to 19Nov05. Exhibit (328) pertains.

60. On 14Jun06, (b)(6), (b)(7)(C) USMC, was re-interviewed to provide additional details of the events that took place on 19Nov05. (b)(6), (b)(7)(C) advised he was assigned to 2nd Platoon, 1st Squad and they were on R&R at the Haditha Dam on 19Nov05. On the evening of 19Nov05, SSGT (b)(6), (b)(7)(C) informed them TERRAZAS was killed by an IED. Approximately three (3) days later, (b)(6), (b)(7)(C) was on a security patrol in Haditha that took him near the IED blast site. The crater and HMMWV parts could still be observed; however, he did not enter any of the houses. (b)(6), (b)(7)(C) denied ever seeing any houses with bloodstains or bullet holes when they did security patrols with the CAG. (b)(6), (b)(7)(C) stated he did not view or send any photographs regarding the incident on 19Nov05 to anyone. A week after 19Nov05, (b)(6), (b)(7)(C) spoke with (b)(6), (b)(7)(C) at the smoke pit and discussed the events of 19Nov05. (b)(6), (b)(7)(C) noted when (b)(6), (b)(7)(C) talked to him about 19Nov05, (b)(6), (b)(7)(C) did not mention receiving any SAF from the houses (b)(6), (b)(7)(C) and his squad members had entered. (b)(6), (b)(7)(C) specifically stated to (b)(6), (b)(7)(C) they heard AK-47s rack, and then they started kicking down doors. According to (b)(6), (b)(7)(C) reported when they saw males with AK-47s, they started "spraying the rooms," meaning they fired their M-16s at the males with AK-47s. (b)(6), (b)(7)(C) stated when he read the article in the newspaper that appeared a couple of weeks after the incident, (b)(6), (b)(7)(C) version was the same as reported in the article. Exhibit (329) pertains.

61. On 14Jun06, (b)(6), (b)(7)(C) USN, was interviewed regarding the events of 19Nov05. (b)(6), (b)(7)(C) stated while in Iraq he oversaw the corpsmen at the BAS located at the Haditha Dam. On 19Nov05, (b)(6), (b)(7)(C) was in Haqlaniyah, Iraq with India Company and had no direct

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SUBJ: (b)(6), (b)(7)(C)

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knowledge of or participation in the events that took place on 19Nov05 at Haditha. Exhibit (330) pertains.

62. On 14Jun06, (b)(6), (b)(7)(C) USMC, was re-interviewed about the events of 19Nov05 and subsequent information reported in the media when he and his mother were interviewed. (b)(6), (b)(7)(C) stated he did not contact the media, but believed the LA Times and other reporters discovered his mother's address and contacted them. (b)(6), (b)(7)(C) stated he was at his mother's house in Hanford, CA on leave. (b)(6), (b)(7)(C) advised he decided to talk to the LA Times reporter but denied that he or his mother were paid for the interviews. (b)(6), (b)(7)(C) stated his 21Mar06 statement to NCIS was accurate; however, he had remembered additional details, which were mentioned in the news articles.

(b)(6), (b)(7)(C) related the media reported inaccurate information and that his mother, in her various interviews, had made many incorrect statements. (b)(6), (b)(7)(C) reported his mother told reporters he carried a little girl's body out of one of the houses, which was accurate, but he forgot to mention this to NCIS during his March 2006 interview. His mother also reported that he was present when TERRAZAS was killed, which (b)(6), (b)(7)(C) stated was incorrect; he arrived on the scene shortly after the explosion and saw TERRAZAS' dead body that he covered with someone's poncho. (b)(6), (b)(7)(C) further added his mother incorrectly stated he was present in the houses while Iraqis were being killed; (b)(6), (b)(7)(C) clarified he was in the houses later that afternoon to photograph the bodies and help remove them. According to (b)(6), (b)(7)(C) his mother also stated he had knowledge of who ordered the killing of the Iraqi civilians; (b)(6), (b)(7)(C) denied having any knowledge of such an order. Finally, (b)(6), (b)(7)(C) stated the media inaccurately reported that he had additional photographs of the Haditha incident that he was withholding from investigators, which (b)(6), (b)(7)(C) denied. (b)(6), (b)(7)(C) continued to deny knowing who borrowed his camera to take pictures of the dead Iraqis on 19Nov05 and further stated someone must have changed the batteries that had died in his camera so the unknown person could download the photographs. (b)(6), (b)(7)(C) denied e-mailing photographs of the 19Nov05 incident. Exhibit (331) pertains.

63. On 15Jun06, (b)(6), (b)(7)(C) USN, was interviewed and reported he served as the (b)(6), (b)(7)(C) assigned to the Scout Sniper Platoon, H&S Company, while deployed in Iraq. On the morning of 19Nov05, (b)(6), (b)(7)(C) was at the Firmbase when he heard the explosion and later learned Kilo Company had been attacked and TERRAZAS had been killed, by an IED. Around 1500 or 1600, (b)(6), (b)(7)(C) had a conversation with (b)(6), (b)(7)(C) who described taking SAF, returning fire, emptying his magazine, shooting at a building, and being disoriented due to the smoke from the HMMWV that was blown up by the IED. (b)(6), (b)(7)(C) related to (b)(6), (b)(7)(C) that he fired his weapon in the direction the bullets were coming from, but did not specify what direction that was. According to (b)(6), (b)(7)(C) mostly discussed how TERRAZAS and (b)(6), (b)(7)(C) appeared very upset and shaken. (b)(6), (b)(7)(C) advised they spoke for an hour to an hour-and-a-half, with (b)(6), (b)(7)(C) giving (b)(6), (b)(7)(C) advice on how to deal with the trauma he witnessed. (b)(6), (b)(7)(C) Later that night, (b)(6), (b)(7)(C) stated they were tasked to conduct a patrol/surveillance in the general vicinity of the IED blast site. (b)(6), (b)(7)(C) stated he could see the blast site but nothing

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appeared unusual. (b)(6), (b)(7)(C) stated he did not see any dead bodies, photographs, or videos from 19Nov05. Exhibit (332) pertains.

64. On 28Jun06, (b)(6), (b)(7)(C) USMC, was interviewed regarding his knowledge of the events that occurred on 19Nov05. (b)(6), (b)(7)(C) reported he was not with Kilo Company on 19Nov05 because he had (b)(6), (b)(7)(C) on 14Nov05 and was subsequently flown to Germany for medical attention. (b)(6), (b)(7)(C) related he did not have any knowledge of what occurred on 19Nov05 and was not aware of any photographs pertaining to the incident. Exhibit (333) pertains.

65. On 29Jun06, (b)(6), (b)(7)(C) USMC, was re-interviewed regarding his interactions with the subjects of the 19Nov05 incident. (b)(6), (b)(7)(C) advised on 11May06, he provided a statement to NCIS but was not specifically asked about his relationship with (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) stated he first started talking with (b)(6), (b)(7)(C) at the smoke pit in March 2006. (b)(6), (b)(7)(C) related (b)(6), (b)(7)(C) told him that he fired upon people with a 9mm pistol on 19Nov05 and had to ask (b)(6), (b)(7)(C) for a second magazine. (b)(6), (b)(7)(C) believed (b)(6), (b)(7)(C) was carrying his corpsman's 9mm but did not know the identity of the corpsman. (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) never spoke of killing women or children, or engaging a taxi, on 19Nov05. (b)(6), (b)(7)(C) advised once they returned to the U.S., he became good friends with (b)(6), (b)(7)(C) and there were a few instances in which they were watching television and the news would have a story about the 19Nov05 incident. (b)(6), (b)(7)(C) would exclaim, "We were getting shot at, so we cleared houses." Other than (b)(6), (b)(7)(C) reported he has not discussed this incident with any other Marines involved in the investigation. Exhibit (334) pertains.

66. On 15Jul06, (b)(6), (b)(7)(C) USMC, was interviewed regarding his knowledge of the events that occurred in Haditha on 19Nov05. (b)(6), (b)(7)(C) reported he had never been to Haditha and did not have any substantive knowledge about the 19Nov05 incident. Exhibit (335) pertains.

67. On 18Jul06, (b)(6), (b)(7)(C) USMC, was interviewed regarding his knowledge of the events that occurred in Haditha on 19Nov05. (b)(6), (b)(7)(C) related he was not deployed to Iraqi in Nov05 and had no knowledge of the 19Nov05 incident. Exhibit (336) pertains.

ADDITIONAL INTERVIEWS OF MILITARY MEMBERS

68. On 01Jun06, four (4) Navy members of the Explosive Ordnance Disposal Mobile Unit Six (EODMU-6) were interviewed concerning their knowledge of the events that occurred on 19Nov05. The four sailors advised they served in Iraq during the time in question; however, they were not assigned in Haditha and did not possess any knowledge concerning the 19Nov05 incident. Exhibit (337) pertains.

69. On 02Jun06, eight (8) screening interviews of cooks assigned to Marine Logistics Group in Haditha, Iraq were conducted to determine whether any of the interviewees possessed photographs of the deceased from the 19Nov05 incident. All interviewees denied seeing or

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SUBJ: (b)(6), (b)(7)(C)

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possessing any photographs related to this investigation. Exhibit (338) pertains.

70. From 05-14Jun06, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) USN were interviewed to determine if they had any knowledge of the events of 19Nov05 that occurred in Haditha. None of the foregoing individuals identified responded to the IED blast site, entered the houses, attended any debriefs, handled or observed any dead Iraqi bodies, or viewed any photographs, from that day. All denied having any discussion regarding 19Nov05 with any of the Marines involved. Exhibits (339)-(344) pertain.

SECTION II - INTERVIEWS OF NON-MILITARY MEMBERS

71. On 01Jun06, (b)(6), (b)(7)(C) civilian, was interviewed regarding her contact with (b)(6), (b)(7)(C) in reference to the Haditha, Iraq incident. (b)(6), (b)(7)(C) stated she had been in regular contact with (b)(6), (b)(7)(C) prior to, during, and after his deployment to Iraq. (b)(6), (b)(7)(C) recalled during a verbal conversation, (b)(6), (b)(7)(C) told her about a friend named "TJ" who died as a result of an IED. She also stated he told her that while he was helping another injured person in the explosion, people were shooting at him. According to (b)(6), (b)(7)(C) advised, "They threw a couple of bombs in a house, then a helicopter came and dropped a bomb on them." (b)(6), (b)(7)(C) was unable to clarify the exact incident (b)(6), (b)(7)(C) was describing. When (b)(6), (b)(7)(C) returned from Iraq, she said he showed her photographs of Marines in outdoor settings, and one of the buildings in Iraq. (b)(6), (b)(7)(C) provided copies of the pictures, as well as a letter received from (b)(6), (b)(7)(C) around 11-16Nov05. The letter provided information pertaining to two (2) incidents. The first incident involved two (2) Marines that were hit by an IED, and were wounded with shrapnel. The other incident, which apparently occurred on another day, involved a company getting hit by an IED, where four (4) Marines were injured and one (1) died. The letter did not date the incidents, or expand on the details. Exhibit (345) pertains.

72. On 01Jun06, (b)(6), (b)(7)(C) civilian, was interviewed regarding her contact with (b)(6), (b)(7)(C) in reference to the Haditha, Iraq incident. (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) had sent her a three-page letter dated 26Nov05, detailing his observations of the incident that occurred in Haditha, Iraq on 19Nov05. Within the letter, (b)(6), (b)(7)(C) described an incident, which occurred, on 19Nov05, in which insurgents "set off an IED under the HUMVEE." (b)(6), (b)(7)(C) wrote about "TJ" (TERRAZAS) being killed during the incident, (b)(6), (b)(7)(C) being trapped under the HMWWV, and (b)(6), (b)(7)(C) being thrown from the vehicle. (b)(6), (b)(7)(C) reported, "As (b)(6), (b)(7)(C) and I treated (b)(6), (b)(7)(C) we were being shot at." (b)(6), (b)(7)(C) also added, "24 Iraqi's were killed", and he "had to drag their bodies from their homes and stack them like firewood in the back of three HUMVEE's." In addition to the above letter, (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) had sent her a letter-dated 27Sep05. In this letter, (b)(6), (b)(7)(C) stated his company was hit by an IED, and described the injuries sustained. He also described three (3) additional IED

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SUBJ: (b)(6), (b)(7)(C)

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attacks and "shoot-outs." (b)(6), (b)(7)(C) provided copies of the letters, as well as e-mail correspondence between her and (b)(6), (b)(7)(C). Exhibit (346) pertains.

73. 05Jun06, (b)(6), (b)(7)(C) civilian, was interviewed and related he was an embedded freelance photojournalist assigned to 3/1 from Sept-Dec05. (b)(6), (b)(7)(C) advised he was not in Haditha on 19Nov05 as he had gone to the Syrian border with Lima Company to take photographs of the Iraqi election. However, on 20Nov05 he returned to Haditha and while in transit he ran into LCPL (b)(6), (b)(7)(C) a member of Kilo Company who had assisted with the transportation of an injured Iraqi national that later died of head injuries. According to (b)(6), (b)(7)(C) informed him "TJ" had been killed by an IED on 19Nov05. (b)(6), (b)(7)(C) provided the following details regarding his knowledge of events that occurred following 19Nov05:

a. PATROL IN HADITHA: On 20Nov05, (b)(6), (b)(7)(C) arrived to and spent the evening at the FOB Haditha Dam. On the morning of 21Nov05, accompanied a patrol into Haditha city from the FOB. While driving through town, (b)(6), (b)(7)(C) noticed approximately 40 to 50 Iraqi males gathered around a residence. (b)(6), (b)(7)(C) advised this was unusual so the patrol stopped and an Iraqi national who spoke limited English approached a member of the patrol, SSGT (b)(6), (b)(7)(C) Kilo Company, 3/1.

(b)(6), (b)(7)(C) heard only portions of their discussion but knew it was regarding the conflict on 19Nov05. According to (b)(6), (b)(7)(C) the Iraqi wanted the Marines to follow him into a house to observe something.

(b)(6), (b)(7)(C) added the Iraqi noticed the camera around (b)(6), (b)(7)(C) neck and requested that (b)(6), (b)(7)(C) follow him in the residence.

b. SHROUDED BODIES: (b)(6), (b)(7)(C) entered the house unarmed and alone, while the Marines remained with the vehicles outside. At approximately 1030, (b)(6), (b)(7)(C) was led into a room where he saw seven (7) to eight (8) bodies shrouded in white sheets. (b)(6), (b)(7)(C) believed two (2) of the bodies appeared to be children. (b)(6), (b)(7)(C) confirmed he took photographs of the deceased. At one point, an Iraqi male picked up a small white shrouded object and showed it to (b)(6), (b)(7)(C) opined it may have been an infant based on its size and the way it was carried.

Subsequently, some of the Iraqi males unwrapped one of the bodies and revealed the injuries of a dead male to (b)(6), (b)(7)(C) observed the deceased had injuries to his head and face. After (b)(6), (b)(7)(C) took several photographs of the dead male, the Iraqis unwrapped another body that (b)(6), (b)(7)(C) noted was "burned badly." Shortly thereafter, (b)(6), (b)(7)(C) was led into another room where he saw seven (7) to eight (8) additional bodies shrouded in colorful blankets. (b)(6), (b)(7)(C) took photographs of these shrouded bodies as well and then received word the Marines wanted to leave.

(b)(6), (b)(7)(C) advised the Iraqis conveyed "confusion and bewilderment" and asked him, "Why did this happen?" (b)(6), (b)(7)(C) noted the Iraqis called it a "tragedy" and wanted him to show the photographs to people at the Haditha Dam and to "show America." (b)(6), (b)(7)(C) claimed he did not ask any questions or make any comments, but took approximately twenty (20) photographs while in the residence. After he departed the residence and left the area with the Marines, he heard over the radio that several Iraqis were requesting permission to take bodies to a cemetery.

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c. PHOTOGRAPHS: (b)(6), (b)(7)(C) reported he did not return to the Firmbase until around 23Nov05 where he made his photographs available for anyone to see. (b)(6), (b)(7)(C) indicated no one showed any interest in the photographs. (b)(6), (b)(7)(C) said he attended TERRAZAS' memorial service and took photographs. On 30Nov05, sent his editor at World Picture News (WPN) four (4) to five (5) photographs of the Iraqi bodies and of TERRAZAS' memorial service. At this time, informed his editor that he did not know what happened but a Marine was killed. On 10Dec05, left Iraq and returned to the U.S. In January 2006, editor advised him that TIME magazine wanted to purchase the photographs he had taken of the Iraqi bodies. According to this was the first indication he had of any interest with the 19Nov05 attack. In mid-February 2006, confirmed a TIME magazine reporter, contacted him about the photographs. stated he did speak with but only in generalities. In late Mar-Apr06, he planned to attend 3/1' "Big Home Coming Party"; however, he received a less than warm response from. Since then, related he has spoken with several Marines but not about the incident. declined to Permissive Authorization of Search and Seizure of his residence, workspace, and personal computer. However, downloaded approximately twenty (20) photographs and files to compact disc from his personal laptop computer and provided it to NCIS. Exhibit (347) pertains.

INTERVIEWS OF INTERPRETERS

4. On 03Jun06, an Iraqi interpreter, was interviewed and reported he arrived to the Firmbase in Haditha on 20-21Nov05. recalled his first task was to attend a meeting held between the Haditha City Council/Sheiks and 3/1 officers. could not remember the exact date of the meeting; however, he believed the meeting occurred approximately two (2) to three (3) weeks after 19Nov05. advised attended the meeting. and another interpreter, provided translations at the meeting. According to the Haditha City Council/Sheiks requested an investigation be conducted into the killings of the "innocent victims" that occurred on 19Nov05 and that the curfew in place at the time be lifted. The Marines agreed to lift the curfew, but refused to conduct an investigation. advised addressed those present and provided the Marines' version of the events. explained the Marines were hit by an IED followed by SAF from adjacent homes. also stated the Marines responded by firing and local residents were caught in the middle of it and were killed. described how an airplane spotted a white truck drive away from the site and the occupants entered a house where an air strike demolished the house. Marines informed the occupants of the white truck were identified as insurgents. asserted he did not participate in any other events related to what occurred on 19Nov05. Exhibit (348) pertains.

5. On 08Jun06, approached NCIS regarding his knowledge of two (2) ISF witnesses. According to two (2) of the ISF members that provided statements to NCIS about the events that occurred on

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19Nov05 had not actually witnessed the events. (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) took "pills" on the morning of 19Nov05 and were incoherent when the IED hit the convoy. Exhibit (349) pertains

76. On 07Jun06, attempts were made to locate and interview seven (7) interpreters that were potentially utilized during the events of 19Nov05; however, five (5) of the interpreters reportedly returned to the United States, one (1) had transferred to Ramadi, and the another was known to be working in Al Asad. Exhibit (350) pertains.

77. On 15Jun06, (b)(6), (b)(7)(C) Human Resources Department, L-3 Titan Corporation, provided contact information for three (3) linguists who were utilized by USMC commands in the Haditha, Iraq area circa Nov05. Exhibit (351) pertains.

78. On 01Jul06, (b)(6), (b)(7)(C), a civilian interpreter was interviewed and advised he has been an interpreter for three (3) years and spent about two (2) years in Iraq. (b)(6), (b)(7)(C) related he worked solely with the U.S. Army while in Iraq and did not work with Marines. (b)(6), (b)(7)(C) asserted he has never been to Haditha. Exhibit (352) pertains.

79. 02Jul06, (b)(6), (b)(7)(C), a civilian interpreter was interviewed regarding his participation and knowledge of the events related to the incident that occurred on 19Nov05 in Haditha, Iraq. (b)(6), (b)(7)(C) confirmed he was an interpreter and employed by L-3 Titan Communication Corporation as a translator in Iraq. (b)(6), (b)(7)(C) stated he was sent to Haditha in October 2005. (b)(6), (b)(7)(C) recalled working with 3/1 Marines, but indicated he spent the majority of the time on base as a translator for interrogators. (b)(6), (b)(7)(C) noted the Marines hired local translators to go with them into town. (b)(6), (b)(7)(C) indicated he had heard Marines were attacked and Iraqis were killed but was not involved in translating during any of the events related to 19Nov05. Exhibit (353) pertains.

SECTION III - IRAQI WITNESS INTERVIEWS

80. On 04May06, (b)(6), (b)(7)(C), 4th Company, Iraqi Army, was interviewed regarding the whereabouts of two (2) ISF members, (b)(6), (b)(7)(C) who were with the convoy that was hit on 19Nov05. (b)(6), (b)(7)(C) related (b)(6), (b)(7)(C) had left the Iraqi Army and his whereabouts were unknown. (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) took sick leave, departed Haditha shortly after the incident, and may or may not return. Exhibit (354) pertains.

81. On 03Jun06, (b)(6), (b)(7)(C), an ISF member (also referred to as Iraqi Army (IA) soldier), was interviewed regarding his knowledge of what occurred on 19Nov05 after the convoy he was in was attacked.

(b)(6), (b)(7)(C) affirmed there were four (4) ISF members, including him, in the convoy on 19Nov05. (b)(6), (b)(7)(C) identified the other members as (b)(6), (b)(7)(C) indicated (b)(6), (b)(7)(C) are no longer Iraqi Army members and their current whereabouts are unknown. AYAD provided the following details:

a. IED BLAST: (b)(6), (b)(7)(C) reported he and the other ISF members were

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initially riding in the fourth vehicle of the four-vehicle convoy. However, as the convoy approached the intersection of Chestnut and Viper, the fourth vehicle passed the third vehicle. (b)(6), (b)(7)(C) believed this occurred because the driver of the fourth vehicle was joking around with the driver of the third vehicle. Shortly thereafter, (b)(6), (b)(7)(C) heard a loud explosion and the Marines directed the ISF members to dismount the HMMWV and set up security. (b)(6), (b)(7)(C) noted he heard SAF after the explosion but he did not observe anyone shooting at the Marines or ISF members.

b. TAXI: When he dismounted the HMMWV, (b)(6), (b)(7)(C) saw a white vehicle pulled off to the side of the road. (b)(6), (b)(7)(C) related the Marines approached the white vehicle and ordered the occupants out of the vehicle. The occupants then complied with the Marines instructions and exited the vehicle. According to (b)(6), (b)(7)(C) five (5) to six (6) Marines approached the occupants, had them squat in a line with their hands placed behind their head. (b)(6), (b)(7)(C) advised one (1) of the Marines had a pistol while the others had their rifles pointed at the passengers of the white vehicle. (b)(6), (b)(7)(C) stated the Marines, unprovoked, shot the passengers from the white vehicle in the head and chest. (b)(6), (b)(7)(C) asserted none of the ISF members shot their weapons. (b)(6), (b)(7)(C) did not recall seeing any of the Marines walk up and shoot the victims that were positioned on the ground. (b)(6), (b)(7)(C) did not recall the names of or provide a description of the Marine shooters.

c. DETAINEES: After the explosion and shooting of the passengers from the white vehicle, (b)(6), (b)(7)(C) and other ISF members watched over detainees that Marines brought to them from nearby homes. After the explosion, (b)(6), (b)(7)(C) guarded detainees for up to five (5) hours. During this time, (b)(6), (b)(7)(C) guarded approximately eight (8) men and one (1) woman. (b)(6), (b)(7)(C) noted one (1) detainee was a former Lieutenant Colonel under Saddam Hussein and made disparaging comments toward (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) admitted slapping this detainee in the face but denied that he or other ISF members beat the detainees with sticks. (b)(6), (b)(7)(C) advised he did not see any Marines or ISF members mistreat the detainees. However, (b)(6), (b)(7)(C) explained he and the Marines yelled at the detainees in an effort to obtain information regarding the IED explosion. (b)(6), (b)(7)(C) noted as he began receiving/watching detainees, he observed a group of Marines run toward houses to the south. (b)(6), (b)(7)(C) advised he did not see anyone shooting at the Marines when he saw them run in the direction of the houses. Shortly thereafter, (b)(6), (b)(7)(C) heard gunfire from the houses after the Marines entered, but he could not see what had happened. (b)(6), (b)(7)(C) estimated he maintained security on the vehicles and was on-scene from 0700-1700. (b)(6), (b)(7)(C) advised he did not stop a man, woman, or child from running in the hours after the IED blast. Exhibit (355) pertains.

82. On 03Jun06, (b)(6), (b)(7)(C) an ISF member, was interviewed regarding his knowledge of what occurred on 19Nov05 after the convoy he was in was attacked. (b)(6), (b)(7)(C) confirmed four (4) ISF members, including himself were traveling in the convoy on 19Nov05. Details follow:

a. IED BLAST: (b)(6), (b)(7)(C) related he heard the explosion but was not affected because he was in the first vehicle with the other ISF

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members. After the explosion, the Marines and ISF members exited the vehicles. [redacted] heard the "Mujahadin" firing at the Marines and ISF members, but the firing sounded as if it was far away. [redacted] noted the ISF members did not return fire.

b. TAXI: [redacted] stated he saw the white vehicle, which the Marines approached and ordered its occupants out of the vehicle. According to [redacted] four (4) Marines stood about fifteen (15) meters from the occupants of the vehicle and shot the five (5) men in the head and upper torso areas. [redacted] noted one (1) Marine walked up, drew his pistol, and shot the five (5) males in the head. [redacted] indicated he did not know the names of the Marine shooters, but advised they were Marines from the first and third vehicles in the convoy. [redacted] noted the passengers from the white vehicle were all standing when they were shot. After the passengers were shot, the Marines ordered to search the vehicle. [redacted] explained he did not find anything and the Marines ordered him to guard the HMMWVs and detainees.

c. DETAINEES: [redacted] estimated the convoy remained in the area of the IED blast site from 0700 to 1500. During that time, [redacted] and other ISF members guarded about twenty-four (24) male detainees and one female detainee. According to [redacted] some of the Marines hit the detainees and stopped doing so when CAPT [redacted] arrived on-scene. [redacted] stated neither he nor any of the other ISF members struck the detainees. While guarding detainees, [redacted] saw Marines enter various houses and heard gunfire and screaming coming from the houses. [redacted] advised he did not see anyone running from the houses. [redacted] recalled the convoy returned to the Firmbase around 1500, where the Marines dropped off the ISF members, and then departed. Exhibit (356) pertains.

83. On 06Jun06, [redacted] an Iraqi civilian, was interviewed regarding [redacted] i, MUHAMMAD Bata Ahmed (V/AHMED, Mohamed Tabal), hereinafter referred to as V/AHMED. [redacted] reported that on the morning of 19Nov05, a taxi picked up [redacted] V/AHMED, down the street from his residence. [redacted] noted the taxi was scheduled to come at 0630 but did not arrive until 0730. [redacted] stated V/AHMED was the last passenger picked up that morning. [redacted] related V/AHMED was on his way to the Technical College of Baghdad, where he is an electrical engineering student. V/AHMED planned to rent an apartment in Baghdad and complete his degree in two (2) years. [redacted] believed V/AHMED had two (2) bags that contained his clothes, books, and cash in excess of 330,000 Iraqi dinar. [redacted] explained he had given 150,000 Iraqi dinar to V/AHMED for his college expenses. [redacted] added his neighbor, [redacted], gave V/AHMED 180,000 Iraqi dinar to deliver to [redacted] who was located in Baghdad. [redacted] noted V/AHMED and [redacted] were going to be roommates in Baghdad, despite attending different colleges. [redacted] stated [redacted] also had an unknown amount of money that he had saved. [redacted] estimated approximately one (1) minute after the taxi departed, he heard a loud explosion. [redacted] claimed he knew something had happened to [redacted] and ran to the IED blast site. [redacted] related as he moved closer to the scene, Marines fired two (2) bullets at him. Consequently, [redacted] stopped and walked away from the IED site. [redacted] then re-attempted to

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reach the site but was stopped again by the Marines. Subsequently, he went home for the remainder of the day. [] stated he did not get close enough to the scene to witness any shootings. The following day, 20Nov05, an unknown Iraqi brought [] body to residence. [] advised [] was not involved in the insurgency, and did not know whether the other passengers of the taxi were involved in the insurgency. Exhibit (357) pertains.

84. On 08Jun06, [] an Iraqi civilian, was interviewed regarding [] V/FLAEH, Akram Hamid, hereinafter referred to as V/FLAEH. [] related on the morning of 19Nov05, [] left the family's home in a taxi around 0650. [] noted [] had left for Baghdad where he was scheduled to attend classes at the Baghdad Technical College. [] noted [] was the first passenger picked up that morning. [] stated he did not hear the explosion on 19Nov05 and was unaware of [] death until the following day. An unknown individual informed [] that the Marines ordered V/FLAEH out of the taxi and shot him. [] advised [] was carrying 80,000 Iraqi Dinar and had a watch. [] asserted the currency and watch have not been returned to him. Exhibit (358) pertains.

85. On 08Jun06, [] , were interviewed regarding their knowledge of what happened to [] V/ALZAWI, Kaled Aida and V/ALZAWI, Wagdi Aida, who were passengers of the white taxi and killed on 19Nov05. [] reported on the morning of 19Nov05 [] had left his home in a taxi around 0650. [] related they had left for Baghdad where V/ALZAWI, Wagdi was attending classes at Baghdad University and V/ALZAWI, Kaled was employed with the North Oil Company, in Baji, Iraq. [] advised V/ALZAWI Wagdi was carrying 100,000 Iraqi Dinar and V/ALZAWI, Kaled was carrying 60,000 Iraqi Dinar and \$100 in U.S. currency. On 19Nov05, [] recalled hearing a loud explosion around 0700 followed by gunfire. [] did not witness any of the events but was advised the following day that [] were killed and the bodies were located at the Haditha hospital. [] stated [] were not involved in the insurgency and were innocent when they were killed. Exhibit (359) pertains.

86. On 08Jun06, [] , an Iraqi civilian, and resident of Haditha was interviewed regarding the incident that occurred on 19Nov05. Although [] name and his alleged eye witness account of the shootings appeared in a U.S. news article, [] asserted he has never talked to the U.S. media and did not know how the media obtained his name. [] reported on the morning of 19Nov05 he was in his home, located on the east side of Route Viper, approximately [] yards north of Route Chestnut (across the street from houses [] According to [] , he did not hear the explosion but his son informed him that Marines were searching houses in the area. While he stood in the kitchen of his home, [] heard his neighbor, [] of the four (4) deceased from house #4) screaming for help. Shortly thereafter, [] came to [] front door screaming and crying that everybody in the house was killed.

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