

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

31MAY06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA

(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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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL: 13MAR06-MEJ-0164-7HMA

31May06

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

REFERENCE(S) (S)

(A) NCISHQ WASHINGTON DC ROI (ACTION)/30May06

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) and (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 deaths of an additional eighteen (18) Iraqi civilians. Another unarmed Iraqi civilian was also shot and killed after he was engaged from a rooftop 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. The NCIS Investigative Task Force-Iraq has identified the following leads to be conducted:

ACTION

R.SWTC: Liaison with MWPE and conduct site survey of the Camp Pendleton, CA Brig for the installation audio/video intercept equipment.

R.DCQV: Per email conversation on 31May06 with SA (b)(6), (b)(7)(C)

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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31May06

please obtain copies of the Service Record Books and Officer Qualification Records from Headquarters USMC for the Marines listed below. Please have all records copied to CD-Rs and shipped overnight delivery to MWPE. Please direct any questions to SA (b)(6), (b)(7)(C)

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

R.MWPE: Reference (A) initially tasked NENP to interview (b)(6), (b)(7)(C) a photojournalist who was embedded with Kilo Company Marines during the 19Nov05 incident. (b)(6), (b)(7)(C) employer, World Picture News, advised (b)(6), (b)(7)(C) is currently in the Los Angeles, CA area until 16Jun06. (b)(6), (b)(7)(C) cellular telephone number is (b)(6), (b)(7)(C). MWPE is requested to contact and interview General Crimes ASAC, MWPE, is requested to contact Division Chief (b)(6), (b)(7)(C), to coordinate the selection of NCIS Agents to conduct the interview and to discuss general interview questions. Selected Agents should liaison with NCIS Cyber Department-Pacific Division prior to conducting interview. MWPE is also requested to contact and interview two national guardsmen,

Both individuals were allegedly present in Haditha, IZ on 19Nov05 and might have knowledge of the events that transpired that day. (b)(6), (b)(7)(C) is a member of the Utah National Guard, 141st MI Battalion, located at 1710 E.4150 Street, St. George, Utah. A possible home address for (b)(6), (b)(7)(C) is (b)(6), (b)(7)(C) telephone# (b)(6), (b)(7)(C) is assigned to a Texas National Guard Unit MI Battalion located at 10031 E. NW Highway, Dallas, TX. Possible home address for (b)(6), (b)(7)(C) is (b)(6), (b)(7)(C)

R.24D5: Liaison with MWPE Agent(s) selected for (b)(6), (b)(7)(C) interview listed above. Be prepared to copy/mirror any computer media in (b)(6), (b)(7)(C) possession.

R.NENP: General Crimes ASAC, NEFO, is requested to contact Division Chief (b)(6), (b)(7)(C) to discuss the presence of a NCIS Agent at (b)(6), (b)(7)(C) employer, World Picture News, while (b)(6), (b)(7)(C) is being interviewed in California. World Picture News is located at 62 White Street, 3rd Floor, New York City, NY,

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL: 13MAR06-MEJ-0164-7HMA

31May06

telephone# (b)(6), (b)(7)(C) Selected agent should liaison with
NCIS Cyber Department-Atlantic Division.

R.24D4: Liaison with agent selected to be present at World Picture
News. Be prepared to copy/mirror any computer media used in
(b)(6),
(b)(7)(C) workspace(s).

DISTRIBUTION

NCISHQ (SI): 0023B

ACTION: MWPE/DCQV/NENP/24D5/24D4/SWTC

INFO: DCWA/24B1

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F/W/FNIZ/N//17JUN00/HADITHA, AL ANBAR PROVINCE, IRAQ
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Page 1 of 7

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COMMAND/I MEF/11931

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

NARRATIVE

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 four Iraqi Security Forces (ISF) members were conducting a convoy on route "Chestnut" in Haditha, Al Anbar City, 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) followed by small arms fire (SAF) from the south. The complex attack resulted in one friendly killed in action (FKIA) and [redacted] friendlies wounded in action (FWIA). The Marines in the convoy immediately responded to the complex attack 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 nearby homes, 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 Marine Corps issued a press release that reported the attack on 19Nov05 as resulting in one FKIA, two FWIA, and eleven (11) insurgents killed. 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 12Mar06, Major (b)(6), (b)(7)(C), USMC, requested that NCIS conduct an investigation into the deaths of the Iraqi civilians killed by Kilo Company Marines on 19Nov05. On 13Mar06, NCIS initiated the investigation and a team of agents traveled to the Forward Operating Base (FOB) Haditha Dam, Iraq.

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL: 13MAR06-MEJ-0164-7HMA

31May06

4. From 16Mar - 03Apr06, several 3/1 Marines and witnesses were interviewed. The interviews were conducted to obtain any information regarding the circumstances surrounding the deaths of twenty-four (24) Iraqi civilians that followed the attack on 3/1's convoy in Haditha on 19Nov05. During the interviews, the events covered ranged from the attack on 3/1's convoy in the early morning hours on 19Nov05 to the transportation of the twenty-four (24) Iraqi civilians to the Haditha hospital/morgue in the early morning hours of 20Nov05. Information common to various interviews is summarized below:

a. On the morning of 19Nov05, Marines from 3/1 were assigned to a (b)(7)(F) vehicle convoy and tasked to conduct an escort of Iraqi Security Force (ISF) members to the Command Out Post (COP) to relieve ISFs at the Traffic Check Point (TCP), conduct a crypto change and retrieve chow from the COP.

(b)(7)(F)

f. At approximately 0530, the [] vehicle convoy left Firmbase Sparta (a Marine base located in the city of Haditha), and arrived at the COP at 0630 to conduct their mission. At or around 0700, the convoy departed and attempted return to Firmbase Sparta.

g. At or around 0716, the fourth HMMWV in the convoy was struck by an IED. The convoy then received SAF and the Marines returned fire in response to the complex attack.

h. In the moments before the explosion, a white vehicle (taxi) approaching the convoy was reportedly waved off of the roadway and complied. (The taxi was later found off the roadway and searched.)

i. After the IED blast, the five male occupants of the taxi were shot and killed. No weapons were found on the five victims or inside the taxi. The five deceased are as follows:

- 1.) V/ALZAWI, Kaled Aida, 21 year-old male
- 2.) V/ALZAWI, Wagdi Aida, 20 year-old male
- 3.) V/FLAEH, Akram Hamid, age unknown, adult male
- 4.) V/AHMED, Mohmed Tabal, 21 year-old male
- 5.) V/MUSLEH, Ahmed Khutar, 29 year-old male

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL: 13MAR06-MEBJ-0164-7HMA

31May06

j. Within minutes of the attack, the Quick Reaction Force (QRF) located at Firmbase Sparta, Haditha, Iraq was notified of the IED blast and arrived on-scene. The QRF consisted of several members from 3rd squad, 3rd platoon, Kilo Company, 3/1.

The houses referenced throughout the remainder of this report are designated as #1, #2, #3, and #4. The numbers are not the actual street addresses of the houses, but are labeled in the chronological order in which the houses were attacked by the Marines involved.

k. Six (6) Iraqi civilians were killed in house #1. One (1) additional Iraqi male was killed near house #1 and is a relative of those killed inside house #1. (He is hereinafter referred to as the "ridgeline-shooting victim.") No weapons were found inside house #1. The deceased associated with house #1 are as follows:

- 1.) V/ALI, Abdul Hameed Husin, 76 year-old male
- 2.) V/ALI, Khamisa Tuema, 66 year-old female
- 3.) V/HASAN, Waleed Abdalhamid, 37 year-old male
- 4.) V/HAMEED, Abdullah Waleed Abdul, 4 year-old male
- 5.) V/HASAN, Guhid Abdalhamid, age unknown, adult male
- 6.) V/HASAN, Rasheed Abdalhamid, age unknown, adult male (ridgeline-shooting victim)
- 7.) V/RASIF, Asmaa Salman, age unknown, adult

The survivors associated with house #1 are as follows:

- 1.) (b)(6), (b)(7)(C) d female
- 2.) 6 year-old male
- 3.) adult female
- 4.) d female

l. Eight (8) Iraqi civilians were killed in house #2. Five (5) of the eight (8) killed in house #2 were children. No weapons were found inside house #2. The deceased found inside house #2 are as follows:

- 1.) V/RASIF, Yunis Salim, 43 year-old male
- 2.) V/AHMED, Aida Yasin, 40 year-old female
- 3.) V/SALIM, Mohmed Yunis, age unknown, male child
- 4.) V/RASIF, Noor Salim, 13 year-old female
- 5.) V/SALIM, Sebea Yunis, 10 year-old female
- 6.) V/SALIM, Zainab Unes, 5 year-old male
- 7.) V/SALIM, Aisha Unes, 3 year-old female
- 8.) V/AHMED, Huda Yasin, 39 year-old female

The survivor associated with house #2 is as follows:

- 1.) (b)(6), (b)(7)(C) 13 year-old female

m. (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) stated they approached and questioned the occupants of house #3. The occupants of house #3 directed the three Marines next door to house #4. No occupants were harmed in house #3.

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n. Four (4) Iraqi civilians were killed in house #4. Weapons were found in house #4; however, the reported number of weapons recovered is inconsistent. The deceased found inside house #4 are as follows:

- 1.) V/AHMED, Jamal Aiad, 39 year-old male
- 2.) V/AHMED, Jasib Aiad, 28 year-old male
- 3.) V/AHMED, Marwan Aiad, 27 year-old male
- 4.) V/AHMED, Kahtan Aiad, 21 year-old male

o. In the evening hours of 19Nov05, Marines conducted a BDA of houses #1, #2 and #4, photographed the deceased, and transported the bodies to the Haditha hospital/morgue between 0100-0200 on 20Nov05.

ACTION

R.MEBJ: The following leads are listed by priority. Specific interview questions and recommendations will be provided to the lead agent(s) in advance.

1) Locate, fully identify and interview the following interpreters assigned to Haditha, IZ, regarding their knowledge and participation in the events that occurred on 19Nov05:

- 1.) (b)(6), (b)(7)(C)
- 2.)
- 3.)
- 4.)
- 5.)
- 6.)

2) Liaison with the Civil Affairs Group and local police to locate and interview (b)(6), (b)(7)(C) a Haditha resident, was interviewed and identified by a Washington Post reporter as an eyewitness to some of the 19Nov05 events.

3) Contact 3/3 COC personnel at Firmbase Sparta and attempt to obtain following documents/log books having relevance to 3/1's deployment, specifically, to the 19Nov05 incident to include: Merc-chat reports, Salute reports, copies of JENs, and Confiscated Weapons logbooks containing entries from 19Nov05. In addition, contact MAJ (b)(6), (b)(7)(C) 3RD Civil Affairs Group. Obtain a copy of the memorandum documenting guidelines for Civil Affairs Group solatia payments; MAJ (b)(6), (b)(7)(C) referred to this memorandum as the "6th CAG Memo" he left in place for MAJ (b)(6), (b)(7)(C)

4) Contact the System Administrator who handled the email exchange server for the Marines who were assigned to 3BN, 1stMARREG, 1stMARDIV during this Nov05 deployment and request all Microsoft Office Outlook Profiles Parent PST files for the following Marines:

- 1. (b)(6), (b)(7)(C)
- 2. (b)(6)
- 3. (b)(6), (C)
- 4. (b)(6), (C)
- 5. (b)(6), (b)(7)(C)
- 6. (b)(6), (b)(7)(C)
- 7.
- 8.

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- 9. (b)(6), (b)(7)(C)
- 10.
- 11.
- 12.
- 13.
- 14.
- 15.

Obtain all PST files on individual CDRs or DVDs and transfer via NCIS chain of custody. Ship overnight delivery to MWPE. If the accounts have been deleted from the server, determine whether backup tapes for these exchange servers exist and whether a backup exists from 19Nov05 through the end of Mar06. If backup exists for this time frame, obtain a copy of the backup files. Information provided by G-6 at Camp Pendleton, CA related there should be six months of backup tape for these servers. This exchange server is located at Al Asad and is controlled by 3rd Marine Air Wing (3RDMAW). Point of Contact at Al Asad is LtCol (b)(6), (b)(7)(C) USMC, G-6, Ops Chief, DSN (b)(6), (b)(7)(C). Please contact SA (b)(6), (b)(7)(C) (DSN) (b)(6), (b)(7)(C) for any questions regarding this matter.

9) Contact SGT (b)(6), (b)(7)(C) (NFI) NCOIC, Haditha Dam Mess Hall, and attempt to identify (b)(6), (b)(7)(C) possibly (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C) (NFI). This Marine was identified by witnesses as having pictures depicting dead Iraqi citizens from 19Nov05, on his personal computer. Request you obtain appropriate media PASS forms and seize this Marine's personal computer. Forward seized items to MWPE.

6) Obtain all stored government e-mail accounts, including NIPR and SIPR, for all 3/1 personnel who were deployed to Iraq. Exhibit (1) is a spreadsheet obtained by SA (b)(6), (b)(7)(C) listing all 3/1 personnel who had e-mail accounts while deployed to Iraq in Nov05. If accounts have been deleted from the server, determine whether backup tapes for these exchange servers exist from 19Nov05 through the end of Mar06. If backup exists for this time frame, obtain a copy of the back up files. POCs are listed above.

7) Identify, locate and interview the family members of the following three victims that were passengers of the white taxi:

- a) (b)(6), (b)(7)(C) V/FLAEH, Akram Hamid
- b) (b)(6), (b)(7)(C) of V/AHMED, Mohem Tabal
- c) (b)(6), (b)(7)(C) of V/MUSLEH, Ahmed Khutar

8) Interview (b)(6), (b)(7)(C) of house #4. Interview questions will pertain to (b)(6), (b)(7)(C) observations while being detained by Kilo Company members and corroborate interviews of family members in house #4.

9) Liaison with the Civil Affairs Group (CAG) and local police to locate (b)(6), (b)(7)(C) is (b)(6), (b)(7)(C) of V/ALZAWI, Kaled and V/ALZAWI, Wagdi; (b)(6), (b)(7)(C) of both victims. In a 15May06 interview, (b)(6), (b)(7)(C) told investigators they heard of V/ALZAWI'S, Kaled and Wagdi death from an "eyewitness" to the taxi event. However, (b)(6), (b)(7)(C) refused to provide the

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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31May06

name of the eyewitness. Attempt to interview both (b)(6), (b)(7)(C) and obtain the name of the eyewitness. Interview eyewitness if identified.

10) Re-interview (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) survivors of house #1, and (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) survivor of house #2. Also interview (b)(6), (b)(7)(C) current

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

11) Re-interview ISF members (b)(6), (b)(7)(C)

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

Please note: Expeditious handling of all lead tasking is requested. Due to the sensitive nature of this investigation, any anticipated delays in completion of lead tasking should be coordinated with SA (b)(6), (b)(7)(C)

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

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

30MAY06

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
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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/AHMED, HUDA YASIN/CIV
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V/AHMED, KAHTAN AIAD/CIV

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30May06

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- 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/0023/NCISHQ 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, LCPL Miguel TERRAZAS, 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) and (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 deaths of an additional eighteen (18) Iraqi civilians. Another unarmed Iraqi civilian was also shot and killed from a rooftop 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 (b)(6), (b)(7)(C) twenty-four (24) Iraqi civilians were killed by Marines from 1st Squad, including four women and six children.

2. Screening interviews of Marines revealed a photojournalist, (b)(6), (b)(7)(C) was embedded with Kilo Company personnel during the 19Nov05 incident. Interviews revealed [redacted] might have observed, and possibly photographed, the victims in some of the homes who were shot and killed by Kilo Company Marines. [redacted] works for World Picture News located at 62 White Street, 3rd Floor, New York City, NY, telephone# [redacted]. A possible address for [redacted]

ACTION

R.NENP...The NCIS Investigative Task Force-Iraq requests [redacted] be interviewed. General Crimes ASAC, NEFO, is requested to contact Division [redacted] to

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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30May06

coordinate the selection of NCIS Agents to conduct the interview and to discuss general interview questions.

Please note: Expeditious handling of all lead tasking is requested.

Due to the sensitive nature of this investigation, any anticipated delays in completion of lead tasking should be coordinated with SA (b)(6), (b)(7)(C)

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REPORT OF INVESTIGATION (ACTION)

29MAY06

DEATH (II)

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

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

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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
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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
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
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M/W/FNIZ/N//01JAN62/HADITHA AL ANBAR CITY, IRAQ
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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, 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
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V/AHMED, MARWAN AIAD/CIV
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V/AHMED, KAHTAN AIAD/CIV

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

29May06

locate and interview (b)(6), (b)(7)(C) Obtain details of his knowledge of the 19Nov05 incident, to include, conversations (b)(6), (b)(7)(C) had with (b)(6), (b)(7)(C) Document results of (b)(6), (b)(7)(C) interview in a sworn statement. A DEIDS Report lists (b)(6), (b)(7)(C) address as (b)(6), (b)(7)(C) telephone# (b)(6), (b)(7)(C). A copy of the aforementioned news article will be forwarded via e-mail to MWPE.

Please note: Expeditious handling of all lead tasking is requested. Due to the sensitive nature of this investigation, any anticipated delays in completion of lead tasking should be coordinated with SA (b)(6), (b)(7)(C)

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REPORT OF INVESTIGATION (ACTION)

26MAY06

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
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V/AHMED, JAMAL AIAD/CIV
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V/AHMED, JASIB AIAD/CIV
M/W/FNIZ/N//01JAN77/HADITHA AL ANBAR CITY, IRAQ
V/AHMED, MARMAN 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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26May06

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V/AHMED, MOHMED TABAL/CIV
M/W/FNIZ/N//01JAN84/HADITHA AL ANBAR CITY, IRAQ
V/MUSLEH, AHMED KHUTAR/CIV
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V/RASIF, NOOR SALIM/CIV
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V/ALZAWI, WAGDI AIDA/CIV
M/W/FNIZ/N//01JAN79/HADITHA AL ANBAR CITY, IRAQ

COMMAND/I MEF/11931

MADE AT/000L/NCISHQ WASHINGTON DC, (b)(6), (b)(7)(C) REPRESENTATIVE

REFERENCES

- (A) 0023 ROI 24MAY06
- (B) NCIS 3, CH. 36, SECTION 36.9 (Reporting Requirements)
- (C) NCIS 3, CH. 36, SECTION 36.4 (Definitions)

NARRATIVE

1. Consensual oral and wire electronic interception authority requested by reference (a) has been authorized by the Director, Naval Criminal Investigative Service, from 24 May through 24 August 2006. NCISHQ memo Ser 00LBP/6U-0196 of May 24, 2006 with the DIR, NCIS authorization has been forwarded to Code 0023 for permanent retention in the case file.

2. Reference (b) pertains to reporting requirements. Where no interceptions or unproductive results have occurred, negative reports must be submitted explaining why authority was not used or why no results were obtained. Reports are due NLT ten (10) working days after the authority expires. If the authority overlaps two calendar quarters, an interim report is due. Calendar quarters end on 31 March, 30 June, 30 September and 31 December.

3. Interception authority is granted only for those targets approved by the Director in reference (a). The willful oral/wire interception of a conversation between a consenting party (CW or UCA) and an individual not listed in reference (a) is not authorized. Your attention is directed to reference (c) that defines inadvertent interceptions, unauthorized interceptions and additional targets.

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

26MAY06

DEATH (II)

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

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

V/ALI, ABDUL HAMEED HUSIN/CIV
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V/MUSLEH, AHMED KHUTAR/CIV
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COMMAND/I MEF/11931

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

EXHIBIT

(1) Sworn statement of (b)(6), (b)(7)(C) (Copy)/19May06... (NWBR Only)

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, LCPL Miguel 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 unarmed Iraqi civilian occupants. All of these occupants exited the car and were reportedly shot by (b)(6), (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) and (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 deaths of an additional eighteen (18) Iraqi civilians. Another unarmed Iraqi civilian was also shot and killed from a rooftop 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 (b)(6), (b)(7)(C) twenty-four (24) Iraqi civilians were killed by Marines from 1st Squad, including four women and six children.

2. Interviews revealed members of Kilo Company corresponded with family members of LCPL Miguel TERRAZAS to include (b)(6), (b)(7)(C), (b)(6), (b)(7)(C) and possibly (b)(6), (b)(7)(C). This (b)(6), (b)(7)(C) correspondence allegedly discusses the events that occurred on 19Nov05. Both individuals reside in El Paso, TX.

3. (b)(6), (b)(7)(C), a corpsman assigned to Kilo Company, told investigators he discussed the 19Nov05 events in e-mail and letter correspondence with (b)(6), (b)(7)(C) of Monmouth, OR. (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) is (b)(6), (b)(7)(C) of his best friend, (b)(6), (b)(7)(C), (b)(6), (b)(7)(C).

ACTION

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

26May06

R.MWYU...Contact (b)(6), (b)(7)(C) _____ resides at _____

Interview _____ and obtain details his contact with Kilo Company members subsequent to _____ death. Request all original written correspondence received by _____ from Kilo Company members. If _____ is unwilling to relinquish original letters, request copies of the written correspondence. Forward results of lead tasking to MWPE

Contact and interview _____ telephone# _____ resides at _____ Determine if _____ had contact with Kilo Company members subsequent to _____ s death. If contact includes written correspondence, follow same guidance as provided above.

R.NWBR...Upon receipt of exhibit (1), locate and interview _____ i advised _____ resides in Monmouth, OR, telephone# _____ (NFI). Obtain details of contact they had with _____ specifically, how it relates to the 19Nov05 incident. Request all original written correspondence received by _____ from _____ Attempt to obtain permission (appropriate PASS forms) to obtain access to e-mail correspondence between _____ and _____ Request permission to obtain mirror image(s) of affected hard drive(s) having the e-mail correspondence. Coordinate this tasking with NCIS Cyber Department-Pacific Division. Forward results of lead tasking to MWPE.

R.24D5...Provide cyber support to NWBR. If permission is granted, obtain mirror image(s) of hard drive(s) containing the aforementioned e-mail correspondence between : _____ Forward results of lead tasking to MWPE.

Please note: Expeditious handling of all lead tasking is requested. Due to the sensitive nature of this investigation, any anticipated delays in completion of lead tasking should be coordinated with SA

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NCISHQ (SI): 0023B
ACTION: MWYU/NWBR (F)/24D5
INFO: MWPE/24D

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

26MAY06

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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Page 1 of 3

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

26May06

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

EXHIBIT

(1) Sworn statement of (b)(6), (b)(7)(C) (Copy)/19May06... (NWBR Only)

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 (b)(7)(F) vehicles, of which the fourth vehicle was hit. As a result of the IED, the driver, LCPL Miguel TERRAZAS, 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), [redacted] (b)(6), [redacted] and (b)(6), [redacted] 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), [redacted] (b)(6), [redacted], (b)(6), (b)(7)(C) and (b)(6), [redacted] were involved in the shooting deaths of an additional eighteen (18) Iraqi civilians. Another unarmed Iraqi civilian was also shot and killed from a rooftop observation post (OP) by (b)(6), (b)(7)(C), (b)(6), [redacted] 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. Interviews revealed members of Kilo Company corresponded with family members of LCPL Miguel TERRAZAS to include (b)(6), (b)(7)(C), (b)(6), [redacted] and possibly (b)(6), (b)(7)(C). This correspondence allegedly discusses the events that occurred on 19Nov05. Both individuals reside in El Paso, TX.

3. (b)(6), (b)(7)(C) assigned to Kilo Company, told investigators he discussed the 19Nov05 events in e-mail and letter correspondence with (b)(6), [redacted] of Monmouth, OR. (b)(6), [redacted] stated (b)(6), (b)(7)(C), (b)(6), [redacted] (b)(6), (b)(7)(C) (b)(7)(C) is the mother of his best friend, (b)(6), (b)(7)(C) (b)(7)(C)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

26May06

ACTION

R.MWYU...Contact (b)(6), (b)(7)(C) resides at

Interview and obtain details his contact with Kilo Company members subsequent to death. Request all original written correspondence received by from Kilo Company members. If is unwilling to relinquish original letters, request copies of the written correspondence. Forward results of lead tasking to MWPE

Contact and interview resides at telephone# Determine if had contact with Kilo Company members subsequent to death. If contact includes written correspondence, follow same guidance as provided above.

R.NWBR...Upon receipt of exhibit (1), locate and interview and advised resides in Monmouth, OR, telephone# (NFI). Obtain details of contact they had with specifically, how it relates to the 19Nov05 incident. Request all original written correspondence received by from . Attempt to obtain permission (appropriate PASS forms) to obtain access to e-mail correspondence between and Request permission to obtain mirror image(s) of affected hard drive(s) having the e-mail correspondence. Coordinate this tasking with NCIS Cyber Department-Pacific Division. Forward results of lead tasking to MWPE.

R.24D5...Provide cyber support to NWBR. If permission is granted, obtain mirror image(s) of hard drive(s) containing the aforementioned e-mail correspondence between and Forward results of lead tasking to MWPE.

Please note: Expeditious handling of all lead tasking is requested. Due to the sensitive nature of this investigation, any anticipated delays in completion of lead tasking should be coordinated with SA

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ACTION: MWYU/NWBR (F)/24D5

INFO: MWPE/24D

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

26MAY06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA

(b)(6), (b)(7)(C) [redacted] ET AL)

COMMAND/I MEF/11931

MADE AT/MWTN/TWENTYNINW PALMS CA (b)(6), (b)(7)(C) [redacted] SPECIAL AGENT

REFERENCE(S) (S)

(A) NCISHQ Washington, DC ROI (ACTION)/09MAY06

EXHIBIT(S)

- (1) IA: Liaison with VMU-1/17MAY06...(0023B only)
- (2) IA: Contact with (b)(6), (b)(7)(C) [redacted] 26MAY06...(0023B only)

NARRATIVE

1. Reference (A) requested UAV video footage of Haditha, Iraq on 19NOV05. Subsequent to the receipt of Reference (A), liaison was made with VMU-1, Twentynine Palms, CA. The Command arranged to have a copy of the requested video footage mailed from Iraq to VMU-1. Exhibit (1) details the results of the liaison with VMU-1. To expedite the request, on 24MAY06, SSgt (b)(6), (b)(7)(C) [redacted] Intelligence Chief, VMU-1 reported the requested video was being delivered to the NCIS in Al Asad, Iraq, Exhibit (2) pertains. A classified Mission Report of the 19NOV05 Haditha video was forwarded to DAD (Acting) Sam WORTH/0023B via SIPRNET. Lead tasking is complete.

PARTICIPANT(S)

(b)(6), (b)(7)(C) [redacted] Special Agent, NCISRA Twentynine Palms, CA

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INFO: MWPE

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(b)(6), (b)(7)(C) [redacted] V2 LMY

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

25MAY06

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 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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CONTROL: 13MAR06-MEJ-0164-7HMA

25May06

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

NARRATIVE

1. The NCIS Investigative Task Force-Iraq requests cyber profiles be conducted on the below listed individuals associated with this investigation:

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

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL: 13MAR06-MEJ-0164-7HMA

25May06

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

ACTION

R:24D2...Conduct Cyber profiles on the above-listed individuals who are associated with this investigation. Document any and all Worldwide Web Internet presence of these individuals with a view of information involving military operations in Haditha, Iraq, and the 19Nov05 incident surrounding the U.S. Marine Quick Reaction Force (QRF) response to a detonated Improvised Explosive Device (IED) and the deaths of Iraqi civilians.

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ACTION: 24D2

INFO: MWPE

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

25MAY06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA

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

COMMAND/I MEF/11931

MADE AT/GCMT/MEMPHIS TN (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE

- (A) MWPE ROI (ACTION)/04MAY06
- (B) NCISHQ ROI (ACTION)/09May06

NARRATIVE

1. Per telephonic contact with SA (b)(6), (b)(7)(C) lead tasking set forth in Ref (A) was canceled. Lead tasking set forth in Ref (B), was received by Reporting Agent on May 19, 2006. Telephonic contact was made with (b)(6), (b)(7)(C) USA, Ft Campbell, KY, on May 25, 2006, to schedule an interview. (b)(6), (b)(7)(C) advised he was going on leave starting May 26, 2006 and would not return or be available for an interview until June 7, 2006. An interview is scheduled for that date. EDC is June 8, 2006.

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

24MAY06

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
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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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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL: 13MAR06-MEBJ-0164-7HMA

24May06

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- 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/0023/NCISHQ WASHINGTON DC, (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 (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) and (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), [redacted] (b)(6), [redacted] and (b)(6), (b)(7)(C) were involved in the shooting (b)(6), (b)(7)(C) (b)(7)(C) additional eighteen (18) Iraqi civilians. Another Iraqi 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. During this investigation, several USMC/USN members have been identified to be interviewed/re-interviewed by members of the NCIS Investigative Task Force - Iraq. Lead tasking involves interviewing the below listed individuals to obtain information they have regarding the events that occurred Haditha, Iraq on 19Nov05. Interviewees identified include:

- a. Seven members of the Human Intelligence Exploitation Team 2 (HET-2) stationed aboard Marine Corps Base (MCB) Camp Lejeune, NC to include: (b)(6), (b)(7)(C) [redacted] (b)(6), (b)(7)(C) [redacted]

- b. Three USN members of the Explosives Ordnance Disposal Mobile Unit

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL: 13MAR06-MEBJ-0164-7HMA

24May06

6 (EODMU-6) stationed aboard Naval Weapons Station (NAVWPNSTA) Charleston, SC to include: (b)(6), (b)(7)(C)

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

- c. (b)(6), (b)(7)(C) has been identified as critical witness who was present at the Haditha, IZ morgue where the bodies of the victims were transported. (b)(6), (b)(7)(C) also facilitated solatia payments to the victims' families.
- d. (b)(6), (b)(7)(C) was present during a Feb06 debrief given by CAPT (b)(6), (b)(7)(C) on or about 19Nov05. (b)(6), (b)(7)(C) is currently attending a training course in Newport, RI.
- e. (b)(6), (b)(7)(C) possibly has copies of unit reports and records documenting the actions taken by Kilo Company members on 19Nov05. (b)(6), (b)(7)(C) also informed MJ (b)(6), (b)(7)(C) he had heard the "white car" victims had been found with chest rigs on their bodies and weapons were found in the trunk of the vehicle.
- f. (b)(6), (b)(7)(C) was the Battalion Operations Officer (S-3). According to MAJ (b)(6), (b)(7)(C) was present in the battalion operations center (COC) on 19Nov05 and obtained initial casualty and weapons seizure assessments from Kilo Company personnel. (b)(6), (b)(7)(C) was also present when MAJ (b)(6), (b)(7)(C) spoke with LTCOL (b)(6), (b)(7)(C) about the TIME Magazine inquiry in Jan06.
- g. (b)(6), (b)(7)(C) has been identified as one of the platoon members that fired upon the "ridgeline" victim.

ACTION

R:24C...Interview HET-2 members

If local NCIS assistance is required, contact CALE ASAC

Interview (b)(6), (b)(7)(C) is currently attending a training course in Newport, RI. NCIS Investigative Task Force members are coordinating this interview with support from NCISFO Newport, RI.

Interview (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) . If assistance from the local NCIS assistance is required, contact CACS SSA (b)(6), (b)(7)(C)

Interview (b)(6), (b)(7)(C) Local NCIS assistance has been coordinated by SA (b)(6), (b)(7)(C) This interview is scheduled to be conducted in Colchester, CT circa 25May06.

Interview (b)(6), (b)(7)(C) is stationed in Norfolk, VA. NCIS Investigative Task Force members have already coordinated this interview.

R:MWPE...Interview (b)(6), (b)(7)(C) is currently en-route to I&I Staff, 4th LAR based in Ogden, UT. NCIS Investigative Task Force members have already coordinated this interview. Interview (b)(6), (b)(7)(C) resides at (b)(6), (b)(7)(C)

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CONTROL: 13MAR06-MEBJ-0164-7HMA

24May06

NCIS Investigative Task Force members have already coordinated this interview.

CALE/CACS/NENP... Provide assistance to NCIS Investigative Task Force members if requested.

Special Note: Expeditious handling of all lead tasking is requested. Due to the sensitive nature of this investigation, any anticipated delays in completion of lead tasking should be coordinated with SA (b)(6), (b)(7)(C) Forward results of lead tasking, to include original documents and statements, to SA (b)(6), (b)(7)(C) Code 023B.

DISTRIBUTION

NCISHQ (SI): 023B

ACTION: 24C/MWPE

INFO: CALE/CACS/NENP

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

24MAY06

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 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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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL: 13MAR06-MEBJ-0164-7HMA

24May06

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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/0023/NCISHQ WASHINGTON DC/

SPECIAL AGENT

REFERENCE(S) (S)

(A) NCIS-3, Chapter 36-7.3

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 occupants were injured.

2. 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 [redacted] and (b)(6), [redacted]. After the engagement with the white car, two small maneuver elements (team) 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), [redacted] (b)(6), [redacted] and (b)(6), (b)(7)(C) [redacted] were involved in the shooting deaths of (b)(7)(C) [redacted] additional eighteen (18) Iraqi civilians. Another Iraqi 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.

3. Several months after the incident in Haditha on 19Nov05, the incident came under investigation the US Army conducted a AR-15 investigation (non-criminal) following receipt of information from a TIME magazine reporter who had learned of the incident. Subsequent to the Army investigation, NCIS opened an investigation and began conducting numerous interviews related to this matter. During the interviews, it was reported that Marines directly involved in the shootings, as well as others who either witnessed or had knowledge of these shootings, began talking about the incident. Investigative

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CONTROL: 13MAR06-MEBJ-0164-7HMA

24May06

efforts have identified a member of Kilo Company who has been cooperative in providing information and access to his personal computer to assist in this investigation. It is believed this Cooperating Witness (CW) could engage squad members,

4. The CW has agreed to allow NCIS to monitor a government furnished computer that the CW will utilize for surfing the Internet, accessing web based e-mail providers (such as Hotmail) and conducting Instant Messaging and Chats. The CW anticipates having communication via computer 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) and squad members (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) It is also anticipated the CW will engage these same targets in telephone and personal conversation. IAW Ref (A), the following information is provided:

- a. Allegation is described above. Oral, wire and electronic intercept authority is needed to attempt to verify or refute allegations that the Marines involved in these shootings did so negligently or with criminal intent.
- b. UCMJ Article 118 (Murder) and Article 81 (Conspiracy)
- c. This request is not related to any known threats to the CW.
- d. An Olympus DM-10 Digital Voice Recorder will be utilized to capture oral and wire intercepts between CW and (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) and (b)(6), (b)(7)(C) Electronic intercepts will be captured in the following (b)(7)(C)

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CONTROL: 13MAR06-MEJ-0164-7HMA

24May06

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

- e. This investigation will fall under the jurisdiction of the military convening authority with jurisdiction over (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) All electronic intercepts (b)(7)(C) (computer communications) will be captured in the state of Washington and remotely accessed and reviewed by NCIS in San Diego, CA. Wire and oral intercepts will be conducted in the state of Washington. The targets of the intercepts are stationed aboard MCB Camp Pendleton, CA.
- f. Oral, wire and electronic interception authority is requested for a period of 90 days commencing 24May06.
- g. Consenting party: (b)(7)(E) has consented orally and in writing to conduct oral, wire and electronic intercepts.
- h. The non-consenting parties/targets are: USMC members
- i. USMC, Staff Judge Advocate, I MEF, Camp Pendleton, CA, has been apprised of and concurs with the use of oral and wire intercepts for this investigation.
- j. DAD : Investigative Task Force-Iraq and SAC , Marine Corps West Field Office, have been apprised of and concur with this request.

ACTION

R.000L: Request oral, wire and electronic intercept authority for 90 days commencing 24May06.

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ACTION: 000L

INFO: MWPE/NWBR

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

23MAY06

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 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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CONTROL: 13MAR06-MEBJ-0164-7HMA

23May06

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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/NFHV/NAVMECEN PORTSMOUTH VA (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S) (S)

(A) 0023 ROI (ACTION)/09MAY06

EXHIBIT(S)

- (1) IA: Results of Interview with (b)(6), (b)(7)(C) USN/18MAY06
(Copy all)
- (2) Case Notes and Interview Log/18MAY06 (Orig. 0023B only)

NARRATIVE

1. NCISRU NAVMECEN Portsmouth, VA received lead tasking contained within reference (A) to fully identify and interview (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) USN on 16MAY06. On 18MAY06, Reporting Agent (RA) interviewed (b)(6), (b)(7)(C) and obtained information in reference to (b)(6), (b)(7)(C) treatment of two (2) civilian Iraqi nationals that were injured in Haditha, Iraq circa 19NOV05. (b)(6), (b)(7)(C) was stationed at the hospital aboard Al Asad Air Base, Al Asad, Iraq from approximately 28AUG05 until 28FEB06. (b)(6), (b)(7)(C) recalled both (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) injuries (burns, shrapnel and/or puncture wounds), however (b)(6), (b)(7)(C) was never made aware of the exact mechanism of those injuries. (b)(6), (b)(7)(C) was unable to provide any information relative to the attack that allegedly caused the injuries and any action of the personnel that evacuated (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) from Haditha, Iraq. (b)(6), (b)(7)(C) provided the names of several service members that may have been present on 19NOV05 at the hospital aboard Al Asad, Iraq, exhibit (1) pertains.

2. On 18MAY06, RA contacted case agent (S/A (b)(6), (b)(7)(C) NCISHQ 0023) and provided information relative to two (2) USN members (b)(6), (b)(7)(C) identified that are currently stationed in the AOR of NCISFO Norfolk, VA. RA was tasked with fully identifying and interviewing the two (2) USN members.

3. Lead tasking is pending the completion of two (2) additional interviews. Expected date of completion is 31MAY06.

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CONTROL: 13MAR06-MEJ-0164-7HMA

23May06

INFO: 0023B (M)/NFNF

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

19MAY06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA

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

COMMAND/I MEF/11931

MADE AT/SWMY/MONTEREY CA (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S) (S)

(A) NCISHQ ROI (ACTION)/09MAY06

EXHIBIT(S)

- (1) Statement of (b)(6), (b)(7)(C) 02MAY06=85 (Orig. 0023/SWPH)
- (2) IA: Results of Permissive Search/02MAY06=85 (Orig. 0023/SWPH)
- (3) IA: Details of Voicemail message left by (b)(6), (b)(7)(C) 03MAY06=85 (Copy 0023/SWPH)
- (4) Statement of (b)(6), (b)(7)(C) 18MAY06=85 (Orig. 0023/SWPH)

NARRATIVE

1. Per tasking in reference (A), Reporting Agent (RA) and Det. (b)(6), (b)(7)(C) Naval Postgraduate School Police Department, interviewed regarding receipt of death scene photographs from (b)(6), (b)(7)(C) stated transferred the photographs to him during a visit to residence in MAR06. (b)(6), (b)(7)(C) stated he deleted the photographs shortly after receiving them. (b)(6), (b)(7)(C) did not transfer the photographs to anyone else. Exhibit (1) pertains. (b)(6), (b)(7)(C) further turned over two thumb drives during a permissive search, which he said were used to transfer the photographs from computer to (b)(6), (b)(7)(C) computer. Thumb drives were entered into NCIS evidence custody system (SWPH log #029-06). Exhibit (2) pertains. On 03MAY06, (b)(6), (b)(7)(C) notified RA that he suddenly remembered that (b)(6), (b)(7)(C) e-mailed him the death scene photographs some time after returned from his second deployment to Iraq. Exhibit (4) pertains. On 18MAY06, RA re-interviewed (b)(6), (b)(7)(C) regarding his receipt of the death scene photographs. Exhibit (4) pertains.
2. On 12MAY06, RA sent evidence to MWPE for forensic analysis. Lead tasking complete.

PARTICIPANT(S)

Detective, NPS Police Department

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INFO: SWPH/SWND/MEBJ

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CONTROL: 13MAR06-MEBJ-0164-7HMA

19May06

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

16MAY06

DEATH (II)

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

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

COMMAND/I MEF/11931

MADE AT/MEBJ/FALLUJAH IRAQ (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE

(A) NCISHQ Washington DC ROI (ACTION)/09MAY06

NARRATIVE

1. Lead tasking set forth via reference (A) was received by NCIS Fallujah, Iraq and is currently being coordinated with the Civil Affairs Group (CAG), 3rd Battalion, 3rd Marine Regiment, 3rd Marine Division (3/3), Haditha Dam, Haditha, Iraq. Estimated date of completion is unknown at this time.

ACTION

0023B: Estimated date of completion for lead tasking is unknown at this time. Once the individuals who need to be interviewed are located, an additional ROI (ACTION) will be sent with the estimated date of completion.

DISTRIBTION

NCISHQ: 0023B

ACTION: 0023B

INFO: MWPE/MEBJ

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

12MAY06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA

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

SUPP: ((ET AL))

COMMAND/I MEF/11931

MADE AT/NWBR/NCISRA BREMERTON WA (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S) (S)

(A) NCISFO Camp Pendleton CA ROI (ACTION)/04May06 (Contains Exhibits 1-24)

EXHIBIT(S)

- (1) Statement of (b)(6), (b)(7)(C) 11May06... (Original MWPE/ Copy all)
- (2) IA: Results of Interview of (b)(6), (b)(7)(C) 11May06... (Copy all)
- (3) IA: Results of Computer Seizure/11May06... (Copy all)

NARRATIVE

1. Pursuant to receipt of Reference (A), Reporting Agent (RA) contacted (b)(6), (b)(7)(C) USMC, and set up an interview at the Issaquah Police Department (IPD), WA. On 11May06 at about 0900, Participating Agent (PA) (b)(6), (b)(7)(C) and RA met (b)(6), (b)(7)(C) at IPD.

2. RA advised (b)(6), (b)(7)(C) that the interview was going to be about the deaths of one or more non-combatants killed in action in the area of his convoy that had been hit by an Improvised Explosive Device (IED) on 19Nov05. During the interview (b)(6), (b)(7)(C) was polite, but his mood was stoic. (b)(6), (b)(7)(C) advised he does not remember most events that occurred on 19Nov05 after the IED exploded. (b)(6), (b)(7)(C) stated he was knocked unconscious when the IED exploded and only regained consciousness long enough to hear people telling him he would be alright before passing out again. He again gained consciousness momentarily while in a helicopter and eventually gained full consciousness while in an Iraqi hospital before being sent to Germany.

3. (b)(6), (b)(7)(C) advised he returned home in late December 2005 and shortly after received his personal belongings. A few days later his Toshiba laptop computer arrived via the United Parcel Service. On the laptop he discovered 15 to 20 pictures of various dead Iraqis in his pictures folder. (b)(6), (b)(7)(C) stated he received an email from (b)(6), (b)(7)(C) USMC, who advised that the squad could face disciplinary action because they killed a lot of people after the IED exploded. When asked, (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) that the photos of the dead people on his computer were the people they killed on 19Nov05.

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Page 1 of 2

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CONTROL: 13MAR06-MEBJ-0164-7HMA

12May06

4. (b)(6), (b)(7)(C) advised that he spoke to (b)(6), (b)(7)(C) USMC, who told him on 19Nov05, after the IED explosion, he was part of a Quick Response Force (QRF) heading towards the blast site. (b)(6), (b)(7)(C) advised he observed two Iraqi males bounding away from the blast site one covering the next in military fashion. (b)(6), (b)(7)(C) stated he and others shot and killed the Iraqis. (b)(6), (b)(7)(C) stated he did not hear any Small Arms Fire (SAF) while responding to or at the blast site.

5. (b)(6), (b)(7)(C) advised that he has spoken to (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Other than (b)(6), (b)(7)(C) no one talked much about what happened after the IED exploded on 19Nov05. Exhibit(s) 1 and 2 pertain.

6. (b)(6), (b)(7)(C) gave RA and PA his laptop for examination of the photographs and emails that he received from (b)(6), (b)(7)(C) The laptop was sent to Special Agent (b)(6), (b)(7)(C) for examination at the Regional Computer Forensic Laboratory in San Diego, CA. Exhibit 3 pertains.

PARTICIPANT(S)

(b)(6), (b)(7)(C) Special Agent, NCISRA Bremerton WA

ACTION

MWPE: Lead tasking completed.

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INFO: NWBR/NWBG/MWPE (M)

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REPORT OF INVESTIGATION (ACTION)

12MAY06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA

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

COMMAND/I MEF, CAMP PENDLETON, CA/11931

MADE AT/24D5/PAC CYBER DIV SAN DIEGO (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S) (S)

(A) NCISHQ CODE 0023 ROI(ACTION)/09MAY06

NARRATIVE

1. On 12MAY06, Reference (A) was received. Lead tasking requested (b)(6), (b)(7)(C) computer being imaged and analyzed. On 05MAY06, SA (b)(6), (b)(7)(C) assigned to the Regional Computer Forensic Laboratory (RCFL), San Diego, CA, traveled to Monterey, CA and met with (b)(6), (b)(7)(C). A permissive authorization was obtained from (b)(6), (b)(7)(C) and an image of his computer was obtained at that time. SA (b)(6), (b)(7)(C) is currently examining the computer and estimated date of completion of obtaining images is early the week of 15MAY06.

2. SA Pacific Cyber Division, is currently assisting personnel at NCISFO Camp Pendleton with the preparation of preservation letters for e-mail accounts. SA is providing other cyber related support as deemed necessary.

PARTICIPANT(S)

Special Agent, Pacific Cyber Division, San Diego
Special Agent, RCFL, Pacific Cyber Division, San Diego

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INFO: MWPE/MEBJ/0024D/24D5

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

09MAY06

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 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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Page 1 of 7

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL: 13MAR06-MEBJ-0164-7HMA

09May06

FOR OFFICIAL USE ONLY 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/0023/NCISHQ WASHINGTON DC (b)(6), (b)(7)(C) SPECIAL AGENT

EXHIBITS

- (1) IA: Results of Interview (b)(6), (b)(7)(C) 15Mar06... (Copy NFNF and GCMT only)
- (2) IA: Results of Interview (b)(6), (b)(7)(C) 15Mar06... (Copy NFNF and GCMT only)
- (3) Statement of (b)(6), (b)(7)(C) 02May06... (Copy MEBJ only)
- (4) Statement of (b)(6), (b)(7)(C) 03May06... (Copy MEBJ only)
- (5) Statement of (b)(6), (b)(7)(C) 03May06... (Copy MEBJ only)
- (6) Statement of (b)(6), (b)(7)(C) 04May06... (Copy MEBJ only)

NARRATIVE

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 four Iraqi Security Forces (ISF) members were conducting a convoy on route "Chestnut" in Haditha, Al Anbar City, 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) followed by small arms fire (SAF) from the south. The complex attack resulted in one friendly killed in action (FKIA) and (b)(6), (b)(7)(C) friendlies wounded in action (FWIA). The Marines in the convoy immediately responded to the complex attack 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 nearby homes, 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 Marine Corps issued a press release that reported the attack on 19Nov05 as resulting in one FKIA, two FWIA, and eleven (11) insurgents killed. 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

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CONTROL: 13MAR06-MEJ-0164-7HMA

09May06

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 12Mar06, Major General (b)(6), USMC, requested that NCIS conduct an investigation into the deaths of the Iraqi civilians killed by Kilo Company Marines on 19Nov05. On 13Mar06, NCIS initiated the investigation and a team of agents traveled to the Forward Operating Base (FOB) Haditha Dam, Iraq.

4. From 16Mar - 03Apr06, several 3/1 Marines and witnesses were interviewed. The interviews were conducted to obtain any information regarding the circumstances surrounding the deaths of twenty-four (24) Iraqi civilians that followed the attack on 3/1's convoy in Haditha on 19Nov05. During the interviews, the events covered ranged from the attack on 3/1's convoy in the early morning hours on 19Nov05 to the transportation of the twenty-four (24) Iraqi civilians to the Haditha hospital/morgue in the early morning hours of 20Nov05. Information common to various interviews is summarized below:

a. On the morning of 19Nov05, Marines from 3/1 were assigned to a (b)(7)(F) vehicle convoy and tasked to conduct an escort of Iraqi Security Force (ISF) members to the Command Out Post (COP) to relieve ISFs at the Traffic Check Point (TCP), conduct a crypto change and retrieve chow from the COP.

(b)(7)(F)

f. At approximately 0530, the (b)(7)(F) vehicle convoy left Firmbase Sparta (a Marine base located in the city of Haditha), and arrived at the COP at 0630 to conduct their mission. At or around 0700, the convoy departed and attempted return to Firmbase Sparta.

g. At or around 0716, the fourth HMMWV in the convoy was struck by an IED. The convoy then received SAF and the Marines returned fire in response to the complex attack.

h. In the moments before the explosion, a white vehicle (taxi) approaching the convoy was reportedly waved off of the roadway and complied. (The taxi was later found off the roadway and searched.)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL: 13MAR06-MEBJ-0164-7HMA

09May06

i. After the IED blast, the five male occupants of the taxi were shot and killed. No weapons were found on the five victims or inside the taxi. The five deceased are as follows:

- 1.) V/ALZAWI, Kaled Aida, 21 year-old male
- 2.) V/ALZAWI, Wagdi Aida, 20 year-old male
- 3.) V/FLAEH, Akram Hamid, age unknown, adult male
- 4.) V/AHMED, Mohmed Tabal, 21 year-old male
- 5.) V/MUSLEH, Ahmed Khutar, 29 year-old male

j. Within minutes of the attack, the Quick Reaction Force (QRF) located at Firmbase Sparta, Haditha, Iraq was notified of the IED blast and arrived on-scene. The QRF consisted of several members from 3rd squad, 3rd platoon, Kilo Company, 3/1.

The houses referenced throughout the remainder of this report are designated as #1, #2, #3, and #4. The numbers are not the actual street addresses of the houses, but are labeled in the chronological order in which the houses were attacked by the Marines involved.

k. Six (6) Iraqi civilians were killed in house #1. One (1) additional Iraqi male was killed near house #1 and is a relative of those killed inside house #1. (He is hereinafter referred to as the "ridgeline-shooting victim.") No weapons were found inside house #1. The deceased associated with house #1 are as follows:

- 1.) V/ALI, Abdul Hameed Husin, 76 year-old male
- 2.) V/ALI, Khamisa Tuema, 66 year-old female
- 3.) V/HASAN, Waleed Abdalhamid, 37 year-old male
- 4.) V/HAMEED, Abdullah Waleed Abdul, 4 year-old male
- 5.) V/HASAN, Guhid Abdalhamid, age unknown, adult male
- 6.) V/HASAN, Rasheed Abdalhamid, age unknown, adult male (ridgeline-shooting victim)
- 7.) V/RASIF, Asmaa Salman, age unknown, adult

The survivors associated with house #1 are as follows:

1. (b)(6), (b)(7)(C)
- 2.
- 3.
- 4.

l. Eight (8) Iraqi civilians were killed in house #2. Five (5) of the eight (8) killed in house #2 were children. No weapons were found inside house #2. The deceased found inside house #2 are as follows:

- 1.) V/RASIF, Yunis Salim, 43 year-old male
- 2.) V/AHMED, Aida Yasin, 40 year-old female
- 3.) V/SALIM, Mohmed Yunis, age unknown, male child
- 4.) V/RASIF, Noor Salim, 13 year-old female
- 5.) V/SALIM, Sebea Yunis, 10 year-old female
- 6.) V/SALIM, Zainab Unes, 5 year-old male

WARNING

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL: 13MAR06-MEJ-0164-7HMA

09May06

- 7.) V/SALIM, Aisha Unes, 3 year-old female
- 8.) V/AHMED, Huda Yasin, 39 year-old female

The survivor associated with house #2 is as follows:

- 1.) (b)(6), (b)(7)(C) 13 year-old female

m. (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) stated they approached and questioned the occupants of house #3. The occupants of house #3 directed the three Marines next door to house #4. No occupants were harmed in house #3.

n. Four (4) Iraqi civilians were killed in house #4. Weapons were found in house #4; however, the reported number of weapons recovered is inconsistent. The deceased found inside house #4 are as follows:

- 1.) V/AHMED, Jamal Aiad, 39 year-old male
- 2.) V/AHMED, Jasib Aiad, 28 year-old male
- 3.) V/AHMED, Marwan Aiad, 27 year-old male
- 4.) V/AHMED, Kahtan Aiad, 21 year-old male

o. In the evening hours of 19Nov05, Marines conducted a BDA of houses #1, #2 and #4, photographed the deceased, and transported the bodies to the Haditha hospital/morgue between 0100-0200 on 20Nov05.

ACTION

R.NFNF: Utilizing the information contained in Exhibits (1) and (2), interview (b)(6), (b)(7)(C) The Al Asad Airbase Hospital patient log dated 19Nov05, listed (b)(6), (b)(7)(C) as one of the individuals that provided medical treatment to survivors of the attack on house #1, (b)(6), (b)(7)(C) and/or (b)(6), (b)(7)(C) Interview (b)(6), (b)(7)(C) regarding the medical treatment and injuries of the foregoing survivors. Additionally, obtain any information regarding the patients' reports of how they were injured (e.g., actions of the Marines that invaded their home, and the medical evacuation from Haditha to Al Asad). A DEIDS search provided the following regarding (b)(6), (b)(7)(C) contact information: Attached to the Naval Medical Center, 1721 Taussig Blvd., Norfolk, VA 23511. Residence is located at 1900 Bunnell Ct, Virginia Beach, VA 23464. Telephone number is (b)(6), (b)(7)(C)

R.GCMT: Utilizing the information contained in Exhibits (1) and (2), interview Major (b)(6), (b)(7)(C) The Al Asad Airbase Hospital patient log dated 19Nov05, listed MAJOR (b)(6), (b)(7)(C) as one of the individuals that provided medical treatment to survivors of the attack on house #1, (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Interview (b)(6), (b)(7)(C) regarding the medical treatment and injuries of the foregoing survivors. Additionally, obtain any information regarding the patients' reports of how they were injured (e.g., actions of the Marines that invaded their home, and the medical evacuation from Haditha to Al Asad). A DEIDS search provided the following regarding MAJOR (b)(6), (b)(7)(C) contact information: Assignment - W2L8 USA MEDDAC, Fort Campbell, KY

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CONTROL: 13MAR06-MEBJ-0164-7HMA

09May06

42223, (b)(6), (b)(7)(C) Residence listed as (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) A different possible home
telephone number was provided as (b)(6), (b)(7)(C)

R.MEBJ:Identify, locate, and interview the family members of the following three victims that were passengers of the white taxi:

- 1.) V/FLAEH, Akram Hamid
- 2.) V/AHMED, Mohem Tabal
- 3.) V/MUSLEH, Ahmed Khutar

Please note, the family members of the other two (2) victims that were also occupants of the white taxi was interviewed. These family members reported V/ALZAWAI, Kaled and V/ALZAWI, Wagdi were brothers, had been picked up in their neighborhood by the taxi, and were on their way to school/college in Baghdad when they were killed on the morning of 19Nov05. During the interviews of the family members of the three (3) victims listed above, establish the purpose and destination of the victims' travel on 19Nov05, the victims' occupational backgrounds, a description of the victim/the victim's clothing, what possessions the victim had on their person (e.g., suitcase, books, food, clothing, identification cards), and any logical follow-up questions that would provide information regarding whether they were innocent civilians or insurgents. Additionally, ask the family members what they were told regarding the incident and whether they can identify any eyewitnesses.

Utilizing Exhibits (3)-(6) locate, interview, and obtain a sworn statement from the following three interpreters regarding their participation in and knowledge of the events that occurred on 19Nov05. The three interpreters are reportedly located in Haditha city and known to operate out of Firmbase Sparta, Haditha, Iraq:

- 1.) (b)(6), (b)(7)(C)
- 2.)
- 3.)

Attention: SA (b)(6), (b)(7)(C)
Utilizing the Al Asad Hospital Patient Log for 19Nov05 (obtained during prior lead tasking), identify the hospital

liaison officer and with his or her assistance obtain as much identifying information on the patient listed as "#08, EPW, GSW to HEAD and ABDOMEN, URGENT II, BI, (b)(6), (b)(7)(C) HADITHA, TIME IN 1135, TIME OUT 1300, EVAC IN-YES, EVAC OUT-YES, 19-F BAGHDAD, ERC-YES." Also obtain further identifying information of the medical personnel, (b)(6), (b)(7)(C)' listed as Treating patient #08 on 19Nov05. Obtain all medical records from the Combat Surgical Hospital (CSH), Baghdad, Iraq for patient #08 listed above and determine the location of patient #08's remains with the assistance of the CSH liaison officer and Mortuary Affairs.

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CONTROL: 13MAR06-MEBJ-0164-7HMA

09May06

R.SWMY: Interview and obtain a sworn statement from (b)(6), (b)(7)(C) civilian, (b)(6), (b)(7)(C) regarding receipt and knowledge of photographs taken of the deceased on 19Nov05 by (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) USMC 3/1. Additionally, request a pass and seize any electronic media pertaining to the photographs. (b)(6), (b)(7)(C) resides at (b)(6), (b)(7)(C) (b)(7)(C)

R.0024D5: Obtain a mirror image of (b)(6), (b)(7)(C) computer hard drive and identify the existence of any photographs pertaining to the events that occurred on 19Nov05 in Haditha, Iraq.

R.MWPE: Submit preservation letters and obtain subpoenas in an attempt to capture e-mail messages regarding the events that occurred on 19Nov05 from the following e-mail accounts that were provided by co-subjects, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) on 09May06:

- 1.) (b)(6), (b)(7)(C)
- 2.)
- 3.)
- 4.)

R.MWTN: Contact VMU-1, Twentynine Palms, CA, telephone number (760) 830-5681 and obtain the unmanned aerial vehicle (UAV) video footage that reportedly recorded portions of the events in Haditha, Iraq on 19Nov05. The UAV was manually operated by VMU-I on 19Nov05.

Please note: Expeditious handling of all lead tasking is requested. Due to the sensitive nature of this investigation, any anticipated delays in completion of lead tasking should be coordinated with Division Chief (b)(6), (b)(7)(C) at (b)(6), (b)(7)(C) or SA (b)(6), (b)(7)(C)

DISTRIBUTION

NCISHQ (SI): 0023B

ACTION: NFNF (F), GCMT (F), MEBJ (E), SWMY, MWPE, MWTN, 0024D5

INFO: SWND, GCPF

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

08MAY06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA

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

COMMAND/I MEF/11931

MADE AT/MEBJ/NCIS FALLUJAH IRAQ (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE

(A) NCISHQ WAHSHINGTON DC ROI (ACTION)/25APR06

EXHIBITS

- (1) IA: Results of Interview of (b)(6), (b)(7)(C) 04MAY06... (Copy 0023B/MWPE Only)
- (2) IA: Results of Interview of (b)(6), (b)(7)(C) CIV/ 04MAY06... (Copy 0023B/MWPE Only)

NARRATIVE

1. Pursuant to tasking set forth via Reference (A), on 04MAY06, Reporting Agent (RA) interviewed (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) 4th Company, Iraqi Army (IA), at Forward Operating Base (FOB) Sparta, Haditha, Al Anbar Province, Iraq (IZ). (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) were not available to be interviewed, exhibit (1) pertains.

2. On 04MAY06, RA interviewed (b)(6), (b)(7)(C) CIV, at an unmarked residence on Route Zebra, approximately 100 yards south of House 1 in the Al Askari neighborhood of Haditha, IZ. (b)(6), (b)(7)(C) provided details of the events she witnessed in Haditha, IZ on 19NOV05. (b)(6), (b)(7)(C) stated she witnessed U.S. Marines murder three of her relatives, before she departed House 1 en route to her neighbor's home. (b)(6), (b)(7)(C) related she left behind six uninjured relatives at House 1, four of whom were later killed, while two were later injured. (b)(6), (b)(7)(C) advised House 1 was not on fire when she left, exhibit (2) pertains.

ACTION

DIST: Lead tasking complete.

DISTRIBUTION

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INFO: MWPE (E)/MEBJ

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REPORT OF INVESTIGATION (ACTION)

04MAY06

DEATH (II)

CONTROL: 13MAR06-MEJB-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 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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PAGE 1

13MAR06-MEBJ-0164-7HMA

04MAY06

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

(A) NCIS 0023 ROI (ACTION)/25APR06

EXHIBITS

1. IA: Results of Interview/(b)(6), (b)(7)(C) 16Mar06... (Copy NWBR/GCMT only)
2. IA: Results of Interview/(b)(6), (b)(7)(C) r06... (Copy NWBR/GCMT only)
3. IA: Results of Interview/(b)(6), (b)(7)(C) 16Mar06... (Copy NWBR/GCMT only)
4. AR-15-6 Statement of (b)(6), (b)(7)(C) 21Feb06... (Copy NWBR/GCMT only)
5. Statement of (b)(6), (b)(7)(C) Mar06... (Copy NWBR/GCMT only)
6. Statement of (b)(6), (b)(7)(C) Mar06... (Copy NWBR/GCMT only)
7. Statement of (b)(6), (b)(7)(C) 18Mar06... (Copy NWBR/GCMT only)
8. Statement of (b)(6), (b)(7)(C) 02Apr06... (Copy NWBR/GCMT only)
9. Statement of (b)(6), (b)(7)(C) ar06... (Copy NWBR/GCMT only)
10. Statement of (b)(6), (b)(7)(C) APR06... (Copy NWBR/GCMT only)
11. Statement of (b)(6), (b)(7)(C) 9Mar06... (Copy NWBR/GCMT only)
12. Statement of (b)(6), (b)(7)(C) Mar06... (Copy NWBR/GCMT only)
13. Statement of (b)(6), (b)(7)(C) 20Mar06... (Copy NWBR/GCMT only)
14. Statement of (b)(6), (b)(7)(C) r06... (Copy NWBR/GCMT only)
15. Statement of (b)(6), (b)(7)(C) 21Mar06... (Copy NWBR/GCMT only)
16. IA: Results of Interviews/(b)(6), (b)(7)(C) /21Mar06... (Copy NWBR/GCMT only)
17. IA: Results of Interview/(b)(6), (b)(7)(C) 4Mar06... (Copy NWBR/GCMT only)
18. IA: Results of Interview/(b)(6), (b)(7)(C) /22Mar06... (Copy NWBR/GCMT only)
19. IA: Results of Interview/(b)(6), (b)(7)(C) 2Mar06... (Copy NWBR/GCMT only)
20. Statement of (b)(6), (b)(7)(C) 22Mar06... (Copy NWBR/GCMT only)
21. IA: Results of Interview/(b)(6), (b)(7)(C) 3Mar06... (Copy NWBR/GCMT only)
22. IA: Results of Interview/(b)(6), (b)(7)(C) /23Mar0...5 (Copy NWBR/GCMT only)
23. IA: Results of Interview/(b)(6), (b)(7)(C) 4Mar06... (Copy NWBR/GCMT only)
24. IA: Results of Interview/FAMILY MEMBERS of HOUSE #4/01APR06... (Copy NWBR/GCMT only)

NARRATIVE

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

members were conducting a

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PAGE 2

13MAR06-MEBJ-0164-7HMA

04MAY06

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

convoy on route "Chestnut" in Haditha, Al Anbar City, 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) followed by Small Arms Fire (SAF) from the north and south. The complex attack resulted in one Friendly Killed in Action (FKIA) and Friendly(s) Wounded In Action (FWIA). The Marines in the convoy immediately responded to the complex attack by dismounting their vehicles, attending to the injured, and securing a perimeter. According to the Marines involved, they continued to receive SAF after the explosion. Consequently, they broke into fire teams, searched/cleared nearby homes, and identified detainees. The foregoing actions occurred over a period of several hours and 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), made payments to family members for fifteen (15) of the deceased, and transported the dead to the Haditha hospital morgue.

2. Several months later on 10Feb06, a Time magazine reporter contacted the Multi-National Corps-Iraq (MNC-I) regarding information he had 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 12Mar06, Major (b)(6), (b)(7)(C) USMC, requested NCIS to conduct an investigation into the deaths of the Iraqi civilians that occurred on 19Nov05. In turn, on 13Mar06, NCIS initiated the investigation and assigned a team of agents to the Forward Operating Base (FOB) Haditha Dam, Iraq.

4. During the preliminary investigation, several 3/1 Marines and witnesses were interviewed. The interviews were conducted to obtain any information regarding the circumstances surrounding the deaths of twenty-four (24) Iraqi civilians that followed a complex attack of 3/1's convoy in Haditha on 19Nov05. During the interviews, the events covered ranged from the complex attack on 3/1's convoy in the early morning hours on 19Nov05 to the transportation of the twenty-four (24) Iraqi civilians to the Haditha hospital/morgue in the early morning hours of 20Nov05. Information common to various interviews is summarized below:

a. On the morning of 19Nov05, Marines from 3/1 were assigned to a (b)(7)(F) vehicle convoy and tasked to conduct an escort of Iraqi Security Force (ISF) members to the Command Out Post (COP) to relieve ISFs at the Traffic Check Point (TCP), conduct a crypto change and retrieve chow from the COP.

(b)(7)(F)

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PAGE 3

13MAR06-MEBJ-0164-7HMA

04MAY06

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

gunner.

(b)(7)(F)

e. At approximately 0530, the [] vehicle convoy left Firmbase Sparta (located in the city of Haditha), and arrived at the COP at 0630 to conduct their mission. At or around 0700, the convoy departed and attempted to return to Firmbase Sparta.

f. At approximately 0716, the fourth HMMWV in the convoy was struck by an IED. Subsequently, the convoy received SAF and the Marines returned fire in response to the complex attack.

g. In the moments before the explosion, a white vehicle (taxi) approaching the convoy was directed to move off the roadway and complied.

h. After the IED blast, the five male occupants of the white taxi were shot and killed. No weapons were found on the five victims or inside the white taxi. The five deceased are as follows:

- 1.) V/ALZAWI, Kaled Aida, 21 year-old male
- 2.) V/ALZAWI, Wagdi Aida, 20 year-old male
- 3.) V/FLAEH, Akram Hamid, age unknown, adult male
- 4.) V/AHMED, Mohmed Tabal, 21 year-old male
- 5.) V/MUSLEH, Ahmed Khutar, 29 year-old male

Note: The houses referenced throughout the remainder of this report are designated as #1, #2, #3, and #4. The numbers are not the actual street addresses of the houses, but are labeled in the chronological order in which the Marines involved attacked the houses.

i. Six (6) Iraqi civilians were killed in house #1. One (1) Iraqi male was killed near house #1 and is a relative of the deceased killed inside house #1 (hereinafter referred to as the victim from the "ridgeline shooting"). No weapons were found inside house #1. The deceased found inside house #1 are as follows:

- 1.) V/ALI, Abdul Hameed Husin, 76 year-old male
- 2.) V/ALI, Khamisa Tuema, 66 year-old female
- 3.) V/HASAN, Waleed Abdalhamid, 37 year-old male
- 4.) V/HAMEED, Abdullah Waleed Abdul, 4 year-old male
- 5.) V/HASAN, Guhid Abdalhamid, age unknown, adult male
- 6.) V/HASAN, Rasheed Abdalhamid, age unknown, adult male
- 7.) V/RASIF, Asmaa Salman, age unknown, adult female

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PAGE 4

13MAR06-MEBJ-0164-7HMA

04MAY06

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

j. Eight (8) Iraqi civilians were killed in house #2. Five (5) of the eight (8) killed in house #2 were children. No weapons were found inside house #2. The deceased found inside house #2 are as follows:

- 1.) V/RASIF, Yunis Salim, 43 year-old male
- 2.) V/AHMED, Aida Yasin, 40 year-old female
- 3.) V/SALIM, Mohmed Yunis, age unknown, male child
- 4.) V/RASIF, Noor Salim, 13 year-old female
- 5.) V/SALIM, Sebea Yunis, 10 year-old female
- 6.) V/SALIM, Zainab Unes, 5 year-old male
- 7.) V/SALIM, Aisha Unes, 3 year-old female
- 8.) V/AHMED, Huda Yasin, 39 year-old female

k. (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) stated they approached and questioned the occupants of house #3 but did not shoot anyone as they were directed next door to house #4. No victims were killed in house #3.

l. Four (4) Iraqi civilians were killed in house #4. Weapons were reportedly found in house #4; however, the number of weapons recovered is inconsistent. The deceased found inside house #4 are as follows:

- 1.) V/AHMED, Jamal Aiad, 39 year-old male
- 2.) V/AHMED, Jasib Aiad, 28 year-old male
- 3.) V/AHMED, Marwan Aiad, 27 year-old male
- 4.) V/AHMED, Kahtan Aiad, 21 year-old male

m. In the evening hours of 19Nov05, Marines conducted a BDA of houses #1, #2 and #4, photographed the deceased, and transported the

bodies to the Haditha hospital/morgue between 0100-0200 on 20Nov06.

5. On 02May06, Kilo Company, 3rd Battalion, 1st Marine Regiment (3/1), returned to Camp Pendleton, CA from a month of block leave granted to them upon their return from Iraq. Interviews began on 02May06 and additional information is being developed.

ACTION

R.NWBR: Utilizing the information contained in Exhibits (1)-(24), locate, interview and obtain a statement from (b)(6), (b)(7)(C) (I - I) Staff, 4th Landing Support Battalion (LSB), 4th Marine Logistics Group (MLG) Ft. Lewis, WA, telephone (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) was injured in the IED blast on 19Nov05 and should be interviewed regarding his knowledge and participation in the events that occurred on 19Nov05. Expeditious handling of lead tasking is requested. Request telephonic contact with Case Agent (b)(6), (b)(7)(C) at (b)(6), (b)(7)(C) prior to conducting this lead tasking.

R.GCMT: Utilizing the information contained in Exhibits (1)-(24), locate, interview and obtain a statement from

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PAGE 5

13MAR06-MEJB-0164-7HMA

04MAY06

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

(b)(6), (b)(7)(C) who is on terminal leave from the USMC and whose home address is (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) regarding his knowledge and participation in the events that occurred on 19Nov05. Expeditious handling of lead tasking is requested. Request telephonic contact with Case Agent (b)(6), (b)(7)(C) at (b)(6), (b)(7)(C) prior to conducting this lead tasking.

During completion of the interviews with the foregoing identified potential witnesses, please ask the following questions as well as any additional logical follow-on questions that arise during the interviews:

- 1.) Provide a timeline of the events on 19Nov05. Beginning at the time of the IED blast to the end of the day when the Battle Damage Assessment and after brief with senior Marines was conducted. Please note that such information will assist the analysts that are currently working on a timeline in both developing the investigation and in preparation for prosecutorial review/adjudication.

- 2.) Did you observe a white taxi in the vicinity of Chestnut road/location of ambush site? If so, where was it located in proximity to Chestnut road, to Viper road, and to the four-vehicle convoy?
- 3.) Did you witness any Marines and/or ISFs shoot the five Iraqi male occupants of the white taxi? (Specifically, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and ISFs.) If so, provide a detailed account of how the occupants were shot, distance from where the shooter(s) was in relation to the five victims, and the actions of the Iraqi males (e.g., running vs. not running and placing hands to head).
- 4.) Did you observe five deceased Iraqi males near the white taxi? If so, describe any injuries observed, approximate distances of the victims from the white taxi and from one another. Did you or any of the squad/QRF members approach the deceased or white taxi for an assessment? If so, when was the assessment conducted? Provide details of the assessment (e.g., search of white taxi, whether bodies were moved, position of the deceased, etc.).
- 5.) Did you hear and/or observe SAF after the IED blast? If so, provide details as to when you heard SAF, what direction SAF and return fire came from, whether the SAF was identifiable (i.e., AK-47 vs. M-16), the approximate length of time SAF continued after the IED blast, when did the SAF end, and did you observe any armed Iraqi males firing?

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PAGE 6

13MAR06-MEBJ-0164-7HMA

04MAY06

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

- 6.) Throughout the events that followed the IED blast on 19Nov05, what actions did you observe on the part of the following Marines: (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) Did you observe any of these Marines actions in relation to houses #1-#4? What activity, if any, did you observe in or around houses #1-#4 (e.g., insurgents shooting, Iraqis running, Iraqis being placed in two rows outside of house #4)?
- 7.) Did any of the foregoing Marines convey to you what occurred on 19Nov05? If so, provide details. Did they brag about their actions? Did any of the Marines indicate they knowingly shot women and/or children? Did they express regret? Did any of the Marines involved ask you to give a certain account of the events or ask you to lie?

- 8.) Did you participate in the Battle Damage Assessment (BDA)? If so, please provide a description of your participation, of the injuries observed on the deceased, of the locations of the bodies within each house (or outside in the case of the white taxi and ridgeline shootings), how the bodies were positioned, and any assistance provided to the injured survivors. Moreover, list who else was involved in the BDA and what tasks did each individual conduct. Who ordered the BDA? Who ordered that photographs be taken?
- 9.) Were any weapons retrieved/seized on 19Nov05? If so, what type, from where, and from whom? What occurred to the weapons subsequent to seizure? (Ask the same series of questions regarding other items reportedly seized such as suitcases and passports.)
- 10.) What occurred after the BDA was completed? Did you participate in the transportation of the deceased to the Haditha hospital/morgue? Did you attend any after action brief on 19Nov05? If so, what was discussed and who related the information?

DISTRIBUTION

NCISHQ (SI): 0023B

ACTION: MWBG (M)/GCMT(M)

INFO: MEBJ/GCPF/NWBG

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PAGE 7 / LAST V2 LNN

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REPORT OF INVESTIGATION (INTERIM)

01MAY06

DEATH (II)

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

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

COMMAND/I MEF/11931

MADE AT/MEBJ/FALLUJAH IRAQ (b)(6), (b)(7)(C), SPECIAL AGENT

EXECUTIVE SUMMARY

1. On 19Nov05 at approximately 0716, 1st Squad, 3rd Platoon, Kilo Co, 3rd Battalion (3DBN), 1st Marine Division (MARDIV) (3/1), I Marine Expeditionary Force (MEF), and four Iraqi Security Forces (ISF) members were conducting a convoy on route "Chestnut" in Haditha, Al Anbar City, 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) followed by Small Arms Fire (SAF) from the north and south. The complex attack resulted in one Friendly Killed in Action (FKIA) and [redacted] Friendly(s) Wounded In Action (FWIA). The Marines in the convoy immediately responded to the complex attack by dismounting their vehicles, attending to the injured, and securing a perimeter. According to the Marines involved, they continued to receive SAF after the explosion. Consequently, they broke into fire teams, searched/cleared nearby homes, and identified detainees. The foregoing actions occurred over a period of several hours and 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), made payments to family members for fifteen (15) of the deceased, and transported the dead to the Haditha hospital morgue.

2. Several months later on 10Feb06, a Time magazine reporter contacted the Multi-National Corps-Iraq (MNC-I) regarding information he had 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 12Mar06, Major (b)(6), (b)(7)(C) USMC, requested NCIS to conduct an investigation into the deaths of the Iraqi civilians that occurred on 19Nov05. In turn, on 13Mar06, NCIS initiated the investigation and assigned a team of agents to the Forward Operating Base (FOB) Haditha Dam, Iraq.

NARRATIVE

1. This investigation is being conducted as a suspected violation of Uniform Code of Military Justice (UCMJ) Article 118 - Murder.

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PAGE 1

13MAR06-MEJ-0164-7HMA/T

01MAY06

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

2. This investigation is being transferred to NCISHQ due to unique circumstances and the departure of 3BN, 1MARREGT, 1MARDIV from Iraq.

ACTION

R.DIST: This investigation is transferred from MEJ Fallujah Iraq to NCISHQ Code 0023B.

DISTRIBUTION

NCISHQ: 0023B
ACTION: 0023B
INFO: MWPE/MEJ

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PAGE 2 LAST V2 LNY
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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

25APR06

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 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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Page 1 of 7

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL: 13MAR06-MEBJ-0164-7HMA

25Apr06

FOR OFFICIAL USE ONLY 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/0023/NCISHQ WASHINGTON DC, (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCES

- (A) NCIS Camp Fallujah, IZ ROI (OPEN)/13MAR06/I/KILO CO 3DBN 1STMAR, I MEF/ALLEGED VIOLATIONS OF LAW OF ARMED CONFLICT IN HADITHA, IZ
- (B) NCISHQ Washington DC ROI (ACTION)/17APR06

EXHIBITS

- (1) AR-15-6 Statement of (b)(6), (b)(7)(C) /21Feb06... (Copy All)
- (2) Statement of (b)(6), (b)(7)(C) Mar06... (Copy All)
- (3) Statement of (b)(6), (b)(7)(C) Mar06... (Copy All)
- (4) Statement of (b)(6), (b)(7)(C) 18Mar06... Copy All)
- (5) Statement of (b)(6), (b)(7)(C) 02Apr06... (Copy All)
- (6) Statement of (b)(6), (b)(7)(C) ar06... (Copy All)
- (7) Statement of (b)(6), (b)(7)(C) PR06... (Copy All)
- (8) Statement of (b)(6), (b)(7)(C) 19Mar06... (Copy All)
- (9) Statement of (b)(6), (b)(7)(C) 9Mar06... (Copy All)
- (10) Statement of (b)(6), (b)(7)(C) 20Mar06... (Copy All)
- (11) Statement of (b)(6), (b)(7)(C) 20Mar06... (Copy All)
- (12) IA: Results of Interview (b)(6), (b)(7)(C) r/23Mar06... (Copy All)
- (13) IA: Results of Interview (b)(6), (b)(7)(C) 24Mar06... (Copy All)
- (14) IA: Results of Interview (b)(6), (b)(7)(C) /15Mar06... (Copy MEBJ only)
- (15) IA: Results of Interview (b)(6), (b)(7)(C) 5Mar06... (Copy MEBJ only)
- (16) IA: Results of Interview (b)(6), (b)(7)(C) /15Mar06... (Copy MEBJ only)
- (17) IA: Results of Interview (b)(6), (b)(7)(C) 15Mar06... (Copy MEBJ only)
- (18) IA: Review of Medical Records at Al Asad Hospital/27Mar06... (Copy MEBJ only)

NARRATIVE

1. On 19Nov05 at approximately 0716, 1st Squad, 3rd Platoon, Kilo Co, 3rd Battalion (3DBN), 1st Marine Division (MARDIV) (3/1), I Marine Expeditionary Force (MEF), and four Iraqi Security Forces (ISF) members were conducting a convoy on route "Chestnut" in Haditha, Al Anbar City, 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) followed by Small Arms Fire (SAF) from the north and south. The complex attack resulted in one

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL: 13MAR06-MEBJ-0164-7HMA

25Apr06

Friendly Killed in Action (FKIA) and [] Friendly(s) Wounded In Action (FWIA). The Marines in the convoy immediately responded to the complex attack by dismounting their vehicles, attending to the injured, and securing a perimeter. According to the Marines involved, they continued to receive SAF after the explosion. Consequently, they broke into fire teams, searched/cleared nearby homes, and identified detainees. The foregoing actions occurred over a period of several hours and 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), made payments to family members for fifteen (15) of the deceased, and transported the dead to the Haditha hospital morgue.

2. Several months later on 10Feb06, a Time magazine reporter contacted the Multi-National Corps-Iraq (MNC-I) regarding information he had 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 12Mar06, Major [(b)(6), (b)(7)(C)] USMC, requested NCIS to conduct an investigation into the deaths of the Iraqi civilians that occurred on 19Nov05. In turn, on 13Mar06, NCIS initiated the investigation and assigned a team of agents to the Forward Operating Base (FOB) Haditha Dam, Iraq.

4. From 16Mar - 03Apr06, several 3/1 Marines and witnesses were interviewed. The interviews were conducted to obtain any information regarding the circumstances surrounding the deaths of twenty-four (24) Iraqi civilians that followed a complex attack on 3/1's convoy in Haditha on 19Nov05. During the interviews, the events covered ranged from the complex attack on 3/1's convoy in the early morning hours on 19Nov05 to the transportation of the twenty-four (24) Iraqi civilians to the Haditha hospital/morgue in the early morning hours of 20Nov05. Information common to various interviews is summarized below:

a. On the morning of 19Nov05, Marines from 3/1 were assigned to a [(b)(7)(F)]-vehicle convoy and tasked to conduct an escort of Iraqi Security Force (ISF) members to the Command Out Post (COP) to relieve ISFs at the Traffic Check Point (TCP), conduct a crypto change and retrieve chow from the COP.

[(b)(7)(F)]

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL: 13MAR06-MERL-0164-7HMA

25Apr06

(b)(7)(F)

f. At approximately 0530, the (b)(7)(F) vehicle convoy left Firmbase Sparta (located in the city of Haditha), and arrived at the COP at 0630 to conduct their mission. At or around 0700, the convoy departed and attempted to return to Firmbase Sparta.

g. At or around 0716, the fourth HMMWV in the convoy was struck by an IED. The convoy then received SAF and the Marines returned fire in response to the complex attack.

h. In the moments before the explosion, a white vehicle (taxi) approaching the convoy was reportedly waved off of the roadway and complied. (The taxi was later found off the roadway and searched.)

i. After the IED blast, the five male occupants of the taxi were shot and killed. No weapons were found on the five victims or inside the taxi. The five deceased are as follows:

- 1.) V/ALZAWI, Kaled Aida, 21 year-old male
- 2.) V/ALZAWI, Wagdi Aida, 20 year-old male
- 3.) V/FLAEH, Akram Hamid, age unknown, adult male
- 4.) V/AHMED, Mohmed Tabal, 21 year-old male
- 5.) V/MUSLEH, Ahmed Khutar, 29 year-old male

j. Within minutes of the complex attack, the Quick Reaction Force (QRF) located at Firmbase Sparta, Haditha, Iraq was notified of the IED blast and arrived on-scene. The QRF consisted of several members from 3rd squad, 3rd platoon, Kilo company, 3/1.

Note: The houses referenced throughout the remainder of this report are designated as #1, #2, #3, and #4. The numbers are not the actual street addresses of the houses, but are labeled in the chronological order in which the houses were attacked by the Marines involved.

k. Six (6) Iraqi civilians were killed in house #1. One (1) additional Iraqi male was killed near house #1 and is a relative of those killed inside house #1. (He is hereinafter referred to as the "ridgeline shooting victim.") No weapons were found inside house #1. The deceased associated with house #1 are as follows:

- 1.) V/ALI, Abdul Hameed Husin, 76 year-old male
- 2.) V/ALI, Khamisa Tuema, 66 year-old female
- 3.) V/HASAN, Waleed Abdalhamid, 37 year-old male
- 4.) V/HAMEED, Abdullah Waleed Abdul, 4 year-old male
- 5.) V/HASAN, Guhid Abdalhamid, age unknown, adult male
- 6.) V/HASAN, Rasheed Abdalhamid, age unknown, adult male
(ridgeline shooting victim)
- 7.) V/RASIF, Asmaa Salman, age unknown, adult female

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL: 13MAR06-MEBJ-0164-7HMA

25Apr06

l. Eight (8) Iraqi civilians were killed in house #2. Five (5) of the eight (8) killed in house #2 were children. No weapons were found inside house #2. The deceased found inside house #2 are as follows:

- 1.) V/RASIF, Yunis Salim, 43 year-old male
- 2.) V/AHMED, Aida Yasin, 40 year-old female
- 3.) V/SALIM, Mohmed Yunis, age unknown, male child
- 4.) V/RASIF, Noor Salim, 13 year-old female
- 5.) V/SALIM, Sebea Yunis, 10 year-old female
- 6.) V/SALIM, Zainab Unes, 5 year-old male
- 7.) V/SALIM, Aisha Unes, 3 year-old female
- 8.) V/AHMED, Huda Yasin, 39 year-old female

m. (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) stated they approached and questioned the occupants of house #3. The occupants of house #3 directed the three Marines next door to house #4. No one was killed in house #3.

n. Four (4) Iraqi civilians were killed in house #4. Weapons were found in house #4; however, the reported number of weapons recovered is inconsistent. The deceased found inside house #4 are as follows:

- 1.) V/AHMED, Jamal Aiad, 39 year-old male
- 2.) V/AHMED, Jasib Aiad, 28 year-old male
- 3.) V/AHMED, Marwan Aiad, 27 year-old male
- 4.) V/AHMED, Kahtan Aiad, 21 year-old male

o. In the evening hours of 19Nov05, Marines conducted a BDA of houses #1, #2 and #4, photographed the deceased, and transported the bodies to the Haditha hospital/morgue between 0100-0200 on 20Nov05. Exhibits (2)-(52) pertain.

ACTION

R.MEBJ: Utilizing the information contained in Exhibits (1)-(15), locate and interview (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) are ISF members that previously were attached to the Iraqi Army's 4th Company and have been identified as participating in the convoy that was struck on 19Nov05. After 19Nov05, (b)(6), (b)(7)(C) resigned and (b)(6), (b)(7)(C) was reportedly on vacation (but has not returned to duty since). Utilizing the information contained in Exhibits (1)-(17), locate and interview (b)(6), (b)(7)(C) a survivor of the attack on house #1.

Utilizing the information contained in Exhibits (16)-(18), obtain a copy of the computerized patient log located at the hospital aboard the Al Asad Airbase, Iraq and referred to in Exhibit (18). Additionally, locate and obtain a copy of the medical records for (b)(6), (b)(7)(C) from the treatment center known as "Medical City," international zone, Bagdad, Iraq.

R.MWPE: Utilizing the information and exhibits previously provided

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL: 13MAR06-MEBJ-0164-7HMA

25Apr06

via Reference (B), locate and interview the following 3/1 Marines regarding their knowledge and participation in the events that occurred on 19Nov05:

- 1.) (b)(6). (b)(7)(C) (Identified as a BDA participant.)
- 2.) Identified as a BDA participant.)
- 3.) Identified as on site on 19Nov05.)

During completion of interviews with the foregoing identified potential witnesses, please ask the following questions as well as any additional logical follow-on questions that arise during the interviews:

- 1.) Provide a timeline of the events on 19Nov05. Beginning at the time of the IED blast to the end of the day when the Battle Damage Assessment and after brief with senior Marines was conducted. Please note that such information will assist the analysts that are currently working on a timeline in both developing the investigation and in preparation for prosecutorial review/adjudication.
- 2.) Did you observe a white taxi in the vicinity of Chestnut road/location of ambush site? If so, where was it located in proximity to Chestnut road, to Viper road, and to the (b)(7)(F) vehicle convoy?
- 3.) Did you witness any Marines and/or ISFs shoot the five Iraqi male occupants of the white taxi? (Specifically, (b)(6). (b)(7)(C) (b)(6). (b)(7)(C) (b)(6). and ISFs.) If so, provide a detailed account of how (b)(7)(C) the occupants were shot, distance from where the shooter(s) was in relation to the five victims, and the actions of the Iraqi males (e.g., running vs. not running and placing hands to head).
- 4.) Did you observe five deceased Iraqi males near the white taxi? If so, describe any injuries observed, approximate distances of the victims from the white taxi and from one another. Did you or any of the squad/QRF members approach the deceased or white taxi for an assessment? If so, when was the assessment conducted? Provide details of the assessment (e.g., search of white taxi, whether bodies were moved, position of the deceased, etc.).
- 5.) Did you hear and/or observe SAF after the IED blast? If so, provide details as to when you heard SAF, what direction SAF and return fire came from, whether the SAF was identifiable (i.e., AK-47 vs. M-16), the approximate length of time SAF continued after the IED blast, when did the SAF end, and did you observe any armed Iraqi males firing?
- 6.) Throughout the events that followed the IED blast on 19Nov05, what actions did you observe on the part of the following Marines: (b)(6). (b)(7)(C) (b)(6). (b)(7)(C) (b)(6). (b)(6). (b)(6). and (b)(6). (b)(7)(C) (b)(7)(C) Did you observe any of these Marines' actions in relation to houses #1-#4? What activity, if any, did you observe in or around houses #1-#4 (e.g., insurgents shooting, Iraqis running, Iraqis being placed in two rows outside of house #4)?
- 7.) Did any of the foregoing Marines convey to you what

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL: 13MAR06-MEBJ-0164-7HMA

25Apr06

occurred on 19Nov05? If so, provide details. Did they brag about their actions? Did any of the Marines indicate they knowingly shot women and/or children? Did they express regret? Did any of the Marines involved ask you to give a certain account of the events or ask you to lie?

8.) Did you participate in the Battle Damage Assessment (BDA)? If so, please provide a description of your participation, of the injuries observed on the deceased, of the locations of the bodies within each house (or outside in the case of the white taxi and ridgeline shootings), how the bodies were positioned, and any assistance provided to the injured survivors. Moreover, list who else was involved in the BDA and what tasks did each individual conduct. Who ordered the BDA? Who ordered that photographs be taken?

9.) Were any weapons retrieved/seized on 19Nov05? If so, what type, from where, and from whom? What occurred to the weapons subsequent to seizure? (Ask the same series of questions regarding other items reportedly seized such as suitcases and passports.)

10.) What occurred after the BDA was completed? Did you participate in the transportation of the deceased to the Haditha hospital/morgue? Did you attend any after action brief on 19Nov05? If so, what was discussed and who related the information?

Utilizing the information and exhibits previously provided via Reference (B), locate and re-interview the following 3/1 Marines regarding their knowledge and participation in the events that occurred on 19Nov05. (SA (b)(6), (b)(7)(C) will provide a list of questions for each interviewee via hand delivery on 02May06):

- 1.) (b)(6), (b)(7)(C)
- 2.)
- 3.)
- 4.)
- 5.)
- 6.)
- 7.)

Please note: Expeditious handling of lead tasking is

requested on all lead tasking.

DISTRIBUTION

NCISHQ (SI): 0023B

ACTION: MWPE (H), MEBJ (E)

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

V2 LNY

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REPORT OF INVESTIGATION (ACTION)

17APR06

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 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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Page 1 of 7

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL: 13MAR06-MEJ-0164-7HMA

17Apr06

FOR OFFICIAL USE ONLY 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/0023/NCISHQ WASHINGTON DC (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE

- (A) NCIS Camp Fallujah, IZ ROI (OPEN)/13MAR06/I/KILO CO 3DBN 1STMAR,
I MEF/ALLEGED VIOLATIONS OF LAW OF ARMED CONFLICT IN HADITHA, IZ

EXHIBITS

- 1. IA: Results of Interview (b)(6), (b)(7)(C) 16Mar06... (Copy MWPE only)
- 2. IA: Results of Interview (b)(6), (b)(7)(C) 16Mar06... (Copy MWPE only)
- 3. IA: Results of Interview (b)(6), (b)(7)(C) 16Mar06... (Copy MWPE only)
- 4. AR-15-6 Statement of (b)(6), (b)(7)(C) 21Feb06... (Copy MWPE only)
- 5. Statement of (b)(6), (b)(7)(C) 16Mar06... (Copy MWPE only)
- 6. Statement of (b)(6), (b)(7)(C) 16Mar06... (Copy MWPE only)
- 7. Statement of (b)(6), (b)(7)(C) 18Mar06... (Copy MWPE only)
- 8. Statement of (b)(6), (b)(7)(C) 22Apr06... (Copy MWPE only)
- 9. Statement of (b)(6), (b)(7)(C) 19Mar06... (Copy MWPE only)
- 10. Statement of (b)(6), (b)(7)(C) 03APR06... (Copy MWPE only)
- 11. Statement of (b)(6), (b)(7)(C) 19Mar06... (Copy MWPE only)
- 12. Statement of (b)(6), (b)(7)(C) 19Mar06... (Copy MWPE only)
- 13. Statement of (b)(6), (b)(7)(C) 20Mar06... (Copy MWPE only)
- 14. Statement of (b)(6), (b)(7)(C) 20Mar06... (Copy MWPE only)
- 15. Statement of (b)(6), (b)(7)(C) 21Mar06... (Copy MWPE only)
- 16. IA: Results of Interviews (b)(6), (b)(7)(C) 21Mar06... (Copy MWPE only)
- 17. IA: Results of Interview (b)(6), (b)(7)(C) 21Mar06... (Copy MWPE only)
- 18. IA: Results of Interview (b)(6), (b)(7)(C) 22Mar06... (Copy MWPE only)
- 19. IA: Results of Interview (b)(6), (b)(7)(C) 22Mar06... (Copy MWPE only)
- 20. Statement of (b)(6), (b)(7)(C) 22Mar06... (Copy MWPE only)
- 21. IA: Results of Interview (b)(6), (b)(7)(C) 23Mar06... (Copy MWPE only)
- 22. IA: Results of Interview (b)(6), (b)(7)(C) 23Mar06... (Copy MWPE only)
- 23. IA: Results of Interview (b)(6), (b)(7)(C) 23Mar06... (Copy MWPE only)
- 24. IA: Results of Interview/FAMILY MEMBERS of HOUSE #4/01APR06... (Copy MWPE only)

NARRATIVE

1. On 19Nov05 at approximately 0716, 1st Squad, 3rd Platoon, Kilo Co, 3rd Battalion (3DBN), 1st Marine Division (MARDIV) (3/1), I Marine Expeditionary Force (MEF), and four Iraqi Security Forces (ISF) members were conducting a convoy on route "Chestnut" in Haditha, Al Anbar City, Iraq when they received a complex attack (i.e., an attack

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL: 13MAR06-MEBJ-0164-7HMA

17Apr06

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) followed by Small Arms Fire (SAF) from the north and south. The complex attack resulted in one Friendly Killed in Action (FKIA) and [redacted] Friendly(s) Wounded In Action (FWIA). The Marines in the convoy immediately responded to the complex attack by dismounting their vehicles, attending to the injured, and securing a perimeter. According to the Marines involved, they continued to receive SAF after the explosion. Consequently, they broke into fire teams, searched/cleared nearby homes, and identified detainees. The foregoing actions occurred over a period of several hours and 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), made payments to family members for fifteen (15) of the deceased, and transported the dead to the Haditha hospital morgue.

2. Several months later on 10Feb06, a Time magazine reporter contacted the Multi-National Corps-Iraq (MNC-I) regarding information he had 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 12Mar06, Major [redacted] (b)(6), (b)(7)(C) USMC, requested NCIS to conduct an investigation into the deaths of the Iraqi civilians that occurred on 19Nov05. In turn, on 13Mar06, NCIS initiated the investigation and assigned a team of agents to the Forward Operating Base (FOB) Haditha Dam, Iraq.

4. During the preliminary investigation, several 3/1 Marines and witnesses were interviewed. The interviews were conducted to obtain any information regarding the circumstances surrounding the deaths of twenty-four (24) Iraqi civilians that followed a complex attack of 3/1's convoy in Haditha on 19Nov05. During the interviews, the events covered ranged from the complex attack on 3/1's convoy in the early morning hours on 19Nov05 to the transportation of the twenty-four (24) Iraqi civilians to the Haditha hospital/morgue in the early morning hours of 20Nov05. Information common to various interviews is summarized below:

a. On the morning of 19Nov05, Marines from 3/1 were assigned to a [redacted] vehicle convoy and tasked to conduct an escort of Iraqi Security Force (ISF) members to the Command Out Post (COP) to relieve ISFs at the Traffic Check Point (TCP), conduct a crypto change and retrieve chow from the COP.

[redacted] (b)(7)(F)

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CONTROL: 13MAR06-MEBJ-0164-7HMA

17Apr06

(b)(7)(F)

e. At approximately 0530, the (b)(7)(F) vehicle convoy left Firmbase Sparta (located in the city of HADITHA), and arrived at the COP at 0630 to conduct their mission. At or around 0700, the convoy departed and attempted to return to Firmbase Sparta.

f. At approximately 0716, the fourth HMMWV in the convoy was struck by an IED. Subsequently, the convoy received SAF and the Marines returned fire in response to the complex attack.

g. In the moments before the explosion, a white vehicle (taxi) approaching the convoy was directed to move off the roadway and complied.

h. After the IED blast, the five male occupants of the white taxi were shot and killed. No weapons were found on the five victims or inside the white taxi. The five deceased are as follows:

- 1.) V/ALZAWI, Kaled Aida, 21 year-old male
- 2.) V/ALZAWI, Wagdi Aida, 20 year-old male
- 3.) V/FLAEH, Akram Hamid, age unknown, adult male
- 4.) V/AHMED, Mohmed Tabal, 21 year-old male
- 5.) V/MUSLEH, Ahmed Khutar, 29 year-old male

Note: The houses referenced throughout the remainder of this report are designated as #1, #2, #3, and #4. The numbers are not the actual street addresses of the houses, but are labeled in the chronological order in which the houses were attacked by the Marines involved.

i. Six (6) Iraqi civilians were killed in house #1. One (1) Iraqi male was killed near house #1 and is a relative of the deceased killed inside house #1 (hereinafter referred to as the victim from the "ridgeline shooting"). No weapons were found inside house #1. The deceased found inside house #1 are as follows:

- 1.) V/ALI, Abdul Hameed Husin, 76 year-old male
- 2.) V/ALI, Khamisa Tuema, 66 year-old female
- 3.) V/HASAN, Waleed Abdalhamid, 37 year-old male
- 4.) V/HAMEED, Abdullah Waleed Abdul, 4 year-old male
- 5.) V/HASAN, Guhid Abdalhamid, age unknown, adult male
- 6.) V/HASAN, Rasheed Abdalhamid, age unknown, adult male
- 7.) V/RASIF, Asmaa Salman, age unknown, adult female

j. Eight (8) Iraqi civilians were killed in house #2. Five (5) of the eight (8) killed in house #2 were children. No weapons were found inside house #2. The deceased found inside house #2 are as follows:

- 1.) V/RASIF, Yunis Salim, 43 year-old male

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL: 13MAR06-MEBJ-0164-7HMA

17Apr06

- 2.) V/AHMED, Aida Yasin, 40 year-old female
- 3.) V/SALIM, Mohmed Yunis, age unknown, male child
- 4.) V/RASIF, Noor Salim, 13 year-old female
- 5.) V/SALIM, Sebea Yunis, 10 year-old female
- 6.) V/SALIM, Zainab Unes, 5 year-old male
- 7.) V/SALIM, Aisha Unes, 3 year-old female
- 8.) V/AHMED, Huda Yasin, 39 year-old female

k. (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) stated they approached and questioned the occupants of house #3 but did not shoot anyone as they were directed next door to house #4. No victims were killed in house #3.

l. Four (4) Iraqi civilians were killed in house #4. Weapons were reportedly found in house #4; however, the number of weapons recovered is inconsistent. The deceased found inside house #4 are as follows:

- 1.) V/AHMED, Jamal Aiad, 39 year-old male
- 2.) V/AHMED, Jasib Aiad, 28 year-old male
- 3.) V/AHMED, Marwan Aiad, 27 year-old male
- 4.) V/AHMED, Kahtan Aiad, 21 year-old male

m. In the evening hours of 19Nov05, Marines conducted a BDA of houses #1, #2 and #4, photographed the deceased, and transported the bodies to the Haditha hospital/morgue between 0100-0200 on 20Nov06.

ACTION

R.MWPE: Conduct Service Record Book (SRB) reviews of (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) Additionally, conduct an Officer Qualification Record (OQR) review of (b)(6), (b)(7)(C) USMC. Document and forward relevant information from the Marines' respective SRB and OQR records (e.g., history of violence, derogatory information, and evidence in training of Rules of Engagement (ROE), Tactics, Techniques, and Procedures (TTP), Escalation of Force (EOF) procedures, and Positive Identification (PID)).

Conduct medical/psychological record reviews of (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)

Document and forward relevant information from the Marines' respective medical/psychological records (e.g., counseling received, psychiatric treatment, and issues presented during any post combat evaluation).

Utilizing the information contained in Exhibits (1)-(24), locate and interview the following 3/1 Marines regarding their knowledge and participation in the events that occurred on 19Nov05:

- 1.)
- 2.)
- 3.)
- 4.)
- 5.)
- 6.)
- 7.)

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CONTROL: 13MAR06-MEBJ-0164-7HMA

17Apr06

- 8.)
- 9.)
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- 20.)
- 21.)
- 22.)
- 23.)
- 24.)
- 25.)
- 26.)
- 27.)

During completion of the screening interviews with the foregoing identified potential witnesses, please ask the following questions as well as any additional logical follow-on questions that arise during the interviews:

- 1.) Provide a timeline of the events on 19Nov05. Beginning at the time of the IED blast to the end of the day when the Battle Damage Assessment and after brief with senior Marines was conducted. Please note that such information will assist the analysts that are currently working on a timeline in both developing the investigation and in preparation for prosecutorial review/adjudication.
- 2.) Did you observe a white taxi in the vicinity of Chestnut road/location of ambush site? If so, where was it located in proximity to Chestnut road, to Viper road, and to the four-vehicle convoy?
- 3.) Did you witness any Marines and/or ISFs shoot the five Iraqi male occupants of the white taxi? (Specifically, (b)(6), (b)(7)(C) and ISFs.) If so, provide a detailed account of how the occupants were shot, distance from where the shooter(s) was in relation to the five victims, and the actions of the Iraqi males (e.g., running vs. not running and placing hands to head).
- 4.) Did you observe five deceased Iraqi males near the white taxi? If so, describe any injuries observed, approximate distances of the victims from the white taxi and from one another. Did you or any of the squad/QRF members approach the deceased or white taxi for an assessment? If so, when was the assessment conducted? Provide details of the assessment (e.g., search of white taxi, whether bodies were moved, position of the deceased, etc.).
- 5.) Did you hear and/or observe SAF after the IED blast? If so, provide details as to when you heard SAF, what direction SAF and return fire came from, whether the SAF was identifiable (i.e., AK-47 vs. M-16), the approximate length of time SAF continued after the IED blast, when did the SAF end, and did you observe any armed Iraqi males firing?

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CONTROL: 13MAR06-MEBJ-0164-7HMA

17Apr06

6.) Throughout the events that followed the IED blast on 19Nov05, what actions did you observe on the part of the following Marines:

(b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) Did you observe any of these Marines actions in relation to houses #1-#4? What activity, if any, did you observe in or around houses #1-#4 (e.g., insurgents shooting, Iraqis running, Iraqis being placed in two rows outside of house #4)?

7.) Did any of the foregoing Marines convey to you what occurred on 19Nov05? If so, provide details. Did they brag about their actions? Did any of the Marines indicate they knowingly shot women and/or children? Did they express regret? Did any of the Marines involved ask you to give a certain account of the events or ask you to lie?

8.) Did you participate in the Battle Damage Assessment (BDA)? If so, please provide a description of your participation, of the injuries observed on the deceased, of the locations of the bodies within each house (or outside in the case of the white taxi and ridgeline shootings), how the bodies were positioned, and any assistance provided to the injured survivors. Moreover, list who else was involved in the BDA and what tasks did each individual conduct. Who ordered the BDA? Who ordered that photographs be taken?

9.) Were any weapons retrieved/seized on 19Nov05? If so, what type, from where, and from whom? What occurred to the weapons subsequent to seizure? (Ask the same series of questions regarding other items reportedly seized such as suitcases and passports.)

10.) What occurred after the BDA was completed? Did you participate in the transportation of the deceased to the Haditha hospital/morgue? Did you attend any after action brief on 19Nov05? If so, what was discussed and who related the information?

Please note: Expeditious handling of lead tasking is requested.

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ACTION: MWPE (F)

INFO: MEBJ

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

12APR06

DEATH (II)

CONTROL: 13MAR06-MEJ-0164-7HMA

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

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, AN ALBAR 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/11931

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

EXHIBITS

- (1) Excerpts from the U.S. Army 15-6 Investigation of 3/1 Marine
19Nov05 Haditha Complex Attack/03Mar06... (Copy All)
- (2) IA: Results of Interview (b)(6), (b)(7)(C) 16Mar06... (Copy All)
- (3) IA: Results of Interview (b)(6), (b)(7)(C) 06... (Copy All)
- (4) IA: Results of Interview (b)(6), (b)(7)(C) 06... (Copy All)
- (5) AR-15-6 Statement of (b)(6), (b)(7)(C) 21Feb06... (Copy All)
- (6) Military Suspect's Acknowledgement and Cleansing Waiver of
Rights (b)(6), (b)(7)(C) /18Mar06... (Copy All)
- (7) Military Suspect's Acknowledgement and Cleansing Waiver of
Rights (b)(6), (b)(7)(C) /18Mar06... (Copy All)
- (8) Statement of (b)(6), (b)(7)(C) 18Mar06... (Copy All)
- (9) Military Suspect's Acknowledgement and Cleansing Waiver of
Rights (b)(6), (b)(7)(C) /18Mar06... (Copy All)
- (10) Statement of (b)(6), (b)(7)(C) /18Mar06... (Copy All)
- (11) IA: Results of Polygraph Examination of
(b)(6), (b)(7)(C) 02Apr06... (Copy All)
- (12) Military Suspect's Acknowledgement and Cleansing Waiver of
Rights (b)(6), (b)(7)(C) /18Mar06... (Copy All)
- (13) Statement of (b)(6), (b)(7)(C) /18Mar06... (Copy All)
- (14) Military Suspect's Acknowledgement and Waiver of Rights (b)(6),
(b)(7)(C) 02Apr06... (Copy All)
- (15) Polygraph Examination Waiver (b)(6), (b)(7)(C) /02APR06... (Copy All)
- (16) Statement of (b)(6), (b)(7)(C) /02Apr06... (Copy All)
- (17) Military Suspect's Acknowledgement and Cleansing Waiver of
Rights (b)(6), (b)(7)(C) /18Mar06... (Copy All)
- (18) Statement of (b)(6), (b)(7)(C) /19Mar06... (Copy All)
- (19) IA: Results of Interview of (b)(6), (b)(7)(C) 03APR06... (Copy All)
- (20) Military Suspect's Acknowledgement and Cleansing Waiver of
Rights (b)(6), (b)(7)(C) /19Mar06... (Copy All)
- (21) Statement of (b)(6), (b)(7)(C) /19Mar06... (Copy All)
- (22) Results of Polygraph Examination of (b)(6), (b)(7)(C) 02Apr06... (Copy
All)
- (23) IA: Results of Interview (b)(6), (b)(7)(C) 24Mar06... (Copy All)
- (24) Military Suspect's Acknowledgement and Cleansing Waiver of
Rights (b)(6), (b)(7)(C) /19Mar06... (Copy All)
- (25) Statement of (b)(6), (b)(7)(C) /19Mar06... (Copy All)

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- (26) Statement of (b)(6), (b)(7)(C) 06... (Copy All)
- (27) Statement of (b)(6), (b)(7)(C) /20Mar06... (Copy All)
- (28) Statement of (b)(6), (b)(7)(C) 1Mar06... (Copy All)
- (29) IA: Seizure of (b)(6), (b)(7)(C) Camera/21Mar06... (Copy All)
- (30) IA: Results of Interviews (b)(6), (b)(7)(C) 21Mar06... (Copy All)
- (31) IA: Results of Interview (b)(6), (b)(7)(C) Mar06... (Copy All)
- (32) IA: Results of Interview (b)(6), (b)(7)(C) /21Mar06... (Copy All)
- (33) IA: Results of Interview (b)(6), (b)(7)(C) Mar06... (Copy All)
- (34) IA: Results of Interview (b)(6), (b)(7)(C) Mar06... (Copy All)
- (35) Statement of (b)(6), (b)(7)(C) 22Mar06... (Copy All)
- (36) Statement of (b)(6), (b)(7)(C) 22Mar06... (Copy All)
- (37) IA: Results of Permissive Search of (b)(6), (b)(7)(C) Residence/22Mar06... (Copy All)
- (38) IA: Results of Interview (b)(6), (b)(7)(C) .. (Copy All)
- (39) IA: Results of Interview (b)(6), (b)(7)(C) (Copy All)
- (40) IA: Results of Interview (b)(6), (b)(7)(C) . (Copy All)
- (41) IA: Results of Interview (b)(6), (b)(7)(C) Copy All)
- (42) IA: Results of Interview (b)(6), (b)(7)(C) 6... (Copy All)
- (43) IA: Results of Interview (b)(6), (b)(7)(C) Mar06... (Copy All)
- (44) IA: Results of Interview (b)(6), (b)(7)(C) Copy All)
- (45) IA: Results of Interview (b)(6), (b)(7)(C) /15Mar06... (Copy All)
- (46) IA: Results of Interview (b)(6), (b)(7)(C) 15Mar06... (Copy All)
- (47) IA: Results of Interview (b)(6), (b)(7)(C) 20Mar06... (Copy All)
- (48) IA: Receipt of Death Certificates (b)(6), (b)(7)(C) 15Mar06... (Copy All)
- (49) IA: Results of Interview/FAMILY MEMBERS of HOUSE #4/29Mar06... (Copy All)
- (50) IA: Results of Interview (b)(6), (b)(7)(C) r06... (Copy All)
- (51) IA: Results of Interview (b)(6), (b)(7)(C) Apr06... (Copy All)
- (52) IA: Seizure of Weapons/2 (b)(6), (b)(7)(C) Copy All)
- (53) IA: Results of Interview (b)(6), (b)(7)(C) 23Mar06... (Copy All)
- (54) IA: Seizure of Evidence/24Mar06... (Copy All)
- (55) IA: Receipt of (b)(6), (b)(7)(C) s Rifle/28Mar06... (Copy All)
- (56) IA: Review of Medical Records at Al Asad Hospital/27Mar06... (Copy All)
- (57) IA: Results of Interview/Results of Exhumation Request/30Mar06... (Copy All)

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 four Iraqi Security Forces (ISF) members were conducting a convoy on route "Chestnut" in Haditha City, 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) followed by small arms fire (SAF) from the south. The complex attack resulted in one friendly killed in action (FKIA) and (b)(6), (b)(7)(C) friendlies wounded in action (FWIA). The Marines in the convoy immediately responded to the complex attack 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 nearby homes, and identified detainees. Over a period of several hours (b)(6), (b)(7)(C) and co-

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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, 2d Marine Division issued a press release that reported the attack on 19Nov05 as resulting in the deaths of one 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, the Commanding General, MNC-I appointed an Investigating Officer (IO), COL (b)(6), (b)(7)(C) USA, to conduct an Army Regulation (AR) 15-6 investigation of the circumstances surrounding the deaths in Haditha. On 03Mar06, COL (b)(6), (b)(7)(C) submitted the results of the investigation, which validated many of the Marines' actions; however, he also found that Marines failed to conduct Positive Identification (PID) when engaging individuals in the homes they searched and cleared on 19Nov05.

4. On 12Mar06, Major (b)(6), (b)(7)(C) USMC, requested that NCIS conduct an investigation into the deaths of the Iraqi civilians killed by Kilo Company Marines on 19Nov05. On 13Mar06, NCIS initiated the investigation and a team of agents traveled to the Forward Operating Base (FOB) Haditha Dam, Iraq. The investigative efforts included a preliminary death scene examination, interviews/interrogations/re-interrogations of several 3/1 Marines, and interviews of numerous witnesses.

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. On 13Mar06, NCIS initiated this investigation upon receipt of Major General (b)(6), (b)(7)(C) request. A copy of MNC-I's AR 15-6 command investigation regarding the events of 19Nov05 was obtained, and includes sworn statements provided by (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and several other involved 3/1 Marines. Exhibit (1) pertains.

3. From 16Mar - 03Apr06, several 3/1 Marines and witnesses were interviewed. The interviews were conducted to obtain any information regarding the circumstances surrounding the deaths of twenty-four (24) Iraqi civilians that followed the attack on 3/1's convoy in Haditha on 19Nov05. During the interviews, the events covered ranged from the attack on 3/1's convoy in the early morning hours on 19Nov05 to the transportation of the twenty-four (24) Iraqi civilians to the Haditha hospital/morgue in the early morning hours of 20Nov05.

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

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Information common to various interviews is summarized below:

a. On the morning of 19Nov05, Marines from 3/1 were assigned to a [redacted] vehicle convoy and tasked to conduct an escort of Iraqi Security Force (ISF) members to the Command Out Post (COP) to relieve ISFs at the Traffic Check Point (TCP), conduct a crypto change and retrieve chow from the COP.

(b)(7)(F)

f. At approximately 0530, the (b)(7)(F) vehicle convoy left Firmbase Sparta (a Marine base located in the city of Haditha), and arrived at the COP at 0630 to conduct their mission. At or around 0700, the convoy departed and attempted return to Firmbase Sparta.

g. At or around 0716, the fourth HMMWV in the convoy was struck by an IED. The convoy then received SAF and the Marines returned fire in response to the complex attack.

h. In the moments before the explosion, a white vehicle (taxi) approaching the convoy was reportedly waved off of the roadway and complied. (The taxi was later found off the roadway and searched.)

i. After the IED blast, the five male occupants of the taxi were shot and killed. No weapons were found on the five victims or inside the taxi. The five deceased are as follows:

- 1.) V/ALZAWI, Kaled Aida, 21 year-old male
- 2.) V/ALZAWI, Wagdi Aida, 20 year-old male
- 3.) V/FLAEH, Akram Hamid, age unknown, adult male
- 4.) V/AHMED, Mohmed Tabal, 21 year-old male
- 5.) V/MUSLEH, Ahmed Khutar, 29 year-old male

j. Within minutes of the attack, the Quick Reaction Force (QRF) located at Firmbase Sparta, Haditha, Iraq was notified of the IED blast and arrived on-scene. The QRF consisted of several members from 3rd squad, 3rd platoon, Kilo Company, 3/1.

The houses referenced throughout the remainder of this report are designated as #1, #2, #3, and #4. The numbers are not the actual

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

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street addresses of the houses, but are labeled in the chronological order in which the houses were attacked by the Marines involved.

k. Six (6) Iraqi civilians were killed in house #1. One (1) additional Iraqi male was killed near house #1 and is a relative of those killed inside house #1. (He is hereinafter referred to as the "ridgeline-shooting victim.") No weapons were found inside house #1. The deceased associated with house #1 are as follows:

- 1.) V/ALI, Abdul Hameed Husin, 76 year-old male
- 2.) V/ALI, Khamisa Tuema, 66 year-old female
- 3.) V/HASAN, Waleed Abdalhamid, 37 year-old male
- 4.) V/HAMEED, Abdullah Waleed Abdul, 4 year-old male
- 5.) V/HASAN, Guhid Abdalhamid, age unknown, adult male
- 6.) V/HASAN, Rasheed Abdalhamid, age unknown, adult male (ridgeline-shooting victim)
- 7.) V/RASIF, Asmaa Salman, age unknown, adult female

The survivors associated with house #1 are as follows:

- 1.) (b)(6), (b)(7)(C), 9 year-old female
- 2.) (b)(6), (b)(7)(C), 6 year-old male
- 3.) (b)(6), (b)(7)(C), adult female
- 4.) (b)(6), (b)(7)(C), female

l. Eight (8) Iraqi civilians were killed in house #2. Five (5) of the eight (8) killed in house #2 were children. No weapons were found inside house #2. The deceased found inside house #2 are as follows:

- 1.) V/RASIF, Yunis Salem, 43 year-old male
- 2.) V/AHMED, Aida Yasin, 40 year-old female
- 3.) V/SALIM, Mohmed Yunis, age unknown, male child
- 4.) V/RASIF, Noor Salim, 13 year-old female
- 5.) V/SALIM, Sebea Yunis, 10 year-old female
- 6.) V/SALIM, Zainab Unes, 5 year-old male
- 7.) V/SALIM, Aisha Unes, 3 year-old female
- 8.) V/AHMED, Huda Yasin, 39 year-old female

The survivor associated with house #2 is as follows:

- 1.) (b)(6), (b)(7)(C) 13 year-old female

m. (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) stated they approached and questioned the occupants of house #3. The occupants of house #3 directed the three Marines next door to house #4. No occupants were harmed in house #3.

n. Four (4) Iraqi civilians were killed in house #4. Weapons were found in house #4; however, the reported number of weapons recovered is inconsistent. The deceased found inside house #4 are as follows:

- 1.) V/AHMED, Jamal Aiad, 39 year-old male
- 2.) V/AHMED, Jasib Aiad, 28 year-old male

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

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- 3.) V/AHMED, Marwan Aiad, 27 year-old male
 4.) V/AHMED, Kahtan Aiad, 21 year-old male

o. In the evening hours of 19Nov05, Marines conducted a BDA of houses #1, #2 and #4, photographed the deceased, and transported the bodies to the Haditha hospital/morgue between 0100-0200 on 20Nov05. Exhibits (2)-(52) pertain.

For purposes of clarity and organization, the remainder of this report will be presented in the following manner: the first section will address the 3/1 Marines' interview results, the second section will cover the Iraqi witnesses' accounts, and the third section will discuss evidence recovery.

SECTION I - 3/1 MARINES

4. On 16Mar06, (b)(6), (b)(7)(C) USMC, Kilo Company (b)(6), (b)(7)(C) 3/1, was interviewed regarding the events surrounding the complex attack on 19Nov05. At the time of the attack, (b)(6), (b)(7)(C) stated he was at Firmbase Sparta located in Haditha City, approximately one (1) kilometer from where the convoy was attacked. (b)(6), (b)(7)(C) estimated that he heard the IED explosion around 0700. (b)(6), (b)(7)(C) noted that shortly thereafter he heard SAF. (b)(6), (b)(7)(C) related that a Quick Reaction Force (QRF) was sent to evacuate the injured and then he led a secondary QRF team of eleven (11) Marines on foot to the scene. While (b)(6), (b)(7)(C) team moved to route Chestnut, he heard sporadic SAF for approximately twenty (20) to thirty (30) minutes. (b)(6), (b)(7)(C) asserted he observed at least four (4) dead males on the roadside within twenty-five (25) meters from one another but did not witness how they were killed. (b)(6), (b)(7)(C) further added that he did not enter any of the homes where the Marines had encountered Iraqi civilians; therefore, he could not offer any direct knowledge/information regarding houses #1-#4. (b)(6), (b)(7)(C) did provide a brief description of the training the Marines in his company received regarding Tactics, Techniques, and Procedures (TTP), Escalation of Force (EOF) procedures, and Positive Identification (PID). (b)(6), (b)(7)(C) confirmed that prior to engaging a target, PID must be conducted on each target, whether the target is located inside or outside. However, (b)(6), (b)(7)(C) stated an entire house could be treated as "hostile" if a hostile person was seen running inside. Exhibit (2) pertains.

5. On 16Mar06, (b)(6), (b)(7)(C) USMCR, Civil Affairs Group (CAG), was interviewed and reported he was located at Firmbase Sparta in Haditha when he heard an IED blast and gunfire at approximately 0730. (b)(6), (b)(7)(C) called the Kilo Company Command Operations Center (COC) to offer his CAG team for assistance. Later that evening, the Kilo Company COC asked that (b)(6), (b)(7)(C) and his interpreter go to the Haditha hospital because "neutrals" had been killed earlier that day. (b)(6), (b)(7)(C) responded around 0100 and was advised the bodies had already been pre-sorted into HMMWVs (i.e., neutrals killed in action and enemies killed in action). (b)(6), (b)(7)(C) then assisted in delivering the bodies to the Haditha hospital. (b)(6), (b)(7)(C) did not have direct knowledge regarding the assaults on houses #1-#4; however, he entered houses #1 and #2 in

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the following days to assess damage. Details follow.

a. HOUSES #1 and #2: After 19Nov05, (b)(6), (b)(7)(C) a lawyer reportedly related to the families in houses #1 and #2, contacted (b)(6), (b)(7)(C) stating he represented the families and sought compensation for the deceased. Consequently, (b)(6), (b)(7)(C) conducted a site tour of houses #1 and #2 to assess damage for compensation payments. During the tours, (b)(6), (b)(7)(C) found an unexploded fragmentation grenade in house #2, several spent shell casings, bloodstains, and bullet holes in walls. (b)(6), (b)(7)(C) paid (b)(6), (b)(7)(C) \$38,000 for the deceased and additional monies for reconstruction of houses #1 and #2. (b)(6), (b)(7)(C) photographed portions of the damage and maintained receipts for the payments. The foregoing items were seized from (b)(6), (b)(7)(C)

b. HOUSES #3 and #4: (b)(6), (b)(7)(C) confirmed he did not conduct a site tour of houses #3 and #4 because these were considered "bad guy" houses. Exhibit (3) pertains.

6. On 16Mar06, (b)(6), (b)(7)(C), USMC, 2nd CI HUMINT Company, 2nd Intel Battalion, 2nd MHG, II MEF, was interviewed and reported that he did not participate in the events that occurred on 19Nov05. (b)(6), (b)(7)(C) advised that (b)(6), (b)(7)(C) USMC had informed him of what had happened. (b)(6), (b)(7)(C) explained that (b)(6), (b)(7)(C) was a member of his command and had responded with the QRF to the site of the ambush on 19Nov05. Exhibit (4) pertains.

7. On 18Mar06, an attempt was made to interrogate (b)(6), (b)(7)(C) however, he invoked his Article 31B rights immediately after his rights were read to him. Therefore, the statement (b)(6), (b)(7)(C) submitted to COL (b)(6), (b)(7)(C) on 21Feb06 regarding the events of 19Nov05 will be referred to below.

a. TAXI: According to (b)(6), (b)(7)(C) statement, after the IED explosion, he noticed a white sedan pulled off to the roadside with five male occupants. (b)(6), (b)(7)(C) related that as he approached the car, the five males began to exit. (b)(6), (b)(7)(C) explained because it was a "permissive/hostile" environment, both he and (b)(6), (b)(7)(C) engaged the males while positioned approximately twenty-five meters from them. (b)(6), (b)(7)(C) claimed he did not recall whether the ISF members shot at the white car.

b. HOUSE #1: (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) identified house #1 as the source of SAF and (b)(6), (b)(7)(C) reacted with suppressive fire. (b)(6), (b)(7)(C) admitted they were not taking SAF when (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) approached house #1. (b)(6), (b)(7)(C) instructed the team to treat house #1 as hostile. Additionally, (b)(6), (b)(7)(C) told his team, "Shoot first, ask questions later." (b)(6), (b)(7)(C) noted the entry into house #1 was forced and a male was engaged upon entry. (b)(6), (b)(7)(C) explained they also engaged individuals in another room after he heard a noise coming from the room. (b)(6), (b)(7)(C) confirmed PID was not conducted.

c. HOUSE #2: (b)(6), (b)(7)(C) related that after they exited house #1, they were taking SAF from house #2 so they conducted another forced entry in which (b)(6), (b)(7)(C) led the team inside. (b)(6), (b)(7)(C) recalled

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engaging several individuals in two rooms while in house #2 and "fragging some of the rooms." (b)(6), (b)(7)(C) stated PID was not conducted. (b)(6), (b)(7)(C) noted that weapons were not found in houses #1 and #2 when the BDA was later conducted.

d. HOUSE #3: After clearing houses #1 and #2, (b)(6), (b)(7)(C) noted that he and the team returned to route Chestnut and occupied an Observation Post (OP) in an unoccupied house in which they also conducted a forced entry. Subsequently, (b)(6), (b)(7)(C) observed a male dressed in black running. (b)(6), (b)(7)(C) stated "we" engaged the male from the roof. Thereafter, (b)(6), (b)(7)(C) related (b)(6), (b)(7)(C) and he observed a male walking back and forth in front of house #3. Consequently, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) went to house #3 and knocked on the door. They encountered women and children at house #3 and asked them where the male was located. According to (b)(6), (b)(7)(C) the women indicated the male was at house #4. (b)(6), (b)(7)(C) instructed (b)(6), (b)(7)(C) to remain behind with the women while (b)(6), (b)(7)(C) and he approached house #4.

e. HOUSE #4: (b)(6), (b)(7)(C) noted the door to house #4 was open when they entered the house. (b)(6), (b)(7)(C) led them in and as they entered a bedroom, (b)(6), (b)(7)(C) saw a male with an AK-47. (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) attempted to engage the male with his Squad Automatic Weapon (SAW) but it jammed. (b)(6), (b)(7)(C) backed off, and (b)(6), (b)(7)(C) then used his 9mm pistol to kill four males in the bedroom. (b)(6), (b)(7)(C) reported finding one (1) AK-47 and a suitcase that contained passports, a wallet, and clothing. (b)(6), (b)(7)(C) asserted he removed the AK-47 and suitcase from house #4. Exhibits (5)-(6) pertain.

8. On 18Mar06, (b)(6), (b)(7)(C) was interrogated after he was read and waived his Article 31B rights. (b)(6), (b)(7)(C) reported he participated in the entry of houses #1-#4. Details from his statement follow.

a. TAXI: Immediately after the IED hit, (b)(6), (b)(7)(C) stated he heard SAF and (b)(6), (b)(7)(C) giving orders in Arabic to the occupants of the white vehicle to stop running by yelling, "Qif" repeatedly. (b)(6), (b)(7)(C) asserted he observed four to five men running from the vehicle, within five (5) meters of it. (b)(6), (b)(7)(C) heard (b)(6), (b)(7)(C) shooting his M-16 and assumed (b)(6), (b)(7)(C) was shooting the occupants of the white vehicle. (b)(6), (b)(7)(C) related he heard SAF impacting the wreckage of the fourth Humvee and noted (b)(6), (b)(7)(C) was prone and laying down suppressive fire.

b. HOUSE #1: (b)(6), (b)(7)(C) stated he formed a maneuver element that included (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) to assault house #1, where he had previously observed an Iraqi male shooting from the outside corner of the house, south of his position. (b)(6), (b)(7)(C) fired upon the Iraqi male with approximately five (5) M-16 rounds and fired three (3) High Explosive Dual Purpose (HEDP) M203 rounds at the two (2) windows on the north side of the house and one (1) at the rooftop door. (b)(6), (b)(7)(C) admitted the team was not taking SAF from house #1 as they approached the house. After kicking in the door, (b)(6), (b)(7)(C) stated he saw an individual running in the hallway toward the door at the

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opposite end of the hallway. (b)(6), (b)(7)(C) confirmed he shot the individual and did not conduct PID. Subsequently, (b)(6), (b)(7)(C) threw a grenade into the room where he heard an AK-47 being racked. (b)(6), (b)(7)(C) explained that (b)(6), (b)(7)(C) also threw a grenade, but only one (1) explosion followed. (b)(6), (b)(7)(C) then heard someone yell that a person was seen running next door, so the team exited house #1 and moved toward house #2.

c. HOUSE #2: As the team approached house #2, (b)(6), (b)(7)(C) reported they were not receiving SAF. (b)(6), (b)(7)(C) recalled hearing M-16 fire to his right, passing a grenade to a team member, and hearing the blast. (b)(6), (b)(7)(C) then entered house #2 with his team and observed a dead Iraqi male on the kitchen floor. (b)(6), (b)(7)(C) claimed he did not shoot while in he was in house #2.)

d. RIDGELINE SHOOTING: Several hours after departing house #2, the team set up an OP at an unoccupied home. While manning the OP, (b)(6), (b)(7)(C) saw an unarmed Iraqi male exit house #1 and run along the ridge line. (b)(6), (b)(7)(C) confirmed that both (b)(6), (b)(7)(C) and he engaged the Iraqi male and watched him fall face down. Thereafter, (b)(6), (b)(7)(C) followed (b)(6), (b)(7)(C) instruction to assist him in conducting an assessment of houses #1 and #2.

e. HOUSE #3: Several hours after assaulting house #2, (b)(6), (b)(7)(C) stated he approached house #3 with (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) related they encountered an older man, a young boy, and approximately six women inside house #3. After a brief search, (b)(6), (b)(7)(C) turned around to see (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) move next door to house #4.

f. HOUSE #4: (b)(6), (b)(7)(C) noted he was attempting to keep the women inside house #3 when he heard gunfire from house #4. (b)(6), (b)(7)(C) started to move toward house #4, when he saw (b)(6), (b)(7)(C) exiting house #4 with two AK-47s, one in each hand. (b)(6), (b)(7)(C) also saw (b)(6), (b)(7)(C) exit while holding an AK-47 in one hand and a suitcase in the other hand. (b)(6), (b)(7)(C) believed they later turned over the suitcase to a Human Intelligence Exploitation Team (HET) and placed the AK-47s in the back of a HMMWV.

g. RE-INTERVIEW: On 03Apr06, a re-interview of (b)(6), (b)(7)(C) was attempted but upon reading him his Article 31B rights, (b)(6), (b)(7)(C) invoked his right to counsel. Immediately thereafter the interview was terminated. Exhibits (7) and (8) pertain.

9. On 18Mar06, (b)(6), (b)(7)(C) was read and waived his Article 31B rights. During the interrogation that followed, (b)(6), (b)(7)(C) noted he was not proud of what happened on 19NOV05 but justified his actions based on (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) declarations that houses #1 and #2 were hostile. (b)(6), (b)(7)(C) claimed his training taught him that everyone in a hostile house is considered the enemy. Additionally, (b)(6), (b)(7)(C) explained no distinction is made regarding gender or age when engaging the occupants of a hostile house. Details of (b)(6), (b)(7)(C) statement follow.

a. TAXI: (b)(6), (b)(7)(C) reported that after the IED struck, he exited

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his vehicle and immediately heard SAF that sounded like several M-16 rifles. At that point, (b)(6), (b)(7)(C) asserted he saw shooting in the direction of the parked white taxi. Fifteen minutes after the explosion, (b)(6), (b)(7)(C) noted that he heard AK-47 fire coming in the direction of his squad. Subsequently, (b)(6), (b)(7)(C) informed (b)(6), (b)(7)(C) he needed a fire team to clear "hostile" houses.

b. HOUSE #1: (b)(6), (b)(7)(C) stated he joined (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) in a movement toward house #1. (b)(6), (b)(7)(C) recalled team members launched 40MM grenades at houses #1 and #2 while crossing the depression between route Chestnut and house #1. As they came out of the depression, (b)(6), (b)(7)(C) noted (b)(6), (b)(7)(C) was no longer with the team. Once the team entered house #1, (b)(6), (b)(7)(C) opened a doorway and saw an Iraqi male reaching into a closet door. (b)(6), (b)(7)(C) admitted to shooting him several times while aiming at the chest area. Moreover, (b)(6), (b)(7)(C) acknowledged he did not see anyone shoot at them from house #1.

c. HOUSE #2: Upon exiting house #1, (b)(6), (b)(7)(C) informed (b)(6), (b)(7)(C) they were moving to house #2 because they were receiving fire from the house; however, (b)(6), (b)(7)(C) did not hear the fire. During the approach to house #2, (b)(6), (b)(7)(C) confirmed he shot at a figure he observed through the glass kitchen door. (b)(6), (b)(7)(C) explained that he took this action because the individual appeared to be male and he perceived the house as hostile. While inside house #2, (b)(6), (b)(7)(C) recalled hearing (b)(6), (b)(7)(C) yell, "frag out" followed by the explosion. This was followed by (b)(6), (b)(7)(C) at least two more grenades. (b)(6), (b)(7)(C) recalled that (b)(6), (b)(7)(C) joined the team after they had exited house #2.

d. HOUSES #3 and #4: (b)(6), (b)(7)(C) reported he did not participate in the assaults on houses #3 and #4. However, several hours after clearing houses #1 and #2, at approximately 1000, (b)(6), (b)(7)(C) recalled seeing smoke coming from house #1. (b)(6), (b)(7)(C) speculated that the tracer rounds he fired earlier at house #1 could have caused the fire.

e. RE-INTERVIEW: On 02Apr06, (b)(6), (b)(7)(C) was re-interviewed regarding the events of 19Nov05 after he was read and waived his Article 31B rights. During the interview, (b)(6), (b)(7)(C) was questioned about potential deception in his previous account of the events and responded by invoking his rights. Exhibits (9)-(11) pertain.
10. On 18Mar06, (b)(6), (b)(7)(C) was interrogated after he was read and waived his Article 31B rights. The details of his interrogation follow.

a. TAXI: (b)(6), (b)(7)(C) claimed that after the IED struck, he saw the five male occupants of the white taxi exiting and running to the southwest. (b)(6), (b)(7)(C) noted he instructed them to stop in Arabic and then heard ISF members fire at the Iraqi males. (b)(6), (b)(7)(C) explained that when he heard the gunfire from the ISF members, he decided the Iraqi males must be the enemy, so he fired about four to six rounds at them as well. (b)(6), (b)(7)(C) noted he did not recall seeing any of the Iraqi males raise their hands in the air. (b)(6), (b)(7)(C) reported observing tracer rounds being fired in the direction of (b)(6), (b)(7)(C)

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the white taxi. (b)(6), (b)(7)(C) admitted he did not observe any of the five Iraqi males with weapons and he did not conduct PID.

b. HOUSES #1-4: (b)(6), (b)(7)(C) did not participate in the assaults on houses #1-4. After the complex attack, (b)(6), (b)(7)(C) noted he joined and an ISF member and searched approximately eleven (11) homes in the nearby area. During the searches, (b)(6), (b)(7)(C) confirmed they did not engage anyone but detained and flexi-cuffed several Iraqi males. Later that day, around 1900, instructed (b)(6), (b)(7)(C) to assist in removing dead bodies from houses #1, #2, and #4. (b)(6), (b)(7)(C) said he complied and recalled seeing women and children among the dead.

c. RE-INTERVIEW: On 02Apr06, (b)(6), (b)(7)(C) was re-interviewed after he was read and waived his Article 31B rights. (b)(6), (b)(7)(C) confessed that approached him around 1700 on 19Nov05 and instructed (b)(6), (b)(7)(C) to lie if asked about the incident involving the five occupants of the white taxi. Specifically, told (b)(6), (b)(7)(C) to state that the five Iraqi males were running and the ISF members shot them. clarified the five Iraqi males were not running but had exited the vehicle and were standing in a row near the vehicle when he saw one male fall to the ground. Consequently, noted one of the remaining males placed his hands to his head. At this point, witnessed at a distance of about ten (10) feet from the five Iraqi males, on his knee with his weapon shouldered, and firing headshots at the Iraqi males. further admitted that when had finished shooting the five victims, stood over their bodies on the ground and shot them with his M-16 rifle. did not recall any other Marines being involved in the shooting of the five occupants of the white taxi. Exhibits (12) - (16) pertain.

11. On 19Mar06, (b)(6), (b)(7)(C) was interrogated after he was read and waived his Article 31B rights. Details follow.

a. TAXI: Prior to the IED blast, (b)(6), (b)(7)(C) observed (b)(6), (b)(7)(C) wave and direct the white taxi to pull off the roadway. (b)(6), (b)(7)(C) noted the taxi stopped on the shoulder of the roadway, just ahead of the first HMMWV in the convoy. After the IED blast, (b)(6), (b)(7)(C) explained he did not witness what happened to the occupants of the white taxi nor did he hear any SAF because he was more focused on assisting the injured.

b. HOUSE #1: While assisting the wounded, (b)(6), (b)(7)(C) heard AK-47 SAF from the south. (b)(6), (b)(7)(C) recalled then fired a M203 round at house #1. At this point, (b)(6), (b)(7)(C) decided to leave the wounded under the care of and join the team in an approach to house #1. (b)(6), (b)(7)(C) related when he saw the M203 round hit the top of house #1 it provided him with a PID as to the location of the threat. (b)(6), (b)(7)(C) further added instructed the team to treat the house as "hostile." Upon entering the house, (b)(6), (b)(7)(C) noted the hallway had sufficient light since the door at the opposite end of the hallway was opened. (b)(6), (b)(7)(C) then heard an AK-47 racking behind the wall in the adjacent room and told "Let's double-frag it." Subsequently, (b)(6), (b)(7)(C) heard (b)(6), (b)(7)(C) and fire their

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rifles several times. (b)(6), (b)(7)(C) admitted he fired in the same room (b)(6), (b)(7)(C) was firing in and engaged at least four targets. (b)(6), (b)(7)(C) admitted he did not conduct PID, considered all occupants as hostile, and confirmed they did not receive fire from house #1.

c. HOUSE #2: (b)(6), (b)(7)(C) reported that as the maneuver element exited house #1 and moved to house #2, they did not receive any fire. (b)(6), (b)(7)(C) asserted that (b)(6), (b)(7)(C) led the team and shot at a male through the door. Once inside house #2, (b)(6), (b)(7)(C) instructed (b)(6), (b)(7)(C) to "frag" the first room to the right side of the hallway. (b)(6), (b)(7)(C) noted he requested a grenade from (b)(6), (b)(7)(C) because he no longer had any. Both (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) threw a grenade into the room. Thereafter, (b)(6), (b)(7)(C) observed (b)(6), (b)(7)(C) shooting into a room and (b)(6), (b)(7)(C) joined in and shot into the room as well. (b)(6), (b)(7)(C) claimed he could not PID anyone but could see shapes in a kneeling position. (b)(6), (b)(7)(C) confirmed no weapons were found in houses #1 or #2.

d. HOUSES #3 and #4: (b)(6), (b)(7)(C) did not participate in the assaults on houses #3 and #4. After the assaults on houses #1 and #2, (b)(6), (b)(7)(C) eventually returned to route Chestnut, guarded detainees, and assisted in the BDA.

e. RE-INTERVIEW: On 03Apr06, (b)(6), (b)(7)(C) was re-interviewed after he was read and waived his Article 31B rights. (b)(6), (b)(7)(C) admitted he knowingly shot small children in the head and chest while they knelt down in house #2 on 19Nov05. Although (b)(6), (b)(7)(C) expressed regret for his actions, he explained that he perceived house #2 as hostile and saw (b)(6), (b)(7)(C) first shoot into the room where the children were located. Exhibits (17)-(19) pertain.

12. On 19Mar06, (b)(6), (b)(7)(C) was interrogated after his Article 31B rights were read and waived. (b)(6), (b)(7)(C) asserted that throughout his actions on 19Nov05, he did not conduct PID because the area surrounding the location of the complex attack was considered hostile. Details of (b)(6), (b)(7)(C) statement follow.

a. TAXI: (b)(6), (b)(7)(C) confirmed that before the IED blast, he saw a white sedan approach the first HMMWV. Subsequently, while situated in the turret of his vehicle, (b)(6), (b)(7)(C) signaled the sedan to pull over and it complied. Shortly after the IED hit, (b)(6), (b)(7)(C) reported hearing AK-47 SAF. (b)(6), (b)(7)(C) noted he did not directly witness what happened to the occupants of the white sedan but he heard that the ISF members fired at them while they were running away.

b. HOUSE #1: (b)(6), (b)(7)(C) maintained his position in the turret while he observed (b)(6), (b)(7)(C), (b)(6), (b)(7)(C), (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) move toward nearby buildings. (b)(6), (b)(7)(C) related he did not participate in the assault on house #1 but decided to join the team and posted himself at the corner of house #2.

c. HOUSE #2: (b)(6), (b)(7)(C) noted he followed the team inside house #2 after they had all entered the dwelling. Upon his entrance, (b)(6), (b)(7)(C) saw a dead Iraqi male on the kitchen floor near the doorway. (b)(6), (b)(7)(C) recalled hearing several grenades go off and

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then heard someone call, "bad frag." After hearing a grenade blast, (b)(6), (b)(7)(C) positioned his 9mm Beretta pistol around the corner of the door jam and fired "blindly in the room firing from fatal front to dominant corner" (i.e., from right to left). In doing so, (b)(6), (b)(7)(C) emptied his magazine. (b)(6), (b)(7)(C) opined that he was inside house #2 for thirty (30) seconds before he exited. (In his 19Mar06 statement to NCIS, (b)(6), (b)(7)(C) admits to some confusion regarding firing his 9mm Beretta in house #1 or house #2.)

d. RIDGELINE SHOOTING: After clearing house #2, (b)(6), (b)(7)(C) participated in searching more homes and setting up an OP. At one point, (b)(6), (b)(7)(C) noted he exchanged his 240G machine gun for his SAW. While positioned at the OP, (b)(6), (b)(7)(C) asserted he saw an Iraqi male running and informed (b)(6), (b)(7)(C) of his observation. In turn, (b)(6), (b)(7)(C) instructed him to shoot and (b)(6), (b)(7)(C) engaged the target with his SAW. According to (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) also fired at the running male and they watched him fall to the ground.

e. HOUSE #3: Several hours after leaving house #2, (b)(6), (b)(7)(C) was positioned at the OP, when he discovered Iraqi males watching him and (b)(6), (b)(7)(C) from the wall in front of house #4. (b)(6), (b)(7)(C) explained that he, (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) decided to "check out and see why they were doing it." (b)(6), (b)(7)(C) stated he entered house #3, as it was unlocked, and observed four to five adult females and four to five children but did not encounter any males. (b)(6), (b)(7)(C) related that (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) questioned the women regarding the location of weapons and males. Subsequently, (b)(6), (b)(7)(C) informed (b)(6), (b)(7)(C) that the men were at house #4.

f. HOUSE #4: (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) went to house #4 while (b)(6), (b)(7)(C) stayed with the women at house #3. (b)(6), (b)(7)(C) confirmed he led (b)(6), (b)(7)(C) into house #4 when he encountered an Iraqi male across the hallway pointing an AK-47 at him. (b)(6), (b)(7)(C) claimed he tried shooting but his SAW jammed. Consequently, (b)(6), (b)(7)(C) drew his 9mm pistol, and shot the Iraqi male in the face when he leaned out from behind a bedroom door jam. (b)(6), (b)(7)(C) related he immediately moved toward the bedroom, heard an AK-47 racking, and stepped into the doorway where he saw one (1) male with an AK-47 at waist level. In turn, (b)(6), (b)(7)(C) shot the male with the weapon and the other males he saw in the corner of the bedroom, killing a total of four (4) men. Specifically, (b)(6), (b)(7)(C) acknowledged he aimed at the Iraqi males' heads and chests. While firing at them, (b)(6), (b)(7)(C) noted he ran out of ammunition with his pistol. Therefore, (b)(6), (b)(7)(C) stepped in with his M-16 rifle and fired five (5) to seven (7) shots into the bodies that were positioned on the floor. (b)(6), (b)(7)(C) claimed to have found a live AK-47 shell casing with the primer indented and opined that the AK-47 had jammed as well. (b)(6), (b)(7)(C) asserted he seized/removed two AK-47 weapons and a suitcase that contained passports from house #4.

g. RE-INTERVIEW: On 02Apr06, (b)(6), (b)(7)(C) was re-interviewed after he was read and waived his Article 31B rights. When asked about potential deception in his account of the 19Nov05 incident, (b)(6), (b)(7)(C) continued to report the events in a manner that was

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

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

consistent with his initial statement. During the interview, no additional pertinent information was obtained. Exhibits (20)-(22) pertain.

13. On 24Mar06, (b)(6), (b)(7)(C) USMC was interviewed. During the interview, (b)(6), (b)(7)(C) admitted to ordering his Marines to "take" house #1. Immediately after his admission, (b)(6), (b)(7)(C) was read and waived his Article 31B rights. (b)(6), (b)(7)(C) provided a detailed account of what occurred on 19Nov05; however, prior to preparation of a written account of his previous verbal statement, he invoked his right to counsel. Thereafter, the interview was terminated. The details of (b)(6), (b)(7)(C) verbal statement follow.

a. TAXI: (b)(6), (b)(7)(C) confirmed he was not present when the incident regarding the taxi and five Iraqi males occurred.

b. HOUSE #1: (b)(6), (b)(7)(C) reported he was at the COP when a radio request came in requesting QRF assistance due to the IED blast. (b)(6), (b)(7)(C) joined the QRF and assisted the injured when he arrived at route CHESTNUT. During this time, (b)(6), (b)(7)(C) noted they were receiving SAF. Subsequently, (b)(6), (b)(7)(C) informed (b)(6), (b)(7)(C) the SAF was coming from the south and pointed in the direction of house #1. Moreover, (b)(6), (b)(7)(C) informed (b)(6), (b)(7)(C) he could see the enemy from house #1. In turn, (b)(6), (b)(7)(C) told them to "take the house." (b)(6), (b)(7)(C) observed (b)(6), (b)(7)(C) fire a M203 grenade at house #1 and (b)(6), (b)(7)(C) gather a patrol that moved towards house #1. (b)(6), (b)(7)(C) began to walk in the depression that was located between route Chestnut and house #1 in an attempt to catch up with (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) but stopped when he heard (b)(6), (b)(7)(C) calling for him regarding finding the "trigger house." Consequently, (b)(6), (b)(7)(C) left (b)(6), (b)(7)(C) team and responded to (b)(6), (b)(7)(C) request. Later when he re-joined the convoy, (b)(6), (b)(7)(C) asked (b)(6), (b)(7)(C) what had happened. (b)(6), (b)(7)(C) informed (b)(6), (b)(7)(C) that they assaulted houses #1 and #2 after receiving fire from house #2.

c. RIDGELINE SHOOTING: At one point, (b)(6), (b)(7)(C) stated he heard SAF from the south and saw an Iraqi male running from house #1 to the east alongside the ridgeline. (b)(6), (b)(7)(C) believed the male was an insurgent and took one shot with his rifle but missed. Shortly thereafter, (b)(6), (b)(7)(C) noted he heard a SAW fire from the top of the OP and saw the same suspected insurgent drop out of sight. (b)(6), (b)(7)(C) called up and asked if they "got him" and (b)(6), (b)(7)(C) responded, "Yes." (b)(6), (b)(7)(C) responded with "Good."

d. BDA: Eventually, (b)(6), (b)(7)(C) took (b)(6), (b)(7)(C) to house #1 to conduct an assessment. (b)(6), (b)(7)(C) observed many dead adults and children in the back bedroom. (b)(6), (b)(7)(C) and he also found a boy and girl that were still alive and tried to assist them but they refused to leave. Later, (b)(6), (b)(7)(C) returned to house #1 and removed the kids from the house. Subsequently, when (b)(6), (b)(7)(C) returned to Chestnut, (b)(6), (b)(7)(C) informed him (b)(6), (b)(7)(C) and he had engaged Iraqi males running toward house #4 while carrying AK-47s. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) that armed insurgents confronted them in house #4. Exhibit (23) pertains.

14. On 19Mar06, (b)(6), (b)(7)(C) USMC was interviewed, confirmed

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he was in the same convoy vehicle as _____ and did not participate in any of the shootings that occurred on 19Nov05. provided the following details.

a. TAXI: After the IED blast, _____ radioed Firmbase Sparta several times to report the hit. Subsequently, _____ heard SAF and saw _____ on his knee, weapon shouldered, and shooting in the direction of the white vehicle. _____ did not recall seeing any of the ISFs or hearing AK-47 fire; he only heard M-16 gunfire. _____ added that he did not witness or hear any SAF from the surrounding neighborhoods but noted he had "tunnel vision" regarding potential Marine casualties.

b. POST IED BLAST: _____ explained that after he updated regarding the injured, he ordered one of the ISF members and (b)(6), (b)(7)(C) _____ to join him in searching for the "trigger man." This team searched several homes and did not shoot anyone they encountered. At one point, they entered a home that appeared to be under construction. Here, they found a "haji mat" (thin mattress) with a water cooler and blanket. These items were positioned near a window with a direct view of the ambush site. _____ theorized they had located the "trigger house."

c. DETAINEES: When _____ and his team encountered Iraqi males inside the homes they searched, they handcuffed and detained them for questioning. _____ explained that the Standard Operating Procedure (SOP) following an IED explosion is to detain every male in the surrounding area.) Once detainees were under _____ and his team's control, they walked them back to route Chestnut and turned the detainees over to other Marines, including _____. After taking their first group of detainees under control, _____ and his team returned to searching homes. In one of the searched homes, they detained a female Iraqi that had attempted to hide a large amount of U.S. and Iraqi currency. In the same home, they found approximately fifteen (15) to twenty (20) Jordanian passports. At that point, _____ related he yelled down the hill for _____ assistance. In turn, _____ moved to _____ location and instructed _____ and _____ to remain in place with the detainees until the HET responded. Shortly thereafter, _____ left and (b)(6), (b)(7)(C) _____ arrived on scene. (b)(6), (b)(7)(C) _____ and the ISF member remained at the house with detainees for most of the day. During this time period, _____ recalled hearing gunfire, Cobras conducting "gun-runs," and large explosions.

d. HET & LOCATION of ANOTHER IED: Later that day, a member of the HET, SGT _____ USMC, arrived and questioned the detainees. Once the questioning was completed, they returned to route Chestnut with the detainees and learned that an IED had been located on route Chestnut. Consequently, a few Marines, including _____ and _____; responded to the reported IED location and questioned occupants of nearby homes. (No ISF members were with this team of Marines.) _____ recalled that the searches/questioning occurred approximately thirty (30) minutes before it became dark outside. When the questioning did not reveal any information, the team

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

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returned to route Chestnut. Thereafter, (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) assumed an OP that had been cleared by Marines from another platoon.

e. BDA: According to (b)(6), (b)(7)(C), the foregoing Marines were at the OP for approximately 30 minutes, when they were ordered to assist in the "clean-up" of the bodies. (b)(6), (b)(7)(C) asserted he was in charge of writing down the numbers of the deceased. (b)(6), (b)(7)(C) noted they marked every dead body with a number and recorded the grid coordinates to the houses where the bodies were found. (b)(6), (b)(7)(C) recalled counting approximately twenty-four (24) bodies.

f. HOUSE #1: In house #1, (b)(6), (b)(7)(C) observed LCPL (b)(6), (b)(7)(C) USMC marking numbers on the foreheads or legs of each body with a Sharpie pen and LCPL (b)(6), (b)(7)(C) USMC photographing the deceased. (b)(6), (b)(7)(C) recalled that it was dark and smoky. (b)(6), (b)(7)(C) noted he saw a female body in the hallway (with skin like "clay") and another body with a fire still burning in its chest cavity. In other rooms, (b)(6), (b)(7)(C) found a male that appeared to have been blown up, evidenced by the "pieces" found around him, and a dead woman and child kneeling in place. At one point, everyone ran out of house #1 because they heard a loud ringing noise. (b)(6), (b)(7)(C) conceded there could have been more bodies in house #1 but he remained outside after the ringing noise occurred and waited until all the bodies were removed. (b)(6), (b)(7)(C) noted they eventually ran out of body bags.

g. HOUSE #2: Once the dead had been removed from house #1, (b)(6), (b)(7)(C) walked into house #2 through the kitchen door and saw a dead male on the floor. (b)(6), (b)(7)(C) opined the male had been shot in the head because he observed brain matter on the floor near his head. Thereafter, (b)(6), (b)(7)(C) walked down the hallway but stopped himself because he felt he had seen "enough dead bodies" and stepped outside to obtain the grid coordinates for house #2. The Marines that remained inside conducted the body count and photographed the dead. From them, (b)(6), (b)(7)(C) obtained the numbers he needed for the overall body count.

h. RIDGELINE SHOOTING: While outside, (b)(6), (b)(7)(C) proceeded northeast of house #2 and found a dead male on the ridgeline, an approximate ten (10) to fifteen (15) foot drop from (b)(6), (b)(7)(C) position. Consequently, (b)(6), (b)(7)(C) gave the Marines that accompanied him a number for the dead male, obtained a grid coordinate, and posted security to the east. At this time, (b)(6), (b)(7)(C) noted that it was very dark outside.

i. TAXI: After recording the numbers associated with the dead male found on the ridgeline, (b)(6), (b)(7)(C) and other Marines walked to the location of the white vehicle. (b)(6), (b)(7)(C) observed one dead male near the vehicle that had "half of his head blown off." (b)(6), (b)(7)(C) could not recall any specifics regarding the other dead bodies near the white vehicle.

j. HOUSE #4: From the white vehicle, (b)(6), (b)(7)(C) walked to house #4 with (b)(6), (b)(7)(C). Upon entering the first room of the house, (b)(6), (b)(7)(C) saw an elderly man, two females, and a child. The occupants of the house stated, "Mista, Mista" and pointed to the back

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of the house. (b)(6), (b)(7)(C) could not recall if the foregoing individuals were instructed to leave but they left and went to house #3. (b)(6), (b)(7)(C) related that he did not walk any further into house #4.

k. DEBRIEF: Once the bodies were removed from house #4, (b)(6), (b)(7)(C) stated he and the Marines returned to Firmbase Sparta. He could not recall the exact time of their return but noted it was "dark, and late." Subsequent to their arrival at the Firmbase, a debrief was conducted.

l. SQUAD MEETINGS: Prior to the AR 15-6 investigation, (b)(6), (b)(7)(C) recalled attending a squad meeting where CAPT (b)(6), (b)(7)(C) (b)(7)(C) LT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) were present. At the meeting, they were informed that a Time magazine reporter wanted to do a story regarding the events of 19Nov05 and that the reporter possessed a videotape. At a later time, another meeting was held and (b)(6), (b)(7)(C) recalled the XO informing the attendees that the Army was coming to Haditha to ask questions of them. According to (b)(6), (b)(7)(C) the XO told them to answer truthfully and stated they had "nothing to hide." Exhibits (24)-(25) pertain.

15. On 20Mar06, (b)(6), (b)(7)(C) USN was interviewed regarding his recollection of what occurred on 19Nov05. (b)(6), (b)(7)(C) confirmed he was in the third HMMWV of the convoy that was struck by an IED. The details of (b)(6), (b)(7)(C) interview follow.

a. IED & SAF: After the explosion, (b)(6), (b)(7)(C) dismantled the HMMWV, and observed SAF impacting near his feet. (b)(6), (b)(7)(C) also recalled hearing AK-47 gunfire. Thereafter, (b)(6), (b)(7)(C) ran toward the damaged HMMWV and attended to the injured. While doing so, (b)(6), (b)(7)(C) heard M-16 fire and discerned that some of the SAF was coming from the north. As another bullet impacted near him, (b)(6), (b)(7)(C) saw two rifles going down from a roof to the north, approximately 100 yards from his position. While still in motion to the damaged HMMWV (east on route Chestnut), (b)(6), (b)(7)(C) saw a head pop up with a rifle pointed in his direction. (b)(6), (b)(7)(C) countered with a three round burst but the individual did not duck and continued to shoot. Nevertheless, (b)(6), (b)(7)(C) continued toward the wreckage of the HMMWV and shot one more time at the shooter. Once (b)(6), (b)(7)(C) reached the vehicle, he felt that he was not likely visible to the Iraqi shooters because the debris from the explosion was still in the air. According to (b)(6), (b)(7)(C) all of this occurred in twenty (20) seconds and he did not recall informing anyone of what he had observed.

b. ATTENDING TO THE INJURED: While treating the injured, (b)(6), (b)(7)(C) heard more AK-47 and M-16 fire. He also noted hearing at least one M203 grenade explode and observing a group of about four (4) Marines maneuvering in the direction of where he had seen the shooters. After (b)(6), (b)(7)(C) had been treating the injured for approximately ninety (90) seconds, (b)(6), (b)(7)(C) joined him and (b)(6), (b)(7)(C) instructed him to radio information regarding the injured. At this point, (b)(6), (b)(7)(C) noted they stopped receiving any incoming SAF. A few minutes later, the QRF responded to the ambush site. (b)(6), (b)(7)(C) assisted placing the injured in a HMMWV and then accompanied them to the Landing Zone (LZ), a nearby

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

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soccer stadium.

c. TAXI: (b)(6), (b)(7)(C) related that he saw a stationary white vehicle briefly while he was riding in the HMMWV that transported the injured away from route Chestnut. (b)(6), (b)(7)(C) estimated the white taxi was located on the side of road, between the second and third HMMWVs. (b)(6), (b)(7)(C) recalled seeing bodies as well but was unable to provide any specifics because he was treating the injured while they were passing the white vehicle. Once the patients were loaded for medical evacuation, (b)(6), (b)(7)(C) rode back to Firmbase Sparta where he remained for the remainder of the day. Exhibit (26) pertains.

16. On 20Mar06, (b)(6), (b)(7)(C) USMC was interviewed and noted he was the driver of the first vehicle in the convoy, posted security most of the day, did not see any Iraqi males in the area, and only entered house #1 to retrieve injured children. (b)(6), (b)(7)(C) provided the following details:

a. TAXI: While traveling west on route Chestnut, (b)(6), (b)(7)(C) recalled seeing a white sedan with its hazard lights on with several individuals inside. (b)(6), (b)(7)(C) recalled driving past the white car and being approximately seventy-five (75) to one hundred (100) meters west of the intersection of route Chestnut and Zebra when he heard the IED explosion. Subsequently, (b)(6), (b)(7)(C) dismounted his vehicle, waived off other vehicles heading east on Chestnut, and posted security.

b. SAF: After posting security, (b)(6), (b)(7)(C) heard AK-47 fire from behind him. In turn, (b)(6), (b)(7)(C) took cover. Once the AK-47 gunfire died down, (b)(6), (b)(7)(C) heard M-16 fire from the south followed by explosions that sounded like two (2) M203 rounds. Around 0730, (b)(6), (b)(7)(C) noted the QRF arrived on-scene and he again heard AK-47 gunfire. Shortly thereafter, the QRF evacuated the injured and (b)(6), (b)(7)(C) recalled seeing (b)(6), (b)(7)(C) in the area.

c. HOUSE #1: (b)(6), (b)(7)(C) remained posted at route CHESTNUT until 1100, when (b)(6), (b)(7)(C) informed (b)(6), (b)(7)(C) that he had "forgotten something" in house #1 and needed (b)(6), (b)(7)(C) go back with him. Upon entering house #1, (b)(6), (b)(7)(C) posted security and saw a dead individual in the hallway. (b)(6), (b)(7)(C) also observed smoke coming from inside the house. A few minutes later, (b)(6), (b)(7)(C) came out of the room from which (b)(6), (b)(7)(C) had seen smoke and announced there were injured children in the room. (b)(6), (b)(7)(C) removed a boy and girl from house #1 and returned to route Chestnut. At that point, (b)(6), (b)(7)(C) noted the vehicles had been moved so they could cordon off the neighborhood. (b)(6), (b)(7)(C) recalled placing the children in the second HMMWV and took them to a LZ for medical evacuation.

d. VEHICLE SECURITY: After they loaded the boy and girl on the helicopter, (b)(6), (b)(7)(C) drove back to Chestnut where (b)(6), (b)(7)(C) posted vehicle security for the remainder of the day. While on watch, (b)(6), (b)(7)(C) overheard (b)(6), (b)(7)(C) talking about the ambush of another squad and recalled seeing CAPT (b)(6), (b)(7)(C) on-site. Eventually, (b)(6), (b)(7)(C) recalled waiting near house #2 when another

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

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squad picked up the dead bodies. (b)(6), (b)(7)(C) explained that once his entire squad arrived at house #2, they patrolled back to Firmbase Sparta. Although (b)(6), (b)(7)(C) could not recall the time of their departure for the Firmbase, he knew it was dark because he had to use his night vision goggles (NVG). Lastly, (b)(6), (b)(7)(C) stated he did not see any Iraqi males in the area on 19Nov05 and did not shoot his weapon. Further, (b)(6), (b)(7)(C) asserted he did not take his rifle off safe. Exhibit (27) pertains.

17. On 21Mar06, (b)(6), (b)(7)(C) was interviewed and reported that he was a member of the QRF team that responded to the ambush site on the morning of 19Nov05. (b)(6), (b)(7)(C) related the QRF drove to route Chestnut in a (b)(7)(F) vehicle convoy. The team consisted of CPL (b)(6), (b)(7)(C) LCPL (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) The details of (b)(6), (b)(7)(C) account follow:

a. TAXI: Although (b)(6), (b)(7)(C) recalled seeing the wreckage of the HMMWV that was hit, he did not notice the white vehicle or hear any SAF upon the QRF's arrival at the ambush site. (b)(6), (b)(7)(C) noted that he dispersed (b)(6), (b)(7)(C) to post security of buildings near the intersection of Chestnut and Viper.

b. EVACUATION OF THE INJURED: After posting his team members, (b)(6), (b)(7)(C) ran to the destroyed HMMWV and discovered his best friend, TERRAZAS, had been killed. (b)(6), (b)(7)(C) recalled being at the ambush site for approximately twenty (20) minutes before they departed to take the injured to the LZ. During this time, (b)(6), (b)(7)(C) did not recall hearing any gunfire or observe what the members of the ambushed squad were doing, as he was in shock over the death of TERRAZAS. Once the helicopter evacuated the injured, the QRF convoy returned to Firmbase Sparta and remained there until about 1700.

c. BDA: (b)(6), (b)(7)(C) related that his QRF team returned to the ambush site around 1700 to pick up the dead bodies. (b)(6), (b)(7)(C) stated he was designated as a photographer and utilized his Olympus digital camera. (b)(6), (b)(7)(C) assisted him in photographing and marking the bodies with a number. (b)(6), (b)(7)(C) clarified they did not move the bodies prior to photographing them. (b)(6), (b)(7)(C) recalled that it was dark outside while photographing and retrieving the bodies.

d. HOUSE #1: (b)(6), (b)(7)(C) stated as they went inside house #1, he saw the first body he photographed. (b)(6), (b)(7)(C) noted the body was of an adult female and she was found in the hallway. The second body he photographed was badly burned and found in a room across the hallway from the dead female. (b)(6), (b)(7)(C) discovered the next two (2) bodies in the middle of a room and could not determine their sex or age. (b)(6), (b)(7)(C) asserted he took only one (1) photograph of each of the deceased in houses #1 and #2. (b)(6), (b)(7)(C) confirmed he could not recall the details or injuries of each body he photographed.

e. HOUSE #2: After he finished taking photos of the deceased in house #1, (b)(6), (b)(7)(C) proceeded to house #2 where he first photographed a dead male found in the entrance of the kitchen. In a different room,

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

(b)(6), (b)(7)(C) recalled finding five (5) more bodies.

f. RIDGELINE: Subsequent to house #2, (b)(6), (b)(7)(C) loaned his camera to (b)(6), (b)(7)(C) so he could take a photograph of a body found on the ridge behind house #1.

g. HOUSES #3 and #4: (b)(6), (b)(7)(C) stated that he and (b)(6), (b)(7)(C) moved to house #3, and walked along the wall that was located in front of houses #3 and #4. When they reached house #4, (b)(6), (b)(7)(C) noted the bodies had already been removed so he did not photograph any of the bodies remaining inside. (b)(6), (b)(7)(C) recalled seeing one (1) dead male in the doorway of a bedroom and two (2) other dead males inside the same bedroom. (b)(6), (b)(7)(C) assisted in removing their bodies and noted one of the males had been hit in the chest and another had been hit in the head. After loading approximately twenty-three (23) to twenty-four (24) bodies in HMMWVs, they returned to Firmbase Sparta. (b)(6), (b)(7)(C) believed the bodies they transported included some that came from the ambush site, but he had not witnessed the count/removal of them.

h. PHOTOGRAPHS: (b)(6), (b)(7)(C) asserted that upon his return to the Firmbase, he turned his camera over to the COC for downloading of the images. (b)(6), (b)(7)(C) could not recall whom he specifically dealt with from the COC. However, about two (2) hours later, (b)(6), (b)(7)(C) returned to retrieve his camera and COC personnel informed him they had completed the download. (b)(6), (b)(7)(C) checked his camera and realized the COC had not deleted the images. Consequently, (b)(6), (b)(7)(C) deleted the images himself. (b)(6), (b)(7)(C) stated he never downloaded the photos elsewhere and believed only he and the COC had access to the images on his camera. (b)(6), (b)(7)(C) noted he has reformatted his camera two (2) times since the deletion of the images. Initially, (b)(6), (b)(7)(C) did not consent to the search and seizure of his camera; however, Special Agent (SA) (b)(6), (b)(7)(C), NCIS, obtained a command authorization for search and seizure. Upon being informed of the command authorization, (b)(6), (b)(7)(C) provided the camera to SA (b)(6), (b)(7)(C). Exhibits (28) and (29) pertain.

18. On 21Mar06, (b)(6), (b)(7)(C) USMC was interviewed and confirmed he was a member of the QRF that arrived at the ambush site shortly after the IED exploded. As they approached the site, (b)(6), (b)(7)(C) noted seeing a white vehicle with about four (4) bodies near it. Within five (5) minutes of the QRF's arrival, (b)(6), (b)(7)(C) recalled hearing SAF from the south. (b)(6), (b)(7)(C) also observed (b)(6), (b)(7)(C) firing a M203 and hitting the depression south of Chestnut. Moreover, (b)(6), (b)(7)(C) observed other unknown Marines firing to the south as well but did not see what they were shooting. (b)(6), (b)(7)(C) stated the shooting occurred for only a few minutes. Subsequently, his QRF team evacuated the injured, transported them to the LZ, and returned to Firmbase Sparta. Several hours later, around 1700, (b)(6), (b)(7)(C) confirmed his QRF team returned to Chestnut. Upon their return, (b)(6), (b)(7)(C) stood watch at Chestnut and did not enter houses #1-#4 or see any of the dead bodies. Exhibit (30) pertains.

19. On 21Mar06, (b)(6), (b)(7)(C) USMC, was interviewed and related he arrived on-scene with the QRF on 19Nov05. (b)(6), (b)(7)(C) recalled seeing the white vehicle with bodies positioned near it but could not

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Page 21

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provide any further detail. (b)(6), (b)(7)(C) also heard SAF and saw (b)(6), (b)(7)(C) fire his M203 grenade launcher to the south. After the SAF began, (b)(6), (b)(7)(C) recalled (b)(6), (b)(7)(C) opening the door to (b)(6), (b)(7)(C) : HMMWV and noted that (b)(6), (b)(7)(C) demeanor seemed normal. After moving the injured to the LZ, (b)(6), (b)(7)(C) stated the QRF returned to Firmbase Sparta. Around 1700, (b)(6), (b)(7)(C) and his QRF team went back to the IED blast site. Thereafter, (b)(6), (b)(7)(C) drove a HMMWV that was used to transport the bodies from the area. (b)(6), (b)(7)(C) recalled looking back at the bodies in his vehicle but could not distinguish sex, age, or injuries. (b)(6), (b)(7)(C) noted they finished late in the evening and eventually returned to the Firmbase. Exhibit (30) pertains.

20. On 21Mar06, (b)(6), (b)(7)(C), USMC was interviewed regarding his involvement in the events that occurred on 19Nov05. (b)(6), (b)(7)(C) reported he was a member of the QRF team that evacuated the injured following the IED blast. Upon his arrival to the ambush site, (b)(6), (b)(7)(C) recalled hearing M-16 fire but was unsure of any other SAF. (b)(6), (b)(7)(C) noted he was posted on route Viper, facing north. (b)(6), (b)(7)(C) did not make any observation regarding the white vehicle. After the injured were placed in the QRF HMMWVs, (b)(6), (b)(7)(C) stated they moved them to the LZ. Thereafter, (b)(6), (b)(7)(C) estimated he and the QRF team returned to Firmbase Sparta around 0800-0830. (b)(6), (b)(7)(C) said the QRF remained on standby for most of the day. Around 1900, (b)(6), (b)(7)(C) returned to the scene at route Chestnut for recovery of the bodies where he posted security for approximately three (3) to four (4) hours. (b)(6), (b)(7)(C) recalled returning to Firmbase Sparta with a few dead bodies. (b)(6), (b)(7)(C) asserted he did not handle the bodies or enter houses #1-#4. Exhibit (31) pertains.

21. On 21Mar06, (b)(6), (b)(7)(C), USMC was interviewed regarding his participation in the recovery of the injured and deceased on 19Nov05. The details of (b)(6), (b)(7)(C) interview follow.

a. TAXI & ISF: (b)(6), (b)(7)(C) reported he saw the white vehicle with about four (4) dead males; he did not see them engaged with gunfire. Upon his arrival at the scene, (b)(6), (b)(7)(C) noted the ISF members were dismounted from the vehicles but did not see them shoot their weapons. (b)(6), (b)(7)(C) related the only activity he saw regarding an ISF member was one (1) of them maneuvering with the team of Marines to assault a house to the south.

b. SAF & HOUSE #1: Upon (b)(6), (b)(7)(C) arrival on-scene with the QRF, (b)(6), (b)(7)(C) heard AK-47 gunfire coming from the south. (b)(6), (b)(7)(C) observed (b)(6), (b)(7)(C) launch and impact one M203 round on a window of a house located south of Chestnut. (b)(6), (b)(7)(C) saw another unknown Marine also shoot a M203 round at the same house. (b)(6), (b)(7)(C) related he did not see anyone shooting at the convoy but believed the source of SAF came from the same house at which the M203 rounds were fired. Subsequently, (b)(6), (b)(7)(C) observed a group of unknown Marines move to assault the house. As the Marines pushed forward, (b)(6), (b)(7)(C) recalled hearing an exchange of M-16 and AK-47 fire.

c. SECURITY: (b)(6), (b)(7)(C) related his role at Chestnut was to post security until they removed the injured Marines. Thereafter, they transported the casualties to the LZ and (b)(6), (b)(7)(C) posted security

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once again. Between 0830-0900, the QRF left the LZ and returned to Firmbase Sparta. At approximately 1900, (b)(6), (b)(7)(C) stated the QRF returned to Chestnut to assist with the Iraqi civilians' bodies. During the removal of the bodies, (b)(6), (b)(7)(C) posted security and did not enter houses #1-#4 or handle the deceased. (b)(6), (b)(7)(C) noted the bodies were removed in three (3) HMMWVs. Sometime between 2300 and 0100, (b)(6), (b)(7)(C) recalled that he and other QRF members drove the remainder of 1st squad's HMMWVs to Firmbase Sparta.

d. PHOTOGRAPHS: (b)(6), (b)(7)(C) added that on the following day, 20Nov05, (b)(6), (b)(7)(C) approached him and informed (b)(6), (b)(7)(C) that he had been ordered to take photographs of the dead Iraqi civilians in Haditha. (b)(6), (b)(7)(C) noted that (b)(6), (b)(7)(C) did not tell him who had ordered him to take the photos. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) that the photos were bothering him mentally and that he did not want to keep them. Therefore, (b)(6), (b)(7)(C) asked (b)(6), (b)(7)(C) if he would download the images and keep them for the command in case they were needed at a later time. (b)(6), (b)(7)(C) stated he agreed to download the photos and placed them on his PSP portable media storage device directly from (b)(6), (b)(7)(C) digital camera. (b)(6), (b)(7)(C) consented to the search and seizure of his PSP and turned it over to SA (b)(6), (b)(7)(C), NCIS for safekeeping and evidentiary value in this investigation. Exhibit (32) pertains.

22. On 21Mar06, (b)(6), (b)(7)(C) USMC was interviewed and related the following as a participant in the QRF on 19Nov05.

a. SAF: Upon arrival at the IED ambush site, (b)(6), (b)(7)(C) stated he had dismounted his vehicle when (b)(6), (b)(7)(C) informed him they were receiving SAF from the south. However, (b)(6), (b)(7)(C) noted that he did not see or hear any SAF coming from the surrounding area. (b)(6), (b)(7)(C) also recalled (b)(6), (b)(7)(C) indicating that SAF was coming from the south. Subsequently, (b)(6), (b)(7)(C) observed (b)(6), (b)(7)(C) fire two (2) M203 rounds that impacted a house south of them. (b)(6), (b)(7)(C) opined the rounds were ineffective because he saw only dust rise from the side of the house.

b. EVACUATION & POSTING SECURITY: Before taking the casualties to the LZ, (b)(6), (b)(7)(C) recalled seeing four (4) ISF members in the area but did not remember them firing their weapons. While driving away from Chestnut en route to the LZ, (b)(6), (b)(7)(C) saw (b)(6), (b)(7)(C) moving south with a group of Marines. After the LZ, (b)(6), (b)(7)(C) stated the QRF went back to the Firmbase and stayed there until 1400-1500. At that time, the QRF was deployed to return to Chestnut where (b)(6), (b)(7)(C) posted security while other Marines removed bodies until nightfall. Later, at the Firmbase, (b)(6), (b)(7)(C) noted some of the Marines involved bragged about what happened that day. However, (b)(6), (b)(7)(C) opined the Marines did not kill anyone out of revenge. Exhibit (33) pertains.

23. On 21Mar06, (b)(6), (b)(7)(C) USMC was interviewed regarding the events that occurred on 19Nov05. (b)(6), (b)(7)(C) related he was a member of the QRF team that evacuated the injured that day. The information (b)(6), (b)(7)(C) provided follows.

a. IED SITE & TAXI: When (b)(6), (b)(7)(C) arrived at route Chestnut he did not recall hearing any SAF. (b)(6), (b)(7)(C) noted he posted security beside

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an ISF member. While on post, (b)(6), (b)(7)(C) observed a parked white vehicle on the shoulder of the road with four (4) to five (5) dead males positioned within five (5) meters of the white car. (b)(6), (b)(7)(C) noted one of the deceased was missing a jaw, one was shot in the shoulder, and two of the dead males were shot in the stomach. While standing near the vehicle, (b)(6), (b)(7)(C) overheard (b)(6), (b)(7)(C) ask (b)(6), (b)(7)(C) "What happened here?" and (b)(6), (b)(7)(C) answered, "They were about to run, so we lit them up."

b. RETURN TO THE IED SITE: After his QRF team transported the injured to the LZ, they returned to the Firmbase and remained there until returning to the IED site to pick up detainees. (b)(6), (b)(7)(C) confirmed they picked up about six (6) detainees and brought them back to the Firmbase. Later, the QRF returned to the IED site for the last time to pick up the dead Iraqi civilians. (b)(6), (b)(7)(C) noted he was on a roving patrol for about two (2) to three (3) hours while dead bodies were loaded into the HMMWVs. (b)(6), (b)(7)(C) related he rode in one of the HMMWVs that transported some of the bodies but said he did not handle the bodies or witness their removal from the scene. Exhibit (34) pertains.

24. On 22Mar06, (b)(6), (b)(7)(C) USN was interviewed regarding his account of the events that occurred on 19Nov05. (b)(6), (b)(7)(C) stated he was with the QRF that was called in to evacuate the casualties from route Chestnut. (b)(6), (b)(7)(C) recalled the following details.

a. IED SITE: During the approach to the ambush site, (b)(6), (b)(7)(C) noticed a white vehicle parked off the road to the south side of Chestnut. (b)(6), (b)(7)(C) also noticed Marines were shooting and there was SAF impacting the deck near their feet. While (b)(6), (b)(7)(C) ran to the wrecked HMMWV, he fired one round in the direction he saw the Marines were firing. (b)(6), (b)(7)(C) conceded he did not see a target but simply wanted to show any potential shooter that he could return fire. Subsequently, (b)(6), (b)(7)(C) assisted (b)(6), (b)(7)(C) in medically treating the injured. During this time, he recalled (b)(6), (b)(7)(C) firing his M203 south of their position. After the injured were taken to the LZ and airlifted, (b)(6), (b)(7)(C) and the QRF returned to Firmbase Sparta.

b. DETAINEES: While at the Firmbase, (b)(6), (b)(7)(C) stated he and members of the QRF were called to a home near route Chestnut where detainees were being held. (b)(6), (b)(7)(C) assisted in transporting the detainees and noted he no longer saw/heard any gunfire in the area. (b)(6), (b)(7)(C) remained at the house for less than an hour before he and the QRF team returned to Firmbase Sparta with the detainees.

c. BDA: After sunset, (b)(6), (b)(7)(C) reported the QRF team was called again to the IED site for removal of bodies. (b)(6), (b)(7)(C) recalled that he, LT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) were designated to number and photograph the bodies before removal. (b)(6), (b)(7)(C) noted that (b)(6), (b)(7)(C) obtained the Global Positioning System (GPS) coordinates for the bodies in the first two (2) houses but did not see him do so elsewhere.

d. HOUSE #1: (b)(6), (b)(7)(C) stated he found seven (7) bodies in house #1.

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The first body (b)(6), (b)(7)(C) saw was a female. Then he saw a second body in a room where small fires were still burning; one of the fires was burning in the chest of the body. The third body was an elderly man in a doorway to a room where (b)(6), (b)(7)(C) found the bodies of another adult male, an adult female, and a boy. The elderly man's leg was severed and positioned to the side of his body. The bodies were loaded on a HMMWV.

e. RIDGELINE: (b)(6), (b)(7)(C) recalled that LCPL (b)(6), (b)(7)(C) and someone else went out to the ridgeline near house #1 and picked up another body. (b)(6), (b)(7)(C) did not see the victim but had heard it was a dead male.

f. HOUSE #2: In house #2, (b)(6), (b)(7)(C) saw a dead male in the kitchen doorway that appeared to have been shot in the head. In one of the bedrooms, (b)(6), (b)(7)(C) found two (2) adult females, one on the floor and the other on the bed with a "pile of three to four children" next to her. (b)(6), (b)(7)(C) noticed the individuals had several open wounds. On the same bed, (b)(6), (b)(7)(C) saw a dead female child kneeling on the corner. (b)(6), (b)(7)(C) observed another female child on the floor near the kneeling child. The bodies were loaded on a HMMWV.

g. TAXI: After house #2, (b)(6), (b)(7)(C) and his team went to the white vehicle where they counted five (5) dead males with various injuries throughout their bodies. (b)(6), (b)(7)(C) recalled that one of the males had a head wound. The bodies were loaded into the same HMMWV that contained the bodies from house #2.

h. HOUSE #4: When they reached house #4, (b)(6), (b)(7)(C) noted other Marines had preceded their arrival and may have removed some of the bodies. (b)(6), (b)(7)(C) recalled one dead male was in a bedroom doorway and another was positioned in the southeast corner of the same room. One of the dead males had a headshot but (b)(6), (b)(7)(C) could not remember which one. After all the bodies were removed, (b)(6), (b)(7)(C) separated from his QRF team and walked back to the Firmbase with (b)(6), (b)(7)(C) squad. Exhibit (35) pertains.

25. On 22Mar06, (b)(6), (b)(7)(C) USMC was interviewed and related he was assigned to the QRF team (3rd squad, 3rd platoon, Kilo company) that assisted the injured on 19Nov05. At the time of his interview, (b)(6), (b)(7)(C) had returned from his deployment to Iraq. The details of (b)(6), (b)(7)(C) account follow.

a. INITIAL RESPONSE TO IED SITE: (b)(6), (b)(7)(C) related the QRF arrived at the ambush site within about ten (10) to (15) minutes of the IED blast. Upon arrival, (b)(6), (b)(7)(C) noticed the 1st squad was engaged in a firefight. As (b)(6), (b)(7)(C) helped load the injured into the QRF's HMMWV, he realized there was no incoming gunfire. (b)(6), (b)(7)(C) opined that they were not under any immediate threat. The QRF (b)(6), (b)(7)(C) loaded the casualties and drove to the LZ. While en route to the LZ, (b)(6), (b)(7)(C) recalled passing members from the 2nd squad on foot. (b)(6), (b)(7)(C) confirmed the QRF returned to the Firmbase after the helicopter evacuated the injured. Several hours later, (b)(6), (b)(7)(C) and the QRF returned to the IED site for removal of the bodies.

b. RETURN TO IED SITE: (b)(6), (b)(7)(C) reported that upon his return to the

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IED site, he saw _____ asked _____ what happened and _____ responded, "We killed them all." In turn, _____ asked whom they killed and _____ stated, "We killed them punisher style." _____ explained that _____ comment referred to a movie. _____ opined that _____ was bragging. _____ further noted seeing LT _____ Executive Officer (XO), Kilo Company, standing in the road talking to _____

c. BDA: _____ confirmed 3rd squad was tasked with loading the bodies into HMMWVs and transporting them to the morgue. _____ related he assisted in marking, photographing, and carrying the bodies. _____ asserted he was told to take photos for command purposes as there would likely be a "JAG inquiry due to the number of non-combatants that were killed."

d. HOUSE #1: Upon entering house #1, _____ opined, "it was pretty obvious that it was a non-hostile environment." _____ explained that he saw no evidence of return fire. _____ observed a burned female in the hallway, and another badly burned body in another room. In a bedroom, _____ observed the bodies of two (2) adult males, one (1) adult female, and (1) male child. One of the males' legs was detached. _____ noted the adult female and male child appeared to have been shot in the chest while kneeling.

e. HOUSE #2: In house #2, _____ saw a dead male in the far right corner of a room. In another room, _____ observed an adult female with several 5.56mm shell casings on the ground near her. In the same room, _____ noted a bed that had the body of an adult female on it with four (4) dead children beside her. Moreover, _____ saw another female child on the floor near the bed that appeared to have been hiding.

f. RIDGELINE: After leaving house #2, _____ photographed a dead male on the ridgeline south of the IED blast and proceeded back to route Chestnut to the parked white vehicle.

g. TAXI: Near the white vehicle located east of Viper, _____ saw five (5) adult male bodies on the ground. _____ opined one of the deceased appeared to have been kneeling when he was killed.

h. HOUSE #4: _____ encountered Iraqi civilians in house #4. According to _____ the family told him they heard noise, people came to their home, and killed their family. _____ opined that the Iraqi civilians did not appear to think the Marines had killed their family members and they were asking what happened. When _____ entered the back bedroom of house #4, he saw _____ (4) dead males. While in house #4, _____ related _____ commented, "I killed that motherfucker," as he kicked the head of one of the deceased. Subsequently, _____ left house #4 and spoke with _____. During their conversation, they speculated that the story they had been told about the dead being killed by crossfire or the IED blast was not consistent with what they had seen.

i. DEBRIEF: Later, 3rd platoon was gathered in a debriefing room.

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(b)(6), (b)(7)(C) noted the CO, CAPT (b)(6), (b)(7)(C) and 1st (b)(6), (b)(7)(C) Kilo Company's 1st Sergeant, entered the room and talked to the Marines. Specifically, (b)(6), (b)(7)(C) recalled (b)(6), (b)(7)(C) relaying there was nothing wrong with what "we did today." (b)(6), (b)(7)(C) believed this was the reason no one asked him for the photographs he had taken. (b)(6), (b)(7)(C) decided to maintain the images in the event they were needed later. (b)(6), (b)(7)(C) opined the individuals he had photographed had been murdered rather than killed by crossfire or an IED blast.

j. PHOTOGRAPHS: (b)(6), (b)(7)(C) permitted the search of his residence and seizure of his laptop computer where he had stored the photographs he took on 19Nov05. (b)(6), (b)(7)(C) copied the images to a disk in SA (b)(6), (b)(7)(C) NCIS presence and provided him the disk. Exhibits (36) and (37) pertain.

26. On 22Mar06, (b)(6), (b)(7)(C) USMC, HET member, was interviewed regarding his knowledge of the events that occurred on 19Nov05. The details follow.

a. FOOT MOBILE SQUAD: Upon learning of the IED explosion, (b)(6), (b)(7)(C) joined a foot mobile squad led by SGT (b)(6), (b)(7)(C) that headed in the direction of the ambush site. While en route, (b)(6), (b)(7)(C) heard SAF and saw two (2) males running south from the Chestnut area. (b)(6), (b)(7)(C) noted that several squad members, he included, fired at the males. (b)(6), (b)(7)(C) stated no PID was made prior to firing. While searching for the males, (b)(6), (b)(7)(C) observed an Iraqi male waving a white flag. Consequently, (b)(6), (b)(7)(C) and his interpreter approached him and he informed (b)(6), (b)(7)(C) of a man with a head wound inside his home. The Iraqi male also informed (b)(6), (b)(7)(C) another man had been injured in the abdomen but had continued to run south of their location.

b. EVACUATION OF INJURED IRAQIS: (b)(6), (b)(7)(C) updated his patrol leader regarding the injured male and the team went to his location. While treating the male's injuries, HMMWVs arrived at the house with an injured boy and girl. Thereafter, a LZ was established nearby and a helicopter evacuated the injured male and two (2) children.

c. IED SITE: (b)(6), (b)(7)(C) estimated his team arrived at the IED site around 1230-1300. Upon his arrival, (b)(6), (b)(7)(C) detached from the QRF and asked (b)(6), (b)(7)(C) for a situation report. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) they had received SAF from the north/south and informed him of where dead Iraqi bodies were located.

d. INTEL GATHERING: After receiving (b)(6), (b)(7)(C) report, (b)(6), (b)(7)(C) stated he formed a team of unknown Marines to assess/identify the dead for intelligence gathering purposes.

e. TAXI: (b)(6), (b)(7)(C) and his team first assessed the white vehicle parked on the side of the route Chestnut. (b)(6), (b)(7)(C) noted that Explosive Ordinance Disposal (EOD) had already searched the vehicle. (b)(6), (b)(7)(C) observed five (5) dead males within five (5) to ten (10) meters of the car. (b)(6), (b)(7)(C) saw that one dead male was shot above the mouth, two (2) were shot in the chest, and another was shot in

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the head. (b)(6), (b)(7)(C) further added that most of them had multiple upper torso gunshot wounds. (b)(6), (b)(7)(C) photographed and searched them for identification (ID). (b)(6), (b)(7)(C) collected four (4) ID cards. (b)(6), (b)(7)(C) did not find any weapons; he found only food and clothes.

f. HOUSE #1: Upon entering house #1, (b)(6), (b)(7)(C) noticed it was still smoldering from a fire. (b)(6), (b)(7)(C) recalled the first body he encountered was that of a dead female. In a room off the hallway, he saw the burned remains of a body. In another room, (b)(6), (b)(7)(C) discovered an older man with a head wound and his leg blown off. In the same room, (b)(6), (b)(7)(C) noticed a live grenade and an unknown Marine took it outside. (b)(6), (b)(7)(C) saw another male against a wall with shrapnel injuries. In a corner, (b)(6), (b)(7)(C) observed an adult female and a male child sitting and slumped over. (b)(6), (b)(7)(C) found only one (1) ID card in house #1.

g. HOUSE #2: In the doorway of the kitchen of house #2, (b)(6), (b)(7)(C) saw a dead male. At the end of hallway, (b)(6), (b)(7)(C) saw seven (7) dead Iraqi women and children. (b)(6), (b)(7)(C) noted observing several 5.56mm and 7.62mm shell casings on the floor at the end of the hallway. (b)(6), (b)(7)(C) related he was not sure whether the 7.62mm shell casings belonged to a USMC M-240G or an AK-47. (b)(6), (b)(7)(C) removed six (6) to seven (7) ID cards from house #2.

h. RIDGELINE: After house #2, (b)(6), (b)(7)(C) and his team went to the ridgeline east of house #1 and found a dead male. (b)(6), (b)(7)(C) noted the deceased had gunshot wounds to his chest, abdomen, and possibly to his face. No ID was found.

i. HOUSE #4: In house #4, (b)(6), (b)(7)(C) observed four (4) dead males on the floor of a bedroom. When they entered the room, (b)(6), (b)(7)(C) saw a female and a male in the room and noted the bodies were covered with a sheet. Once the sheets were removed, (b)(6), (b)(7)(C) saw that one male was shot in the head and the others had upper torso wounds. (b)(6), (b)(7)(C) related two (2) weapons had been reportedly removed from house #4 but (b)(6), (b)(7)(C) did not state what happened to the weapons. (b)(6), (b)(7)(C) recovered three (3) ID cards from the dead in house #4.

j. DETAINEES: In total, (b)(6), (b)(7)(C) related he collected about fifteen (15) to sixteen (16) ID cards. (b)(6), (b)(7)(C) After conducting the BDA described above, (b)(6), (b)(7)(C) went to a house located north of Chestnut and east of route Viper. At this house, (b)(6), (b)(7)(C) questioned five (5) to six (6) persons of interest (POI) and one female that possessed approximately thirty (30) Jordanian passports. When he completed interviews of the POI, they were taken to Firmbase Sparta. However, (b)(6), (b)(7)(C) remained behind and walked to Chestnut where he questioned more detainees. During these interviews, (b)(6), (b)(7)(C) learned the name of the individual who was identified as being responsible for the IED attack. Some of the POI required additional questioning, and were taken to the Firmbase. (b)(6), (b)(7)(C) also returned to the Firmbase and had no further involvement at the IED ambush area. Lastly, (b)(6), (b)(7)(C) reported that he ran the ID cards he collected through the intelligence databases of known insurgents; however, no matches were made. The following morning, (b)(6), (b)(7)(C) provided the names of the deceased to MAJ (b)(6), (b)(7)(C)

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CAG, on a piece of paper.

k. PHOTOGRAPHS: (b)(6), (b)(7)(C) confirmed he photographed all the dead bodies on his government issued Canon Power-Shot S500 digital camera. However, (b)(6), (b)(7)(C) explained that the photos have since been deleted. (b)(6), (b)(7)(C) provided his government-issued camera to SA (b)(6), (b)(7)(C) in the event the deleted images could be recovered. Exhibit (38) pertains.

II - IRAQI WITNESSES & SURVIVORS

27. On 14Mar06, SSGT (b)(6), (b)(7)(C) USMC assisted participating agents in identifying and locating ISF personnel that were with the ambushed convoy on 19Nov05. (b)(6), (b)(7)(C) confirmed that four (4) ISF members had ridden in the convoy: (b)(6), (b)(7)(C)

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

(b)(6), (b)(7)(C) Two (2) of the ISF members, (b)(6), (b)(7)(C) were available for interviews. After 19Nov05, (b)(6), (b)(7)(C) resigned and (b)(6), (b)(7)(C) was reportedly on vacation (but has not returned to duty since).

Attempts to locate them for interviews are ongoing. On 15Mar06, (b)(6), (b)(7)(C) were interviewed and reported the following:

a. TAXI: (b)(6), (b)(7)(C) related he was suspicious of the white car because it did not pull over immediately and when it did pull over it did not have any flashing lights or hazard lights on. (b)(6), (b)(7)(C) believed the Marines were taking fire from three (3) insurgents after the IED blast. (b)(6), (b)(7)(C) recalled the Marines from HMMWVs #1 and #2 were ordering the Iraqi males out of the white car. (b)(6), (b)(7)(C) both reported they did not fire at the five (5) Iraqi males that exited the white taxi. Additionally, (b)(6), (b)(7)(C) alleged they witnessed the Marines shoot at the Iraqi males after placing them on their knees. It should be noted that both (b)(6), (b)(7)(C) accounts of 19Nov05 changed a few times during their respective interviews. Exhibits (39) - (41) pertain.

b. HOUSES #1-#4: (b)(6), (b)(7)(C) reported they did not participate in or have direct knowledge of the assaults on houses #1-#4.

28. On 15Mar06, (b)(6), (b)(7)(C), a nine-year old girl and survivor from house #1, was interviewed regarding what occurred in her family's residence on 19Nov05. (b)(6), (b)(7)(C) stated on that morning she heard the IED explosion and gunfire. About fifteen (15) minutes after the explosion, (b)(6), (b)(7)(C) reported the Marines kicked open the door to her family's home and entered. (b)(6), (b)(7)(C) related the Marines threw a grenade into the living room that landed underneath her grandfather's bed. (b)(6), (b)(7)(C) noted her (b)(6), (b)(7)(C) took her sister, a three-month old infant, and ran out the back door when the Marines came in the house. (b)(6), (b)(7)(C) asserted she was in the room when the grenade exploded and killed everyone in the room except her and her (b)(6), (b)(7)(C) confirmed her leg was injured, her brother's back was injured, and her home was not on fire when she was later removed by Marines and ISF members. Exhibit (42) pertains.

29. On 15Mar06,

a six-year old boy

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and a survivor of house #1 was interviewed and reported he was sleeping when the IED explosion woke him up. Shortly thereafter, (b)(6), (b)(7)(C) stated his father began praying in one room while the other family members gathered together in another room. [redacted] then heard a Marine knock on the door with a foot. In turn, [redacted] grandmother moved to open the door for the Marines. However, [redacted] next heard his grandmother running and the Marines shooting into the room where his father was located. After hearing these shots, [redacted] recalled the explosion of a grenade. At that point, [redacted] stated the Marines entered the room the family was in and said, "Sorry, sorry" before shooting everyone in the room except his sister [redacted] and himself. [redacted] confirmed that [redacted] with the infant and an injured Rasheed ran out the back door of house #1 during the attack. [redacted] speculated that the Marines later shot [redacted] Rasheed but noted he did not witness his death. Later, Marines came back to his house and removed him and his sister for medical treatment of their injuries. Exhibit (43) pertains.

30. On 15Mar06, [redacted], a thirteen-year old girl and survivor of house #2 was interviewed. [redacted] reported four (4) Marines raided her home after the IED explosion. [redacted] asserted the Marines killed her father in the doorway to their home, threw grenades (one grenade started the washer on fire), and killed the rest of the family members in her home with guns. [redacted] noted one (1) grenade that was thrown did not explode. [redacted] explained that later when a different team of Marines arrived at her home, she played dead and heard someone state, "Oh they're dead." [redacted] related she passed out from approximately 0730 until 1200. When [redacted] woke up, she saw her dead family members and noted they had injuries that consisted of shots to the head, chest, hand, and leg. Subsequently, [redacted] walked to [redacted] home. [redacted] mother, brother, sisters and aunt were killed in house #2. During the interview, two (2) of [redacted] were present. [redacted] confirmed he heard what sounded like AK-47 fire after the IED blast. The Marines threw a grenade but it did not go off. [redacted] reported at approximately 0745 he saw Rasheed Abdalhamid HASAN (V/HASAN) running from the house #1 when he was shot in the head and fell to the ground. [redacted] asserted he did not see who shot V/HASAN. Exhibit (44) pertains.

31. On 15Mar06, [redacted] were interviewed regarding their knowledge of the five (5) Iraq males shot near the IED ambush site. [redacted] V/Wajdi EAYDA and V/Khaled EAYDA; both were in the white taxi and killed on 19Nov05. [redacted] to the aforementioned deceased.

a. TAXI: [redacted] asserted that [redacted] were killed while they were en route to school in Baghdad. [redacted] noted the taxi had picked his sons up along with two (2) other students in their neighborhood. [redacted] confirmed they did not have first-hand knowledge of the events that occurred on 19Nov05 after [redacted] left for school. [redacted] noted that an eyewitness to the events at the site of the IED explosion told [redacted] what had happened; however, he refused to

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identify the eyewitness. (b)(6), (b)(7)(C) stated the Haditha morgue contacted him in the early morning hours of 20Nov05 regarding the deaths of [redacted]. When [redacted] received [redacted] bodies, he asserted that everything from their pockets, including identification and personal effects, was missing. Exhibit (45) pertains.

32. On 15Mar06, medical personnel from the Haditha hospital/morgue were interviewed. [redacted] a doctor at the Haditha hospital reported he was not present when the bodies were received. [redacted] explained that although it is normal procedure for the doctors to visually examine bodies, in this instance the bodies were received at 0100, when there were no doctors at the hospital. Consequently, the two nurses, [redacted], visually examined the twenty-four (24) bodies brought by Marines to the hospital around 0100 on 20Nov05. [redacted] created death certificates including a cause of death for the deceased. Subsequently, the local media took video footage of the deceased at the morgue and the bodies were released to family members on 20Nov05. Exhibits (46) - (48) pertain.

33. On 29Mar06, interviews of six (6) family members of houses #3 and #4 were conducted. The six (6) interviewees [redacted] to the (4) four brothers killed in house #4 (V/AHMED, Jamal Aiad, V/AHMED, Jasib Aiad, V/AHMED, Marwan Aiad, and V/AHMED, Khatan Aiad). The interviewees were:

Overall, the foregoing interviewees' account of what occurred on 19Nov05 in houses #3 and #4 differ from the involved Marines' accounts.

a. House #3: [redacted] reported that [redacted] V/AHMED, Jamal, and [redacted] were at their residence, house #3, when three (3) Marines came to their home on 19Nov05. The Marines ordered them out of the house and yelled at them in Arabic, "Erhab" (terrorists), "Mujahedin" (insurgents) and "Qunbelah" (bombs) at them. In response, the three (3) family members repeatedly stated, "No." [redacted] noted the Marines instructed them to put their hands behind their heads and face the window. V/AHMED, Jamal asked why his family needed to do this. [redacted] opined that the Marines appeared to be angry and repeatedly referred to the bomb while pointing in the direction of the explosion. The Marines asked about who lived in house #4 and V/AHMED, Jamal explained it was his father's home but they were all family, one household. Subsequently, the Marines ordered them to house #4 and they complied.

b. House #4: According to [redacted] when the Marines approached house #4, they ordered [redacted] and all the other occupants of house #4 to come outside. Once everyone was outside of the house, the Marines divided them into two (2) lines, with the elderly father and women sitting in a row and the four (4) men and [redacted] (fourteen-year old boy) standing in a separate row. Again, the three (3) Marines questioned [redacted]

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Page 31

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them about being terrorists, insurgents, and having bombs. The interviewees acknowledged they could not understand everything the Marines were saying but were able to understand the foregoing accusations stated in Arabic. While being questioned, one (1) Marine entered house #4.

c. AK-47s: The interviewees stated the Marines also asked them about weapons and V/AHMED, Jasib gave them his AK-47 from house #4. (V/AHMED, Jasib was a traffic patrol officer and had been issued an AK-47 for his employment.) V/AHMED, Jamal also informed the Marines that he had an AK-47 at his house. Consequently, one (1) Marine went back with V/AHMED, Jamal to retrieve the AK-47, empty magazines, and five (5) rounds from house #3. [] related he also owned an AK-47 but he did not inform the Marines of the weapon's existence on 19Nov05. [] had locked the AK-47 inside house #4 and had the only key. [] AK-47 remained locked in place until Marines came to his house again several days later when Aiad voluntarily released the weapon to them.

d. PRECEDING THE SHOOTING: At one point, while assembled in two (2) rows outside, the interviewees watched two (2) Marines enter house #4. Through the window, [] could see the two (2) Marines talking and pointing their fingers. [] speculated that they appeared to be making a plan or deciding what to do next. While this occurred, one (1) Marine remained outside and guarded the family. When the two (2) Marines exited house #4, they spoke with the Marine that had remained behind. Immediately thereafter, a Marine pointed his gun at the women and [] to direct them over to and inside house #3. [] pleaded for [] and the Marines allowed him to go with the women. While inside house #3, the women heard gunfire. The Marine that stood outside the house kept ordering them to stay inside when they attempted to come out and see what was happening.

e. AFTER THE SHOOTING: After the women heard gunfire, [] saw the three (3) Marines run down the street. The women then ran to house #4 to see what happened. Upon seeing her husband and brothers-in-laws' dead bodies, [] ran to her [] house for help. Shortly thereafter, [] ran with [] and [] to house #4. However, an ISF member stopped them and explained the Marines would shoot them if they continued to run. At this point, the Marines also stopped and detained [] for questioning. [] related they continued walking toward house #4. When they reached house #4, [] saw the bodies. [] noted she and [] later moved the bodies, aligned them two by two, and covered them with sheets.

f. BDA: The interviewees confirmed that some time later, the Marines came to house #4 again, took photographs of the dead brothers, and removed their bodies in bags. While this occurred, [] asserted the Marines laughed and put cigarettes out on her carpets/floors. Eventually, [] was released and the family members all stayed in house #3 for several days until they felt safe enough to return to house #4 approximately a week or more later.

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g. EXHUMATION REQUEST: A request to exhume the four brothers was adamantly opposed by the family members. Exhibit (49) pertains.

34. On 06Apr06, (b)(6), (b)(7)(C) was interviewed regarding the events of 19Nov05. (b)(6), (b)(7)(C) advised she was sleeping at house #4 when she heard the IED explosion. Subsequently, (b)(6), (b)(7)(C) heard screaming and gunfire. (b)(6), (b)(7)(C) noted it then became quiet for a while until 0945 when three (3) Marines arrived at their home and called everyone outside. The details of her interview follow.

a. TWO ROWS & AK-47s: Once everyone was outside, (b)(6), (b)(7)(C) related the Marines placed them in two (2) rows, the women and elderly in one row, and the men in another row. (b)(6), (b)(7)(C) recalled the Marines asking about a bomb and asked them if they had weapons. (b)(6), (b)(7)(C) confirmed that V/AHMED, Jasib and V/AHMED, Jamal informed the Marines they each had an AK-47 in their respective houses. (b)(6), (b)(7)(C) asserted the two (2) AK-47 weapons were provided to them. Once the Marines had control of the weapons the family members were told to sit down.

b. PRECEDING THE SHOOTING: (b)(6), (b)(7)(C) recalled two (2) of the Marines went inside house #4 while the third Marine stayed outside pointing his weapon at the family. Thereafter, the Marines instructed V/AHMED, Khatan to hand the baby he was holding to (b)(6), (b)(7)(C). Then the Marines told the men, and (b)(6), (b)(7)(C) to go inside house #4. (b)(6), (b)(7)(C) instructed (b)(6), (b)(7)(C) to remain outside and the Marines did not object. As two (2) Marines walked the four (4) men inside house #4, the other Marine walked the rest of the family to house #3 at gunpoint. Once inside house #3, (b)(6), (b)(7)(C) noted (b)(6), (b)(7)(C) attempted to open the door several times but the Marine outside kept closing it.

c. AFTER THE SHOOTING: As the Marines were leaving, the family members in house #3 went to house #4. (b)(6), (b)(7)(C) stated she saw her dead husband and dead brothers-in-law on the floor in a bedroom. (b)(6), (b)(7)(C) advised that (b)(6), (b)(7)(C) left to retrieve (b)(6), (b)(7)(C) their brother-in-law that lived approximately a block away. About thirty (30) minutes to one hour later, (b)(6), (b)(7)(C) stated four (4) Marines arrived at house #4. (b)(6), (b)(7)(C) told them to leave but two (2) Marines entered while the other two (2) remained outside. At the same time, (b)(6), (b)(7)(C) came in through the backdoor and related the Marines had detained (b)(6), (b)(7)(C). At this point, the Marines had the women sit outside in the courtyard. (b)(6), (b)(7)(C) saw one (1) of the Marines leave house #4 carrying V/AHMED, Khatan's suitcase. (b)(6), (b)(7)(C) related she did not know the contents of the suitcase but explained V/AHMED, Khatan had prepared to travel to Trabil, Iraq, where he is employed. (b)(6), (b)(7)(C) did not know V/AHMED, Khatan to possess a Jordanian passport but believed he had an Iraqi one. Once the Marines left, (b)(6), (b)(7)(C) took her baby and left house #4. (b)(6), (b)(7)(C) estimated the entire incident, from the Marines' arrival to when the four men were killed, occurred in less than fifteen (15) minutes. Exhibit (50) pertains.

35. On 06Apr06, (b)(6), (b)(7)(C) was interviewed regarding the shooting of her husband and brothers-in-law. On the morning of 19Nov05, (b)(6), (b)(7)(C) reported that she and her

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husband had intended on traveling to Baghdad but after hearing the loud explosion they decided to stay with family members inside house #4. Later, (b)(6), (b)(7)(C) and her husband walked over to house #3 and noted the explosion had broken windows. Upon their return to house #4, Marines had arrived and were ordering everyone outside. (b)(6), (b)(7)(C) provided the following details of what occurred after the Marines' arrival.

a. PRECEDING THE SHOOTING: (b)(6), (b)(7)(C) opined the Marines appeared very upset and asked them to form two (2) rows. The Marines questioned them about bombs and "mujahideen." (b)(6), (b)(7)(C) stated the Marines were informed there was one (1) AK-47 in each house. (b)(6), (b)(7)(C) explained V/AHMED, Jasib took a Marine into house #4 to retrieve one of the AK-47s and V/AHMED, Jamal and his wife took a Marine into house #3 to provide the other AK-47. (b)(6), (b)(7)(C) was certain the Marines had control of the AK-47s before dividing the family members into houses #3 and #4.

b. AFTER THE SHOOTING: While inside house #3, the women heard gunfire. (b)(6), (b)(7)(C) advised that her two (2) sisters-in-law and (b)(6), (b)(7)(C) went over to house #4 first. As (b)(6), (b)(7)(C) walked over to house #4, they informed her that the four men were dead. Upon entering house #4, (b)(6), (b)(7)(C) smelled gunpowder and saw the dead men. (b)(6), (b)(7)(C) advised they did not move the bodies. Later, four (4) Marines arrived while the women were crying. The Marines instructed the women to go outside. (b)(6), (b)(7)(C) opined that these Marines did not seem to know the four men had been killed in the house. (b)(6), (b)(7)(C) noted two (2) Marines stayed outside with the women, while the other two (2) Marines went inside house #4. (b)(6), (b)(7)(C) related the Marines took V/AHMED, Khatan's bag. (b)(6), (b)(7)(C) remained at house #4 until the evening. Around 2100, (b)(6), (b)(7)(C) stated that three (3) different Marines came to the house and told the women to go outside as they took photos of the bodies. After the Marines left, the women went back inside house #4 and discovered the bodies had been removed. Exhibit (51) pertains.

SECTION III - EVIDENCE RECOVERY

36. On 14Mar06, preliminary examinations of the ambush site and houses #1-#2 were conducted. These examinations preceded death scene examinations conducted of houses #1, #2, and #4 by a team of agents on 29Mar06. During these examinations, several items of evidence were recovered. As the forensic analysis and reconstruction is ongoing, the complete results will be provided in a separate report.

37. On 23Mar06, (b)(6), (b)(7)(C) USMC, an armory officer for 3/1, Haditha, Iraq assisted SA (b)(6), (b)(7)(C) NCIS with the seizure and packaging of the weapons that had been issued to (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) maintained such weapons in a steel weapons container for temporary safekeeping until the weapons could be later transported/shipped from Iraq to Camp Pendleton. When interviewed, (b)(6), (b)(7)(C) advised that crew weapons such as the 240G used by (b)(6), (b)(7)(C) on 19Nov05 were not issued to specific individuals. Moreover, (b)(6), (b)(7)(C) explained such weapons are frequently switched out for replacement of barrels. (b)(6), (b)(7)(C) opined

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this type of maintenance could have occurred several times since November 2005. Therefore, none of the 3/1 240G's were seized, as it was concluded that the one used by (b)(6), (b)(7)(C) on 19Nov05 could not be identified and would no longer have the same barrel. Exhibits (52) - (54) pertain.

38. On 28Mar06, SA (b)(6), (b)(7)(C) submitted a request to CAPT (b)(6), (b)(7)(C) for the seizure of (b)(6), (b)(7)(C) weapon. (b)(6), (b)(7)(C) assisted SA (b)(6), (b)(7)(C) in locating (b)(6), (b)(7)(C). After (b)(6), (b)(7)(C) was informed his weapon was needed for seizure, he claimed he never fired his weapon at anyone on 19Nov05. (b)(6), (b)(7)(C) asked (b)(6), (b)(7)(C) "Didn't you tell me you shot at a MAM on the ridgeline when I had interviewed you." (b)(6), (b)(7)(C) responded, "No." (b)(6), (b)(7)(C) did not ask any additional questions. (b)(6), (b)(7)(C) informed (b)(6), (b)(7)(C) that (b)(6), (b)(7)(C)'s weapon should have been turned into the armory. Subsequently, (b)(6), (b)(7)(C) the weapon was identified, seized, and placed into the NCIS evidence custody system. Exhibit (55) pertains.

39. On 27Mar06, SA (b)(6), (b)(7)(C) contacted the Al Asad Air Base hospital in an attempt to obtain any medical records documenting the treatment of the injured girl and boy that survived the attack on house #1. The medical personnel at the Al Asad hospital checked the computerized patient log and confirmed that at approximately 1135 on 19Nov05, (b)(6), (b)(7)(C) had been flown to the hospital from Haditha due to "battle injuries." The records indicated (b)(6), (b)(7)(C). (b)(6), (b)(7)(C). The two patients remained at the Al Asad hospital for an hour until they were flown to Baghdad for additional medical attention. Exhibit (56) pertains.

40. On 30Mar06, SA (b)(6), (b)(7)(C) convened a meeting at the Haditha hospital with designated family members of the twenty-four (24) deceased. Exhumation of the deceased was requested. After three (3) hours of discussion, all family representatives declined a request for exhumation and examination. Exhibit (57) pertains.

41. Currently, additional interviews and re-interviews of several Marines are pending. Once located, an interview will also be conducted with (b)(6), (b)(7)(C), an identified survivor from house #1. The evidence seized thus far is being processed and has been submitted for forensic examination. Additionally, a review of the photographic images taken on 19Nov05 and a forensic reconstruction of the death scenes are in progress.

42. Command has been fully briefed regarding the status of this investigation. As the investigation progresses, command will be advised of new and substantive information that may be developed.

ACTION

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PARTICIPATING SPECIAL AGENTS

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

- Special Agent, NCIS-Camp Fallujah, Iraq
- Special Agent, NCIS-Camp Al Taquaddum, Iraq
- Special Agent, NCIS-Camp Al Asad, Iraq
- Special Agent, NCIS-Camp Al Asad, Iraq
- Special Agent, Forensic Consultant, NCISFO Mayport, FL
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ACTION: DIST

INFO: MWPE (H)/LTCOL (b)(6), (b)(7)(C), USMC, Legal Liaison
Officer, IMEF (H)

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

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

11APR06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA

I/KILO CO 3, 1, IMEF/ALLEGED VIOLATIONS OF LAW OF ARMED CONFLICT IN HADITHA IZ

COMMAND/3DBN1STMAR/40220

MADE AT/MEVM/BAGHDAD IRAQ (b)(6), (b)(7)(C) SPECIAL AGENT

EXHIBIT(S)

(1) IA: Results of Polygraph Examination of (b)(6), (b)(7)(C) 02APR06... (Orig 23B/Copy 24B2)

NARRATIVE

1. On 02APR06, was administered a polygraph examination at Al Asad Airbase, Iraq. As background, allegedly shot unarmed Iraqi civilians on 19NOV05 while in Haditha, Iraq.

2. After evaluation of the gathered charts, it was the opinion of the examiner that depicted deception in his responses to the relevant questions. During post-test interview admitted culpability to shooting unarmed Iraqi civilians on 19NOV05. Exhibit (1), provides details.

ACTION

0024B2: Completes tasking.

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (CHANGE)

11APR06

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 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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Page 1 of 2

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL: 13MAR06-MEBJ-0164-7HMA

11Apr06

FOR OFFICIAL USE ONLY 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/0023/NCISHQ WASHINGTON DC (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCES

(A) NCIS Camp Fallujah, IZ ROI (OPEN)/13MAR06/I/KILO CO 3DBN 1STMAR,
I MEF/ALLEGED VIOLATIONS OF LAW OF ARMED CONFLICT IN HADITHA, IZ

NARRATIVE

1. Subsequent to the submission of Reference (A), preliminary investigative efforts identified subjects, co-subjects, and victims as listed in the above title block. Additionally, the command line was changed.

ACTION

DIST: Update NI title block as reflected above. Please note the changes in the command line.

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INFO: MWPE

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

14MAR06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA

I/KILO CO 3DBN 1STMAR, I MEF/ALLEGED VIOLATIONS OF LAW OF ARMED
CONFLICT IN HADITHA, IZ

COMMAND/3DBN 1STMAR/40220

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

REFERENCES

- (A) NCIS Camp Fallujah, IZ ROI (OPEN)/13MAR06
- (B) NCIS 1, Chapter 25-10, Special Interest "SI" Investigations

NARRATIVE

1. Subsequent to the submission of Reference (A), this case has been given the designation of "Special Interest" (SI) by NCISHQ.

ACTION

MEBJ: As per guidance provided in Reference (B), reporting requirements are to be conducted on a 30-day reporting cycle with all exhibits attached. Annotate distribution section of all SSD documents as "SI" or Special Interest. Ensure NCISHQ Desk Officer, SA (b)(6), (b)(7)(C) is notified of all significant developments, to include press interest and lead completion, via e-mail and/or telephone contact on a weekly basis for status updates.

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INFO: MEBJ

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (OPEN)

13MAR06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA

I/KILO CO 3DBN 1STMAR, I MEF/ALLEGED VIOLATIONS OF LAW OF ARMED
CONFLICT IN HADITHA, IZ

COMMAND/3DBN 1STMAR/40220

MADE AT/MEBJ/CAMP FALLUJAH IZ (b)(6), (b)(7)(C) SPECIAL AGENT

NARRATIVE

1. Investigation was initiated following request for investigative assistance from MGEN (b)(6), (b)(7)(C) USMC, I MEF CG, Camp Fallujah, IZ, relative to possible violations of the Law of Armed Conflict resulting in multiple deaths of non-combatants by Kilo Company, 3DBN, 1STMAR personnel in Haditha, Iraq, on 19Nov05. On 19Nov05, a (b)(7)(F) vehicle convoy of Kilo Company and Iraqi Army personnel traveling through Haditha were ambushed by a coordinated IED and small arms fire (SAF) attack on their convoy. The IED destroyed the fourth vehicle in the convoy, killing one Marine and injuring others. The IED attack was immediately followed by SAF directed at the convoy. Kilo CO Marines and Iraqi Soldiers immediately dismounted and set up a defensive perimeter. Shortly thereafter, a white vehicle approached their location and was directed to the side of the road. Four Military Age Males (MAMs) exited the vehicle, were told to stop, failed to obey this command, attempted to run from the scene and were shot and killed by Kilo CO personnel.

2. Five Kilo CO personnel then moved toward several nearby houses where reported SAF was emanating from. A forced entry house clearing to include SAF and fragmentation grenades was executed by the Marines at House 1 due to reported SAF from that location. As a result of this action, six family members, non-combatants, were killed (NKIAs) and no weapons were found in the residence. A seventh family member from House 1 was also shot and killed along a ridgeline as he attempted to flee. These Marines then moved to House 2 due to reported SAF from that location, where they again executed a forced entry house clearing using SAF and fragmentation grenades. Eight NKIA (all family members) resulted from this action and no weapons were found in the residence. NKIAs at House 1 and House 2 were males and females ranging in age from an infant to the elderly. They immediately moved to House 3 where they identified several woman and children, and continued onto to House 4 where they encountered two MAMs reportedly with weapons, shot and killed them, then shot and killed two other MAMs within the residence when they reportedly made furtive movements toward the downed individuals/weapons.

3. In Feb06, MNC-I, Baghdad, directed an administrative inquiry (15-6) into this matter. As a result of that completed inquiry, NCIS Camp Fallujah was requested by I MEF CG to investigate this matter relative to any possible criminal violations. Investigation continues.

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Page 1 of 2

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CONTROL: 13MAR06-MEJB-0164-7HMA

13Mar06

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